

# HOUSE JOURNAL

**First Regular Session of the Fifty-fourth Legislature**

**of the State of Oklahoma**

**Twelfth Legislative Day, Wednesday, February 20, 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: Enns, Hamilton—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.

The Journal for the last legislative day was approved.

## **ENGROSSED AND ENROLLED MEASURES**

**HBs 1010, 1335, 1528 and 1904** were reported correctly engrossed, properly signed, in open session, and ordered transmitted to the Honorable Senate.

## **MEASURES REASSIGNED**

The following measures were reassigned:

**HB 1436** – Withdrawn from Judiciary and referred to Rules.

**HB 1439** – Withdrawn from Rules and referred to Public Health.

**HB 1441** – Withdrawn from Rules and referred to Public Safety.

**HB 1781** – Withdrawn from Public Safety and referred to Public Health.

**HB 1783** – Withdrawn from Rules and referred to Public Health.

**HB 2288** – Withdrawn from Rules and referred to Appropriations and Budget.

**HJR 1002** – Withdrawn from Rules and referred to Appropriations and Budget.

**GENERAL ORDER**

**HB 1426** by Biggs of the House was read and considered.

Authored by Senator Justice (principal Senate author)

Representative Biggs moved that **HB 1426** be advanced from General Order, which motion was declared adopted.

**THIRD READING**

**HB 1426** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Biggs, Casey, Cleveland, Coody, Cooksey, Cox, Dank, Denney, DeWitt, Echols, Hall, Henke, Hickman, Hulbert, Jackson, Martin (Steve), McBride, McCall, McDaniel (Randy), McNiell, Mulready, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Quinn, Sanders, Sears, Smalley, Stiles, Trebilcock, Turner, Vaughan, Watson, Wood, Wright, Mr. Speaker.--40.

Nay: Banz, Bennett, Blackwell, Brown, Brumbaugh, Cannaday, Christian, Cockroft, Condit, Derby, Dorman, Fisher, Floyd, Fourkiller, Glenn, Grau, Hardin, Hoskin, Inman, Johnson, Jordan, Joyner, Kern, Kirby, Kouplen, Lockhart, Martin (Scott), Matthews, McCullough, McDaniel (Curtis), McDaniel (Jeannie), McPeak, Moore, Murphey, Nelson, Perryman, Peterson, Pittman, Proctor, Pruett, Renegar, Reynolds, Ritze, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Schwartz, Scott, Shelton, Sherrer, Shoemake, Thomsen, Virgin, Wesselhoft, Williams.--56.

Excused: Billy, Enns, Hamilton, Morrissette, Walker.--5.

The measure failed.

Representative Biggs served notice to reconsider the vote whereby **HB 1426** failed.

**MESSAGE FROM THE SENATE**

Announcing the passage of **SBs 295** and **989**. The measures were introduced and read for the first time.

**SB 295** – By Ivester of the Senate and Murphey of the House.

An Act relating to mental health; amending 43A O.S. 2011, Section 3-415, which relates to certification of drug and alcohol rehabilitation facilities; including recovery support facilities in certain definitions; excluding certain faith-based and residential recovery facilities from the Oklahoma Alcohol and Drug Abuse Services Act; and providing an effective date.

**SB 989** – By Justice and Shortey of the Senate and Biggs of the House.

An Act relating to bogus checks; amending 21 O.S. 2011, Section 1541.4, which relates to false or bogus checks; modifying definition; and providing an effective date.

## **MOTION**

Representative Peterson moved that the House stand in recess for five minutes, which was the order.

## **Speaker Pro Tempore Jackson Presiding**

## **MEASURE REREFERRED**

Upon motion of Representative Casey, **HB 1037** was withdrawn from the Calendar and rereferred to the Transportation Committee.

## **MEASURE REREFERRED**

Upon motion of Representative Johnson, **HB 1867** was withdrawn from the Calendar and rereferred to the Public Health Committee.

## **GENERAL ORDER**

**HB 2078** by McDaniel (Randy) of the House and Mazzei of the Senate was read and considered.

Representative McDaniel (Randy) moved that **HB 2078** be advanced from General Order, which motion was declared adopted.

## **THIRD READING**

**HB 2078** was read at length for the third time. On passage of the measure, the roll call was as follows:

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

Schwartz, Scott, Sears, Shoemake, Smalley, Stiles, Thomsen, Trebilcock, Turner, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wood, Wright, Mr. Speaker.--90.

Nay: Dorman, Morrissette, Perryman, Proctor, Shelton, Sherrer.--6.

Excused: Billy, Christian, Enns, Hamilton, Jordan.--5.

The measure passed.

**HB 2078** was referred for engrossment.

### **GENERAL ORDER**

**HB 1999** by McNiel of the House and Fields of the Senate was read and considered.

Coauthored by Representative(s) Newell, Blackwell, McBride, Wood, Bennett, Cockroft, McDaniel (Curtis), Cannaday

Representative McNiel moved that **HB 1999** be advanced from General Order, which motion was declared adopted.

### **THIRD READING**

**HB 1999** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Bennett, Biggs, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Christian, Cleveland, Cockroft, Condit, Coody, Cox, Denney, Derby, DeWitt, Dorman, Echols, Fisher, Fourkiller, Glenn, Grau, Hall, Hardin, Hickman, Hoskin, Hulbert, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Kouplen, Lockhart, Martin (Scott), Martin (Steve), McBride, McCall, McCullough, McDaniel (Curtis), McDaniel (Randy), McNiel, McPeak, Moore, Mulready, Murphey, Nelson, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Perryman, Peterson, Pittman, Pruett, Quinn, Reynolds, Ritze, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Sears, Sherrer, Shoemake, Smalley, Thomsen, Trebilcock, Turner, Vaughan, Watson, Wesselhoft, Wood, Wright, Mr. Speaker.--82.

Nay: Cooksey, Dank, Floyd, Henke, Inman, Matthews, McDaniel (Jeannie), Morrissette, Proctor, Scott, Shelton, Virgin, Walker, Williams.--14.

Excused: Billy, Enns, Hamilton, Stiles.--4.

Constitutional Priv: Renegar.--1.

The measure passed.

**HB 1999** was referred for engrossment.

## RECONSIDERATION

Representative Sanders moved to reconsider the vote whereby **HB 1078** failed, which motion was 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, Bennett, Biggs, Blackwell, Brown, Cannaday, Christian, Cleveland, Condit, Coody, Cooksey, Cox, Denney, DeWitt, Dorman, Echols, Floyd, Grau, Hall, Hardin, Henke, Hickman, Hoskin, Inman, Jackson, Johnson, Jordan, Joyner, Kirby, Kouplén, Lockhart, Martin (Scott), Martin (Steve), Matthews, McBride, McCall, McCullough, McDaniel (Curtis), McDaniel (Jeannie), McNiel, McPeak, Moore, Morrisette, Mulready, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Perryman, Peterson, Pittman, Pruett, Quinn, Renegar, Roberts (Dustin), Russ, Sanders, Schwartz, Sears, Shelton, Sherrer, Shoemake, Smalley, Thomsen, Trebilcock, Turner, Vaughan, Virgin, Watson, Williams, Wright, Mr. Speaker.--75.

Nay: Brumbaugh, Casey, Cockroft, Dank, Derby, Fisher, Glenn, Hulbert, Kern, McDaniel (Randy), Murphey, Nelson, Proctor, Reynolds, Ritze, Roberts (Sean), Rousselot, Scott, Walker, Wesselhoft, Wood.--21.

Excused: Billy, Enns, Fourkiller, Hamilton, Stiles.--5.

The measure passed.

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

Aye: Armes, Banz, Biggs, Blackwell, Brown, Christian, Coody, Cooksey, Denney, DeWitt, Dorman, Echols, Hall, Hardin, Henke, Jackson, Jordan, Kirby, Martin (Scott), Martin (Steve), McBride, McCall, McNiel, McPeak, Moore, Mulready, Nollan, Ortega, Osborn, Peterson, Pruett, Russ, Sanders, Thomsen, Trebilcock, Turner, Vaughan, Watson, Wright, Mr. Speaker.--40.

Nay: Bennett, Brumbaugh, Cannaday, Casey, Cleveland, Cockroft, Condit, Cox, Dank, Derby, Fisher, Floyd, Glenn, Grau, Hickman, Hoskin, Hulbert, Inman, Johnson, Joyner, Kern, Kouplén, Lockhart, McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), Morrisette, Murphey, Newell, O'Donnell, Ownbey, Perryman, Pittman, Proctor, Quinn, Renegar, Reynolds, Ritze, Roberts (Sean), Rousselot, Schwartz, Scott, Sears, Shelton, Sherrer, Shoemake, Smalley, Walker, Wesselhoft, Wood.--51.

Excused: Billy, Enns, Fourkiller, Hamilton, Matthews, Nelson, Roberts (Dustin), Stiles, Virgin, Williams.--10.

The emergency failed.

**HB 1078** 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 1033** – Judiciary

**HB 1050** – Judiciary, Authored by Senator Simpson (principal Senate author)

**HB 1069** – Public Health, Authored by Senator Brecheen (principal Senate author)

**HB 1087** – Judiciary, Coauthored by Representative(s) McBride

**HB 1092** – Transportation, Authored by Senator Stanislawski (principal Senate author)

**HB 1098** – Transportation

**HB 1247** – Public Safety, Remove Representative Martin (Steve) as principal House author and substitute with Representative Christian, and Authored by Senator David (principal Senate author)

**HB 1250** – Public Safety, Remove Representative Martin (Steve) as principal House author and substitute with Representative Smalley, and Coauthored by Representative(s) Ritze, and Authored by Senator David (principal Senate author)

**HB 1260** – Public Health

**HB 1299** – Judiciary, Authored by Senator Coates (principal Senate author)

**HB 1304** – Judiciary, Authored by Senator Burrage (principal Senate author)

**HB 1509** – Judiciary, Authored by Senator Crain (principal Senate author)

**HB 1520** – Judiciary, Coauthored by Representative(s) Rousselot, and Authored by Senator Standridge (principal Senate author)

**HB 1745** – Public Health, Authored by Senator Ivester (principal Senate author)

**HB 1839** – Public Safety

**HB 1871** – Judiciary

**HB 1936** – Public Safety, Authored by Senator Justice (principal Senate author)

**HB 2021** – Public Safety, Coauthored by Representative(s) Walker, and Authored by Senator Dahm (principal Senate author)

**HB 2064** – Transportation

**HB 2072** – Judiciary, Authored by Senator Dahm (principal Senate author)

**HB 2101** – Public Health, Authored by Senator Jolley (principal Senate author)

**HB 2130** – Judiciary

**HB 2134** – Rules

**HB 2154** – Agriculture and Wildlife, Remove Representative Hickman as principal House author and substitute with Representative McBride, and Coauthored by Representative(s) Hickman

**HB 2202** – Insurance

**HJR 1006** – Rules, Authored by Senator Fields (principal Senate author)

**HJR 1020** – States' Rights, Coauthored by Representative(s) Moore

DO PASS, As Amended:

**CS** for **HB 1384** – Human Services, Coauthored by Representative(s) Hulbert, and Authored by Senator Griffin (principal Senate author)

**CS** for **HB 1418** – Human Services, Coauthored by Representative(s) Lockhart, Bennett, and Authored by Senator McAffrey (principal Senate author)

**CS** for **HB 2054** – Judiciary

#### **REPORT FROM CALENDAR COMMITTEE**

The Calendar Committee met on Wednesday, February 20, 2013, and approved the following measures with an Open Rule to be placed on the Floor Agenda: **HB 1002, HB 1088, HB 1297, HB 1351, HB 1352, HB 1353, HB 1449, HB 1461, HB 1464, HB 1481, HB 1482, HB 1511, HB 1512, HB 1594, HB 1624, HB 1638, HB 1740, HB 1741, HB 1756, HB 1766, HB 1830, HB 1872, HB 1920, HB 1984, HB 2062** and **HB 2232**. The following measures were approved with an Open Rule, Fiscal Analysis required, to be placed on the Floor Agenda: **HB 1039, HB 1640** and **HB 1721**.

Representative Peterson moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 9:00 a.m., Thursday, February 21, 2013, which was the order.

Pursuant to the motion of Representative Peterson, the House was adjourned at 3:30 p.m., to reconvene Thursday, February 21, 2013, at 9:00 a.m.