

# HOUSE JOURNAL

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

**of the State of Oklahoma**

**Fifty-second Legislative Day, Tuesday, May 10, 2011**

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

The roll was called with 98 Members present.

The following Members were excused: Bennett, Enns, Terrill.—3.

The Speaker Pro Tempore declared a quorum present.

Prayer was offered by Pastor Darryl Wootton, First Assembly of God, Bartlesville. Pastor Wootton was sponsored by Representative Sears.

Upon motion of Representative Thomsen, Pastor Wootton was confirmed as House Chaplain for this legislative day.

The Journal for the last legislative day was approved.

## **ENGROSSED AND ENROLLED MEASURES**

**HJR 1045** was reported correctly enrolled and, after fourth reading, properly signed, in open session, and ordered transmitted to the Honorable Senate.

## **SECOND READING**

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

**HJR 1065** – Administrative Rules and Government Oversight

**MESSAGES FROM THE SENATE**

Advising fourth reading of and transmitting for signature Enrolled **SBs 347, 541, 637, 965 and 969**.

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

Advising the signing of and transmitting for signature Enrolled **SCRs 16 and 19**.

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

**Concurrence in HAs**

Announcing the concurrence of Senate in **HAs to SBs 2, 60, 285 and 420** and the passage of said measures, as amended thereby.

**Conferees named**

Advising the Senate naming conferees as follows:

**SB 169** – Myers, Fields, Justice, Ballenger, Garrison, Schulz

**Conferees changed**

Advising the Senate changing conferees as follows:

**SB 821** – Remove Bingman, Schulz, Jolley, Marlatt, Burrage, Rice and Add Jolley, Marlatt, Allen, Newberry, Nichols, Barrington, David, Fields, Holt, Burrage, Eason McIntyre, Rice, Sparks

**HB 2145** – Remove Bingman, Schulz, Jolley, Marlatt, Burrage, Rice and Add Jolley, Marlatt, Allen, Newberry, Nichols, Barrington, David, Fields, Holt, Burrage, Eason McIntyre, Rice, Sparks

**PENDING CONSIDERATION OF SAs**

**SAs to HB 1223** were called up for consideration.

Coauthored by Representative(s) Derby

Representative McCullough moved that the House adopt the **SAs to HB 1223**, which motion failed of adoption upon roll call as follows:

Aye: Blackwell, Cockroft, Coody, Cooksey, Cox, Dank, Denney, Derby, Grau, Hall, Hardin, Hickman, Holland, Martin (Scott), Martin (Steve), McCullough, Mulready, Murphey, Nelson, Newell, Ortega, Osborn, Ownbey, Quinn, Richardson, Roberts (Dustin), Roberts (Sean), Russ, Sanders, Schwartz, Scott, Sears, Shannon, Stiles, Vaughan, Virgin, Williams, Wright, Mr. Speaker.--39.

Nay: Armes, Banz, Billy, Brown, Brumbaugh, Cannaday, Casey, Christian, Condit, Dorman, Farley, Faught, Fourkiller, Glenn, Hamilton, Hoskin, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Key, Kirby, Kouplen, Liebmann, Lockhart, McAffrey, McDaniel (Jeannie), McDaniel (Randy), McNiell, McPeak, Moore, Morgan, Morrissette, Nollan, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Reynolds, Ritze, Roan, Rousselot, Shelton, Sherrer, Shoemake, Shumate, Sullivan, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft.--57.

Excused: Bennett, DeWitt, Enns, Hilliard, Terrill.--5.

Representative McCullough moved to reject the **SAs to HB 1223**, which motion was not recognized pursuant to the internal deadline established by the Speaker for a motion to reject **SAs** to House measures and request conference.

Representative Dorman raised a point of inquiry as to whether a motion to table **HB 1223** would be in order.

The Presiding Officer stated that the motion to table **HB 1223** was not in order because **HB 1223** was not presently under consideration by the House.

Representative Blackwell moved to suspend House Rules for the purpose of allowing consideration of a motion to reject the **SAs to HB 1223**, which motion was not recognized.

Representative Reynolds moved to put the previous question, which motion was not recognized because no debatable question was before the House.

**PENDING CONSIDERATION OF SAs**

**SAs to HB 2136** were called up for consideration.

Upon motion of Speaker Steele, the House concurred in the **SAs to HB 2136**.

**HB 2136**, 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, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Christian, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Farley, Faught, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Hickman, Holland, Hoskin, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Key, Kirby, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Morrisette, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Reynolds, Richardson, Ritze, Roan, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Shannon, Shelton, Sherrer, Shoemake, Shumate, Stiles, Sullivan, Thomsen, Tibbs, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wright, Mr. Speaker.--93.

Excused: Bennett, Enns, Hilliard, Kouplén, Morgan, Sears, Terrill, Trebilcock.--8.

The measure passed.

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

#### **RESOLUTION FOR CONSIDERATION**

**HR 1033** was called up for consideration.

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

Upon motion of Representative Wesselhoft, **HR 1033** was considered and adopted.

**HR 1033** was referred for enrollment.

#### **PENDING CONSIDERATION OF CCR**

Upon motion of Representative Kirby, the **CCR** on **HB 1211** was rejected and further conference requested. The Speaker named the same conferees:

**HB 1211** – Conference Committee on Public Safety, Judiciary and Military Affairs

## **MESSAGES FROM THE SENATE**

Announcing the passage of **HCR 1018**, Coauthored by all Senators except Senator Eason McIntyre.

The above-numbered measure was referred for enrollment.

### **Concurrence in HAs**

Announcing the concurrence of Senate in **HAs** to **SBs 11, 200, 239, 252, 299, 668, 679** and **756** and the passage of said measures, as amended thereby.

### **Conference requested**

Advising rejection of **HAs** and requesting conference thereon, the Senate naming conferees later on **SBs 115, 242, 243, 260, 335, 852, 929** and **SJR 16**.

### **Conference granted, conferees named**

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

**HB 1225** – Simpson, Johnson (Rob), David, Allen, Burrage, Garrison  
**HB 1226** – Simpson, Sykes, Brecheen, Brinkley, Ballenger, Paddack  
**HB 1229** – Simpson, Barrington, Holt, Fields, Ellis, Johnson (Constance)  
**HB 1363** – GCCA

### **Conferees named**

Advising the Senate naming conferees as follows:

**SB 195** – Paddack, Stanislawski, Branan, David, Allen, Burrage  
**SB 218** – Marlatt, Brown, Johnson (Rob), Nichols, Sparks, Burrage  
**SB 260** – Ford, Stanislawski, Halligan, Jolley, Eason McIntyre, Rice  
**SB 272** – Aldridge, Newberry, Brown, Stanislawski, Garrison, Paddack  
**SB 398** – Stanislawski, Newberry, Marlatt, Crain, Wilson, Johnson (Constance)  
**SB 492** – GCCA  
**SB 510** – Russell, Sykes, Mazzei, Brecheen, Ballenger, Ivester  
**SB 740** – Schulz, Sykes, Justice, Fields, Ivester, Burrage  
**SB 878** – Sykes, Anderson, Newberry, David, Rice, Bass  
**SB 929** – Newberry, David, Brinkley, Coates, Laster, Eason McIntyre

**Further conference granted, naming same conferees**

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

**HB 1211** – Newberry, Barrington, Treat, Brecheen, Burrage, Eason McIntyre

**Returning enrolled measure**

Announcing that Enrolled **HJR 1045** has been read at length for the fourth time and signed by the Presiding Officer of Senate, in open session.

The above measure was ordered transmitted to the Honorable Governor.

**MESSAGES FROM THE GOVERNOR**

Advising of her approval of **HBs 1010, 1212, 1282, 1520, 1527, 1549, 1615, 1821, 2023** and **2132** on May 10, 2011.

Advising of her veto of **HB 1533** on May 10, 2011. The veto message reads as follows:

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

Enrolled House Bill No. **1533**

By: Blackwell of the House and Barrington, et al 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 **1533**.

This bill would lower the minimum membership requirement for certain organizations that rely on the State of Oklahoma to process their membership dues through state employee payroll deductions. I do not support the expansion of this practice – it is not a core function of government, and is not necessarily in the interest of taxpayers.

By the Governor of the State of Oklahoma

/s/ Mary Fallin

**FIRST READING**

The following was introduced and read for the first time:

**HJR 1066** – By Peters.

A Joint Resolution disapproving permanent rules of the Department of Human Services; and directing distribution.

**CCRs SUBMITTED**

The conference committee reports were read on the following measures:

**HB 1594**

**HB 1854**

**HB 2145**

Representative Sullivan moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 10:30 a.m., Wednesday, May 11, 2011, which was the order.

Pursuant to the motion of Representative Sullivan, the House was adjourned at 11:50 a.m., to reconvene Wednesday, May 11, 2011, at 10:30 a.m.