

HOUSE JOURNAL

Second Regular Session of the Fifty-fourth Legislature

of the State of Oklahoma

Twelfth Legislative Day, Thursday, February 20, 2014

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

The roll was called with 97 Members present.

The following Members were excused: Brumbaugh, Enns, Trebilcock, Virgin.—4.

The Speaker Pro Tempore declared a quorum present.

Prayer was offered by Pastor Jeff Allred, Journey Church, Sallisaw. Pastor Allred was sponsored by Representative Bennett.

The Journal for the last legislative day was approved.

ENGROSSED AND ENROLLED MEASURES

HB 1384 was reported correctly engrossed, properly signed, in open session, and ordered transmitted to the Honorable Senate.

HR 1041 was reported correctly enrolled, properly signed, in open session, and ordered transmitted to the Secretary of State.

MEASURES REASSIGNED

The following measures were reassigned:

HB 2249 – Withdrawn from Rules and referred to Human Services.

HB 2933 – Withdrawn from Insurance and referred to Rules.

HB 2994 – Withdrawn from Rules and referred to Insurance.

HB 3011 – Withdrawn from Judiciary and referred to States' Rights.

HB 3045 – Withdrawn from Public Health and referred to Rules.

HB 3114 – Withdrawn from Administrative Rules, Government Oversight and Repealer and referred to Rules.

HB 3120 – Withdrawn from Rules and referred to General Government.

HB 3375 – Withdrawn from Rules and referred to Judiciary.

HB 3463 – Withdrawn from Rules and referred to Human Services.

HJR 1090 – Withdrawn from Rules and referred to States’ Rights.

Speaker Hickman Presiding

GENERAL ORDER

HB 2685 by Grau et al of the House was read and considered.

Coauthored by Representative(s) Biggs, Christian, Cooksey

Authored by Senator Standridge (principal Senate author)

Representative Cox moved to amend **HB 2685** by deleting Sections 3, 4, 6, and 7, and by replacing in lieu thereof the following Sections 3, 4, 6, and 7:

“SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1-746.1 of Title 63, unless there is created a duplication in numbering, reads as follows:

A. Within ninety (90) days after this act is enacted, the State Department of Health shall cause to be published, in English and in each language which is the primary language of two percent (2%) or more of the state's population, and shall cause to be available on the state website provided for in Section 4 of this act, the following printed materials in such a way as to ensure that the information is easily comprehensible: geographically indexed materials designed to inform the female who has been told her unborn child has a fetal anomaly incompatible with life of public and private agencies and services available to her which offer perinatal hospice and palliative care if she chooses to continue her pregnancy. The material shall include a comprehensive list of the agencies available, a description of the services they offer, and a description of the manner, including telephone numbers, in which they might be contacted or, at the option of the Department, printed materials including a toll-free, twenty-four-hour-a-day telephone number which may be called to obtain, orally, such a list and description of agencies in the locality of the caller and of the services they offer.

B. The materials referred to in subsection A of this section shall be printed in a typeface large enough to be clearly legible. The website provided for in Section 4 of this act shall be maintained at a minimum resolution of 70 DPI (dots per inch). All letters on the website shall be a minimum of 11-point font. All information shall be accessible with an industry standard browser, requiring no additional plug-ins.

C. The materials required under this section shall be available at no cost from the Department upon request and in appropriate number to any person, facility or hospital.

SECTION 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1-746.4 of Title 63, unless there is created a duplication in numbering, reads as follows:

A. The State Department of Health shall develop and maintain a stable Internet website to provide the information described under Section 2 of this act. No information regarding who uses the website shall be collected or maintained. The State Department of Health shall monitor the website on a daily basis to prevent and correct tampering and shall immediately notify abortion providers of any change in the location of the material on its website.

B. The website:

1. Must use enhanced, user-friendly search capabilities to ensure that the information described in Section 2 of this act is easily accessible and must be searchable by keywords and phrases, specifically to ensure that entering the terms "abortion" and "fetal anomaly" yield the materials described in Section 2 of this act, regardless of how the materials are labeled;
2. Must ensure that the materials described in Section 2 of this act are printable;
3. Must give clear prominent instructions on how to receive the information in printed form; and
4. Must be accessible to the public without requiring registration or use of a user name, a password or another user identification.

SECTION 6. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1-746.6 of Title 63, unless there is created a duplication in numbering, reads as follows:

A. Within ninety (90) days after this act is enacted, the State Department of Health shall prepare a reporting form for physicians containing a reprint of this act and listing:

1. The number of females to whom the physician or an agent of the physician provided the information described in paragraph 1 of Section 2 of this act; of that number, the number provided by telephone and the number provided in person; of each of those numbers, the number provided in the capacity of a referring physician and the number provided in the capacity of a physician who is to perform the abortion; and of each of those numbers, the number provided by the physician and the number provided by an agent of the physician;
2. The number of females who availed themselves of the opportunity to obtain a copy of the printed information described in Section 3 of this act other than on the website, and the number who did not; and of each of those numbers, the number who, to the best of the reporting physician's information and belief, went on to obtain the abortion; and
3. The number of abortions performed by the physician in which information otherwise required to be provided at least twenty-four (24) hours before the abortion was not so provided because an immediate abortion was necessary to avert the female's death, and the number of abortions in which such information was not so provided because a delay would create serious risk of substantial and irreversible impairment of a major bodily function.

B. The Department shall ensure that copies of the reporting forms described in subsection A of this section are provided:

1. Within one hundred twenty (120) days after this act is enacted, to all physicians licensed to practice in this state;

2. To each physician who subsequently becomes newly licensed to practice in this state, at the same time as official notification to that physician that the physician is so licensed; and

3. By December 1 of each year, other than the calendar year in which forms are distributed in accordance with paragraph 1 of this subsection, to all physicians licensed to practice in this state.

C. By February 28 of each year following a calendar year in any part of which this act was in effect, each physician who provided, or whose agent provided, information to one or more females in accordance with Section 2 of this act during the previous calendar year shall submit to the Department a copy of the form described in subsection A of this section, with the requested data entered accurately and completely.

D. Reports that are not submitted by the end of a grace period of thirty (30) days following the due date shall be subject to a late fee of Five Hundred Dollars (\$500.00) for each additional thirty-day-period or portion of a thirty-day-period they are overdue. Any physician required to report in accordance with this section who has not submitted a report, or has submitted only an incomplete report, more than one (1) year following the due date may, in an action brought by the Department, be directed by a court of competent jurisdiction to submit a complete report within a period stated by court order or be subject to sanctions for civil contempt.

E. By June 30 of each year the Department shall issue a public report providing statistics for the previous calendar year compiled from all of the reports covering that year submitted in accordance with this section for each of the items listed in subsection A of this section. Each such report shall also provide the statistics for all previous calendar years, adjusted to reflect any additional information from late or corrected reports. The Department shall take care to ensure that none of the information included in the public reports could reasonably lead to the identification of any individual provided information in accordance with paragraph 1 of Section 2 of this act.

F. The Department may by rule alter the dates established by paragraph 3 of subsection B or subsection C or E of this section or consolidate the forms or reports described in this section with other forms or reports to achieve administrative convenience or fiscal savings or to reduce the burden of reporting requirements, so long as reporting forms are sent to all licensed physicians in the state at least once every year and the report described in subsection E of this section is issued at least once every year.

SECTION 7. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1-746.7 of Title 63, unless there is created a duplication in numbering, reads as follows:

Any person who knowingly or recklessly performs or attempts to perform an abortion in violation of this act shall be guilty of a felony. No penalty may be assessed against the female upon whom the abortion is performed or attempted to be performed.

No penalty or civil liability may be assessed for failure to comply with paragraph 1 or 2 of Section 2 of this act or that portion of paragraph 3 of Section 2 of this act requiring a written certification that the female has been informed of her opportunity to review the information referred to in paragraph 1 of Section 2 of this act unless the Department has made the printed materials available at the time the physician or the physician's agent is required to inform the female of her right to review them.”, which amendment failed of adoption upon roll call as follows:

Aye: Brown, Cannaday, Condit, Cox, Floyd, Fourkiller, Glenn, Hardin, Hulbert, Inman, Jackson, Joyner, Kouplén, Matthews, McDaniel (Curtis), McDaniel (Jeannie), Morrissette, Renegar, Rousselot, Russ, Scott, Shelton, Sherrer, Shoemake, Williams, Wright.--26.

Nay: Banz, Bennett, Biggs, Billy, Casey, Cleveland, Cockroft, Coody, Cooksey, Dank, Denney, Derby, Echols, Fisher, Grau, Hall, Hamilton, Jackson, Kern, Martin (Scott), McBride, McCall, McDaniel (Randy), McNiel, Moore, Mulready, Murphey, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Peterson, Proctor, Quinn, Reynolds, Roberts (Dustin), Shannon, Smalley, Stiles, Thomsen, Turner, Walker, Watson, Wesselhoft, Wood, Mr. Speaker.--48.

Excused: Armes, Blackwell, Brumbaugh, Christian, DeWitt, Dorman, Enns, Henke, Hoskin, Johnson, Jordan, Kirby, Lockhart, McCullough, McPeak, Nelson, Perryman, Pittman, Pruett, Ritze, Roberts (Sean), Sanders, Schwartz, Sears, Trebilcock, Vaughan, Virgin.--27.

Representative Grau moved that **HB 2685** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 2685 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, 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, Kouplén, Lockhart, Martin (Scott), Matthews, McBride, McCall, McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, Moore, Morrissette, Mulready, Murphey, Newell, Nollan, O'Donnell, Osborn, Ownbey, Perryman, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Reynolds, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Smalley, Stiles, Thomsen, Turner, Vaughan, Walker, Watson, Wesselhoft, Williams, Wood, Wright, Mr. Speaker.--93.

Excused: Brumbaugh, Enns, McPeak, Nelson, Ortega, Ritze, Trebilcock, Virgin.--8.

The measure passed.

HB 2685 was referred for engrossment.

GENERAL ORDER

HB 2594 by Walker of the House was read and considered.

Authored by Senator Stanislawski (principal Senate author)

Representative Walker moved that **HB 2594** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 2594 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, 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, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Kouplun, Lockhart, Martin (Scott), Matthews, McBride, McCall, McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Morrissette, Mulready, Murphey, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Perryman, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Scott, Sears, Shannon, Sherrer, Shoemake, Smalley, Stiles, Thomsen, Turner, Vaughan, Walker, Watson, Wesselhoft, Williams, Wood, Wright, Mr. Speaker.--92.

Nay: Shelton.--1.

Excused: Brumbaugh, Enns, Nelson, Reynolds, Ritze, Schwartz, Trebilcock, Virgin.--8.

The measure passed.

HB 2594 was referred for engrossment.

Representative Blackwell Presiding**GENERAL ORDER**

HB 3333 by Murphey of the House and Dahm of the Senate was read and considered.

Representative Murphey moved that **HB 3333** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 3333 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, Brown, 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, Jackson, Johnson, Jordan, Joyner, Kirby, Kouplen, Lockhart, Martin (Scott), Matthews, McBride, McCall, McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Morrissette, Mulready, Murphey, 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, Walker, Watson, Wesselhoft, Wood, Wright, Mr. Speaker.--90.

Nay: Williams.--1.

Excused: Blackwell, Brumbaugh, Christian, Enns, Kern, Nelson, Ritze, Shannon, Trebilcock, Virgin.--10.

The measure passed.

HB 3333 was referred for engrossment.

GENERAL ORDER

HB 2874 by Newell of the House and Brecheen of the Senate was read and considered.

Representative Newell moved that **HB 2874** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 2874 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, Cannaday, Casey, Christian, Cleveland, Cockroft, Condit, Coody, Cooksey, Dank, Denney, Derby, DeWitt, Dorman, Echols, Fisher, Floyd, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Henke, Hoskin, Hulbert, Inman, Jackson, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Kouplen, Lockhart, Martin (Scott), Matthews, McBride, McCall, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Morrissette, Mulready, Murphey, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Perryman, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Reynolds, Roberts (Dustin), Roberts (Sean), Rousselot,

Russ, Schwartz, Scott, Sears, Shelton, Sherrer, Shoemake, Smalley, Stiles, Thomsen, Turner, Vaughan, Walker, Watson, Wesselhoft, Wood, Wright, Mr. Speaker.--90.

Excused: Brumbaugh, Cox, Enns, McCullough, Nelson, Ritze, Sanders, Shannon, Trebilcock, Virgin, Williams.--11.

The measure passed.

HB 2874 was referred for engrossment.

GENERAL ORDER

HB 2626 by Henke of the House was read and considered.

Authored by Senator Stanislawski (principal Senate author)

Representative Henke moved that **HB 2626** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 2626 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, Cannaday, Casey, Christian, Cleveland, Cockroft, Condit, Coody, Cooksey, Dank, Denney, Derby, DeWitt, Dorman, Echols, Fisher, Floyd, Fourkiller, Glenn, Grau, Hall, Hamilton, Henke, Hoskin, Hulbert, Inman, Jackson, Jackson, Jordan, Joyner, Kern, Kirby, Kouplen, Lockhart, Martin (Scott), Matthews, McBride, McCall, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNeil, McPeak, Moore, Morrisette, Murphey, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Perryman, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Reynolds, Roberts (Dustin), Roberts (Sean), Russ, Sanders, Schwartz, Scott, Sears, Shelton, Sherrer, Shoemake, Smalley, Stiles, Thomsen, Turner, Vaughan, Walker, Watson, Wesselhoft, Williams, Wood, Wright, Mr. Speaker.--88.

Excused: Brumbaugh, Cox, Enns, Hardin, Johnson, McCullough, Mulready, Nelson, Ritze, Rousselot, Shannon, Trebilcock, Virgin.--13.

The measure passed.

HB 2626 was referred for engrossment.

GENERAL ORDER

HB 2859 by Sherrer of the House and Ivester of the Senate was read and considered.

Representative Sherrer moved that **HB 2859** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 2859 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, Cannaday, Casey, Cleveland, Cockroft, Condit, Coody, Cooksey, Denney, Derby, DeWitt, Dorman, Echols, Fisher, Floyd, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Henke, Hoskin, Hulbert, Inman, Jackson, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Kouplen, Lockhart, Martin (Scott), Matthews, McBride, McCall, 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, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shelton, Sherrer, Shoemake, Smalley, Stiles, Thomsen, Turner, Vaughan, Walker, Watson, Wesselhoft, Williams, Wood, Wright, Mr. Speaker.--89.

Excused: Brumbaugh, Christian, Cox, Dank, Enns, McCullough, Mulready, Nelson, Ritze, Shannon, Trebilcock, Virgin.--12.

The measure passed.

HB 2859 was referred for engrossment.

GENERAL ORDER

HB 2397 by Hall of the House was read and considered.

Authored by Senator Griffin (principal Senate author)

Representative Hall moved that **HB 2397** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 2397 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Biggs, Billy, Brown, Cannaday, Christian, Cleveland, Cockroft, Condit, Coody, Cooksey, Denney, DeWitt, Dorman, Echols, Floyd, Fourkiller, Glenn, Grau, Hall, Henke, Hoskin, Hulbert, Inman, Jackson, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Kouplen, Lockhart, Martin (Scott), Matthews, McBride, McCall, McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Murphey, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Peterson, Pittman, Renegar, Roberts (Dustin), Russ, Sanders, Schwartz, Scott, Sears, Shelton, Sherrer, Shoemake, Smalley, Stiles, Thomsen, Turner, Vaughan, Walker, Watson, Wesselhoft, Wright, Mr. Speaker.--74.

Nay: Blackwell, Casey, Dank, Derby, Fisher, Hamilton, Hardin, Morrisette, Perryman, Proctor, Quinn, Reynolds, Roberts (Sean), Williams, Wood.--15.

Excused: Bennett, Brumbaugh, Cox, Enns, Mulready, Nelson, Pruett, Ritze, Rousselot, Shannon, Trebilcock, Virgin.--12.

The measure passed.

HB 2397 was referred for engrossment.

GENERAL ORDER

HB 3343 by Murphey of the House and Dahm of the Senate was read and considered.

Representative Murphey moved that **HB 3343** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 3343 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, Cannaday, Casey, Christian, Cleveland, Cockroft, Condit, Coody, Cooksey, Denney, Derby, DeWitt, Echols, Fisher, Floyd, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Henke, Hoskin, Hulbert, Inman, Jackson, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Kouplen, Lockhart, Martin (Scott), Matthews, McBride, McCall, McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, Moore, Morrisette, Murphey, Newell, Nollan, Ortega, Osborn, Ownbey, Perryman, Peterson, Pittman, Proctor, Quinn, Renegar, Reynolds, Roberts (Dustin), Roberts (Sean), Russ, Sanders, Schwartz, Scott, Sears, Sherrer,

Shoemake, Smalley, Stiles, Thomsen, Turner, Vaughan, Walker, Watson, Wesselhoft, Wood, Wright, Mr. Speaker.--83.

Nay: Williams.--1.

Excused: Bennett, Brumbaugh, Cox, Dank, Dorman, Enns, McPeak, Mulready, Nelson, O'Donnell, Pruett, Ritze, Rousselot, Shannon, Shelton, Trebilcock, Virgin.--17.

The measure passed.

HB 3343 was referred for engrossment.

GENERAL ORDER

HB 3334 by Murphey of the House was read and considered.

Authored by Senator Dahm (principal Senate author)

Representative Murphey moved that **HB 3334** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 3334 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, Cannaday, Casey, Christian, Cleveland, Cockroft, Condit, Coody, Cooksey, Dank, Denney, Derby, DeWitt, Echols, Fisher, Floyd, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Henke, Hoskin, Hulbert, Inman, Jackson, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Lockhart, Martin (Scott), Matthews, McBride, McCall, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Morrissette, Murphey, Newell, Nollan, O'Donnell, Ortega, Ownbey, Perryman, Peterson, Pittman, Proctor, Quinn, Reynolds, Roberts (Dustin), Russ, Sanders, Schwartz, Scott, Sears, Sherrer, Shoemake, Smalley, Thomsen, Turner, Vaughan, Walker, Watson, Wesselhoft, Wood, Wright, Mr. Speaker.--80.

Excused: Bennett, Brumbaugh, Cox, Dorman, Enns, Kouplen, McCullough, Mulready, Nelson, Osborn, Pruett, Renegar, Ritze, Roberts (Sean), Rousselot, Shannon, Shelton, Stiles, Trebilcock, Virgin, Williams.--21.

The measure passed.

HB 3334 was referred for engrossment.

GENERAL ORDER

HB 3164 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 3164** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 3164 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, Cannaday, Casey, Cockroft, Condit, Coody, Cooksey, Dank, Denney, Derby, DeWitt, Echols, Fisher, Floyd, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Henke, Hoskin, Hulbert, Inman, Jackson, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Kouplen, Lockhart, Martin (Scott), Matthews, McBride, McCall, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Morrisette, Murphey, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Perryman, Peterson, Pittman, Proctor, Quinn, Renegar, Reynolds, Roberts (Dustin), Roberts (Sean), Russ, Sanders, Schwartz, Scott, Sears, Shelton, Sherrer, Shoemake, Smalley, Stiles, Thomsen, Turner, Vaughan, Walker, Watson, Wesselhoft, Wood, Wright, Mr. Speaker.--84.

Nay: Williams.--1.

Excused: Bennett, Brumbaugh, Christian, Cleveland, Cox, Dorman, Enns, McCullough, Mulready, Nelson, Pruett, Ritze, Rousselot, Shannon, Trebilcock, Virgin.--16.

The measure passed.

HB 3164 was referred for engrossment.

GENERAL ORDER

HB 3358 by Murphey of the House and Dahm of the Senate was read and considered.

Representative Murphey moved that **HB 3358** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 3358 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, Cannaday, Casey, Christian, Cleveland, Cockroft, Condit, Coody, Cooksey, Dank, Denney, Derby, DeWitt, Echols, Fisher, Floyd, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Henke, Hoskin, Hulbert, Inman, Jackson, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Kouplen, Lockhart, Martin (Scott), Matthews, McBride, McCall, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Morrissette, Murphey, Newell, Nollan, O'Donnell, Ortega, Osborn, 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, Walker, Watson, Wesselhoft, Wood, Wright, Mr. Speaker.--88.

Excused: Brumbaugh, Cox, Dorman, Enns, McCullough, Mulready, Nelson, Reynolds, Ritze, Shannon, Trebilcock, Virgin, Williams.--13.

The measure passed.

HB 3358 was referred for engrossment.

MEASURES REASSIGNED

The following measure was reassigned:

HB 2554 – Withdrawn from Economic Development and Financial Services and referred to Public Health.

GENERAL ORDER

HB 3345 by Armes of the House and Griffin of the Senate was read and considered.

Representative Armes moved that **HB 3345** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 3345 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, Cannaday, Casey, Christian, Cleveland, Cockroft, Condit, Coody, Cooksey, Dank, Denney, Derby, DeWitt, Echols, Fisher, Floyd, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Henke, Hoskin,

Hulbert, Inman, Jackson, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Kouplen, Lockhart, Martin (Scott), Matthews, McBride, McCall, 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, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shelton, Sherrer, Shoemake, Smalley, Stiles, Thomsen, Turner, Vaughan, Walker, Watson, Wesselhoft, Williams, Wood, Wright, Mr. Speaker.--90.

Excused: Brumbaugh, Cox, Dorman, Enns, McCullough, Mulready, Nelson, Ritze, Shannon, Trebilcock, Virgin.--11.

The measure passed.

HB 3345 was referred for engrossment.

RECONSIDERATION

Representative Hulbert moved to reconsider the vote whereby **HB 1020** passed.

Representative Roberts (Sean) moved to table the Hulbert motion, which tabling motion prevailed.

HB 1020 was referred for engrossment.

Speaker Hickman Presiding

MEASURES REASSIGNED

The following measures were reassigned:

HB 2312 – Withdrawn from Government Modernization and referred to Judiciary.

HB 2438 – Withdrawn from Judiciary and referred to Administrative Rules, Government Oversight and Repealer.

HB 2540 – Withdrawn from Judiciary and referred to Public Safety.

HB 2555 – Withdrawn from Judiciary and referred to Administrative Rules, Government Oversight and Repealer.

HB 2615 – Withdrawn from Government Modernization and referred to Public Safety.

HB 2897 – Withdrawn from Government Modernization and referred to Appropriations and Budget.

HB 2898 – Withdrawn from Government Modernization and referred to Transportation.

HB 3174 – Withdrawn from Rules and referred to Agriculture and Wildlife.

HB 3337 – Withdrawn from Government Modernization and referred to Administrative Rules, Government Oversight and Repealer.

HB 3362 – Withdrawn from Judiciary and referred to Economic Development and Financial Services.

HB 3463 – Withdrawn from Human Services and Referred to Rules.

HJR 1073 – Withdrawn from Judiciary and referred to Rules.

HJR 1075 – Withdrawn from Government Modernization and referred to Rules.

HJR 1078 – Withdrawn from Appropriations and Budget and referred to Rules.

HJR 1090 – Withdrawn from States' Rights and referred to Rules.

MESSAGE FROM THE SENATE

Announcing the passage of **SBs 1181, 1198, 1444, 1612, 1788, 1789** and **2120**. The measures were introduced and read for the first time.

SB 1181 – By Sharp of the Senate and Wood of the House.

An Act relating to schools; creating the Oklahoma-A STEM State of Mind Program; providing short title; establishing criteria for designation as a STEM Community or STEM Region; designating certain subcommittee to establish criteria and application process; providing for study of additional issues; requiring certain report; providing for codification; providing an effective date; and declaring an emergency.

SB 1198 – By Stanislawski of the Senate and Brumbaugh of the House.

An Act relating to waterways; amending 69 O.S. 2011, Section 4018, which relates to the waterways advisory board; modifying criteria for membership to the board; providing an effective date; and declaring an emergency.

SB 1444 – By Holt of the Senate and Hall of the House.

An Act relating to the Sex Offenders Registration Act; amending 57 O.S. 2011, Section 584, which relates to registration and required information and verification form; requiring certain photograph under certain circumstances; and providing an effective date.

SB 1612 – By Sharp and Johnson (Constance) of the Senate and Echols and McBride of the House.

An Act relating to enforcement of visitation rights; amending 43 O.S. 2011, Section 111.3, which relates to interference with visitation rights of noncustodial parent; updating statutory reference; modifying procedures related to enforcement of visitation rights; requiring assessment of attorney fees and court costs under certain circumstances; providing certain form; and providing an effective date.

SB 1788 – By Bingman and Sharp of the Senate and Osborn of the House.

An Act relating to optometry; amending 59 O.S. 2011, Section 588, which relates to practice by unauthorized persons; providing penalties for unlicensed practice of optometry; providing certain exceptions; authorizing the Board of Examiners in Optometry to enforce certain orders; directing deposit of certain penalties; and providing an effective date.

SB 1789 – By Bingman, Sharp and Johnson (Constance) of the Senate and Osborn of the House.

An Act relating to optometry; amending 59 O.S. 2011, Section 581, which relates to definitions; allowing prescription of hydrocodone for certain purposes; and providing an effective date.

SB 2120 – By Brinkley, Mazzei and Bingman of the Senate and McDaniel (Randy) of the House.

An Act relating to the Oklahoma Public Employees Retirement System; creating the Future State Employee Retirement Act; requiring the Oklahoma Public Employees Retirement System to establish defined contribution system; specifying persons eligible for participation in system; prescribing procedures related to date of service accrual; requiring defined contribution system to be qualified pursuant to provisions of the Internal Revenue Code of 1986, as amended; prescribing minimum employee contribution amount; prescribing maximum employee contribution amount; providing for salary deductions for employee contributions; providing for employer matching contributions; specifying amount of employer matching contributions; prescribing procedures related to employer matching contributions; providing for modifications to matching amounts; prescribing procedures for cost computation; providing for payment of certain costs related to administration of defined contribution system; providing for vesting schedule; providing for applicability of provisions of Section 414(h) of the Internal Revenue Code of 1986, as amended, with respect to employee contributions; imposing duty on Board of Trustees of Oklahoma Public Employees Retirement System with respect to investment of funds in defined contribution system accounts; providing for payment of certain revenues to the Oklahoma Public Employees Retirement System; providing for deposit of funds with existing defined benefit plan; amending 74 O.S. 2011, Sections 913.4, as last amended by Section 113, Chapter 15, O.S.L. 2012, 920, as amended by Section 929, Chapter 304, O.S.L. 2012 and 920A (74 O.S. Supp. 2013, Sections 913.4 and 920), which relate to the Oklahoma Public Employees Retirement System; requiring certain elected officials to participate in defined contribution retirement system; modifying provisions related to employer contributions; requiring payment of certain differential amount to the Oklahoma Public Employees Retirement System for specified purpose; providing for effect of enactment on certain rights; prohibiting certain collection activity with respect to funds; authorizing offsets; providing for enforcement of qualified domestic orders; defining term; prescribing procedures with respect to alternate payees; prescribing content; imposing restrictions; authorizing rules; amending 74 O.S. 2011, Sections 1316.2, as amended by Section 962, Chapter 304, O.S.L. 2012 and 1707, as amended by Section 986, Chapter 304, O.S.L. 2012 (74 O.S. Supp. 2013, Sections 1316.2 and 1707), which relate to certain provisions affecting the Oklahoma Public Employees Retirement System; modifying provisions based on certain employee election; providing for codification; and providing an effective date.

COMMITTEE REPORTS

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

DO PASS:

HB 1305 – General Government, Authored by Senator Burrage (principal Senate author)

HB 1548 – Government Modernization, Authored by Senator Brecheen (principal Senate author)

HB 2344 – Economic Development and Financial Services, Authored by Senator Simpson (principal Senate author)

HB 2357 – Administrative Rules, Government Oversight and Repealer, Authored by Senator Dahm (principal Senate author)

HB 2358 – Administrative Rules, Government Oversight and Repealer, Authored by Senator Dahm (principal Senate author)

HB 2359 – Administrative Rules, Government Oversight and Repealer, Authored by Senator Dahm (principal Senate author)

HB 2360 – Administrative Rules, Government Oversight and Repealer, Authored by Senator Dahm (principal Senate author)

HB 2375 – Administrative Rules, Government Oversight and Repealer, Authored by Senator Simpson (principal Senate author)

HB 2376 – Administrative Rules, Government Oversight and Repealer, Authored by Senator Simpson (principal Senate author)

HB 2379 – Government Modernization

HB 2411 – Economic Development and Financial Services

HB 2474 – Government Modernization

HB 2475 – Government Modernization

HB 2488 – Appropriations and Budget, Authored by Senator Brooks (principal Senate author)

HB 2507 – Appropriations and Budget, Authored by Senator Mazzei (principal Senate author)

HB 2561 – Appropriations and Budget

HB 2627 – Government Modernization

HB 2676 – Government Modernization

HB 2682 – Appropriations and Budget, Coauthored by Representative(s) Denney, and Authored by Senator Ford (principal Senate author)

HB 2740 – Economic Development and Financial Services, Authored by Senator Ellis (principal Senate author)

HB 3055 – Government Modernization, Authored by Senator Loveless (principal Senate author)

HB 3106 – General Government, Authored by Senator Fields (principal Senate author)

HB 3156 – Economic Development and Financial Services, Authored by Senator Brinkley (principal Senate author)

HB 3160 – Economic Development and Financial Services, Authored by Senator Griffin (principal Senate author)

HB 3165 – Administrative Rules, Government Oversight and Repealer

HB 3193 – Administrative Rules, Government Oversight and Repealer

HB 3415 – Appropriations and Budget

DO PASS, As Amended:

CS for HB 2199 – Administrative Rules, Government Oversight and Repealer, Authored by Senator Brecheen (principal Senate author)

CS for HB 2363 – Judiciary

CS for **HB 2367** – General Government, Authored by Senator Shortey (principal Senate author)

CS for **HB 2526** – Judiciary, Authored by Senator Holt (principal Senate author)

CS for **HB 2566** – Agriculture and Wildlife

CS for **HB 2595** – Public Health

CS for **HB 2620** – General Government, Authored by Senator Treat (principal Senate author)

CS for **HB 2629** – Economic Development and Financial Services, Authored by Senator Brinkley (principal Senate author)

CS for **HB 2637** – Agriculture and Wildlife, Authored by Senator Loveless (principal Senate author)

CS for **HB 2766** – Economic Development and Financial Services, Authored by Senator Wyrick (principal Senate author)

CS for **HB 2838** – Economic Development and Financial Services

CS for **HB 3363** – General Government

CS for **HB 3457** – General Government, Authored by Senator Shumate (principal Senate author)

REPORT FROM CALENDAR COMMITTEE

The Calendar Committee met on Thursday, February 20, 2014, and approved the following measures with an Open Rule to be placed on the Floor Agenda: **HBs 2070, 2325, 2348, 2407, 2418, 2455, 2477, 2486, 2527, 2568, 2588, 2652, 2656, 2687, 2730, 2739, 2765, 2774, 2790, 2810, 2910, 2921, 2928, 2938, 3188, 3243, 3287** and **3300** and **HR 1043**. The following measure was approved with an Open Rule, Fiscal Analysis required, to be placed on the Floor Agenda: **HB 2618**.

Representative Peterson moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 1:30 p.m., Monday, February 24, 2014, which was the order.

Pursuant to the motion of Representative Peterson, the House was adjourned at 10:50 a.m., to reconvene Monday, February 24, 2014, at 1:30 p.m.