

HOUSE JOURNAL

First Regular Session of the Fifty-fourth Legislature

of the State of Oklahoma

Fifty-seventh Legislative Day, Monday, May 13, 2013

The House was called to order by Speaker Pro Tempore Jackson.

The roll was called with 100 Members present.

The following Member was excused: Reynolds—1.

The Speaker Pro Tempore declared a quorum present.

Prayer was offered by Pastor Norma Gravley-Quinn, Centenary United Methodist Church, Lawton. Pastor Gravley-Quinn was sponsored by Representative Armes.

Upon motion of Representative Cockroft, Pastor Gravley-Quinn was confirmed as House Chaplain for this legislative week.

The Journal for the last legislative day was approved.

ENGROSSED AND ENROLLED MEASURES

HJRs 1046, 1056, 1057 and 1062 were reported correctly engrossed, properly signed, in open session, and ordered transmitted to the Honorable Senate.

HBs 1364, 1684, 1686, 1687, 1762, 1830, 1984, 1990 and 2015 were reported correctly enrolled and, after fourth reading, properly signed, in open session, and ordered transmitted to the Honorable Senate.

RESOLUTIONS

The following were introduced and read:

HCR 1019 – By Schwartz.

A Concurrent Resolution requesting that the Corporation Commission permit continued funding of certain telemedicine lines for certain period.

HR 1027 – By Echols, Christian, Moore, Bennett, Cooksey and Dorman.

A Resolution declaring May 16, 2013, as Lupus Advocacy Day and May 2013 as Lupus Awareness Month in Oklahoma; and directing distribution.

HR 1028 – By Inman.

A Resolution recognizing and commending the Regional Food Bank of Oklahoma and the Community Food Bank of Eastern Oklahoma; encouraging Oklahoma residents to devote time to food banks; designating May 14, 2013, as Hold Out for Hunger Day; and directing distribution.

PENDING CONSIDERATION OF SAs

SAs to HB 1691 were called up for consideration.

Upon motion of Representative Blackwell, the House concurred in the **SAs to HB 1691**.

HB 1691, as amended by the Honorable Senate, was read at length for the fourth time and the roll was called on the measure as follows:

Aye: Armes, Banz, Bennett, Biggs, Billy, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Christian, Cleveland, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Echols, Enns, Fisher, Floyd, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Henke, Hickman, Hoskin, Hulbert, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Kouplen, Martin (Scott), Martin (Steve), Matthews, McBride, McCall, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Morrisette, Mulready, Murphey, Nelson, Newell, Nollan, O'Donnell, Ortega, Ownbey, Perryman, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Ritze, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Schwartz, Scott, Sears, Shelton, Sherrer, Shoemake, Smalley, Stiles, Thomsen, Trebilcock, Turner, Vaughan, Virgin, Walker, Watson, Wesselhoft, Wood, Wright, Mr. Speaker.--95.

Excused: Lockhart, McCullough, Osborn, Reynolds, Sanders, Williams.--6.

The measure passed.

Senate amendments were properly signed, in open session, and the above-numbered measure was referred for enrollment.

PENDING CONSIDERATION OF SAs

SAs to HB 1693 were called up for consideration.

Coauthored by Senator(s) Johnson (Constance)

Upon motion of Representative Blackwell, the House concurred in the **SAs to HB 1693**.

HB 1693, as amended by the Honorable Senate, was read at length for the fourth time and the roll was called on the measure as follows:

Aye: Armes, Banz, Bennett, Biggs, Billy, Blackwell, Brumbaugh, Cannaday, Casey, Christian, Cleveland, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Echols, Enns, Fisher, Floyd, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Henke, Hickman, Hoskin, Hulbert, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Kouplén, Martin (Scott), Martin (Steve), Matthews, McBride, McCall, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Morrisette, Mulready, Murphey, Nelson, Newell, Nollan, O'Donnell, Ortega, Ownbey, Perryman, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Ritze, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Schwartz, Sears, Sherrer, Shoemake, Smalley, Stiles, Thomsen, Trebilcock, Turner, Vaughan, Virgin, Walker, Watson, Wesselhoft, Wood, Wright, Mr. Speaker.--92.

Excused: Brown, Lockhart, McCullough, Osborn, Reynolds, Sanders, Scott, Shelton, Williams.--9.

The measure passed.

Senate amendments were properly signed, in open session, and the above-numbered measure was referred for enrollment.

PENDING CONSIDERATION OF SAs

SAs to HB 1694 were called up for consideration.

Upon motion of Representative Blackwell, the House concurred in the **SAs to HB 1694**.

HB 1694, as amended by the Honorable Senate, was read at length for the fourth time and the roll was called on the measure as follows:

Aye: Armes, Banz, Bennett, Biggs, Billy, Blackwell, Brumbaugh, Cannaday, Casey, Christian, Cleveland, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Echols, Enns, Fisher, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Henke, Hickman, Hoskin, Hulbert, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Kirby,

Kouplén, Lockhart, Martin (Scott), Martin (Steve), Matthews, McBride, McCall, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiél, McPeak, Moore, Morrissette, Mulready, Murphey, Nelson, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Perryman, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Ritze, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Schwartz, Sears, Shelton, Sherrer, Shoemake, Smalley, Stiles, Trebilcock, Turner, Vaughan, Virgin, Walker, Watson, Wesselhoft, Wood, Wright, Mr. Speaker.--93.

Excused: Brown, Floyd, McCullough, Reynolds, Sanders, Scott, Thomsen, Williams.--8.

The measure passed.

Senate amendments were properly signed, in open session, and the above-numbered measure was referred for enrollment.

PENDING CONSIDERATION OF SAs

SAs to HB 1696 were called up for consideration.

Upon motion of Representative Blackwell, the House concurred in the **SAs to HB 1696**.

HB 1696, as amended by the Honorable Senate, was read at length for the fourth time and the roll was called on the measure and emergency as follows:

Aye: Armes, Banz, Bennett, Biggs, Billy, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Christian, Cleveland, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Echols, Enns, Fisher, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Henke, Hickman, Hoskin, Hulbert, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Kouplén, Lockhart, Martin (Scott), Martin (Steve), McBride, McCall, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McPeak, Moore, Morrissette, Mulready, Murphey, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Perryman, Peterson, Proctor, Pruett, Quinn, Renegar, Ritze, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Scott, Sears, Shelton, Sherrer, Shoemake, Smalley, Stiles, Trebilcock, Turner, Virgin, Walker, Watson, Wesselhoft, Williams, Wood, Wright, Mr. Speaker.--90.

Nay: Nelson.--1.

Excused: Floyd, Matthews, McCullough, McNiél, Pittman, Reynolds, Sanders, Schwartz, Thomsen, Vaughan.--10.

The measure and emergency passed.

Senate amendments were properly signed, in open session, and the above-numbered measure was referred for enrollment.

PENDING CONSIDERATION OF SAs

SAs to HB 1698 were called up for consideration.

Upon motion of Representative Blackwell, the House concurred in the **SAs to HB 1698**.

HB 1698, as amended by the Honorable Senate, was read at length for the fourth time and the roll was called on the measure as follows:

Aye: Armes, Banz, Biggs, Billy, Blackwell, Brown, Cannaday, Christian, Condit, Coody, Cox, Denney, DeWitt, Dorman, Enns, Fisher, Floyd, Fourkiller, Glenn, Grau, Hamilton, Henke, Hoskin, Inman, Jackson, Johnson, Jordan, Joyner, Kirby, Martin (Scott), Martin (Steve), McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, Morrissette, Mulready, Nollan, Ortega, Ownbey, Perryman, Peterson, Proctor, Pruett, Quinn, Renegar, Rousselot, Schwartz, Scott, Sears, Shelton, Sherrer, Shoemake, Thomsen, Trebilcock, Vaughan, Virgin, Watson, Wright, Mr. Speaker.--60.

Nay: Bennett, Brumbaugh, Casey, Cleveland, Cockroft, Cooksey, Dank, Derby, Echols, Hall, Hardin, Hickman, Hulbert, Kern, Kouplen, McCall, McPeak, Moore, Murphey, Nelson, Newell, O'Donnell, Roberts (Dustin), Roberts (Sean), Smalley, Turner, Wesselhoft, Williams, Wood.--29.

Excused: Lockhart, Matthews, McBride, McCullough, Osborn, Pittman, Reynolds, Ritze, Russ, Sanders, Stiles, Walker.--12.

The measure passed.

Senate amendments were properly signed, in open session, and the above-numbered measure was referred for enrollment.

MESSAGES FROM THE SENATE

Advising fourth reading of and transmitting for signature Enrolled **SBs 285, 692** and **917**.

The above-numbered enrolled measures were, after fourth reading, properly signed and ordered returned to the Honorable Senate.

Transmitting engrossed measures

Announcing the passage of **SCRs 28** and **30**. The measures were introduced and read.

SCR 28 – By Crain, Aldridge, Allen, Anderson, Ballenger, Barrington, Bass, Bingman, Boggs, Branan, Brecheen, Brinkley, Brooks, Brown, Burrage, Coates, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (Constance), Johnson (Rob), Jolley, Justice, Loveless, Marlatt, Mazzei, McAffrey, Newberry, Paddack,

Schulz, Sharp, Shaw, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes, Treat and Wyrick of the Senate and Echols of the House.

A Concurrent Resolution recognizing October 20-26, 2013, as Male Breast Cancer Awareness Week in Oklahoma; and directing distribution.

SCR 30 – By Paddack, Aldridge, Allen, Anderson, Ballenger, Barrington, Bass, Bingman, Boggs, Branan, Brecheen, Brinkley, Brooks, Brown, Burrage, Coates, Crain, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (Constance), Johnson (Rob), Jolley, Justice, Loveless, Marlatt, Mazzei, McAffrey, Newberry, Schulz, Sharp, Shaw, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes, Treat and Wyrick of the Senate and Thomsen of the House.

A Concurrent Resolution congratulating Deborah Cornelison for being inducted into the National Teachers Hall of Fame; applauding her for her dedication to her students; and directing distribution.

PENDING CONSIDERATION OF SAs

SAs to HB 1701 were called up for consideration.

Upon motion of Representative Blackwell, the House concurred in the **SAs to HB 1701**.

HB 1701, as amended by the Honorable Senate, was read at length for the fourth time and the roll was called on the measure as follows:

Aye: Armes, Banz, Bennett, Biggs, Billy, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Christian, Cleveland, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Echols, Enns, Fisher, Floyd, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Henke, Hickman, Hoskin, Hulbert, Inman, Jackson, Jordan, Joyner, Kern, Kirby, Kouplen, Martin (Scott), Martin (Steve), McBride, McCall, McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Morrisette, Mulready, Murphey, Nelson, Newell, O'Donnell, Ortega, Osborn, Ownbey, Perryman, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Ritze, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Schwartz, Scott, Sears, Shelton, Sherrer, Shoemake, Smalley, Stiles, Thomsen, Trebilcock, Turner, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wood, Wright, Mr. Speaker.--95.

Excused: Johnson, Lockhart, Matthews, Nollan, Reynolds, Sanders.--6.

The measure passed.

Senate amendments were properly signed, in open session, and the above-numbered measure was referred for enrollment.

PENDING CONSIDERATION OF SAs

SAs to HB 1702 were called up for consideration.

Upon motion of Representative Blackwell, the House concurred in the **SAs to HB 1702**.

HB 1702, as amended by the Honorable Senate, was read at length for the fourth time and the roll was called on the measure as follows:

Aye: Armes, Banz, Bennett, Biggs, Billy, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Christian, Cleveland, Cockroft, Condit, Coody, Cooksey, Cox, Denney, Derby, DeWitt, Dorman, Echols, Enns, Fisher, Floyd, Fourkiller, Glenn, Grau, Hall, Hardin, Henke, Hickman, Hoskin, Hulbert, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Kouplen, Martin (Scott), Martin (Steve), McBride, McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Morrisette, Mulready, Murphey, Nelson, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Perryman, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Ritze, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Schwartz, Scott, Sears, Shelton, Sherrer, Shoemake, Smalley, Stiles, Thomsen, Trebilcock, Turner, Vaughan, Virgin, Walker, Watson, Wesselhoft, Wood, Wright, Mr. Speaker.--93.

Nay: McCall.--1.

Excused: Dank, Hamilton, Lockhart, Matthews, Reynolds, Sanders, Williams.--7.

The measure passed.

Senate amendments were properly signed, in open session, and the above-numbered measure was referred for enrollment.

PENDING CONSIDERATION OF SAs

SAs to HB 1359 were called up for consideration.

Upon motion of Representative Renegar, the House concurred in the **SAs to HB 1359**.

HB 1359, as amended by the Honorable Senate, was read at length for the fourth time and the roll was called on the measure as follows:

Aye: Armes, Banz, Billy, Brown, Cannaday, Casey, Christian, Condit, Coody, Cooksey, Dank, Denney, DeWitt, Dorman, Enns, Floyd, Fourkiller, Glenn, Hamilton, Henke, Hickman, Hoskin, Inman, Jackson, Johnson, Jordan, Joyner, Kirby, Kouplen, Martin (Scott), Martin (Steve), McBride, McDaniel (Curtis), McDaniel (Jeannie), McNiel, McPeak, Moore, Morrisette, Newell, Nollan, Ortega, Osborn, Perryman, Peterson, Proctor, Pruett, Quinn, Renegar, Roberts (Dustin), Rousselot, Sanders, Scott, Sears, Shelton,

Sherrer, Shoemake, Smalley, Stiles, Thomsen, Trebilcock, Vaughan, Virgin, Walker, Watson, Williams, Wright, Mr. Speaker.--67.

Nay: Blackwell, Brumbaugh, Cleveland, Cockroft, Cox, Derby, Echols, Fisher, Grau, Hall, Hardin, Hulbert, Kern, McCullough, McDaniel (Randy), Murphey, Nelson, O'Donnell, Ownbey, Ritze, Roberts (Sean), Russ, Turner, Wesselhoft, Wood.--25.

Excused: Bennett, Biggs, Lockhart, Matthews, McCall, Mulready, Pittman, Reynolds, Schwartz.--9.

The measure passed.

Senate amendments were properly signed, in open session, and the above-numbered measure was referred for enrollment.

GENERAL ORDER

HJR 1047 by Blackwell of the House was read and considered.

Authored by Senator Treat (principal Senate author)

Representative Blackwell moved that **HJR 1047** be advanced from General Order, which motion was declared adopted.

THIRD READING

HJR 1047 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Bennett, Billy, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Christian, Cleveland, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Echols, Enns, Fisher, Floyd, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Henke, Hickman, Hoskin, Hulbert, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Kouplen, Martin (Scott), Martin (Steve), McBride, McCall, McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Morrissette, Mulready, Murphey, Nelson, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Perryman, Peterson, Proctor, Pruett, Quinn, Renegar, Ritze, Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shelton, Sherrer, Shoemake, Smalley, Stiles, Thomsen, Trebilcock, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wood, Wright, Mr. Speaker.--93.

Excused: Biggs, Lockhart, Matthews, Pittman, Reynolds, Roberts (Dustin), Roberts (Sean), Turner.--8.

The measure passed.

HJR 1047 was referred for engrossment.

PENDING CONSIDERATION OF SAs

SAs to **HB 2165** were called up for consideration.

Upon motion of Representative Echols, the House concurred in the SAs to **HB 2165**.

HB 2165, as amended by the Honorable Senate, was read at length for the fourth time and the roll was called on the measure and emergency as follows:

Aye: Armes, Banz, Biggs, Billy, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Christian, Cleveland, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Echols, Enns, Fisher, Floyd, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Henke, Hickman, Hoskin, Hulbert, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Kouplen, Martin (Scott), Martin (Steve), McBride, McCall, McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Mulready, Murphey, Nelson, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Perryman, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Ritze, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Schwartz, Scott, Sears, Shelton, Sherrer, Shoemake, Smalley, Stiles, Thomsen, Trebilcock, Turner, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wood, Wright, Mr. Speaker.--95.

Excused: Bennett, Lockhart, Matthews, Morrissette, Reynolds, Sanders.--6.

The measure and emergency passed.

Senate amendments were properly signed, in open session, and the above-numbered measure was referred for enrollment.

GENERAL ORDER

HJR 1060 by Floyd of the House was read and considered.

Authored by Senator McAffrey (principal Senate author)

Representative Floyd moved that **HJR 1060** be advanced from General Order, which motion was declared adopted.

THIRD READING

HJR 1060 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Biggs, Billy, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Christian, Cleveland, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Echols, Enns, Fisher, Floyd, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Henke, Hickman, Hoskin, Hulbert, Inman, Jackson, Johnson, Jordan, Joyner, Kern,

Kirby, Kouplén, Lockhart, Martin (Scott), Martin (Steve), McBride, McCall, McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Morrissette, Mulready, Murphey, Nelson, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Perryman, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Ritze, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Scott, Sears, Shelton, Sherrer, Shoemake, Smalley, Stiles, Thomsen, Trebilcock, Turner, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wood, Wright, Mr. Speaker.--97.

Excused: Bennett, Matthews, Reynolds, Schwartz.--4.

The measure passed.

HJR 1060 was referred for engrossment.

GENERAL ORDER

HJR 1061 by Thomsen of the House was read and considered.

Authored by Senator Paddack (principal Senate author)

Representative Thomsen moved that **HJR 1061** be advanced from General Order, which motion was declared adopted.

THIRD READING

HJR 1061 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Biggs, Billy, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Christian, Cleveland, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Echols, Enns, Fisher, Floyd, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Henke, Hickman, Hoskin, Hulbert, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Kouplén, Lockhart, Martin (Scott), Martin (Steve), Matthews, McBride, McCall, McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Morrissette, Mulready, Murphey, Nelson, Newell, O'Donnell, Ortega, Osborn, Ownbey, Perryman, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Ritze, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shelton, Sherrer, Shoemake, Smalley, Stiles, Thomsen, Turner, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wood, Wright, Mr. Speaker.--97.

Excused: Bennett, Nollan, Reynolds, Trebilcock.--4.

The measure passed.

HJR 1061 was referred for engrossment.

RESOLUTION FOR CONSIDERATION

SCR 26 was called up for consideration.

Upon motion of Representative Russ, **SCR 26** was considered and adopted.

SCR 26 was properly signed, in open session, by the Presiding Officer and ordered returned to the Honorable Senate.

RECONSIDERATION

Representative Enns moved to reconsider the vote whereby **HB 1313** failed, which motion failed upon roll call as follows:

Aye: Armes, Bennett, Biggs, Billy, Blackwell, Brumbaugh, Christian, Cleveland, Coody, Cooksey, Cox, Dank, Denney, Echols, Enns, Grau, Hamilton, Hickman, Jackson, Kern, Kirby, McBride, McCall, McDaniel (Jeannie), McDaniel (Randy), Moore, Morrisette, Mulready, Murphey, Nelson, O'Donnell, Ortega, Ownbey, Peterson, Pruett, Quinn, Ritze, Roberts (Sean), Russ, Schwartz, Scott, Smalley, Stiles, Turner, Vaughan, Watson, Wesselhoft.--47.

Nay: Banz, Brown, Cannaday, Casey, Cockroft, Condit, Derby, DeWitt, Fisher, Floyd, Glenn, Hall, Hardin, Henke, Hoskin, Hulbert, Inman, Johnson, Jordan, Joyner, Kouplen, Lockhart, Martin (Scott), Martin (Steve), Matthews, McCullough, McDaniel (Curtis), McNiel, McPeak, Newell, Nollan, Osborn, Perryman, Pittman, Proctor, Renegar, Roberts (Dustin), Rousselot, Sanders, Sears, Shelton, Sherrer, Shoemake, Thomsen, Virgin, Walker, Williams, Wood, Wright, Mr. Speaker.--50.

Excused: Dorman, Fourkiller, Reynolds, Trebilcock.--4.

MOTION

Representative Hamilton asked that the Journal reflect that had she been present in the Chamber on Thursday, May 9, she would have voted aye on **HB 2015**, which was the order.

POINT OF ORDER

Representative Inman renewed his point of order which he had raised on Thursday, May 9, 2013, regarding the vote on **HB 2301**.

Representative Nelson raised a point of information as to the existence of a House precedent relevant to the matter. The Presiding Officer stated that no known precedent was on point.

The Presiding Officer cited House Rule 9.6(f) and reminded members not to vote for another member unless the member is present in the House Chamber or within view of the Presiding Officer.

Representative Inman raised a point of inquiry as to what action would be taken, to which the Presiding Officer responded that such a decision would be up to the House to determine.

Representative Nelson raised a point of inquiry as to what has the House done in similar situations, to which the Presiding Officer responded that a situation such as this was not known to have occurred previously.

Representative Nelson renewed his point of inquiry, to which the Presiding Officer responded that in a similar situation no point of order had been raised on the House Floor, and at the time of the previous occurrence, the Presiding Officer admonished the members not to vote for another member unless the member is present in the House Chamber or within view of the Presiding Officer.

Representative Inman moved to rescind the vote whereby **HB 2301** passed, which motion was ruled out of order because said measure had been engrossed to the Senate and no longer was in the possession of the House.

Representative Inman then moved to request that the Honorable Senate return **HB 2301** to the House for further consideration.

Representative Jordan moved to table the Inman motion.

Representative Kern raised a point of inquiry as to the vote on final passage of the measure, to which the Presiding Officer stated that the vote was 59 ayes, 40 nays.

Representative Hickman raised a point of inquiry as to whether results of the previous vote on **HB 2301** would be replaced upon adoption of a motion to rescind, to which the Presiding Officer stated that a motion to rescind the vote would be in order once the measure was back in the possession of the House.

Representative Jordan moved adoption of the motion to table the Inman motion, which tabling motion was declared adopted upon roll call as follows:

Aye: Armes, Banz, Biggs, Billy, Blackwell, Brumbaugh, Casey, Cleveland, Cockroft, Coody, Cooksey, Dank, Denney, Derby, DeWitt, Echols, Fisher, Hall, Hardin, Henke, Hickman, Hulbert, Jackson, Johnson, Jordan, Joyner, Kern, Martin (Scott), Martin (Steve), McBride, McCullough, McDaniel (Randy), McNiel, Moore, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Ownbey, Peterson, Quinn, Ritze, Roberts (Dustin), Russ, Sanders, Schwartz, Smalley, Stiles, Thomsen, Trebilcock, Turner, Vaughan, Walker, Watson, Wood, Wright, Mr. Speaker.--59.

Nay: Brown, Cannaday, Floyd, Fourkiller, Glenn, Hamilton, Hoskin, Inman, Kouplen, Matthews, McDaniel (Curtis), McDaniel (Jeannie), McPeak, Morrisette, Perryman, Pittman, Proctor, Pruett, Renegar, Rousselot, Scott, Shelton, Sherrer, Shoemake, Virgin, Williams.--26.

Excused: Bennett, Christian, Condit, Cox, Dorman, Enns, Grau, Kirby, Lockhart, McCall, O'Donnell, Osborn, Reynolds, Roberts (Sean), Sears, Wesselhoft.--16.

MESSAGES FROM THE SENATE

Announcing that Enrolled **HBs 1364, 1684, 1686, 1687, 1762, 1830, 1984, 1990** and **2015** have been read at length for the fourth time and signed by the Presiding Officer of Senate, in open session.

The above measures were ordered transmitted to the Honorable Governor.

Concurrence in HAs

Announcing the concurrence of Senate in **HAs** to **SB 908** and the passage of said measure, as amended thereby.

CONFEREES NAMED

The Speaker named the following conferees:

HB 1233 – GCCA

HB 1416 – Conference Committee on Economic Development and Financial Services

HB 1418 – Conference Committee on Human Services

HB 1623 – Conference Committee on Common Education

HB 1763 – Conference Committee on States' Rights

HB 1942 – Conference Committee on Public Health

HB 2099 – GCCA

HB 2182 – GCCA

CONFERENCE GRANTED

Upon motion of Representative Peterson, the House granted the request of the Honorable Senate for conference on the following measures and the Speaker named conferees:

SB 71 – GCCA

SB 166 – GCCA

SB 226 – GCCA

SB 321 – GCCA

- SB 330** – GCCA
- SB 343** – GCCA
- SB 387** – GCCA
- SB 418** – GCCA
- SB 436** – GCCA
- SB 522** – GCCA
- SB 629** – Conference Committee on Veterans and Military Affairs
- SB 684** – Conference Committee on Government Modernization
- SB 899** – Conference Committee on Government Modernization
- SB 954** – GCCA
- SB 1058** – Conference Committee on Economic Development and Financial Services

FIRST READING

The following were introduced and read for the first time:

HB 2308 – By Martin (Scott) and Newell of the House and Jolley and Justice of the Senate.

An Act relating to tax credits and tax incentives; amending 68 O.S. 2011, Section 2357, which relates to certain tax credits; eliminating credit related to gas usage; eliminating credit related to certain pollution control facilities; amending 68 O.S. 2011, Section 2358, which relates to computation of Oklahoma taxable income and Oklahoma adjusted gross income; eliminating deduction for certain dividends and interest with respect to Oklahoma financial institutions; repealing 27A O.S. 2011, Section 2-11-303, which relates to tax credits for certain recycling activities; repealing 68 O.S. 2011, Section 2357.6, which relates to the Energy Conservation Assistance Fund; repealing 68 O.S. 2011, Section 2357.13, which relates to tax credits for certain commercial space industry activity; repealing 68 O.S. 2011, Section 2357.24, which relates to tax credits for certain historic battle sites; repealing 68 O.S. 2011, Section 2357.26, which relates to tax credits for certain child care services; repealing 68 O.S. 2011, Section 2357.27, which relates to tax credits for certain child care providers; repealing 68 O.S. 2011, Section 2357.29, which relates to tax credits for ad valorem taxes; repealing 68 O.S. 2011, Section 2357.30, which relates to tax credits for Small Business Association guaranty fees; repealing 68 O.S. 2011, Section 2357.32, which relates to tax credits for certain energy systems; repealing 68 O.S. 2011, Section 2357.33, which relates to tax credits for certain immunization expenses; repealing 68 O.S. 2011, Sections 2357.34, 2357.35, 2357.36, 2357.37, 2357.38, 2357.39 and 2357.40, which relate to tax credits for tourism promotion; repealing 68 O.S. 2011, Section 2357.66, which relates to tax credits for certain ethanol facilities; repealing 68 O.S. 2011, Section 2357.67, which relates to tax credits for certain biodiesel facilities; repealing 68 O.S. 2011, Section 2357.81, which relates to tax credits for investments in facilities located in certain incentive districts; repealing 68 O.S. 2011, Section 2357.102, which relates to tax credits for dry fire hydrants; repealing 68 O.S. 2011, Section 2357.402, which relates to tax credits for certain electric motor vehicle manufacturing activity; repealing 68 O.S. 2011, Section 2358.3, which relates to income tax deduction for political contributions; repealing 68 O.S. 2011, Section 2370.3, which relates to tax credits for Stafford loan fees; repealing 68 O.S. 2011, Section 54006, which relates to tax credits for certain research activity; repealing 74

O.S. 2011, Section 5075, which relates to credits for tenants of small business incubators; repealing 74 O.S. 2011, Section 5078, which relates to credits for sponsors of small business incubators; and providing an effective date.

HB 2309 – By Martin (Scott) and Newell of the House and Jolley and Justice of the Senate.

An Act relating to the district courts; authorizing expenditure from the State Judicial Revolving Fund; stating purpose of expenditure; making an appropriation to the Supreme Court for the district courts; stating purpose; requiring budgeting in certain categories and amounts; limiting salaries of certain employees; providing budgetary limitations; authorizing the total or partial refund of payments to the State Judicial Revolving Fund by local court funds under certain circumstances; providing procedures; providing lapse dates; requiring and prohibiting certain budget practices; and providing an effective date.

HB 2310 – By Martin (Scott) and Newell of the House and Jolley and Justice of the Senate.

An Act relating to revenue and taxation; amending 68 O.S. 2011, Section 1357, as amended by Section 1, Chapter 233, O.S.L. 2012 (68 O.S. Supp. 2012, Section 1357), which relates to sales tax exemptions; modifying time period during which exemption for rolling stock is applicable; amending 68 O.S. 2011, Section 2357.32B, which relates to small wind turbine manufacturing; modifying reference to taxable years; and providing an effective date.

MESSAGES FROM THE GOVERNOR

Advising of her approval of **HBs 1009, 1235, 1455, 1461, 1467, 1740 and 1908** on May 10, 2013.

Advising of her veto of **HB 2077** on May 10, 2013. The veto message reads as follows:

To the Honorable Speaker of the House
and Members of the House of Representatives
First Regular Session, Fifty-fourth Oklahoma Legislature

Enrolled House Bill No. **2077**

By: McDaniel (Randy), et al of the House and Brinkley of the Senate

This is to advise you that on this date, pursuant to the authority vested in me by Section 11 of Article VI of the Oklahoma Constitution to approve or object to legislation presented to me, I have VETOED House Bill **2077**.

HB 2077 would create a voluntary option for active members of the Oklahoma Public Employee Retirement System (OPERS) to participate in a defined contribution plan. The legislation would also require mandatory participation from first-time elected officials elected after 2014, who now only account for .003% of the total number of active members in OPERS.

Based upon the legislative fiscal analysis of **HB 2077**, there is no measureable impact on the state's unfunded liabilities due to unknown variables such as the number of individuals that may voluntarily elect to participate, their potential career length, and salary of those participants. Defined contribution plans offer more cost-certainty to employers, but only if there is meaningful participation rates.

Our public workers are true public servants and have earned our respect and appreciation. We owe it to them to enact legislation that addresses our unfunded pension system with measures to reduce liabilities and strengthen our pension systems so that cost of living and performance pay adjustments can be implemented.

While **HB 2077** recognizes the need for Oklahoma's pension plans to offer more portable, modern retirement benefits for future workers, the legislation fails to address any of the real structural challenges with the state's existing pension benefit plans that have left the state with more than \$11 billion in unfunded liabilities.

Oklahoma needs significant pension reform. While **HB 2077** is well-intended, it lacks any measurable impact on the unfunded status of the state's pension plans and fails to reduce the state's significant pension debts since participation is only voluntary for state employees and required for a small group of first-time elected officials. For all of these reasons, I cannot in good conscience sign **HB 2077** into law.

It is critical for our state to enact true, meaningful pension reform so we can also ensure that the state maintains a high bond rating. The state will risk the possibility of receiving a downgraded rating, and if we do not, we will not achieve the goal of a AAA bond rating until this issue is addressed in a serious way. I am ready and willing to tackle this issue. I look forward to working with the Legislature during the interim to create true pension reform for the State of Oklahoma.

By the Governor of the State of Oklahoma

/s/ Mary Fallin

Advising of her approval of **HBs 1002, 1092, 1098, 1245, 1324, 1397, 1423, 1464, 1469, 1641, 1672, 1745, 1871, 1883, 1987, 2005, 2032** and **2201** on May 13, 2013.

Advising of her veto of **HB 1742** on May 13, 2013. The veto message reads as follows:

To the Honorable Speaker of the House
and Members of the House of Representatives
First Regular Session, Fifty-fourth Oklahoma Legislature

Enrolled House Bill No. **1742**

By: Wright of the House and Stanislawski of the Senate

This is to advise you that on this date, pursuant to the authority vested in me by Section 11 of Article VI of the Oklahoma Constitution to approve or object to legislation presented to me, I have VETOED **HB 1742**.

Current law allows school districts with general fund balances at the end of the fiscal year to “carryover” or save those monies for the following fiscal year without any penalty and while still receiving a reduced appropriation from the Legislature for the following fiscal year. **HB 1742** would increase the amount of “carryover” a school district may have for the upcoming fiscal year.

While I agree that it is important for school districts to maintain “carryover” funds to address cash flow issues and any unforeseen expenses, there has been no demonstrated need that the amount of monies the school districts can currently “carryover” are insufficient to meet the school districts’ needs. This appropriated, tax-payer money should be used to enhance instruction for our students and to place more money into our classrooms to improve the state’s common education system.

HB 1742 does not constitute good public policy and does not further the well-being of the citizens of Oklahoma.

By the Governor of the State of Oklahoma

/s/ Mary Fallin

CCRs SUBMITTED

The conference committee reports were read on the following measures:

HB 1419, Coauthored by Senator(s) Sharp

HB 1526, Coauthored by Senator(s) Johnson (Constance)

HB 1594

HB 1922

REPORT FROM CALENDAR COMMITTEE

The Calendar Committee met on Monday, May 13, 2013, and approved the following measures with an Open Rule to be placed on the Floor Agenda: **HB 1264, HB 2131, HJR 1068, HJR 1069, HR 1026, HR 1027, SB 1121, SB 1122** and **SB 1123**.

Representative Johnson moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 9:00 a.m., Tuesday, May 14, 2013, to which objection was heard.

Representative Johnson pressed his motion, which motion was declared adopted upon a division of the question.

Pursuant to the motion of Representative Johnson, the House was adjourned at 3:20 p.m., to reconvene Tuesday, May 14, 2013, at 9:00 a.m.