

# HOUSE JOURNAL

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

**of the State of Oklahoma**

**Fourteenth Legislative Day, Tuesday, February 23, 2016**

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

The roll was called with 99 Members present.

The following Members were excused: McBride, McCullough.—2.

The Speaker Pro Tempore declared a quorum present.

Prayer was offered by Pastor Micky Miller, First Baptist Church, Grandfield.  
Pastor Miller was sponsored by Representatives Coody (Ann), Coody (Jeff) and Park.

The Journal for the last legislative day was approved.

## **ENGROSSED AND ENROLLED MEASURES**

**HBs 2601** and **3128** were reported correctly engrossed, properly signed, in open session, and ordered transmitted to the Honorable Senate.

## **GENERAL ORDER**

**HB 2694** by Sears of the House and Jolley of the Senate was read and considered.

Representative Sears moved that **HB 2694** be advanced from General Order, which motion was declared adopted.

**THIRD READING**

**HB 2694** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Banz, Caldwell, Casey, Christian, Cockroft, Coody (Ann), Cooksey, Cox, Denney, Dunlap, Enns, Johnson, Kannady, Kirby, Lepak, Martin, McCall, McDaniel (Jeannie), McDaniel (Randy), Montgomery, Mulready, Murdock, Nelson, Nollan, Ortega, Osborn, Ownbey, Park, Pfeiffer, Pruett, Russ, Sanders, Sears, Thomsen, Watson, Wood, Wright, Mr. Speaker.--38.

Nay: Bennett, Biggs, Brumbaugh, Calvey, Cannaday, Cleveland, Condit, Coody (Jeff), Derby, Dunnington, Echols, Faught, Fisher, Fourkiller, Goodwin, Grau, Griffith, Hall, Hardin, Hoskin, Inman, Jordan, Joyner, Kern, Kouplén, Leewright, Lockhart, Loring, McPeak, Moore, Morrisette, Munson, Murphey, Newell, O'Donnell, Perryman, Proctor, Renegar, Ritze, Roberts (Dustin), Roberts (Sean), Rogers, Rousselot, Scott, Shelton, Sherrer, Shoemake, Stone, Strohm, Tadlock, Vaughan, Walker, Wallace, Williams, Young.--55.

Excused: Billy, Brown, Henke, McBride, McCullough, Peterson, Virgin, Wesselhoft.--8.

The measure failed.

Representative Sears served notice to reconsider the vote whereby **HB 2694** failed.

**GENERAL ORDER**

**HB 2649** by Thomsen of the House was read and considered.

Authored by Senator Fields (principal Senate author)

Representative Thomsen moved that **HB 2649** be advanced from General Order, which motion was declared adopted.

**THIRD READING**

**HB 2649** was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Banz, Bennett, Biggs, Billy, Brown, Brumbaugh, Caldwell, Calvey, Cannaday, Casey, Christian, Cleveland, Cockroft, Condit, Coody (Ann), Coody (Jeff), Cooksey, Cox, Denney, Derby, Dunlap, Dunnington, Echols, Enns, Faught, Fisher, Fourkiller, Grau, Griffith, Hall, Hardin, Henke, Hoskin, Inman, Johnson, Jordan, Joyner, Kannady, Kern, Kirby, Kouplén, Leewright, Lepak, Lockhart, Loring, Martin, McCall, McDaniel (Jeannie), McDaniel (Randy), McPeak, Montgomery, Morrisette, Mulready, Munson, Murdock,

Murphey, Nelson, Newell, Nollan, O'Donnell, Ortega, Ownbey, Park, Perryman, Pfeiffer, Proctor, Pruett, Renegar, Ritze, Roberts (Dustin), Roberts (Sean), Rogers, Rousselot, Russ, Sanders, Scott, Sears, Shelton, Sherrer, Shoemake, Stone, Strohm, Tadlock, Thomsen, Vaughan, Virgin, Walker, Wallace, Watson, Wesselhoft, Williams, Wood, Wright, Young, Mr. Speaker.--95.

Excused: Goodwin, McBride, McCullough, Moore, Osborn, Peterson.--6.

The measure and emergency passed.

**HB 2649** was referred for engrossment.

### GENERAL ORDER

**HB 2357** by Watson of the House and Marlatt of the Senate was read and considered.

Representative Watson moved that **HB 2357** be advanced from General Order, which motion was declared adopted.

### THIRD READING

**HB 2357** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Banz, Bennett, Biggs, Billy, Brown, Brumbaugh, Caldwell, Calvey, Cannaday, Casey, Christian, Cleveland, Cockroft, Condit, Coody (Ann), Coody (Jeff), Cooksey, Cox, Denney, Dunlap, Echols, Enns, Faught, Fisher, Goodwin, Grau, Griffith, Hall, Hardin, Henke, Hoskin, Inman, Johnson, Jordan, Joyner, Kannady, Kern, Kirby, Kouplen, Leewright, Lepak, Lockhart, Loring, Martin, McCall, McDaniel (Jeannie), McDaniel (Randy), McPeak, Montgomery, Moore, Mulready, Munson, Murdock, Nelson, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Park, Perryman, Pfeiffer, Pruett, Renegar, Ritze, Roberts (Dustin), Roberts (Sean), Rogers, Rousselot, Russ, Sanders, Scott, Sears, Shelton, Sherrer, Shoemake, Stone, Strohm, Tadlock, Thomsen, Vaughan, Virgin, Walker, Wallace, Watson, Wesselhoft, Wood, Wright, Young, Mr. Speaker.--91.

Nay: Morrissette, Murphey, Proctor.--3.

Excused: Derby, Dunnington, Fourkiller, McBride, McCullough, Peterson, Williams.--7.

The measure passed.

**HB 2357** was referred for engrossment.

**GENERAL ORDER**

**HB 3024** by Jordan of the House was read and considered.

Authored by Senator Holt (principal Senate author)

Representative Jordan moved that **HB 3024** be advanced from General Order, which motion was declared adopted.

**THIRD READING**

**HB 3024** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Banz, Bennett, Biggs, Billy, Brown, Brumbaugh, Caldwell, Calvey, Cannaday, Casey, Cleveland, Cockroft, Condit, Coody (Ann), Coody (Jeff), Cooksey, Cox, Dunlap, Echols, Enns, Fourkiller, Goodwin, Grau, Griffith, Hall, Hardin, Henke, Hoskin, Inman, Jordan, Joyner, Kannady, Kern, Kirby, Kouplén, Leewright, Lepak, Lockhart, Loring, Martin, McCall, McDaniel (Jeannie), McDaniel (Randy), McPeak, Montgomery, Morrissette, Mulready, Munson, Murdock, Nelson, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Park, Perryman, Pfeiffer, Proctor, Pruett, Renegar, Roberts (Dustin), Rogers, Rousselot, Russ, Sanders, Scott, Sears, Shelton, Sherrer, Shoemake, Stone, Tadlock, Thomsen, Vaughan, Virgin, Walker, Wallace, Watson, Wesselhoft, Williams, Wood, Wright, Young, Mr. Speaker.--86.

Nay: Denney, Faught, Fisher, Johnson, Murphey, Ritze, Strohm.--7.

Excused: Christian, Derby, Dunnington, McBride, McCullough, Moore, Peterson, Roberts (Sean).--8.

The measure passed.

**HB 3024** was referred for engrossment.

**MOTION**

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

**GENERAL ORDER**

**HB 2761** by Kirby of the House and Brown of the Senate was read and considered.

Representative Kirby moved that **HB 2761** be advanced from General Order, which motion was declared adopted.

### THIRD READING

**HB 2761** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Banz, Bennett, Biggs, Billy, Brown, Brumbaugh, Caldwell, Calvey, Cannaday, Casey, Cockroft, Condit, Coody (Ann), Coody (Jeff), Cooksey, Cox, Denney, Derby, Dunlap, Dunnington, Echols, Enns, Faught, Fisher, Fourkiller, Goodwin, Grau, Griffith, Hall, Hardin, Henke, Hoskin, Inman, Johnson, Jordan, Joyner, Kannady, Kern, Kirby, Kouplen, Leewright, Lepak, Lockhart, Loring, Martin, McCall, McDaniel (Jeannie), McDaniel (Randy), McPeak, Montgomery, Moore, Morrissette, Mulready, Munson, Murdock, Murphey, Nelson, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Park, Perryman, Pfeiffer, Proctor, Pruett, Renegar, Ritze, Roberts (Dustin), Roberts (Sean), Rogers, Rousselot, Russ, Sanders, Sears, Shelton, Sherrer, Shoemake, Stone, Strohm, Tadlock, Thomsen, Vaughan, Virgin, Walker, Williams, Wood, Wright, Young, Mr. Speaker.--92.

Excused: Christian, Cleveland, McBride, McCullough, Peterson, Scott, Wallace, Watson, Wesselhoft.--9.

The measure passed.

**HB 2761** was referred for engrossment.

### GENERAL ORDER

**HB 2922** by Kirby of the House and Sparks of the Senate was read and considered.

Representative Kirby moved that **HB 2922** be advanced from General Order, which motion was declared adopted.

### THIRD READING

**HB 2922** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Banz, Bennett, Biggs, Billy, Brown, Brumbaugh, Caldwell, Calvey, Cannaday, Casey, Cleveland, Condit, Coody (Ann), Coody (Jeff), Cooksey, Cox, Denney, Derby, Dunlap, Dunnington, Echols, Enns, Faught, Fisher, Fourkiller, Goodwin, Grau, Griffith, Hall, Hardin, Henke, Hoskin, Inman, Johnson, Jordan, Joyner, Kannady, Kern, Kirby, Kouplen, Leewright, Lepak, Lockhart, Loring, Martin, McCall, McDaniel (Jeannie), McDaniel (Randy), McPeak, Montgomery, Moore, Morrissette, Mulready, Munson, Murdock, Murphey, Nelson, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Park, Perryman, Pfeiffer, Proctor, Pruett, Renegar, Ritze, Roberts (Dustin), Roberts (Sean), Rogers, Rousselot, Russ, Sanders, Scott, Sears, Sherrer, Shoemake, Stone, Strohm,

Tadlock, Thomsen, Vaughan, Virgin, Walker, Wallace, Watson, Williams, Wood, Wright, Young, Mr. Speaker.--94.

Excused: Christian, Cockroft, McBride, McCullough, Peterson, Wesselhoft.--6.

Constitutional Priv: Shelton.--1.

The measure passed.

**HB 2922** was referred for engrossment.

### **GENERAL ORDER**

**HB 2547** by Mulready of the House and David of the Senate was read and considered.

Representative Mulready moved that **HB 2547** be advanced from General Order, which motion was declared adopted.

### **THIRD READING**

**HB 2547** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Banz, Bennett, Biggs, Billy, Brown, Brumbaugh, Caldwell, Calvey, Cannaday, Casey, Cleveland, Cockroft, Condit, Coody (Ann), Coody (Jeff), Cooksey, Cox, Denney, Derby, Dunlap, Dunnington, Echols, Enns, Faught, Fisher, Fourkiller, Goodwin, Grau, Griffith, Hall, Hardin, Henke, Hoskin, Inman, Johnson, Jordan, Joyner, Kannady, Kern, Kirby, Kouplen, Leewright, Lepak, Lockhart, Loring, Martin, McCall, McDaniel (Jeannie), McDaniel (Randy), McPeak, Montgomery, Moore, Morrissette, Mulready, Munson, Murdock, Murphey, Nelson, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Park, Perryman, Pfeiffer, Proctor, Pruett, Renegar, Ritze, Roberts (Sean), Rogers, Rousselot, Russ, Sanders, Scott, Sears, Shelton, Sherrer, Shoemake, Stone, Strohm, Tadlock, Thomsen, Vaughan, Virgin, Walker, Wallace, Watson, Wesselhoft, Williams, Wood, Wright, Young, Mr. Speaker.--96.

Excused: Christian, McBride, McCullough, Peterson, Roberts (Dustin).--5.

The measure passed.

**HB 2547** was referred for engrossment.

## GENERAL ORDER

**HB 2785** by Hardin of the House and Simpson of the Senate was read and considered.

Representative Hardin moved that **HB 2785** be advanced from General Order, which motion was declared adopted.

## THIRD READING

**HB 2785** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Banz, Bennett, Biggs, Billy, Brown, Brumbaugh, Caldwell, Calvey, Cannaday, Casey, Cleveland, Cockroft, Condit, Coody (Ann), Coody (Jeff), Cooksey, Cox, Denney, Derby, Dunlap, Dunnington, Echols, Enns, Faught, Fisher, Fourkiller, Goodwin, Grau, Griffith, Hall, Hardin, Henke, Hoskin, Inman, Johnson, Jordan, Joyner, Kannady, Kern, Kirby, Kouplen, Leewright, Lepak, Lockhart, Loring, Martin, McCall, McDaniel (Jeannie), McDaniel (Randy), McPeak, Montgomery, Moore, Mulready, Munson, Murdock, Murphey, Nelson, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Park, Perryman, Pfeiffer, Proctor, Pruett, Renegar, Ritze, Roberts (Dustin), Roberts (Sean), Rogers, Rousselot, Russ, Sanders, Scott, Sears, Shelton, Sherrer, Shoemake, Stone, Strohm, Tadlock, Thomsen, Vaughan, Virgin, Walker, Wallace, Watson, Wesselhoft, Williams, Wood, Wright, Young, Mr. Speaker.--96.

Nay: Morrisette.--1.

Excused: Christian, McBride, McCullough, Peterson.--4.

The measure passed.

**HB 2785** was referred for engrossment.

## GENERAL ORDER

**HB 2410** by Faught of the House and Dahm of the Senate was read and considered.

Representative Faught moved that **HB 2410** be advanced from General Order, which motion was declared adopted.

**THIRD READING**

**HB 2410** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Banz, Bennett, Biggs, Billy, Brown, Brumbaugh, Caldwell, Calvey, Cannaday, Casey, Cleveland, Condit, Coody (Ann), Coody (Jeff), Cooksey, Cox, Denney, Derby, Dunlap, Dunnington, Echols, Enns, Faught, Fisher, Fourkiller, Goodwin, Grau, Griffith, Hall, Hardin, Henke, Hoskin, Inman, Johnson, Jordan, Joyner, Kannady, Kern, Kirby, Kouplen, Leewright, Lepak, Lockhart, Loring, Martin, McCall, McDaniel (Jeannie), McDaniel (Randy), McPeak, Montgomery, Morrissette, Mulready, Munson, Murdock, Murphey, Nelson, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Park, Perryman, Pfeiffer, Proctor, Pruett, Renegar, Ritze, Roberts (Dustin), Roberts (Sean), Rogers, Rousselot, Russ, Sanders, Scott, Sears, Shelton, Sherrer, Shoemake, Stone, Strohm, Tadlock, Thomsen, Vaughan, Virgin, Walker, Wallace, Watson, Wesselhoft, Williams, Wood, Wright, Young, Mr. Speaker.--95.

Excused: Christian, Cockroft, McBride, McCullough, Moore, Peterson.--6.

The measure passed.

**HB 2410** was referred for engrossment.

**GENERAL ORDER**

**HB 2413** by Faught of the House and Dahm of the Senate was read and considered.

Representative Faught moved that **HB 2413** be advanced from General Order, which motion was declared adopted.

**THIRD READING**

**HB 2413** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Banz, Biggs, Billy, Brown, Brumbaugh, Caldwell, Calvey, Cannaday, Casey, Condit, Coody (Ann), Coody (Jeff), Cox, Derby, Dunnington, Echols, Enns, Faught, Fisher, Fourkiller, Goodwin, Grau, Griffith, Hall, Hardin, Henke, Hoskin, Inman, Johnson, Jordan, Joyner, Kannady, Kern, Kirby, Kouplen, Leewright, Lepak, Lockhart, Loring, Martin, McDaniel (Jeannie), McDaniel (Randy), McPeak, Montgomery, Moore, Morrissette, Mulready, Munson, Murdock, Nelson, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Park, Perryman, Pfeiffer, Proctor, Pruett, Renegar, Ritze, Roberts (Dustin), Roberts (Sean), Rogers, Rousselot, Russ, Sanders, Scott, Sears, Shelton, Sherrer, Shoemake, Stone, Strohm, Tadlock, Thomsen, Vaughan, Virgin, Walker, Wallace, Watson, Wesselhoft, Williams, Wood, Wright, Young, Mr. Speaker.--89.

Nay: Bennett, Cleveland, Denney, McCall, Murphey.--5.

Excused: Christian, Cockroft, Cooksey, Dunlap, McBride, McCullough, Peterson.--7.

The measure passed.

**HB 2413** was referred for engrossment.

## GENERAL ORDER

**HB 3103** by Caldwell of the House was read and considered.

Authored by Senator Griffin (principal Senate author)

Representative Caldwell moved that **HB 3103** be advanced from General Order, which motion was declared adopted.

## THIRD READING

**HB 3103** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Banz, Billy, Brumbaugh, Caldwell, Calvey, Casey, Condit, Coody (Ann), Coody (Jeff), Cooksey, Cox, Denney, Derby, Dunlap, Enns, Faught, Fisher, Hall, Hardin, Henke, Johnson, Jordan, Joyner, Kannady, Kern, Kirby, Leewright, Lepak, Martin, McCall, McDaniel (Jeannie), McDaniel (Randy), Montgomery, Moore, Mulready, Murdock, Nelson, Newell, O'Donnell, Ortega, Ownbey, Park, Pfeiffer, Pruett, Ritze, Roberts (Sean), Rogers, Russ, Sears, Strohm, Thomsen, Vaughan, Wallace, Watson, Wesselhoft, Wright, Mr. Speaker.--57.

Nay: Bennett, Brown, Cannaday, Christian, Cleveland, Dunnington, Echols, Fourkiller, Goodwin, Grau, Griffith, Hoskin, Inman, Kouplen, Lockhart, Loring, McPeak, Morrisette, Munson, Murphey, Nollan, Perryman, Proctor, Renegar, Roberts (Dustin), Rousselot, Sanders, Scott, Shelton, Sherrer, Shoemake, Stone, Tadlock, Virgin, Walker, Williams, Wood, Young.--38.

Excused: Biggs, Cockroft, McBride, McCullough, Osborn, Peterson.--6.

The measure passed.

On passage of the emergency, the roll call was as follows:

Aye: Billy, Brumbaugh, Caldwell, Calvey, Casey, Coody (Ann), Coody (Jeff), Cox, Denney, Echols, Enns, Hall, Hardin, Henke, Johnson, Joyner, Kannady, Kern, Lepak, Martin, McCall, McDaniel (Randy), Mulready, Nelson, Newell, Ortega, Ownbey, Pfeiffer,

Rogers, Russ, Sears, Thomsen, Vaughan, Wallace, Watson, Wesselhoft, Wood, Wright, Mr. Speaker.--39.

Nay: Bennett, Brown, Cannaday, Cockroft, Condit, Fisher, Fourkiller, Goodwin, Grau, Griffith, Hoskin, Inman, Kirby, Kouplen, Leewright, Lockhart, Loring, McPeak, Moore, Morrisette, Munson, Murphey, Nollan, O'Donnell, Park, Perryman, Proctor, Pruett, Renegar, Ritze, Roberts (Dustin), Rousselot, Shelton, Sherrer, Shoemake, Stone, Strohm, Tadlock, Virgin, Walker, Young.--41.

Excused: Banz, Biggs, Christian, Cleveland, Cooksey, Derby, Dunlap, Dunnington, Fought, Jordan, McBride, McCullough, McDaniel (Jeannie), Montgomery, Murdock, Osborn, Peterson, Roberts (Sean), Sanders, Scott, Williams.--21.

The emergency failed.

Representative Caldwell served notice to reconsider the vote whereby the emergency failed on **HB 3103**.

## **MESSAGES FROM THE SENATE**

Announcing the passage of **SBs 998, 1033, 1069, 1186, 1196** and **1211**. The measures were introduced and read for the first time.

**SB 998** – By Fields of the Senate and Roberts (Sean) of the House.

[ motor vehicle license plates - Bison license plate - Revolving Fund - codification - effective date]

**SB 1033** – By Stanislawski of the Senate and Denney of the House.

An Act relating to the Oklahoma Employees Insurance and Benefits Plans; amending 74 O.S. 2011, Section 1315, as last amended by Section 959, Chapter 304, O.S.L. 2012 (74 O.S. Supp. 2015, Section 1315), which relates to participation by political subdivisions, public trusts, utility districts, nonprofit entities, and other local service agencies; including nonprofit entities that represent health care providers to list of groups that may apply for participation in the Oklahoma Employees Insurance and Benefits Plans; and providing an effective date.

**SB 1069** – By Griffin of the Senate and Denney of the House.

An Act relating to the Office of Juvenile Affairs; amending Section 1, Chapter 201, O.S.L. 2014 (10A O.S. Supp. 2015, Section 2-7-616), which relates to the Office of Juvenile Affairs' charter school; directing the Office of Management and Enterprise Services to take action to assist the Office of Juvenile Affairs in operating the charter school; providing an effective date; and declaring an emergency.

**SB 1186** – By Stanislawski of the Senate and Coody (Jeff) of the House.

An Act relating to insurance licensure; amending 36 O.S. 2011, Section 1435.40, which relates to applicants for licensure and certain government employees; exempting members of the United States Armed Forces or Oklahoma National Guard from prohibition against certain government employees holding insurance licensure; and providing an effective date.

**SB 1196** – By Griffin of the Senate and Nelson of the House.

An Act relating to public health; amending 63 O.S. 2011, Section 2602, which relates to self-consent for medical services; permitting certain consent under certain circumstances; providing certain limitation; and providing an effective date.

**SB 1211** – By Griffin of the Senate and Cockroft and Munson of the House.

[ child care facilities - minimum requirements - certain subcommittees - Oklahoma Commission on Children and Youth - effective date ]

## RESOLUTIONS

The following was introduced and read:

**HR 1039** – By Brumbaugh.

A Resolution relating to marriage; expressing support for natural marriage; stating policy of state to defend natural marriage as recognized by the people of Oklahoma; declaring marriage between one man and one woman to remain law regardless of any court decision; finding any court decision purporting to strike down natural marriage as unauthoritative and void; directing Governor to resist unlawful court encroachments; requiring Attorney General to defend any state official in natural marriage lawsuits; prohibiting state agency or officer from giving force or effect to specified court orders; proscribing levy of property or arrest of any person refusing to comply with an unlawful court order; directing law enforcement to actively prevent arrest or imprisonment of any person refusing to comply with an unlawful court order; establishing a fund to pay fines of state officials acting in their official capacity to defend natural marriage.

## MOTION EXPIRED

Time expired for consideration of the motion to reconsider the vote whereby **HB 2615** passed.

**HB 2615** was referred for engrossment.

## COMMITTEE REPORTS

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

DO PASS:

**HB 2424** – Judiciary and Civil Procedure, Authored by Senator Dahm (principal Senate author)

**HB 3033** – Children, Youth and Family Services

Representative Nelson moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 1:30 p.m., Wednesday, February 24, 2016, which was the order.

Pursuant to the motion of Representative Nelson, the House was adjourned at 11:05 a.m., to reconvene Wednesday, February 24, 2016, at 1:30 p.m.