

HOUSE JOURNAL

First Regular Session of the Fifty-third Legislature

of the State of Oklahoma

Fifty-fifth Legislative Day, Friday, May 13, 2011

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

The roll was called with 97 Members present.

The following Members were excused: Cox, Enns, Key, McCullough.—4.

The Speaker Pro Tempore declared a quorum present.

Prayer was offered by Speaker Steele.

The Journal for the last legislative day was approved.

ENGROSSED AND ENROLLED MEASURES

HBs 1489 and **1918** were 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:

HB 2180 – Joint Committee on Appropriations and Budget

MOTION

Representative Sullivan moved that the House stand in recess until 9:30 a.m., which was the order.

Speaker Pro Tempore Hickman Presiding**MESSAGES FROM THE SENATE**

Advising fourth reading of and transmitting for signature Enrolled **SBs 102, 363, 623, 778 and 788**.

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

Returning enrolled measures

Announcing that Enrolled **HBs 1489 and 1918** 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 CCRs

Returning **HBs 1854 and 1917** together with conference committee reports thereon, advising adoption of conference committee reports and passage of measures as amended.

The above-numbered measures, as amended by the conference committee reports, were referred for enrollment.

GENERAL ORDER

HB 2170 by Sears et al of the House and Myers et al of the Senate was read and considered.

Representative Sears moved adoption of the Joint Committee Report on **HB 2170**.

Representative Reynolds raised a point of order as to whether it was appropriate to consider adoption of the Joint Committee Report on **HB 2170** stating that the Presiding Officer had ruled previously that a suspension of the rules was required to change the public notice requirements for meetings of the Joint Committee on Appropriations and Budget.

The Presiding Officer stated that a previous point of inquiry was raised as to the manner of suspending the notice requirements contained in Joint Rules for meetings of the Joint Committee on Appropriations and Budget and that the guidance provided by the Presiding Officer was that the Joint Rules must be suspended by a vote in both the House of Representatives and the Senate.

Representative Reynolds raised a point of order as to whether it was appropriate to consider adoption of the Joint Committee Report on **HB 2170** because the announced meeting time of the Joint Committee on Appropriations and Budget was revised and the Joint Committee convened without twenty-four (24) hours of public notice as required by Joint Rule 7.4.

The Presiding Officer stated that Section 7.4 of the Joint Rules permits the Speaker of the House and the President Pro Tempore of the Senate to modify public notice requirements for meetings of the Joint Committee on Appropriations and Budget and ruled the point not well taken.

Representative Morrisette raised a point of order as to the existence of such an agreement between the Speaker of the House and the President Pro Tempore of the Senate.

The Presiding Officer referenced an e-mail published by the Speaker and ruled that the Chair would rely upon the representations of the Speaker of the House.

Representative Morrisette raised a point of order as to the method used by the Speaker to arrive at such an agreement and was not recognized by the Presiding Officer.

Representative McPeak moved to suspend Joint Rules 7.13(d) and 7.14(d) for the purpose of rejecting the Joint Committee Report on **HB 2170** with instructions.

Speaker Steele moved to table the McPeak motion.

Representative Morrisette raised a point of order pursuant to Section 282 of *Mason's Manual* as to whether the motion to table a pending motion to suspend Joint rules was in order.

The Presiding Officer stated that House Rules govern the procedures within the House of Representatives and that pursuant to Section 10.1 of House rules, the motion to table is a prior motion because it is a privileged motion while the motion to suspend Joint Rules is an incidental motion. As such, the Presiding Officer ruled the point not well taken and the tabling motion in order.

Speaker Steele pressed his tabling motion, which motion was declared adopted upon roll call as follows:

Aye: Armes, Banz, Billy, Brumbaugh, Casey, Cockroft, Coody, Cooksey, Dank, Denney, Derby, DeWitt, Farley, Faught, Grau, Hall, Hardin, Hickman, Holland, Jackson, Johnson, Joyner, Kern, Kirby, Liebmann, Martin (Scott), Martin (Steve), McDaniel (Randy), Moore, Murphey, Nelson, Nollan, Ortega, Osborn, Ownbey, Peters, Peterson, Quinn, Richardson, Roberts (Dustin), Roberts (Sean), Russ, Sanders, Schwartz, Sears, Sullivan, Tibbs, Trebilcock, Vaughan, Watson, Wesselhoft, Wright, Mr. Speaker.--53.

Nay: Bennett, Brown, Cannaday, Christian, Condit, Dorman, Glenn, Hamilton, Hilliard, Hoskin, Inman, Kouplen, Lockhart, McAffrey, McDaniel (Jeannie), McPeak, Morgan, Morrisette, Pittman, Proctor, Pruett, Renegar, Reynolds, Roan, Rousselot, Scott, Shelton, Sherrer, Virgin, Walker.--30.

Excused: Blackwell, Cox, Enns, Fourkiller, Jordan, Key, McCullough, McNiel, Mulready, Newell, Ritze, Shannon, Shoemake, Shumate, Stiles, Terrill, Thomsen, Williams.--18.

Representative Sears pressed his motion to adopt the Joint Committee Report on **HB 2170**.

Representative Proctor moved to suspend Joint Rules 7.13(d) and 7.14(d) for the purpose of rejecting the Joint Committee Report on **HB 2170** with instructions.

Speaker Steele moved to table the Proctor motion, which tabling motion was declared adopted upon roll call as follows:

Aye: Armes, Banz, Billy, Brumbaugh, Casey, Cockroft, Coody, Cooksey, Denney, Derby, DeWitt, Farley, Faught, Grau, Hall, Hardin, Hickman, Holland, Jackson, Johnson, Jordan, Joyner, Kern, Liebmann, Martin (Scott), Martin (Steve), McDaniel (Randy), McNiel, Moore, Mulready, Murphey, Nelson, Nollan, Ortega, Osborn, Peters, Peterson, Quinn, Richardson, Roberts (Dustin), Roberts (Sean), Russ, Sanders, Sears, Shannon, Sullivan, Tibbs, Trebilcock, Vaughan, Watson, Wesselhoft, Wright, Mr. Speaker.--53.

Nay: Bennett, Brown, Cannaday, Christian, Condit, Dorman, Glenn, Hamilton, Hilliard, Hoskin, Inman, Kouplen, Lockhart, McAffrey, McDaniel (Jeannie), McPeak, Morgan, Proctor, Pruett, Renegar, Reynolds, Rousselot, Scott, Shelton, Sherrer, Shoemake, Terrill, Virgin.--28.

Excused: Blackwell, Cox, Dank, Enns, Fourkiller, Key, Kirby, McCullough, Morrisette, Newell, Ownbey, Pittman, Ritze, Roan, Schwartz, Shumate, Stiles, Thomsen, Walker, Williams.--20.

Representative Proctor moved to extend debate time by fifteen (15) minutes a side.

Speaker Steele moved to table the Proctor motion, which tabling motion was declared adopted upon roll call as follows:

Aye: Armes, Brumbaugh, Casey, Cockroft, Coody, Cooksey, Dank, Denney, Derby, Farley, Faught, Grau, Hall, Hardin, Hickman, Holland, Jackson, Jordan, Joyner, Kern, Liebmann, Martin (Scott), Martin (Steve), McNiel, Moore, Mulready, Murphey, Nelson, Nollan, Ortega, Osborn, Ownbey, Peters, Quinn, Roberts (Dustin), Roberts (Sean), Russ, Sanders, Sears, Shannon, Sullivan, Tibbs, Trebilcock, Vaughan, Watson, Wesselhoft, Wright, Mr. Speaker.--48.

Nay: Bennett, Blackwell, Brown, Cannaday, Christian, Condit, Dorman, Fourkiller, Glenn, Hamilton, Hoskin, Inman, Kouplén, Lockhart, McAffrey, McDaniel (Jeannie), McPeak, Morgan, Morrisette, Proctor, Pruett, Renegar, Reynolds, Rousselot, Scott, Sherrer, Shoemake, Terrill, Virgin.--29.

Excused: Banz, Billy, Cox, DeWitt, Enns, Hilliard, Johnson, Key, Kirby, McCullough, McDaniel (Randy), Newell, Peterson, Pittman, Richardson, Ritze, Roan, Schwartz, Shelton, Shumate, Stiles, Thomsen, Walker, Williams.--24.

Representative Sears pressed his motion to adopt the Joint Committee Report on **HB 2170**, which motion was declared adopted upon roll call as follows:

Aye: Armes, Banz, Billy, Casey, Cockroft, Coody, Cooksey, Dank, Denney, Derby, DeWitt, Farley, Faught, Grau, Hall, Hickman, Jackson, Jordan, Joyner, Kern, Liebmann, Martin (Scott), Martin (Steve), McDaniel (Randy), McNiel, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Peters, Peterson, Quinn, Richardson, Roberts (Dustin), Roberts (Sean), Russ, Sanders, Schwartz, Sears, Shannon, Sullivan, Thomsen, Tibbs, Trebilcock, Vaughan, Watson, Wright, Mr. Speaker.--52.

Nay: Bennett, Brown, Cannaday, Christian, Condit, Dorman, Fourkiller, Glenn, Hilliard, Hoskin, Inman, Kouplén, Lockhart, McAffrey, McDaniel (Jeannie), McPeak, Morrisette, Pittman, Proctor, Renegar, Reynolds, Ritze, Rousselot, Scott, Shelton, Sherrer, Shoemake, Shumate, Terrill, Virgin, Williams.--31.

Excused: Blackwell, Brumbaugh, Cox, Enns, Hamilton, Hardin, Holland, Johnson, Key, Kirby, McCullough, Moore, Morgan, Pruett, Roan, Stiles, Walker, Wesselhoft.--18.

THIRD READING

HB 2170 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Billy, Blackwell, Brumbaugh, Casey, Cockroft, Coody, Cooksey, Dank, Denney, Derby, DeWitt, Farley, Faught, Grau, Hall, Hardin, Hickman, Holland, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Liebmann, Martin (Scott), Martin (Steve), McDaniel (Randy), McNiel, Moore, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Peters, Peterson, Quinn, Richardson, Roberts (Dustin), Roberts (Sean), Russ, Sanders, Schwartz, Sears, Shannon, Stiles, Sullivan, Thomsen, Tibbs, Trebilcock, Vaughan, Watson, Wesselhoft, Wright, Mr. Speaker.--61.

Nay: Bennett, Brown, Cannaday, Christian, Condit, Dorman, Fourkiller, Glenn, Hamilton, Hilliard, Hoskin, Inman, Kouplén, Lockhart, McAffrey, McDaniel (Jeannie), McPeak, Morgan, Morrisette, Pittman, Proctor, Pruett, Renegar, Reynolds, Ritze, Roan, Rousselot, Scott, Shelton, Sherrer, Shoemake, Shumate, Terrill, Virgin, Walker, Williams.--36.

Excused: Cox, Enns, Key, McCullough.--4.

The measure passed.

Representative Sears served notice to reconsider the vote whereby **HB 2170** passed.

RECONSIDERATION

Representative Sears moved to reconsider the vote whereby **HB 2170** passed.

Representative Martin (Scott) moved to table the Sears motion, which tabling motion prevailed.

HB 2170 was referred for engrossment.

MESSAGES FROM THE SENATE

As approved by the Joint Committee on Appropriations and Budget, advising passage and transmitting for consideration engrossed **SBs 972, 973, 974, 975, 976, 977** and **981**.

The measures were introduced and read for the first time.

SB 972 – By Myers and Jolley of the Senate and Sears and Martin (Scott) of the House.

An Act relating to gross production tax; amending 68 O.S. 2001, Section 1004, as last amended by Section 4, Chapter 256, O.S.L. 2010 (68 O.S. Supp. 2010, Section 1004), which relates to apportionment of revenue; providing for deposit of specified amounts in certain funds for specified fiscal year; and declaring an emergency.

SB 973 – By Myers and Jolley of the Senate and Sears and Martin (Scott) of the House.

An Act relating to public finance; directing transfer of certain funds by certain entities and officers; specifying certain amount; providing an effective date; and declaring an emergency.

SB 974 – By Myers and Jolley of the Senate and Sears and Martin (Scott) of the House.

An Act relating to the State Department of Rehabilitation Services; authorizing certain early transfers of certain funds for specific purposes; authorizing transfer of appropriated money in requested amounts and ratios; authorizing certain interyear transfers; requiring certain process and maintenance of records; providing an effective date; and declaring an emergency.

SB 975 – By Myers and Jolley of the Senate and Sears and Martin (Scott) of the House.

An Act relating to the Oklahoma Health Care Authority; authorizing transfers of certain funds; providing procedures; authorizing the expenditure of previously appropriated funds for certain purpose; requiring recordkeeping; authorizing certain requests relating to early transfers; providing an effective date; and declaring an emergency.

SB 976 – By Myers and Jolley of the Senate and Sears and Martin (Scott) of the House.

An Act relating to road funding; amending Section 1, Chapter 444, O.S.L. 2005, as last amended by Section 1, Chapter 422, O.S.L. 2010 (69 O.S. Supp. 2010, Section 1521), which relates to the Rebuilding Oklahoma Access and Driver Safety Fund; deleting obsolete language; increasing certain amounts to be apportioned to Fund; amending Section 68 of Enrolled House Bill No. 2170 of the 1st Session of the 53rd Legislature which relates to funding transfers; modifying fund to which certain monies transferred; providing an effective date; and declaring an emergency.

SB 977 – By Myers and Jolley of the Senate and Sears and Martin (Scott) of the House.

An Act relating to the Corporation Commission; setting budget for certain division; providing an effective date; and declaring an emergency.

SB 981 – By Myers and Jolley of the Senate and Sears and Martin (Scott) of the House.

An Act relating to the University Hospitals Authority; requiring transfers of certain funds; requiring certain funds be used for certain programs; providing an effective date; and declaring an emergency.

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 821

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

Concurrence in HAs

Announcing the concurrence of Senate in **HAs** to **SB 228** and the passage of said measure, as amended thereby.

Conference requested

Advising rejection of **HAs** and requesting conference thereon, the Senate naming conferees later on **SBs 286, 597, 949** and **952**.

Conferees named

Advising the Senate naming conferees as follows:

SB 242 – Branan, Treat, Jolley, Johnson (Rob), Sparks, Burrage

SB 243 – Branan, Johnson (Rob), Marlatt, Holt, Paddack, Bass

MOTION

Representative Sullivan moved that the House stand at ease until 1:15 p.m., which was the order.

Speaker Pro Tempore Hickman Presiding**GENERAL ORDER**

HB 2178 by Sears et al of the House and Myers et al of the Senate was read and considered.

Representative Denney moved adoption of the Joint Committee Report on **HB 2178**, which motion was declared adopted.

THIRD READING

HB 2178 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Banz, Bennett, Billy, Brown, Brumbaugh, Cannaday, Casey, Cockroft, Condit, Coody, Cooksey, Dank, Denney, Derby, DeWitt, Dorman, Farley, Faught, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Jordan, Joyner, Kern, Kirby, Kouplen, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Morgan, Morrissette, Mulready, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Quinn, Renegar, Richardson, Ritze, Roan, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Stiles, Sullivan, Tibbs, Trebilcock, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wright, Mr. Speaker.--86.

Nay: Murphey, Reynolds.--2.

Excused: Armes, Blackwell, Christian, Cox, Enns, Johnson, Key, McAffrey, McCullough, Pruett, Scott, Terrill, Thomsen.--13.

The measure passed.

On passage of the emergency, the roll call was as follows:

Aye: Armes, Banz, Billy, Blackwell, Brumbaugh, Casey, Cockroft, Coody, Cooksey, Dank, Denney, Derby, DeWitt, Farley, Faught, Grau, Hall, Hardin, Hickman, Hilliard, Holland, Jackson, Jordan, Joyner, Kern, Kirby, Liebmann, Martin (Scott), Martin (Steve), McDaniel (Randy), McNiel, Moore, Mulready, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Peters, Peterson, Quinn, Richardson, Roberts (Dustin), Roberts (Sean), Russ, Sanders, Schwartz, Sears, Shannon, Stiles, Sullivan, Thomsen, Tibbs, Trebilcock, Vaughan, Watson, Wesselhoft, Wright, Mr. Speaker.--60.

Nay: Bennett, Brown, Cannaday, Christian, Condit, Dorman, Fourkiller, Glenn, Hamilton, Hoskin, Inman, Kouplén, Lockhart, McPeak, Morgan, Morrissette, Murphey, Pittman, Proctor, Renegar, Reynolds, Roan, Rousselot, Shelton, Sherrer, Shoemake, Shumate, Terrill, Virgin, Walker, Williams.--31.

Excused: Cox, Enns, Johnson, Key, McAffrey, McCullough, McDaniel (Jeannie), Pruett, Ritze, Scott.--10.

The emergency failed.

HB 2178 was referred for engrossment.

GENERAL ORDER

HB 2171 by Sears et al of the House and Myers et al of the Senate was read and considered.

Representative Sears moved adoption of the Joint Committee Report on **HB 2171**, which motion was declared adopted upon roll call as follows:

Aye: Banz, Blackwell, Casey, Coody, Cooksey, Dank, Denney, DeWitt, Farley, Grau, Hall, Hardin, Hickman, Holland, Jordan, Joyner, Liebmann, Martin (Scott), Martin (Steve), McNiel, Moore, Mulready, Nelson, Nollan, Ortega, Osborn, Ownbey, Peters, Peterson, Pruett, Quinn, Richardson, Roberts (Dustin), Russ, Sears, Shannon, Sullivan, Thomsen, Tibbs, Watson, Wright, Mr. Speaker.--42.

Nay: Bennett, Brown, Brumbaugh, Cannaday, Christian, Condit, Derby, Dorman, Faught, Fourkiller, Glenn, Hamilton, Hilliard, Hoskin, Inman, Kern, Kouplén, Lockhart, McAffrey, McDaniel (Jeannie), McPeak, Morgan, Morrissette, Murphey, Pittman, Proctor, Renegar, Reynolds, Ritze, Roan, Rousselot, Scott, Shelton, Sherrer, Shoemake, Stiles, Terrill, Virgin, Walker, Wesselhoft, Williams.--41.

Excused: Armes, Billy, Cockroft, Cox, Enns, Jackson, Johnson, Key, Kirby, McCullough, McDaniel (Randy), Newell, Roberts (Sean), Sanders, Schwartz, Shumate, Trebilcock, Vaughan.--18.

THIRD READING

HB 2171 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Billy, Blackwell, Casey, Coody, Cooksey, Dank, Denney, DeWitt, Farley, Grau, Hall, Hardin, Hickman, Holland, Jackson, Johnson, Jordan, Joyner, Kirby, Liebmann, Martin (Scott), Martin (Steve), McDaniel (Randy), McNiel, Moore, Mulready, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Peters, Peterson, Quinn, Richardson, Roberts (Dustin), Roberts (Sean), Russ, Sanders, Schwartz, Sears, Shannon, Sullivan, Thomsen, Tibbs, Watson, Wright, Mr. Speaker.--51.

Nay: Bennett, Brown, Brumbaugh, Cannaday, Christian, Cockroft, Condit, Derby, Dorman, Faught, Fourkiller, Glenn, Hamilton, Hilliard, Hoskin, Inman, Kern, Kouplén, Lockhart, McAffrey, McDaniel (Jeannie), McPeak, Morgan, Morrissette, Murphey, Pittman, Proctor, Pruett, Renegar, Reynolds, Ritze, Roan, Rousselot, Scott, Shelton, Sherrer, Shoemake, Stiles, Terrill, Trebilcock, Vaughan, Virgin, Walker, Wesselhoft, Williams.--45.

Excused: Cox, Enns, Key, McCullough, Shumate.--5.

The measure passed.

Representative Sears served notice to reconsider the vote whereby **HB 2171** passed.

On passage of the emergency, the roll call was as follows:

Aye: Armes, Banz, Billy, Blackwell, Cockroft, Coody, Cooksey, Dank, Denney, DeWitt, Farley, Grau, Hall, Hardin, Hickman, Holland, Jackson, Johnson, Jordan, Joyner, Kirby, Liebmann, Martin (Scott), Martin (Steve), McDaniel (Randy), McNiel, Moore, Mulready, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Peters, Peterson, Quinn, Richardson, Roberts (Dustin), Roberts (Sean), Russ, Sanders, Schwartz, Sears, Shannon, Sullivan, Thomsen, Tibbs, Watson, Wright, Mr. Speaker.--51.

Nay: Bennett, Brown, Brumbaugh, Cannaday, Casey, Christian, Condit, Derby, Dorman, Faught, Fourkiller, Glenn, Hamilton, Hilliard, Hoskin, Inman, Kern, Kouplén, Lockhart, McAffrey, McDaniel (Jeannie), McPeak, Morgan, Morrissette, Murphey, Pittman, Proctor, Pruett, Renegar, Reynolds, Ritze, Roan, Rousselot, Scott, Shelton, Sherrer, Shoemake, Stiles, Terrill, Vaughan, Virgin, Walker, Wesselhoft, Williams.--44.

Excused: Cox, Enns, Key, McCullough, Shumate, Trebilcock.--6.

The emergency failed.

Representative Sears served notice to reconsider the vote whereby the emergency failed.

RECONSIDERATION

Representative Sears moved to reconsider the vote whereby **HB 2171** passed.

Representative Martin (Scott) moved to table the Sears motion, which tabling motion prevailed upon roll call as follows:

Aye: Banz, Billy, Blackwell, Brumbaugh, Casey, Cockroft, Coody, Cooksey, Dank, Denney, DeWitt, Farley, Faught, Grau, Hall, Hardin, Hickman, Holland, Jordan, Joyner, Liebmann, Martin (Scott), Martin (Steve), McDaniel (Randy), McNiel, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Peters, Peterson, Quinn, Richardson, Roberts (Dustin), Roberts (Sean), Russ, Sanders, Sears, Shannon, Sullivan, Tibbs, Watson, Wright, Mr. Speaker.--47.

Nay: Bennett, Cannaday, Condit, Dorman, Fourkiller, Glenn, Hamilton, Hilliard, Hoskin, Inman, Kouplen, Lockhart, McAffrey, McDaniel (Jeannie), McPeak, Morgan, Morrisette, Proctor, Pruett, Renegar, Reynolds, Ritze, Roan, Rousselot, Shoemake, Terrill, Williams.--27.

Excused: Armes, Brown, Christian, Cox, Derby, Enns, Jackson, Johnson, Kern, Key, Kirby, McCullough, Moore, Mulready, Pittman, Schwartz, Scott, Shelton, Sherrer, Shumate, Stiles, Thomsen, Trebilcock, Vaughan, Virgin, Walker, Wesselhoft.--27.

RECONSIDERATION

Representative Sears moved to reconsider the vote whereby the emergency failed on **HB 2171**.

Representative Martin (Scott) moved to table the Sears motion, which tabling motion prevailed upon roll call as follows:

Aye: Armes, Banz, Billy, Blackwell, Brumbaugh, Casey, Cockroft, Coody, Cooksey, Dank, Denney, DeWitt, Farley, Faught, Grau, Hall, Hardin, Hickman, Holland, Jackson, Jordan, Kern, Liebmann, Martin (Scott), Martin (Steve), McDaniel (Randy), McNiel, Murphey, Nelson, Newell, Ownbey, Peters, Peterson, Quinn, Richardson, Roberts (Dustin), Roberts (Sean), Russ, Schwartz, Sears, Shannon, Sullivan, Tibbs, Trebilcock, Wright, Mr. Speaker.--46.

Nay: Brown, Condit, Derby, Dorman, Glenn, Hilliard, Hoskin, Inman, Lockhart, McAffrey, McPeak, Morgan, Proctor, Renegar, Reynolds, Ritze, Roan, Rousselot, Scott, Shelton, Sherrer, Terrill, Virgin, Walker.--24.

Excused: Bennett, Cannaday, Christian, Cox, Enns, Fourkiller, Hamilton, Johnson, Joyner, Key, Kirby, Kouplen, McCullough, McDaniel (Jeannie), Moore, Morrissette, Mulready, Nollan, Ortega, Osborn, Pittman, Pruett, Sanders, Shoemake, Shumate, Stiles, Thomsen, Vaughan, Watson, Wesselhoft, Williams.--31.

HB 2171 was referred for engrossment.

GENERAL ORDER

HB 2173 by Sears et al of the House and Myers et al of the Senate was read and considered.

Representative Blackwell moved adoption of the Joint Committee Report on **HB 2173**, which motion was declared adopted.

THIRD READING

HB 2173 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Billy, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Christian, Cockroft, Condit, Coody, Cooksey, Dank, Denney, Derby, DeWitt, Dorman, Farley, Faught, Glenn, Grau, Hall, Hamilton, Hardin, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Kouplen, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McAffrey, McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Morgan, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Peters, Peterson, Proctor, Pruett, Quinn, Renegar, Reynolds, Richardson, Ritze, Roan, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Stiles, Sullivan, Terrill, Thomsen, Tibbs, Trebilcock, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wright, Mr. Speaker.--92.

Nay: Morrissette.--1.

Excused: Bennett, Cox, Enns, Fourkiller, Key, McCullough, Pittman, Shumate.--8.

The measure passed.

On passage of the emergency, the roll call was as follows:

Aye: Armes, Billy, Blackwell, Brumbaugh, Casey, Cockroft, Coody, Dank, Denney, Derby, DeWitt, Farley, Faught, Grau, Hall, Hickman, Holland, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Liebmann, Martin (Scott), Martin (Steve), McDaniel (Randy), Moore, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Ownbey, Peters, Peterson, Quinn, Richardson, Roberts (Dustin), Roberts (Sean), Russ, Sanders, Schwartz, Sears, Shannon, Stiles, Sullivan, Thomsen, Tibbs, Trebilcock, Vaughan, Watson, Wesselhoft, Wright, Mr. Speaker.--56.

Nay: Brown, Cannaday, Condit, Dorman, Glenn, Hilliard, Inman, Kouplen, Lockhart, McAffrey, McPeak, Morrisette, Renegar, Reynolds, Roan, Rousselot, Scott, Shelton, Sherrer, Shoemake, Virgin, Walker, Williams.--23.

Excused: Banz, Bennett, Christian, Cooksey, Cox, Enns, Fourkiller, Hamilton, Hardin, Hoskin, Key, McCullough, McDaniel (Jeannie), McNiel, Morgan, Osborn, Pittman, Proctor, Pruett, Ritze, Shumate, Terrill.--22.

The emergency failed.

HB 2173 was referred for engrossment.

GENERAL ORDER

HB 2174 by Sears et al of the House and Myers et al of the Senate was read and considered.

Representative Blackwell moved adoption of the Joint Committee Report on **HB 2174**, which motion was declared adopted.

THIRD READING

HB 2174 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Billy, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Christian, Cockroft, Condit, Coody, Cooksey, Dank, Denney, Derby, DeWitt, Dorman, Farley, Faught, Glenn, Grau, Hall, Hamilton, Hardin, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McAffrey, McDaniel (Jeannie), McDaniel (Randy), McPeak, Moore, Morgan, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Ownbey, Peters, Peterson, Proctor, Pruett, Quinn, Renegar, Reynolds, Richardson, Ritze, Roan, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Stiles, Sullivan, Terrill, Thomsen, Tibbs, Trebilcock, Vaughan, Virgin, Walker, Watson, Wesselhoft, Wright, Mr. Speaker.--88.

Nay: Kouplen, Morrisette, Williams.--3.

Excused: Bennett, Cox, Enns, Fourkiller, Key, McCullough, McNiel, Osborn, Pittman, Shumate.--10.

The measure passed.

On passage of the emergency, the roll call was as follows:

Aye: Armes, Banz, Billy, Blackwell, Brumbaugh, Casey, Cockroft, Coody, Cooksey, Dank, Denney, Derby, DeWitt, Farley, Faught, Grau, Hall, Hardin, Hickman, Holland, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Liebmann, Martin (Scott), Martin (Steve), McDaniel (Randy), Moore, Mulready, Murphey, Nelson, Nollan, Ortega, Ownbey, Peters, Peterson, Quinn, Richardson, Roberts (Dustin), Roberts (Sean), Russ, Sanders, Sears, Shannon, Stiles, Sullivan, Thomsen, Tibbs, Trebilcock, Vaughan, Watson, Wesselhoft, Wright, Mr. Speaker.--57.

Nay: Cannaday, Christian, Condit, Dorman, Glenn, Hamilton, Hilliard, Inman, Kouplen, Lockhart, McAffrey, McDaniel (Jeannie), McPeak, Morgan, Morrisette, Pittman, Proctor, Pruett, Renegar, Reynolds, Ritze, Roan, Rousselot, Scott, Shelton, Sherrer, Shoemake, Virgin, Walker, Williams.--30.

Excused: Bennett, Brown, Cox, Enns, Fourkiller, Hoskin, Key, McCullough, McNiel, Newell, Osborn, Schwartz, Shumate, Terrill.--14.

The emergency failed.

HB 2174 was referred for engrossment.

GENERAL ORDER

HB 2175 by Sears et al of the House and Myers et al of the Senate was read and considered.

Representative Blackwell moved adoption of the Joint Committee Report on **HB 2175**, which motion was declared adopted.

THIRD READING

HB 2175 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Billy, Blackwell, Brumbaugh, Casey, Christian, Cockroft, Coody, Cooksey, Dank, Denney, Derby, DeWitt, Faught, Hall, Hardin, Hickman, Holland, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Liebmann, Martin (Scott), Martin (Steve), McDaniel (Randy), McNiel, Moore, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Ownbey, Peters, Quinn, Reynolds, Richardson, Ritze, Roberts (Sean), Russ, Sanders, Schwartz, Sears, Shannon, Sullivan, Terrill, Thomsen, Tibbs, Trebilcock, Vaughan, Watson, Wright, Mr. Speaker.--58.

Nay: Brown, Cannaday, Condit, Dorman, Farley, Glenn, Grau, Hamilton, Hilliard, Hoskin, Inman, Kouplen, Lockhart, McAffrey, McDaniel (Jeannie), McPeak, Morgan,

Morrisette, Peterson, Pittman, Proctor, Pruett, Renegar, Roan, Roberts (Dustin), Rousselot, Scott, Shelton, Sherrer, Stiles, Virgin, Walker, Wesselhoft, Williams.--34.

Excused: Bennett, Cox, Enns, Fourkiller, Key, McCullough, Osborn, Shoemake, Shumate.--9.

The measure passed.

On passage of the emergency, the roll call was as follows:

Aye: Armes, Banz, Billy, Blackwell, Brumbaugh, Cockroft, Coody, Cooksey, Dank, Derby, DeWitt, Farley, Faught, Grau, Hall, Hardin, Hickman, Holland, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Liebmann, Martin (Scott), Martin (Steve), McDaniel (Randy), McNiel, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Ownbey, Peters, Peterson, Quinn, Richardson, Roberts (Dustin), Roberts (Sean), Russ, Sanders, Schwartz, Shannon, Sullivan, Thomsen, Tibbs, Trebilcock, Vaughan, Watson, Wright, Mr. Speaker.--54.

Nay: Brown, Cannaday, Christian, Condit, Dorman, Glenn, Hamilton, Hilliard, Hoskin, Inman, Kouplen, Lockhart, McAffrey, McDaniel (Jeannie), McPeak, Morgan, Morrisette, Pittman, Proctor, Pruett, Renegar, Rousselot, Scott, Sherrer, Virgin, Wesselhoft, Williams.--27.

Excused: Bennett, Casey, Cox, Denney, Enns, Fourkiller, Key, McCullough, Moore, Osborn, Reynolds, Ritze, Roan, Sears, Shelton, Shoemake, Shumate, Stiles, Terrill, Walker.--20.

The emergency failed.

HB 2175 was referred for engrossment.

GENERAL ORDER

HB 2176 by Sears et al of the House and Myers et al of the Senate was read and considered.

Coauthored by Representative(s) Ritze

Representative Billy moved adoption of the Joint Committee Report on **HB 2176**, which motion was declared adopted.

Representative Billy moved that **HB 2176** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 2176 was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Armes, Banz, Billy, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Christian, Cockroft, Condit, Coody, Cooksey, Dank, Derby, DeWitt, Dorman, Farley, Faught, Glenn, Grau, Hall, Hamilton, Hardin, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Kouplen, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McAffrey, McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Morgan, Morrissette, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Reynolds, Richardson, Ritze, Roan, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Stiles, Sullivan, Terrill, Thomsen, Tibbs, Trebilcock, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wright, Mr. Speaker.--91.

Excused: Bennett, Cox, Denney, Enns, Fourkiller, Key, McCullough, Osborn, Shoemake, Shumate.--10.

The measure and emergency passed.

HB 2176 was referred for engrossment.

GENERAL ORDER

HB 2177 by Sears et al of the House and Myers et al of the Senate was read and considered.

Representative Sears moved adoption of the Joint Committee Report on **HB 2177**, which motion was declared adopted.

Representative Sears moved that **HB 2177** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 2177 was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Armes, Banz, Billy, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Christian, Cockroft, Condit, Coody, Cooksey, Dank, Derby, DeWitt, Dorman, Farley, Faught, Glenn, Grau, Hall, Hamilton, Hardin, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Kouplen, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McAffrey, McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Morgan, Morrissette, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Reynolds, Richardson,

Ritze, Roan, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Stiles, Sullivan, Terrill, Thomsen, Tibbs, Trebilcock, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wright, Mr. Speaker.--91.

Excused: Bennett, Cox, Denney, Enns, Fourkiller, Key, McCullough, Osborn, Shoemake, Shumate.--10.

The measure and emergency passed.

HB 2177 was referred for engrossment.

GENERAL ORDER

HB 2179 by Sears et al of the House and Myers et al of the Senate was read and considered.

Representative Armes moved adoption of the Joint Committee Report on **HB 2179**, which motion was declared adopted.

THIRD READING

HB 2179 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Billy, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Christian, Cockroft, Condit, Coody, Cooksey, Dank, Derby, DeWitt, Dorman, Farley, Faught, Glenn, Grau, Hall, Hamilton, Hardin, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Kouplen, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McAffrey, McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Morgan, Morrissette, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Reynolds, Richardson, Ritze, Roan, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Stiles, Sullivan, Terrill, Thomsen, Tibbs, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wright, Mr. Speaker.--90.

Excused: Bennett, Cox, Denney, Enns, Fourkiller, Key, McCullough, Osborn, Shoemake, Shumate, Trebilcock.--11.

The measure passed.

On passage of the emergency, the roll call was as follows:

Aye: Armes, Banz, Billy, Brumbaugh, Casey, Cockroft, Coody, Cooksey, Dank, Derby, DeWitt, Farley, Faught, Grau, Hall, Hardin, Hickman, Holland, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McDaniel (Randy), McNiel, Moore, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Ownbey,

Peters, Peterson, Quinn, Richardson, Roan, Roberts (Dustin), Roberts (Sean), Russ, Sanders, Schwartz, Sears, Shannon, Sullivan, Thomsen, Tibbs, Vaughan, Watson, Wesselhoft, Wright, Mr. Speaker.--58.

Nay: Brown, Cannaday, Christian, Condit, Dorman, Glenn, Hamilton, Hilliard, Hoskin, Inman, Kouplen, McAffrey, McDaniel (Jeannie), McPeak, Morgan, Morrissette, Pittman, Proctor, Pruett, Renegar, Reynolds, Rousselot, Scott, Shelton, Sherrer, Virgin, Walker, Williams.--28.

Excused: Bennett, Blackwell, Cox, Denney, Enns, Fourkiller, Key, McCullough, Osborn, Ritze, Shoemake, Shumate, Stiles, Terrill, Trebilcock.--15.

The emergency failed.

HB 2179 was referred for engrossment.

MOTION EXPIRED

Time expired for consideration of the motion to reconsider the vote whereby the emergency failed on **HB 1338**.

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

CCRs SUBMITTED

The conference committee reports were read on the following measures:

HB 1002

HB 1202

HB 1285, Coauthored by Representative(s) Kirby

HB 1343

HB 1363

HB 1388

HB 1512

HB 1559

HB 1655

HB 1676

HB 1852

HB 1953, Coauthored by Representative(s) Sherrer

HB 2075 (Conferees Unable to Agree)

FIRST READING

The following were introduced and read for the first time:

HB 2181 – By Sears and Martin (Scott) of the House and Myers and Jolley of the Senate.

An Act relating to the State Board of Education; requiring transfer of funds to the Teachers' Retirement System of Oklahoma for the Teachers' Retirement Credit; requiring expenditure of funds for the Certified Employee Health Benefit Allowance; requiring expenditure of funds for the Support Employee Health Benefit Allowance; requiring transfer of funds to the Professional Development Institutes Revolving Fund; requiring expenditure of funds for the School Lunch Program; providing an effective date; and declaring an emergency.

HB 2182 – By Sears and Martin (Scott) of the House and Myers and Jolley of the Senate.

An Act relating to the Oklahoma Center for the Advancement of Science and Technology; requiring deposit of certain funds; providing an effective date; and declaring an emergency.

HB 2183 – By Sears and Martin (Scott) of the House and Myers and Jolley of the Senate.

An Act relating to the Department of Human Services; requiring that portions of certain appropriated funds be used for certain purposes; specifying certain funding shall be considered additional funding; stating legislative intent; directing Department to disburse certain funds; specifying funds to be distributed; appropriating certain federal monies; stating purpose; prohibiting the finalization of certain rates; providing exception; prohibiting the changing of certain rates; providing exception; authorizing certain rate changes; directing Commission for Human Services to make certain changes effective on certain date; requiring Director of Department to provide certain notice; requiring Director to provide certain explanation; making certain changes subject to The Oklahoma Central Purchasing Act; authorizing early transfers of certain funds for specific purposes; authorizing transfer of appropriated funds in requested amounts and ratios; specifying purposes; requiring certain records; authorizing certain interyear transfers; providing lapse dates; requiring certain budget procedures; prohibiting certain budget procedures; providing an effective date; and declaring an emergency.

ENGROSSED AND ENROLLED MEASURES

HBs 2170, 2171, 2173, 2174, 2175, 2176, 2177, 2178 and 2179 were reported correctly engrossed, properly signed, in open session, and ordered transmitted to the Honorable Senate.

HBs 1338, 1854 and 1917 were reported correctly enrolled and, after fourth reading, properly signed, in open session, and ordered transmitted to the Honorable Senate.

MESSAGES FROM THE GOVERNOR

Advising of her approval of **HBs 1381, 1607 and 1658** on May 13, 2011.

Representative Sullivan moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 1:30 p.m., Monday, May 16, 2011, which was the order.

Pursuant to the motion of Representative Sullivan, the House was adjourned at 4:15 p.m., to reconvene Monday, May 16, 2011, at 1:30 p.m.