

HOUSE JOURNAL

Second Regular Session of the Fifty-fourth Legislature

of the State of Oklahoma

Twenty-seventh Legislative Day, Wednesday, March 19, 2014

The House was called to order by Representative Wright.

The roll was called with 80 Members present.

The following Members were excused: Biggs, Christian, Cooksey, Cox, Echols, Enns, Fisher, Grau, Hamilton, Inman, Joyner, McBride, McNiel, Quinn, Ritze, Schwartz, Shannon, Smalley, Stiles, Thomsen, Williams.—21.

Representative Wright declared a quorum present.

Prayer was offered by Pastor Lee Cooper, Jr., Prospect Church, Oklahoma City. Pastor Cooper was sponsored by Representative Shelton.

The Journal for the last legislative day was approved.

MEASURES REASSIGNED

The following measures were reassigned:

SB 594 – Withdrawn from Judiciary and referred to Economic Development and Financial Services.

SB 1218 – Withdrawn from Public Health and referred to Judiciary.

SB 1702 – Withdrawn from Appropriations and Budget and referred to Public Health.

SB 1703 – Withdrawn from Economic Development and Financial Services and referred to Transportation.

SB 1904 – Withdrawn from Judiciary and referred to Economic Development and Financial Services.

RESOLUTION FOR CONSIDERATION

HR 1050 was called up for consideration.

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

Upon motion of Representative Denney, **HR 1050** was considered and adopted.

HR 1050 was referred for enrollment.

MOTION

Representative Peterson moved pursuant to House Rule 8.4 that the list of measures emailed this morning from the Majority Floor Leader's office to the members be considered read for the second time, which motion was declared adopted.

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

- SB 417** – Appropriations and Budget
- SB 1047** – Appropriations and Budget
- SB 1206** – Government Modernization and Accountability
- SB 1254** – Government Modernization and Accountability
- SB 1495** – Appropriations and Budget
- SB 1499** – Public Health
- SB 1582** – General Government
- SB 1601** – Public Safety
- SB 1720** – Public Safety
- SB 1740** – Public Safety
- SB 1777** – Public Health
- SB 1779** – Judiciary
- SB 1781** – Human Services
- SB 1784** – Judiciary
- SB 1788** – Public Health
- SB 1789** – Public Health
- SB 1790** – Common Education
- SB 1791** – Human Services
- SB 1792** – Public Health
- SB 1793** – Human Services
- SB 1799** – Judiciary
- SB 1800** – Government Modernization and Accountability
- SB 1808** – Economic Development and Financial Services
- SB 1812** – General Government
- SB 1815** – General Government

- SB 1816** – Rules
- SB 1823** – Judiciary
- SB 1824** – Judiciary
- SB 1826** – Public Safety
- SB 1828** – Common Education
- SB 1829** – Appropriations and Budget
- SB 1830** – Higher Education and CareerTech
- SB 1832** – Appropriations and Budget
- SB 1833** – Government Modernization and Accountability
- SB 1840** – Public Health
- SB 1842** – Judiciary
- SB 1848** – Public Health
- SB 1851** – Agriculture and Wildlife
- SB 1852** – Energy and Aerospace
- SB 1858** – Insurance
- SB 1859** – Appropriations and Budget
- SB 1866** – Transportation
- SB 1869** – Economic Development and Financial Services
- SB 1870** – Economic Development and Financial Services
- SB 1873** – Insurance
- SB 1875** – Judiciary
- SB 1879** – Public Health
- SB 1884** – Agriculture and Wildlife
- SB 1887** – Utility and Environmental Regulation
- SB 1892** – Appropriations and Budget
- SB 1899** – General Government
- SB 1900** – Human Services
- SB 1902** – Economic Development and Financial Services
- SB 1903** – Utility and Environmental Regulation
- SB 1907** – General Government
- SB 1908** – Administrative Rules, Government Oversight and Repealer
- SB 1911** – Appropriations and Budget
- SB 1914** – Judiciary
- SB 1915** – Agriculture and Wildlife
- SB 1924** – General Government
- SB 1925** – Public Health
- SB 1929** – Economic Development and Financial Services
- SB 1937** – Human Services
- SB 1940** – Appropriations and Budget
- SB 1948** – Judiciary
- SB 1964** – Administrative Rules, Government Oversight and Repealer
- SB 1965** – Appropriations and Budget
- SB 1966** – Appropriations and Budget
- SB 1971** – Common Education
- SB 1978** – Appropriations and Budget

SB 1988 – Judiciary
SB 1989 – Appropriations and Budget
SB 1993 – Judiciary
SB 1994 – Appropriations and Budget
SB 2003 – Economic Development and Financial Services
SB 2007 – Appropriations and Budget
SB 2018 – Insurance
SB 2019 – Public Safety
SB 2022 – Government Modernization and Accountability
SB 2025 – Insurance
SB 2026 – Insurance
SB 2029 – Administrative Rules, Government Oversight and Repealer
SB 2046 – Judiciary
SB 2055 – Insurance
SB 2057 – Administrative Rules, Government Oversight and Repealer
SB 2058 – Administrative Rules, Government Oversight and Repealer
SB 2059 – Administrative Rules, Government Oversight and Repealer
SB 2060 – Administrative Rules, Government Oversight and Repealer
SB 2061 – Administrative Rules, Government Oversight and Repealer
SB 2071 – Judiciary
SB 2080 – Appropriations and Budget
SB 2084 – Appropriations and Budget
SB 2088 – Judiciary
SB 2120 – Economic Development and Financial Services
SB 2122 – Direct To Calendar
SJR 55 – Rules

COMMITTEE REPORTS

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

DO PASS, As Amended:

CS for **SB 1315** – General Government

REMARKS

Representative Shelton moved that the remarks made by Pastor Lee Cooper, Jr. on Wednesday, March 19, 2014, be printed in full as follows, which motion was declared adopted:

“James 4:17 - If anyone, then, knows the good they ought to do and doesn't do it, it is sin for them.

Fiorello H. LaGuardia was mayor of New York City during the Great Depression (He was affectionately called the little flower). He stood only 5'4" and always wore a carnation on his lapel (suit). He was a colorful character. He would ride on the back of the fire trucks and go on raids with the police. Take kids in foster homes to major league baseball games. Whenever the NY newspapers were on strike he would go on the radio station and read the comics to the children.

One cold night in January 1935, the mayor showed up at a night court that served the poorest ward in the city. He dismissed the Judge for the evening and he sat on the bench as Judge. Shortly a tattered old woman was brought before the Mayor/Judge charged with stealing a loaf of bread. She shared with the judge that her daughter's husband had deserted her and now the daughter was gravely sick and her 2 grandchildren were starving. However, the store owner from whom the bread was stolen refused to drop the charges. The store owner said to the Mayor/Judge that his store was in a bad neighborhood and the woman needed to be punished to teach other folk in the community a valuable lesson. After listening to the store owner the Mayor took a deep breath and said 'I have to punish you' because the law makes no exceptions. Ten dollars or ten days in jail. She responded, 'I have no way to pay it.' Yet as the Mayor was pronouncing the sentence he was already reaching in his pocket and he took out a ten dollar bill and put it in a hat and said, 'Here is the fine that I now remit to the court for payment in full. But!!!' I'm now going to fine everybody in this court room 50¢ for living in a city where a lady has to steal bread for her grandchildren to eat.

The Mayor/Judge then instructed the bailer to collect the fine and give it to the lady. The following day the newspaper reported that \$47.50 was taken up for an old lady who had stolen a loaf of bread to feed her starving grandchildren. Also, the paper reported 50¢ was contributed by the store owner, Seventy others in the court with traffic violations along with several police officers and court workers. As this old lady embraced the Mayor and thanked him for his generosity, the entire court stood and gave the Mayor/Judge a standing ovation.

Now when you think about this story, it contains the essence of what Grace is. Grace recognizes our pitiful wretched condition, pays our debt, and gives us more than we could ever imagine.

I suggest that we are all benefactors of GOD's Amazing Grace.

Given the nature of the economic debate today, I find it necessary to point out that Oklahoma although not perfect, has a heart of benevolence. I am constantly astonished and amazed by our swiftness to respond, with an overwhelming Liberty, to sudden catastrophes. Look at how we responded to the Murrah Building bombing, the tornadoes, 9-11, Hurricane Katrina, Hurricane Rita and the Southwest Asian tsunami. We gave generously, almost instinctively, because, in our benevolent heart, we know that when others cry out for our help—the natural response is compassionate care!

But stop and compare our tremendous response to tragic events, to how we respond to our poverty predicament in America. America is the wealthiest and most powerful nation in the world. We spend billions of dollars on wars. We've made incredible advancements in technology. The telephone used to be a landline, now it's cellular. A highway used to be for cars, now it's for information (We celebrated 25 years this week). But even with all our power, wealth and advancements, there looms an ominous shadow of shame and sadness - the uninsured are still uninsured, and we are fighting the Affordable Care Act. The homeless are still homeless and the poor are still poor. Look around - so many are helpless

and hopeless. So many are ready to quit and throw in the towel. So many are ready to wave the white flag of surrender. Let me remind you!! Don't Quit or Give up!

Do you know that more people die from poverty-related causes than the combined casualties from war and natural disaster?

Poverty in America is an unnatural disaster that we can easily fix. We must move the problem of poverty in America and Oklahoma to the forefront and view it as an alarming crisis. The minimum wage issue forces us to look at the relationship between jobs and poverty. A job should keep you out of poverty, not keep you in it. Nevertheless, our minimum wage is in fact—a poverty wage.

What troubles me most is that we act as if GOD is not concerned with how we treat the poor. So, before we get too far along in this conversation, we need to know where GOD weighs in on all this. Well, He says, *'Let justice roll down like water and righteousness like an overflowing stream.'* (**Amos 5:24**) *'Maintain the rights of the poor and oppressed.'* (**Psalms 82:2**) *'Speak out, judge righteously, and defend the rights of the poor and the needy.'* (**Proverbs 31:9**) *'Continue to remember the poor.'* (**Galatians 2:10b**)

We have not defended, maintained, nor remembered the rights of the poor.

Furthermore, I defy anyone to say that Oklahoma has been just to the poor. For in a just society, hunger would be illegal, as would homelessness and all other results of poverty. I can assure you that GOD is not pleased in this matter.

We need to agree with Dr. Martin King when he said, 'It is not too late for us to stand up and speak out when others want us to be silent, to be committed to not only lift the minimum wage, but a living wage. GOD calls us to be more courageous'. When advocating for the poor, you will most certainly encounter the customary naysayer. They will argue that an increase in minimum wage will destroy the small business. Just keep in mind that minimum wage hikes haven't destroyed small businesses, but mass merchandisers have. In fact, studies show that when minimum wage is raised, it stimulates growth for the small business.

I am reminded of this sports program on ESPN called Pardon The Interruption.

The two hosts of the show interrupt one another as they argue back and forth about the state of affairs of American sports - always mindful to be respectful. I thought about Clara Luper, Ada Lois Fisher, John Greens, W.K. Jackson, E. Melvin Porter - how they challenged the state of affairs in their day, by interrupting the status quo and turning on its head the basic economic and political structure, thereby forever changing the landscape of those structures.

I can hear them now: pardon us, but we'll be interrupting your business by sitting at this lunch counter until you serve us. Pardon us, but your trash pickup will be interrupted until sanitation workers are paid a just wage. Can't you hear them? It's time for us, those of us gathered in this very room, to say 'pardon the interruption.'

It's time to say pardon the interruption, but I am outraged that you won't raise the minimum wage or fight for Health Care but always vote for a raise for yourself. I'm outraged that you come into office broke but leave wealthy!!

Pardon the interruption, but I am furious that people work full-time, but have to choose between paying the rent and paying for child care. Pardon the interruption, but I am enraged that health care aides can't afford health insurance while the House and Senate have a complete benefit package. Pardon the interruption, but I am livid that some people are paid so little that their children go without necessities while other people are paid so much their grandchildren could live in luxury without ever having to work at all.

Pardon the interruption, but I am irate that workers will still live in poverty. And finally, pardon the interruption, but it is simply reprehensible that in 1976, the top 10% of our nation held half the wealth, but today, the top 1% of our nation holds half our nation's wealth while 99% of our people divide the remaining 50%.

James 4:17 - *If anyone, then, knows the good they ought to do and doesn't do it, it is sin for them.*"

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

Pursuant to the motion of Representative Johnson, the House was adjourned at 9:40 a.m., to reconvene Monday, March 24, 2014, at 1:30 p.m.