

# HOUSE JOURNAL

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

**of the State of Oklahoma**

**Seventh Legislative Day, Wednesday, February 12, 2014**

The House was called to order by Speaker Hickman.

The roll was called with 100 Members present.

The following Members were excused: Enns.—1.

The Speaker declared a quorum present.

Prayer was offered by Pastor Ron Brunner, First Assembly of God Church, Kingfisher. Pastor Brunner was sponsored by Representative Sanders.

The Journal for the last legislative day was approved.

## **MEASURES REASSIGNED**

The following measures were reassigned:

**HB 2330** – Withdrawn from Public Safety and referred to Judiciary.

**HB 2595** – Withdrawn from Agriculture and Wildlife and referred to Public Health.

**HB 2664** – Withdrawn from Energy and Aerospace and referred to Utility and Environmental Regulation.

**HB 2731** – Withdrawn from Public Safety and referred to Judiciary.

**HB 3184** – Withdrawn from Economic Development and Financial Services and referred to Judiciary.

**HB 3187** – Withdrawn from Economic Development and Financial Services and referred to Judiciary.

**HB 3349** – Withdrawn from Utility and Environmental Regulation and referred to Appropriations and Budget.

**GENERAL ORDER**

**HB 2319** by Cleveland of the House was read and considered.

Authored by Senator Shortey (principal Senate author)

Representative Cleveland moved that **HB 2319** be advanced from General Order, which motion was declared adopted.

**THIRD READING**

**HB 2319** 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, Christian, Cleveland, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, Dorman, Echols, Fisher, Floyd, Fourkiller, Glenn, Grau, Hall, Hardin, Henke, Hoskin, Hulbert, Inman, Jackson, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Kouplen, Lockhart, Martin (Scott), Matthews, McBride, McCall, McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McDaniel, McPeak, Moore, 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, Shannon, Shelton, Sherrer, Shoemake, Smalley, Stiles, Trebilcock, Turner, Vaughan, Walker, Watson, Wesselhoft, Wood, Wright, Mr. Speaker.--92.

Nay: Williams.--1.

Excused: Blackwell, DeWitt, Enns, Hamilton, Morrisette, Reynolds, Thomsen, Virgin.--8.

The measure passed.

**HB 2319** was referred for engrossment.

**Representative Armes Presiding****GENERAL ORDER**

**HB 2320** by Cleveland of the House was read and considered.

Authored by Senator Shortey (principal Senate author)

Representative Cleveland moved that **HB 2320** be advanced from General Order, which motion was declared adopted.

### THIRD READING

**HB 2320** 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, Brumbaugh, Casey, Christian, Cleveland, Cockroft, Coody, Dank, Denney, DeWitt, Echols, Fisher, Grau, Hall, Hardin, Henke, Hulbert, Jackson, Jackson, Johnson, Jordan, Kern, Kirby, McBride, McCall, McDaniel (Randy), McNiel, Moore, Mulready, Murphey, Nelson, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Peterson, Quinn, Reynolds, Ritze, Roberts (Sean), Russ, Sanders, Shannon, Stiles, Thomsen, Trebilcock, Turner, Vaughan, Walker, Watson, Wesselhoft, Wood, Wright, Mr. Speaker.--60.

Nay: Brown, Cannaday, Condit, Cooksey, Cox, Derby, Dorman, Fourkiller, Glenn, Hoskin, Inman, Joyner, Kouplen, Lockhart, Martin (Scott), Matthews, McCullough, McDaniel (Curtis), McDaniel (Jeannie), McPeak, Perryman, Pittman, Proctor, Pruett, Renegar, Roberts (Dustin), Rousselot, Schwartz, Scott, Shelton, Sherrer, Shoemake, Smalley, Williams.--34.

Excused: Blackwell, Enns, Floyd, Hamilton, Morrissette, Sears, Virgin.--7.

The measure passed.

Representative Cleveland served notice to reconsider the vote whereby **HB 2320** passed.

### GENERAL ORDER

**HB 2334** by Biggs of the House and Brooks of the Senate was read and considered.

Coauthored by Representative(s) Sherrer

Representative Biggs moved that **HB 2334** be advanced from General Order, which motion was declared adopted.

### THIRD READING

**HB 2334** 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, Christian, Cleveland, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Echols, Fisher, Floyd, Fourkiller, Glenn, Grau, Hall, Hardin, Henke, Hoskin, Hulbert, Inman, Jackson, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Kouplen, Lockhart, Martin (Scott), Matthews, McBride, McCall, 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, Renegar, Reynolds, Ritze, Roberts (Sean), Rousselot, Sanders, Schwartz, Scott, Sears, Shelton, Sherrer, Shoemake, Smalley, Stiles, Thomsen, Trebilcock, Turner, Vaughan, Walker, Watson, Wesselhoft, Williams, Wood, Wright, Mr. Speaker.--92.

Excused: Blackwell, Enns, Hamilton, McCullough, Morrissette, Roberts (Dustin), Russ, Shannon, Virgin.--9.

The measure and emergency passed.

**HB 2334** was referred for engrossment.

### **GENERAL ORDER**

**HB 2372** by Trebilcock et al of the House and Loveless of the Senate was read and considered.

Coauthored by Representative(s) Sherrer, Kern

Representative Trebilcock moved that **HB 2372** be advanced from General Order, which motion was declared adopted.

### **THIRD READING**

**HB 2372** 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, Christian, Cleveland, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, DeWitt, Dorman, Echols, Fisher, Floyd, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Henke, Hoskin, Hulbert, Inman, Jackson, Jackson, Johnson, Jordan, Kern, Kirby, Kouplen, Lockhart, Martin (Scott), Matthews, McCall, McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNeil, 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, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Smalley, Stiles, Thomsen, Trebilcock, Turner, Vaughan, Walker, Watson, Wesselhoft, Williams, Wood, Wright, Mr. Speaker.--93.

Excused: Blackwell, Derby, Enns, Joyner, McBride, Morrissette, Ortega, Virgin.--8.

The measure passed.

**HB 2372** was referred for engrossment.

## GENERAL ORDER

**HB 2380** by Cooksey of the House and Paddock of the Senate was read and considered.

Representative Cooksey moved that **HB 2380** be advanced from General Order, which motion was declared adopted.

## THIRD READING

**HB 2380** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Billy, Brown, Brumbaugh, Cannaday, Christian, Cleveland, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Floyd, Grau, Hall, Hamilton, Hardin, Henke, Hulbert, Jackson, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Lockhart, Martin (Scott), Matthews, McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Mulready, Murphey, Nelson, Newell, Nollan, Osborn, Ownbey, Perryman, Peterson, Pittman, Pruett, Quinn, Renegar, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Sherrer, Stiles, Thomsen, Trebilcock, Vaughan, Walker, Watson, Wesselhoft, Williams, Wright, Mr. Speaker.--72.

Nay: Bennett, Biggs, Casey, Fisher, Glenn, Hoskin, Inman, Kouplen, McCall, O'Donnell, Proctor, Reynolds, Ritze, Roberts (Dustin), Rousselot, Shelton, Shoemake, Smalley, Turner, Wood.--20.

Excused: Blackwell, Echols, Enns, Fourkiller, McBride, Morrissette, Ortega, Roberts (Sean), Virgin.--9.

The measure passed.

**HB 2380** was referred for engrossment.

## GENERAL ORDER

**HB 2611** by McDaniel (Randy) of the House and Brinkley of the Senate was read and considered.

Representative McDaniel (Randy) moved that **HB 2611** be advanced from General Order, which motion was declared adopted.

**THIRD READING**

**HB 2611** 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, Christian, Cleveland, Cockroft, Condit, Coody, Cooksey, Cox, Denney, Derby, DeWitt, Dorman, Echols, Fisher, Floyd, Fourkiller, Grau, Hall, Hardin, Henke, Hoskin, Hulbert, Inman, Jackson, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Kouplen, Lockhart, Martin (Scott), Matthews, McBride, McCall, McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, 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, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Smalley, Stiles, Thomsen, Trebilcock, Turner, Vaughan, Walker, Watson, Wesselhoft, Williams, Wood, Wright, Mr. Speaker.--93.

Excused: Blackwell, Dank, Enns, Glenn, Hamilton, Morrissette, Ortega, Virgin.--8.

The measure passed.

**HB 2611** was referred for engrossment.

**GENERAL ORDER**

**HB 2908** by Brumbaugh of the House was read and considered.

Authored by Senator Holt (principal Senate author)

Representative Brumbaugh moved that **HB 2908** be advanced from General Order, which motion was declared adopted.

**THIRD READING**

**HB 2908** 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, Christian, Cleveland, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, Dorman, Echols, Floyd, Fourkiller, Grau, Hall, Hardin, Henke, Hoskin, Hulbert, Inman, Jackson, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Kouplen, Lockhart, Martin (Scott), Matthews, McBride, McCall, McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, 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, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Smalley, Stiles, Thomsen, Trebilcock, Turner, Vaughan, Walker, Watson, Wesselhoft, Williams, Wood, Wright, Mr. Speaker.--91.

Excused: Blackwell, Casey, DeWitt, Enns, Fisher, Glenn, Hamilton, Morrissette, Ortega, Virgin.--10.

The measure and emergency passed.

**HB 2908** was referred for engrossment.

### GENERAL ORDER

**HB 2860** by Sherrer of the House and Ivester of the Senate was read and considered.

Representative Sherrer moved that **HB 2860** be advanced from General Order, which motion was declared adopted.

### THIRD READING

**HB 2860** 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, Christian, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Echols, Fisher, Floyd, Fourkiller, Grau, Hall, Hamilton, Hardin, Henke, Hoskin, Hulbert, Inman, Jackson, Jackson, Johnson, Jordan, Joyner, Kern, Kouplen, Lockhart, Martin (Scott), Matthews, McBride, McCall, McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Mulready, Murphey, Nelson, Newell, Nollan, O'Donnell, Osborn, Ownbey, Perryman, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Reynolds, Ritze, Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Smalley, Stiles, Thomsen, Trebilcock, Turner, Vaughan, Walker, Watson, Wesselhoft, Williams, Wood, Wright, Mr. Speaker.--92.

Excused: Blackwell, Cleveland, Enns, Glenn, Kirby, Morrissette, Ortega, Roberts (Dustin), Virgin.--9.

The measure passed.

**HB 2860** was referred for engrossment.

### GENERAL ORDER

**HB 2909** by Brumbaugh of the House was read and considered.

Authored by Senator Brecheen (principal Senate author)

Representative Brumbaugh moved that **HB 2909** be advanced from General Order, which motion was declared adopted.

**THIRD READING**

**HB 2909** 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, Christian, Cockroft, Condit, Coody, Cooksey, Dank, Denney, Derby, Dorman, Echols, Fisher, Floyd, Grau, Hall, Hardin, Henke, Hoskin, Hulbert, Inman, Jackson, Jackson, Johnson, Jordan, Joyner, Kern, Kouplen, Lockhart, Martin (Scott), McBride, McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, Moore, Mulready, Murphey, Nelson, Newell, Nollan, O'Donnell, Osborn, Ownbey, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Sherrer, Shoemake, Smalley, Stiles, Thomsen, Trebilcock, Turner, Vaughan, Walker, Watson, Wesselhoft, Wood, Wright, Mr. Speaker.--80.

Nay: Cox, Matthews, McDaniel (Curtis), McPeak, Perryman, Shelton, Williams.--7.

Excused: Blackwell, Cleveland, DeWitt, Enns, Fourkiller, Glenn, Hamilton, Kirby, McCall, Morrissette, Ortega, Reynolds, Ritze, Virgin.--14.

The measure passed.

**HB 2909** was referred for engrossment.

**GENERAL ORDER**

**HB 2912** by Brumbaugh of the House and David of the Senate was read and considered.

Representative Brumbaugh moved that **HB 2912** be advanced from General Order, which motion was declared adopted.

**THIRD READING**

**HB 2912** 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, Christian, Cockroft, Condit, Coody, Cox, Denney, Derby, DeWitt, Dorman, Echols, Fisher, Floyd, Grau, Hall, Hamilton, Hardin, Henke, Hoskin, Hulbert, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Martin (Scott), Matthews, McBride, McCall, McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Morrissette, Mulready, Murphey, Nelson, Newell, Nollan, O'Donnell, Osborn, Ownbey, Peterson, Pittman, Proctor, Pruett, Quinn, Roberts (Dustin), Roberts (Sean), Russ, Sanders, Schwartz, Scott, Sears, Shannon, Sherrer, Shoemake, Smalley, Stiles, Thomsen, Trebilcock, Turner, Vaughan, Walker, Watson, Williams, Wood, Wright, Mr. Speaker.--80.

Nay: Lockhart, McDaniel (Curtis), Perryman, Rousselot, Shelton.--5.

Excused: Blackwell, Cleveland, Cooksey, Dank, Enns, Fourkiller, Glenn, Jackson, Kirby, Kouplen, Ortega, Renegar, Reynolds, Ritze, Virgin, Wesselhoft.--16.

The measure passed.

**HB 2912** was referred for engrossment.

### **GENERAL ORDER**

**HB 3052** by Smalley of the House and Griffin of the Senate was read and considered.

Representative Smalley moved that **HB 3052** be advanced from General Order, which motion was declared adopted.

### **THIRD READING**

**HB 3052** 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, Christian, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Echols, Fisher, Floyd, Fourkiller, Grau, Hall, Hamilton, Hardin, Henke, Hoskin, Hulbert, Inman, Jackson, Jackson, Johnson, Jordan, Joyner, Kern, Kouplen, Lockhart, Martin (Scott), Matthews, McBride, McCall, McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Morrissette, Mulready, Murphey, Nelson, Newell, Nollan, O'Donnell, Osborn, Ownbey, Perryman, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Reynolds, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Sherrer, Shoemake, Smalley, Stiles, Thomsen, Trebilcock, Turner, Vaughan, Walker, Watson, Wesselhoft, Wood, Wright, Mr. Speaker.--91.

Nay: Shelton.--1.

Excused: Blackwell, Cleveland, Enns, Glenn, Kirby, Ortega, Ritze, Virgin, Williams.--9.

The measure and emergency passed.

**HB 3052** was referred for engrossment.

**RESOLUTIONS**

The following was introduced and read:

**HR 1041** – By Jordan.

A Resolution designating Oklahoma Court Reporting and Captioning Week; requesting the Governor to issue a proclamation; and directing distribution.

**COMMITTEE REPORTS**

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

DO PASS:

**HB 2348** – States’ Rights, Coauthored by Representative(s) Walker, Fisher, Hulbert, Cleveland, Blackwell, Moore, Roberts (Sean)

**HB 2417** – States’ Rights, Authored by Senator David (principal Senate author)

**HB 2422** – States’ Rights, Coauthored by Representative(s) Walker, Hulbert, Cleveland, Blackwell, Moore, Fisher, and Authored by Senator Dahm (principal Senate author)

**HB 2495** – Public Safety, Authored by Senator Fields (principal Senate author)

**HB 2518** – Agriculture and Wildlife, Authored by Senator Fields (principal Senate author)

**HB 2586** – Human Services, Authored by Senator David (principal Senate author)

**HB 2587** – Human Services, Authored by Senator Standridge (principal Senate author)

**HB 2592** – Public Safety

**HB 2604** – Human Services

**HB 2618** – Agriculture and Wildlife

**HB 2765** – Agriculture and Wildlife

**HB 2859** – Judiciary, Authored by Senator Ivester (principal Senate author)

**HB 2874** – Public Safety, Authored by Senator Brecheen (principal Senate author)

**HB 2877** – Public Safety, Authored by Senator David (principal Senate author)

**HB 2992** – Human Services, Authored by Senator Sparks (principal Senate author)

**HB 3188** – Judiciary, Authored by Senator Sykes (principal Senate author)

**HB 3250** – Judiciary, Authored by Senator David (principal Senate author)

**HB 3417** – Public Safety

DO PASS, As Amended:

**CS for HB 2405** – Judiciary, Authored by Senator Holt (principal Senate author)

**CS for HB 2569** – Public Safety

**CS for HB 2617** – Public Safety

**CS for HB 2634** – Higher Education and CareerTech, Authored by Senator Crain (principal Senate author)

**CS for HB 2640** – Common Education, Coauthored by Representative(s) McDaniel (Jeannie), and Authored by Senator Halligan (principal Senate author)

**CS for HB 2803** – Judiciary

**CS for HB 3134** – Agriculture and Wildlife

**CS for HB 3211** – Higher Education and CareerTech

## **APPOINTMENTS**

The Speaker announced the following changes in Standing Committees:

February 12, 2014 – Representative McBride removed as a Member of the Judiciary Committee and appointed as a Member of the Economic Development and Financial Services Committee.

February 12, 2014 – Representative Grau removed as a Member of the Administrative Rules, Government Oversight and Repealer Committee and appointed as a Member of the Judiciary Committee.

February 12, 2014 – Representative Ritze appointed as Chair of the Appropriations and Budget Public Safety Subcommittee, replacing Speaker Hickman.

Representative Peterson moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 9:00 a.m., Thursday, February 13, 2014, which was the order.

Pursuant to the motion of Representative Peterson, the House was adjourned at 2:45 p.m., to reconvene Thursday, February 13, 2014, at 9:00 a.m.