

HOUSE JOURNAL

Second Regular Session of the Fifty-fourth Legislature

of the State of Oklahoma

Forty-eighth Legislative Day, Monday, April 28, 2014

The House was called to order by Speaker Hickman.

The roll was called with 94 Members present.

The following Members were excused: Cox, Henke, Stiles, Thomsen, Trebilcock, Turner, Wesselhoft.—7.

Speaker Hickman declared a quorum present.

Prayer was offered by Pastor Doyle Pryor, Bethel Baptist Church, Norman. Pastor Pryor was sponsored by Representative Martin (Scott).

Representative Brumbaugh Presiding

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

The Journal for the last legislative day was approved.

ENGROSSED AND ENROLLED MEASURES

HAs to SBs 1143, 1536, 1639, 1654, 1675, 1704, 1715, 1720, 1744, 1848, 1908 and 2080 were reported correctly engrossed, properly signed, in open session, and the measures, as amended, were ordered returned to the Honorable Senate.

HBs 3216, 3254 and 3365 were reported correctly enrolled and, after fourth reading, properly signed, in open session, and ordered transmitted to the Honorable Senate.

PENDING CONSIDERATION OF CCR

Upon motion of Representative Jackson, the **CCR** on **SB 792** was rejected and further conference requested. Conferees to be named later.

PENDING CONSIDERATION OF SAs

SAs to **HB 2199** were rejected upon motion of Representative Hardin. The Speaker named the following conferees:

HB 2199 – Conference Committee on Administrative Rules, Government Oversight and Repealer

PENDING CONSIDERATION OF SAs

SAs to **HB 3394** were rejected upon motion of Representative Biggs. The Speaker named the following conferees:

HB 3394 – Conference Committee on Judiciary

PENDING CONSIDERATION OF SAs

SAs to **HB 2873** were rejected upon motion of Representative Newell. The Speaker named the following conferees:

HB 2873 – Conference Committee on Judiciary

PENDING CONSIDERATION OF SAs

SAs to **HB 2374** were rejected upon motion of Representative Hardin. The Speaker named the following conferees:

HB 2374 – Conference Committee on Veterans and Military Affairs

PENDING CONSIDERATION OF SAs

SAs to **HB 2344** were rejected upon motion of Representative Roberts (Dustin). The Speaker named the following conferees:

HB 2344 – Conference Committee on Economic Development and Financial Services

PENDING CONSIDERATION OF SAs

SAs to **HB 2349** were rejected upon motion of Representative Kern. The Speaker named the following conferees:

HB 2349 – Conference Committee on Judiciary

PENDING CONSIDERATION OF SAs

SAs to **HJR 1006** were rejected upon motion of Representative Biggs. The Speaker named the following conferees:

HJR 1006 – Conference Committee on Rules

PENDING CONSIDERATION OF SAs

SAs to **HB 2495** were rejected upon motion of Representative Casey. The Speaker named the following conferees:

HB 2495 – Conference Committee on Public Safety

PENDING CONSIDERATION OF SAs

SAs to **HB 2576** were rejected upon motion of Representative Sherrer. The Speaker named the following conferees:

HB 2576 – Conference Committee on Judiciary

PENDING CONSIDERATION OF SAs

SAs to **HB 2589** were rejected upon motion of Representative Ownbey. The Speaker named the following conferees:

HB 2589 – Conference Committee on Public Health

PENDING CONSIDERATION OF SAs

SAs to **HB 2506** were rejected upon motion of Representative McDaniel (Randy). The Speaker named the following conferees:

HB 2506 – Conference Committee on Economic Development and Financial Services

PENDING CONSIDERATION OF SAs

SAs to **HB 2629** were rejected upon motion of Representative McDaniel (Randy). The Speaker named the following conferees:

HB 2629 – Conference Committee on Economic Development and Financial Services

PENDING CONSIDERATION OF SAs

SAs to **HB 2630** were rejected upon motion of Representative McDaniel (Randy). The Speaker named the following conferees:

HB 2630 – Conference Committee on Economic Development and Financial Services

PENDING CONSIDERATION OF SAs

SAs to **HB 2480** were rejected upon motion of Representative Joyner. The Speaker named the following conferees:

HB 2480 – GCCA

PENDING CONSIDERATION OF SAs

SAs to **HB 2804** were rejected upon motion of Representative Biggs. The Speaker named the following conferees:

HB 2804 – GCCA

PENDING CONSIDERATION OF SAs

SAs to **HB 2985** were rejected upon motion of Representative McPeak. The Speaker named the following conferees:

HB 2985 – Conference Committee on Public Safety

PENDING CONSIDERATION OF SAs

SAs to **HB 2312** were rejected upon motion of Representative Morrissette. The Speaker named the following conferees:

HB 2312 – Conference Committee on Judiciary

PENDING CONSIDERATION OF SAs

SAs to **HB 2531** were rejected upon motion of Representative Floyd. The Speaker named the following conferees:

HB 2531 – Conference Committee on Economic Development and Financial Services

PENDING CONSIDERATION OF SAs

SAs to **HB 3055** were rejected upon motion of Representative Smalley. The Speaker named the following conferees:

HB 3055 – Conference Committee on Government Modernization and Accountability

MESSAGES FROM THE SENATE

Announcing the passage of and returning engrossed measures as amended: **HBs 2190**, Remove as principal Senate author Senator Holt and substitute with Senator Griffin, **2367**, Coauthored by Senators Branam, Fields, **2562, 2617, 2621, 2637, 2676, 3143, 3213** and **HJR 1033**.

Senate amendments were read on the above-numbered measures.

Transmitting enrolled measures

Advising fourth reading of and transmitting for signature Enrolled **SBs 1728, 1875** and **SJR 33**.

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

Conference requested

Advising rejection of **HAs** and requesting conference thereon, the Senate naming conferees later: **SBs 1398, 1612** and **1914**.

Returning enrolled measures

Announcing that Enrolled **HBs 3216, 3254** and **3365** have been read at length for the fourth time and signed by the Presiding Officer of Senate, in open session.

The above measures were ordered transmitted to the Honorable Governor.

MESSAGES FROM THE GOVERNOR

Advising of her approval of **HBs 2353, 2378, 2548, 2571, 2585, 2604, 2665, 2666, 2790, 3090, 3159, 3337 and 3346** on April 25, 2014.

Advising of her veto of **HB 2706** on April 25, 2014. The veto message reads as follows:

To the Honorable Speaker of the House
and Members of the House of Representatives
Second Regular Session, Fifty-fourth Oklahoma Legislature

Enrolled House Bill No. **2706**

By: McNeil of the House and Marlatt of the Senate

This is to advise you that on this date, pursuant to the authority vested in me by Section 11 of Article VI of the Oklahoma Constitution to approve or object to legislation presented to me, I have VETOED House Bill **2706**.

House Bill **2706** makes it unlawful for any person to sell a “compressed gas duster” to anyone under eighteen (18) years of age. The bill also provides a criminal penalty for those that violate prohibition, providing for a misdemeanor conviction punishable by imprisonment in the county jail for a term of not more than one (1) year and/or a fine of not less than One Thousand Dollars (\$1,000.00).

This bill restricts the sale of a legal product in an attempt to prevent the misuse of the product, and criminalizes lawful behavior of retail employees in this attempt. The lawful actions of working and employed Oklahomans should not be criminalized in an attempt to stop the unhealthy or illegal *use* of a legal product. The actions of those who unlawfully *use* these products are the actions that should be criminalized.

By the Governor of the State of Oklahoma

/s/ Mary Fallin

Advising of her veto of **HB 3001** on April 25, 2014. The veto message reads as follows:

To the Honorable Speaker of the House
and Members of the House of Representatives
Second Regular Session, Fifty-fourth Oklahoma Legislature

Enrolled House Bill No. **3001**

By: Stiles et al of the House and Crain of the Senate

This is to advise you that on this date, pursuant to the authority vested in me by Section 11 of Article VI of the Oklahoma Constitution to approve or object to legislation presented to me, I have VETOED House Bill **3001**.

Current law requires a noncustodial parent to pay child support when a custodial parent refuses to honor the visitation rights of the noncustodial parent. Current law also provides for a contempt proceeding against a custodial parent for violating a court order concerning visitation.

House Bill **3001** removes the noncustodial parent of the duty to pay child support if the custodial parent prevents visitation with or hides the child from the noncustodial parent for more than six (6) months.

This Bill effectively punishes a child and takes away financial support for that child for his or her parent's actions by removing a noncustodial parent's financial obligation to support the child. The denial of court ordered visitation is currently enforceable in a contempt action, which appropriately punishes the violating parent, while insuring the child is supported financially by the noncustodial parent. In addition, this Bill does not account for extreme situations where a custodial parent may be required to protect a child from harm or abuse, in spite of a valid court order. In fact, a custodial parent is required by law, imposing criminal consequences, to protect a child from abuse notwithstanding court ordered visitation.

By the Governor of the State of Oklahoma

/s/ Mary Fallin

Advising of her approval of **HBs 2536, 2587, 2652, 2685, 2791, 2810, 2831, 2840, 2859, 2951, 2974, 2994, 3087, 3135, 3215, 3217, 3290, 3333, 3334, 3343 and 3375** on April 28, 2014.

Representative Peterson moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 9:00 a.m., Tuesday, April 29, 2014, which was the order.

Pursuant to the motion of Representative Peterson, the House was adjourned at 2:30 p.m., to reconvene Tuesday, April 29, 2014, at 9:00 a.m.