

# HOUSE JOURNAL

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

**of the State of Oklahoma**

**Fifty-third Legislative Day, Wednesday, May 7, 2014**

The House was called to order by Representative Johnson.

The roll was called with 98 Members present.

The following Members were excused: Cox, Shannon, Wesselhoft.—3.

Representative Johnson declared a quorum present.

Prayer was offered by Pastor John E. Roberts Jr., Fairview Cowboy Church, Wetumka. Pastor Roberts was sponsored by Representative Kouplen.

The Journal for the last legislative day was approved.

## **ENGROSSED AND ENROLLED MEASURES**

**HBs 2100, 2190, 2486, 2676, 2912, 3018, 3157, 3184, 3251 and 3280** were reported correctly enrolled and, after fourth reading, properly signed, in open session, and ordered transmitted to the Honorable Senate.

## **SECOND READING**

The following was read for the second time and referred to committee:

**SB 2126** – Direct to Joint Calendar

**RESOLUTION FOR CONSIDERATION**

**SCR 38** was called up for consideration.

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

Upon motion of Representative Thomsen, **SCR 38** was considered and adopted.

**SCR 38** was properly signed, in open session, by the Presiding Officer and ordered returned to the Honorable Senate.

**PENDING CONSIDERATION OF SAs**

**SAs to HB 3142** were rejected upon motion of Representative Jackson. The Speaker named the following conferees:

**HB 3142** – GCCA

**PENDING CONSIDERATION OF SAs**

**SAs to HB 2748** were rejected upon motion of Representative Russ. The Speaker named the following conferees:

**HB 2748** – Conference Committee on Insurance

**PENDING CONSIDERATION OF SAs**

**SAs to HB 3345** were rejected upon motion of Representative Armes. The Speaker named the following conferees:

**HB 3345** – Economic Development and Financial Services

**MOTION**

Representative Armes moved to reconsider the vote whereby the emergency failed on **HB 3349**, which motion prevailed upon roll call as follows:

Aye: Armes, Banz, Biggs, Billy, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Cleveland, Cockroft, Condit, Coody, Cooksey, Dank, Denney, Derby, Dorman, Echols, Enns, Floyd, Fourkiller, Hall, Henke, Hoskin, Hulbert, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Kouplen, Lockhart, Matthews, McBride, McCall, McCullough, McDaniel (Randy), McNeil, McPeak, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Perryman, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Roberts

(Dustin), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shelton, Sherrer, Shoemake, Turner, Vaughan, Virgin, Watson, Mr. Speaker.--72.

Nay: Bennett, Fisher, Moore, Reynolds, Ritze, Walker, Wood.--7.

Excused: Christian, Cox, DeWitt, Glenn, Grau, Hamilton, Hardin, Jackson, Martin (Scott), McDaniel (Curtis), McDaniel (Jeannie), Morrisette, O'Donnell, Roberts (Sean), Shannon, Smalley, Stiles, Thomsen, Trebilcock, Wesselhoft, Williams, Wright.--22.

Representative Armes moved to rescind fourth reading and final passage of **HB 3349**, which motion was declared adopted.

Representative Armes moved to rescind the adoption of **SAs to HB 3349**, which motion was declared adopted.

## **MESSAGES FROM THE SENATE**

Advising fourth reading of and transmitting for signature Enrolled **SBs 1228, 1244, 1319, 1460, 1461, 1520, 1648, 1884, 2024, 2078 and 2098**.

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

## **PENDING CONSIDERATION OF SAs**

**SAs to HB 3050** were called up for consideration.

Upon motion of Representative Murphey, the House concurred in the **SAs to HB 3050**.

**HB 3050**, 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: Armes, Banz, Bennett, Biggs, Billy, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Cleveland, Cockroft, Condit, Coody, Cooksey, Denney, Derby, DeWitt, Dorman, Echols, Enns, Fisher, Floyd, Grau, Hall, Hardin, Henke, Hoskin, Hulbert, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Kouplen, Lockhart, Martin (Scott), Matthews, McBride, McCall, McCullough, 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, Shelton, Sherrer, Shoemake, Smalley, Stiles, Thomsen, Trebilcock, Turner, Vaughan, Walker, Watson, Wood, Wright, Mr. Speaker.--88.

Excused: Christian, Cox, Dank, Fourkiller, Glenn, Hamilton, Inman, McDaniel (Curtis), McDaniel (Jeannie), Shannon, Virgin, Wesselhoft, Williams.--13.

The measure passed.

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

## **RESOLUTION FOR CONSIDERATION**

**HR 1062** was called up for consideration.

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

Upon motion of Representative DeWitt, **HR 1062** was considered and adopted.

**HR 1062** was referred for enrollment.

## **PENDING CONSIDERATION OF SAs**

**SAs to HB 2379** were called up for consideration.

Upon motion of Representative DeWitt, the House concurred in the **SAs to HB 2379**.

**HB 2379**, 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: Armes, Banz, Bennett, Biggs, Billy, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Christian, Cleveland, Cockroft, Condit, Coody, Cooksey, Dank, Denney, Derby, DeWitt, Echols, Enns, Fisher, Floyd, Grau, Hall, Hamilton, Hardin, Henke, Hoskin, Hulbert, Inman, Jackson, Jackson, Johnson, Jordan, Joyner, Kern, Kouplen, Martin (Scott), Matthews, McBride, McCall, McCullough, McDaniel (Randy), McNiel, McPeak, Moore, 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, Shelton, Sherrer, Shoemake, Smalley, Stiles, Thomsen, Trebilcock, Turner, Vaughan, Virgin, Walker, Watson, Wood, Wright, Mr. Speaker.--89.

Excused: Cox, Dorman, Fourkiller, Glenn, Kirby, Lockhart, McDaniel (Curtis), McDaniel (Jeannie), Morrissette, Shannon, Wesselhoft, Williams.--12.

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 3102** were called up for consideration.

Upon motion of Representative Jackson, the House concurred in the **SAs to HB 3102**.

**HB 3102**, 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: Armes, Banz, Bennett, Biggs, Billy, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Christian, Cleveland, Cockroft, Condit, Coody, Cooksey, Dank, Denney, Derby, DeWitt, Echols, Enns, Floyd, Grau, Hall, Hamilton, Hardin, Henke, Hoskin, Hulbert, Inman, Jackson, Jackson, Johnson, Jordan, Joyner, Kern, Kouplen, Martin (Scott), Matthews, McBride, McCall, McCullough, McDaniel (Randy), McNiel, McPeak, Moore, Mulready, Murphey, Nelson, Newell, O'Donnell, Ortega, Osborn, Ownbey, Perryman, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shelton, Sherrer, Shoemake, Smalley, Stiles, Thomsen, Trebilcock, Vaughan, Virgin, Walker, Watson, Wood, Mr. Speaker.--83.

Nay: Reynolds, Ritze, Turner.--3.

Excused: Cox, Dorman, Fisher, Fourkiller, Glenn, Kirby, Lockhart, McDaniel (Curtis), McDaniel (Jeannie), Morrissette, Nollan, Shannon, Wesselhoft, Williams, 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 3177** were called up for consideration.

Upon motion of Representative Blackwell, the House concurred in the **SAs to HB 3177**.

**HB 3177**, 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, Banz, Bennett, Biggs, Billy, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Christian, Cleveland, Cockroft, Condit, Coody, Cooksey, Dank, Denney, Derby, Echols, Enns, Grau, Hall, Hardin, Henke, Hoskin, Hulbert, Inman, Jackson, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Kouplen, Martin (Scott), Matthews, McBride, McCall, McCullough, McDaniel (Randy), McNiel, Moore, Mulready, Murphey, Nelson, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Perryman, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Roberts (Dustin), Roberts (Sean), Rousselot, Russ,

Sanders, Schwartz, Sears, Shoemake, Smalley, Stiles, Trebilcock, Turner, Vaughan, Walker, Watson, Wood, Wright, Mr. Speaker.--78.

Nay: Hamilton, McPeak, Reynolds, Ritze, Sherrer, Virgin.--6.

Excused: Cox, DeWitt, Dorman, Fisher, Floyd, Fourkiller, Glenn, Lockhart, McDaniel (Curtis), McDaniel (Jeannie), Morrissette, Scott, Shannon, Shelton, Thomsen, Wesselhoft, Williams.--17.

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 3198** were called up for consideration.

Upon motion of Representative Blackwell, the House concurred in the **SAs to HB 3198**.

**HB 3198**, 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: Armes, Banz, Bennett, Biggs, Billy, Blackwell, Brown, Cannaday, Casey, Condit, Coody, Dank, Denney, Derby, Enns, Floyd, Grau, Hamilton, Henke, Hoskin, Hulbert, Inman, Jackson, Jordan, Joyner, Kirby, Kouplen, Lockhart, Martin (Scott), Matthews, McBride, McDaniel (Randy), McPeak, O'Donnell, Ortega, Osborn, Ownbey, Perryman, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Sherrer, Shoemake, Stiles, Thomsen, Vaughan, Virgin, Watson, Wood, Wright, Mr. Speaker.--63.

Nay: Brumbaugh, Cleveland, Cockroft, Cooksey, Echols, Fisher, Hall, Hardin, Johnson, Kern, McCall, McCullough, Moore, Mulready, Murphey, Newell, Reynolds, Ritze, Smalley, Trebilcock, Turner, Walker.--22.

Excused: Christian, Cox, DeWitt, Dorman, Fourkiller, Glenn, McDaniel (Curtis), McDaniel (Jeannie), McNiel, Morrissette, Nelson, Nollan, Shannon, Shelton, Wesselhoft, Williams.--16.

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 3134** were called up for consideration.

Upon motion of Representative Jackson, the House concurred in the **SAs to HB 3134**.

**HB 3134**, 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: Armes, Banz, Bennett, Biggs, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Christian, Cleveland, Cockroft, Condit, Coody, Cooksey, Denney, Derby, Echols, Enns, Floyd, Grau, Hall, Hamilton, Hardin, Henke, Hoskin, Hulbert, Inman, Jackson, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Kouplen, Lockhart, Martin (Scott), Matthews, McBride, McCullough, McDaniel (Jeannie), McDaniel (Randy), McPeak, Moore, Mulready, Murphey, Nelson, Newell, Nollan, O'Donnell, Osborn, Ownbey, Perryman, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Reynolds, Ritze, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Schwartz, Scott, Sears, Sherrer, Shoemake, Smalley, Stiles, Thomsen, Trebilcock, Turner, Vaughan, Virgin, Walker, Watson, Wood, Wright, Mr. Speaker.--83.

Excused: Billy, Cox, Dank, DeWitt, Dorman, Fisher, Fourkiller, Glenn, McCall, McDaniel (Curtis), McNiel, Morrissette, Ortega, Sanders, Shannon, Shelton, Wesselhoft, Williams.--18.

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 3297** were called up for consideration.

Upon request of Representative Osborn, **HB 3297** was laid over.

**Speaker Pro Tempore Jackson Presiding**

**VETO CONSIDERATION**

Representative Hamilton moved pursuant to Article VI, Section 11, Oklahoma Constitution, that **HB 2976** become law notwithstanding the veto of the Governor.

Representative Schwartz moved to table the Hamilton motion, which tabling motion prevailed upon roll call as follows:

Aye: Armes, Banz, Biggs, Brumbaugh, Cockroft, Coody, Cooksey, Denney, Derby, DeWitt, Echols, Grau, Hall, Henke, Jackson, Jackson, Johnson, Joyner, Kern, Martin (Scott), McCullough, McDaniel (Randy), McNiel, Mulready, Murphey, Nelson, Newell, Ortega, Ownbey, Peterson, Russ, Sanders, Schwartz, Sears, Smalley, Watson, Wright, Mr. Speaker.--38.

Nay: Brown, Cannaday, Casey, Cleveland, Condit, Dank, Floyd, Fourkiller, Hamilton, Hoskin, Inman, Kouplen, Lockhart, Matthews, McDaniel (Jeannie), McPeak, Moore, Perryman, Pittman, Proctor, Pruett, Renegar, Reynolds, Ritze, Roberts (Dustin), Roberts (Sean), Rousselot, Scott, Shelton, Sherrer, Shoemake, Stiles, Turner, Vaughan, Virgin, Wood.--36.

Excused: Bennett, Billy, Blackwell, Christian, Cox, Dorman, Enns, Fisher, Glenn, Hardin, Hulbert, Jordan, Kirby, McBride, McCall, McDaniel (Curtis), Morrissette, Nollan, O'Donnell, Osborn, Quinn, Shannon, Thomsen, Trebilcock, Walker, Wesselhoft, Williams.--27.

#### MESSAGES FROM THE SENATE

Announcing that Enrolled **HBs 2100, 2190, 2486, 2676, 2912, 3018, 3157, 3184, 3251** and **3280** 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.

#### Conference requested

Advising rejection of **HAs** and requesting conference thereon, the Senate naming conferees later: **SBs 648, 1215, 1887** and **1905**.

#### Concurrence in HAs

Announcing the concurrence of Senate in **HAs** to **SBs 1151, 1152, 1183, 1218, 1474, 1497, 1551, 1698, 1715** and **1738** and the passage of said measures, as amended thereby.

#### Conference granted

Advising conference granted and the Senate naming conferees as follows:

**HB 2497** - Stanislawski, Ford, Jolley, Halligan, Paddack, Sparks

**HB 2928** - Sparks, Newberry, Brown, Stanislawski, Paddack, Brinkley

**HB 3188** - Sykes, Brooks, Sharp, Shortey, McAffrey, Ivester

**Conference granted, GCCA**

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

**HB 2446**  
**HB 2643**

**Conferees named**

Advising naming Senate Conferees as follows:

**SB 1184** - Paddack, Branan, Ivester, Simpson, Brecheen, Boggs  
**SB 1524** - Bass, Stanislawski, Garrison, Brown, Simpson, Branan

**Conferees named, GCCA**

Advising naming of GCCA as Senate Conferees as follows:

**SB 331**  
**SB 1248**

**Conferees changed**

Advising changing Senate Conferees as follows:

**SB 387** – Remove Simpson and add Newberry

**MOTION EXPIRED**

Time expired for consideration of the motion to reconsider the vote whereby the emergency failed on **HB 2669**.

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

**CCRs SUBMITTED**

The conference committee reports were read on the following measures:

**HB 2495**  
**HB 2667**

Representative Peterson moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 9:00 a.m., Thursday, May 8, 2014, which was the order.

Pursuant to the motion of Representative Peterson, the House was adjourned at 3:35 p.m., to reconvene Thursday, May 8, 2014, at 9:00 a.m.