

# Senate Journal

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

Sixty-fourth Legislative Day, Friday, May 23, 2014

The Senate was called to order by Senator Fields.

Roll Call:

Present: Aldridge, Allen, Anderson, Ballenger, Barrington, Bass, Bingman, Boggs, Branan, Brecheen, Brinkley, Brooks, Brown, Burrage, Crain, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Loveless, Marlatt, Mazzei, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes, Treat and Wyrick.—47.

Excused: Coates.—1.

Senator Fields declared a quorum present.

The prayer was offered by Pastor Winston Curtis, First Baptist Church of Hammon, Hammon, the guest of Senator Ivester.

### REPORT OF ENGROSSED AND ENROLLED MEASURE

**SB 2127** was correctly enrolled, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

### CONFERENCE COMMITTEE REPORTS SUBMITTED

Conference committee reports were read on the following bills:

**SB 1141**  
**SB 1476**  
**SB 1499**

**GENERAL ORDER**

**HB 3510** by Hickman et al of the House and Bingman and Holt of the Senate was called up for consideration.

Senator Holt moved that **HB 3510** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 3510** was read for the third time 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, Branan, Brecheen, Brinkley, Brooks, Brown, Burrage, Crain, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (R), Justice, Loveless, Marlatt, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Shortey, Simpson, Sparks, Standridge, Stanislawski, Sykes, Treat and Wyrick.--43.

Nay: Johnson (C) and Shumate.--2.

Excused: Coates, Jolley and Mazzei.--3.

The bill and emergency passed.

**HB 3510** was properly signed and ordered returned to the Honorable House.

**PENDING CONSIDERATION OF CCR**

The **CCR** on **SB 1141** was adopted upon motion of Senator Holt.

**SB 1141**, as amended in conference, 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, Branan, Brecheen, Brinkley, Brooks, Brown, Burrage, Crain, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Justice, Loveless, Marlatt, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes, Treat and Wyrick.--44.

Excused: Bingman, Coates, Jolley and Mazzei.--4.

The bill and emergency passed.

**SB 1141**, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

## **INTRODUCTIONS**

Senator Brooks introduced former Senator Jim Reynolds; Senator Treat introduced his son, Mason; and Senator Loveless introduced his daughter, Elleanor and wife, Summer, to the Senate.

## **MESSAGE FROM THE HOUSE CONFERENCE COMMITTEE REPORTS**

Transmitting the following bills, together with conference committee reports thereon, advising adoption of conference committee reports and passage of measures as amended:

**HJR 1033** - (2nd CCR) (Emergency Failed) coauthored by Senator Bingman

**HJR 1092**

**HB 1794** - (2<sup>nd</sup> CCR) Add as coauthor Senator Newberry. Remove as coauthors Representatives Shelton, Hoskin and Condit. Coauthored by all other Representatives.

**HB 2249** - coauthored by Representative McCullough

**HB 2312** - coauthored by Representative Pittman

**HB 3188** - coauthored by Senator Shortey and Representative Sanders

Conference committee reports were read on the above-numbered bills.

## **MESSAGES FROM THE HOUSE**

Advising fourth reading of and transmitting for signature Enrolled **HBs 2384, 2779** and **2985**.

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:

**SB 2139**

The above-numbered measure was referred for enrollment.

Returning following bills, together with conference committee reports thereon, advising adoption of conference committee reports and passage of measures as amended:

**SB 1524** - coauthored by Senator Allen  
**SB 1866**

The above-numbered measures, as amended in conference, were referred for enrollment.

Advising passage of and transmitting for consideration Engrossed **HB 3517** and **HCRs 1032** and **1033**.

**HB 3517** – By Martin (Scott) and Sears of the House and Jolley and Justice of the Senate.

An Act relating to the Oklahoma Health Care Authority; providing for duties and compensation of employees; authorizing payment of certain expenses; providing exemptions to budgetary limitations; providing process for exemptions; authorizing certain transfers; providing procedures; providing lapse dates; and requiring and prohibiting certain budget procedures.

**HCR 1032** – By Hickman of the House and Bingman of the Senate.

A Concurrent Resolution relating to legislative procedures; establishing a legislative procedure schedule for the 55th Oklahoma Legislature.

**HCR 1033** – By Hickman of the House and Bingman of the Senate.

A Concurrent Resolution setting the date for sine die adjournment of the 2nd Session of the 54th Oklahoma Legislature.

The above-numbered measures were read the first time.

#### **PENDING CONSIDERATION OF CCR**

The **CCR** on **SB 1442** was adopted upon motion of Senator David.

**SB 1442**, as amended in conference, 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, Branan, Brecheen, Brinkley, Brooks, Brown, Burrage, Crain, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Justice, Loveless, Marlatt, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes, Treat and Wyrick.--45.

Excused: Coates, Jolley and Mazzei.--3.

The bill passed.

**SB 1442**, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

#### **PENDING CONSIDERATION OF CCR**

The **CCR** on **SB 2003** was adopted upon motion of Senator Shortey.

**SB 2003**, as amended in conference, 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, Branan, Brecheen, Brinkley, Brooks, Brown, Burrage, Crain, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Justice, Loveless, Marlatt, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes, Treat and Wyrick.--45.

Excused: Coates, Jolley and Mazzei.--3.

The bill and emergency passed.

**SB 2003**, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

#### **PENDING CONSIDERATION OF CCR**

The **CCR** on **HB 2344** was adopted upon motion of Senator Simpson.

**HB 2344**, as amended in conference, 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, Branan, Brecheen, Brinkley, Brooks, Brown, Burrage, Crain, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Justice, Loveless, Marlatt, Mazzei, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes and Wyrick.--44.

Excused: Coates, Jolley, Shortey and Treat.--4.

The bill passed.

**HB 2344**, together with the conference committee report thereon, was ordered returned to the Honorable House.

**Senator Brinkley presiding.**

#### **PENDING CONSIDERATION OF CCR**

The **CCR** on **HB 2497** was adopted upon motion of Senator Stanislawski.

**HB 2497**, as amended in conference, 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, Branan, Brecheen, Brinkley, Brooks, Brown, Burrage, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Justice, Loveless, Marlatt, Mazzei, McAffrey, Newberry, Paddock, Schulz, Sharp, Shaw, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes and Wyrick.--44.

Excused: Coates, Crain, Jolley and Treat.--4.

The bill and emergency passed.

**HB 2497**, together with the conference committee report thereon, was ordered returned to the Honorable House.

**Senator Johnson (Constance) presiding.**

#### **PENDING CONSIDERATION OF CCR**

The **CCR** on **HB 3282** was adopted upon motion of Senator Stanislawski.

**HB 3282**, as amended in conference, 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, Branan, Brinkley, Brooks, Brown, Burrage, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Justice, Loveless, Marlatt,

Mazzei, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes, Treat and Wyrick.--44.

Excused: Brecheen, Coates, Crain and Jolley.--4.

The bill and emergency passed.

**HB 3282**, together with the conference committee report thereon, was ordered returned to the Honorable House.

**Senator Brinkley presiding.**

#### **MESSAGES FROM THE HOUSE**

Advising fourth reading of and returning Enrolled **SB 2127**.

The above-numbered enrolled measure was referred to the Governor.

Advising passage of and returning the following Engrossed bill:

**SB 2133** - (Emergency Failed)

**SB 2135**

The above-numbered measure was referred for enrollment.

Advising concurrence in **SAs** to and passage of Engrossed **HB 3170**.

Senator Schulz moved that the Senate recess to the call of the chair, which motion was declared adopted.

\*

The Senate reconvened with Senator Branam presiding.

Senator Branam questioned the presence of a quorum and ordered the roll called, following which a quorum was declared present.

**Senator Fields presiding.**

**FIRST READING**

The following was introduced and read the first time:

**SR 101 – By Schulz.**

A Resolution relating to the protection of the property and supplies of the Senate and duties of the President Pro Tempore during the 2014 legislative interim; authorizing employment of necessary personnel; restricting use of space in the Capitol under the control of the Senate during the interim except with the consent of the President Pro Tempore; authorizing needed repairs to space in the Capitol under the control of the Senate, furnishings and purchase of needed furnishings and equipment therefor; authorizing President Pro Tempore to appoint members of the Senate to interim committees; authorizing President Pro Tempore to approve claims for reimbursement incurred by members and employees of the Senate during the interim; and providing for cumulative powers.

**UNANIMOUS CONSENT REQUEST  
DIRECT TO CALENDAR**

Senator Schulz asked unanimous consent to refer **SR 101** direct to the Calendar for consideration, which was the order.

**GENERAL ORDER**

**SR 101** by Schulz was called up for consideration.

**SR 101** was adopted upon motion of Senator Schulz and referred for enrollment.

**UNANIMOUS CONSENT REQUEST  
DIRECT TO CALENDAR**

Senator Schulz asked unanimous consent to refer **HCR 1032** direct to the Calendar for consideration, which was the order.

**GENERAL ORDER**

**HCR 1032** by Hickman of the House and Bingman of the Senate was called up for consideration.

**HCR 1032** was adopted upon motion of Senator Schulz, properly signed and ordered returned to the Honorable House.

**REPORT OF ENGROSSED AND ENROLLED MEASURES**

**SBs 1524, 1866, 2133, 2135 and 2139** were each correctly enrolled, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

**MESSAGE FROM THE HOUSE**

Advising fourth reading of and returning Enrolled **SBs 1524, 1866, 2133, 2135 and 2139**.

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

Senator Schulz moved that the Senate recess until 1:30 p.m., which motion was declared adopted.

\*

The Senate reconvened with Senator Johnson (Rob) presiding.

Senator Johnson (Rob) questioned the presence of a quorum and ordered the roll called, following which a quorum was declared present.

**MESSAGE FROM THE HOUSE  
CONFERENCE COMMITTEE REPORTS**

Transmitting the following bills, together with conference committee reports thereon, advising adoption of conference committee reports and passage of measures as amended.

**HB 3399** - coauthored by Senator Newberry and Representatives Sears, Echols, Walker, Derby and Shannon

**HB 3359** - coauthored by Senator Ivester

Conference committee reports were read on the above-numbered bills.

Advising fourth reading of and transmitting for signature Enrolled **HBs 2344, 2497, 3170, 3282 and 3510**.

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

Advising the signing of and transmitting for signature Enrolled **HCR 1032**.

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

### **GENERAL ORDER**

**HJR 1033** by Hickman of the House and Marlatt et al of the Senate was called up for consideration.

Senator Treat moved that **HJR 1033** be advanced, which motion was declared adopted.

### **THIRD READING**

**HJR 1033** was read for the third time at length.

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

Aye: Aldridge, Ballenger, Barrington, Bingman, Boggs, Branan, Brinkley, Brooks, Crain, David, Fields, Ford, Griffin, Halligan, Holt, Ivester, Johnson (R), Jolley, Justice, Loveless, Marlatt, Mazzei, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Simpson, Sparks, Standridge, Stanislawski, Treat and Wyrick.--34.

Nay: Allen, Anderson, Bass, Brecheen, Brown, Dahm, Garrison and Sykes.--8.

Excused: Burrage, Coates, Ellis, Johnson (C), Shortey and Shumate.--6.

The bill passed.

**HJR 1033** was properly signed and ordered returned to the Honorable House.

### **GENERAL ORDER**

**HJR 1097** by Blackwell of the House and Griffin of the Senate was called up for consideration.

Senator Sykes moved to amend **HJR 1097**, Page 1, Line 18 1/2, by inserting a new Section 2 to read as follows:

'SECTION 2. The Legislature hereby disapproves the following proposed permanent rules:

1. State Department of Education, 210:15-3-5.6, 210:15-3-70, 210:15-3-70.1, 210:15-3-70.2, 210:15-3-71, 210:15-3-72, 210:15-3-73, 210:15-3-74, 210:15-3-75, 210:15-

3-76, 210:15-3-77, 210:15-3-78, 210:15-3-79, 210:15-3-80, 210:15-3-81, 210:15-3-82, 210:15-3-83.

Page 1, line 21, by inserting after the word “Authority” and before the word “and” the words “, the State Department of Education,”, which amendment was declared adopted upon division of the question.

Senator Treat moved to amend **HJR 1097**, Page 1, Line 18 1/2, by inserting a NEW SECTION 2 to read as follows:

“SECTION 2. All proposed permanent rules of Oklahoma state agencies filed on or before April 1, 2014, are hereby approved except for the following:

1. Oklahoma State Board of Examiners for Long-Term Care Administrators, 490:1-7-2; and
2. Oklahoma State Board of Examiners for Long-Term Care Administrators, 490:10-8-13”, which amendment was declared adopted.

Senator McAffrey moved to amend **HJR 1097**, Page 1, Line 18 1/2, by inserting a NEW SECTION to read as follows:

SECTION 2. All proposed permanent rules of Oklahoma state agencies filed on or before April 1, 2014, are hereby approved except for the following:

1. Oklahoma Health Care Authority, 317:30-5-280.”, which amendment was declared adopted.

Senator Griffin moved that **HJR 1097** be advanced, which motion was declared adopted.

### **THIRD READING**

**HJR 1097** was read for the third time at length.

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

Aye: Aldridge, Allen, Ballenger, Barrington, Bingman, Boggs, Branan, Brecheen, Brooks, Brown, Dahm, David, Griffin, Ivester, Johnson (R), Jolley, Justice, Loveless, Marlatt, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Simpson, Sparks, Standridge, Stanislawski, Sykes, Treat and Wyrick.--32.

Nay: Anderson, Bass, Brinkley, Crain, Fields, Ford, Garrison, Halligan and Holt.--9.

Excused: Burrage, Coates, Ellis, Johnson (C), Mazzei, Shortey and Shumate.--7.

The bill passed.

**HJR 1097** was properly signed and ordered returned to the Honorable House.

### **PENDING CONSIDERATION OF JCR**

The **JCR** on **HJR 1096** was adopted upon motion of Senator Sykes.

**HJR 1096** was read at length.

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

Aye: Aldridge, Allen, Barrington, Bass, Bingman, Boggs, Branan, Brecheen, Brinkley, Brooks, Brown, Dahm, David, Fields, Ford, Garrison, Griffin, Halligan, Holt, Johnson (R), Jolley, Justice, Loveless, Marlatt, McAffrey, Newberry, Schulz, Sharp, Shaw, Shumate, Simpson, Standridge, Stanislawski, Sykes and Treat.--35.

Nay: Anderson, Ballenger, Johnson (C), Paddack and Sparks.--5.

Excused: Burrage, Coates, Crain, Ellis, Ivester, Mazzei, Shortey and Wyrick.--8.

The bill and emergency passed.

\*Senators Crain and Ivester asked to be shown not voting on **HJR 1096** for reason of personal interest, as provided in Article V, Section 24, Oklahoma Constitution.

**HJR 1096**, together with the conference committee report thereon, was ordered returned to the Honorable House.

### **GENERAL ORDER**

**HB 3509** by Martin (Scott) et al of the House and Bingman of the Senate was called up for consideration.

Senator Standridge moved that **HB 3509** be advanced, which motion was declared adopted.

### **THIRD READING**

**HB 3509** was read for the third time at length.

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

Aye: Aldridge, Allen, Anderson, Barrington, Bass, Bingman, Branan, Brecheen, Brinkley, Brooks, Brown, Crain, Dahm, David, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Loveless, Marlatt, McAffrey,

Newberry, Paddack, Schulz, Sharp, Shaw, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes and Treat.--40.

Excused: Ballenger, Boggs, Burrage, Coates, Ellis, Mazzei, Shortey and Wyrick.--8.

The bill and emergency passed.

**HB 3509** was properly signed and ordered returned to the Honorable House.

### **UNANIMOUS CONSENT REQUEST DIRECT TO CALENDAR**

Senator Jolley asked unanimous consent to refer **SCR 45** direct to the Calendar for consideration, which was the order.

### **GENERAL ORDER**

**SCR 45** by Jolley was called up for consideration.

All other members of the Senate asked to coauthor **SCR 45**, which was the order.

**SCR 45** was adopted upon motion of Senator Jolley and referred for engrossment.

### **PENDING CONSIDERATION OF CCR**

The **CCR** on **HB 3119** was adopted upon motion of Senator Fields.

**HB 3119**, as amended in conference, was read at length.

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

Aye: Aldridge, Allen, Anderson, Barrington, Bass, Bingman, Boggs, Branan, Brecheen, Brinkley, Brooks, Brown, Crain, Dahm, David, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (C), Jolley, Justice, Loveless, Marlatt, Newberry, Paddack, Schulz, Sharp, Shaw, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes and Treat.--39.

Excused: Ballenger, Burrage, Coates, Ellis, Johnson (R), Mazzei, McAffrey, Shortey and Wyrick.--9.

The bill passed.

**HB 3119**, together with the conference committee report thereon, was ordered returned to the Honorable House.

**REPORT OF ENGROSSED AND ENROLLED MEASURES**

**SCR 45** was each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

**HJR 1097** was correctly engrossed and, together with engrossed **SAs**, properly signed and ordered returned to the Honorable House.

**PENDING CONSIDERATION OF CCR**

The **3RD CCR** on **HB 1623** was adopted upon motion of Senator Griffin.

**HB 1623**, as amended in conference, was read at length.

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

Aye: Aldridge, Allen, Anderson, Barrington, Bass, Bingman, Boggs, Branan, Brecheen, Brinkley, Brooks, Brown, Crain, Dahm, David, Fields, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Loveless, Marlatt, Newberry, Paddack, Schulz, Sharp, Shaw, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes and Treat.--39.

Excused: Ballenger, Burrage, Coates, Ellis, Ford, Mazzei, McAffrey, Shortey and Wyrick.--9.

The bill and emergency passed.

**HB 1623**, together with the conference committee report thereon, was ordered returned to the Honorable House.

**PENDING CONSIDERATION OF CCR**

The **2ND CCR** on **HB 1794** was adopted upon motion of Senator Brinkley.

**HB 1794**, as amended in conference, was read at length.

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

Aye: Barrington, Bingman, Branan, Brinkley, Brooks, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Loveless, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Shumate, Simpson, Sparks, Standridge and Stanislawski.--27.

Nay: Aldridge, Allen, Anderson, Bass, Boggs, Brecheen, Crain, Dahm, David, Griffin, Marlatt, Sykes and Treat.--13.

Excused: Ballenger, Brown, Burrage, Coates, Ellis, Mazzei, Shortey and Wyrick.--8.

The bill passed.

The Chair advised that Senator Brown having been present in the Chamber during the vote on **HB 1794** would be shown voting Nay in compliance with Rule 14-1B. The vote thereby resulted as follows: Aye: 27; Nay: 14; Excused: 7.

**HB 1794**, together with the conference committee report thereon, was ordered returned to the Honorable House.

#### **PENDING CONSIDERATION OF CCR**

The **CCR** on **HB 2249** was adopted upon motion of Senator Standridge.

**HB 2249**, as amended in conference, was read at length.

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

Aye: Aldridge, Anderson, Barrington, Bass, Bingman, Boggs, Branan, Brecheen, Brinkley, Brooks, Brown, Dahm, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (R), Jolley, Justice, Loveless, Marlatt, Newberry, Paddack, Schulz, Sharp, Shaw, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes and Treat.--36.

Excused: Allen, Ballenger, Burrage, Coates, Crain, David, Ellis, Johnson (C), Mazzei, McAffrey, Shortey and Wyrick.--12.

The bill passed.

**HB 2249**, together with the conference committee report thereon, was ordered returned to the Honorable House.

#### **PENDING CONSIDERATION OF CCR**

The **CCR** on **HB 2667** was adopted upon motion of Senator Sykes.

**HB 2667**, as amended in conference, was read at length.

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

Aye: Aldridge, Allen, Anderson, Barrington, Bass, Bingman, Boggs, Branan, Brecheen, Brinkley, Brooks, Brown, Crain, Dahm, David, Fields, Ford, Garrison, Griffin,

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

Excused: Ballenger, Burrage, Coates, Ellis, Mazzei, McAffrey, Shortey and Wyrick.--8.

The bill passed.

**HB 2667**, together with the conference committee report thereon, was ordered returned to the Honorable House.

#### **PENDING CONSIDERATION OF CCR**

The **CCR** on **HB 3188** was adopted upon motion of Senator Sykes.

**HB 3188**, as amended in conference, was read at length.

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

Aye: Aldridge, Allen, Anderson, Barrington, Bass, Bingman, Boggs, Branan, Brecheen, Brinkley, Brooks, Brown, Crain, Dahm, David, Fields, Ford, Griffin, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Loveless, Marlatt, Mazzei, Newberry, Paddack, Schulz, Sharp, Shaw, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes and Treat.--40.

Excused: Ballenger, Burrage, Coates, Ellis, Garrison, McAffrey, Shortey and Wyrick.--8.

The bill passed.

**HB 3188**, together with the conference committee report thereon, was ordered returned to the Honorable House.

#### **PENDING CONSIDERATION OF CCR**

The **CCR** on **HB 3399** was adopted upon motion of Senator Brecheen.

**HB 3399**, as amended in conference, was read at length.

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

Aye: Aldridge, Allen, Anderson, Barrington, Bingman, Boggs, Branan, Brecheen, Brinkley, Brooks, Brown, Dahm, Fields, Griffin, Holt, Ivester, Johnson (R), Jolley, Justice,

Loveless, Marlatt, Mazzei, McAffrey, Newberry, Sharp, Shaw, Simpson, Standridge, Stanislawski, Sykes and Treat.--31.

Nay: Bass, Crain, Ford, Garrison, Halligan, Paddack, Schulz, Shumate, Sparks and Wyrick.--10.

Excused: Ballenger, Burrage, Coates, David, Ellis, Johnson (C) and Shortey.--7.

Senator Schulz desired to vote Aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 32; Nay: 9; Excused: 7.

The bill and emergency passed.

**HB 3399**, together with the conference committee report thereon, was ordered returned to the Honorable House.

#### **PENDING CONSIDERATION OF JCR**

The **JCR** on **HB 3513** was adopted upon motion of Senator Jolley.

**HB 3513** was read at length.

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

Aye: Aldridge, Allen, Anderson, Barrington, Bass, Bingman, Boggs, Branan, Brecheen, Brinkley, Brooks, Crain, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (R), Jolley, Justice, Loveless, Marlatt, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Shumate, Simpson, Standridge, Stanislawski, Sykes, Treat and Wyrick.--37.

Nay: Brown, Dahm and Sparks.--3.

Excused: Ballenger, Burrage, Coates, David, Ellis, Johnson (C), Mazzei and Shortey.--8.

The bill and emergency passed.

**HB 3513** was referred for engrossment.

**PENDING CONSIDERATION OF CCR**

The **CCR** on **HJR 1092** was adopted upon motion of Senator Sykes.

**HJR 1092**, as amended in conference, was read at length.

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

Aye: Aldridge, Brecheen, Brinkley, Crain, Ford, Halligan, Holt, Johnson (R), Mazzei, Newberry, Sharp, Shaw, Standridge, Stanislawski, Sykes and Treat.--16.

Nay: Allen, Anderson, Barrington, Bass, Bingman, Boggs, Branan, Brooks, Brown, Dahm, David, Fields, Garrison, Griffin, Ivester, Johnson (C), Jolley, Justice, Loveless, Marlatt, Paddack, Schulz, Simpson, Sparks and Wyrick.--25.

Excused: Ballenger, Burrage, Coates, Ellis, McAffrey, Shortey and Shumate.--7.

The bill failed.

Pursuant to Rule 12-21, Senator Sykes served notice that the vote be reconsidered whereby **HJR 1092** failed.

**UNANIMOUS CONSENT REQUEST  
DIRECT TO CALENDAR**

Senator Schulz asked unanimous consent to refer **HCR 1033** direct to the Calendar for consideration, which was the order.

**GENERAL ORDER**

**HCR 1033** by Hickman of the House and Bingman of the Senate was called up for consideration.

**HCR 1033** was adopted upon motion of Senator Schulz, properly signed and ordered returned to the Honorable House.

**PENDING CONSIDERATION OF CCR**

The **CCR** on **HB 3359** was adopted upon motion of Senator Jolley.

**HB 3359**, as amended in conference, was read at length.

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

Aye: Aldridge, Bass, Bingman, Boggs, Branan, Brecheen, Brooks, Brown, Crain, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Loveless, Marlatt, Newberry, Paddack, Schulz, Sharp, Shaw, Simpson, Sparks, Standridge and Stanislawski.--30.

Nay: Allen, Anderson, Brinkley, Dahm, Griffin, Sykes and Treat.--7.

Excused: Ballenger, Barrington, Burrage, Coates, David, Ellis, Mazzei, McAffrey, Shortey, Shumate and Wyrick.--11.

The bill passed.

**HB 3359**, together with the conference committee report thereon, was ordered returned to the Honorable House.

**President Pro Tempore Bingman presiding.**

#### **PENDING CONSIDERATION OF CCR**

The **CCR** on **HB 3542** was adopted upon motion of Senator Jolley.

**HB 3542**, as amended in conference, was read at length.

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

Aye: Aldridge, Allen, Anderson, Bass, Bingman, Boggs, Branan, Brecheen, Brinkley, Brooks, Brown, Crain, Dahm, Fields, Ford, Garrison, Griffin, Halligan, Ivester, Johnson (R), Jolley, Justice, Loveless, Marlatt, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Simpson, Sparks, Standridge, Stanislawski, Sykes and Treat.--36.

Nay: Johnson (C).--1.

Excused: Ballenger, Barrington, Burrage, Coates, David, Ellis, Holt, Mazzei, Shortey, Shumate and Wyrick.--11.

The bill and emergency passed.

**HB 3542**, together with the conference committee report thereon, was ordered returned to the Honorable House.

**MESSAGES FROM THE HOUSE**

Advising passage of and returning the following Engrossed bills:

**SB 1136**

**SB 2131**

**SB 2136**

**SB 2137**

**SB 2140** - Add as coauthor Representative Pittman. Remove Representative Hickman as principal House author and substitute with Representative Williams.

The above-numbered measures were referred for enrollment.

Returning following bills, together with conference committee reports thereon, advising adoption of conference committee reports and passage of measures as amended:.

**SB 78**

**SB 331** - (Emergency Failed) coauthored by Representative Brumbaugh

**SB 387** - (2nd CCR)

**SB 503** - coauthored by Representative Bennett

**SB 582** - (2nd CCR)

**SB 814** - (2nd CCR)

**SB 862** - coauthored by Representative Christian

**SB 1215**

**SB 1315**

**SB 1438** - (Emergency Failed) coauthored by Representative Pittman

**SB 1442**

**SB 1848** - coauthored by Representatives Biggs and Walker

**SB 1923**

**SB 2120**

**SB 2003**

The above-numbered measures, as amended in conference, were referred for enrollment.

**MESSAGE FROM THE HOUSE  
CONFERENCE COMMITTEE REPORT**

Transmitting the following bill, together with conference committee reports thereon, advising adoption of conference committee report and passage of measure as amended:

**HB 2446**

Conference committee report was read on the above-numbered bill.

**MESSAGES FROM THE HOUSE**

Advising passage of and transmitting for consideration Engrossed **HB 3536**.

**HB 3536** – By Martin (Scott) and Sears of the House and Jolley and Justice of the Senate.

An Act relating to the Office of the Attorney General; providing legislative intent; providing an effective date; and declaring an emergency.

The above-numbered measure was read the first time.

Advising the signing of and transmitting for signature Enrolled **HCR 1033**.

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

**FIRST READING**

The following was introduced and read the first time:

**SR 102** – By Shumate.

A Resolution thanking Senator Constance N. "Connie" Johnson for 33 years of dedicated service to the Oklahoma State Senate, the State of Oklahoma and the people of Senate District 48; wishing her well in her future endeavors; and directing distribution.

**CHANGE IN AUTHORS/COAUTHORS**

The following measures were authored/coauthored:

**HB 3509** - Coauthored by Standridge

**HJR 1033** - Coauthored by Treat

**MESSAGE FROM THE HOUSE**

Advising fourth reading of and transmitting for signature Enrolled **HBs 1623, 1794, 2249, 2667, 3119, 3188, 3359, 3399, 3509, 3542** and **3513** and **HJRs 1033** and **1096**.

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

**REPORT OF ENGROSSED AND ENROLLED MEASURES**

**SB 78, 331, 387, 503, 582, 814, 862, 1136, 1215, 1315, 1438, 1442, 1848, 1923, 2003, 2120, 2131, 2136, 2137** and **2140** were each correctly enrolled, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

**MESSAGE FROM THE HOUSE**

Advising fourth reading of and returning Enrolled **SBs 78, 331, 387, 503, 582, 814, 862, 1136, 1215, 1315, 1438, 1442, 1848, 1923, 2003, 2120, 2131, 2136, 2137** and **2140**.

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

**MOTION EXPIRED**

Time expired for consideration of the motion to reconsider whereby **HJR 1092** failed.

**MESSAGES FROM THE GOVERNOR**

Advising her approval May 23, 2014, of Enrolled **SBs 1199, 1799** and **1828** and veto of **SB 2115**.

The veto message reads as follows:

May 23, 2014

To the Honorable President Pro Tempore  
And Members of the Oklahoma Senate  
Second Session of the  
Fifty-fourth Legislature

Enrolled **SB 2115**

This is to advise you that on this date, pursuant to the authority vested in me by Section 11 of Article VI of the Oklahoma Constitution to approve or object to legislation presented to me, I have VETOED Senate Bill 2115.

Currently, members of the Pardon and Parole Board receive an annual salary of \$22,800.00, while the Chairman of the Board receives an annual salary of \$24,800.00. For board members, the annual salary is allotted into a \$1,500.00 payment for each regular monthly Board meeting, and \$400.00 for preparation of each meeting. The Chairman of the Board receives \$1,667.00 for each meeting and \$400.00 for the preparation of each meeting.

Senate Bill 2115 allows for additional compensation for board members in the amount of \$35.00 per hour up to an additional 56 hours for “work performed with regards to the increased workload for nonviolent parole processing.” This could result in a monthly salary increase of \$1,960.00 per board member. The additional 56 hours may be billed for preparation for Board meetings, performing duties during regular Board meetings, and performing other duties as necessary to carry out the mission of the Board. Further, the Bill does not provide reporting requirements of members to claim the additional compensation.

While I appreciate the dedication and hard work of the members of the Pardon and Parole Board, an over 100% increase in members’ salary is not responsible in a year where most State agencies are receiving significant budget reductions. This salary increase was not contemplated in budget negotiations with the legislature and is not funded. Therefore, I have vetoed Senate Bill 2115.

By the Governor of the State of Oklahoma  
/s/ Mary Fallin

Senator Aldridge moved pursuant to the provisions of **HCR 1033**, and when the Clerk’s desk is clear, the Second Session of the Fifty-fourth Legislature stand adjourned sine die on this 23<sup>rd</sup> day of May, 2014.

Pursuant to the Aldridge motion, the Second Regular Session of the fifty-fourth Legislature adjourned sine die at 4:07 p.m., Friday, May 23, 2014.

