

HOUSE JOURNAL

First Regular Session of the Fifty-fourth Legislature

of the State of Oklahoma

Eleventh Legislative Day, Tuesday, February 19, 2013

The House was called to order by Representative Denney.

The roll was called with 100 Members present.

The following Members was excused: Enns—1.

Representative Denney declared a quorum present.

Prayer was offered by Pastor Blake Gideon, Edmond's First Baptist Church, Edmond. Pastor Gideon was sponsored by Representative Cooksey.

The Journal for the last legislative day was approved.

ENGROSSED AND ENROLLED MEASURES

HBs 1038, 1058, 1068, 1071, 1364, 1414, 1595, 1596, 1597 and 1928 were reported correctly engrossed, properly signed, in open session, and ordered transmitted to the Honorable Senate.

GENERAL ORDER

HB 1010 by Brown of the House and Wyrick of the Senate was read and considered.

Representative Brown moved to amend **HB 1010**, Page 2, Section 1, Line 17 by deleting after the word "River" and before the word "shall" the words "and its tributaries", which amendment was declared adopted.

Representative Brown moved that **HB 1010** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 1010 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Bennett, Biggs, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Christian, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Echols, Fisher, Floyd, Fourkiller, Glenn, Grau, Hall, Hardin, Henke, Hickman, Hoskin, Hulbert, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Kouplen, Lockhart, Martin (Scott), Martin (Steve), McBride, McCall, McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Morrisette, Mulready, Murphey, Nelson, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Perryman, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Ritze, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Sears, Shelton, Sherrer, Shoemake, Smalley, Stiles, Thomsen, Turner, Vaughan, Virgin, Walker, Watson, Williams, Wood, Wright, Mr. Speaker.--92.

Excused: Billy, Cleveland, Enns, Hamilton, Matthews, Reynolds, Scott, Trebilcock, Wesselhoft.--9.

The measure passed.

HB 1010 was referred for engrossment.

GENERAL ORDER

HB 1335 by Lockhart of the House and Ballenger of the Senate was read and considered.

Representative Lockhart moved that **HB 1335** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 1335 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Bennett, Biggs, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Christian, Cleveland, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Echols, Fisher, Floyd, Fourkiller, Glenn, Grau, Hardin, Henke, Hickman, Hoskin, Hulbert, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Kouplen, Lockhart, Martin (Scott), Martin (Steve), Matthews, McCall, McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Morrisette, Murphey, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Perryman, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Reynolds, Ritze, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Sears, Shelton, Sherrer, Shoemake, Smalley,

Stiles, Thomsen, Turner, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wood, Wright, Mr. Speaker.--92.

Nay: Hall.--1.

Excused: Billy, Enns, Hamilton, McBride, Mulready, Nelson, Scott, Trebilcock.--8.

The measure passed.

HB 1335 was referred for engrossment.

GENERAL ORDER

HB 1340 by Biggs of the House was read and considered.

Authored by Senator David (principal Senate author)

Representative Biggs moved that **HB 1340** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 1340 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Bennett, Biggs, Blackwell, Brumbaugh, Casey, Christian, Cleveland, Cockroft, Coody, Cooksey, Cox, Dank, Denney, Echols, Fisher, Glenn, Grau, Hall, Henke, Hulbert, Jackson, Johnson, Joyner, Kern, Martin (Scott), Martin (Steve), McBride, McCall, McDaniel (Randy), McNiell, Moore, Mulready, Murphey, Nelson, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Pruett, Quinn, Reynolds, Ritze, Roberts (Dustin), Roberts (Sean), Rousselot, Sanders, Schwartz, Sears, Smalley, Stiles, Thomsen, Turner, Vaughan, Walker, Wesselhoft, Wood, Wright, Mr. Speaker.--62.

Nay: Brown, Cannaday, Condit, Derby, Dorman, Floyd, Hamilton, Hardin, Hickman, Hoskin, Inman, Jordan, Kirby, Kouplen, Lockhart, Matthews, McCullough, McDaniel (Curtis), McDaniel (Jeannie), Morrissette, Perryman, Peterson, Pittman, Proctor, Renegar, Russ, Scott, Shelton, Sherrer, Shoemake, Virgin, Watson.--32.

Excused: Billy, DeWitt, Enns, Fourkiller, McPeak, Trebilcock, Williams.--7.

The measure passed.

Representative Biggs served notice to reconsider the vote whereby **HB 1340** passed.

MEASURE REASSIGNED

The following measure was reassigned:

HB 1321 – Withdrawn from Rules and referred to Public Safety.

GENERAL ORDER

HB 1528 by Banz of the House and Ford of the Senate was read and considered.

Representative Banz moved that **HB 1528** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 1528 was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Armes, Banz, Bennett, Biggs, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Christian, Cleveland, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Echols, Fisher, Floyd, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Henke, Hickman, Hoskin, Hulbert, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Kouplun, Lockhart, Martin (Scott), Martin (Steve), Matthews, McBride, McCall, McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Morrissette, Mulready, Murphey, Nelson, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Perryman, Pruett, Quinn, Renegar, Ritze, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shelton, Sherrer, Shoemake, Smalley, Stiles, Thomsen, Turner, Vaughan, Virgin, Watson, Wesselhoft, Williams, Wood, Wright, Mr. Speaker.--93.

Excused: Billy, Enns, Peterson, Pittman, Reynolds, Trebilcock, Walker.--7.

Constitutional Priv: Proctor.--1.

The measure and emergency passed.

HB 1528 was referred for engrossment.

GENERAL ORDER

HB 1904 by Cleveland et al of the House and Sparks of the Senate was read and considered.

Coauthored by Representative(s) Bennett

Representative Cleveland moved that **HB 1904** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 1904 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Bennett, Biggs, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Christian, Cleveland, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Echols, Fisher, Floyd, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Henke, Hickman, 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), McNiel, McPeak, Moore, Morrisette, Mulready, Murphey, Nelson, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Perryman, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Reynolds, Ritze, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shelton, Sherrer, Shoemake, Smalley, Stiles, Thomsen, Turner, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wood, Wright, Mr. Speaker.--98.

Excused: Billy, Enns, Trebilcock.--3.

The measure passed.

HB 1904 was referred for engrossment.

MEASURES REASSIGNED

The following measures were reassigned:

HB 2145 – Withdrawn from Rules and referred to Appropriations and Budget.

HB 2146 – Withdrawn from Rules and referred to Appropriations and Budget.

MESSAGE FROM THE SENATE

Announcing the passage of **SBs 64, 66, 197, 206, 422, 460, 687, 775** and **852**. The measures were introduced and read for the first time.

SB 64 – By Barrington and Shortey of the Senate and Joyner of the House.

An Act relating to aerial luminaries; making it unlawful to sell, offer for sale, distribute, possess, ignite or otherwise use aerial luminaries; defining term; amending 68 O.S. 2011, Section 1628, which relates to certain violations, penalties and enforcement; providing penalties for certain violations; providing for seizure and custody of certain contraband; providing for certain appeal; authorizing certain court to return or destroy certain contraband; providing for codification; and declaring an emergency.

SB 66 – By Barrington and Shortey of the Senate and Joyner of the House.

An Act relating to fireworks; amending 68 O.S. 2011, Section 1623, which relates to conditions for storage, transportation, sale and use of fireworks; construing provisions; authorizing certain inspections by certain local governing authorities; and declaring an emergency.

SB 197 – By Griffin of the Senate and Turner of the House.

An Act relating to municipal police chiefs; amending 11 O.S. 2011, Section 34-102, which relates to municipal police departments; requiring certain training for municipal police chiefs; requiring development of certain training by certain police association; requiring approval of training program by Council on Law Enforcement Education and Training; providing for revocation of certain CLEET certification; requiring municipal police departments to adopt and publish certain policies by certain date; stating requirements; requiring compliance by certain time period; stating exception; stating penalty for non compliance; providing for codification; and providing an effective date.

SB 206 – By Griffin and Shortey of the Senate and Hickman of the House.

An Act relating to firearms; amending 21 O.S. 2011, Sections 1290.2, 1290.7, 1290.8 and 1290.21, as amended by Sections 23, 28, 29 and 40, Chapter 259, O.S.L. 2012 (21 O.S. Supp. 2012, Sections 1290.2, 1290.7, 1290.8 and 1290.21), which relate to handguns; modifying definition; modifying how certain authority shall be construed; clarifying language; deleting certain penalties; modifying criteria for certain unlawful act; and declaring an emergency.

SB 422 – By Griffin of the Senate and Grau of the House.

An Act relating to professions and occupations; amending 59 O.S. 2011, Section 536.7, which relates to qualifications for licensure of electrologists; removing requirement of a baccalaureate degree for issuance of license; and providing an effective date.

SB 460 – By Griffin of the Senate and Nelson of the House.

[child abuse - requiring Department of Human Services to record and store incoming calls to hotline - effective date]

SB 687 – By Griffin of the Senate and Murphey of the House.

An Act relating to county purchasing; amending 19 O.S. 2011, Section 1501, as last amended by Section 73, Chapter 304, O.S.L. 2012 (19 O.S. Supp. 2012, Section 1501), which relates to requisition of purchase orders; modifying exception amount for required bidding purchases; and declaring an emergency.

SB 775 – By Griffin, Shortey, Marlatt, Justice, David, Brinkley, Fields, Brown, Standridge, Halligan, Barrington, Holt, Dahm, Brooks, Loveless, Boggs, Sharp, Allen, Treat, Brecheen, Schulz, Sparks, Sykes, Stanislawski, Shaw and Bingman of the Senate and Sanders of the House.

An Act relating to handgun licenses; amending 21 O.S. 2011, Section 1290.12, as amended by Section 32, Chapter 259, O.S.L. 2012 (21 O.S. Supp. 2012, Section 1290.12), which relates to procedures for application; making certain exception; authorizing the sheriff to issue a temporary license under certain circumstances for a certain duration; setting certain requirements; providing for issuance; requiring certain license and certain identification at certain times; making certain persons subject to the Oklahoma Self-Defense Act; making the temporary license invalid under certain circumstances; and declaring an emergency.

SB 852 – By Treat of the Senate and Ownbey of the House.

[nursing home administrators - prohibiting Board from requiring a four-year degree - 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 1036 – Common Education, Authored by Senator Fields (principal Senate author)

HB 1303 – Common Education, Authored by Senator Burrage (principal Senate author)

HB 1395 – Common Education

HB 1531 – Common Education, Authored by Senator Jolley (principal Senate author)

HB 1674 – Common Education, Coauthored by Representative(s) Kern, and Authored by Senator Brecheen (principal Senate author)

HB 2241 – Human Services

REPORT FROM CALENDAR COMMITTEE

The Calendar Committee met on Tuesday, February 19, 2013, and approved the following measures with an Open Rule to be placed on the Floor Agenda: **HB 1009, HB 1037, HB 1060, HB 1112, HB 1241, HB 1265, HB 1341, HB 1355, HB 1359, HB 1422, HB 1423, HB 1424, HB 1547, HB 1599, HB 1614, HB 1921, HB 1999, HB 2003, HB 2079, HB 2097, and HB 2188.** The following measures were approved with an Open Rule, Fiscal Analysis required, to be placed on the Floor Agenda: **HB 1104, HB 1325, HB 2078 and HB 2097.**

Representative Ortega moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 1:30 p.m., Wednesday, February 20, 2013, which was the order.

Pursuant to the motion of Representative Ortega, the House was adjourned at 10:20 a.m., to reconvene Wednesday, February 20, 2013, at 1:30 p.m.