

# HOUSE JOURNAL

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

**of the State of Oklahoma**

**Eleventh Legislative Day, Wednesday, February 19, 2014**

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

The roll was called with 97 Members present.

The following Members were excused: Brumbaugh, Enns, Trebilcock, Virgin.—4.

Speaker Pro Tempore declared a quorum present.

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

The Journal for the last legislative day was approved.

## **ENGROSSED AND ENROLLED MEASURES**

**HBs 2417, 2422, 2497, 2518, 2586, 2622 and 3290** were reported correctly engrossed, properly signed, in open session, and ordered transmitted to the Honorable Senate.

## **MEASURES REASSIGNED**

The following measures were reassigned:

**HB 1342** – Withdrawn from Insurance and referred to Rules.

**HB 2414** – Withdrawn from Common Education and referred to Appropriations and Budget.

**HB 2542** – Withdrawn from Government Modernization and referred to General Government.

**HB 3170** – Withdrawn from Common Education and referred to Administrative Rules, Government Oversight and Repealer.

**HB 3286** – Withdrawn from Rules and referred to Insurance.

**HB 3293** – Withdrawn from Government Modernization and referred to Appropriations and Budget.

**HB 3471** – Withdrawn from Judiciary and referred to Rules.

**HB 3496** – Withdrawn from Rules and referred to Human Services.

## MESSAGE FROM THE SENATE

Announcing the passage of **SBs 1329, 1536, 1738 and 1739**. The measures were introduced and read for the first time.

**SB 1329** – By Sharp of the Senate and Cockroft of the House.

An Act relating to Small Employer Quality Jobs Incentive Act; amending 68 O.S. 2011, Section 3903, as amended by Section 27, Chapter 227, O.S.L. 2013 (68 O.S. Supp. 2013, Section 3903), which relates to definitions; modifying definition; and providing an effective date.

**SB 1536** – By Crain, Shortey and Allen of the Senate and Wright of the House.

[ designated caregivers - hospital patients - notation in medical records - discharge plans to caregivers - exceptions - codification - effective date ]

**SB 1738** – By Crain of the Senate and Schwartz of the House.

An Act relating to county records; amending 19 O.S. 2011, Section 517.1, which relates to maintenance and disposal of departmental records; modifying requirement for keeping certain records; deleting certain requirement for disposal of such records; and providing an effective date.

**SB 1739** – By Crain of the Senate and Biggs of the House.

[ receiving or fingerprinting prisoners - certain medical exceptions - certain prisoners - effective date ]

## RESOLUTION FOR CONSIDERATION

**HR 1041** was called up for consideration.

Upon motion of Representative Jordan, **HR 1041** was considered and adopted.

**HR 1041** was referred for enrollment.

## Representative Armes Presiding

### GENERAL ORDER

**HB 1020** by Hulbert et al of the House was read and considered.

Coauthored by Representative(s) Cleveland, Pittman

Authored by Senator David (principal Senate author)

Representative Hulbert moved to amend **HB 1020**, Page 6, Section 3, Line 3 by deleting the figure “2013” after the comma “,” and before the period “.” and inserting in lieu thereof the figure “2014”.

Representative Roberts (Sean) moved to amend the Hulbert amendment, Page 5, Section 2, Lines 1-4 by restoring the stricken language “4. Nothing in the Physical Therapy Practice Act shall be construed as authorization for a physical therapist or physical therapist assistant to practice any branch of the healing art.  
5.”,

which amendment was declared adopted.

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

Representative Hulbert moved that **HB 1020** be advanced from General Order, which motion was declared adopted.

### THIRD READING

**HB 1020** 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, Condit, Cox, Denney, DeWitt, Echols, Fisher, Floyd, Fourkiller, Glenn, Hall, Hamilton, Hardin, Hoskin, Hulbert, Jackson, Kern, Kirby, Kouplen, Lockhart, Martin (Scott), Matthews, McBride, McCall, McCullough, McDaniel (Curtis), McDaniel (Jeannie), McNiel, Mulready, Murphey, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Perryman, Pittman, Pruett, Quinn, Renegar, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Scott, Sears, Shelton, Sherrer, Shoemake, Thomsen, Turner, Vaughan, Walker, Watson, Wesselhoft, Williams, Wood, Wright, Mr. Speaker.--68.

Nay: Cockroft, Coody, Cooksey, Dank, Derby, Grau, Henke, Inman, Jackson, Johnson, Jordan, Joyner, McDaniel (Randy), Morrissette, Nelson, Newell, Proctor, Ritze, Sanders, Schwartz, Smalley.--21.

Excused: Brown, Brumbaugh, Dorman, Enns, McPeak, Moore, Reynolds, Shannon, Stiles, Trebilcock, Virgin.--11.

Constitutional Priv: Peterson.--1.

The measure passed.

Representative Hulbert served notice to reconsider the vote whereby **HB 1020** passed.

### **POINT OF ORDER**

Representative Blackwell raised a point of order as to whether it was in order for the Presiding Officer to recognize Representative Hulbert for the purpose of lodging notice of possible reconsideration of **HB 1020** because the Presiding Officer had already recognized Representative Johnson for a different order of business. The Presiding Officer ruled that it was the prerogative of the Chair to withdraw recognition from Representative Johnson and to recognize Representative Hulbert for notice of possible reconsideration.

### **GENERAL ORDER**

**HB 1384** by Kern et al of the House and Griffin of the Senate was read and considered.

Coauthored by Representative(s) Fisher, Cockroft, Walker, Murphey, Blackwell, Bennett

Coauthored by Senator Shortey

Representative Kern moved to amend **HB 1384**, Page 12, Section 6, Line 19 by deleting after the comma “,” and before the period “.” the figure “2013” and inserting in lieu thereof the figure “2014”, which amendment was declared adopted.

Representative Kern moved that **HB 1384** be advanced from General Order, which motion was declared adopted.

### **THIRD READING**

**HB 1384** 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, Cleveland, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Echols, Fisher, Floyd, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Henke, Hoskin, Hulbert, Inman, Jackson, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Kouplén, Lockhart, Martin (Scott), McBride, McCall, McCullough, McDaniel (Curtis), McDaniel (Randy), McNiel,

Moore, Morrissette, 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, Sherrer, Shoemake, Smalley, Stiles, Thomsen, Turner, Vaughan, Walker, Watson, Wesselhoft, Williams, Wood, Wright, Mr. Speaker.--89.

Nay: Matthews, McPeak, Shelton.--3.

Excused: Brumbaugh, Christian, Dorman, Enns, McDaniel (Jeannie), Reynolds, Shannon, Trebilcock, Virgin.--9.

The measure passed.

**HB 1384** was referred for engrossment.

### CONFEREES NAMED

The Speaker named the following conferees:

**HB 1623** – Conference Committee on Common Education

**HB 1875** – GCCA

### COMMITTEE REPORTS

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

DO PASS:

**HB 2342** – Judiciary

**HB 2343** – Judiciary, Authored by Senator Griffin (principal Senate author)

**HB 2346** – Public Safety, Authored by Senator Paddack (principal Senate author)

**HB 2477** – Judiciary, Coauthored by Representative(s) Turner

**HB 2486** – Public Safety, Authored by Senator Barrington (principal Senate author)

**HB 2549** – Rules

**HB 2638** – Judiciary, Authored by Senator Jolley (principal Senate author)

**HB 2686** – Judiciary

**HB 2732** – Judiciary, Authored by Senator Brecheen (principal Senate author)

**HB 2778** – Higher Education and CareerTech

**HB 3003** – Judiciary

**HB 3131** – Judiciary

**HB 3135** – Agriculture and Wildlife

**HB 3213** – Public Safety

**HB 3350** – Higher Education and CareerTech, Authored by Senator Barrington (principal Senate author)

**HB 3470** – Rules

**HJR 1082** – Rules, Authored by Senator Loveless (principal Senate author)

DO PASS, As Amended:

**CS for HB 1378** – Common Education, Coauthored by Representative(s) Roberts (Dustin), Brown, O'Donnell

**CS for HB 1436** – Judiciary

**CS for HB 1439** – Public Health

**CS for HB 2329** – Judiciary, Coauthored by Representative(s) Ritze, and Authored by Senator Boggs (principal Senate author)

**CS for HB 2387** – Public Safety, Coauthored by Representative(s) Ritze, Cockroft, and Authored by Senator Loveless (principal Senate author)

**CS for HB 2441** – Judiciary, Authored by Senator Treat (principal Senate author)

**CS for HB 2443** – Transportation, Coauthored by Representative(s) Hardin, and Authored by Senator Garrison (principal Senate author)

**CS for HB 2461** – Judiciary, Authored by Senator Dahm (principal Senate author)

**CS for HB 2462** – Higher Education and CareerTech

**CS for HB 2490** – Public Health, Authored by Senator Brooks (principal Senate author)

**CS for HB 2520** – Judiciary

**CS for HB 2530** – Judiciary, Authored by Senator David (principal Senate author)

**CS for HB 2539** – Judiciary, Coauthored by Representative(s) Ritze, and Authored by Senator Holt (principal Senate author)

**CS for HB 2583** – Common Education

**CS for HB 2585** – Human Services, Authored by Senator Paddock (principal Senate author)

**CS for HB 2588** – Human Services, Coauthored by Representative(s) Kern, and Authored by Senator Simpson (principal Senate author)

**CS for HB 2614** – Public Safety, Authored by Senator Treat (principal Senate author)

**CS for HB 2652** – Utility and Environmental Regulation, Authored by Senator Bingman (principal Senate author)

**CS for HB 2667** – Judiciary

**CS for HB 2672** – Judiciary

**CS for HB 2791** – Public Health, Authored by Senator Sykes (principal Senate author)

**CS for HB 2805** – States' Rights, Coauthored by Representative(s) Turner, and Authored by Senator Sharp (principal Senate author)

**CS for HB 2807** – States' Rights, Coauthored by Representative(s) Turner, and Authored by Senator Dahm (principal Senate author)

**CS for HB 2808** – States' Rights, Authored by Senator Dahm (principal Senate author)

**CS for HB 2842** – Public Safety, Authored by Senator Simpson (principal Senate author)

**CS for HB 2887** – Judiciary, Coauthored by Representative(s) Turner, Bennett, and Authored by Senator Griffin (principal Senate author)

**CS for HB 2921** – Common Education, Authored by Senator Stanislawski (principal Senate author)

- CS for **HB 2922** – Common Education
- CS for **HB 2985** – Public Safety
- CS for **HB 2990** – States’ Rights, Authored by Senator Ivester (principal Senate author)
- CS for **HB 3012** – Public Safety, Authored by Senator Justice (principal Senate author)
- CS for **HB 3102** – Judiciary, Coauthored by Representative(s) McNiel
- CS for **HB 3133** – Transportation
- CS for **HB 3300** – Judiciary, Authored by Senator Treat (principal Senate author)
- CS for **HJR 1083** – Judiciary
- CS for **SB 831** – Judiciary

## **RESOLUTIONS**

The following was introduced and read:

**HR 1043** – By Coody.

A Resolution congratulating Eisenhower High School, Lawton Public School District, on being recognized as the National Math and Science Initiative School of the Year; recognizing the positive impact of the National Math and Science Initiative in Oklahoma; and directing distribution.

Representative Johnson moved that when the clerk’s desk is clear, the House stand adjourned to reconvene at 9:00 a.m., Thursday, February 20, 2014, which was the order.

Pursuant to the motion of Representative Johnson, the House was adjourned at 3:55 p.m., to reconvene Thursday, February 20, 2014, at 9:00 a.m.