

# HOUSE JOURNAL

**First Regular Session of the Fifty-fourth Legislature**

**of the State of Oklahoma**

**Fifty-eighth Legislative Day, Tuesday, May 14, 2013**

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

The roll was called with 98 Members present.

The following Members were excused: Enns, Henke, Reynolds—3.

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.

The Journal for the last legislative day was approved.

## **ENGROSSED AND ENROLLED MEASURES**

**HJR**s 1047, 1060 and 1061 were reported correctly engrossed, properly signed, in open session, and ordered transmitted to the Honorable Senate.

**HB**s 1359, 1691, 1693, 1694, 1696, 1698, 1701, 1702 and 2165 were reported correctly enrolled and, after fourth reading, properly signed, in open session, and ordered transmitted to the Honorable Senate.

## **RESOLUTION FOR CONSIDERATION**

**HR 1026** was called up for consideration.

Upon unanimous consent request of Representative Cannaday, all Members of the House were added as coauthors.

Upon motion of Representative Cannaday, **HR 1026** was considered and adopted.

**HR 1026** was referred for enrollment.

**GENERAL ORDER**

**HJR 1069** by Mulready of the House was read and considered.

Authored by Senator Newberry (principal Senate author)

Representative Mulready moved that **HJR 1069** be advanced from General Order, which motion was declared adopted.

**THIRD READING**

**HJR 1069** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Bennett, Biggs, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Cleveland, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Echols, Fisher, Floyd, Fourkiller, Glenn, Grau, Hall, Hardin, Hickman, Hoskin, Hulbert, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Lockhart, Martin (Scott), Martin (Steve), Matthews, McBride, McCall, McCullough, McDaniel (Curtis), McDaniel (Jeannie), McNiel, McPeak, Moore, Morrissette, Mulready, Murphey, Nelson, Newell, Nollan, O'Donnell, Ortega, Ownbey, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Ritze, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Sears, Shelton, Sherrer, Shoemake, Smalley, Stiles, Thomsen, Turner, Vaughan, Walker, Watson, Wesselhoft, Wood, Wright, Mr. Speaker.--85.

Excused: Banz, Billy, Christian, Enns, Hamilton, Henke, Kouplen, McDaniel (Randy), Osborn, Perryman, Reynolds, Schwartz, Scott, Trebilcock, Virgin, Williams.--16.

The measure passed.

**HJR 1069** was referred for engrossment.

**SECOND READING**

The following were read for the second time and referred to committee:

**HB 2308** – Joint Committee on Appropriations and Budget

**HB 2309** – Joint Committee on Appropriations and Budget

**HB 2310** – Joint Committee on Appropriations and Budget

**Representative Denney Presiding**

**PENDING CONSIDERATION OF SAs**

**SAs to HB 2131** were called up for consideration.

Coauthored by Representative(s) Nelson

Upon motion of Representative Hickman, the House concurred in the **SAs to HB 2131**.

**HB 2131**, 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, Blackwell, Brumbaugh, Cannaday, Casey, Cleveland, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Echols, Fisher, Grau, Hickman, Hulbert, Jackson, Johnson, Jordan, Joyner, Kern, Martin (Scott), Martin (Steve), McBride, McCall, McCullough, McDaniel (Curtis), McDaniel (Randy), McNiel, Moore, Mulready, Murphey, Nelson, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Peterson, Pruett, Quinn, Ritze, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Sears, Shoemake, Smalley, Stiles, Thomsen, Turner, Vaughan, Walker, Watson, Wesselhoft, Wood, Wright, Mr. Speaker.--70.

Nay: Brown, Floyd, Fourkiller, Hoskin, Inman, Kirby, Lockhart, Matthews, McDaniel (Jeannie), McPeak, Morrisette, Pittman, Proctor, Renegar, Scott, Shelton, Sherrer.--17.

Excused: Billy, Christian, Enns, Glenn, Hall, Hamilton, Hardin, Henke, Kouplen, Perryman, Reynolds, Trebilcock, Virgin, Williams.--14.

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 1264** were called up for consideration.

Upon motion of Representative Nelson, the House concurred in the **SAs to HB 1264**.

**HB 1264**, 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, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Cleveland, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Echols, Fisher, Floyd, Glenn, Grau, Hall, Hardin, Hickman, Hoskin, Hulbert,

Inman, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Lockhart, Martin (Scott), Martin (Steve), Matthews, McCall, McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, Moore, Morrissette, Mulready, Murphey, Nelson, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Ritze, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Sherrer, Shoemake, Smalley, Stiles, Thomsen, Turner, Vaughan, Walker, Watson, Wesselhoft, Wood, Wright, Mr. Speaker.--85.

Nay: McPeak.--1.

Excused: Billy, Christian, Enns, Fourkiller, Hamilton, Henke, Kouplén, McBride, Newell, Perryman, Reynolds, Shelton, Trebilcock, Virgin, Williams.--15.

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 1068** by Floyd of the House was read and considered.

Authored by Senator McAffrey (principal Senate author)

Representative Floyd moved that **HJR 1068** be advanced from General Order, which motion was declared adopted.

## **THIRD READING**

**HJR 1068** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Bennett, Biggs, Brown, Brumbaugh, Cannaday, Casey, Cleveland, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Echols, Fisher, Floyd, Glenn, Grau, Hall, Hardin, Hickman, Hoskin, Hulbert, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Lockhart, Martin (Scott), Martin (Steve), Matthews, McCall, McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Morrissette, Mulready, Murphey, Nelson, Nollan, O'Donnell, Ortega, Osborn, Ownbey, 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, Walker, Watson, Wesselhoft, Wood, Wright, Mr. Speaker.--86.

Excused: Billy, Blackwell, Christian, Enns, Fourkiller, Hamilton, Henke, Kouplen, McBride, Newell, Perryman, Reynolds, Trebilcock, Virgin, Williams.--15.

The measure passed.

**HJR 1068** was referred for engrossment.

**RESOLUTION FOR CONSIDERATION**

**SCR 9** was called up for consideration.

Upon motion of Representative Shelton, **SCR 9** was considered and adopted.

**SCR 9** was properly signed, in open session, by the Presiding Officer and ordered returned to the Honorable Senate.

**RESOLUTION FOR CONSIDERATION**

**SCR 10** was called up for consideration.

Upon motion of Representative Shelton, **SCR 10** was considered and adopted.

**SCR 10** was properly signed, in open session, by the Presiding Officer and ordered returned to the Honorable Senate.

**RESOLUTION FOR CONSIDERATION**

**SCR 17** was called up for consideration.

Upon motion of Representative Wood, **SCR 17** was considered and adopted.

**SCR 17** was properly signed, in open session, by the Presiding Officer and ordered returned to the Honorable Senate.

**RESOLUTION FOR CONSIDERATION**

**SCR 18** was called up for consideration.

Upon motion of Representative Wood, **SCR 18** was considered and adopted.

**SCR 18** was properly signed, in open session, by the Presiding Officer and ordered returned to the Honorable Senate.

**MOTION**

Representative Johnson moved that the House stand in recess until 1:00 p.m., which was the order.

**Representative Wright Presiding****MESSAGES FROM THE SENATE**

Advising the signing of and transmitting for signature Enrolled **SCR 26**.

The above-numbered enrolled measure was properly signed and ordered returned to the Honorable Senate.

**Transmitting enrolled measure**

Advising fourth reading of and transmitting for signature Enrolled **SB 908**.

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

**Transmitting CCR**

Transmitting the following measure, together with the conference committee report thereon, advising adoption of conference committee report and passage of measure as amended.

**SB 408**

Conference committee report was read on the above-numbered measure.

**Conference granted, GCCA**

Advising conference granted on **HB 1416** and naming GCCA as Senate conferees.

**Conference granted**

Advising conference granted and the Senate naming conferees as follows:

**HB 2187** - Schulz, Stanislawski, Boggs, Coates, Burrage, Ballenger

**Returning enrolled measures**

Announcing that Enrolled **HBs 1359, 1691, 1693, 1694, 1696, 1698, 1701, 1702** and **2165** 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.

**Returning engrossed measure**

Announcing the passage of **HB 2301**.

The above-numbered measure was referred for enrollment.

**RESOLUTION FOR CONSIDERATION**

**SCR 12** was called up for consideration.

Upon motion of Representative Banz, **SCR 12** was considered and adopted.

**SCR 12** was properly signed, in open session, by the Presiding Officer and ordered returned to the Honorable Senate.

**RESOLUTION FOR CONSIDERATION**

**SCR 15** was called up for consideration.

Upon motion of Representative Pittman, **SCR 15** was considered and adopted.

**SCR 15** was properly signed, in open session, by the Presiding Officer and ordered returned to the Honorable Senate.

**RESOLUTION FOR CONSIDERATION**

**HCR 1019** was called up for consideration.

Authored by Senator Marlatt (principal Senate author)

Upon motion of Representative Schwartz, **HCR 1019** was considered and adopted.

**HCR 1019** was referred for engrossment.

**RESOLUTION FOR CONSIDERATION**

**SCR 28** was called up for consideration.

Upon motion of Representative Echols, **SCR 28** was considered and adopted.

**SCR 28** was properly signed, in open session, by the Presiding Officer and ordered returned to the Honorable Senate.

**PENDING CONSIDERATION OF SAs**

**SAs to HB 1661** were called up for consideration.

Representative Sherrer raised a point of order as to whether the Senate Amendments to **HB 1661** were eligible for consideration by the House.

The Presiding Officer stated that because the Senate Amendments had been available since April 18, 2013, the measure was in order for consideration pursuant to Joint Rule 3.

Upon motion of Representative Denney, the House concurred in the **SAs to HB 1661**.

**HB 1661**, 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, Brown, Cannaday, Casey, Christian, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, DeWitt, Floyd, Fourkiller, Glenn, Hamilton, Hardin, Hoskin, Jackson, Jordan, Joyner, Kirby, Kouplén, Martin (Scott), Martin (Steve), Matthews, McCall, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, Morrissette, Nelson, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Pittman, Proctor, Pruett, Quinn, Renegar, Rousselot, Russ, Schwartz, Scott, Sears, Shelton, Sherrer, Shoemake, Stiles, Thomsen, Vaughan, Virgin, Watson, Williams, Wood, Wright, Mr. Speaker.--65.

Nay: Brumbaugh, Cleveland, Derby, Echols, Fisher, Grau, Hall, Hulbert, Johnson, Kern, Lockhart, McBride, McCullough, McPeak, Moore, Mulready, Murphey, Newell, Peterson, Ritze, Roberts (Dustin), Roberts (Sean), Sanders, Smalley, Turner, Walker, Wesselhoft.--27.

Excused: Blackwell, Dorman, Enns, Henke, Hickman, Inman, Perryman, Reynolds, Trebilcock.--9.

The measure passed.

The roll was called on the emergency and resulted as follows:

Aye: Armes, Banz, Bennett, Biggs, Billy, Brown, Casey, Christian, Cockroft, Coody, Cooksey, Cox, Dank, Denney, DeWitt, Floyd, Fourkiller, Glenn, Hall, Hamilton, Hoskin, Jackson, Jordan, Joyner, Martin (Scott), Martin (Steve), Matthews, McCall, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Pittman, Proctor, Pruett, Quinn, Renegar, Rousselot, Russ, Schwartz, Scott, Sears, Sherrer, Stiles, Thomsen, Vaughan, Virgin, Watson, Wood, Wright, Mr. Speaker.--57.

Nay: Brumbaugh, Cannaday, Cleveland, Condit, Derby, Echols, Fisher, Grau, Hardin, Hulbert, Johnson, Kern, Kirby, Kouplén, Lockhart, McBride, McCullough, McPeak, Moore, Mulready, Murphey, O'Donnell, Peterson, Ritze, Roberts (Dustin), Roberts (Sean), Sanders, Shoemake, Smalley, Turner, Walker.--31.

Excused: Blackwell, Dorman, Enns, Henke, Hickman, Inman, Morrissette, Perryman, Reynolds, Shelton, Trebilcock, Wesselhoft, Williams.--13.

The emergency failed.

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

#### **RESOLUTION FOR CONSIDERATION**

**SCR 30** was called up for consideration.

Upon motion of Representative Thomsen, **SCR 30** was considered and adopted.

**SCR 30** was properly signed, in open session, by the Presiding Officer and ordered returned to the Honorable Senate.

#### **RESOLUTION FOR CONSIDERATION**

**SCR 23** was called up for consideration.

Upon unanimous consent request of Representative Roberts (Sean), all Members of the House were added as coauthors.

Upon motion of Representative Roberts (Sean), **SCR 23** was considered and adopted.

**SCR 23** was properly signed, in open session, by the Presiding Officer and ordered returned to the Honorable Senate.

#### **RESOLUTION FOR CONSIDERATION**

**HR 1020** was called up for consideration.

Upon motion of Representative Turner, **HR 1020** was considered and adopted.

**HR 1020** was referred for enrollment.

#### **RESOLUTION FOR CONSIDERATION**

**HR 1024** was called up for consideration.

Upon unanimous consent request of Representative Walker, all Members of the House were added as coauthors.

Upon motion of Representative Walker, **HR 1024** was considered and adopted.

**HR 1024** was referred for enrollment.

**PENDING CONSIDERATION OF CCR**

The **CCR** on **HB 1594** was called up for consideration.

Coauthored by Representative(s) Johnson

Upon motion of Representative Vaughan, the **CCR** on **HB 1594** was adopted.

**HB 1594**, as amended in conference, 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, Dank, Denney, Derby, DeWitt, Dorman, Echols, Fisher, Floyd, Glenn, Hall, Hamilton, Hardin, Hoskin, Hulbert, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Kouplen, Lockhart, Martin (Scott), Martin (Steve), Matthews, McBride, McCall, McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McPeak, Moore, Morrissette, Mulready, Murphey, Nelson, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Ritze, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shelton, Sherrer, Shoemake, Stiles, Thomsen, Turner, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wood, Wright, Mr. Speaker.--90.

Excused: Cox, Enns, Fourkiller, Grau, Henke, Hickman, McNiell, Perryman, Reynolds, Smalley, Trebilcock.--11.

The measure and emergency passed.

**HB 1594**, together with the conference committee report, thereon, was ordered transmitted to the Honorable Senate.

**MESSAGES FROM THE SENATE****Concurrence in HAs**

Announcing the concurrence of Senate in **HAs** to **SB 191** and the passage of said measure, as amended thereby.

**Conference granted**

Advising conference granted and the Senate naming conferees as follows:

**HB 1695** - Treat, Johnson (Rob), Loveless, Brooks, Ellis, Ballenger

## **FIRST READING**

The following was introduced and read for the first time:

**HB 2311** – By Martin (Scott) and Newell of the House and Jolley and Justice of the Senate.

An Act relating to revenue and taxation; providing for valuation of certain assets having fair cash value in excess of specified amount and located within a tax increment district; prescribing procedures; providing for codification; and declaring an emergency.

## **RESOLUTION**

The following was introduced and read:

**HCR 1020** – By Kouplen.

A Concurrent Resolution commending the Beggs High School Girls Track and Field Team; and directing distribution.

## **MESSAGE FROM THE GOVERNOR**

Advising of her approval of **HBs 1107, 1242, 1361, 1512, 1759, 2048, 2072** and **2188** on May 14, 2013.

## **CONFEREES NAMED**

The Speaker named the following conferees:

**HB 1612** – GCCA

**HB 1719** – Casey, Peterson, Thomsen, Jordan, Fisher, Osborn, Kern, Moore, Denney, Coody, Cannaday, Pruett, Rousselot

**HB 1794** – Christian, Osborn, Jordan, Johnson, Echols, Newell, Henke, Kirby, Fourkiller, Scott

**HB 1875** – GCCA

**HB 1890** – Conference Committee on Judiciary

**HB 2055** – Conference Committee on Administrative Rules, Government Oversight and Repealer

**HB 2097** – Jackson, Derby, Armes, Biggs, Christian, Hall, Schwartz, Sanders, Dorman, Virgin

**HB 2228** – Conference Committee on Public Safety

**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 613** – Conference Committee on Economic Development and Financial Services  
**SB 645** – GCCA

**COMMITTEE REPORTS**

The following were reported by the committees named, ordered printed and placed on the Calendar unless otherwise indicated:

DO PASS:

**HJR 1071** – Administrative Rules, Government Oversight and Repealer

DO PASS, As Amended:

**CS for HB 2303** – Joint Committee on Appropriations and Budget  
**CS for HB 2304** – Joint Committee on Appropriations and Budget  
**CS for HB 2305** – Joint Committee on Appropriations and Budget  
**CS for HB 2306** – Joint Committee on Appropriations and Budget  
**CS for HB 2307** – Joint Committee on Appropriations and Budget

**CCRs SUBMITTED**

The conference committee reports were read on the following measures:

**HB 1068**, Coauthored by Senator(s) Sharp

**HB 1115** (Conferees Unable to Agree)

**HB 1441**

**HB 1525**, Coauthored by Representative(s) Scott

**HB 1558**, Coauthored by Representative(s) Johnson, and Coauthored by Senator(s)

Sharp

**HB 1622**, Coauthored by Senator(s) Allen, Shortey

**HB 1683**

**HB 1688**

**HB 1690**

**HB 1700**

**HB 1703**

**HB 1874**

**HB 1886**

**HB 1924**, Coauthored by Senator(s) Johnson (Constance)

**HB 1989**, Coauthored by Senator(s) Jolley  
**HB 2164**  
**HB 2193**, Coauthored by Senator(s) Sharp  
**HB 2194** (Conferees Unable to Agree)  
**HB 2226**, Coauthored by Senator(s) Johnson (Constance)

#### **REPORT FROM CALENDAR COMMITTEE**

The Calendar Committee met on Tuesday, May 14, 2013, and approved the following measures with an Open Rule to be placed on the Floor Agenda: **HB 1419, HB 1526, HB 1594, HB 1622, HB 1661, HCR 1019, SB 408, SCR 28** and **SCR 30**. The following measures were approved with an Open Rule, Fiscal Analysis required, to be placed on the Floor Agenda: **HB 1922, HB 2303, HB 2304, HB 2305, HB 2306** and **HB 2307**.

Representative Peterson moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 1:00 p.m., Wednesday, May 15, 2013, which was the order.

Pursuant to the motion of Representative Peterson, the House was adjourned at 2:05 p.m., to reconvene Wednesday, May 15, 2013, at 1:00 p.m.