

HOUSE JOURNAL

Second Regular Session of the Fifty-fifth Legislature

of the State of Oklahoma

Sixty-third Legislative Day, Friday, May 20, 2016

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

The roll was called with 95 Members present.

The following Members were excused: Christian, Enns, Grau, Kern, McCall, Morrissette.—6.

The Speaker Pro Tempore declared a quorum present.

Prayer was offered by Reverend Dan Stiles, Golden Age Home, Hugo. Reverend Stiles was sponsored by Representative Pruett.

The Journal for the last legislative day was approved.

ENGROSSED AND ENROLLED MEASURES

HBs 2360, 2946, 2967 and **3126** were reported correctly enrolled and, after fourth reading, properly signed, in open session, and ordered transmitted to the Honorable Senate.

HCR 1020 was reported correctly enrolled, properly signed, in open session, and ordered transmitted to the Honorable Senate.

PENDING CONSIDERATION OF CCR

The **3rd CCR** on **HB 1116** was called up for consideration.

Representative Perryman asked a ruling of the Presiding Officer whether the **3rd CCR** is germane to **HB 1116**.

The Presiding Officer ruled the **3rd CCR** germane to **HB 1116** and the point not well taken.

Representative Perryman appealed the ruling of the Presiding Officer receiving the required second of 1/15 of the membership.

“The question is, shall the decision of the Presiding Officer be the decision of the House? All those in favor signify by voting ‘Aye’; those opposed ‘Nay’. The vote is now in progress.”

The decision of the Presiding Officer was upheld upon roll call as follows:

Aye: Banz, Bennett, Biggs, Billy, Brumbaugh, Caldwell, Calvey, Casey, Cleveland, Cockroft, Coody (Ann), Coody (Jeff), Cox, Denney, Derby, Dunlap, Faught, Fisher, Hall, Hardin, Johnson, Joyner, Kannady, Lepak, Martin, McBride, McCullough, McDaniel (Randy), Montgomery, Moore, Mulready, Murphey, Nelson, Newell, Nollan, O’Donnell, Osborn, Ownbey, Park, Peterson, Renegar, Ritze, Rogers, Russ, Sanders, Sears, Strohm, Thomsen, Vaughan, Walker, Wallace, Watson, Wright, Mr. Speaker.--54.

Nay: Brown, Cannaday, Condit, Dunnington, Goodwin, Griffith, Hoskin, Kouplen, Lockhart, Loring, McDaniel (Jeannie), McPeak, Munson, Perryman, Proctor, Pruett, Rousselot, Shelton, Sherrer, Shoemake, Stone, Virgin, Young.--23.

Excused: Christian, Cooksey, Echols, Enns, Fourkiller, Grau, Henke, Inman, Jordan, Kern, Kirby, Leewright, McCall, Morrisette, Murdock, Ortega, Pfeiffer, Roberts (Dustin), Roberts (Sean), Scott, Tadlock, Wesselhoft, Williams, Wood.--24.

Upon motion of Representative Cleveland, the **3rd CCR** on **HB 1116** was adopted.

HB 1116, as amended in conference, was read at length for the fourth time and the roll was called on the measure as follows:

Aye: Banz, Bennett, Biggs, Billy, Brumbaugh, Caldwell, Calvey, Casey, Cleveland, Cockroft, Coody (Ann), Coody (Jeff), Cooksey, Cox, Denney, Derby, Dunlap, Echols, Faught, Fisher, Griffith, Hall, Hardin, Johnson, Joyner, Kannady, Kirby, Leewright, Lepak, Martin, McBride, McDaniel (Randy), Montgomery, Moore, Mulready, Murdock, Murphey, Nelson, Newell, Nollan, O’Donnell, Ortega, Osborn, Ownbey, Park, Perryman, Pruett, Ritze, Roberts (Sean), Rogers, Sanders, Scott, Sears, Strohm, Thomsen, Vaughan, Wallace, Watson, Wesselhoft, Wright, Mr. Speaker.--61.

Nay: Cannaday, Condit, Goodwin, Hoskin, Kouplen, Loring, McCullough, Munson, Peterson, Proctor, Renegar, Roberts (Dustin), Rousselot, Russ, Shelton, Sherrer, Shoemake, Stone, Tadlock, Virgin, Young.--21.

Excused: Brown, Christian, Dunnington, Enns, Fourkiller, Grau, Henke, Inman, Jordan, Kern, Lockhart, McCall, McDaniel (Jeannie), McPeak, Morrisette, Pfeiffer, Walker, Williams, Wood.--19.

The measure passed.

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

Aye: Banz, Bennett, Biggs, Billy, Brumbaugh, Caldwell, Calvey, Casey, Cleveland, Cockroft, Coody (Ann), Coody (Jeff), Cooksey, Cox, Denney, Derby, Dunlap, Echols, Faight, Fisher, Hall, Hardin, Johnson, Jordan, Joyner, Kannady, Kirby, Leewright, Lepak, Martin, McBride, McCullough, McDaniel (Randy), Montgomery, Moore, Mulready, Murdock, Murphey, Nelson, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Park, Peterson, Pfeiffer, Pruett, Ritze, Roberts (Dustin), Roberts (Sean), Rogers, Russ, Sanders, Sears, Strohm, Thomsen, Vaughan, Walker, Wallace, Watson, Wesselhoft, Wright, Mr. Speaker.--65.

Nay: Cannaday, Condit, Dunnington, Fourkiller, Goodwin, Griffith, Hoskin, Kouplen, Lockhart, Loring, McPeak, Munson, Perryman, Proctor, Renegar, Rousselot, Scott, Shelton, Sherrer, Shoemake, Stone, Tadlock, Virgin, Young.--24.

Excused: Brown, Christian, Enns, Grau, Henke, Inman, Kern, McCall, McDaniel (Jeannie), Morrissette, Williams, Wood.--12.

The emergency failed.

Representative Biggs served notice to reconsider the vote whereby the emergency failed on **HB 1116**.

MESSAGES FROM THE SENATE

Advising fourth reading of and transmitting for signature Enrolled **SBs 1496, 1579, 1599** and **1605**.

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

Conference requested

Advising rejection of **HAs** to **SB 1499** and requesting conference thereon, the Senate naming conferees later.

RESOLUTION FOR CONSIDERATION

HR 1076 was called up for consideration.

Coauthored by Representative(s) Russ

Upon motion of Representative Derby, **HR 1076** was considered and adopted.

HR 1076 was referred for enrollment.

SECOND READING

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

HB 3219 – Joint Committee on Appropriations and Budget

HB 3220 – Joint Committee on Appropriations and Budget

PENDING CONSIDERATION OF CCR

Upon motion of Representative Derby, the **CCR** on **HB 2773** was rejected and further conference requested. The Speaker named the same conferees:

HB 2773 – Conference Committee on Alcohol, Tobacco, and Controlled Substances

GENERAL ORDER

SB 1602 by Jolley et al of the Senate and Sears et al of the House was read and considered.

Representative Proctor raised a point of order as to whether **SB 1602** met the requirements of Joint Rule 4.11(d) requiring that measures reported from the Joint Committee on Appropriations and Budget have a fiscal impact.

The Presiding Officer ruled that the Chair was unable, based on the written fiscal analysis, to determine whether a fiscal impact actually existed and directed that the measure be laid over.

SB 1602 was laid over.

PENDING CONSIDERATION OF CCR

Representative Echols moved to reject the **CCR** on **HB 2205** and request further conference.

Representative Proctor raised a point of inquiry as to whether it was in order to proceed with consideration of the motion to reject the **CCR** on **SB 2205**, based on when it was scheduled on the House Floor Agenda. The Presiding Officer stated that the date and time published on the House Floor Agenda reflects the date and time that a **CCR** is filed with the Clerk's Office in the chamber of origin and that the later e-mail referenced by Representative Proctor reflected the date and time that the **CCR** was scheduled for rejection on the House Floor by the Majority Floor Leader.

Representative Echols pressed his motion to reject the **CCR** on **HB 2205** and request further conference. The Speaker named the same conferees:

HB 2205 – Conference Committee on Insurance

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 3159** was called up for consideration.

Coauthored by Representative(s) Biggs, Cleveland

Upon motion of Speaker Hickman, the **CCR** on **HB 3159** was adopted.

HB 3159, as amended in conference, 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, Cleveland, Cockroft, Condit, Coody (Ann), Coody (Jeff), Cooksey, Cox, Denney, Derby, Dunlap, Echols, Faught, Fisher, Fourkiller, Goodwin, Griffith, Hall, Hardin, Henke, Hoskin, Inman, Johnson, Jordan, Joyner, Kannady, Kirby, Kouplén, Leewright, Lepak, Lockhart, Loring, Martin, McBride, McCullough, McDaniel (Jeannie), McDaniel (Randy), McPeak, Montgomery, Moore, Mulready, Munson, Murdock, Murphey, Nelson, Newell, Nollan, O'Donnell, Osborn, Ownbey, Park, Perryman, Peterson, Pfeiffer, Proctor, Pruett, Renegar, Ritze, Roberts (Dustin), Roberts (Sean), Rogers, Rousselot, Russ, Sanders, Scott, Sears, Shelton, Sherrer, Shoemake, Stone, Tadlock, Thomsen, Vaughan, Virgin, Walker, Wallace, Watson, Wesselhoft, Wright, Young, Mr. Speaker.--90.

Excused: Christian, Dunnington, Enns, Grau, Kern, McCall, Morrissette, Ortega, Strohm, Williams, Wood.--11.

The measure passed.

HB 3159, together with the conference committee report thereon, was ordered transmitted to the Honorable Senate.

MOTION

Representative Inman moved to suspend House Rule 7.20(c) for the purpose of immediate consideration of the **CCR** on **HB 2763**, which motion was declared adopted upon roll call as follows:

Aye: Banz, Billy, Brown, Brumbaugh, Caldwell, Calvey, Cannaday, Cleveland, Cockroft, Condit, Coody (Ann), Coody (Jeff), Cooksey, Denney, Derby, Dunlap, Dunnington, Echols, Fisher, Fourkiller, Goodwin, Griffith, Hall, Hardin, Henke, Hoskin, Inman, Johnson, Jordan, Joyner, Kannady, Kouplén, Leewright, Lepak, Lockhart, Loring, Martin, McBride, McCullough, McDaniel (Jeannie), McDaniel (Randy), Montgomery, Moore, Mulready, Munson, Murdock, Murphey, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Park, Perryman, Peterson, Pfeiffer, Proctor, Renegar, Ritze, Roberts (Dustin), Roberts (Sean), Rogers, Rousselot, Sherrer, Shoemake, Stone, Tadlock, Thomsen, Vaughan, Walker, Wallace, Watson, Young, Mr. Speaker.--74.

Nay: Shelton.--1.

Excused: Bennett, Biggs, Casey, Christian, Cox, Enns, Faight, Grau, Kern, Kirby, McCall, McPeak, Morrisette, Nelson, Newell, Pruett, Russ, Sanders, Scott, Sears, Strohm, Virgin, Wesselhoft, Williams, Wood, Wright.--26.

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 2763** was called up for consideration.

Coauthored by Representative(s) Kannady, Walker, Lepak, Faight, Wallace, Billy, Hall, Johnson, Jordan, Nollan

Coauthored by Senator(s) Mazzei

Upon motion of Representative Montgomery, the **CCR** on **HB 2763** was adopted.

HB 2763, as amended in conference, 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, Cleveland, Cockroft, Condit, Coody (Ann), Coody (Jeff), Cooksey, Cox, Denney, Derby, Dunlap, Dunnington, Echols, Faight, Fisher, Fourkiller, Griffith, Hall, Hardin, Henke, Hoskin, Johnson, Jordan, Joyner, Kannady, Kirby, Kouplen, Leewright, Lepak, Lockhart, Loring, Martin, McBride, McCullough, McDaniel (Jeannie), McDaniel (Randy), McPeak, Montgomery, Mulready, Munson, Murdock, Nelson, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Park, Perryman, Peterson, Pfeiffer, Proctor, Pruett, Renegar, Roberts (Dustin), Roberts (Sean), Rogers, Rousselot, Russ, Sanders, Scott, Sears, Shelton, Sherrer, Shoemake, Stone, Tadlock, Thomsen, Vaughan, Walker, Wallace, Watson, Wesselhoft, Wood, Wright, Young, Mr. Speaker.--86.

Nay: Moore, Murphey, Ritze.--3.

Excused: Casey, Christian, Enns, Goodwin, Grau, Inman, Kern, McCall, Morrisette, Strohm, Virgin, Williams.--12.

The measure passed.

HB 2763, together with the conference committee report thereon, was ordered transmitted to the Honorable Senate.

CONFERENCE GRANTED

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

SB 1499 – GCCA

MOTION

Representative Sanders asked that the Journal reflect that had he been present in the Chamber, he would have voted nay on **SB 1606**, which was the order.

MESSAGES FROM THE SENATE

Announcing that Enrolled **HCR 1020** has been signed by the Presiding Officer of Senate, in open session.

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

Returning enrolled measures

Announcing that Enrolled **HBs 2360, 2946, 2967** and **3126** 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.

Transmitting enrolled measure

Advising fourth reading of and transmitting for signature Enrolled **SB 1606**.

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

Transmitting CCRs

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

SB 398

SB 615

Conference committee reports were read on the above-numbered measures.

Further conference granted

Advising further conference granted and the Senate naming same conferees as follows:

HB 2205 - Sykes, Bingman, Jolley, Marlatt, Treat, Floyd, Sparks

HB 2380 - David, Newberry, Bice, Silk, Fields, Floyd, Pittman

HB 2773 - David, Griffin, Yen, Crain, Standridge, Bass, Pittman

SB 526 - Shortey, Barrington, Brooks, Brecheen, Shaw, Paddack, Pittman

SB 587 - Shortey, Newberry, Dahm, Halligan, Yen, Sparks, Wyrick

Conferees named

Advising naming Senate Conferees as follows:

SB 1499 - Standridge, Brown, Yen, Crain, Quinn, Sparks, Bass

MOTION EXPIRED

Time expired for consideration of the motion to reconsider the vote whereby **HB 3210** failed.

FIRST READING

The following were introduced and read for the first time:

HB 3221 – By Sears and Casey of the House and Jolley and Treat of the Senate.
An Act relating to appropriations; making an appropriation; stating purpose; and providing an effective date.

HB 3222 – By Sears and Casey of the House and Jolley and Treat of the Senate.
An Act relating to appropriations; making an appropriation; stating purpose; and providing an effective date.

HB 3223 – By Sears and Casey of the House and Jolley and Treat of the Senate.
An Act relating to appropriations; making an appropriation; stating purpose; and providing an effective date.

HB 3224 – By Sears and Casey of the House and Jolley and Treat of the Senate.
An Act relating to appropriations; making an appropriation, stating purposes; and providing an effective date.

HB 3225 – By Sears and Casey of the House and Jolley and Treat of the Senate.
An Act relating to appropriations; making an appropriation; stating purpose; and providing an effective date.

HB 3226 – By Sears and Casey of the House and Jolley and Treat of the Senate.
An Act relating to appropriations; making an appropriation; stating purpose; and providing an effective date.

HB 3227 – By Sears and Casey of the House and Jolley and Treat of the Senate.
An Act relating to appropriations; making an appropriation; stating purpose; and providing an effective date.

HB 3228 – By Sears and Casey of the House and Jolley and Treat of the Senate.
An Act relating to appropriations; making an appropriation; stating purpose; and providing an effective date.

HB 3229 – By Sears and Casey of the House and Jolley and Treat of the Senate.
An Act relating to appropriations; making an appropriation; stating purpose; and providing an effective date.

HB 3230 – By Sears and Casey of the House and Jolley and Treat of the Senate.
An Act relating to appropriations; making an appropriation; stating purpose; and providing an effective date.

COMMITTEE REPORTS

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

DO PASS:

HB 3217 – Joint Committee on Appropriations and Budget

HB 3219 – Joint Committee on Appropriations and Budget

HB 3220 – Joint Committee on Appropriations and Budget

DO PASS, As Amended:

CS for **HB 3218** – Joint Committee on Appropriations and Budget, Coauthored by Representative(s) Strohm, Brumbaugh, Martin, Derby, Osborn

MESSAGES FROM THE GOVERNOR

Advising of her approval of **HBs 2784** and **3206** on May 20, 2016.

Representative Billy moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 1:30 p.m., Monday, May 23, 2016, which was the order.

Pursuant to the motion of Representative Billy, the House was adjourned at 11:50 a.m., to reconvene Monday, May 23, 2016, at 1:30 p.m.