HOUSE JOURNAL

First Regular Session of the Fifty-fourth Legislature

of the State of Oklahoma

Sixteenth Legislative Day, Wednesday, February 27, 2013

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

The roll was called with 99 Members present.

The following Members were excused: Enns, Trebilcock—2.

The The Speaker Pro Tempore declared a quorum present.

Prayer was offered by Pastor Terry Armstrong, Mustang Church of the Nazarene, Mustang. Pastor Armstrong was sponsored by Representative Osborn.

The Journal for the last legislative day was approved.

ENGROSSED AND ENROLLED MEASURES

HBs 1422, 1423, 1547, 1614, 1921, 1996, 2079, 2097 and **2190** were reported correctly engrossed, properly signed, in open session, and ordered transmitted to the Honorable Senate.

HB 1646 was reported correctly enrolled and, after fourth reading, properly signed, in open session, and ordered transmitted to the Honorable Senate.

GENERAL ORDER

HB 2003 by McNiel of the House and Anderson of the Senate was read and considered.

Representative McNiel moved that **HB 2003** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 2003 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Biggs, Billy, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Christian, Cleveland, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Echols, Fisher, Floyd, Fourkiller, Glenn, Grau, Hall, Hardin, Henke, Hoskin, Hulbert, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Kouplen, Lockhart, Martin (Scott), Martin (Steve), McBride, McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, 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, Wood, Wright, Mr. Speaker.--92.

Nay: Hamilton.--1.

Excused: Bennett, Enns, Hickman, Matthews, McCall, Morrissette, Trebilcock, Williams.--8.

The measure passed.

HB 2003 was referred for engrossment.

GENERAL ORDER

HB 1359 by Renegar of the House was read and considered.

Authored by Senator Ballenger (principal Senate author)

Representative Renegar moved to amend **HB 1359**, Page 11, Section 6, Line 5 ½ by inserting a new subsection E to read as follows:

"E. The nonrefundable animal shelter license and renewal fee shall be the same as the fee for a commercial pet breeder with eleven (11) to twenty (20) intact female animals.", which amendment was declared adopted.

Representative Renegar moved that **HB 1359** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 1359 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Billy, Brown, Cannaday, Casey, Condit, Cooksey, Denney, Derby, DeWitt, Dorman, Floyd, Fourkiller, Glenn, Hamilton, Hoskin, Inman, Jackson, Jordan, Joyner, Kirby, Kouplen, Lockhart, Martin (Scott), Matthews, McCullough, McDaniel (Curtis), McDaniel (Jeannie), McNiel, McPeak, Nollan, Ortega, Osborn, Perryman, Peterson, Pittman, Proctor, Pruett, Renegar, Roberts (Dustin), Rousselot, Schwartz, Scott, Shelton, Sherrer, Shoemake, Smalley, Thomsen, Vaughan, Virgin, Watson, Mr. Speaker.--51.

Nay: Banz, Bennett, Biggs, Blackwell, Brumbaugh, Christian, Cleveland, Cockroft, Coody, Cox, Dank, Echols, Fisher, Grau, Hall, Hardin, Henke, Hulbert, Johnson, Kern, Martin (Steve), McBride, McCall, McDaniel (Randy), Moore, Mulready, Murphey, Nelson, Newell, O'Donnell, Ownbey, Quinn, Reynolds, Ritze, Roberts (Sean), Russ, Sanders, Sears, Stiles, Turner, Walker, Wesselhoft, Wood, Wright.--44.

Excused: Armes, Enns, Hickman, Morrissette, Trebilcock, Williams.--6.

The measure passed.

Representative Renegar served notice to reconsider the vote whereby **HB 1359** passed.

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

Aye: Armes, Billy, Blackwell, Brown, Cannaday, Christian, Condit, Coody, Cooksey, Denney, Derby, DeWitt, Dorman, Floyd, Fourkiller, Glenn, Hamilton, Hoskin, Inman, Jackson, Jordan, Joyner, Kouplen, Lockhart, Martin (Scott), Matthews, McDaniel (Curtis), McNiel, McPeak, Nollan, Ortega, Osborn, Perryman, Peterson, Pittman, Proctor, Pruett, Renegar, Roberts (Dustin), Rousselot, Schwartz, Scott, Shelton, Sherrer, Shoemake, Vaughan, Virgin, Watson, Mr. Speaker.--49.

Nay: Banz, Bennett, Biggs, Brumbaugh, Casey, Cleveland, Cockroft, Cox, Dank, Echols, Fisher, Grau, Hall, Hardin, Hulbert, Johnson, Kern, Kirby, Martin (Steve), McBride, McCall, McCullough, McDaniel (Randy), Moore, Murphey, Nelson, Newell, O'Donnell, Ownbey, Quinn, Reynolds, Ritze, Roberts (Sean), Russ, Sanders, Sears, Smalley, Stiles, Turner, Walker, Wesselhoft, Wood, Wright.--43.

Excused: Enns, Henke, Hickman, McDaniel (Jeannie), Morrissette, Mulready, Thomsen, Trebilcock, Williams.--9.

The emergency failed.

MESSAGE FROM THE SENATE

Announcing the passage of **SBs 5, 8, 41, 50, 79, 294, 322, 323, 404, 495, 520, 557, 630, 646, 648, 661, 751, 788, 854**, **863, 877, 919, 955, 1000, 1022, 1025** and **1060**. The measures were introduced and read for the first time.

SB 5 – By Stanislawski of the Senate and Watson of the House.

An Act relating to temporary help firms; amending 40 O.S. 2011, Section 2-404.1, which relates to leaving work voluntarily of temporary employee; defining terms; stating conditions for leaving work voluntarily; requiring copy of certain written obligations affecting unemployment benefits; providing an effective date; and declaring an emergency.

SB 8 – By Coates of the Senate and Grau of the House.

[insurance - Anti-Fraud Unit of the Insurance Department - effective date]

SB 41 – By Coates of the Senate and Moore of the House.

[environmental agency jurisdiction - modifying authorization over certain wetlands]

SB 50 – By Coates of the Senate and Roberts (Dustin) of the House.

An Act relating to the state cowboy song; authorizing the Oklahoma Historical Society to hold a contest to designate an official state cowboy song; providing for noncodification; and providing an effective date.

SB 79 – By Bingman and Fields of the Senate and McNiel of the House.

An Act relating to rural fire protection; amending 19 O.S. 2011, Section 901.61, which relates to administration of rural fire protection programs; modifying composition of certain rural fire protection coordination districts; providing an effective date; and declaring an emergency.

SB 294 – By Coates of the Senate and Jordan of the House.

[voluntary emergency services - limiting liability - imposing time limitation on certain immunity - effective date]

SB 322 – By Mazzei of the Senate and Sears of the House.

[gross production tax - requiring Oklahoma Tax Commission to make annual adjustments - emergency]

SB 323 – By Mazzei of the Senate and Sears of the House.

[income and premium taxes - limiting time period during which credit may be claimed - effective date]

SB 404 – By Jolley of the Senate and Jordan of the House.

An Act relating to personal injury trusts; creating the Personal Injury Trust Fund Transparency Act; providing short title; defining terms; requiring plaintiff in certain actions to disclose certain information; requiring certain court order; establishing certain presumption; prohibiting certain claims of privilege; authorizing certain discovery; prohibiting scheduling of certain trial within specified time period; requiring stay under certain circumstances; authorizing certain motion by defendant; establishing procedures upon identification of certain trust; requiring court to make certain determination; requiring court to order filing of claim under certain circumstances; requiring certain documents to be entered into record within specified time period; establishing rebuttable presumption; requiring certain valuation; authorizing certain credits; providing for sanctions; providing for codification; and providing an effective date.

SB 495 – By Jolley of the Senate and Martin (Scott) of the House.

[Oklahoma State Regents' Endowment Trust Fund - directing State Regents in investing the fund - effective date - emergency]

SB 520 – By Newberry of the Senate and Armes of the House.

An Act relating to supervised lenders; amending 14A O.S. 2011, Sections 1-106, 3-508A and 6-108, which relate to required changes in dollar amounts for certain loans, loan charges and administrative orders; deleting supervised lenders from automatic change under certain Reference Base Index; modifying maximum loan amounts and charges; allowing certain origination fees; setting maximum origination fee; providing an administrative fine; setting minimum and maximum fine amounts; providing an effective date; and declaring an emergency.

SB 557 – By Jolley of the Senate and Martin (Scott) of the House.

[Oklahoma Ethics Commission - employees in unclassified service - emergency]

SB 630 – By Jolley of the Senate and Murphey of the House.

[sole source purchase contracts - authorizing promulgation of rules to implement act - codification - noncodification - emergency]

SB 646 – By Jolley of the Senate and Quinn of the House.

[public finance - creating the Recovery Audits for Government Overpayments of Tax Dollars Act - codification - effective date]

SB 648 – By Schulz and Ivester of the Senate and Wright of the House.

[income tax - modifying apportionment of revenue under certain circumstances - effective date - emergency]

SB 661 – By Schulz of the Senate and Jackson of the House.

An Act relating to rural housing; creating the Task Force for the Study of Rural Housing Development and stating purpose thereof; providing for membership of Task Force; requiring organizational meeting; providing for quorum; authorizing travel reimbursement; providing for staff assistance; requiring final report; providing for noncodification; providing an effective date; and declaring an emergency.

SB 751 – By Schulz of the Senate and Wright of the House.

An Act relating to missing and endangered persons; requiring the Commissioner of Public Safety to establish certain policies and procedures for certain high-risk missing person advisory; defining term; providing certain circumstances for determining such persons; providing for codification; and declaring an emergency.

SB 788 – By Newberry of the Senate and McDaniel (Randy) of the House.

An Act relating to employment; making certain Legislative findings; creating a study for certain purpose; providing for co-chairs and membership; directing co-chairs to set agenda and meeting location; stating requirement of study; allowing other issues to be studied; setting date to conclude study; providing for staffing and certain travel and per diem; providing for noncodification; and providing an effective date.

SB 854 – By Crain of the Senate and Martin (Steve) of the House.

An Act relating to collective bargaining; prohibiting collective bargaining agreements for certain police officer terminations; providing for appeal to district court; stating eligibility for reinstatement; providing for codification; and providing an effective date.

SB 863 – By Jolley and Shortey of the Senate and Jackson of the House.

[lottery - authorizing Governor to seek certain proposal for privatization - requiring certain procedures and conformity - noncodification - effective date - emergency]

SB 877 – By Treat of the Senate and Dorman of the House.

[teachers - allowing State Board of Education to waive certain criteria for certain applicants - effective date - emergency]

SB 919 – By Justice of the Senate and Armes of the House.

An Act relating to animals; amending 29 O.S. 2011, Section 4-107.2, which relates to management of depredating animals by use of aircraft; removing big game commercial hunting license as requirement for issuance of permit, modifying definition of aircraft to include fixed wing aircraft; and providing an effective date.

SB 955 – By Jolley and Fields of the Senate and Nelson of the House.

[amusements and sports - modifying powers of the Oklahoma Lottery Commission - noncodification - effective date - emergency]

SB 1000 – By Jolley of the Senate and Grau of the House.

An Act relating to limited licenses issued to rental or leasing companies; amending 36 O.S. 2011, Section 1435.20, which relates to limited lines producers; allowing car rental company employees to provide coverage without being individually licensed; amending 36 O.S. 2011, Section 1435.23, which relates to fees for limited licenses; modifying car rental limited lines fees; and providing an effective date.

SB 1022 – By Newberry of the Senate and Echols of the House.

[Construction Industries Board Act - modifying appointment and term of board members - setting maximum term - construing authority for appeals - effective date - emergency]

SB 1025 – By Newberry of the Senate and Echols of the House.

An Act relating to roofing contractors; amending 59 O.S. 2011, Section 1151.2, which relates to definitions; adding and modifying definitions; requiring commercial roofer examination; providing certain components of tests; setting fee for commercial roofer endorsement; stating term of endorsement; requiring certain continuing education for renewal of endorsement; providing for suspension or revocation of endorsement; setting renewal fee; setting penalties for certain violations; setting reinstatement fee; requiring nonresident commercial roofers to take examination prior to registration; providing temporary registration during state of emergency; setting fee for temporary registration; requiring registration with the Oklahoma Tax Commission for certain purpose; stating term of temporary registration; providing for examinations during state of emergency; setting certain examination fees; allowing repeat testing; providing exemption for certain persons; stating exemption requirements; creating Roofing Examination and Review Board; stating purpose of Board; authorizing hiring of professional test designer; authorizing Governor to appoint membership; providing term of membership; providing method for reconstituting Board; stating member qualifications; making Administrator of Construction Industries Board ex officio member of Board; providing for quorum, travel reimbursement, and reappointment; authorizing the registrar to employ persons for certain purpose; authorizing registrar to promulgate rules and forms; including endorsement on roofing contractor's registration for public notification; providing for codification; and providing an effective date.

SB 1060 – By Newberry of the Senate and Mulready of the House.

An Act relating to appraisers; amending 59 O.S. 2011, Section 858-822, which relates to changing a completed appraisal; authorizing certain recertification of appraisals under certain conditions; stating recertification conditions; providing a fee for recertification of appraisal; setting maximum fee; and providing an effective date.

RECONSIDERATION

Representative Cooksey moved to reconsider the vote whereby **HB 1355** failed, which motion prevailed upon roll call as follows:

Aye: Armes, Banz, Biggs, Billy, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Christian, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Echols, Floyd, Glenn, Grau, Hall, Hardin, Henke, Hoskin, Hulbert, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Kouplen, Lockhart, Martin (Scott), Martin (Steve), McBride, McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, Moore, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Perryman, Peterson, Pittman, Proctor, Pruett, Renegar, Roberts (Sean), Rousselot, Sanders, Schwartz, Sears, Shelton, Sherrer, Shoemake, Smalley, Thomsen, Turner, Vaughan, Virgin, Watson, Wright, Mr. Speaker.--77.

Nay: Cleveland, Fisher, McPeak, O'Donnell, Quinn, Reynolds, Ritze, Russ, Stiles.--9.

Excused: Bennett, Enns, Fourkiller, Hamilton, Hickman, Matthews, McCall, Morrissette, Roberts (Dustin), Scott, Trebilcock, Walker, Wesselhoft, Williams, Wood.--15.

THIRD READING

HB 1355 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Bennett, Biggs, Billy, Blackwell, Brown, Brumbaugh, Cannaday, Christian, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Glenn, Grau, Hall, Henke, Hoskin, Hulbert, Jackson, Jordan, Joyner, Kern, Kirby, Kouplen, Lockhart, Martin (Scott), Martin (Steve), Matthews, McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, Moore, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Perryman, Peterson, Proctor, Pruett, Renegar, Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Sherrer, Shoemake, Thomsen, Vaughan, Virgin, Watson, Wesselhoft, Wood, Wright, Mr. Speaker.--71.

Nay: Casey, Cleveland, Echols, Fisher, Hardin, Johnson, McCall, McDaniel (Curtis), McPeak, O'Donnell, Quinn, Reynolds, Ritze, Roberts (Dustin), Smalley, Turner.--16.

Excused: Enns, Floyd, Fourkiller, Hamilton, Hickman, Inman, McBride, Morrissette, Pittman, Shelton, Trebilcock, Walker, Williams.--13.

Constitutional Priv: Stiles.--1.

The measure passed.

HB 1355 was referred for engrossment.

GENERAL ORDER

HB 2188 by Schwartz of the House and David of the Senate was read and considered.

Representative Schwartz moved to amend **HB 2188**, Page 3, Section 1, Line 17 by inserting after the word "of" the following language: "electronically stored and delivered", which amendment was declared adopted.

Representative Schwartz moved that **HB 2188** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 2188 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Biggs, Billy, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Christian, Cleveland, Cockroft, Condit, Coody, Cooksey, Cox, Denney, Derby, DeWitt, Echols, Fisher, Grau, Hall, Hardin, Henke, Hoskin, Hulbert, Jackson, Johnson, Jordan, Joyner, Kirby, Martin (Scott), Martin (Steve), Matthews, McCall, McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Mulready, Murphey, Nelson, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Peterson, Pittman, Pruett, Quinn, Renegar, Roberts (Dustin), Roberts (Sean), Russ, Sanders, Schwartz, Sherrer, Smalley, Stiles, Thomsen, Turner, Vaughan, Virgin, Watson, Williams, Wood, Wright, Mr. Speaker.--73.

Nay: Bennett, Dank, Dorman, Floyd, Glenn, Hamilton, Inman, Kern, Kouplen, Lockhart, McDaniel (Curtis), Perryman, Proctor, Reynolds, Ritze, Rousselot, Scott, Sears, Shelton, Shoemake, Wesselhoft.--21.

Excused: Enns, Fourkiller, Hickman, McBride, Morrissette, Trebilcock, Walker.--7.

The measure passed.

HB 2188 was referred for engrossment.

GENERAL ORDER

HB 1002 by Murphey et al of the House and Holt of the Senate was read and considered.

Representative Murphey moved that **HB 1002** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 1002 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Bennett, Biggs, Billy, 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, Hoskin, Hulbert, Inman, Jackson, Jordan, Joyner, Kern, Kirby, Kouplen, Lockhart, Martin (Scott), Martin (Steve), Matthews, McBride, McCall, McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Mulready, Murphey, Nelson, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Perryman, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Reynolds, 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.--94.

Excused: Enns, Hickman, Johnson, Morrissette, Ritze, Trebilcock, Walker.--7.

The measure passed.

HB 1002 was referred for engrossment.

GENERAL ORDER

HB 1449 by Murphey of the House and Anderson of the Senate was read and considered.

Representative Murphey moved that **HB 1449** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 1449 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Bennett, Biggs, Billy, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Christian, Cleveland, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Echols, Fisher, Fourkiller, Glenn, Grau, Hall, Hardin, Henke, Hulbert, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Martin (Scott), Martin (Steve), McBride, McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, Moore, Mulready, Murphey, Nelson, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Peterson, Quinn, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Smalley, Stiles, Thomsen, Turner, Vaughan, Walker, Watson, Wesselhoft, Wood, Wright, Mr. Speaker.--75.

Nay: Dorman, Floyd, Hamilton, Hoskin, Inman, Kouplen, Lockhart, Matthews, McPeak, Perryman, Proctor, Pruett, Renegar, Reynolds, Ritze, Shelton, Sherrer, Virgin.--18.

Excused: Enns, Hickman, McCall, Morrissette, Pittman, Shoemake, Trebilcock, Williams.--8.

The measure passed.

HB 1449 was referred for engrossment.

GENERAL ORDER

HB 1039 by Casey of the House and Fields of the Senate was read and considered.

Coauthored by Representative(s) Sherrer, Roberts (Dustin), Hoskin

Representative Casey moved that **HB 1039** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 1039 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, Billy, 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, 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, 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, Scott, Sears, Shelton, Sherrer, Shoemake, Smalley, Stiles, Thomsen, Turner, Vaughan, Virgin, Watson, Williams, Wood, Wright, Mr. Speaker.--94.

Excused: Enns, Hickman, Morrissette, Schwartz, Trebilcock, Walker, Wesselhoft.--7.

The measure and emergency passed.

HB 1039 was referred for engrossment.

GENERAL ORDER

HB 1353 by Cooksey of the House and Brown of the Senate was read and considered.

Representative Cooksey moved that **HB 1353** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 1353 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Billy, Coody, Cooksey, Cox, Denney, DeWitt, Hall, Jackson, Joyner, Kern, Martin (Scott), Martin (Steve), Mulready, Nelson, Newell, Ortega, Osborn, Ownbey, Peterson, Russ, Schwartz, Watson, Wright, Mr. Speaker.--26.

Nay: Bennett, Biggs, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Christian, Cleveland, Cockroft, Condit, Dank, Derby, Dorman, Echols, Fisher, Floyd, Fourkiller, Glenn, Grau, Hamilton, Hardin, Henke, Hoskin, Hulbert, Inman, Johnson, Jordan, Kirby, Kouplen, Lockhart, Matthews, McBride, McCall, McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McPeak, Moore, Morrissette, Murphey, Nollan, O'Donnell, Perryman, Proctor, Pruett, Quinn, Renegar, Reynolds, Ritze, Roberts (Dustin), Roberts (Sean), Rousselot, Sanders, Scott, Sears, Shelton, Sherrer, Shoemake, Smalley, Stiles, Turner, Vaughan, Virgin, Wesselhoft, Williams, Wood.--68.

Excused: Enns, Hickman, McNiel, Pittman, Thomsen, Trebilcock, Walker.--7.

The measure failed.

GENERAL ORDER

HB 1297 by Sherrer of the House was read and considered.

Coauthored by Representative(s) Hoskin

Authored by Senator Ivester (principal Senate author)

Representative Sherrer moved that **HB 1297** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 1297 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Bennett, Biggs, Billy, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Cleveland, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Echols, Fisher, Floyd, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Henke, 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), McPeak, Moore, Morrissette, Mulready, Murphey, Nelson, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Perryman, Peterson, Pittman, Pruett, Quinn, Renegar, Reynolds, Ritze, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shelton, Sherrer, Shoemake, Smalley, Stiles, Turner, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wood, Wright, Mr. Speaker.--94.

Excused: Christian, Enns, Hickman, McNiel, Proctor, Thomsen, Trebilcock.--7.

The measure passed.

HB 1297 was referred for engrossment.

GENERAL ORDER

HB 1461 by Ownbey et al of the House and Jolley of the Senate was read and considered.

Representative Ownbey moved that **HB 1461** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 1461 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Bennett, Biggs, Billy, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Christian, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Fisher, Floyd, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Henke, 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), McPeak, Moore, Morrissette, Mulready, Nelson, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Perryman, Peterson, Pittman, Pruett, Quinn, Renegar, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shelton, Sherrer, Shoemake, Smalley, Stiles, Vaughan, Virgin, Walker, Watson, Williams, Wood, Wright, Mr. Speaker.--88.

Nay: Cleveland, Echols, Murphey, Proctor, Reynolds, Ritze, Turner, Wesselhoft.--8.

Excused: Enns, Hickman, McNiel, Thomsen, Trebilcock.--5.

The measure passed.

HB 1461 was referred for engrossment.

GENERAL ORDER

HB 1594 by Vaughan of the House and Brecheen of the Senate was read and considered.

Representative Vaughan moved that **HB 1594** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 1594 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Bennett, Biggs, Billy, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Christian, Cleveland, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Echols, Fisher, Floyd, Fourkiller, Glenn, Grau, Hall, Hardin, Henke, 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), McPeak, Moore, Morrissette, Mulready, Murphey, Nelson, Newell, Nollan, O'Donnell, Ortega, Ownbey, Perryman, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, 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.--93.

Nay: Reynolds, Ritze.--2.

Excused: Enns, Hamilton, Hickman, McNiel, Osborn, Trebilcock.--6.

The measure passed.

HB 1594 was referred for engrossment.

GENERAL ORDER

HB 1464 by Murphey of the House and Brecheen of the Senate was read and considered.

Representative Murphey moved that **HB 1464** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 1464 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Bennett, Biggs, Billy, Blackwell, Brown, Brumbaugh, Casey, Christian, Cleveland, Cockroft, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Echols, Fisher, Floyd, Grau, Hall, Henke, Hoskin, Hulbert, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Lockhart, Martin (Scott), Martin (Steve), Matthews, McBride, McCall, McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, Moore, Mulready, Murphey, Nelson, Newell, Nollan, O'Donnell, Ortega, Ownbey, Peterson, Pittman, Pruett, Quinn, Roberts (Dustin), Roberts (Sean), Russ, Sanders, Schwartz, Scott, Sears, Sherrer, Smalley, Stiles, Thomsen, Turner, Vaughan, Walker, Watson, Wesselhoft, Wood, Wright, Mr. Speaker.--77.

Nay: Cannaday, Condit, Fourkiller, Glenn, Hamilton, Hardin, Inman, Kouplen, McPeak, Morrissette, Perryman, Proctor, Renegar, Reynolds, Ritze, Rousselot, Shoemake, Williams.--18.

Excused: Enns, Hickman, Osborn, Shelton, Trebilcock, Virgin.--6.

The measure passed.

HB 1464 was referred for engrossment.

MESSAGE FROM THE SENATE

Announcing that Enrolled **HB 1646** 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.

GENERAL ORDER

HB 1481 by Murphey of the House was read and considered.

Coauthored by Representative(s) Walker

Authored by Senator Dahm (principal Senate author)

Representative Murphey moved that **HB 1481** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 1481 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Bennett, Biggs, Billy, 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, 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, Moore, Morrissette, Mulready, Murphey, Nelson, Newell, Nollan, O'Donnell, Ortega, 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.--95.

Nay: McPeak.--1.

Excused: Enns, Henke, Hickman, Osborn, Trebilcock.--5.

The measure passed.

HB 1481 was referred for engrossment.

GENERAL ORDER

HB 1482 by Murphey of the House and Dahm of the Senate was read and considered.

Representative Murphey moved that **HB 1482** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 1482 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, Billy, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Christian, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Echols, Fisher, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Henke, Hoskin, Hulbert, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Kouplen, 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, Ownbey, Perryman, Peterson, Pittman, Proctor, Pruett, Quinn, Reynolds, Ritze, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Scott, Sears, Shelton, Sherrer, Shoemake, Smalley, Stiles, Turner, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wood, Wright, Mr. Speaker.--91.

Nay: Lockhart.--1.

Excused: Cleveland, Enns, Floyd, Hickman, Osborn, Renegar, Schwartz, Thomsen, Trebilcock.--9.

The measure and emergency passed.

HB 1482 was referred for engrossment.

GENERAL ORDER

HB 1511 by Peterson of the House was read and considered.

Coauthored by Representative(s) Ownbey, Sherrer, Kern

Authored by Senator Simpson (principal Senate author)

Representative Peterson moved that **HB 1511** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 1511 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, Billy, Brown, Brumbaugh, Cannaday, Casey, Christian, Cleveland, Cockroft, Condit, Coody, Cooksey, Cox, Denney, Derby, DeWitt, Dorman, Echols, Fisher, Floyd, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Henke, Hoskin, Hulbert, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Kouplen, Lockhart, Martin (Scott), Martin (Steve), Matthews, McBride, McCall, McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McPeak, Moore, Morrissette, Mulready, Murphey, Nelson, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Perryman, Peterson, Pittman, Proctor, Pruett, Quinn, Reynolds, Ritze, Roberts (Dustin), Roberts (Sean), Rousselot, Sanders, Schwartz, Scott, Sears, Shelton, Sherrer, Shoemake, Smalley, Stiles, Thomsen, Turner, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wood, Wright, Mr. Speaker.--92.

Excused: Blackwell, Dank, Enns, Hickman, Kirby, McNiel, Renegar, Russ, Trebilcock.--9.

The measure and emergency passed.

HB 1511 was referred for engrossment.

GENERAL ORDER

HB 1624 by Ortega of the House and Fields of the Senate was read and considered.

Representative Ortega moved that **HB 1624** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 1624 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Bennett, Biggs, Billy, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Cleveland, Cockroft, Condit, Coody, Cooksey, Cox, Denney, Derby, DeWitt, Dorman, Echols, Fisher, Floyd, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Henke, Hoskin, Hulbert, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Kouplen, Lockhart, Martin (Scott), Martin (Steve), Matthews, McCall, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Morrissette, Mulready, Murphey, Nelson, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Perryman, Peterson, Pittman, Proctor, Pruett, Quinn, Reynolds, Ritze, Roberts (Dustin), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shelton, Sherrer, Shoemake, Smalley, Stiles, Thomsen, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wood, Wright, Mr. Speaker.--91.

Excused: Christian, Dank, Enns, Hickman, McBride, McCullough, Renegar, Roberts (Sean), Trebilcock, Turner.--10.

The measure passed.

HB 1624 was referred for engrossment.

RECONSIDERATION

Representative Mulready moved to reconsider the vote whereby **HB 1341** passed.

Representative Wright moved to table the Mulready motion, which tabling motion prevailed.

HB 1341 was referred for engrossment.

COMMITTEE REPORTS

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

DO PASS:

HB 1238 – Rules
HB 1682 – Administrative Rules, Government Oversight and Repealer, Authored by Senator Treat (principal Senate author)
HB 1889 – Rules, Authored by Senator Treat (principal Senate author)
HB 1913 – Administrative Rules, Government Oversight and Repealer
HB 2055 – Administrative Rules, Government Oversight and Repealer
HB 2071 – Judiciary
HB 2228 – Public Safety, Authored by Senator Loveless (principal Senate author)
HJR 1007 – Rules, Authored by Senator Crain (principal Senate author)

DO PASS, As Amended:

CS for **HB 1018** – Utility and Environmental Regulation, Authored by Senator Griffin (principal Senate author)
CS for **HB 1035** – Common Education, Coauthored by Representative(s) Roberts (Dustin), Smalley
CS for **HB 1060** – Judiciary, Coauthored by Representative(s) Fisher, Hulbert
CS for **HB 1072** – Common Education, Authored by Senator Paddack (principal Senate author)
CS for **HB 1103** – Appropriations and Budget, Authored by Senator Mazzei (principal Senate author)

CS for **HB 1107** – Insurance, Coauthored by Representative(s) Murphey

CS for **HB 1242** – Judiciary

CS for **HB 1258** – Judiciary, Authored by Senator Brown (principal Senate author)

CS for **HB 1264** – Common Education

CS for **HB 1350** – Utility and Environmental Regulation

CS for **HB 1363** – Appropriations and Budget, Authored by Senator David (principal Senate author)

CS for **HB 1393** – Appropriations and Budget

CS for **HB 1397** – Appropriations and Budget, Authored by Senator Stanislawski (principal Senate author)

CS for **HB 1502** – Common Education, Authored by Senator Sharp (principal Senate author)

CS for **HB 1513** – Appropriations and Budget, Authored by Senator Sparks (principal Senate author)

CS for **HB 1553** – Judiciary, Authored by Senator Anderson (principal Senate author)

CS for **HB 1598** – Appropriations and Budget, Authored by Senator Jolley (principal Senate author)

CS for **HB 1636** – Appropriations and Budget, Authored by Senator Brecheen (principal Senate author)

CS for **HB 1644** – Judiciary, Authored by Senator Johnson (Rob) (principal Senate author)

CS for **HB 1657** – Judiciary

CS for **HB 1677** – Appropriations and Budget

CS for **HB 1768** – Utility and Environmental Regulation

CS for **HB 1874** – Appropriations and Budget, Authored by Senator Simpson (principal Senate author)

CS for **HB 1912** – Judiciary, Authored by Senator Bingman (principal Senate author)

CS for **HB 1919** – Appropriations and Budget

CS for **HB 2032** – Appropriations and Budget

CS for **HB 2039** – Public Health, Coauthored by Representative(s) Ritze

CS for **HB 2048** – Appropriations and Budget, Coauthored by Representative(s) Nelson, and Authored by Senator Jolley (principal Senate author)

CS for **HB 2087** – Common Education, Coauthored by Representative(s) Smalley

CS for **HB 2099** – Appropriations and Budget, Coauthored by Representative(s) Pittman

CS for **HB 2131** – Common Education, Authored by Senator Ford (principal Senate author)

CS for **HB 2135** – Appropriations and Budget, Coauthored by Representative(s) Billy, and Authored by Senator Brecheen (principal Senate author)

CS for **HB 2145** – Appropriations and Budget, Coauthored by Representative(s) Dorman, Billy

CS for **HB 2146** – Appropriations and Budget, Coauthored by Representative(s) Dorman, Billy

CS for **HB 2193** – Utility and Environmental Regulation

CS for **HB 2194** – Utility and Environmental Regulation

DO NOT PASS:

HB 1775 – Public Safety, Coauthored by Representative(s) Ritze

REPORT FROM CALENDAR COMMITTEE

The Calendar Committee met on Wednesday, February 27, 2013, and approved the following measures with an Open Rule to be placed on the Floor Agenda: **HB 1082, HB 1083, HB 1098, HB 1403, HB 1431, HB 1451, HB 1465, HB 1526, HB 1641, HB 1718, HB 1719, HB 1720, HB 1917, HB 2039, HB 2101** and **HB 2195**.

Representative Johnson moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 9:00 a.m., Thursday, February 28, 2013, which was the order.

Pursuant to the motion of Representative Johnson, the House was adjourned at 3:40 p.m., to reconvene Thursday, February 28, 2013, at 9:00 a.m.