

HOUSE JOURNAL

First Regular Session of the Fifty-fourth Legislature

of the State of Oklahoma

Tenth Legislative Day, Monday, February 18, 2013

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

The roll was called with 99 Members present.

The following Members were excused: Dank, Enns.—2.

The Speaker Pro Tempore declared a quorum present.

Prayer was offered by Pastor Blake Gideon, Edmond's First Baptist Church, Edmond. Pastor Gideon was sponsored by Representative Cooksey.

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

The Journal for the last legislative day was approved.

ENGROSSED AND ENROLLED MEASURES

HBs 1081, 1084, 1086, 1089 and 1639 were reported correctly engrossed, properly signed, in open session, and ordered transmitted to the Honorable Senate.

MEASURES REASSIGNED

The following measures were reassigned:

HB 1546 – Withdrawn from Judiciary and referred to Rules.

HB 1553 – Withdrawn from Rules and referred to Judiciary.

HB 2215 – Withdrawn from Appropriations and Budget and referred to Public Health.

HB 2248 – Withdrawn from Rules and referred to Judiciary.

HCR 1001 – Withdrawn from Rules and referred Direct to Calendar.

HCR 1002 – Withdrawn from Rules and referred Direct to Calendar.

GENERAL ORDER

HB 1414 by Hall et al of the House and Holt of the Senate was read and considered.

Representative Hall moved that **HB 1414** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 1414 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, Brumbaugh, Cannaday, Casey, Christian, Cleveland, Cockroft, Condit, Coody, Cooksey, Cox, Denney, Derby, DeWitt, Dorman, Echols, Fisher, Glenn, Grau, Hall, Hardin, Henke, Hickman, Hulbert, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Kouplén, Lockhart, Martin (Scott), Martin (Steve), McBride, McCall, McCullough, McDaniel (Curtis), McDaniel (Randy), McNiel, Moore, Mulready, Murphey, Nelson, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Perryman, Peterson, Proctor, Pruett, Quinn, Renegar, Reynolds, Ritze, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Sears, Shoemake, Smalley, Stiles, Thomsen, Trebilcock, Turner, Vaughan, Walker, Watson, Wesselhoft, Williams, Wood, Wright, Mr. Speaker.--85.

Nay: Brown, Floyd, Hamilton, Hoskin, Matthews, McDaniel (Jeannie), McPeak, Morrissette, Pittman, Scott, Shelton, Sherrer, Virgin.--13.

Excused: Dank, Enns, Fourkiller.--3.

The measure passed.

HB 1414 was referred for engrossment.

MEASURE REREFERRED

Upon motion of Representative Kirby, **HB 1349** was withdrawn from the Calendar and rereferred to the Public Health Committee.

GENERAL ORDER

HB 1364 by Kirby of the House and Bass of the Senate was read and considered.

Coauthored by Representative(s) Pittman

Representative Reynolds moved to amend **HB 1364**, Page 10, Section 5, Line 20 by inserting after "sponsor," "elected official," which amendment was declared adopted.

Representative Kirby moved that **HB 1364** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 1364 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, Brumbaugh, Cannaday, Casey, Cleveland, Cockroft, Condit, Coody, Cooksey, Cox, Denney, Derby, DeWitt, Dorman, Echols, Fisher, Floyd, Glenn, Grau, Hall, Hamilton, Hardin, Henke, Hickman, Hoskin, Hulbert, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Kouplen, Lockhart, Martin (Scott), Martin (Steve), Matthews, McBride, McCall, McCullough, McDaniel (Curtis), McDaniel (Randy), McNiel, McPeak, Moore, Morrissette, 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, Schwartz, Scott, Sears, Shelton, Shoemake, Smalley, Stiles, Thomsen, Trebilcock, Turner, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wood, Wright, Mr. Speaker.--95.

Nay: McDaniel (Jeannie), Sherrer.--2.

Excused: Christian, Dank, Enns, Fourkiller.--4.

The measure passed.

HB 1364 was referred for engrossment.

GENERAL ORDER

HB 1928 by DeWitt of the House was read and considered.

Authored by Senator Fields (principal Senate author)

Representative DeWitt moved to amend **HB 1928**, Page 1, Section 1, Line 21 by adding after the period “.” and before the word “A” the following language:

“Persons under ten (10) years of age may take the hunter education course but are not eligible to be tested for and receive hunter safety certification.”,

which amendment was declared adopted.

Representative DeWitt moved that **HB 1928** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 1928 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, Brumbaugh, Cannaday, Casey, Christian, Cleveland, Cockroft, Condit, Coody, Cooksey, Cox, Denney, Derby, DeWitt, Dorman, Echols, Fisher, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Henke, Hickman, Hoskin, Hulbert, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Kouplen, Lockhart, Martin (Scott), Martin (Steve), Matthews, McBride, McCall, McCullough, 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, Sanders, Schwartz, Scott, Sears, Shelton, Sherrer, Shoemake, Smalley, Stiles, Thomsen, Trebilcock, Turner, Vaughan, Virgin, Walker, Watson, Wesselhoft, Wood, Wright, Mr. Speaker.--97.

Excused: Dank, Enns, Floyd, Williams.--4.

The measure passed.

HB 1928 was referred for engrossment.

GENERAL ORDER

HB 1058 by Kern of the House and Dahm of the Senate was read and considered.

Coauthored by Representative(s) Ownbey, Cooksey, Fisher, Reynolds, Pittman, Ritze

Representative Kern moved to amend **HB 1058**, Page 2, Section 1, Line 2 by inserting after the word “the” and before the word “provisions” the language “notice requirements and” and by deleting the letter “D” and inserting in lieu thereof the letter “B”; and Line 3 by inserting after the period “.” the following sentence: “Records expunged pursuant to this section shall be sealed to the public but not to law enforcement agencies for law enforcement purposes.”, which amendment was declared adopted.

Representative Kern moved that **HB 1058** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 1058 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, Brumbaugh, Cannaday, Casey, Christian, Cleveland, Cockroft, Condit, Coody, Cooksey, Cox, Denney, Derby, DeWitt, Dorman, Echols, Fisher, Floyd, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Henke, Hickman, Hoskin, Hulbert, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Kouplén, Lockhart, Martin (Scott), Martin (Steve), Matthews, McBride, McCall, McCullough, 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, Sanders, Schwartz, Scott, Sears, Shelton, Sherrer, Shoemake, Smalley, Stiles, Thomsen, Trebilcock, Turner, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wood, Wright, Mr. Speaker.--99.

Excused: Dank, Enns.--2.

The measure passed.

HB 1058 was referred for engrossment.

GENERAL ORDER

HB 1038 by Casey of the House was read and considered.

Authored by Senator Ford (principal Senate author)

Representative Casey moved that **HB 1038** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 1038 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, Brumbaugh, Cannaday, Casey, Christian, Cleveland, Cockroft, Condit, Coody, Cooksey, Cox, Denney, Derby, DeWitt, Dorman, Echols, Fisher, Floyd, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Henke, Hickman, Hoskin, Hulbert, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Kouplen, Lockhart, Martin (Scott), Martin (Steve), Matthews, McBride, McCall, McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Perryman, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Reynolds, Ritze, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shelton, Sherrer, Shoemake, Smalley, Stiles, Thomsen, Trebilcock, Turner, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wood, Wright, Mr. Speaker.--97.

Excused: Dank, Enns, Morrissette, O'Donnell.--4.

The measure and emergency passed.

HB 1038 was referred for engrossment.

GENERAL ORDER

HB 1068 by Denney of the House and Halligan of the Senate was read and considered.

Coauthored by Representative(s) Pittman, Wesselhoft

Representative Denney moved that **HB 1068** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 1068 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, Brumbaugh, Cannaday, Casey, Christian, Cleveland, Cockroft, Condit, Coody, Cooksey, Cox, Denney, Derby, DeWitt, Dorman, Echols, Fisher, Floyd, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Henke, Hickman, Hoskin, Hulbert, Inman, Jackson, Johnson, Joyner, Kern, Kirby, Kouplen, Lockhart, Martin (Scott), Martin (Steve), Matthews, McBride, McCall, McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Morrissette, 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, Schwartz,

Scott, Sears, Shelton, Sherrer, Shoemake, Smalley, Stiles, Thomsen, Trebilcock, Turner, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wood, Wright, Mr. Speaker.--98.

Excused: Dank, Enns, Jordan.--3.

The measure passed.

HB 1068 was referred for engrossment.

GENERAL ORDER

HB 1071 by Renegar of the House and Paddock of the Senate was read and considered.

Representative Renegar moved that **HB 1071** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 1071 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, Brumbaugh, Cannaday, Casey, Christian, Cleveland, Cockroft, Condit, Coody, Cooksey, Cox, Denney, Derby, DeWitt, Dorman, Echols, Fisher, Floyd, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Henke, Hickman, Hoskin, Hulbert, Inman, Jackson, Johnson, Joyner, Kern, Kirby, Kouplen, Lockhart, Martin (Scott), Martin (Steve), Matthews, McBride, McCall, McCullough, 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, Sanders, Schwartz, Scott, Sears, Shelton, Sherrer, Shoemake, Smalley, Stiles, Thomsen, Trebilcock, Turner, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wood, Mr. Speaker.--97.

Excused: Dank, Enns, Jordan, Wright.--4.

The measure and emergency passed.

HB 1071 was referred for engrossment.

GENERAL ORDER

HB 1078 by Sanders of the House and Marlatt of the Senate was read and considered.

Representative Sanders moved that **HB 1078** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 1078 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, Christian, Coody, Denney, Derby, Henke, Jackson, Jordan, Joyner, Kirby, Martin (Scott), Martin (Steve), McNeil, Mulready, Nollan, Osborn, Ownbey, Perryman, Roberts (Dustin), Russ, Sanders, Schwartz, Sears, Thomsen, Trebilcock, Turner, Vaughan, Watson, Wright, Mr. Speaker.--34.

Nay: Bennett, Brown, Brumbaugh, Cannaday, Casey, Cleveland, Cockroft, Condit, Cooksey, Cox, DeWitt, Dorman, Echols, Fisher, Floyd, Fourkiller, Glenn, Hall, Hamilton, Hardin, Hickman, Hoskin, Hulbert, Inman, Johnson, Kern, Kouplen, Lockhart, Matthews, McBride, McCall, McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McPeak, Moore, Morrisette, Murphey, Nelson, Newell, O'Donnell, Ortega, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Reynolds, Ritze, Roberts (Sean), Rousselot, Scott, Shelton, Sherrer, Shoemake, Smalley, Stiles, Virgin, Walker, Wesselhoft, Wood.--63.

Excused: Dank, Enns, Grau, Williams.--4.

The measure failed.

Representative Sanders served notice to reconsider the vote whereby **HB 1078** failed.

MOTION EXPIRED

Time expired for consideration of the motion to reconsider the vote whereby **HB 1595** passed.

HB 1595 was referred for engrossment.

MOTION EXPIRED

Time expired for consideration of the motion to reconsider the vote whereby **HB 1596** passed and the emergency failed.

HB 1596 was referred for engrossment.

MOTION EXPIRED

Time expired for consideration of the motion to reconsider the vote whereby **HB 1597** passed and the emergency failed.

HB 1597 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 1032 – Public Health, Coauthored by Representative(s) Ritze

HB 1361 – Public Health, Coauthored by Representative(s) Ritze

HB 1482 – Utility and Environmental Regulation, Authored by Senator Dahm (principal Senate author)

HB 1867 – Public Health

HB 1999 – Public Health, Authored by Senator Fields (principal Senate author)

DO PASS, As Amended:

CS for HB 1002 – Government Modernization, Coauthored by Representative(s) Biggs, Cleveland, and Authored by Senator Holt (principal Senate author)

CS for HB 1277 – Judiciary, Authored by Senator Simpson (principal Senate author)

CS for HB 1347 – Public Health, Authored by Senator David (principal Senate author)

CS for HB 1451 – Government Modernization, Coauthored by Representative(s) Turner

CS for HB 1461 – Public Health, Coauthored by Representative(s) Ritze, and Authored by Senator Jolley (principal Senate author)

CS for HB 1464 – Government Modernization, Authored by Senator Brecheen (principal Senate author)

CS for HB 1500 – Veterans and Military Affairs, Coauthored by Representative(s) Bennett, and Authored by Senator Brooks (principal Senate author)

CS for HB 1512 – Insurance, Authored by Senator Brown (principal Senate author)

CS for HB 1588 – Public Health, Coauthored by Representative(s) Hulbert, Ritze, and Authored by Senator Griffin (principal Senate author)

CS for HB 1638 – Agriculture and Wildlife

CS for HB 1640 – Agriculture and Wildlife, Authored by Senator Johnson (Rob) (principal Senate author)

CS for HB 1721 – Appropriations and Budget, Authored by Senator Griffin (principal Senate author)

CS for HB 1767 – Insurance

CS for HB 1984 – Government Modernization, Coauthored by Representative(s) Murphey, and Authored by Senator Brecheen (principal Senate author)

CS for HB 2005 – Appropriations and Budget, Authored by Senator Brinkley (principal Senate author)

CS for HB 2015 – Public Health, Coauthored by Representative(s) Ritze, and Authored by Senator Loveless (principal Senate author)

CS for HB 2062 – Government Modernization, Coauthored by Representative(s) Murphey

CS for HB 2231 – Government Modernization, Coauthored by Representative(s) Murphey, Turner

CS for HB 2232 – Appropriations and Budget, Authored by Senator Barrington (principal Senate author)

Representative Johnson moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 9:00 a.m., Tuesday, February 19, 2013, which was the order.

Pursuant to the motion of Representative Peterson, the House was adjourned at 3:00 p.m., to reconvene Tuesday, February 19, 2013, at 9:00 a.m.