HOUSE JOURNAL

First Regular Session of the Fifty-fifth Legislature

of the State of Oklahoma

Twenty-fifth Legislative Day, Monday, March 16, 2015

The House was called to order by Representative Thomsen.

The roll was called with 89 Members present.

The following Members were excused: Bennett, Calvey, Christian, Cockroft, Cox, Dank, Kirby, Moore, Ritze, Sherrer, Wesselhoft, Williams.—12.

Representative Thomsen declared a quorum present.

Prayer was offered by Reverend/Dr. Stephen Wiley, Praise Center Family Church, Tulsa. Reverend/Dr. Wiley was sponsored by Representative Ritze.

The Journal for the last legislative day was approved.

ENGROSSED AND ENROLLED MEASURES

HBs 1004, 1035, 1075, 1116, 1117, 1125, 1276, 1290, 1353, 1385, 1419, 1420, 1421, 1422, 1474, 1477, 1508, 1512, 1549, 1574, 1607, 1614, 1616, 1622, 1630, 1693, 1697, 1793, 1823, 2017, 2130, 2131, 2166, 2168, 2178, 2179, 2182 and **2183** and **HJRs 1002, 1024** and **1025** were reported correctly engrossed, properly signed, in open session, and ordered transmitted to the Honorable Senate.

HR 1011 was reported correctly enrolled, properly signed, in open session, and ordered transmitted to the Secretary of State.

Speaker Hickman Presiding

MESSAGES FROM THE SENATE

Announcing the passage of **SBs 97, 158, 211, 298, 313, 358, 359, 370, 383, 396, 453, 465, 468, 469, 470, 487, 502, 525, 526, 528, 549, 570, 571, 574, 575, 578, 583, 586, 587, 600, 623, 638, 668, 684, 771, 774, 790, 808, 809** and **828**. The measures were introduced and read for the first time.

SB 97 – By Fry of the Senate and Joyner of the House.

An Act relating to correctional facilities; amending 57 O.S. 2011, Section 563, as amended by Section 9, Chapter 362, O.S.L. 2014 (57 O.S. Supp. 2014, Section 563), which relates to location of certain correctional facilities; requiring approval by certain local zoning authority; and declaring an emergency.

SB 158 – By Griffin of the Senate and Grau of the House.

[initiative and referendum - petitions - appeals and publication - repealer - effective date]

SB 211 – By Anderson of the Senate and Williams of the House.

[enhanced punishments - second and subsequent offenses - maximum sentences - effective date]

SB 298 – By Quinn of the Senate and Mulready of the House.

An Act relating to insurance; creating the Unclaimed Life Insurance Benefits Act; providing applicability of act; defining terms; directing insurer to compare certain policies and accounts to a Death Master File; providing requirements of insurer upon learning of death of a person; authorizing certain disclosures; prohibiting certain charges; requiring certain interest to be payable to beneficiaries or escheat to the state under certain circumstances; authorizing the Insurance Commissioner to promulgate certain rules; providing certain penalties for violations; authorizing the insurer to report and remit certain proceeds under certain circumstances; exempting insurer from liability in certain circumstances; providing for codification; and providing an effective date.

SB 313 – By Holt and Bass of the Senate and Banz of the House.

An Act relating to electronic voter registration; allowing certain persons to submit voter registration applications electronically; specifying duties and authority of Secretary of State Election Board; requiring establishment of secure website; stating requirements for applicants; providing procedures upon submission of application electronically; providing for signature on application; allowing promulgation of certain rules; amending 26 O.S. 2011, Sections 4-103.1, 4-109.2, 4-109.3, 4-110.1 and 4-112, which relate to voter registration; clarifying references and language; authorizing Secretary to develop certain systems and specifying requirements; providing for codification; and providing an effective date.

SB 358 – By Shaw of the Senate and Cox of the House.

An Act relating to the Grand River Dam Authority; amending 82 O.S. 2011, Section 864, as amended by Section 1061, Chapter 304, O.S.L. 2012 (82 O.S. Supp. 2014, Section 864), which relates to compensation of district employees; providing for biannual compensation study for certain employees; and providing an effective date.

SB 359 – By Brooks of the Senate and Christian of the House.

[motor vehicle insurance and security - failure to comply with Compulsory Insurance Law - storage fee - ~~emergency~~]

SB 370 – By Halligan of the Senate and Denney of the House.

An Act relating to the practice of accounting; amending 59 O.S. 2011, Sections 15.15A and 15.15B, which relate to firm permits and required designation of a manager; providing certain exceptions for succession of business; authorizing continuation of certain business for certain time; defining term; requiring certain notice upon death of certain persons; requiring notice on completion of sale or transfer; stating content of notice; providing for extended time to complete sale or transfer; construing provisions; allowing injunctive relief for violations; and providing an effective date.

SB 383 – By Bice and Jolley of the Senate and Mulready of the House.

[intoxicating liquor - authority under certain licenses - retail package store authority - chilled beer - effective date]

SB 396 – By Sparks of the Senate and Perryman of the House.

An Act relating to state retirement systems; amending 70 O.S. 2011, Section 17-106, as last amended by Section 1, Chapter 13, O.S.L. 2014 (70 O.S. Supp. 2014, Section 17-106), which relates to the Board of Trustees of the Teachers' Retirement System of Oklahoma; 74 O.S. 2011, Section 905, as last amended by Section 2, Chapter 342, O.S.L. 2013 (74 O.S. Supp. 2013, Section 905), which relates to the Board of Trustees of the Oklahoma Public Employees Retirement System; adding qualifications for designees of members of the Boards; updating language; providing an effective date; and declaring an emergency.

SB 453 – By Quinn of the Senate and Lepak of the House.

An Act relating to motor vehicles; amending 47 O.S. 2011, Section 4-105, as amended by Section 1, Chapter 197, O.S.L. 2012 (47 O.S. Supp. 2014, Section 4-105), which relates to stolen or converted vehicles; deleting provision allowing Department of Public Safety to disregard report; specifying circumstances under which vehicle considered stolen or converted; and providing an effective date.

SB 465 – By Quinn of the Senate and Ownbey of the House.

[motor vehicle certificates of title - lien release - effective date]

SB 468 – By Marlatt of the Senate and Calvey of the House.

An Act relating to oil and gas; stating procedures for taking private property by certain municipalities, counties or political subdivisions under certain conditions relating to oil and gas operations; repealing 52 O.S. 2011, Section 137, which relates to certain powers of cities and towns relating to certain oil and gas exploration; providing for codification; and declaring an emergency.

SB 469 – By Marlatt and Sharp of the Senate and O'Donnell of the House.

[oil and gas - appointment of expert - codification - effective date.]

SB 470 – By Marlatt of the Senate and Osborn of the House.

An Act relating to oil and gas; amending 52 O.S. 570.10, and Section 3, Chapter 201, O.S.L. 2012 (52 O.S. Supp. 2014, Section 903), which relate to payment of proceeds from oil and gas and interest rates for certain payments; clarifying statutory language relating to certain royalty payments; removing requirement for interest to be compounded annually; authorizing holders of certain proceeds to file court action to determine legal entitlement; providing process for proceeds due to unmarketable title after certain time period; stating exceptions; modifying remedy for interest on certain payments of proceeds from production; and providing an effective date.

SB 487 – By Quinn of the Senate and Faught of the House.

An Act relating to insurance; amending 36 O.S. 2011, Sections 1102 and 1115, as last amended by Section 4, Chapter 365, O.S.L. 2012 (36 O.S. Supp. 2014, Section 1115), which relates to surplus lines insurance; modifying circumstances under which certain insurance contracts are voidable; exempting certain flood insurance policies from surplus lines premium tax; providing that surplus lines licensee or broker not required to make certain due diligence searches; providing for codification; and providing an effective date.

SB 502 – By Quinn, Brecheen, Allen, Shortey, Mazzei, Ford and Fields of the Senate and Sears of the House.

[income tax - tax credits - allowance of credits - effective date]

SB 525 – By Shortey of the Senate and Wood of the House.

An Act relating to firearms; amending 21 O.S. 2011, Section 1277, as last amended by Section 1, Chapter 325, O.S.L. 2014 (21 O.S. Supp. 2014, Section 1277), which relates to unlawful carry in certain places; making certain exception to unlawful carry; amending 57 O.S. 2011, Section 21, as amended by Section 1, Chapter 93, O.S.L. 2012 (21 O.S. Supp. 2014, Section 21), which relates to contraband in jails or penal institutions; providing for certain employees to carry a firearm onto certain property under certain circumstances; and providing an effective date.

SB 526 – By Shortey of the Senate and Montgomery of the House.

[law enforcement training - carry-over of hours - effective date]

SB 528 – By Shortey of the Senate and Wood of the House.

[bus transportation - meeting and overtaking a stopped bus - inclusions - special lights and warning devices on school and church buses - effective date]

SB 549 – By Sykes of the Senate and McCullough of the House.

[state officers - statewide elected officers - salaries - effective date]

SB 570 – By Shortey of the Senate and Montgomery of the House.

An Act relating to motor vehicle registration; amending 47 O.S. 2011, Section 1135.5, as last amended by Section 3, Chapter 372, O.S.L. 2014 (47 O.S. Supp. 2014, Section 1135.5), which relates to special license plates; reauthorizing Lupus Awareness and Education license plate; and providing an effective date.

SB 571 – By Shortey of the Senate and Leewright of the House.

[sales tax - agricultural sales tax exemptions - effective date]

SB 574 – By Shortey of the Senate and Montgomery of the House.

An Act relating to Oklahoma Charity Games Tax; amending 3A O.S. 2011, Section 421, which relates to bingo tax; providing exemption for certain charitable healthcare organizations; amending 68 O.S. 2011, Section 1355, which relates to sales tax; providing exemption for certain charitable healthcare organizations; and providing an effective date.

SB 575 – By Shortey of the Senate and Montgomery of the House.

An Act relating to income tax refunds; amending 68 O.S. 2011, Section 2368.17, as amended by Section 558, Chapter 304, O.S.L. 2012 (68 O.S. Supp. 2014, Section 2368.17), which relates to provision on form for donation from refund; reauthorizing provision; providing for applicability of certain provision relating to expiration of statute; and providing an effective date.

SB 578 – By Shaw and Pittman of the Senate and Cox of the House.

An Act relating to offenders; amending 63 O.S. 2011, Section 1-849, which relates to long-term care facility for offenders; allowing the Department of Corrections to recommend

certain parole considerations; providing definitions; providing for recodification; and providing an effective date.

SB 583 – By Shortey of the Senate and Calvey of the House.

[professions, occupations and trades - license, certificate, endorsement or examination - codification - ~~effective date~~ - ~~emergency~~]

SB 586 – By Shortey of the Senate and Leewright of the House.

An Act relating to bail bondsmen; amending 59 O.S. 2011, Section 1332, as last amended by Section 5, Chapter 385, O.S.L. 2014 (59 O.S. Supp. 2014, Section 1332), which relates to forfeiture procedure; providing certain exception to the Bail Enforcement and Licensing Act; authorizing bail bondsmen appointed by the same insurer to assist each other in apprehending a defendant for purpose of surrender; and providing an effective date.

SB 587 – By Shortey of the Senate and Montgomery of the House.

[Bail Enforcement and Licensing Act - nonresidents apprehending of persons and assisting other bondsmen - exceptions - license requirements - effective date]

SB 600 – By Shortey of the Senate and Christian of the House.

An Act relating to the State Charitable Campaign; amending 74 O.S. 2011, Section 7007, which relates to the Oklahoma State Employee Charitable Campaign Act; authorizing certain entity to share donor contact information with federations and charitable agencies; and declaring an emergency.

SB 623 – By Marlatt of the Senate and Biggs of the House.

[motor vehicles - Oklahoma Vehicle License and Registration Act - operation of vehicles on streets and highways - effective date]

SB 638 – By Schulz of the Senate and Ortega of the House.

An Act relating to overweight truck limits; amending 47 O.S. 2011, Section 14-109, as last amended by Section 1, Chapter 296, O.S.L. 2014 (47 O.S. Supp. 2014, Section 14-109), which relates to gross weight of vehicles and loads; modifying formula for gross weight; authorizing special permit for certain loads; and providing an effective date.

SB 668 – By Jolley of the Senate and McDaniel (Randy) of the House.

An Act relating to retirement boards, amending 70 O.S. 2011, Section 17-106, as last amended by Section 1, Chapter 13, O.S.L. 2014 (70 O.S. Supp. 2014, Section 17-106), which relates to the Oklahoma Teachers Retirement System Board of Trustees; modifying membership; clarifying references; 74 O.S. 2011, Section 941, as amended by Section 930, Chapter 304, O.S.L. 2012 (74 O.S. Supp. 2014, Section 941), which relates to the Oklahoma State Pension Commission; adding certain persons to the Commission; amending 74 O.S. 2011, Section 905, as last amended by Section 2, Chapter 342, O.S.L. 2013 (74 O.S. Supp. 2014, Section 905), which relates to the Oklahoma Public Employees Retirement System Board; modifying membership; adding certain person to Board; making gender neutral; providing an effective date; and declaring an emergency.

SB 684 – By Jolley of the Senate and Hickman of the House.

[prisons and county jails - capacity of correctional facilities and jail reimbursement rates - time limitation for transmitting - authorizing transmission of certain notice - Department of Corrections - responsibilities - housing costs - effective date]

SB 771 – By Sykes of the Senate and Echols of the House.

[Workers' Compensation Arbitration Act - arbitration agreements - validity of certain agreements - effective date]

SB 774 – By Sykes of the Senate and Echols of the House.

An Act relating to trust property; amending 60 O.S. 2011, Sections 31, 32 and 175.47, which relate to estates in real property and suspension of absolute power of alienation; clarifying applicability of provisions; providing that certain power not suspended under certain circumstances; updating statutory reference; clarifying application of common law rule against perpetuities; repealing 60 O.S. 2011, Section 33, which relates to suspension of power of alienation; and providing an effective date.

SB 790 – By Sykes, Treat and Jolley of the Senate and McCullough of the House.

[Oklahoma Court Information System - costs in criminal cases - assessment - effective date]

SB 808 – By Bingman and Fields of the Senate and Sears of the House.

An Act relating to wind energy; amending 17 O.S. 2011, Section 160.15, which relates to the Oklahoma Wind Energy Development Act; changing the time for the filing of evidence of financial security for wind energy facilities commenced after a certain date; modifying certain types of financial security; establishing the amount of evidence of financial security for wind energy facilities commenced after a certain date; updating statutory references; stating certain setback requirements for certain wind energy facilities; requiring the owner of a wind energy facility to file certain notification with the Corporation Commission; directing the Commission to prescribe the notification form and filing requirements; specifying inclusion of certain information; requiring copies of notification to be published in certain newspapers; directing the owner of the wind energy facility to hold a public meeting; listing conditions for the public meeting; prohibiting commencement of construction until the notification and public meeting requirements are met; establishing penalty; and providing for codification.

SB 809 – By Bingman, Crain, Marlatt and Shortey of the Senate and Hickman of the House.

An Act relating to oil and gas; authorizing regulatory by municipalities, counties and other political subdivisions of certain oil and gas operations and establishing setbacks; providing certain limitation; prohibiting certain regulations; making certain operations subject to jurisdiction and regulation of the Corporation Commission; establishing right to compensation for certain taking of interest from a local government regulatory restriction; repealing 52 O.S. 2011, Section 137, which relates to powers of cities and towns to regulate oil and gas drilling or production; providing for codification; and declaring an emergency.

SB 828 – By Energy Committee of the Senate and Christian of the House.

[9-1-1 emergency services - Oklahoma 9-1-1 Management Authority Act - Oklahoma 9-1-1 Management Authority - membership - collection and remittance of fees - requirements - revolving fund - false 9-1-1 calls - recodification - repealer - codification - noncodification - effective dates]

Advising the signing of and transmitting for signature Enrolled **SCR 12**.

The above-numbered enrolled measure was properly signed and ordered returned to the Honorable Senate.

Representative Thomsen Presiding

RESOLUTION FOR CONSIDERATION

HR 1010 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 1010** was considered and adopted.

HR 1010 was referred for enrollment.

MESSAGES FROM THE SENATE

Advising the Honorable House of Representatives pursuant to Article 5, Section 30 of the Oklahoma Constitution, the Senate requests the House of Representatives to consent to the adjournment of the Senate for more than three days beginning Thursday, March 19, 2015, and ending on Monday, March 23, 2015.

Representative Billy moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 9:00 a.m., Tuesday, March 17, 2015, which was the order.

Pursuant to the motion of Representative Billy, the House was adjourned at 2:15 p.m., to reconvene Tuesday, March 17, 2015, at 9:00 a.m.