HOUSE JOURNAL

Second Regular Session of the Fifty-fourth Legislature

of the State of Oklahoma

Fifty-sixth Legislative Day, Tuesday, May 13, 2014

The House was called to order by Representative Wright.

The roll was called with 97 Members present.

The following Members were excused: Cox, McBride, Shannon, Trebilcock.—4.

Representative Wright declared a quorum present.

Prayer was offered by Director John Talley, Fellowship of Christian Athletes, Stillwater. Director Talley was sponsored by Representative Thomsen.

The Journal for the last legislative day was approved.

SECOND READING

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

HB 3509 – Direct To Calendar
HB 3510 – Direct To Calendar
HB 3511 – Direct To Calendar

GENERAL ORDER

SB 2126 by Jolley et al of the Senate and Martin (Scott) et al of the House as read, considered and laid over on Page 1075 was called up for further consideration.

Representative Sherrer raised a point of order as to whether it was proper to consider the Joint Committee Report on **SB 2126** because the measure contained both an appropriation as well as substantive language, to which the Presiding Officer ruled that the

Chair would not weigh in on such a question and that such a matter could be properly raised in debate.

Representative Martin (Scott) moved adoption of the Joint Committee Report on **SB 2126**, which motion was declared adopted.

Representative Martin (Scott) moved that **SB 2126** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 2126 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Billy, Blackwell, Brown, Brumbaugh, Casey, Christian, Cleveland, Cockroft, Condit, Coody, Cooksey, Dank, Denney, Derby, DeWitt, Echols, Enns, Fisher, Grau, Hall, Hardin, Henke, Hoskin, Hulbert, Jackson, Johnson, Joyner, Kern, Kirby, Martin (Scott), McCall, McCullough, McDaniel (Curtis), McDaniel (Randy), McNiel, Moore, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Perryman, Peterson, Pruett, Quinn, Renegar, Ritze, Roberts (Dustin), Rousselot, Russ, Sanders, Schwartz, Sears, Shoemake, Smalley, Stiles, Thomsen, Turner, Vaughan, Walker, Watson, Wood, Wright, Mr. Speaker.--68.

Nay: Bennett, Cannaday, Floyd, Fourkiller, Glenn, Hamilton, Inman, Kouplen, Lockhart, Matthews, McDaniel (Jeannie), McPeak, Morrissette, Pittman, Proctor, Reynolds, Roberts (Sean), Scott, Shelton, Sherrer, Virgin, Wesselhoft, Williams.--23.

Excused: Banz, Biggs, Cox, Dorman, Jackson, Jordan, McBride, O'Donnell, Shannon, Trebilcock.--10.

The measure passed.

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

Aye: Armes, Banz, Biggs, Billy, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Christian, Cleveland, Cockroft, Condit, Coody, Cooksey, Dank, Denney, Derby, DeWitt, Echols, Enns, Fourkiller, Grau, Hall, Hamilton, Hardin, Henke, Hoskin, Hulbert, Inman, Jackson, Johnson, Joyner, Kirby, Kouplen, Martin (Scott), McCall, McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Mulready, Murphey, Nelson, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Perryman, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Scott, Sears, Shelton, Shoemake, Smalley, Stiles, Thomsen, Turner, Vaughan, Virgin, Walker, Watson, Wesselhoft, Wood, Wright, Mr. Speaker.--81.

Nay: Bennett, Fisher, Floyd, Matthews, Morrissette, Reynolds, Sherrer, Williams.--8.

Excused: Cox, Dorman, Glenn, Jackson, Jordan, Kern, Lockhart, McBride, Ritze, Schwartz, Shannon, Trebilcock.--12.

The emergency passed.

The Presiding Officer signed Engrossed **SB 2126** and ordered same returned to the Honorable Senate.

Representative Armes Presiding

MESSAGES FROM THE SENATE

Returning **HB 1875** together with conference committee report thereon, advising adoption of conference committee report and passage of measure as amended.

The above-numbered measure, as amended by the conference committee report, was referred for enrollment.

Conference requested

Advising rejection of **HAs** to **SB 503** and requesting conference thereon, the Senate naming conferees later.

Concurrence in HAs

Announcing the concurrence of Senate in **HAs** to **SBs 1469, 1744, 1745** and **1746** and the passage of said measures, as amended thereby.

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 2495** was called up for consideration.

Upon motion of Representative Casey, the **CCR** on **HB 2495** was adopted.

HB 2495, as amended in conference, was read at length for the fourth time and the roll was called on the measure as follows:

Aye: Armes, Banz, Bennett, Biggs, Billy, Brown, Brumbaugh, Cannaday, Casey, Christian, Cleveland, Cockroft, Condit, Coody, Cooksey, Dank, Denney, Derby, DeWitt, Echols, Enns, Fisher, Floyd, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Henke, Hoskin, Hulbert, Inman, Jackson, Johnson, Joyner, Kern, Kirby, Kouplen, Lockhart, Martin (Scott), Matthews, McCall, McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McPeak, Moore, Mulready, Murphey, Nelson, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Perryman, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Ritze, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz,

Scott, Sears, Shelton, Sherrer, Shoemake, Smalley, Stiles, Turner, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wood, Wright, Mr. Speaker.--89.

Excused: Blackwell, Cox, Dorman, Jackson, Jordan, McBride, McNiel, Morrissette, Reynolds, Shannon, Thomsen, Trebilcock.--12.

The measure passed.

HB 2495, together with the conference committee report, thereon, was ordered transmitted to the Honorable Senate.

PENDING CONSIDERATION OF SAs

SAs to **HB 3286** were called up for consideration.

Remove as coauthor Representative(s) Shelton, Sherrer, McDaniel (Jeannie)

Coauthored by Representative(s) Wood

Upon motion of Representative Mulready, the House concurred in the **SAs** to **HB 3286**, upon a division of the question.

HB 3286, as amended by the Honorable Senate, was read at length for the fourth time and the roll was called on the measure as follows:

Aye: Armes, Banz, Bennett, Biggs, Billy, Brumbaugh, Casey, Cleveland, Cockroft, Coody, Cooksey, Dank, Denney, Derby, DeWitt, Echols, Enns, Fisher, Grau, Hall, Hardin, Henke, Hulbert, Jackson, Jackson, Johnson, Joyner, Kern, Kirby, Martin (Scott), McCullough, McDaniel (Randy), McNiel, Moore, Mulready, Murphey, Nelson, Newell, Nollan, Ownbey, Peterson, Quinn, Ritze, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Sears, Smalley, Stiles, Thomsen, Turner, Vaughan, Watson, Wesselhoft, Wood.--58.

Nay: Brown, Cannaday, Condit, Floyd, Fourkiller, Glenn, Hamilton, Hoskin, Inman, Lockhart, Matthews, McDaniel (Curtis), McDaniel (Jeannie), McPeak, Perryman, Pittman, Proctor, Pruett, Renegar, Scott, Shelton, Sherrer, Shoemake, Virgin, Williams.--25.

Excused: Blackwell, Christian, Cox, Dorman, Jordan, Kouplen, McBride, McCall, Morrissette, O'Donnell, Ortega, Osborn, Reynolds, Shannon, Trebilcock, Walker, Wright, Mr. Speaker.--18.

The measure passed.

Representative Mulready served notice to reconsider the vote whereby **HB 3286** passed.

MESSAGES FROM THE SENATE

Advising conference granted and the Senate naming conferees as follows:

HB 2134 - Marlatt, Griffin, Holt, Ford, Bass, McAffrey
HB 3469 - David, Crain, Treat, Griffin, Shumate, Ballenger

Conferees named

Advising naming Senate Conferees as follows:

SB 1216 - Treat, Crain, Schulz, Griffin, Paddack, Shumate
SB 2121 - Anderson, Brinkley, Sharp, Barrington, Garrison, Ellis

Conferees named, GCCA

Advising naming of GCCA as Senate Conferees as follows:

SB 503

Conference granted

Advising conference granted and the Senate naming GCCA as conferees to the following:

HB 2720
HB 2779
HB 2954
HB 3119

Transmitting enrolled measure

Advising fourth reading of and transmitting for signature Enrolled **SB 2126**.

The above-numbered enrolled measure was, after fourth reading, properly signed and ordered returned to the Honorable Senate.

CONFERENCE GRANTED

Upon motion of Representative Peterson, the House granted the request of the Honorable Senate for conference on the following measures and the Speaker named conferees:

SB 1187 – Conference Committee on Utility and Environmental Regulation
SB 1216 – Conference Committee on Human Services
SB 1398 – Conference Committee on Human Services
SB 1612 – Conference Committee on Judiciary

CONFEREES NAMED

The Speaker named the same conferees as follows:

SB 792 – Conference Committee on Economic Development and Financial Services

COMMITTEE REPORTS

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

DO PASS, As Amended:

CS for **HJR 1099** – Administrative Rules, Government Oversight and Repealer

CCRs SUBMITTED

The conference committee reports were read on the following measures:

HB 2199
HB 2985, Coauthored by Senator(s) Allen

FIRST READING

The following were introduced and read for the first time:

HB 3512 – By Martin (Scott) and Sears of the House and Jolley and Justice of the Senate.

An Act relating to the State Board of Career and Technology Education; providing for the budgeting of funds in certain categories and amounts; requiring performance measures for budget categories; providing for the duties and compensation of employees; providing lapse dates; requiring certain budget procedures; prohibiting certain budget procedures; providing an effective date; and declaring an emergency.

HB 3513 – By Martin (Scott) and Sears of the House and Jolley and Justice of the Senate.

An Act relating to education; specifying apportionment of certain funds which were appropriated; providing for the budgeting of funds in certain categories and amounts; requiring development of certain performance measures; requiring transfer of funds to the School Consolidation Assistance Fund; requiring transfer of funds to the Teachers' Retirement System Dedicated Revenue Revolving Fund; requiring the transfer of funds to the Teachers' Retirement System of Oklahoma for the Teachers' Retirement Credit; requiring funds allocated for Education Leadership Oklahoma to be transferred and expended for certain purposes; specifying purposes for funds allocated for Reform Implementation; stating purposes for funds allocated for Alternative and High Challenge Education; stating purpose of funds allocated for Financial Literacy; requiring transfer of

Early Intervention funds; stating intent regarding cost reimbursement for indirect administrative costs in the Oklahoma Early Intervention Act; stating purpose for funds allocated for the Early Childhood Initiative; stating purpose for funds allocated for the Parent Training Program; stating purpose for funds allocated for the General Educational Development test; stating purpose for funds allocated for Rural Infant Stimulation Environment Program; providing for duties and compensation of employees of the State Department of Education; requiring the reduction or withholding of State Aid funds for certain purposes; authorizing the State Board of Education to request certain transfer of funds; providing for certain proportional reduction of funds; requiring budgeting of certain funds in certain years; providing lapse dates; requiring certain budgeting procedures; prohibiting certain budgeting procedures; providing an effective date; and declaring an emergency.

HB 3514 – By Martin (Scott) and Sears of the House and Jolley and Justice of the Senate.

An Act relating to the Military Department of the State of Oklahoma; requiring budgeting in certain categories and amounts; providing for duties and compensation of employees; providing budgetary limitations; making certain appropriations nonfiscal; providing lapse dates; requiring certain budget procedures; prohibiting certain budget procedures; providing an effective date; and declaring an emergency.

HB 3515 – By Martin (Scott) and Sears of the House and Jolley and Justice of the Senate.

An Act relating to the Department of Transportation; requiring expenditures for certain purposes; requiring and authorizing certain transfer; requiring budgeting in certain categories and amounts; requiring certain performance measures; providing budgetary limitations; authorizing the Department to match certain federal funds and coordinate with the Oklahoma Department of Emergency Management for expenditure of funds; authorizing expenditure of funds in conjunction or cooperation with federal agencies or institutions; providing lapse dates; requiring and prohibiting certain budget procedures; providing an effective date; and declaring an emergency.

HB 3516 – By Martin (Scott) and Sears of the House and Jolley and Justice of the Senate.

An Act relating to the State Department of Health; making an appropriation to the State Department of Health; stating purpose; providing for duties and compensation of employees; requiring compliance with and providing budgetary limitations; exempting certain funds from expenditure and budgetary limitations; providing lapse dates; requiring and prohibiting certain budget procedures; providing an effective date; and declaring an emergency.

HB 3517 – By Martin (Scott) and Sears of the House and Jolley and Justice of the Senate.

An Act relating to the Oklahoma Health Care Authority; making an appropriation to the Oklahoma Health Care Authority; stating purpose; providing for duties and compensation of employees; authorizing payment of certain expenses; requiring compliance with and providing budgetary limitations; requiring budgeting and expenditure for certain services; providing exemptions to budgetary limitations; providing process for exemptions; authorizing certain transfers; providing procedures; providing lapse dates; requiring and prohibiting certain budget procedures; providing an effective date; and declaring an emergency.

HB 3518 – By Martin (Scott) and Sears of the House and Jolley and Justice of the Senate.

An Act relating to the J.D. McCarty Center; requiring certain appropriated funds be used for certain purpose; providing an effective date; and declaring an emergency.

HB 3519 – By Martin (Scott) and Sears of the House and Jolley and Justice of the Senate.

An Act relating to the Department of Mental Health and Substance Abuse Services; making an appropriation to the Department of Mental Health and Substance Abuse Services; stating purpose; requiring budgeting and expenditure for certain services; providing for duties and compensation of employees; requiring compliance with and providing budgetary limitations; authorizing certain transfers; exempting certain funds from expenditure and budgetary limitations; providing lapse dates; requiring and prohibiting certain budget procedures; providing an effective date; and declaring an emergency.

HB 3520 – By Martin (Scott) and Sears of the House and Jolley and Justice of the Senate.

An Act relating to the University Hospitals Authority; making an appropriation to the University Hospitals Authority; stating purpose; providing for duties and compensation of employees; requiring compliance with and providing budgetary limitations; providing lapse dates; requiring and prohibiting certain budget procedures; providing an effective date; and declaring an emergency.

HB 3521 – By Martin (Scott) and Sears of the House and Jolley and Justice of the Senate.

An Act relating to the Oklahoma Department of Veterans Affairs; requiring certain appropriated funds be used for certain purpose; providing an effective date; and declaring an emergency.

HB 3522 – By Martin (Scott) and Sears of the House and Jolley and Justice of the Senate.

An Act relating to the Office of Juvenile Affairs; making an appropriation to the Office of Juvenile Affairs; stating purpose; requiring budgeting in certain categories and amounts; requiring certain performance measures; providing for duties and compensation of employees; providing budgetary limitations; providing lapse dates; requiring certain budget procedures; prohibiting certain budget procedures; and providing an effective date.

HB 3523 – By Martin (Scott) and Sears of the House and Jolley and Justice of the Senate.

An Act relating to the Department of Human Services; making an appropriation to the Department of Human Services; stating purpose; requiring budgeting in certain categories and amounts; requiring certain performance measures; providing for duties and compensation of employees; limiting the number of full-time-equivalent employees; appropriating certain federal monies to the Department of Human Services; stating purpose; authorizing certain interyear transfers; providing lapse dates; requiring certain budget procedures; prohibiting certain budget procedures; providing an effective date; and declaring an emergency.

HB 3524 – By Martin (Scott) and Sears of the House and Jolley and Justice of the Senate.

An Act relating to the State Department of Rehabilitation Services; making an appropriation; stating purpose; requiring budgeting in certain categories and amounts; providing for exemptions from certain expenditure limitations; providing for duties and

compensation of employees; limiting the salary of the Director; limiting number of certain full-time-equivalent employees; making certain employee positions exempt from FTE limitations; authorizing certain early transfers of certain funds for specific purposes; authorizing transfer of appropriated money in requested amounts and ratios; authorizing certain inter-year transfers; requiring certain process and maintenance of records; providing lapse dates; requiring certain budget procedures; prohibiting certain budget procedures; and providing an effective date.

HB 3525 – By Martin (Scott) and Sears of the House and Jolley and Justice of the Senate.

An Act relating to the Oklahoma Department of Commerce; requiring certain funds be budgeted in certain categories and amounts; providing for duties and compensation of employees; limiting salary of the Executive Director; providing budgetary limitations; requiring certain budget procedures; prohibiting certain budget procedures; providing lapse dates; providing an effective date; and declaring an emergency.

HB 3526 – By Martin (Scott) and Sears of the House and Jolley and Justice of the Senate.

An Act relating to the Corporation Commission; setting certain budget limits.

HB 3527 – By Martin (Scott) and Sears of the House and Jolley and Justice of the Senate.

An Act relating to the Horse Racing Commission; making an appropriation; stating purpose; requiring budgeting in certain categories and amounts; providing for the duties and compensation of employees; limiting salary of the Director; providing budgetary limitations; providing lapse dates; requiring and prohibiting certain budget practices; and providing an effective date.

HB 3528 – By Martin (Scott) and Sears of the House and Jolley and Justice of the Senate.

An Act relating to the Department of Tourism and Recreation; making an appropriation; stating purpose; requiring budgeting in certain categories and amounts; providing for the duties and compensation of employees; limiting salary of the Director; providing budgetary limitations; providing lapse dates; requiring and prohibiting certain budget practices; and providing an effective date.

HB 3529 – By Martin (Scott) and Sears of the House and Jolley and Justice of the Senate.

An Act relating to the Alcoholic Beverage Laws Enforcement Commission; making an appropriation; stating purpose; requiring budgeting in certain categories and amounts; providing for the duties and compensation of employees; limiting salary of the Director; providing budgetary limitations; providing lapse dates; requiring and prohibiting certain budget practices; and providing an effective date.

HB 3530 – By Martin (Scott) and Sears of the House and Jolley and Justice of the Senate.

An Act relating to the Department of Corrections; making an appropriation; stating purpose; providing lapse dates; requiring and prohibiting certain budget practices; and providing an effective date.

HB 3531 – By Martin (Scott) and Sears of the House and Jolley and Justice of the Senate.

An Act relating to the Council on Law Enforcement Education and Training; making appropriations; stating purposes; requiring budgeting in certain categories and amounts;

providing for the duties and compensation of employees; limiting salary of the Director; providing budgetary limitations; providing exceptions to the budgetary limitations; requiring certain budget practices; prohibiting certain budget practices; providing lapse dates; and providing an effective date.

HB 3532 – By Martin (Scott) and Sears of the House and Jolley and Justice of the Senate.

An Act relating to the Office of the State Fire Marshal; making an appropriation; stating purpose; requiring budgeting in certain categories and amounts; providing for the duties and compensation of employees; limiting salary of the State Fire Marshal; providing budgetary limitations; providing exceptions to the budgetary limitations; requiring and prohibiting certain budget practices; providing lapse date; and providing an effective date.

HB 3533 – By Martin (Scott) and Sears of the House and Jolley and Justice of the Senate.

An Act relating to the Oklahoma State Bureau of Investigation; making an appropriation; stating purpose; requiring budgeting in certain categories and amounts; providing for the duties and compensation of employees; limiting salary of the Director; providing budgetary limitations; authorizing transfer of funds to an agency special account for certain purposes; limiting amount authorized to be transferred; requiring certain report; specifying duties for certain full-time-equivalent employees; making their employment contingent on certain funding; authorizing exemption of certain federal funds from expenditure limitations; specifying how funds will be used; providing lapse dates; requiring and prohibiting certain budget practices; providing an effective date; and declaring an emergency.

HB 3534 – By Martin (Scott) and Sears of the House and Jolley and Justice of the Senate.

An Act relating to the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control; making an appropriation; stating purpose; requiring budgeting in certain categories and amounts; providing for the duties and compensation of employees; limiting salary of the Director; providing budgetary limitations; limiting amount of appropriation which may be used for certain purpose; authorizing transfer of funds to an agency special account for certain purposes; limiting amount authorized to be transferred; requiring promulgation of certain rules; providing lapse dates; requiring and prohibiting certain budget practices; and providing an effective date.

HB 3535 – By Martin (Scott) and Sears of the House and Jolley and Justice of the Senate.

An Act relating to the Department of Public Safety; making appropriation; stating purpose; requiring budgeting in certain categories and amounts; providing for the duties and compensation of employees; providing budgetary limitations; providing exceptions to the budgetary limitations; requiring and authorizing certain expenditures; requiring transfer of funds; authorizing and requiring Patrol Academy; requiring certain funds to be budgeted for certain purposes; providing lapse dates; requiring and prohibiting certain budget practices; and providing an effective date.

HB 3536 – By Martin (Scott) and Sears of the House and Jolley and Justice of the Senate.

An Act relating to the Office of the Attorney General; making an appropriation; stating purpose; authorizing transfer of certain funds; requiring budgeting in certain categories and amounts; providing for duties and compensation of employees; providing budgetary

limitations; providing lapse dates; requiring and prohibiting certain budget procedures; and providing an effective date.

HB 3537 – By Martin (Scott) and Sears of the House and Jolley and Justice of the Senate.

An Act relating to the Pardon and Parole Board; making an appropriation; stating purpose; requiring budgeting in certain categories and amounts; providing for the duties and compensation of employees; limiting salary of the Chief Administrative Officer; providing budgetary limitations; providing lapse dates; requiring and prohibiting certain budget practices; and providing an effective date.

HB 3538 – By Martin (Scott) and Sears of the House and Jolley and Justice of the Senate.

An Act relating to the Workers' Compensation Commission; making appropriation; stating purpose; requiring budgeting in certain categories and amounts; providing for duties and compensation of employees; providing budgetary limitations; providing lapse dates; requiring and prohibiting certain budget procedures; providing an effective date; and declaring an emergency.

HB 3539 – By Martin (Scott) and Sears of the House and Jolley and Justice of the Senate.

An Act relating to the Workers' Compensation Court of Existing Claims; making appropriation; stating purpose; requiring budgeting in certain categories and amounts; providing for duties and compensation of employees; providing budgetary limitations; providing lapse dates; requiring and prohibiting certain budget procedures; and providing an effective date.

HB 3540 – By Martin (Scott).

An Act relating to revenue and taxation; amending 68 O.S. 2011, Section 1357, as last amended by Section 1, Chapter 364, O.S.L. 2013 (68 O.S. Supp. 2013, Section 1357), which relates to exemptions; directing the Oklahoma Tax Commission to issue a separate exemption card to certain persons authorized to make purchases on behalf of an eligible veteran under certain circumstances; and providing an effective date.

RESOLUTIONS

The following were introduced and read:

HR 1065 – By Wright.

A Resolution celebrating the 34th anniversary of the Sister-State relationship between the State of Oklahoma and Taiwan; welcoming the Honorable Director General Steve Hsia to the Oklahoma House of Representatives; and directing distribution.

HR 1066 – By Christian.

A Resolution declaring May 15, 2014, as Lupus Advocacy Day and May 2014 as Lupus Awareness Month in Oklahoma; and directing distribution.

MESSAGES FROM THE GOVERNOR

Advising of her approval of **HBs 2379, 2669, 3050, 3102, 3134, 3177** and **3198** on May 13, 2014.

Representative Peterson moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 1:30 p.m., Wednesday, May 14, 2014, which was the order.

Pursuant to the motion of Representative Peterson, the House was adjourned at 12:35 p.m., to reconvene Wednesday, May 14, 2014, at 1:30 p.m.