

HOUSE JOURNAL

First Regular Session of the Fifty-fifth Legislature

of the State of Oklahoma

Fifty-fourth Legislative Day, Wednesday, May 6, 2015

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

The roll was called with 97 Members present.

The following Members were excused: Lepak, Roberts (Sean).—2.

Vacancy: District 73, District 85.—2.

The Speaker Pro Tempore declared a quorum present.

Prayer was offered by Pastor/Dr. David P. Lawrence, Emanuel Baptist Church, Weatherford. Pastor/Dr. Lawrence was sponsored by Representative Wright.

The Journal for the last legislative day was approved.

ENGROSSED AND ENROLLED MEASURES

HBs 1148, 1376, 1616, 1628, 1920, 2187, 2208 and 2234 were reported correctly enrolled and, after fourth reading, properly signed, in open session, and ordered transmitted to the Honorable Senate.

HCR 1006 was reported correctly enrolled, properly signed, in open session, and ordered transmitted to the Honorable Senate.

PENDING CONSIDERATION OF SAs

SAs to HB 1430 were called up for consideration.

Representative Perryman asked a ruling of the Presiding Officer whether the **SAs** are germane to **HB 1430**.

The Presiding Officer ruled the **SAs** nongermane to **HB 1430** and the point well taken.

Representative Leewright moved to reject the **SAs to HB 1430** and request conference, which motion was declared adopted upon a division of the question. The Speaker named the Conference Committee on Judiciary and Civil Procedure.

PENDING CONSIDERATION OF SAs

SAs to HB 1630 were called up for consideration.

Coauthored by Representative(s) Hoskin

Upon motion of Representative Billy, the House concurred in the **SAs to HB 1630**.

HB 1630, 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: Banz, Bennett, Biggs, Billy, Brown, Brumbaugh, Caldwell, Calvey, Cannaday, Casey, Christian, Cleveland, Cockroft, Condit, Coody (Ann), Coody (Jeff), Cooksey, Cox, Denney, Derby, Dunlap, Echols, Enns, Faught, Fisher, Fourkiller, Griffith, Hall, Hardin, Henke, Hoskin, Inman, Johnson, Jordan, Joyner, Kannady, Kern, Kirby, Kouplen, Leewright, Lockhart, Loring, Martin (Scott), McBride, McCall, McCullough, McDaniel (Jeannie), McDaniel (Randy), McPeak, Montgomery, Moore, Morrissette, Mulready, Murphey, Nelson, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Park, Perryman, Peterson, Pfeiffer, Proctor, Renegar, Ritze, Roberts (Dustin), Rogers, Rousselot, Russ, Sanders, Scott, Sears, Shelton, Sherrer, Shoemake, Stone, Strohm, Tadlock, Thomsen, Vaughan, Virgin, Walker, Wallace, Watson, Wesselhoft, Williams, Wood, Wright, Young, Mr. Speaker.--93.

Nay: Grau.--1.

Excused: Dunnington, Lepak, Murdock, Pruett, Roberts (Sean).--5.

Vacancy: District 73, District 85.--2.

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 2014 were called up for consideration.

Coauthored by Representative(s) Ritze

Upon motion of Representative Coody (Jeff), the House concurred in the **SAs to HB 2014**.

HB 2014, 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: Banz, Bennett, Biggs, Billy, Brown, Brumbaugh, Caldwell, Calvey, Cannaday, Casey, Christian, Cleveland, Cockroft, Condit, Coody (Ann), Coody (Jeff), Cooksey, Cox, Denney, Derby, Dunlap, Echols, Enns, Faight, Fisher, Grau, Hall, Hardin, Henke, Hoskin, Inman, Johnson, Jordan, Kannady, Kirby, Leewright, Lockhart, Martin (Scott), McBride, McCall, McCullough, McDaniel (Randy), McPeak, Montgomery, Moore, Mulready, Murdock, Murphey, Nelson, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Park, Perryman, Peterson, Pfeiffer, Proctor, Pruett, Renegar, Ritze, Roberts (Dustin), Rogers, Rousselot, Russ, Sanders, Scott, Sears, Shoemake, Strohm, Tadlock, Thomsen, Vaughan, Walker, Wallace, Watson, Wesselhoft, Wood, Wright, Mr. Speaker.--82.

Nay: Dunnington, Griffith, Kouplen, Loring, McDaniel (Jeannie), Morrissette, Shelton, Sherrer, Stone, Virgin, Williams, Young.--12.

Excused: Fourkiller, Joyner, Kern, Lepak, Roberts (Sean).--5.

Vacancy: District 73, District 85.--2.

The measure and emergency passed.

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

MOTION

Representative Murdock asked that the Journal reflect that had he been present in the Chamber Wednesday, April 29, he would have voted aye on **HJR 1012**, which was the order.

MOTION

Representative Nelson moved that the House stand in recess until 1:15 p.m., which was the order.

Representative Thomsen Presiding**MESSAGES FROM THE SENATE**

Advising naming of GCCA as Senate Conferees as follows:

SB 459**Conference granted**

Advising conference granted on **HBs** and the Senate naming conferees as follows:

HB 1118 – Marlatt, Standridge, Griffin, David, Treat, Paddack, Floyd

HB 1827 – Standridge, Newberry, Bice, Dahm, Boggs, Garrison, Matthews

HB 1890 – Newberry, Dahm, Silk, Bass, Wyrick, Brinkley, Anderson

PENDING CONSIDERATION OF SAs

SAs to **HB 1403** were called up for consideration.

Upon motion of Representative Pfeiffer, the House concurred in the **SAs** to **HB 1403**.

HB 1403, 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: Banz, Bennett, Biggs, Billy, Brown, Caldwell, Calvey, Cannaday, Christian, Cleveland, Cockroft, Condit, Coody (Ann), Coody (Jeff), Cooksey, Denney, Derby, Dunlap, Echols, Enns, Faught, Fisher, Grau, Griffith, Hall, Hardin, Henke, Inman, Johnson, Jordan, Joyner, Kannady, Kern, Leewright, Lockhart, Loring, Martin (Scott), McBride, McCall, McCullough, McDaniel (Jeannie), McDaniel (Randy), Montgomery, Morrisette, Mulready, Murdock, Murphey, Nelson, Newell, Nollan, Ortega, Ownbey, Park, Perryman, Peterson, Pfeiffer, Proctor, Pruett, Renegar, Ritze, Roberts (Dustin), Rogers, Russ, Scott, Stone, Strohm, Thomsen, Vaughan, Walker, Wallace, Watson, Wesselhoft, Wood, Wright, Young, Mr. Speaker.--76.

Excused: Brumbaugh, Casey, Cox, Dunnington, Fourkiller, Hoskin, Kirby, Kouplen, Lepak, McPeak, Moore, O'Donnell, Osborn, Roberts (Sean), Rousselot, Sanders, Sears, Shelton, Sherrer, Shoemake, Tadlock, Virgin, Williams.--23.

Vacancy: District 73, District 85.--2.

The measure and emergency passed.

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

RESOLUTION FOR CONSIDERATION

HR 1021 was called up for consideration.

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

Upon motion of Representative Denney, **HR 1021** was considered and adopted.

HR 1021 was referred for enrollment.

PENDING CONSIDERATION OF SAs

SAs to HB 1681 were called up for consideration.

Coauthored by Representative(s) Lockhart

Upon motion of Representative Grau, the House concurred in the **SAs to HB 1681**.

HB 1681, 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: Banz, Bennett, Biggs, Billy, Brown, Brumbaugh, Caldwell, Calvey, Cannaday, Casey, Cleveland, Cockroft, Condit, Coody (Ann), Cooksey, Denney, Derby, Dunlap, Echols, Enns, Fisher, Grau, Griffith, Hall, Hardin, Henke, Hoskin, Inman, Johnson, Jordan, Joyner, Kannady, Kern, Kirby, Leewright, Lockhart, Loring, Martin (Scott), McCall, McCullough, McDaniel (Jeannie), McDaniel (Randy), McPeak, Montgomery, Mulready, Murdock, Murphey, Nelson, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Park, Perryman, Peterson, Proctor, Pruett, Renegar, Ritze, Roberts (Dustin), Rogers, Rousselot, Russ, Sanders, Scott, Sears, Stone, Strohm, Tadlock, Thomsen, Vaughan, Virgin, Wallace, Watson, Williams, Wood, Wright, Young, Mr. Speaker.--81.

Nay: Morrissette, Shelton.--2.

Excused: Christian, Coody (Jeff), Cox, Dunnington, Faught, Fourkiller, Kouplen, Lepak, McBride, Moore, Pfeiffer, Roberts (Sean), Sherrer, Shoemake, Walker, Wesselhoft.--16.

Vacancy: District 73, District 85.--2.

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 2181 were called up for consideration.

Coauthored by Representative(s) Lockhart

Upon motion of Speaker Hickman, the House concurred in the **SAs to HB 2181**.

HB 2181, 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: Banz, Bennett, Biggs, Billy, Brown, Brumbaugh, Caldwell, Calvey, Cannaday, Casey, Christian, Cleveland, Cockroft, Condit, Coody (Ann), Coody (Jeff), Cooksey, Derby, Dunlap, Echols, Enns, Faught, Fisher, Grau, Hall, Hardin, Henke, Hoskin, Inman, Johnson, Jordan, Joyner, Kannady, Kern, Kirby, Kouplen, Leewright, Lockhart, Loring, Martin (Scott), McCall, McCullough, McDaniel (Randy), McPeak, Montgomery, Mulready, Murdock, Murphey, Nelson, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Park, Peterson, Pfeiffer, Proctor, Pruett, Renegar, Ritze, Rogers, Rousselot, Russ, Scott, Sears, Shoemake, Stone, Strohm, Tadlock, Thomsen, Vaughan, Virgin, Walker, Wallace, Watson, Wesselhoft, Williams, Wood, Wright, Young, Mr. Speaker.--83.

Excused: Cox, Denney, Dunnington, Fourkiller, Griffith, Lepak, McBride, McDaniel (Jeannie), Moore, Morrisette, Perryman, Roberts (Dustin), Roberts (Sean), Sanders, Shelton, Sherrer.--16.

Vacancy: District 73, District 85.--2.

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 1321 were rejected and conference requested upon motion of Representative Nollan. The Speaker named the Conference Committee on Common Education.

PENDING CONSIDERATION OF SAs

SAs to HB 2049 were rejected and conference requested upon motion of Representative Nelson. The Speaker named the Conference Committee on Rules.

PENDING CONSIDERATION OF SAs

SAs to HB 2069 were rejected and conference requested upon motion of Representative Nelson. The Speaker named the Conference Committee on Children, Youth and Family Services.

PENDING CONSIDERATION OF SAs

SAs to HB 2088 were rejected and conference requested upon motion of Representative Nelson. The Speaker named the Conference Committee on Common Education.

PENDING CONSIDERATION OF SAs

SAs to HB 2165 were rejected and conference requested upon motion of Representative McCullough. The Speaker named the Conference Committee on Judiciary and Civil Procedure.

PENDING CONSIDERATION OF SAs

SAs to HB 2217 were rejected and conference requested upon motion of Representative Mulready. The Speaker named the Conference Committee on Insurance.

MOTION

Representative McCullough moved to rescind the vote whereby the **SAs** were rejected and conference requested on **HB 2165**, which motion was declared adopted.

MOTION

Representative Derby moved to rescind the vote whereby the **SAs** were rejected and conference requested on **HB 1622**, which motion was declared adopted.

MESSAGES FROM THE SENATE

Announcing the passage of **SCR 15**. The measure was introduced and read.

SCR 15 – By Paddack, Allen, Anderson, Barrington, Bass, Bice, Bingman, Boggs, Brecheen, Brinkley, Brooks, Brown, Crain, Dahm, David, Fields, Floyd, Ford, Fry, Garrison, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Matthews, Mazzei, Newberry, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Shumate, Silk, Simpson,

Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat, Wyrick and Yen of the Senate and Thomsen of the House.

A Concurrent Resolution declaring May as Motorcycle Safety Awareness Month in the State of Oklahoma; encouraging the motoring public to be more aware of motorcycles; encouraging all riders to seek and receive appropriate training; and directing distribution.

Returning enrolled measures

Announcing that Enrolled **HBs 1148, 1376, 1616, 1628, 1920, 2187, 2208 and 2234** 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.

Announcing that Enrolled **HCR 1006** has been signed by the Presiding Officer of Senate, in open session.

The above measure was ordered filed with the Secretary of State.

Transmitting enrolled measures

Advising fourth reading of and transmitting for signature Enrolled **SBs 29, 147, 248, 339, 376, 377, 494 and 751**.

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

Adjournment consent request granted

Advising the Honorable House pursuant to Article 5, Section 30 of the Oklahoma Constitution that the Senate grants the request of the House to adjourn for more than three (3) days beginning Thursday, May 7, 2015, and ending Monday, May 11, 2015.

Conference requested

Advising rejection of **HAs to SBs 379 and 694** and requesting conference thereon, the Senate naming conferees later.

Concurrence in HAs

Announcing the concurrence of Senate in **HAs to SBs 386, 456, 562 and 797** and the passage of said measures, as amended thereby.

MOTION

Representative Joyner asked that the Journal reflect that had he been present in the Chamber, he would have voted aye on **HB 2014**, which was the order.

MOTION EXPIRED

Time expired for consideration of the motion to reconsider the vote whereby the emergency failed on **HB 1052**.

HB 1052 was referred for enrollment.

FIRST READING

The following was introduced and read for the first time:

HB 2236 – By Sears and Casey of the House and Jolley and Treat of the Senate.

An Act relating to revenue and taxation; amending 68 O.S. 2011, Section 216.3, which relates to a Voluntary Compliance Initiative; reinstating Initiative for certain period; allowing for waiver of certain costs; providing that certain fees not be waived; excluding certain tax from certain definition; eliminating certain penalty; and declaring an emergency.

MESSAGES FROM THE GOVERNOR

Advising of her approval of **HBs 1001, 1005, 1010, 1058, 1283, 1400, 1409, 1462, 1463, 1574, 1685, 1826, 1834, 1962, 1963, 2021** and **2128** on May 6, 2015.

REMARKS

Representative Wright moved that the remarks by Pastor/Dr. David P. Lawrence be printed in full as follows, which motion was declared adopted:

Great Things

“Before going full-time into the ministry, I taught college mathematics for nearly 20 years. While a practicing mathematician, I served as the lead professor in developing three graphing calculators for Sharp Electronics. The Japanese would travel to Weatherford, Oklahoma to meet with me. I remember trying to keep them from eating Rocky Mountain Oysters...they thought it was seafood! Anyway, I digress, but it was quite the process to make and sell graphing calculators. It was American ingenuity, with Japanese engineering, software by programmers across Asia, then made in China and sold world-wide.

One great 17th century mathematician, Blaise Pascal, made many contributions in science and mathematics. What I found interesting about him is that he was instrumental in the development of the first mechanical calculators. However, another thing I found interesting about Pascal is that he was a Christian. Like myself, Pascal refocused his studies from math to theology and God’s Word. Pascal wrote a prayer that I believe is appropriate for you and me. It is helpful in facing the tasks of life. Pascal prayed...

‘Lord, help me to do great things as though they were little,
since I do them with Your power;
and little things as though they were great,
since I do them in Your name.’

This prayer mirrors the Scriptures. The apostle Paul wrote in Philippians 4:13, ‘I can do all things through Christ who strengthens me’ and wrote in 1 Corinthians 10:31, ‘whatever you do, do all to the glory of God.’ It is important to depend upon God for His power.

It is important to view each of our actions as important, because each of our actions can give God glory. So, the next time you face something big, remember that God is your strength. I have found that if we are willing, then God will provide the power. The next time you are asked to do something small, determine to do it with excellence for the glory of God. As the 18th century Baptist preacher and ‘Father of Modern Missions’ William Carey once said, let’s... ‘expect great things from God’...let’s ‘attempt great things for God.’

Today, as you may know, is the National Day of Prayer. The theme for 2015 is ‘Lord, Hear Our Cry’ emphasizing the need for us to place our faith in the ‘unfailing character of our Creator, who is sovereign over all governments, authorities, and men.’ The scripture for this year is I Kings 8:28 which says, ‘Hear the cry and the prayer that your servant is praying in your presence this day.’

The 2015 Honorary Chairman for the 2015 National Day of Prayer is Dr. Jack Graham, Pastor of Prestonwood Baptist Church in Plano, Texas. Dr. Graham has written a prayer to be read throughout the nation today. Please bow with me as I pray this prayer.

Heavenly Father,

We come to You in the Name that is above every name—Jesus Christ our Lord and Savior. Our hearts cry out to You.

Knowing that You are a prayer-answering, faithful God—the One we trust in times like these—we ask that You renew our spirits, revive our churches, and heal our land.

We repent of our sins and ask for Your grace and power to save us. Hear our cry, oh God, and pour out Your Spirit upon us that we may walk in obedience to Your Word.

We are desperate for Your tender mercies. We are broken and humbled before You.

Forgive us, and in the power of Your great love, lift us up to live in Your righteousness.

We pray for our beloved nation. May we repent and return to You and be a light to the nations. And we pray for our leaders and ask that You give them wisdom and faith to follow You.

Preserve and protect us, for You are our refuge and only hope.

Deliver us from all fears except to fear You, and may we courageously stand in the Truth that sets us free.

We pray with expectant faith and grateful hearts.

In Jesus’ name, our Savior.

Amen.”

Representative Nelson moved that when the clerk’s desk is clear, the House stand adjourned to reconvene at 1:30 p.m., Monday, May 11, 2015, which was the order.

Pursuant to the motion of Representative Nelson, the House was adjourned at 2:50 p.m., to reconvene Monday, May 11, 2015, at 1:30 p.m.