

HOUSE JOURNAL

Second Regular Session of the Fifty-fourth Legislature

of the State of Oklahoma

Fifteenth Legislative Day, Wednesday, February 26, 2014

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

The roll was called with 96 Members present.

The following Members were excused: Enns, Hardin, McCall, Smalley, Virgin.—5.

Speaker Pro Tempore Jackson declared a quorum present.

Prayer was offered by Rabbi Ovadia Goldman, Chabad Community Center For Jewish Life and Learning, Oklahoma City. Rabbi Goldman was sponsored by Representatives Hulbert and Wesselhoft.

Upon motion of Representative Cockroft, Rabbi Goldman was confirmed as House Chaplain for this legislative day.

The Journal for the last legislative day was approved.

ENGROSSED AND ENROLLED MEASURES

HBs 2070, 2656, 2765, 2774, 2810, 2910, 2938, 3198, 3203, 3204 and 3205 were reported correctly engrossed, properly signed, in open session, and ordered transmitted to the Honorable Senate.

HR 1043 was reported correctly enrolled, properly signed, in open session, and ordered transmitted to the Secretary of State.

Representative Brumbaugh Presiding

GENERAL ORDER

HB 2730 by Cleveland et al of the House and Sharp of the Senate was read and considered.

Representative Cleveland moved that **HB 2730** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 2730 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Bennett, Biggs, Billy, Blackwell, Brumbaugh, Christian, Cleveland, Derby, Echols, Fisher, Floyd, Glenn, Grau, Hall, Jackson, Jackson, Johnson, Joyner, Kern, Kirby, Martin (Scott), McBride, McDaniel (Curtis), McDaniel (Randy), Moore, Murphey, Nelson, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Peterson, Pruett, Quinn, Reynolds, Ritze, Roberts (Sean), Rousselot, Russ, Schwartz, Sears, Shannon, Stiles, Trebilcock, Turner, Vaughan, Walker, Wesselhoft, Wood.--51.

Nay: Armes, Banz, Brown, Cannaday, Casey, Cockroft, Condit, Coody, Cooksey, Dank, Denney, DeWitt, Fourkiller, Hamilton, Henke, Hoskin, Inman, Jordan, Kouplen, Lockhart, Matthews, McCullough, McDaniel (Jeannie), McNiel, McPeak, Mulready, Perryman, Proctor, Renegar, Roberts (Dustin), Sanders, Scott, Sherrer, Shoemake, Thomsen, Watson, Wright, Mr. Speaker.--38.

Excused: Cox, Dorman, Enns, Hardin, McCall, Morrissette, Pittman, Shelton, Smalley, Virgin, Williams.--11.

Constitutional Priv: Hulbert.--1.

The measure passed.

Representative Cleveland served notice to reconsider the vote whereby **HB 2730** passed.

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

Aye: Billy, Blackwell, Brumbaugh, Cleveland, Derby, Echols, Fisher, Glenn, Hall, Jackson, Jackson, Johnson, Joyner, Kern, Martin (Scott), McBride, McDaniel (Curtis), McDaniel (Randy), Moore, Morrissette, Murphey, Nelson, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Peterson, Pittman, Quinn, Ritze, Roberts (Sean), Rousselot, Schwartz, Sears, Shannon, Shelton, Trebilcock, Turner, Vaughan, Wesselhoft, Wood.--43.

Nay: Armes, Banz, Bennett, Biggs, Brown, Cannaday, Casey, Christian, Cockroft, Condit, Coody, Cooksey, Dank, Denney, DeWitt, Dorman, Floyd, Fourkiller, Grau, Hamilton, Henke, Hoskin, Inman, Jordan, Kirby, Kouplen, Lockhart, Matthews, McCullough, McDaniel (Jeannie), McNiel, McPeak, Mulready, Perryman, Proctor, Pruett, Renegar, Reynolds, Roberts (Dustin), Scott, Sherrer, Shoemake, Stiles, Thomsen, Walker, Watson, Wright, Mr. Speaker.--48.

Excused: Cox, Enns, Hardin, Hulbert, McCall, Russ, Sanders, Smalley, Virgin, Williams.--10.

The emergency failed.

Representative Cleveland moved to reconsider the vote whereby **HB 2730** passed.

Representative Derby moved to table the Cleveland motion, which tabling motion prevailed upon a division of the question.

HB 2730 was referred for engrossment.

MESSAGE FROM THE SENATE

Announcing the passage of **SBs 1077, 1150, 1151, 1152, 1153, 1159, 1168, 1215, 1243, 1377, 1510, 1520, 1542, 1585, 1610, 1654, 1701, 1754, 1777, 1809, 1970, 1978** and **2045**. The measures were introduced and read for the first time.

SB 1077 – By Crain of the Senate and Grau of the House.

An Act relating to attorneys' lien; amending 5 O.S. 2011, Section 6, which relates to attorneys' lien procedures; making language gender neutral; requiring filing of certain notice; specifying contents of certain notice; and requiring certain action to be commenced within specified time period.

SB 1150 – By Mazzei and Fields of the Senate and Sears of the House.

An Act relating to privilege tax; amending 68 O.S. 2011, Section 2370.1, which relates to credits against the bank privilege tax; limiting time period during which certain credits may be claimed; and providing an effective date.

SB 1151 – By Mazzei and Fields of the Senate and Sears of the House.

An Act relating to income tax; amending 68 O.S. 2011, Section 2357.101, which relates to tax credits for certain reinvestment of specified profit; limiting time period during which credits are allowed; and providing an effective date.

SB 1152 – By Mazzei and Fields of the Senate and Sears of the House.

An Act relating to income tax; amending 68 O.S. 2011, Section 2357.47, which relates to tax credits for certain expenses paid by an employer; limiting time period during which certain credits are allowed; and providing an effective date.

SB 1153 – By Mazzei and Fields of the Senate and Sears of the House.

An Act relating to income tax; amending 68 O.S. 2011, Section 2357.27, which relates to tax credits for certain eligible expenses; limiting time period during which certain credits are allowed; and providing an effective date.

SB 1159 – By Anderson, Brinkley, Mazzei, Loveless, Dahm, Stanislawski, Sparks, Ivester, Allen, Newberry, Shaw, Brecheen, Brooks, Brown, Barrington, Marlatt, David and Simpson of the Senate and Moore, Banz, Kern, Denney, Cooksey, Virgin, Wood, Ritze, Casey, Lockhart, Cleveland, Russ, Newell, Ownbey, Walker, Martin (Scott), Williams, Derby, Turner, Sears, Wesselhoft, McDaniel (Curtis), Perryman and Joyner of the House.

An Act relating to the Bill of Rights Monument Display Act; stating legislative findings; creating the Bill of Rights Monument Display Act; providing short title; authorizing the State Capitol Preservation Commission to permit placement of certain monument on the State Capitol grounds; providing for design, construction, payment and placement of monument; providing for codification; providing for noncodification; and providing an effective date.

SB 1168 – By Allen and Ivester of the Senate and Murphey of the House.

An Act relating to administrative rules; amending 75 O.S. 2011, Section 308, as amended by Section 4, Chapter 357, O.S.L. 2013 and Section 6, Chapter 357, O.S.L. 2013 (75 O.S. Supp. 2013, Sections 308 and 308.3), which relate to legislative review of administrative rules; requiring resolutions relating to rules to include or have attached text of such rules; requiring certain availability prior to vote; clarifying references; and providing an effective date.

SB 1215 – By Stanislawski of the Senate and Grau of the House.

An Act relating to telegraph and telephone companies; amending 18 O.S. 2011, Section 601, which relates to use of public ground, streets and highways; modifying authority to control where telephone lines shall run over or across; providing an effective date; and declaring an emergency.

SB 1243 – By Standridge of the Senate and Derby of the House.

An Act relating to nursing homes; amending 63 O.S. 2011, Section 2-302, which relates to registration requirements; requiring nursing homes to obtain certain registrations; removing certain exemption; amending 63 O.S. 2011, Section 2-303, which relates to regulation of controlled substances; expanding scope of certain fees; amending 63 O.S. 2011, Section 2-315, which relates to disposal of controlled substances; requiring certain facilities to submit certain information to the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control; and providing an effective date.

SB 1377 – By Paddock of the Senate and Thomsen of the House.

An Act relating to educational services; amending 70 O.S. 2011, Section 1-113, which relates to determination of child's residence; adding a facility to the list of entities required to make certain notification to certain school district; directing educational services to be provided to certain persons after certain time; amending 70 O.S. 2011, Section 3-104.7, which relates to educational services in certain programs; directing educational services to be provided to certain persons after certain time; providing an effective date; and declaring an emergency.

SB 1510 – By Standridge of the Senate and Echols of the House.

An Act relating to telecommunications; amending 17 O.S. 2011, Section 139.105, as amended by Section 1, Chapter 304, O.S.L. 2013 (17 O.S. Supp. 2013, Section 139.105), which relates to the Oklahoma Lifeline Fund; modifying statutory language; limiting amount of reimbursement from Oklahoma Lifeline Fund; and providing an effective date.

SB 1520 – By Garrison of the Senate and McCall of the House.

An Act relating to juvenile records; amending 10A O.S. 2011, Section 2-6-102, which relates to confidential juvenile records; allowing the Oklahoma School for the Blind and

Oklahoma School for the Deaf to access certain records; providing an effective date; and declaring an emergency.

SB 1542 – By Crain of the Senate and Peterson of the House.

[Sex Offenders Registration Act - persons and crimes - effective date]

SB 1585 – By Simpson and Shortey of the Senate and Hardin of the House.

An Act relating to soldiers and sailors; amending 72 O.S. 2011, Sections 63.1, 63.2, 63.5, 63.6, 63.7, 63.8, 63.10, 63.11, 63.12, 63.13, 63.14, 63.15, 63.16, as amended by Section 647, Chapter 304, O.S.L. 2012, 63.17, 63.20, 63.21, 65.1, as amended by Section 649, Chapter 304, O.S.L. 2012, 67.13, as amended by Section 650, Chapter 304, O.S.L. 2012, 203, 221, 222, as amended by Section 653, Chapter 304, O.S.L. 2012, 223, as amended by Section 654, Chapter 304, O.S.L. 2012, and 225 (72 O.S. Supp. 2013, Sections 63.16, 65.1, 67.13, 222 and 223), which relate to the War Veterans Commission of Oklahoma; renaming Commission; updating reference; amending 74 O.S. 2011, Section 77d, as amended by Section 727, Chapter 304, O.S.L. 2012 (74 O.S. Supp. 2013, Section 77d), which relates to the War Veterans Commission of Oklahoma; updating reference; making language gender neutral; updating language; and providing an effective date.

SB 1610 – By Simpson and Shortey of the Senate and Hardin of the House.

An Act relating to soldiers and sailors; amending 72 O.S. 2011, Section 2, as amended by Section 1, Chapter 233, O.S.L. 2013 (72 O.S. Supp. 2013, Section 2), which relates to war veterans definition; amending definition; repealing 72 O.S. 2011, Section 224, which relates to dates of service; and providing an effective date.

SB 1654 – By Ford of the Senate and Casey of the House.

An Act relating to student testing; amending 70 O.S. 2011, Section 1210.508, as last amended by Section 1, Chapter 403, O.S.L. 2013 (70 O.S. Supp. 2013, Section 1210.508), which relates to criterion-referenced tests; prohibiting the State Board of Education from developing and administering tests for grades three through eight not required by federal law; removing requirement for testing in certain subjects and certain grades; removing a requirement for a fine arts assessment and report; providing an effective date; and declaring an emergency.

SB 1701 – By Schulz and Justice of the Senate and DeWitt of the House.

An Act relating to agriculture; amending 2 O.S. 2011, Sections 5-60.10, 5-60.11, 5-60.12, 5-60.13, 5-60.14, 5-60.15, 5-60.16, 5-60.18, 5-60.19, 5-60.20, 5-60.21, 5-60.22, 5-60.23, 5-60.24, 5-60.26, 5-60.27, 5-60.28, 5-60.29, 5-60.30, 5-60.31, 5-60.32, 5-60.33 and 5-60.34, which relate to the Oklahoma Agricultural Commodity Referendum Act; renaming act; expanding purpose of act; modifying certain board status; modifying definitions; authorizing certain organizations to petition the Commissioner to replace certain boards; requiring certain information in petition; directing certain organizations to follow certain referendum notice, election, ballot, exemption, contest of election, election result and certification requirements; modifying references to board; modifying citation; modifying powers and duties of certain board; adding powers and duties of certain board; removing budget proposal and approval requirements; requiring certain board to provide annual budget and report to Commissioner; authorizing audits on certain schedule; modifying reference to certain grant; directing certain organizations to follow certain assessment collection requirements; directing certain organizations to follow certain assessment refund requirements; modifying references to certain board; replacing certain secretary-treasurer with certain organization; directing certain organizations to follow certain assessment and referendum requirements; modifying reference to certain assessment; providing for

applicability of certain act; providing that certain persons remain members of certain retirement system and eligible employees; requiring certain organization to pay certain contributions; excluding certain persons to participate in certain retirement system; requiring certain organization to recognize certain employee accumulated sick and annual leave; providing requirements for accrual, inclusion and reimbursement of certain leave; transferring certain property to certain organization upon approval; providing for status of certain property; amending 2 O.S. 2011, Section 18-50, which relates to the Oklahoma Peanut Act; modifying citation; dissolving the Oklahoma Peanut Commission when certain circumstances are met; amending 2 O.S. 2011, Section 18-300, which relates to the Oklahoma Wheat Resources Act; modifying citation; dissolving the Oklahoma Wheat Commission when certain circumstances are met; amending 74 O.S. 2011, Section 902, as last amended by Section 33, Chapter 254, O.S.L. 2013, which relates to the Oklahoma Public Employees Retirement System; modifying definition; providing for codification; providing an effective date; and declaring an emergency.

SB 1754 – By Anderson of the Senate and Enns of the House.

[insurance - commercial insurance providers to disclose certain losses - compliance - penalty for failure to meet conditions - codification - effective date]

SB 1777 – By Simpson of the Senate and Ownbey of the House.

An Act relating to public health; amending 21 O.S. 2011, Section 1247, as last amended by Section 1, Chapter 187, O.S.L. 2013 (21 O.S. Supp. 2013, Section 1247) and 63 O.S. 2011, Section 1-1523, as amended by Section 2, Chapter 30, O.S.L. 2012 (63 O.S. Supp. 2013, Section 1-1523), which relate to smoking in certain public areas; requiring certain veterans centers to be nonsmoking by certain date; and providing an effective date.

SB 1809 – By Sharp of the Senate and Armes of the House.

An Act relating to the Oklahoma Certified Real Estate Appraisers Act; amending 59 O.S. 2011, Section 858-706, which relates to duties of the board; modifying language; amending 59 O.S. 2011, Section 858-709, which relates to application for certification; requiring criminal history records check; amending 59 O.S. 2011, Section 858-717, which relates to denial of certificate; stating cause for denial of certificate; requiring criminal history records check by fingerprint search; establishing procedure to process criminal history records search; maintaining certain confidentiality of records; providing for re-fingerprinting; providing for codification; and providing an effective date.

SB 1970 – By Simpson and Shortey of the Senate and Hardin of the House.

An Act relating to soldiers and sailors; amending 72 O.S. 2011, Section 63.1, which relates to the War Veterans Commission; updating language; amending 72 O.S. 2011, Section 63.2, which relates to membership of the Commission; changing requirements; providing for the filling of vacancies; amending 72 O.S. 2011, Section 63.3, which relates to duties of the Commission; updating language; and providing an effective date.

SB 1978 – By Burrage and Johnson (Constance) of the Senate and Sherrer of the House.

An Act relating to income tax; providing for expiration of certain tax credits unless reauthorized; defining term; providing for codification; and providing an effective date.

SB 2045 – By Stanislawski of the Senate and Grau of the House.

An Act relating to insurance; amending 36 O.S. 2011, Section 1510, which relates to the valuation of certain insurance policies; defining terms; providing the applicability of certain provisions; updating references; providing minimum standard of valuation for accident and health policies after certain date; providing method to determine operative date

of valuation manual; providing operative date for changes to valuation manual; specifying the contents that must be included in the valuation manual; allowing commissioner to adopt rules in the absence of certain requirements; authorizing the commissioner to hire an actuary to examine a company in certain circumstances; requiring principle-based valuation for certain contracts and policies; requiring companies using principle based valuation to establish certain policies and procedures; requiring filing of certain report with the commissioner; requiring submission certain information prescribed by valuation manual; allowing commissioner to exempt product from certain requirements if certain requirements are met; providing that certain section shall prevail if there is a conflict; amending 36 O.S. 2011, Section 4061, which relates to reserves and related actuarial items; defining terms; updating internal references; requiring submission of certain actuarial opinion to the commissioner after certain date; requiring certain actuarial opinion to be accompanied by a memorandum; providing requirements for certain actuarial opinion; defining confidential information; declaring certain memorandum, opinion and other documents and information to be confidential; providing that certain information is not subject to Open Records Act; stating that commissioner shall not be compelled to testify in certain situations; allowing commissioner to share confidential information in certain circumstances; allowing commissioner to receive certain information and documents; authorizing commissioner to enter into certain sharing agreements; providing that disclosure to commissioner does not constitute a waiver of any privilege; providing that certain documents may be subject to subpoena; allowing for release of certain information upon receiving consent; providing that publicly volunteered information shall not be confidential; amending 36 O.S. 2011, Section 4029, which relates to nonforfeiture provisions in life insurance policies; providing definition for certain term; updating internal references; providing minimum nonforfeiture standards after certain operative date; and providing an effective date.

GENERAL ORDER

HB 3346 by Armes of the House and Newberry of the Senate was read and considered.

Representative Armes moved that **HB 3346** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 3346 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, Billy, Blackwell, Brown, Cannaday, Casey, Cockroft, Condit, Coody, Cooksey, Dank, Denney, Derby, DeWitt, Dorman, Echols, Fisher, Floyd, Fourkiller, Glenn, Grau, Hall, Hamilton, Henke, Hoskin, Hulbert, Inman, Jackson, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Kouplen, Lockhart, Martin (Scott), Matthews, McBride, 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, Shannon, Shelton, Sherrer, Shoemake, Stiles, Thomsen, Trebilcock, Turner, Vaughan, Walker, Watson, Wesselhoft, Wood, Wright, Mr. Speaker.--89.

Excused: Biggs, Brumbaugh, Christian, Cleveland, Cox, Enns, Hardin, McCall, McCullough, Smalley, Virgin, Williams.--12.

The measure and emergency passed.

HB 3346 was referred for engrossment.

GENERAL ORDER

HB 2921 by Billy of the House and Stanislawski of the Senate was read and considered.

Coauthored by Representative(s) Pittman, Sherrer, Hoskin

Representative Billy moved that **HB 2921** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 2921 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, Brown, Brumbaugh, Cannaday, Casey, Cleveland, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Echols, Fisher, Floyd, Fourkiller, Glenn, Grau, Hall, Hamilton, Henke, Hoskin, Hulbert, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Kouplen, Lockhart, Martin (Scott), Matthews, McBride, 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, Ritze, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shelton, Sherrer, Shoemake, Stiles, Thomsen, Trebilcock, Turner, Vaughan, Walker, Watson, Wesselhoft, Wood, Wright, Mr. Speaker.--90.

Nay: Reynolds.--1.

Excused: Blackwell, Christian, Enns, Hardin, Inman, McCall, Shannon, Smalley, Virgin, Williams.--10.

The measure and emergency passed.

HB 2921 was referred for engrossment.

GENERAL ORDER

HB 2928 by Kirby of the House and Sparks of the Senate was read and considered.

Representative Kirby moved that **HB 2928** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 2928 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, Dank, Denney, Derby, DeWitt, Dorman, Echols, Fisher, Floyd, Fourkiller, Glenn, Grau, Hall, Hamilton, Henke, Hoskin, Hulbert, Jackson, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Kouplen, Lockhart, Martin (Scott), Matthews, McBride, McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNeil, 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, Shannon, Sherrer, Shoemake, Stiles, Thomsen, Trebilcock, Turner, Vaughan, Walker, Watson, Wesselhoft, Wood, Wright, Mr. Speaker.--91.

Nay: Cox.--1.

Excused: Christian, Enns, Hardin, Inman, McCall, Smalley, Virgin, Williams.--8.

Constitutional Priv: Shelton.--1.

The measure passed.

HB 2928 was referred for engrossment.

Representative Armes Presiding

GENERAL ORDER

HB 2344 by Roberts (Dustin) of the House and Simpson of the Senate was read and considered.

Representative Roberts (Dustin) moved that **HB 2344** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 2344 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, Dank, Denney, Derby, DeWitt, Dorman, Echols, Fisher, Glenn, Grau, Hall, Henke, Hulbert, Jackson, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Kouplen, Lockhart, Martin (Scott), McBride, McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Mulready, Murphey, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Peterson, Pittman, Pruett, Quinn, Renegar, Reynolds, Ritze, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Sears, Shannon, Shoemake, Stiles, Thomsen, Trebilcock, Turner, Vaughan, Walker, Watson, Wesselhoft, Wood, Wright, Mr. Speaker.--82.

Nay: Floyd, Hamilton, Hoskin, Matthews, Perryman, Proctor, Shelton, Sherrer.--8.

Excused: Enns, Fourkiller, Hardin, Inman, McCall, Morrissette, Nelson, Scott, Smalley, Virgin, Williams.--11.

The measure passed.

HB 2344 was referred for engrossment.

GENERAL ORDER

HB 2790 by McCullough of the House was read and considered.

Authored by Senator Sykes (principal Senate author)

Representative McCullough moved to amend **HB 2790**, Page 5, Section 2, Line 21 by deleting the language “, other than a creditor,” and Page 7, Line 9 by deleting Section 3 in its entirety and inserting in lieu thereof the following:

“SECTION 3. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.”, which amendment was declared adopted.

Representative McCullough moved that **HB 2790** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 2790 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, Brown, Brumbaugh, Cannaday, Casey, Cleveland, Cockroft, Condit, Coody, Cooksey, Cox, Denney, Derby, Dorman, Echols, Fisher, Floyd, Fourkiller, Glenn, Grau, Hall, Hamilton, Henke, Hoskin, Hulbert, Inman, Jackson, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Kouplen, Lockhart, Martin (Scott), Matthews, McBride, McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Mulready, Murphey, Newell, Nollan, Ortega, Osborn, Ownbey, Perryman, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Reynolds, Ritze, Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Sherrer, Shoemake, Stiles, Trebilcock, Turner, Vaughan, Walker, Watson, Wood, Wright, Mr. Speaker.--83.

Excused: Blackwell, Christian, Dank, DeWitt, Enns, Hardin, McCall, Morrisette, Nelson, O'Donnell, Roberts (Dustin), Shannon, Shelton, Smalley, Thomsen, Virgin, Wesselhoft, Williams.--18.

The measure and emergency passed.

HB 2790 was referred for engrossment.

GENERAL ORDER

HB 2618 by Martin (Steve) of the House was read and considered.

Authored by Senator Fields (principal Senate author)

Representative Martin (Steve) moved that **HB 2618** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 2618 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, Brown, Brumbaugh, Cannaday, Casey, Cleveland, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Echols, Floyd, Fourkiller, Glenn, Grau, Hall, Hamilton, Henke, Hoskin, Hulbert, Jackson, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Kouplen, Lockhart, Martin (Scott), Matthews, McBride, 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, Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shelton, Shoemake,

Stiles, Thomsen, Trebilcock, Turner, Vaughan, Walker, Watson, Wesselhoft, Wood, Wright, Mr. Speaker.--84.

Nay: Fisher, Reynolds, Ritze, Sherrer.--4.

Excused: Blackwell, Christian, Enns, Hardin, Inman, McCall, Morrissette, Renegar, Roberts (Dustin), Shannon, Smalley, Virgin, Williams.--13.

The measure passed.

HB 2618 was referred for engrossment.

GENERAL ORDER

HB 2740 by McDaniel (Curtis) of the House and Ellis of the Senate was read and considered.

Coauthored by Representative(s) Henke

Representative McDaniel (Curtis) moved that **HB 2740** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 2740 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, Brown, Brumbaugh, Cannaday, Casey, Cleveland, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Echols, Fisher, Floyd, Fourkiller, Glenn, Grau, Hall, Hamilton, Henke, Hoskin, Hulbert, Inman, Jackson, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Kouplen, Lockhart, Martin (Scott), Matthews, McBride, McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McPeak, Moore, Morrissette, Mulready, Murphey, Nelson, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Perryman, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Reynolds, Ritze, Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shelton, Sherrer, Shoemake, Stiles, Trebilcock, Turner, Vaughan, Walker, Watson, Wesselhoft, Wood, Wright, Mr. Speaker.--89.

Excused: Blackwell, Christian, Enns, Hardin, McCall, McNiel, Roberts (Dustin), Shannon, Smalley, Thomsen, Virgin, Williams.--12.

The measure and emergency passed.

HB 2740 was referred for engrossment.

GENERAL ORDER

HB 2341 by Biggs of the House was read and considered.

Authored by Senator Barrington (principal Senate author)

Upon request of Representative Biggs, **HB 2341** was laid over.

RECONSIDERATION

Representative Rousselot moved to reconsider the vote whereby **HB 2455** failed, which motion prevailed upon roll call as follows:

Aye: Armes, Brown, Cannaday, Condit, Dank, Denney, Dorman, Echols, Fourkiller, Glenn, Grau, Hall, Hamilton, Hoskin, Inman, Jackson, Jackson, Johnson, Jordan, Joyner, Kouplén, Martin (Scott), Matthews, McBride, McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McPeak, Moore, Morrissette, Nelson, Nollan, O'Donnell, Perryman, Peterson, Pittman, Proctor, Pruett, Renegar, Rousselot, Russ, Schwartz, Sears, Shelton, Sherrer, Shoemake, Stiles, Turner, Vaughan, Watson, Wright, Mr. Speaker.--53.

Nay: Bennett, Biggs, Brumbaugh, Casey, Cooksey, DeWitt, Fisher, Mulready, Murphey, Quinn, Reynolds, Ritze, Walker, Wood.--14.

Excused: Banz, Billy, Blackwell, Christian, Cleveland, Cockroft, Coody, Cox, Derby, Enns, Floyd, Hardin, Henke, Hulbert, Kern, Kirby, Lockhart, McCall, McNiel, Newell, Ortega, Osborn, Ownbey, Roberts (Dustin), Roberts (Sean), Sanders, Scott, Shannon, Smalley, Thomsen, Trebilcock, Virgin, Wesselhoft, Williams.--34.

Remove Representative Turner as principal House author and substitute with Representative Rousselot

Coauthored by Representative(s) Turner

THIRD READING

HB 2455 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Blackwell, Brown, Cannaday, Christian, Condit, Coody, Derby, Dorman, Echols, Floyd, Glenn, Grau, Hall, Hamilton, Henke, Hoskin, Hulbert, Jackson, Jackson, Johnson, Jordan, Joyner, Kirby, Kouplén, Martin (Scott), Matthews, McCullough, McDaniel (Curtis), McDaniel (Jeannie), Moore, Morrissette, Mulready, Nelson, Nollan, O'Donnell, Perryman, Peterson, Pittman, Proctor, Pruett, Renegar, Rousselot, Schwartz, Scott, Sears, Sherrer, Shoemake, Stiles, Turner, Vaughan, Watson, Wright.--53.

Nay: Banz, Bennett, Biggs, Brumbaugh, Casey, Cleveland, Cooksey, Dank, Denney, DeWitt, Fisher, Kern, Lockhart, McPeak, Murphey, Newell, Ortega, Ownbey, Quinn, Reynolds, Ritze, Roberts (Dustin), Roberts (Sean), Russ, Sanders, Walker, Wesselhoft, Wood, Mr. Speaker.--29.

Excused: Billy, Cockroft, Cox, Enns, Fourkiller, Hardin, Inman, McBride, McCall, McDaniel (Randy), McNiell, Osborn, Shannon, Shelton, Smalley, Thomsen, Trebilcock, Virgin, Williams.--19.

The measure passed.

HB 2455 was referred for engrossment.

MESSAGE FROM THE SENATE

Advising rejection of **CCR** to **HB 1558** and requesting further conference thereon, the Senate naming same conferees as follows:

HB 1558 - Loveless, Barrington, Schulz, David, Burrage, Sparks

COMMITTEE REPORTS

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

DO PASS:

HB 2353 – Judiciary, Authored by Senator Treat (principal Senate author)

HB 2459 – Judiciary, Authored by Senator Shortey (principal Senate author)

HB 2492 – Common Education, Authored by Senator Paddack (principal Senate author)

HB 2500 – Common Education, Authored by Senator Fields (principal Senate author)

HB 2540 – Public Safety, Coauthored by Representative(s) Henke

HB 2541 – Judiciary, Authored by Senator Griffin (principal Senate author)

HB 2559 – Public Health

HB 2576 – Judiciary

HB 2596 – Judiciary, Authored by Senator Newberry (principal Senate author)

HB 2597 – Judiciary

HB 2616 – Judiciary, Authored by Senator Allen (principal Senate author)

HB 2691 – Judiciary, Coauthored by Representative(s) Bennett, and Authored by Senator Sykes (principal Senate author)

HB 2706 – Judiciary, Authored by Senator Marlatt (principal Senate author)

HB 2792 – Human Services

HB 2840 – Judiciary, Authored by Senator Brecheen (principal Senate author)

HB 2851 – Judiciary, Coauthored by Representative(s) Bennett, Stiles

- HB 2906** – Public Health
- HB 2931** – Common Education, Authored by Senator Loveless (principal Senate author)
- HB 2955** – Judiciary, Authored by Senator Holt (principal Senate author)
- HB 3013** – Judiciary
- HB 3176** – Public Safety, Authored by Senator Shortey (principal Senate author)
- HB 3184** – Judiciary
- HB 3215** – Public Safety
- HB 3254** – Judiciary, Authored by Senator Griffin (principal Senate author)
- HB 3368** – Judiciary
- HB 3369** – Human Services
- HB 3403** – Public Health, Authored by Senator Shortey (principal Senate author)
- HB 3475** – Human Services
- HB 3478** – Human Services
- HJR 1084** – States’ Rights, Authored by Senator Dahm (principal Senate author)
- HR 1044** – Rules, Coauthored by Representative(s) Inman

DO PASS, As Amended:

- CS for **HB 1707** – Transportation, Remove Representative Thomsen as principal House author and substitute with Representative Brumbaugh, and Authored by Senator Paddack (principal Senate author)
- CS for **HB 2249** – Human Services
- CS for **HB 2312** – Judiciary, Coauthored by Representative(s) Echols, McBride, and Authored by Senator Holt (principal Senate author)
- CS for **HB 2324** – Judiciary, Coauthored by Representative(s) Bennett
- CS for **HB 2330** – Judiciary, Authored by Senator Brooks (principal Senate author)
- CS for **HB 2338** – Judiciary
- CS for **HB 2349** – Judiciary, Authored by Senator Brecheen (principal Senate author)
- CS for **HB 2366** – Judiciary, Coauthored by Representative(s) Turner
- CS for **HB 2487** – Public Health, Coauthored by Representative(s) Denney, and Authored by Senator Brooks (principal Senate author)
- CS for **HB 2533** – Energy and Aerospace
- CS for **HB 2536** – Human Services
- CS for **HB 2591** – Judiciary, Authored by Senator David (principal Senate author)
- CS for **HB 2608** – Judiciary, Authored by Senator Burrage (principal Senate author)
- CS for **HB 2609** – Judiciary, Coauthored by Representative(s) Turner, Osborn, and Authored by Senator Burrage (principal Senate author)
- CS for **HB 2625** – Common Education, Coauthored by Representative(s) Roberts (Dustin), Biggs, Smalley, Casey, Nollan, Cannaday, Scott, Condit, and Authored by Senator Stanislawski (principal Senate author)
- CS for **HB 2644** – Higher Education and CareerTech
- CS for **HB 2662** – Judiciary
- CS for **HB 2668** – Public Health
- CS for **HB 2683** – Common Education

CS for HB 2694 – Common Education, Authored by Senator Stanislawski (principal Senate author)

CS for HB 2731 – Judiciary, Authored by Senator Shortey (principal Senate author)

CS for HB 2773 – Common Education, Coauthored by Representative(s) Condit, Roberts (Dustin)

CS for HB 2789 – Human Services

CS for HB 2795 – Common Education

CS for HB 2806 – States' Rights, Coauthored by Representative(s) Christian, Roberts (Sean), Walker, Turner, and Authored by Senator Griffin (principal Senate author)

CS for HB 2811 – States' Rights, Authored by Senator Dahm (principal Senate author)

CS for HB 2831 – Public Health

CS for HB 2837 – Judiciary, Coauthored by Representative(s) Turner, and Authored by Senator Jolley (principal Senate author)

CS for HB 2873 – Judiciary, Authored by Senator Treat (principal Senate author)

CS for HB 2903 – Judiciary

CS for HB 2904 – Judiciary, Coauthored by Representative(s) Denney, Sears, Cox, and Authored by Senator Simpson (principal Senate author)

CS for HB 2907 – Public Health

CS for HB 2959 – Common Education

CS for HB 2998 – Judiciary

CS for HB 3000 – Judiciary

CS for HB 3001 – Judiciary

CS for HB 3011 – States' Rights

CS for HB 3016 – Judiciary, Authored by Senator Griffin (principal Senate author)

CS for HB 3089 – Public Safety, Authored by Senator Ballenger (principal Senate author)

CS for HB 3104 – Judiciary, Coauthored by Representative(s) Echols

CS for HB 3142 – Appropriations and Budget

CS for HB 3158 – Public Safety, Authored by Senator Schulz (principal Senate author)

CS for HB 3169 – Judiciary

CS for HB 3177 – States' Rights, Authored by Senator Marlatt (principal Senate author)

CS for HB 3212 – Judiciary, Remove Representative Hickman as principal House author and substitute with Representative Billy, and Authored by Senator Brecheen (principal Senate author)

CS for HB 3276 – States' Rights, Authored by Senator Bingman (principal Senate author)

CS for HB 3338 – Transportation

CS for HB 3348 – Energy and Aerospace, Coauthored by Representative(s) McPeak, and Authored by Senator Wyrick (principal Senate author)

CS for HB 3375 – Judiciary, Remove Representative Echols as principal House author and substitute with Representative ODonnell, and Coauthored by Representative(s) Echols, and Authored by Senator Sykes (principal Senate author)

CS for HB 3394 – Judiciary, Coauthored by Representative(s) Turner

CS for HB 3399 – Common Education, Remove Representative Nelson as principal House author and substitute with Representative Hickman, and Coauthored by Representative(s) Nelson

CS for HB 3469 – Human Services

CS for HB 3472 – Human Services

CS for HB 3473 – Human Services

CS for HB 3474 – Human Services

CS for HB 3496 – Human Services

CS for HJR 1079 – Appropriations and Budget

CS for SB 72 – Judiciary

DO NOT PASS:

HB 2615 – Public Safety

REPORT FROM CALENDAR COMMITTEE

The Calendar Committee met on Wednesday, February 26, 2014, and approved the following measures with an Open Rule to be placed on the Floor Agenda: **HBs 2373, 2375, 2376, 2379, 2406, 2566, 2595, 2639, 2676, 2748, 2900, 2929, 2985, 3087, 3100, 3102, 3151, 3251 and 3457** and **HR 1044**. The following measure was approved with an Open Rule, Fiscal Analysis required, to be placed on the Floor Agenda: **HB 3099**. The following measure was approved with a Special Rule, to be placed on the Floor Agenda: **HR 1045**.

APPOINTMENTS

Speaker Hickman announced the following appointment:

February 26, 2014 – Representative Perryman appointed as a Member of the Economic Development and Financial Services Committee, replacing Representative Hamilton.

Representative Johnson moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 9:00 a.m., Thursday, February 27, 2014, which was the order.

Pursuant to the motion of Representative Johnson, the House was adjourned at 4:25 p.m., to reconvene Thursday, February 27, 2014, at 9:00 a.m.