

# Senate Journal

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

**Fifty-fourth Legislative Day, Thursday, May 8, 2014**

The Senate was called to order by Senator Johnson (Rob).

Roll Call:

Present: Aldridge, Allen, Anderson, Barrington, Bass, Bingman, Branan, Brecheen, Brinkley, Brooks, Brown, Burrage, Coates, Crain, Dahm, David, Ellis, Fields, Ford, Griffin, Halligan, Holt, Johnson (C), Johnson (R), Jolley, Justice, Loveless, Mazzei, Newberry, Paddack, Schulz, Sharp, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes, Treat and Wyrick.—41.

Excused: Ballenger, Boggs, Garrison, Ivester, Marlatt, McAffrey and Shaw.—7.

Senator Johnson (Rob) 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**

**SBs 1151, 1152, 1183, 1218, 1474, 1497, 1551, 1698, 1715 and 1738 and SCR 38** were each correctly enrolled, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

**SR 83** was correctly enrolled, properly signed and ordered transmitted to the Secretary of State.

**PENDING SENATE ACTION -  
VETO OVERRIDE OF HB 2461**

Senator Dahm moved that **HB 2461** become law notwithstanding the veto of the Governor, which motion was declared adopted upon roll call as follows:

Aye: Aldridge, Allen, Anderson, Barrington, Bass, Bingman, Branan, Brecheen, Brinkley, Brooks, Brown, Burrage, Crain, Dahm, David, Ellis, Fields, Ford, Griffin, Halligan, Holt, Johnson (C), Johnson (R), Jolley, Justice, Loveless, Mazzei, Newberry, Paddack, Schulz, Sharp, Shortey, Shumate, Simpson, Standridge, Stanislawski, Sykes, Treat and Wyrick.--39.

Excused: Ballenger, Boggs, Coates, Garrison, Ivester, Marlatt, McAffrey, Shaw and Sparks.--9.

The presiding officer declared that by a constitutional two-thirds vote of the members elected to and constituting the Senate, the Governor's veto of **HB 2461** has been overridden.

Enrolled **HB 2461** was ordered returned to the Honorable House.

**MESSAGES FROM THE HOUSE**

Advising fourth reading of and transmitting for signature Enrolled **HBs 2379, 2669, 3050, 3102, 3134, 3177** and **3198**.

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

Advising passage of and returning the following Engrossed bill:

**SCR 42**

The above-numbered measure was referred for enrollment.

**PENDING CONSIDERATION OF HAS**

**HAs** to **SB 991** were concurred in upon motion of Senator Stanislawski.

**SB 991**, 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, Barrington, Bass, Bingman, Branan, Brecheen, Brinkley, Brooks, Brown, Burrage, Crain, Dahm, David, Ellis, Fields, Ford, Griffin,

Halligan, Holt, Johnson (C), Johnson (R), Jolley, Justice, Loveless, Mazzei, Newberry, Paddack, Schulz, Sharp, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes, Treat and Wyrick.--40.

Excused: Ballenger, Boggs, Coates, Garrison, Ivester, Marlatt, McAffrey and Shaw.--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 1538** were concurred in upon motion of Senator Dahm.

**SB 1538**, 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, Barrington, Bingman, Branan, Brecheen, Brinkley, Brooks, Brown, Burrage, Crain, Dahm, David, Fields, Ford, Griffin, Halligan, Holt, Johnson (C), Johnson (R), Jolley, Justice, Loveless, Mazzei, Newberry, Paddack, Schulz, Sharp, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes and Treat.--36.

Excused: Allen, Ballenger, Bass, Boggs, Coates, Ellis, Garrison, Ivester, Marlatt, McAffrey, Shaw and Wyrick.--12.

The bill passed.

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

**Senator Brinkley presiding.**

#### **PENDING CONSIDERATION OF HAS**

**HAs to SB 341** were concurred in upon motion of Senator Mazzei.

**SB 341**, 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, Anderson, Barrington, Bass, Bingman, Branan, Brecheen, Brinkley, Brooks, Brown, Burrage, Crain, Dahm, David, Fields, Ford, Griffin, Halligan, Holt, Johnson (C), Johnson (R), Jolley, Justice, Loveless, Mazzei, Newberry, Paddack, Schulz, Sharp, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes and Treat.--37.

Excused: Allen, Ballenger, Boggs, Coates, Ellis, Garrison, Ivester, Marlatt, McAffrey, Shaw and Wyrick.--11.

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 1508** were concurred in upon motion of Senator Schulz.

**SB 1508**, 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, Barrington, Bass, Bingman, Branan, Brecheen, Brinkley, Brooks, Brown, Burrage, Crain, David, Fields, Ford, Halligan, Holt, Johnson (C), Johnson (R), Jolley, Justice, Loveless, Mazzei, Newberry, Paddack, Schulz, Sharp, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski and Treat.--33.

Nay: Dahm and Sykes.--2.

Excused: Allen, Anderson, Ballenger, Boggs, Coates, Ellis, Garrison, Griffin, Ivester, Marlatt, McAffrey, Shaw and Wyrick.--13.

The bill passed.

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

#### **PENDING CONSIDERATION OF HAS**

**HAs to SB 1591** were concurred in upon motion of Senator Loveless.

**SB 1591**, as amended by the Honorable House, was read at length.

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

Aye: Barrington, Bass, Bingman, Branan, Brinkley, Brooks, Brown, Burrage, Fields, Ford, Griffin, Holt, Johnson (C), Johnson (R), Jolley, Loveless, Schulz, Sharp, Shumate, Sparks and Treat.--21.

Nay: Aldridge, Brecheen, Crain, Dahm, David, Halligan, Justice, Mazzei, Newberry, Paddack, Shortey, Simpson, Standridge, Stanislawski and Sykes.--15.

Excused: Allen, Anderson, Ballenger, Boggs, Coates, Ellis, Garrison, Ivester, Marlatt, McAffrey, Shaw and Wyrick.--12.

The bill failed.

## **INTRODUCTION**

Senator Burrage introduced former Senator Jeff Rabon to the Senate.

## **EXECUTIVE NOMINATIONS**

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

Evans, Bruce M., Ponca City, as a member of the University Center at Ponca City - Education

Greenhaw, Joshua, Oklahoma City, as a member of the Capitol-Medical Center Improvement and Zoning Commission - General Government

Jackson, Larry, Muskogee, as a member of the Alcoholic Beverage Laws Enforcement Commission - Judiciary

Lessley, Brett L., Tulsa, as a member of the Board of Trustees for Oklahoma State University/ Tulsa - Education

Maisano, James, Norman, as a member of the Alcoholic Beverage Laws Enforcement Commission - Judiciary

Pennington, Cherity, Shawnee, as a member of the State Textbook Committee - Education

Smith, Gretchen Zumwalt, Monkey Island, as a member of the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control Commission - Judiciary

Willis, Michael, Tulsa, as a member of the Board of Juvenile Affairs - Health and Human Services

**MESSAGES FROM THE HOUSE**

Advising concurrence in **SAs** to and passage of Engrossed **HBs 1378, 2338 and 2837**.

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

**HB 2130** - Conference Committee on Judiciary  
**HB 2134** - Conference Committee on Rules  
**HB 2241** - Conference Committee on Human Services  
**HB 2249** - Conference Committee on Human Services  
**HB 2562** - GCCA  
**HB 3211** - Conference Committee on Higher Education and Career Tech  
**HB 3213** - Conference Committee on Public Safety  
**HB 3287** - Conference Committee on Insurance  
**HB 3399** - Conference Committee on Common Education  
**HB 3469** - Conference Committee on Human Services  
**HB 3472** - Conference Committee on Human Services  
**HB 3473** - Conference Committee on Human Services  
**HB 3474** - Conference Committee on Human Services  
**HJR 1033** - GCCA.

Advising the signing of and returning Enrolled **SCR 38**.

The above-numbered enrolled measure was transmitted to the Secretary of State.

Advising fourth reading of and returning Enrolled **SBs 1151, 1152, 1183, 1218, 1474, 1497, 1551, 1698, 1715 and 1738**.

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

**SCs NAMED**

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

**SB 648** – GCCA  
**SB 1215** – Stanislawski, Simpson, Dahm, David, Sparks, Burrage  
**SB 1905** – Sykes, Crain, Holt, Johnson (Rob), Ivester, Shumate

**PENDING SENATE ACTION  
HOUSE REQUEST FOR CONFERENCE**

Upon motion of Senator Schulz, the request of the Honorable House for conference on **HB 3142** was ordered granted and the bill referred to GCCA.

Senator Schulz moved that when the clerk's desk is clear, the Senate stand adjourned to convene Monday, May 12, 2014, at 1:30 p.m., which motion prevailed.

**FIRST READING**

The following were introduced and read the first time:

**SB 2130** – By Jolley and Justice of the Senate and Martin (Scott) and Sears of the House.

An Act relating to public finance; amending 62 O.S. 2011, Section 34, which relates to the Oklahoma State Finance Act; clarifying language; and providing an effective date.

**SB 2131** – By Jolley and Justice of the Senate and Martin (Scott) and Sears of the House.

An Act relating to public finance; amending 62 O.S. 2011, Section 34, which relates to the Oklahoma State Finance Act; clarifying language; and providing an effective date.

**SB 2132** – By Jolley and Justice of the Senate and Martin (Scott) and Sears of the House.

An Act relating to public finance; amending 62 O.S. 2011, Section 34, which relates to the Oklahoma State Finance Act; clarifying language; and providing an effective date.

**SB 2133** – By Jolley and Justice of the Senate and Martin (Scott) and Sears of the House.

An Act relating to public finance; amending 62 O.S. 2011, Section 34, which relates to the Oklahoma State Finance Act; clarifying language; and providing an effective date.

**SB 2134** – By Jolley and Justice of the Senate and Martin (Scott) and Sears of the House.

An Act relating to public finance; amending 62 O.S. 2011, Section 34, which relates to the Oklahoma State Finance Act; clarifying language; and providing an effective date.

Pursuant to the Schulz motion, the Senate adjourned at 11:05 a.m. to meet Monday, May 12, 2014, at 1:30 p.m.