

HOUSE JOURNAL

Second Regular Session of the Fifty-fourth Legislature

of the State of Oklahoma

Fiftieth Legislative Day, Wednesday, April 30, 2014

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

The roll was called with 93 Members present.

The following Members were excused: Banz, Cox, Henke, Hoskin, McBride, Proctor, Shannon, Trebilcock.—8.

Speaker Pro Tempore Jackson declared a quorum present.

Prayer was offered by Pastor Jim Murphy, Journey Church, Vian. Pastor Murphy was sponsored by Representative Bennett.

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

The Journal for the last legislative day was approved.

ENGROSSED AND ENROLLED MEASURES

HBs 2505 and **2914** were reported correctly enrolled and, after fourth reading, properly signed, in open session, and ordered transmitted to the Honorable Senate.

RESOLUTION FOR CONSIDERATION

HR 1057 was called up for consideration.

Upon unanimous consent request of Representative Denney, all Members of the House were added as coauthors.

Upon motion of Representative Denney, **HR 1057** was considered and adopted.

HR 1057 was referred for enrollment.

MESSAGES FROM THE SENATE

Announcing the passage of **SCR 41**. The measure was introduced and read.

SCR 41 – By Shumate, Aldridge, Allen, Anderson, Ballenger, Barrington, Bass, Bingman, Boggs, Branan, Brecheen, Brinkley, Brooks, Brown, Burrage, Coates, Crain, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (Constance), Johnson (Rob), Jolley, Justice, Loveless, Marlatt, Mazzei, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Shortey, Simpson, Sparks, Standridge, Stanislawski, Sykes, Treat and Wyrick of the Senate and Matthews and Pittman of the House.

A Concurrent Resolution declaring April 29, 2014, as “Breast Cancer Awareness Day” in the State of Oklahoma; and directing distribution.

Transmitting enrolled measures

Advising fourth reading of and transmitting for signature Enrolled **SBs 72, 417, 989, 1143, 1173, 1336, 1372, 1397, 1431, 1433, 1581, 1604, 1724, 1853** and **2029**.

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

Adjournment consent request

Advising the Honorable House pursuant to Article 5, Section 30 of the Oklahoma Constitution that the Senate grants the request of the Honorable House of Representatives to adjourn for more than three (3) days beginning Thursday May, 1, 2014, and ending on Monday, May 5, 2014.

PENDING CONSIDERATION OF SAs

SAs to **HB 2328** were called up for consideration.

Upon motion of Representative Bennett, the House concurred in the **SAs** to **HB 2328**.

HB 2328, as amended by the Honorable Senate, was read at length for the fourth time and the roll was called on the measure and emergency as follows:

Aye: Armes, Bennett, Biggs, Billy, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Cleveland, Cockroft, Condit, Coody, Cooksey, Dank, Denney, Derby, DeWitt, Echols, Enns, Fisher, Floyd, Fourkiller, Glenn, Hall, Hamilton, Hardin, Hulbert, Inman, Jackson, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Kouplen, Lockhart, Martin (Scott), Matthews, McCall, McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Morrisette, Mulready, Murphey, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Perryman, Peterson, Pittman, Pruett, Renegar, Reynolds, Ritze, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Sears, Shelton, Sherrer, Shoemake, Smalley, Stiles, Thomsen, Turner, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wood, Mr. Speaker.--86.

Excused: Banz, Christian, Cox, Dorman, Grau, Henke, Hoskin, McBride, Nelson, Proctor, Quinn, Scott, Shannon, Trebilcock, Wright.--15.

The measure and emergency passed.

Senate amendments were properly signed, in open session, and the above-numbered measure was referred for enrollment.

PENDING CONSIDERATION OF SAs

SAs to HB 2334 were called up for consideration.

Upon motion of Representative Biggs, the House concurred in the **SAs to HB 2334**.

HB 2334, as amended by the Honorable Senate, was read at length for the fourth time and the roll was called on the measure and emergency as follows:

Aye: Bennett, Biggs, Billy, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Cleveland, Cockroft, Condit, Coody, Dank, Denney, Derby, DeWitt, Echols, Enns, Fisher, Floyd, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Hulbert, Inman, Jackson, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Kouplen, Lockhart, Martin (Scott), Matthews, McCall, McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Morrisette, Mulready, Murphey, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Perryman, Peterson, Pittman, Pruett, Quinn, Renegar, Reynolds, Ritze, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shelton, Sherrer, Shoemake, Smalley, Stiles, Turner, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wood, Mr. Speaker.--86.

Excused: Armes, Banz, Christian, Cooksey, Cox, Dorman, Henke, Hoskin, McBride, Nelson, Proctor, Shannon, Thomsen, Trebilcock, Wright.--15.

The measure and emergency passed.

Senate amendments were properly signed, in open session, and the above-numbered measure was referred for enrollment.

PENDING CONSIDERATION OF SAs

SAs to HB 2527 were called up for consideration.

Upon motion of Representative Floyd, the House concurred in the **SAs to HB 2527**.

HB 2527, as amended by the Honorable Senate, was read at length for the fourth time and the roll was called on the measure as follows:

Aye: Biggs, Billy, Blackwell, Brown, Cannaday, Cleveland, Condit, Coody, Cooksey, Denney, Derby, DeWitt, Enns, Floyd, Fourkiller, Glenn, Grau, Hamilton, Hulbert, Inman, Jackson, Jackson, Johnson, Jordan, Joyner, Kirby, Kouplen, Lockhart, Martin (Scott), Matthews, McCall, McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Morrissette, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Perryman, Peterson, Pittman, Pruett, Quinn, Renegar, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shelton, Sherrer, Shoemake, Smalley, Stiles, Thomsen, Vaughan, Virgin, Walker, Watson, Williams, Wood, Mr. Speaker.--70.

Nay: Bennett, Brumbaugh, Casey, Cockroft, Dank, Fisher, Hall, Hardin, Kern, Moore, Mulready, Murphy, Reynolds, Ritze, Turner, Wesselhoft.--16.

Excused: Armes, Banz, Christian, Cox, Dorman, Echols, Henke, Hoskin, McBride, Nelson, Newell, Proctor, Shannon, Trebilcock, Wright.--15.

The measure passed.

Senate amendments were properly signed, in open session, and the above-numbered measure was referred for enrollment.

PENDING CONSIDERATION OF SAs

SAs to HB 2909 were called up for consideration.

Upon motion of Representative Brumbaugh, the House concurred in the **SAs to HB 2909**.

HB 2909, as amended by the Honorable Senate, was read at length for the fourth time and the roll was called on the measure as follows:

Aye: Bennett, Biggs, Billy, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Cleveland, Cockroft, Condit, Coody, Cooksey, Dank, Denney, Derby, DeWitt, Echols,

Enns, Fisher, Floyd, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Hulbert, Inman, Jackson, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Kouplen, Lockhart, Martin (Scott), Matthews, McCall, McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNeil, McPeak, Moore, Mulready, Murphey, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Peterson, Pittman, Pruett, Quinn, Renegar, Reynolds, Ritze, Roberts (Dustin), Roberts (Sean), Rousselot, Sanders, Schwartz, Scott, Sears, Sherrer, Shoemake, Smalley, Stiles, Thomsen, Turner, Vaughan, Virgin, Walker, Watson, Wesselhoft, Wood, Mr. Speaker.--83.

Nay: Morrissette, Perryman, Shelton, Williams.--4.

Excused: Armes, Banz, Christian, Cox, Dorman, Henke, Hoskin, McBride, Nelson, Proctor, Russ, Shannon, Trebilcock, Wright.--14.

The measure passed.

Senate amendments were properly signed, in open session, and the above-numbered measure was referred for enrollment.

PENDING CONSIDERATION OF SAs

SAs to HB 2720 were rejected upon motion of Representative Sears. The Speaker named the following conferees:

HB 2720 – GCCA

PENDING CONSIDERATION OF SAs

SAs to HB 2637 were rejected upon motion of Representative Denney. The Speaker named the following conferees:

HB 2637 – Conference Committee on Agriculture and Wildlife

PENDING CONSIDERATION OF SAs

SAs to HB 3119 were rejected upon motion of Representative Roberts (Sean). The Speaker named the following conferees:

HB 3119 – GCCA

PENDING CONSIDERATION OF SAs

SAs to **HB 2384** were rejected upon motion of Representative Hulbert. The Speaker named the following conferees:

HB 2384 – Conference Committee on Public Health

PENDING CONSIDERATION OF SAs

SAs to **HB 3360** were rejected upon motion of Representative Echols. The Speaker named the following conferees:

HB 3360 – Conference Committee on Economic Development and Financial Services

PENDING CONSIDERATION OF SAs

SAs to **HB 3359** were rejected upon motion of Representative Echols. The Speaker named the following conferees:

HB 3359 – Conference Committee on Economic Development and Financial Services

PENDING CONSIDERATION OF SAs

SAs to **HB 2954** were rejected upon motion of Representative Cockroft. The Speaker named the following conferees:

HB 2954 – GCCA

PENDING CONSIDERATION OF SAs

SAs to **HB 2779** were rejected upon motion of Representative Lockhart. The Speaker named the following conferees:

HB 2779 – GCCA

PENDING CONSIDERATION OF SAs

SAs to **HB 2642** were rejected upon motion of Representative Denney. The Speaker named the following conferees:

HB 2642 – Conference Committee on Common Education

PENDING CONSIDERATION OF SAs

SAs to **HB 2363** were rejected upon motion of Representative Hulbert. The Speaker named the following conferees:

HB 2363 – Conference Committee on Judiciary

PENDING CONSIDERATION OF SAs

SAs to **HB 3282** were rejected upon motion of Representative Mulready. The Speaker named the following conferees:

HB 3282 – Conference Committee on Insurance

PENDING CONSIDERATION OF SAs

SAs to **HB 3201** were rejected upon motion of Representative Blackwell. The Speaker named the following conferees:

HB 3201 – Conference Committee on Administrative Rules, Government Oversight and Repealer

MESSAGES FROM THE SENATE

Announcing that Enrolled **HBs 2505** and **2914** 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.

Concurrence in HAs

Announcing the concurrence of Senate in **HAs** to **SBs 1239, 1254, 1257, 1515, 1791, 1793, 1929** and **1970** and the passage of said measures, as amended thereby.

Conference requested

Advising rejection of **HAs** and requesting conference thereon, the Senate naming conferees later: **SBs 862, 1141, 1675, 1851** and **2120**.

Conference granted

Advising conference granted and the Senate naming conferees as follows:

HB 2617 - Sharp, Barrington, Schulz, Holt, Burrage, Ivester

HB 2851 - Shortey, Sykes, Schulz, Bingman, Ivester, Shumate

HB 2999 - Crain, Sykes, Griffin, David, Sparks, Paddack

HJR 1006 - Fields, Griffin, Schulz, Dahm, Burrage, Wyrick

HJR 1026 - Treat, Griffin, Schulz, Barrington, Burrage, Sparks

Conference granted, GCCA

Advising conference granted and the Senate naming GCCA as conferees on the following:

HB 2534

HB 3294

Further conference granted

Advising further conference granted and the Senate naming same conferees as follows:

HB 1416 - GCCA

MOTION

Representative Peterson moved that the House stand in recess until 3:45 p.m., which was the order.

Speaker Pro Tempore Jackson Presiding**MOTION**

Representative Peterson moved that the House stand in recess until 4:00 p.m., which was the order.

Speaker Hickman Presiding

VETO CONSIDERATION

Representative Turner moved that **HB 2461** become law notwithstanding the veto of the Governor. The roll was ordered called and resulted as follows:

Aye: Armes, Bennett, Biggs, Billy, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Christian, Cleveland, Cockroft, Condit, Coody, Cooksey, Dank, Denney, Derby, DeWitt, Dorman, Echols, Enns, Fisher, Floyd, Fourkiller, Glenn, Hamilton, Hardin, Hulbert, Inman, Jackson, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Kouplén, Lockhart, Martin (Scott), Matthews, McCall, McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Morrisette, Mulready, Murphey, Newell, Nollan, O'Donnell, Ortega, Ownbey, Perryman, Peterson, Pittman, Pruett, Quinn, Renegar, Reynolds, Ritze, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Sears, Sherrer, Shoemake, Stiles, Thomsen, Turner, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wood, Wright, Mr. Speaker.--86.

Nay: Hall, Nelson, Smalley.--3.

Excused: Banz, Cox, Grau, Henke, Hoskin, McBride, Osborn, Proctor, Scott, Shannon, Shelton, Trebilcock.--12.

The Turner motion, having received a two-thirds majority vote of the Members elected to and constituting the House, as provided in Article VI, Section 11, Oklahoma Constitution, prevailed and the Governor's veto was overridden.

HB 2461, with veto message thereon, was ordered transmitted to the Honorable Senate.

FIRST READING

The following were introduced and read for the first time:

HJR 1097 – By Blackwell.

A Joint Resolution approving proposed permanent rules of the Oklahoma Health Care Authority; and directing distribution.

HJR 1098 – By Shelton.

A Joint Resolution disapproving permanent rule of the State Board of Career and Technology Education; stating legislative intent; and directing distribution.

MESSAGES FROM THE GOVERNOR

Advising of her approval of **HBs 2319, 2320, 2354, 2355, 2356, 2838 and 2903** on April 30, 2014.

Advising of her veto of **HB 3176** on April 30, 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. **3176**

By: Blackwell of the House and Shortey 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 **3176**.

House Bill **3176** would change the amount of paid time that a State employee can use to attend job-related meetings held by professional organizations of which he or she is a member, from three days to twenty-four hours. This change would allow state employees to have increased participation in professional and trade organizations at the tax payers' expense. House Bill **3176** is not in the interest of the citizens of Oklahoma.

By the Governor of the State of Oklahoma

/s/ Mary Fallin

Advising of her veto of **HB 3417** on April 30, 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. **3417**

By: Shelton et al of the House and Coates 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 **3417**.

House Bill **3417** forbids any law enforcement agency or task force from entering into contracts with non-law-enforcement and non-departmental entities or persons. This Bill is intended to prevent the outsourcing of law enforcement responsibilities, but is overly broad

in its scope. As written, this Bill would restrict interagency cooperation and hinder law enforcement efforts across Oklahoma by not allowing law enforcement agencies to work with any entity outside of their department. This Bill, while well intentioned, serves no significant interest of the citizens of the State of Oklahoma.

By the Governor of the State of Oklahoma

/s/ Mary Fallin

Representative Peterson moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 1:30 p.m., Monday, May 5, 2014, which was the order.

Pursuant to the motion of Representative Peterson, the House was adjourned at 4:55 p.m., to reconvene Monday, May 5, 2014, at 1:30 p.m.