

HOUSE JOURNAL

Second Regular Session of the Fifty-fourth Legislature

of the State of Oklahoma

Ninth Legislative Day, Monday, February 17, 2014

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

The roll was called with 96 Members present.

The following Members were excused: Brumbaugh, Enns, McCullough, Schwartz, Trebilcock.—5.

Speaker Pro Tempore declared a quorum present.

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

Upon motion of Representative Cockroft, Pastor Allred was confirmed as House Chaplain for this legislative week.

The Journal for the last legislative day was approved.

ENGROSSED AND ENROLLED MEASURES

HB 2624 was reported correctly engrossed, properly signed, in open session, and ordered transmitted to the Honorable Senate.

MEASURES REASSIGNED

The following measures were reassigned:

HB 1548 – Withdrawn from Judiciary and referred to Government Modernization.

HB 2335 – Withdrawn from Government Modernization and referred to Rules.

HB 2367 – Withdrawn from Appropriations and Budget and referred to General Government.

HB 2653 – Withdrawn from Utility and Environmental Regulation and referred to Rules.

HB 2676 – Withdrawn from Rules and referred to Government Modernization.

HB 2911 – Withdrawn from Common Education and referred to Government Modernization.

HB 2980 – Withdrawn from Energy and Aerospace and referred to Utility and Environmental Regulation.

HB 2982 – Withdrawn from Agriculture and Wildlife and referred to Rules.

HB 3006 – Withdrawn from Rules and referred to Appropriations and Budget.

HB 3096 – Withdrawn from Administrative Rules, Government Oversight and Repealer and referred to Rules.

HB 3097 – Withdrawn from Administrative Rules, Government Oversight and Repealer and referred to Rules.

HB 3100 – Withdrawn from Economic Development and Financial Services and referred to Appropriations and Budget.

HB 3104 – Withdrawn from Public Health and referred to Judiciary.

HB 3107 – Withdrawn from Economic Development and Financial Services and referred to Public Health.

HB 3118 – Withdrawn from Rules and referred to Appropriations and Budget.

HB 3119 – Withdrawn from Rules and referred to Appropriations and Budget.

HB 3282 – Withdrawn from Administrative Rules, Government Oversight and Repealer and referred to Insurance.

HB 3394 – Withdrawn from Rules and referred to Judiciary.

GENERAL ORDER

HB 2354 by Cleveland of the House was read and considered.

Authored by Senator Shortey (principal Senate author)

Representative Cleveland moved that **HB 2354** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 2354 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, 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, Mulready, Murphey, Nelson, Newell, Nollan, O'Donnell, Ortega, Osborn, Perryman, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Reynolds, Ritze, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Scott, Sears, Shelton, Sherrer, Smalley, Stiles, Thomsen, Turner, Vaughan, Walker, Watson, Wesselhoft, Williams, Wood, Wright, Mr. Speaker.--91.

Excused: Brumbaugh, Enns, Fourkiller, McCullough, Ownbey, Schwartz, Shannon, Shoemake, Trebilcock, Virgin.--10.

The measure passed.

HB 2354 was referred for engrossment.

GENERAL ORDER

HB 2356 by Cleveland of the House was read and considered.

Authored by Senator Shortey (principal Senate author)

Representative Cleveland moved that **HB 2356** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 2356 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, 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, Mulready, Murphey, Nelson, Newell, Nollan, O'Donnell, Ortega, Osborn, Perryman, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Reynolds, Ritze, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Scott, Sears, Shelton, Sherrer, Smalley, Stiles, Thomsen, Turner, Vaughan, Walker, Watson, Wesselhoft, Williams, Wood, Wright, Mr. Speaker.--91.

Excused: Brumbaugh, Enns, Fourkiller, McCullough, Ownbey, Schwartz, Shannon, Shoemake, Trebilcock, Virgin.--10.

The measure passed.

HB 2356 was referred for engrossment.

Representative Wright Presiding**GENERAL ORDER**

HB 2495 by Casey of the House and Fields of the Senate was read and considered.

Coauthored by Representative(s) Hardin, Cannaday, Sherrer, Hoskin

Representative Casey moved that **HB 2495** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 2495 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, Grau, Hall, Hardin, Henke, Hoskin, Hulbert, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Kouplen, Lockhart, Martin (Scott), Matthews, McBride, McCall, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), Moore, Mulready, Nelson, Newell, Nollan, O'Donnell, Ortega, Osborn, Perryman, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Reynolds, Ritze, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Scott, Sears, Shelton, Sherrer, Smalley, Stiles, Thomsen, Turner, Vaughan, Walker, Watson, Wesselhoft, Williams, Wood, Wright, Mr. Speaker.--85.

Nay: Hamilton, Morrissette, Murphey.--3.

Excused: Brumbaugh, Enns, Fourkiller, Glenn, McCullough, McNiell, McPeak, Ownbey, Schwartz, Shannon, Shoemake, Trebilcock, Virgin.--13.

The measure passed.

HB 2495 was referred for engrossment.

GENERAL ORDER

HB 2378 by Grau of the House was read and considered.

Authored by Senator Wyrick (principal Senate author)

Representative Grau moved that **HB 2378** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 2378 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, Floyd, 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, Mulready, Murphey, Nelson, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Perryman, Pittman, Proctor, Pruett, Quinn, Renegar, Reynolds, Ritze, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Scott, Sears, Shoemake, Smalley, Stiles, Turner, Vaughan, Walker, Watson, Wesselhoft, Wood, Wright, Mr. Speaker.--86.

Nay: Morrissette, Shelton, Sherrer, Williams.--4.

Excused: Brumbaugh, Enns, Fisher, Fourkiller, McCullough, Peterson, Schwartz, Shannon, Thomsen, Trebilcock, Virgin.--11.

The measure passed.

HB 2378 was referred for engrossment.

GENERAL ORDER

HB 2405 by Grau of the House and Holt of the Senate was read and considered.

Representative Grau moved that **HB 2405** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 2405 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, Cannaday, Casey, Christian, Cleveland, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Echols, Fisher, Grau, Hall, Hardin, Henke, Jackson, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Lockhart, Martin (Scott), McBride, McCall, McDaniel (Jeannie), McDaniel (Randy), McNiel, Moore, Mulready, Murphey, Nelson, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Perryman, Peterson, Pruett, Quinn, Renegar, Reynolds, Ritze, Roberts (Dustin), Roberts (Sean), Russ, Sanders, Scott, Sears, Shoemake, Smalley, Stiles, Thomsen, Turner, Vaughan, Walker, Watson, Wesselhoft, Wood, Wright, Mr. Speaker.--74.

Nay: Brown, Dorman, Floyd, Glenn, Hamilton, Hoskin, Inman, Kouplen, Matthews, McDaniel (Curtis), McPeak, Morrissette, Pittman, Proctor, Rousselot, Shelton, Sherrer, Williams.--18.

Excused: Brumbaugh, Enns, Fourkiller, Hulbert, McCullough, Schwartz, Shannon, Trebilcock, Virgin.--9.

The measure and emergency passed.

HB 2405 was referred for engrossment.

MESSAGE FROM THE SENATE

Announcing the passage of **SBs 1397, 1622, 1721, 1722 and 1723**. The measures were introduced and read for the first time.

SB 1397 – By Justice of the Senate and Armes of the House.

[motor vehicles - motor vehicle registration - modifying definitions - effective date - emergency]

SB 1622 – By Simpson and Johnson (Constance) of the Senate and Ownbey of the House.

[motor vehicles - special license plates - special plate Oklahoma Nurses License Plate Revolving Fund - codification - effective date]

SB 1721 – By Jolley, Johnson (Constance), Sparks and Fields of the Senate and Thomsen of the House.

An Act relating to revenue and taxation; amending 68 O.S. 2011, Section 3626, which relates to the Compete with Canada Film Act; extending expiration date; providing an effective date; and declaring an emergency.

SB 1722 – By Jolley of the Senate and McNiel of the House.

An Act relating to revenue and taxation; amending 68 O.S. 2011, Sections 4303, as amended by Section 1, Chapter 156, O.S.L. 2013, 4304, as amended by Section 2, Chapter 156, O.S.L. 2013 and 4305 (68 O.S. Supp. 2013, Sections 4303 and 4304), which relate to the Oklahoma Quality Events Incentive Act; modifying definitions; modifying the content of designations made by a host community; deleting time frame for Oklahoma Tax Commission determination; requiring host community to provide specified information; modifying basis for certain determination of revenue by Tax Commission; modifying method of determining amounts remitted; and providing an effective date.

SB 1723 – By Jolley of the Senate and Banz of the House.

An Act relating to income tax; amending 68 O.S. 2011, Section 2358, as amended by Section 2, Chapter 363, O.S.L. 2013 (68 O.S. Supp. 2013, Section 2358), which relates to adjusted gross income; eliminating expiration date of certain deduction for member of the Armed Forces; deleting contingency relating to deduction; repealing 68 O.S. 2011, Section 2355.1D, which relates to requirement for certain determination by State Board of Equalization; and providing an effective date.

GENERAL ORDER

HB 2496 by Casey et al of the House and Ford of the Senate was read and considered.

Coauthored by Representative(s) Coody

Representative Casey moved that **HB 2496** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 2496 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, Cannaday, Casey, Christian, Cleveland, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Echols, Fisher, Floyd, 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, 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, Scott, Sears, Sherrer, Shoemake, Smalley, Stiles, Thomsen, Turner, Vaughan, Walker, Watson, Wesselhoft, Williams, Wood, Wright, Mr. Speaker.--90.

Nay: Shelton.--1.

Excused: Brown, Brumbaugh, Enns, Fourkiller, McCullough, Sanders, Schwartz, Shannon, Trebilcock, Virgin.--10.

The measure passed.

HB 2496 was referred for engrossment.

GENERAL ORDER

HB 2499 by Casey of the House and Ford of the Senate was read and considered.

Representative Casey moved that **HB 2499** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 2499 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, Cannaday, Casey, Christian, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Echols, Fisher, Floyd, Glenn, Grau, Hall, 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, 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, Sears, Shelton, Sherrer, Shoemake, Smalley, Stiles, Thomsen, Turner, Vaughan, Walker, Watson, Wesselhoft, Williams, Wood, Wright, Mr. Speaker.--88.

Nay: Cleveland, Hamilton, Morrissette.--3.

Excused: Brumbaugh, Enns, Fourkiller, McCullough, McPeak, Schwartz, Scott, Shannon, Trebilcock, Virgin.--10.

The measure and emergency passed.

HB 2499 was referred for engrossment.

GENERAL ORDER

HB 2587 by Ownbey of the House and Standridge of the Senate was read and considered.

Coauthored by Representative(s) Bennett

Representative Ownbey moved that **HB 2587** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 2587 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Bennett, Biggs, Billy, Blackwell, Brown, Cannaday, Casey, Christian, Cleveland, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Echols, Fisher, Floyd, 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, 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, Sherrer, Shoemake, Stiles, Thomsen, Turner, Vaughan, Walker, Watson, Wesselhoft, Williams, Wood, Wright, Mr. Speaker.--89.

Nay: Shelton.--1.

Excused: Banz, Brumbaugh, Enns, Fourkiller, McCullough, Mulready, Schwartz, Shannon, Smalley, Trebilcock, Virgin.--11.

The measure passed.

HB 2587 was referred for engrossment.

GENERAL ORDER

HB 2537 by Murphey of the House was read and considered.

Authored by Senator Sykes (principal Senate author)

Representative Murphey moved that **HB 2537** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 2537 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Blackwell, Casey, Cleveland, Cockroft, Dank, Derby, Dorman, Echols, Fisher, Hall, Hamilton, Johnson, Kern, McDaniel (Randy), Murphey, Nelson, Newell, O'Donnell, Perryman, Proctor, Quinn, Roberts (Sean), Sanders, Shannon, Smalley, Turner, Walker, Wesselhoft, Wood, Wright.--30.

Nay: Armes, Banz, Bennett, Biggs, Billy, Brown, Cannaday, Christian, Condit, Coody, Cooksey, Cox, Denney, DeWitt, Floyd, Fourkiller, Glenn, Grau, Hardin, Henke, Hoskin, Hulbert, Inman, Jackson, Jackson, Jordan, Joyner, Kirby, Kouplen, Lockhart, Martin (Scott), Matthews, McBride, McDaniel (Curtis), McDaniel (Jeannie), McNiel, McPeak, Moore, Morrissette, Mulready, Nollan, Ortega, Osborn, Ownbey, Peterson, Pittman, Pruett, Renegar, Reynolds, Ritze, Roberts (Dustin), Rousselot, Russ, Scott, Sears, Shelton, Sherrer, Shoemake, Stiles, Thomsen, Vaughan, Watson, Williams, Mr. Speaker.--64.

Excused: Brumbaugh, Enns, McCall, McCullough, Schwartz, Trebilcock, Virgin.--7.

The measure failed.

MOTION

Representative McDaniel (Jeannie) asked that the Journal reflect that had she been present in the Chamber she would have voted aye on **HB 2624** on Thursday, February 13, which was the order.

REPORT FROM CALENDAR COMMITTEE

The Calendar Committee met on Monday, February 17, 2014, and approved the following measures with an Open Rule to be placed on the Floor Agenda: **HBs 1112, 1674, 2317, 2626, 2685, 3190, 3191, 3192, 3194, 3195, 3198, 3199, 3200, 3201, 3202, 3203, 3204, 3205, 3250, 3345, 3346** and **HR 1041**. The following measure was approved with an Open Rule; Fiscal Analysis required, to be placed on the Floor Agenda: **HB 2589**.

RESOLUTIONS

The following was introduced and read:

HR 1042 – By Reynolds, Ritze, Wesselhoft and Bennett.

A Resolution directing the University of Oklahoma to return a painting that was stolen by the Nazis during World War II to the family of Raoul Meyer; and directing distribution.

COMMITTEE REPORTS

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

DO PASS:

HB 2444 – General Government, Authored by Senator Treat (principal Senate author)

HB 2534 – General Government, Authored by Senator Marlatt (principal Senate author)

HB 2889 – Public Safety, Coauthored by Representative(s) Walker, and Authored by Senator Shortey (principal Senate author)

HB 2924 – Public Safety, Authored by Senator Burrage (principal Senate author)

HB 2928 – Insurance, Authored by Senator Sparks (principal Senate author)

DO PASS, As Amended:

CS for HB 2391 – Government Modernization

CS for HB 2394 – Government Modernization

CS for HB 2407 – General Government

CS for HB 2527 – Appropriations and Budget, Authored by Senator Ivester (principal Senate author)

CS for HB 2693 – Appropriations and Budget, Coauthored by Representative(s) McDaniel (Jeannie), and Authored by Senator Barrington (principal Senate author)

CS for HB 2748 – Insurance

CS for HB 2832 – Appropriations and Budget

CS for HB 3085 – Appropriations and Budget, Coauthored by Representative(s) McDaniel (Curtis), and Authored by Senator Griffin (principal Senate author)

CS for HB 3287 – Insurance, Authored by Senator Stanislawski (principal Senate author)

CS for HJR 1092 – Appropriations and Budget, Coauthored by Representative(s) Turner, and Authored by Senator Treat (principal Senate author)

MOTION EXPIRED

Time expired for consideration of the motion to reconsider the vote whereby **HB 2320** passed.

HB 2320 was referred for engrossment.

Representative Peterson moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 9:00 a.m., Tuesday, February 18, 2014, which was the order.

Pursuant to the motion of Representative Peterson, the House was adjourned at 3:20 p.m., to reconvene Tuesday, February 18, 2014, at 9:00 a.m.