

Senate Journal

Second Regular Session of the Fifty-fourth Legislature of the State of Oklahoma

Fifty-second Legislative Day, Tuesday, May 6, 2014

The Senate was called to order by Senator David.

Roll Call:

Present: Aldridge, Allen, Anderson, Ballenger, Barrington, Bass, Bingman, Boggs, Branan, Brecheen, Brinkley, Brooks, Brown, Burrage, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Loveless, Marlatt, Mazzei, McAffrey, Paddack, Schulz, Sharp, Shaw, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes, Treat and Wyrick.—45.

Excused: Coates, Crain and Newberry.—3.

Senator David declared a quorum present.

The prayer was offered by Dr. Bryan Haynes, College Heights Baptist Church, Chickasha, the guest of Senator Justice.

REPORT OF ENGROSSED AND ENROLLED MEASURES

SCRs 38 and 42 were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

SBs 1077, 1364, 1450, 1536, 1599, 1719, 1824, 1845 and 1940 were each correctly enrolled, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

FIRST READING

The following was introduced and read the first time:

SR 85 – By Loveless.

A Resolution congratulating the Mustang High School Broncos powerlifting team, 2014 Class 6A state champions; commending the coaching staff; and directing distribution.

**UNANIMOUS CONSENT REQUEST
DIRECT TO CALENDAR**

Senator Loveless asked unanimous consent to refer **SR 85** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

SR 85 by Loveless was called up for consideration.

SR 85 was adopted upon motion of Senator Loveless and referred for enrollment.

PENDING CONSIDERATION OF HAS

HAs to **SB 2024** were concurred in upon motion of Senator Barrington.

SB 2024, as amended by the Honorable House, was read at length.

On the question of passage of the bill and emergency, the vote resulted as follows:

Aye: Allen, Anderson, Ballenger, Barrington, Bass, Bingman, Boggs, Brecheen, Brinkley, Brooks, Brown, Burrage, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (R), Justice, Marlatt, Mazzei, McAffrey, Paddack, Schulz, Sharp, Shaw, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes and Treat.--38.

Excused: Aldridge, Branan, Coates, Crain, Johnson (C), Jolley, Loveless, Newberry, Shortey and Wyrick.--10.

The bill and emergency passed.

House amendments were properly signed and the above-numbered bill was referred for enrollment.

PENDING CONSIDERATION OF HAS

HAs to SB 2078 were concurred in upon motion of Senator Barrington.

SB 2078, as amended by the Honorable House, was read at length.

On the question of passage of the bill, the vote resulted as follows:

Aye: Allen, Anderson, Ballenger, Barrington, Bass, Bingman, Boggs, Brecheen, Brinkley, Brooks, Brown, Burrage, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (R), Justice, Loveless, Marlatt, Mazzei, McAffrey, Paddack, Schulz, Shaw, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes and Treat.--38.

Excused: Aldridge, Branan, Coates, Crain, Johnson (C), Jolley, Newberry, Sharp, Shortey and Wyrick.--10.

The bill passed.

House amendments were properly signed and the above-numbered bill was referred for enrollment.

PENDING CONSIDERATION OF HAS

HAs to SB 2098 were concurred in upon motion of Senator Barrington.

SB 2098, as amended by the Honorable House, was read at length.

On the question of passage of the bill, the vote resulted as follows:

Aye: Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Boggs, Brecheen, Brinkley, Brooks, Brown, Burrage, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (R), Justice, Loveless, Marlatt, Mazzei, McAffrey, Paddack, Schulz, Sharp, Shaw, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski and Sykes.--39.

Nay: Allen.--1.

Excused: Branan, Coates, Crain, Johnson (C), Jolley, Newberry, Treat and Wyrick.--8.

The bill passed.

House amendments were properly signed and the above-numbered bill was referred for enrollment.

PENDING CONSIDERATION OF JCR

The **JCR** on **SB 2126** was adopted upon motion of Senator Justice.

SB 2126 was read at length.

On the question of passage of the bill and emergency, the vote resulted as follows:

Aye: Aldridge, Allen, Anderson, Ballenger, Barrington, Bass, Bingman, Boggs, Brecheen, Brinkley, Brooks, Brown, Burrage, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Justice, Loveless, Mazzei, McAffrey, Paddack, Schulz, Sharp, Shaw, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes and Treat.--41.

Excused: Branan, Coates, Crain, Jolley, Marlatt, Newberry and Wyrick.--7.

The bill and emergency passed.

SB 2126 was referred for engrossment.

PENDING CONSIDERATION OF HAs

HAs to **SB 1884** were concurred in upon motion of Senator Justice.

SB 1884, as amended by the Honorable House, was read at length.

On the question of passage of the bill, the vote resulted as follows:

Aye: Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Boggs, Brecheen, Brinkley, Brooks, Brown, Burrage, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Johnson (C), Johnson (R), Justice, Loveless, Marlatt, Mazzei, McAffrey, Paddack, Schulz, Sharp, Shaw, Shumate, Simpson, Sparks, Standridge and Stanislawski.--36.

Nay: Allen, Dahm, Shortey and Sykes.--4.

Excused: Branan, Coates, Crain, Ivester, Jolley, Newberry, Treat and Wyrick.--8.

The bill passed.

House amendments were properly signed and the above-numbered bill was referred for enrollment.

PENDING CONSIDERATION OF HAS

HAs to **SB 1215** were concurred in upon motion of Senator Stanislawski.

SB 1215, as amended by the Honorable House, was read at length.

On the question of passage of the bill, the vote resulted as follows:

Aye: Anderson, Ballenger, Barrington, Bass, Burrage, Ellis, Garrison, Holt, Ivester, Johnson (C), Johnson (R), Justice, Loveless, McAffrey, Paddack, Schulz, Sharp, Shaw, Shumate and Stanislawski.--20.

Nay: Aldridge, Allen, Bingman, Boggs, Brecheen, Brinkley, Brooks, Brown, Dahm, David, Fields, Ford, Griffin, Halligan, Marlatt, Mazzei, Shortey, Simpson, Sparks, Standridge and Sykes.--21.

Excused: Branan, Coates, Crain, Jolley, Newberry, Treat and Wyrick.--7.

The bill failed.

Pursuant to Rule 12-21, Senator Stanislawski served notice that the vote be reconsidered whereby **SB 1215** failed.

PENDING CONSIDERATION OF HAS

HAs to **SB 1460** were concurred in upon motion of Senator Stanislawski.

SB 1460, as amended by the Honorable House, was read at length.

On the question of passage of the bill, the vote resulted as follows:

Aye: Aldridge, Allen, Anderson, Ballenger, Barrington, Bass, Bingman, Boggs, Brecheen, Brinkley, Brooks, Brown, Burrage, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (R), Justice, Loveless, Marlatt, Mazzei, McAffrey, Paddack, Schulz, Shaw, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski and Sykes.--38.

Nay: Dahm, Johnson (C) and Sharp.--3.

Excused: Branan, Coates, Crain, Jolley, Newberry, Treat and Wyrick.--7.

The bill passed.

House amendments were properly signed and the above-numbered bill was referred for enrollment.

PENDING CONSIDERATION OF HAS

HAs to SB 1461 were concurred in upon motion of Senator Stanislawski.

SB 1461, as amended by the Honorable House, was read at length.

On the question of passage of the bill and emergency, the vote resulted as follows:

Aye: Aldridge, Allen, Anderson, Ballenger, Barrington, Bass, Bingman, Boggs, Brecheen, Brinkley, Brooks, Brown, Burrage, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Justice, Loveless, Marlatt, Mazzei, McAffrey, Paddack, Schulz, Sharp, Shaw, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski and Sykes.--41.

Excused: Branan, Coates, Crain, Jolley, Newberry, Treat and Wyrick.--7.

The bill and emergency passed.

House amendments were properly signed and the above-numbered bill was referred for enrollment.

PENDING CONSIDERATION OF HAS

HAs to SB 1228 were concurred in upon motion of Senator Mazzei.

SB 1228, as amended by the Honorable House, was read at length.

On the question of passage of the bill, the vote resulted as follows:

Aye: Aldridge, Allen, Anderson, Ballenger, Barrington, Bass, Bingman, Boggs, Brecheen, Brinkley, Brooks, Brown, Burrage, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Justice, Loveless, Mazzei, McAffrey, Paddack, Schulz, Sharp, Shaw, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski and Sykes.--40.

Excused: Branan, Coates, Crain, Jolley, Marlatt, Newberry, Treat and Wyrick.--8.

The bill passed.

House amendments were properly signed and the above-numbered bill was referred for enrollment.

PENDING CONSIDERATION OF HAS

HAs to SB 1244 were concurred in upon motion of Senator Mazzei.

SB 1244, as amended by the Honorable House, was read at length.

On the question of passage of the bill, the vote resulted as follows:

Aye: Aldridge, Allen, Anderson, Ballenger, Barrington, Bass, Bingman, Boggs, Brecheen, Brinkley, Brooks, Brown, Burrage, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Justice, Loveless, Marlatt, Mazzei, McAffrey, Paddack, Schulz, Sharp, Shaw, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes and Treat.--42.

Excused: Branan, Coates, Crain, Jolley, Newberry and Wyrick.--6.

The bill passed.

House amendments were properly signed and the above-numbered bill was referred for enrollment.

**UNANIMOUS CONSENT REQUEST
DIRECT TO CALENDAR**

Senator Treat asked unanimous consent to refer **SR 84** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

SR 84 by Treat was called up for consideration.

All other members of the Senate asked to coauthor **SR 84**, which was the order.

SR 84 was adopted upon motion of Senator Treat and referred for enrollment.

PENDING CONSIDERATION OF HAS

HAs to SB 1319 were concurred in upon motion of Senator Sparks.

SB 1319, as amended by the Honorable House, was read at length.

On the question of passage of the bill, the vote resulted as follows:

Aye: Aldridge, Allen, Anderson, Ballenger, Barrington, Bass, Bingman, Boggs, Brecheen, Brinkley, Brooks, Brown, Burrage, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Justice, Loveless, Marlatt, Mazzei, McAffrey, Paddack, Schulz, Sharp, Shaw, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes and Treat.--42.

Excused: Branan, Coates, Crain, Jolley, Newberry and Wyrick.--6.

The bill passed.

House amendments were properly signed and the above-numbered bill was referred for enrollment.

PENDING CONSIDERATION OF HAS

HAs to SB 1648 were concurred in upon motion of Senator Sparks.

SB 1648, as amended by the Honorable House, was read at length.

On the question of passage of the bill and emergency, the vote resulted as follows:

Aye: Aldridge, Allen, Anderson, Ballenger, Barrington, Bass, Bingman, Boggs, Brecheen, Brinkley, Brooks, Brown, Burrage, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Loveless, Marlatt, Mazzei, McAffrey, Paddack, Schulz, Sharp, Shaw, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes and Treat.--43.

Excused: Branan, Coates, Crain, Newberry and Wyrick.--5.

The bill and emergency passed.

House amendments were properly signed and the above-numbered bill was referred for enrollment.

PENDING CONSIDERATION OF HAS

HAs to SB 1520 were concurred in upon motion of Senator Garrison.

SB 1520, as amended by the Honorable House, was read at length.

On the question of passage of the bill and emergency, the vote resulted as follows:

Aye: Aldridge, Allen, Anderson, Ballenger, Barrington, Bass, Boggs, Brecheen, Brooks, Brown, Burrage, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (C), Justice, Loveless, Marlatt, Mazzei, McAffrey, Paddack, Schulz, Sharp, Shaw, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes and Treat.--39.

Excused: Bingman, Branan, Brinkley, Coates, Crain, Johnson (R), Jolley, Newberry and Wyrick.--9.

The bill and emergency passed.

House amendments were properly signed and the above-numbered bill was referred for enrollment.

EXECUTIVE NOMINATIONS

The following executive nominations have been approved by the committees named:

Curtis, John, Broken Arrow, to the Oklahoma Mining Commission, to serve a seven year term ending January 1, 2021, succeeding Larry Ennis. (Energy Committee) Motion to confirm made by Senator Nathan Dahm.

Dulisse, Carole, Oklahoma City, to the State Board of Veterinary Medical Examiners, to serve a five year term ending May 9, 2019, succeeding herself. (Agriculture and Rural Development Committee) Motion to confirm made by Senator Greg Treat on behalf of Senator Cliff Branan.

Farris, Joe, Taloga, to the State Board of Agriculture, to serve a four year term ending April 26, 2018, succeeding himself. (Agriculture and Rural Development Committee) Motion to confirm made by Senator Bryce Marlatt.

Hammon, Tracy L., Bartlesville, to the Environmental Quality Board, to serve a five year term ending January 31, 2019, succeeding herself. (Energy Committee) Motion to confirm made by Senator John Ford.

Humphrey, David, Tulsa, to the Oklahoma Science and Technology Research and Development Board, to serve a four year term ending June 30, 2018, succeeding Mark Ashton. (Energy Committee) Motion to confirm made by Senator Mike Mazzei.

Shreve, Edward L., Stillwater, to the Oklahoma Science and Technology Research and Development Board, to serve a four year term ending June 30, 2018, succeeding himself. (Energy Committee) Motion to confirm made by Senator Jim Halligan.

Sims, Billy G., Mountain View, to the Environmental Quality Board, to serve a five year term ending January 31, 2019, succeeding himself. (Energy Committee) Motion to confirm made by Senator Mike Schulz.

Vaught, Cheryl, Oklahoma City, to the Environmental Quality Board, to serve an unexpired term ending January 31, 2017, succeeding Karol Theresa Savage. (Energy Committee) Motion to confirm made by Senator Al McAffrey.

Winters, Jed, Altus, to the Oklahoma Mining Commission, to serve a seven year term ending January 1, 2021, succeeding himself. (Energy Committee) Motion to confirm made by Senator Mike Schulz.

Motions to confirm the above-named executive nominations were declared adopted upon roll call as follows:

Aye: Aldridge, Allen, Anderson, Ballenger, Barrington, Bass, Boggs, Brecheen, Brooks, Brown, Burrage, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (C), Justice, Loveless, Marlatt, Mazzei, McAffrey, Paddack, Schulz, Sharp, Shaw, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes and Treat.--39.

Excused: Bingman, Branan, Brinkley, Coates, Crain, Johnson (R), Jolley, Newberry and Wyrick.--9.

MESSAGES FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled **HBs 1384, 2375, 2387, 2533 and 2977.**

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

Advising fourth reading of and returning Enrolled **SBs 1077, 1364, 1450, 1536, 1599, 1719, 1824, 1845 and 1940.**

The above-numbered enrolled measures were referred to the Governor.

PENDING CONSIDERATION OF HAS

HAs to SBs 331, 1184, 1248, 1524 and 2121 were rejected upon motion of Senator Schulz, conference requested, and Senate conferees to be named later.

SCs NAMED

Upon motion of Senator Schulz, Senate conferees were appointed as follows:

SB 1462 – GCCA

SB 1476 – GCCA

SB 1691 – Sparks, Brinkley, Treat, David, Griffin, Paddack

SB 1702 – GCCA

SB 1873 – Sparks, Brown, Stanislawski, Loveless, Boggs, Paddack

**PENDING SENATE ACTION
HOUSE REQUEST FOR CONFERENCE**

Upon motion of Senator Schulz, the request of the Honorable House for conference on **HBs 2688** and **2929** was ordered granted and bills referred to GCCA.

**PENDING SENATE ACTION
HOUSE REQUEST FOR CONFERENCE**

Upon motion of Senator Schulz, the request of the Honorable House for conference on the following bills was ordered granted and Senate conferees appointed as follows:

HB 2367 – Shortey, Treat, Allen, Dahm, Ballenger, Sparks

HB 2541 – Griffin, Sykes, Johnson (Rob), Brinkley, McAffrey, Burrage

HB 2614 – Treat, Barrington, Dahm, Boggs, Ellis, Ivester

HB 2931 – Loveless, Ford, Paddack, Jolley, Holt, Sparks

**CONFEREES DISMISSED
BILL REFERRED TO GCCA**

Upon motion of Senator Schulz, further conference was granted and conferees were dismissed on **HB 1516** and the bill referred to GCCA.

MESSAGES FROM THE HOUSE

Advising rejection of **SAs** to the following bills, requesting conference and naming House conferees as follows:

HB 2446 - GCCA

HB 2497 - Conference Committee on Common Education

HB 2643 - GCCA

Advising concurrence in **SAs** to and passage of Engrossed **HBs 2100, 2190, 2486, 2676, 2912, 3018, 3157, 3184, 3251 and 3280.**

Advising naming same conferees on Engrossed:

SB 639 - Conference Committee on Human Services

REPORT OF ENGROSSED AND ENROLLED MEASURE

SB 2126 was correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

EXECUTIVE NOMINATIONS

The following executive nominations were read and referred to the committee indicated:

Bennett, Tammy, Duncan, as a member of the State Textbook Committee - Education

Castelli, Denise, Oklahoma City, as a member of the Oklahoma Educational Television Authority - Education

Charlton, George, Tulsa, as a member of the Oklahoma Lottery Commission Board of Trustees - Finance

Edwards, Ronald, Catoosa, as a member of the Alarm and Locksmith Industry Committee - Business and Commerce

Ostrowe, David C., Nichols Hills, as a member of the Oklahoma Lottery Commission - Board of Trustees - Finance

Priest, Maureen Guerrero, Jenks, as a member of the Oklahoma Board of Licensed Alcohol and Drug Counselors - Health and Human Services

Subera, Layne E., Skiatook, as a member of the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control Commission - Judiciary

Symcox, Lee, Nichols Hills, as a member of the Student Loan Authority - Education

Tytanic, Christopher, Oklahoma City, as a member of the Oklahoma Employment Security Commission - Business and Commerce

Williams, Frances A., Piedmont, as a member of the State Textbook Committee - Education

Withrow, Ted, Edmond, as a member of the Oklahoma Uniform Building Code Commission - Business and Commerce

Senator Schulz moved that when the clerk's desk is clear, the Senate stand adjourned to convene Wednesday, May 7, 2014, at 1:30 p.m., which motion prevailed.

MESSAGE FROM THE GOVERNOR

Advising her approval May 6, 2014, of Enrolled **SBs 72, 417, 989, 1143, 1173, 1336, 1372, 1397, 1431, 1433, 1581, 1604, 1724, 1853 and 2029.**

Pursuant to the Schulz motion, the Senate adjourned at 11:05 a.m. to meet Wednesday, May 7, 2014, at 1:30 p.m.