

HOUSE JOURNAL

Second Regular Session of the Fifty-fifth Legislature

of the State of Oklahoma

Thirty-seventh Legislative Day, Wednesday, April 6, 2016

The House was called to order by Representative Grau.

The roll was called with 97 Members present.

The following Members were excused: Christian, McDaniel (Jeannie), McPeak, Wallace.—4.

Representative Grau declared a quorum present.

Prayer was offered by Executive Director-Chaplain Kent Bowles, WIN Foundation, Norman. Director Bowles was sponsored by Representative Thomsen.

The Journal for the last legislative day was approved.

ENGROSSED AND ENROLLED MEASURES

HAs to SB 874 were reported correctly engrossed, properly signed, in open session, and the measure, as amended, was ordered returned to the Honorable Senate.

HBs 2358, 2432, 2775, 2776 and 3102 were reported correctly enrolled and, after fourth reading, properly signed, in open session, and ordered transmitted to the Honorable Senate.

HR 1052 was reported correctly enrolled, properly signed, in open session, and ordered transmitted to the Secretary of State.

GENERAL ORDER

SB 1357 by Halligan of the Senate and Denney of the House was read and considered.

Representative Denney moved that **SB 1357** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 1357 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Banz, Bennett, Biggs, Billy, Brumbaugh, Cannaday, Casey, Cleveland, Cockroft, Condit, Coody (Ann), Coody (Jeff), Cooksey, Cox, Denney, Dunlap, Dunnington, Enns, Faught, Fisher, Fourkiller, Goodwin, Grau, Griffith, Hall, Hardin, Hoskin, Inman, Johnson, Jordan, Joyner, Kern, Kirby, Kouplen, Lepak, Lockhart, Loring, McBride, McCall, McCullough, McDaniel (Randy), Montgomery, Mulready, Munson, Murdock, Murphey, Nelson, Newell, Nollan, O'Donnell, Ortega, Ownbey, Park, Perryman, Peterson, Pfeiffer, Proctor, Pruett, Ritze, Roberts (Dustin), Roberts (Sean), Rogers, Rousselot, Russ, Sanders, Scott, Shelton, Sherrer, Shoemake, Stone, Strohm, Tadlock, Thomsen, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wood, Wright, Young, Mr. Speaker.--83.

Excused: Brown, Caldwell, Calvey, Christian, Derby, Echols, Henke, Kannady, Leewright, Martin, McDaniel (Jeannie), McPeak, Moore, Morrisette, Osborn, Renegar, Sears, Wallace.--18.

The measure passed.

SB 1357 was referred for engrossment.

GENERAL ORDER

SB 1374 by Treat of the Senate and Denney of the House was read and considered.

Representative Denney moved that **SB 1374** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 1374 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Banz, Bennett, Biggs, Billy, Brumbaugh, Calvey, Cannaday, Casey, Cleveland, Cockroft, Condit, Coody (Ann), Coody (Jeff), Cooksey, Cox, Denney, Derby, Dunlap, Dunnington, Enns, Faught, Fisher, Fourkiller, Goodwin, Grau, Griffith, Hall, Hardin,

Henke, Hoskin, Inman, Johnson, Jordan, Joyner, Kannady, Kern, Kirby, Kouplen, Leewright, Lepak, Lockhart, Loring, Martin, McBride, McCall, McCullough, McDaniel (Randy), Montgomery, Moore, Mulready, Munson, Murdock, Murphey, Nelson, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Park, Perryman, Peterson, Pfeiffer, Proctor, Pruett, Ritze, Roberts (Dustin), Roberts (Sean), Rogers, Rousselot, Russ, Sanders, Scott, Shelton, Sherrer, Shoemake, Stone, Strohm, Tadlock, Thomsen, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wood, Wright, Young, Mr. Speaker.--91.

Excused: Brown, Caldwell, Christian, Echols, McDaniel (Jeannie), McPeak, Morrisette, Renegar, Sears, Wallace.--10.

The measure passed.

SB 1374 was referred for engrossment.

MESSAGES FROM THE SENATE

Advising fourth reading of and transmitting for signature Enrolled **SBs 941, 1017 and 1108**.

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

Returning engrossed measures, as amended

Announcing the passage of and returning engrossed measures as amended: **HBs 1036, 2535**, Coauthored by Senator Loveless and **2946**.

Senate amendments were read on the above-numbered measures.

GENERAL ORDER

SB 1273 by Floyd et al of the Senate and Cockroft of the House was read and considered.

Coauthored by Representative(s) Sherrer, Henke, Griffith, Munson, Roberts (Sean)

Representative Roberts (Sean) moved to amend **SB 1273**, Page 1, Line 1, Section 18 ½ by inserting a new Section 1 as follows:

“SECTION 1. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

This act shall be known and may be cited as ‘Shepard’s Law’.”, and by renumbering subsequent sections, which amendment was declared adopted.

Representative Cockroft moved that **SB 1273** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 1273 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, Brumbaugh, Caldwell, Calvey, Cannaday, Casey, Cleveland, Cockroft, Condit, Coody (Ann), Cooksey, Cox, Denney, Derby, Dunlap, Dunnington, Echols, Enns, Faught, Goodwin, Grau, Griffith, Hall, Hardin, Henke, Hoskin, Inman, Johnson, Jordan, Joyner, Kannady, Kern, Kirby, Kouplen, Leewright, Lepak, Lockhart, Loring, Martin, McBride, McCall, McCullough, McDaniel (Randy), Montgomery, Morrisette, Mulready, Munson, Murdock, Nelson, Newell, Nollan, O'Donnell, Ortega, Osborn, Park, Perryman, Peterson, Pfeiffer, Proctor, Pruett, Ritze, Roberts (Dustin), Roberts (Sean), Rogers, Rousselot, Sanders, Sears, Sherrer, Shoemake, Stone, Tadlock, Thomsen, Vaughan, Virgin, Walker, Watson, Williams, Wood, Wright, Young, Mr. Speaker.--84.

Nay: Coody (Jeff), Fisher, Murphey, Russ, Scott, Wesselhoft.--6.

Excused: Brown, Christian, Fourkiller, McDaniel (Jeannie), McPeak, Moore, Ownbey, Renegar, Shelton, Strohm, Wallace.--11.

The measure and emergency passed.

SB 1273 was referred for engrossment.

GENERAL ORDER

SB 1274 by Floyd of the Senate and Cockroft of the House was read and considered.

Coauthored by Representative(s) Roberts (Sean), Henke, Griffith, Munson

Representative Proctor moved to amend **SB 1274** by deleting Section 2 in its entirety and by inserting in lieu thereof an emergency clause, which amendment was declared adopted.

Representative Roberts (Sean) moved to amend **SB 1274**, Page 2, Section 1, Line 20 by deleting the word "and" after the semicolon ";"; Line 22 by deleting the period "." after the word "law" and by inserting in lieu thereof "; and" and Line 23 by adding the following sentence: "3. Keep a form signed by the parent or legal guardian of each child that he or she has been told that the child care facility does not carry at least Two Hundred Thousand Dollars (\$200,000.00) of general liability insurance.", which amendment was declared adopted.

Representative Cockroft moved that **SB 1274** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 1274 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, 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, Kouplén, Leewright, Lepak, Lockhart, Loring, Martin, McBride, McCall, McCullough, McDaniel (Randy), Montgomery, Moore, Morrissette, Mulready, Munson, Murdock, Murphey, Nelson, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Park, Perryman, Peterson, Pfeiffer, Proctor, Pruett, Ritze, Roberts (Dustin), Roberts (Sean), Rogers, Rousselot, Russ, Sanders, Scott, Sears, Sherrer, Shoemake, Stone, Strohm, Tadlock, Thomsen, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wood, Wright, Young, Mr. Speaker.--94.

Excused: Brown, Christian, McDaniel (Jeannie), McPeak, Renegar, Shelton, Wallace.--7.

The measure and emergency passed.

SB 1274 was referred for engrossment.

GENERAL ORDER

SB 1206 by Fields of the Senate and Banz of the House was read and considered.

Representative Banz moved to amend **SB 1206** by restoring the title and enacting clause, which amendment was declared adopted.

Representative Banz moved that **SB 1206** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 1206 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Banz, Billy, Brown, Caldwell, Cannaday, Casey, Cockroft, Condit, Coody (Ann), Coody (Jeff), Cox, Denney, Dunlap, Enns, Goodwin, Grau, Griffith, Hardin, Henke, Hoskin, Inman, Joyner, Kannady, Kirby, Kouplén, Lepak, Loring, Martin, Moore,

Morrisette, Mulready, Munson, Nelson, Nollan, Ortega, Ownbey, Proctor, Pruett, Rogers, Rousselot, Russ, Sanders, Scott, Sears, Sherrer, Shoemake, Stone, Thomsen, Vaughan, Virgin, Watson, Williams, Wood, Wright, Young, Mr. Speaker.--56.

Nay: Bennett, Biggs, Brumbaugh, Calvey, Cleveland, Cooksey, Derby, Echols, Faught, Fisher, Hall, Johnson, Jordan, Kern, Leewright, Lockhart, McBride, McCall, McCullough, McDaniel (Randy), Montgomery, Murdock, Murphey, Newell, O'Donnell, Osborn, Park, Perryman, Peterson, Pfeiffer, Ritze, Roberts (Dustin), Roberts (Sean), Strohm, Tadlock, Walker, Wesselhoft.--37.

Excused: Christian, Dunnington, Fourkiller, McDaniel (Jeannie), McPeak, Renegar, Shelton, Wallace.--8.

The measure passed.

The Presiding Officer signed, in open session, Engrossed **SB 1206** and ordered same returned to the Honorable Senate.

GENERAL ORDER

SB 1056 by Fry of the Senate and Banz of the House was read and considered.

Representative Banz moved that **SB 1056** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 1056 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Banz, Billy, Brown, Condit, Coody (Ann), Cooksey, Cox, Denney, Enns, Hardin, Joyner, Lepak, Loring, McCullough, Ortega, Pruett, Rousselot, Sherrer, Tadlock, Watson, Wright, Young, Mr. Speaker.--23.

Nay: Bennett, Biggs, Brumbaugh, Caldwell, Calvey, Cannaday, Casey, Cleveland, Cockroft, Coody (Jeff), Derby, Dunlap, Echols, Faught, Fisher, Goodwin, Grau, Griffith, Hall, Henke, Hoskin, Inman, Johnson, Jordan, Kannady, Kern, Kirby, Kouplen, Leewright, Lockhart, Martin, McBride, McCall, McDaniel (Randy), Montgomery, Moore, Morrisette, Mulready, Munson, Murdock, Murphey, Nelson, Newell, O'Donnell, Osborn, Ownbey, Park, Perryman, Peterson, Pfeiffer, Proctor, Ritze, Roberts (Dustin), Roberts (Sean), Rogers, Russ, Sanders, Scott, Sears, Shoemake, Stone, Strohm, Thomsen, Vaughan, Virgin, Walker, Wesselhoft, Williams.--68.

Excused: Christian, Dunnington, Fourkiller, McDaniel (Jeannie), McPeak, Nollan, Renegar, Shelton, Wallace, Wood.--10.

The measure failed.

Representative Banz served notice to reconsider the vote whereby **SB 1056** failed.

MESSAGES FROM THE SENATE

Announcing that Enrolled **HBs 2358, 2432, 2775, 2776** and **3102** 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.

RESOLUTION FOR CONSIDERATION

HR 1058 was called up for consideration.

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

Upon motion of Representative Enns, **HR 1058** was considered and adopted.

HR 1058 was referred for enrollment.

GENERAL ORDER

SB 1123 by David et al of the Senate and Kirby of the House was read and considered.

Remove Senator David as principal Senate author and substitute with Senator Silk

Coauthored by Senator(s) David

Representative Kirby moved to suspend House Rule 8.6(b) for the purpose of allowing consideration of an untimely filed floor amendment, which motion was declared adopted upon roll call as follows:

Aye: Billy, Brown, Brumbaugh, Caldwell, Calvey, Cannaday, Casey, Cleveland, Cockroft, Condit, Coody (Ann), Coody (Jeff), Cooksey, Cox, Denney, Derby, Dunlap, Dunnington, Echols, Fisher, Goodwin, Grau, Griffith, Hall, Henke, Hoskin, Johnson, Jordan, Joyner, Kannady, Kern, Kirby, Leewright, Lepak, Lockhart, Loring, Martin, McBride, McDaniel (Randy), Montgomery, Moore, Mulready, Munson, Murdock, Murphey, Nelson, Newell, Nollan, O'Donnell, Osborn, Ownbey, Park, Perryman, Peterson, Pfeiffer, Proctor, Pruett, Renegar, Ritze, Roberts (Dustin), Roberts (Sean), Rogers,

Rousselot, Russ, Sanders, Scott, Sears, Sherrer, Stone, Strohm, Tadlock, Vaughan, Virgin, Walker, Wesselhoft, Wood, Wright, Mr. Speaker.--78.

Excused: Banz, Bennett, Biggs, Christian, Enns, Faught, Fourkiller, Hardin, Inman, Kouplen, McCall, McCullough, McDaniel (Jeannie), McPeak, Morrissette, Ortega, Shelton, Shoemake, Thomsen, Wallace, Watson, Williams, Young.--23.

Representative Kirby moved to amend **SB 1123**, Page 5, Section 1, Line 11 by adding after the language "shall not apply to" the following language: "the licensing exemptions provided in Section 858-301 of this title, including but not limited to,"; Line 12 by adding the word "property" after the word "the" and before the word "owner" and by deleting the words "legal representative" after the comma "," and before the word "or" and adding in lieu thereof the words "attorney-in-fact for the owner"; and by inserting on Page 5, Line 16 1/2, a new SECTION 2 and renumbering subsequent section, which amendment was declared adopted.

Representative Kirby moved that **SB 1123** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 1123 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, Goodwin, Grau, Griffith, Hall, Hardin, Henke, Hoskin, Johnson, Jordan, Joyner, Kannady, Kern, Kirby, Kouplen, Leewright, Lepak, Lockhart, Loring, Martin, McBride, McCullough, McDaniel (Randy), Montgomery, Moore, Morrissette, Mulready, Munson, Murdock, Nelson, Newell, Nollan, O'Donnell, Ortega, Osborn, Ownbey, Park, Perryman, Peterson, Pfeiffer, Proctor, Pruett, Ritze, Roberts (Dustin), Roberts (Sean), Rogers, Rousselot, Russ, Sanders, Scott, Sears, Sherrer, Stone, Thomsen, Vaughan, Virgin, Walker, Watson, Wesselhoft, Wood, Young, Mr. Speaker.--86.

Nay: Murphey, Strohm, Tadlock.--3.

Excused: Christian, Fourkiller, Inman, McCall, McDaniel (Jeannie), McPeak, Renegar, Shelton, Shoemake, Wallace, Williams, Wright.--12.

The measure passed.

SB 1123 was referred for engrossment.

Speaker Hickman Presiding

MESSAGES FROM THE SENATE

Announcing the passage of **HBs 2258, 2285, 2413, 2471, 2518, 2526 and 3000.**

The above-numbered measures were referred for enrollment.

Concurrence in HAs

Announcing the concurrence of Senate in **HAs to SB 1567** and the passage of said measure, as amended thereby.

Representative Grau Presiding

MOTION

Representative Sears asked that the Journal reflect that had he been present in the Chamber, he would have voted aye on **SBs 1357 and 1374**, which was the order.

COMMITTEE REPORTS

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

DO PASS:

HB 3202 – Joint Committee on Appropriations and Budget

HB 3203 – Joint Committee on Appropriations and Budget

SB 888 – Government Oversight and Accountability

SB 1011 – County and Municipal Government

SB 1029 – County and Municipal Government

SB 1156 – County and Municipal Government

SB 1170 – Appropriations and Budget, Coauthored by Representative(s) Henke, Montgomery, Remove Senator Ford as principal Senate author and substitute with Senator Smalley, and Coauthored by Senator(s) Stanislawski, Sykes

SB 1182 – Government Oversight and Accountability

SB 1405 – County and Municipal Government

SB 1491 – Criminal Justice and Corrections, Coauthored by Representative(s) Munson, and Coauthored by Senator(s) Floyd

SB 1493 – County and Municipal Government, Remove Representative Biggs as principal House author and substitute with Representative Park, and Coauthored by Representative(s) Biggs

DO PASS, As Amended:

CS for HJR 1072 – Administrative Rules

CS for SB 58 – Judiciary and Civil Procedure

CS for SB 309 – State Government Operations

CS for SB 695 – County and Municipal Government, Remove Representative Dank as principal House author and substitute with Representative Hall, and Coauthored by Senator(s) Pittman

SB 770 – Government Oversight and Accountability

CS for SB 790 – Appropriations and Budget

CS for SB 936 – Appropriations and Budget

CS for SB 965 – Appropriations and Budget, Coauthored by Representative(s) Roberts (Dustin), Walker

SB 1001 – Criminal Justice and Corrections

SB 1130 – Administrative Rules

SB 1141 – Criminal Justice and Corrections

CS for SB 1201 – County and Municipal Government, Coauthored by Senator(s) Matthews

SB 1220 – Appropriations and Budget, Coauthored by Senator(s) Pittman

CS for SB 1237 – County and Municipal Government, Coauthored by Senator(s) Pittman

CS for SB 1257 – Criminal Justice and Corrections, Coauthored by Senator(s) Pittman

CS for SB 1448 – Public Health

CS for SB 1496 – Business, Labor and Retirement Laws

CS for SB 1503 – Criminal Justice and Corrections

Representative Billy moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 9:00 a.m., Thursday, April 7, 2016, which was the order.

Pursuant to the motion of Representative Billy, the House was adjourned at 4:00 p.m., to reconvene Thursday, April 7, 2016, at 9:00 a.m.