

HOUSE JOURNAL

First Regular Session of the Fifty-fifth Legislature

of the State of Oklahoma

Eighth Legislative Day, Wednesday, February 11, 2015

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

The roll was called with 101 Members present.

The Speaker Pro Tempore declared a quorum present.

Prayer was offered by Reverend John E. Roberts, Jr., Fairview Cowboy Church, Holdenville. Reverend Roberts was sponsored by Representative Kouplen.

The Journal for the last legislative day was approved.

ENGROSSED AND ENROLLED MEASURES

HCR 1003 was reported correctly engrossed, properly signed, in open session, and ordered transmitted to the Honorable Senate.

MEASURES REASSIGNED

The following measures were reassigned:

HB 1503 – Withdrawn from Public Health and referred to Rules.

HB 1511 – Withdrawn from Rules and referred to Elections and Ethics.

HB 1718 – Withdrawn from Public Health and referred to Appropriations and Budget.

HB 1736 – Withdrawn from Public Health and referred to Rules.

HB 1793 – Withdrawn from Rules and referred to Public Safety.

HB 2231 – Withdrawn from Rules and referred to Economic Development, Commerce and Real Estate.

MESSAGES FROM THE SENATE

Announcing the passage of **SCR 7**. The measure was introduced and read.

SCR 7 – By Bingman of the Senate and Hickman of the House.

A Concurrent Resolution relating to Joint Rules; adopting Joint Rules for the 55th Legislature.

MOTION

Upon motion of Representative Cockroft, Reverend John E. Roberts, Jr. was confirmed as House Chaplain for this legislative week.

RESOLUTION FOR CONSIDERATION

SCR 7 was called up for consideration.

Upon motion of Representative Nelson, **SCR 7** was considered and adopted.

SCR 7 was properly signed, in open session, by the Presiding Officer and ordered returned to the Honorable Senate.

GENERAL ORDER

HB 1409 by Billy et al of the House was read and considered.

Coauthored by Representative(s) Hall, Christian, Faught, Brumbaugh, Kern

Authored by Senator Treat (principal Senate author)

Coauthored by Senator(s) Jolley

Representative Cox moved to amend **HB 1409**, Page 6, Section 2, Line 11 by adding after the word “Supervision” and before the word “shall” the language “and the State Board of Osteopathic Examiners”; Page 7, Section 2, Line 6 by striking the word “Board” and by replacing it with the language “State Board of Medical Licensure and Supervision and the State Board of Osteopathic Examiners”; Page 8, Section 2, Line 22 by adding after the word “Supervision” the language “and the State Board of Osteopathic Examiners”; Page 9, Section 2, Line 1 by striking the word “Board” and by replacing it with the language “State Board of Medical Licensure and Supervision and the State Board of Osteopathic Examiners”; Line 8 by striking the word “Board’s” and by replacing it with “State Board of Medical Licensure and Supervision’s and the State Board of Osteopathic Examiners”; Line 10 by adding after the word “Supervision” the language “and the State Board of Osteopathic Examiners”; and Line 13 by striking the word “Board’s” and replacing it with

the language “State Board of Medical Licensure and Supervision’s and the State Board of Osteopathic Examiners”.

Representative Billy moved to table the Cox amendment, which tabling motion was declared adopted upon roll call as follows:

Aye: Banz, Biggs, Billy, Brumbaugh, Calvey, Cockroft, Coody (Ann), Coody (Jeff), Cooksey, Dank, Denney, Derby, Dunlap, Echols, Faught, Fisher, Hall, Hardin, Johnson, Jordan, Leewright, Lockhart, Martin (Scott), McBride, McCall, McDaniel (Randy), Montgomery, Moore, Mulready, Murdock, Nelson, Newell, Nollan, Park, Peterson, Pfeiffer, Ritze, Roberts (Sean), Rogers, Strohm, Tadlock, Walker, Wallace, Wood.--44.

Nay: Cannaday, Condit, Fourkiller, Griffith, Hoskin, McDaniel (Jeannie), McPeak, Morrissette, Proctor, Renegar, Rousselot, Shelton, Sherrer, Shoemake, Virgin, Young.--16.

Excused: Bennett, Brown, Caldwell, Casey, Christian, Cleveland, Cox, Dunnington, Enns, Grau, Henke, Inman, Joyner, Kannady, Kern, Kirby, Kouplén, Lepak, Loring, Matthews, McCullough, Murphey, O’Donnell, Ortega, Osborn, Ownbey, Perryman, Pruett, Roberts (Dustin), Russ, Sanders, Scott, Sears, Stone, Thomsen, Vaughan, Watson, Wesselhoft, Williams, Wright, Mr. Speaker.--41.

Representative Billy moved that **HB 1409** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 1409 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Banz, Bennett, Biggs, Billy, Brumbaugh, Caldwell, Calvey, Cannaday, Casey, Christian, Cleveland, Cockroft, Condit, Coody (Ann), Coody (Jeff), Cooksey, Dank, Denney, Derby, Dunlap, Echols, Enns, Faught, Fisher, Fourkiller, Grau, Hall, Hardin, Henke, Hoskin, Inman, Johnson, Jordan, Joyner, Kannady, Kern, Kirby, Leewright, Lepak, Lockhart, Loring, Martin (Scott), McBride, McCall, McCullough, McDaniel (Randy), Montgomery, Moore, Morrissette, Mulready, Murdock, Murphey, Nelson, Newell, Nollan, O’Donnell, Ortega, Osborn, Ownbey, Park, Perryman, Peterson, Pfeiffer, Proctor, Pruett, Renegar, Ritze, Roberts (Dustin), Roberts (Sean), Rogers, Rousselot, Russ, Sanders, Scott, Sears, Sherrer, Shoemake, Stone, Strohm, Tadlock, Thomsen, Vaughan, Walker, Wallace, Watson, Wesselhoft, Wood, Wright, Mr. Speaker.--89.

Nay: Cox, Dunnington, Griffith, McDaniel (Jeannie), McPeak, Shelton, Virgin, Williams, Young.--9.

Excused: Brown, Kouplen, Matthews.--3.

The measure passed.

Representative Billy served notice to reconsider the vote whereby **HB 1409** passed.

GENERAL ORDER

HB 1717 by Cox of the House was read and considered.

Coauthored by Representative(s) Hoskin

Authored by Senator Shaw (principal Senate author)

Representative Cox moved that **HB 1717** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 1717 was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Banz, Bennett, Biggs, Billy, Brown, Brumbaugh, Caldwell, Calvey, Cannaday, Casey, Christian, Cleveland, Cockroft, Condit, Coody (Ann), Coody (Jeff), Cooksey, Cox, Dank, Denney, Derby, Dunlap, Dunnington, Echols, Enns, Faught, Fisher, Fourkiller, Grau, Griffith, Hall, Hardin, Henke, Hoskin, Inman, Johnson, Jordan, Joyner, Kannady, Kern, Kirby, Kouplen, Leewright, Lepak, Lockhart, Loring, Martin (Scott), McBride, McCall, McCullough, McDaniel (Jeannie), McDaniel (Randy), McPeak, Montgomery, Moore, Morrissette, Mulready, Murdock, Murphey, Nelson, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Park, Perryman, Peterson, Pfeiffer, Proctor, Pruett, Renegar, Ritze, Roberts (Dustin), Roberts (Sean), Rogers, Rousselot, Russ, Sanders, Scott, Sears, Shelton, Sherrer, Shoemake, Stone, Strohm, Tadlock, Thomsen, Vaughan, Virgin, Walker, Wallace, Watson, Wesselhoft, Williams, Wood, Wright, Young, Mr. Speaker.--100.

Excused: Matthews.--1.

The measure and emergency passed.

HB 1717 was referred for engrossment.

GENERAL ORDER

HB 2154 by Echols et al of the House and Crain of the Senate was read and considered.

Coauthored by Representative(s) Montgomery, Casey, Jordan, Cannaday

Representative Echols moved to amend **HB 2154**, Page 10, Section 2, Line 2 and Page 21, Section 3, Line 4 by deleting all language beginning with the comma “,” through the word “basis” and inserting in lieu thereof the language “found in the plant *Cannabis sativa* L. or any other preparation thereof, that has a tetrahydrocannabinol concentration of not more than three-tenths of one percent (.3%) and that is delivered to the patient in the form of a liquid.”

Representative Echols moved to amend the amendment, by inserting after the word “liquid” the language:

“, or
g. industrial hemp, from the plant *Cannabis sativa* L. and any part of such plant, whether growing or not, with a delta-9 tetrahydrocannabinol concentration of not more than three-tenths of one percent (.3%) on a dry weight basis which shall not be grown anywhere in the state of Oklahoma but may be shipped to Oklahoma pursuant to the provisions of subparagraph e or f of this paragraph”, which amendment was declared adopted.

Representative Echols moved adoption of the amendment, as amended, which amendment was declared adopted.

Representative Rousselot moved to suspend House Rule 8.6 for the purpose of allowing consideration of an untimely filed floor amendment, which motion was declared adopted upon roll call as follows:

Aye: Banz, Bennett, Biggs, Billy, Brown, Brumbaugh, Caldwell, Calvey, Cannaday, Casey, Cleveland, Cockroft, Condit, Coody (Ann), Coody (Jeff), Cooksey, Cox, Dank, Denney, Derby, Dunlap, Dunnington, Echols, Enns, Faught, Fisher, Fourkiller, Grau, Griffith, Hall, Hardin, Henke, Hoskin, Inman, Johnson, Jordan, Joyner, Kannady, Kern, Kirby, Kouplen, Leewright, Lepak, Lockhart, Loring, Martin (Scott), McBride, McCall, McCullough, McDaniel (Jeannie), McDaniel (Randy), McPeak, Montgomery, Moore, Morrisette, Murdock, Murphey, Nelson, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Park, Perryman, Peterson, Pfeiffer, Proctor, Pruett, Renegar, Ritze, Roberts (Dustin), Roberts (Sean), Rogers, Rousselot, Russ, Sanders, Scott, Sears, Shelton, Sherrer, Shoemake, Stone, Strohm, Tadlock, Thomsen, Vaughan, Virgin, Walker, Wallace, Watson, Wesselhoft, Williams, Wood, Wright, Young, Mr. Speaker.--98.

Excused: Christian, Matthews, Mulready.--3.

Representative Rousselot moved to amend **HB 2154**, Page 24, Section 7, Line 5 by striking the effective date and inserting in lieu thereof an emergency clause, which amendment was declared adopted.

Representative Inman moved to suspend House Rule 8.6 for the purpose of allowing consideration of an untimely filed floor amendment, which motion failed of adoption upon roll call as follows:

Aye: Brown, Cannaday, Condit, Dunnington, Fourkiller, Griffith, Hoskin, Inman, Kouplén, Lockhart, Loring, Matthews, McDaniel (Jeannie), McPeak, Morrisette, Perryman, Proctor, Pruett, Renegar, Rousselot, Scott, Shelton, Sherrer, Shoemake, Stone, Tadlock, Virgin, Williams, Young.--29.

Nay: Banz, Bennett, Biggs, Billy, Brumbaugh, Caldwell, Calvey, Casey, Cleveland, Cockroft, Coody (Ann), Coody (Jeff), Cooksey, Dank, Denney, Derby, Dunlap, Echols, Enns, Faught, Fisher, Grau, Hall, Hardin, Henke, Johnson, Jordan, Joyner, Kannady, Kern, Kirby, Leewright, Lepak, Martin (Scott), McCall, McCullough, McDaniel (Randy), Montgomery, Moore, Murdock, Murphey, Nelson, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Park, Peterson, Pfeiffer, Ritze, Roberts (Dustin), Rogers, Russ, Sanders, Sears, Strohm, Thomsen, Vaughan, Walker, Wallace, Watson, Wesselhoft, Wood, Wright, Mr. Speaker.--67.

Excused: Christian, Cox, McBride, Mulready, Roberts (Sean).--5.

Representative Echols moved that **HB 2154** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 2154 was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Banz, Bennett, Billy, Brown, Brumbaugh, Caldwell, Calvey, Cannaday, Casey, Christian, Cleveland, Cockroft, Condit, Coody (Ann), Coody (Jeff), Cooksey, Cox, Dank, Denney, Derby, Dunlap, Dunnington, Echols, Enns, Faught, Fisher, Fourkiller, Grau, Griffith, Hall, Hardin, Henke, Hoskin, Inman, Johnson, Jordan, Joyner, Kannady, Kern, Kirby, Kouplén, Leewright, Lepak, Lockhart, Loring, Martin (Scott), Matthews, McBride, McCall, McCullough, McDaniel (Jeannie), McDaniel (Randy), McPeak, Montgomery, Moore, Morrisette, Mulready, Murdock, Murphey, Nelson, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Park, Perryman, Peterson, Pfeiffer, Proctor, Pruett, Renegar, Ritze, Roberts (Dustin), Roberts (Sean), Rogers, Rousselot, Russ, Scott, Sears, Shelton, Sherrer, Shoemake, Stone, Strohm, Tadlock, Thomsen, Vaughan, Virgin, Walker, Wallace, Watson, Wesselhoft, Williams, Wood, Wright, Young, Mr. Speaker.--99.

Nay: Biggs, Sanders.--2.

The measure and emergency passed.

HB 2154 was referred for engrossment.

GENERAL ORDER

HB 1729 by Roberts (Sean) of the House was read and considered.

Authored by Senator David (principal Senate author)

Representative Roberts (Sean) moved that **HB 1729** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 1729 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Banz, Bennett, Biggs, Billy, Brown, Brumbaugh, Caldwell, Calvey, Cannaday, Casey, Christian, Cleveland, Cockroft, Condit, Coody (Ann), Coody (Jeff), Cooksey, Dank, Denney, Derby, Dunlap, Dunnington, Echols, Enns, Faught, Fisher, Fourkiller, Grau, Griffith, Hall, Hardin, Henke, Hoskin, Inman, Johnson, Jordan, Joyner, Kannady, Kern, Kirby, Kouplen, Leewright, Lepak, Lockhart, Loring, Martin (Scott), Matthews, McBride, McCall, McCullough, McDaniel (Jeannie), McDaniel (Randy), McPeak, Montgomery, Moore, Morrissette, Mulready, Murdock, Murphey, Nelson, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Park, Perryman, Peterson, Pfeiffer, Proctor, Pruett, Renegar, Ritze, Roberts (Dustin), Roberts (Sean), Rogers, Rousselot, Russ, Sanders, Scott, Sears, Shelton, Sherrer, Shoemake, Stone, Strohm, Tadlock, Vaughan, Walker, Wallace, Watson, Wesselhoft, Wood, Wright, Young, Mr. Speaker.--97.

Excused: Cox, Thomsen, Virgin, Williams.--4.

The measure passed.

HB 1729 was referred for engrossment.

GENERAL ORDER

HB 1902 by Johnson of the House and Loveless of the Senate was read and considered.

Coauthored by Representative(s) O'Donnell, Lockhart

Representative Johnson moved that **HB 1902** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 1902 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Banz, Bennett, Biggs, Billy, Brown, Brumbaugh, Caldwell, Calvey, Cannaday, Casey, Christian, Cleveland, Cockroft, Condit, Coody (Ann), Coody (Jeff), Cooksey, Dank, Denney, Derby, Dunlap, Dunnington, Echols, Enns, Faught, Fisher, Fourkiller, Grau, Griffith, Hall, Hardin, Henke, Hoskin, Inman, Johnson, Jordan, Joyner, Kannady, Kern, Kirby, Kouplen, Leewright, Lepak, Lockhart, Loring, Martin (Scott), McBride, McCall, McCullough, McDaniel (Jeannie), McDaniel (Randy), McPeak, Montgomery, Moore, Morrisette, Mulready, Murdock, Murphey, Nelson, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Park, Perryman, Peterson, Pfeiffer, Proctor, Pruett, Renegar, Ritze, Roberts (Dustin), Roberts (Sean), Rogers, Rousselot, Russ, Sanders, Scott, Sears, Shelton, Sherrer, Shoemake, Stone, Strohm, Tadlock, Thomsen, Vaughan, Virgin, Walker, Wallace, Watson, Wesselhoft, Williams, Wood, Wright, Young, Mr. Speaker.--99.

Excused: Cox, Matthews.--2.

The measure passed.

HB 1902 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 1005 – Business, Labor and Retirement Laws, Authored by Senator Brinkley (principal Senate author)

HB 1006 – Criminal Justice and Corrections, Authored by Senator Stanislawski (principal Senate author)

HB 1012 – Administrative Rules

HB 1014 – Administrative Rules

HB 1040 – Veterans and Military Affairs, Authored by Senator Brown (principal Senate author)

HB 1045 – Criminal Justice and Corrections, Authored by Senator Sykes (principal Senate author)

HB 1058 – Higher Education and Career Tech, Authored by Senator Halligan (principal Senate author)

HB 1072 – Higher Education and Career Tech, Authored by Senator Dahm (principal Senate author)

- HB 1081** – Public Health
- HB 1083** – Government Oversight and Accountability, Authored by Senator Simpson (principal Senate author)
- HB 1103** – Government Oversight and Accountability
- HB 1123** – Banking and Financial Services
- HB 1321** – Common Education
- HB 1331** – Common Education, Authored by Senator Simpson (principal Senate author)
- HB 1353** – Veterans and Military Affairs
- HB 1402** – Agriculture and Rural Development
- HB 1403** – Agriculture and Rural Development
- HB 1408** – Public Health, Authored by Senator Justice (principal Senate author)
- HB 1419** – Government Oversight and Accountability
- HB 1443** – Long-term Care and Senior Services, Authored by Senator Loveless (principal Senate author)
- HB 1453** – State Government Operations
- HB 1484** – Rules
- HB 1494** – Alcohol, Tobacco and Controlled Substances
- HB 1514** – Agriculture and Rural Development
- HB 1606** – Agriculture and Rural Development
- HB 1619** – State Government Operations
- HB 1672** – Higher Education and Career Tech
- HB 1681** – Judiciary and Civil Procedure
- HB 1683** – Criminal Justice and Corrections, Authored by Senator Halligan (principal Senate author)
- HB 1721** – Public Health, Coauthored by Representative(s) Ritze, Christian
- HB 1734** – State Government Operations
- HB 1747** – Agriculture and Rural Development, Coauthored by Representative(s) Osborn, Park, and Authored by Senator Schulz (principal Senate author)
- HB 1748** – Government Oversight and Accountability, Authored by Senator Treat (principal Senate author)
- HB 1749** – Government Oversight and Accountability, Authored by Senator Dahm (principal Senate author)
- HB 1773** – Banking and Financial Services
- HB 1814** – Veterans and Military Affairs
- HB 1879** – Judiciary and Civil Procedure, Coauthored by Representative(s) Jordan, O'Donnell, and Authored by Senator Sykes (principal Senate author)
- HB 1901** – Rules
- HB 1986** – Government Oversight and Accountability, Authored by Senator Brooks (principal Senate author)
- HB 2169** – Criminal Justice and Corrections
- HB 2177** – Energy and Natural Resources
- HB 2184** – Rules

HJR 1002 – Rules, Authored by Senator David (principal Senate author)

HJR 1012 – Rules

HJR 1024 – Rules

HJR 1025 – Rules

DO PASS, As Amended:

CS for HB 1001 – Business, Labor and Retirement Laws, Authored by Senator Newberry (principal Senate author)

CS for HB 1010 – Administrative Rules, Authored by Senator Brinkley (principal Senate author)

CS for HB 1013 – Administrative Rules

CS for HB 1029 – Criminal Justice and Corrections

CS for HB 1052 – Business, Labor and Retirement Laws, Authored by Senator Jolley (principal Senate author)

CS for HB 1053 – Business, Labor and Retirement Laws, Authored by Senator Brinkley (principal Senate author)

CS for HB 1062 – Long-term Care and Senior Services

CS for HB 1114 – Judiciary and Civil Procedure, Authored by Senator Sparks (principal Senate author)

CS for HB 1435 – Long-term Care and Senior Services

CS for HB 1437 – Agriculture and Rural Development

CS for HB 1499 – Common Education

CS for HB 1684 – Common Education, Authored by Senator Griffin (principal Senate author)

CS for HB 1687 – Common Education, Authored by Senator Halligan (principal Senate author)

CS for HB 1752 – Veterans and Military Affairs, Authored by Senator Simpson (principal Senate author)

CS for HB 1964 – Judiciary and Civil Procedure

CS for HB 1965 – Criminal Justice and Corrections, Coauthored by Representative(s) Rogers

CS for HB 2152 – Judiciary and Civil Procedure

CS for HB 2168 – Criminal Justice and Corrections, Coauthored by Representative(s) Matthews, Osborn

Representative Nelson moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 9:00 a.m., Thursday, February 12, 2015, which was the order.

Pursuant to the motion of Representative Nelson, the House was adjourned at 2:50 p.m., to reconvene Thursday, February 12, 2015, at 9:00 a.m.