

Senate Journal

First Regular Session of the Fifty-fifth Legislature of the State of Oklahoma

Sixth Legislative Day, Monday, February 9, 2015

The Senate was called to order by Senator Sykes.

Roll Call:

Present: Allen, Anderson, Barrington, Bass, Bice, Bingman, Boggs, Brecheen, Brinkley, Brooks, Brown, Crain, Dahm, David, Fields, Floyd, Ford, Fry, Garrison, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Mazzei, Newberry, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat, Wyrick and Yen.—47.

Vacancy: District 11.—1.

Senator Sykes declared a quorum present.

Posting of the Colors was presented by members of the Oklahoma National Guard.

The prayer was offered by Pastor J.A. Reed, Jr., Fairview Baptist Church, Oklahoma City, the guest of Senator Pittman.

REPORT OF ENGROSSED AND ENROLLED MEASURE

SR 8 was correctly enrolled, properly signed and ordered transmitted to the Secretary of State.

OKLAHOMA GOLD STAR MEDAL AWARD PRESENTATIONS

Senator Sykes called the ceremony to order and recognized President Pro Tempore Bingman for introductions: General Robbie Asher, Director, Joint Staff, Oklahoma National Guard; Major General Myles Deering, Adjutant General, Oklahoma National Guard; and Major General Rita Aragon, Secretary, Military and Veterans Affairs.

President Pro Tempore Bingman addressed the Senate.

A citation was read honoring the families of the recipients of the Oklahoma Gold Star Medal Award.

The following senators were recognized to introduce the families of the fallen heros:
 Senator Allen introduced the family of SPC Buddy Hughie - February 19, 2007;
 President Pro Tempore Bingman introduced the family of SSG Kirk Owen - August 2, 2011;
 Senator Brinkley introduced the family of SGT Anthony Peterson - August 4, 2011;
 Senator David introduced the family of SPC Joshua Seals - August 16, 2011;
 Senator Ford introduced the family of SPC Christopher Gailey - November 1, 2011;
 Senator Justice introduced the family of SGT Mycal Prince - September 15, 2011;
 Senator Sharp introduced the family of CPL Michael Thompson - September 17, 2008;
 Senator Standridge introduced the family of SGT Daniel Eshbaugh - September 17, 2011;
 Senator Treat introduced the family of 1LT Damon Leehan - August 14, 2011; and
 Senator Yen introduced the family of SGT Bret Isenhower - September 9, 2011.

Also receiving the award are: 2LT Joe Cunningham - August 13, 2011; PFC Tony Potter - September 9, 2011; and PFC Sarina Butcher - November 1, 2011.

Senator Sykes announced a reception and additional presentations will be held in the Senate Lounge following adjournment.

Senator Schulz moved that when the clerk's desk is clear, the Senate stand adjourned to convene Tuesday, February 10, 2015, at 1:30 p.m., which motion prevailed.

COMMITTEE REPORTS

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

DO PASS:

SB 2 – Health and Human Services

Ayes: Crain, David, Floyd, Griffin, Loveless, Pittman, Standridge, Treat, Yen

SB 18 – Education

Ayes: Brecheen, Ford, Garrison, Halligan, Jolley, Paddack, Quinn, Sharp, Shaw, Smalley, Sparks, Stanislawski, Thompson

SB 24 – General Government

Ayes: Bice, Dahm, Floyd, Fry, Holt, Pittman, Shortey

SB 28 – General Government

Ayes: Bice, Dahm, Floyd, Fry, Holt, Pittman, Shortey

SB 68 – Education

Ayes: Brecheen, Ford, Halligan, Jolley, Quinn, Sharp, Shaw, Smalley, Stanislawski, Thompson

Nays: Garrison, Paddack, Sparks

SB 136 – Education

Ayes: Brecheen, Ford, Garrison, Halligan, Jolley, Paddack, Quinn, Sharp, Shaw, Smalley, Sparks, Stanislawski, Thompson

SB 155 – General Government

Ayes: Bice, Dahm, Floyd, Fry, Holt, Pittman, Shortey

SB 180 – Health and Human Services

Ayes: Crain, David, Floyd, Griffin, Loveless, Pittman, Standridge, Treat, Yen

SB 229 – Agriculture and Rural Development

Ayes: Allen, Boggs, Fields, Garrison, Justice, Silk, Simpson, Wyrick

Nays: Sykes

SB 235 – General Government

Ayes: Bice, Dahm, Floyd, Fry, Holt, Pittman, Shortey

SB 262 – Education

Ayes: Brecheen, Ford, Garrison, Halligan, Jolley, Paddack, Quinn, Sharp, Shaw, Smalley, Sparks, Stanislawski, Thompson

SB 285 – Education

Ayes: Brecheen, Ford, Garrison, Halligan, Jolley, Paddack, Quinn, Sharp, Smalley, Sparks, Stanislawski, Thompson

SB 303 – Education

Ayes: Ford, Halligan, Jolley, Paddack, Sharp, Shaw, Sparks, Stanislawski

Nays: Brecheen, Garrison, Quinn, Smalley, Thompson

SB 323 – Pensions

Ayes: Anderson, Bass, Brinkley, Brown, Jech

SB 352 – General Government

Ayes: Bice, Dahm, Floyd, Fry, Holt, Pittman

SB 415 – Pensions

Ayes: Anderson, Bass, Brinkley, Brown, Jech

SB 417 – Agriculture and Rural Development

Ayes: Allen, Barrington, Boggs, Fields, Garrison, Justice, Silk, Simpson, Sykes, Wyrick

SB 456 – General Government

Ayes: Bice, Dahm, Floyd, Fry, Holt, Pittman, Shortey

SB 462 – Pensions

Ayes: Anderson, Bass, Brinkley, Brown, Jech

SB 512 – General Government

Ayes: Bice, Dahm, Floyd, Fry, Holt, Pittman, Shortey

SB 600 – General Government

Ayes: Bice, Dahm, Floyd, Fry, Holt, Pittman, Shortey

SB 685 – General Government

Ayes: Bice, Dahm, Floyd, Fry, Holt, Pittman, Shortey

SB 763 – Education, coauthored by McDaniel (Jeannie) (principal House author)

Ayes: Brecheen, Ford, Garrison, Halligan, Jolley, Paddack, Quinn, Sharp, Shaw, Smalley, Stanislawski, Thompson

DO PASS, As Amended:

SB 218 – Health and Human Services

Ayes: Crain, David, Floyd, Griffin, Loveless, Pittman, Standridge, Treat, Yen

SB 301 – Education

Ayes: Brecheen, Ford, Garrison, Halligan, Jolley, Paddack, Quinn, Sharp, Shaw, Smalley, Sparks, Stanislawski, Thompson

CS for SB 511 – Health and Human Services

Ayes: Crain, David, Floyd, Griffin, Loveless, Pittman, Standridge, Treat, Yen

CS for SB 641 – Health and Human Services

Ayes: Crain, David, Floyd, Griffin, Loveless, Pittman, Standridge, Treat, Yen

FAILED:

SB 171 – Education

Ayes: Ford, Halligan, Jolley, Stanislawski

Nays: Brecheen, Garrison, Paddack, Quinn, Sharp, Shaw, Smalley, Sparks, Thompson

COMMITTEE REPORTS

The following were reported by the committees named and referred to a second committee:

DO PASS:

SB 29 – Education

Ayes: Brecheen, Ford, Garrison, Halligan, Jolley, Paddack, Quinn, Sharp, Shaw, Smalley, Sparks, Stanislawski, Thompson

SB 50 – Education

Ayes: Brecheen, Ford, Garrison, Halligan, Jolley, Paddack, Quinn, Sharp, Shaw, Smalley, Sparks, Stanislawski, Thompson

SB 126 – Health and Human Services

Ayes: Crain, David, Floyd, Griffin, Loveless, Pittman, Standridge, Treat, Yen

SB 504 – Education

Ayes: Brecheen, Ford, Garrison, Halligan, Jolley, Paddack, Quinn, Sharp, Smalley, Stanislawski, Thompson

Nays: Sparks

SB 505 – Education

Ayes: Brecheen, Ford, Garrison, Halligan, Jolley, Paddack, Quinn, Sharp, Smalley, Stanislawski, Thompson

Nays: Sparks

SB 544 – Health and Human Services

Ayes: Crain, David, Floyd, Griffin, Loveless, Pittman, Standridge, Yen

Nays: Treat

SB 656 – General Government

Ayes: Bice, Dahm, Floyd, Fry, Holt, Pittman, Shortey

DO PASS, As Amended:

CS for SB 107 – Health and Human Services

Ayes: Crain, David, Floyd, Griffin, Loveless, Pittman, Standridge, Treat, Yen

SB 177 – Education

Ayes: Brecheen, Ford, Garrison, Halligan, Jolley, Paddack, Quinn, Sharp, Shaw, Smalley, Sparks, Stanislawski, Thompson

SB 179 – Education

Ayes: Ford, Garrison, Halligan, Jolley, Paddack, Quinn, Sharp, Shaw, Smalley, Sparks, Stanislawski, Thompson

Nays: Brecheen

CS for SB 270 – Health and Human Services

Ayes: Crain, David, Floyd, Griffin, Loveless, Pittman, Standridge, Treat, Yen

SB 283 – General Government

Ayes: Bice, Dahm, Fry, Pittman, Shortey

Nays: Floyd, Holt

CS for SB 299 – Agriculture and Rural Development

Ayes: Allen, Barrington, Boggs, Fields, Garrison, Justice, Silk, Simpson, Sykes, Wyrick

FIRST READING

The following was introduced and read the first time:

SB 818 – By Brown.

An Act relating to insurance; amending 36 O.S. 2011, Sections 6470.2, as amended by Section 5, Chapter 41, O.S.L. 2013, 6470.3, as last amended by Section 6, Chapter 41, O.S.L. 2013, 6470.6, 6470.10, 6470.12, 6470.15 and 6470.16, as amended by Sections 7, 8, 10, 13 and 14, Chapter 41, O.S.L. 2013, 6470.19, as last amended by Section 16, Chapter 41, O.S.L. 2013, 6470.20, as amended by Section 17, Chapter 41, O.S.L. 2013, 6470.25, 6470.27, 6470.29 and 6470.30, as amended by Sections 19, 21 and 22, Chapter 41, O.S.L. 2013 (36 O.S. Supp. 2014, Sections 6470.2, 6470.3, 6470.6, 6470.10, 6470.12, 6470.15, 6470.16, 6470.19, 6470.20, 6470.27, 6470.29 and 6470.30), which relate to the Oklahoma Captive Insurance Company Act; modifying definitions; allowing captive insurance company to provide certain workers' compensation insurance and reinsurance; modifying form of unimpaired capital; modifying application of certain provisions of Oklahoma Insurance Code to certain events; deleting provisions relating to regulations, notice and hearing; providing procedure for licensed insurer to become Oklahoma domiciled captive insurer; modifying entities required to file certain annual actuarial opinion and comply with certain investment requirements; modifying exceptions to certain investment restrictions; providing for ceding or assuming reinsurance and taking credit for reserves; specifying tax treatment of protected cells of sponsored captive insurance company under certain circumstances; modifying entities subject to certain sanctions; deleting application of certain provisions to captive insurance companies; modifying provision relating to control of risk management of certain businesses; modifying entities which may sponsor captive insurance companies; providing procedure for formation of protected cell of sponsored captive insurance company; defining term; repealing 36 O.S. 2011, Section 6470.23, which relates to application of certain provisions to captive insurance companies; providing for codification; and providing an effective date.

CHANGE IN AUTHORS/COAUTHORS

The following measures were authored/coauthored:

- SB 5** - Coauthored by Cockroft (principal House author)
- SB 9** - Coauthored by Denney (principal House author)
- SB 20** - Coauthored by Henke (principal House author)
- SB 46** - Coauthored by Cleveland (principal House author)
- SB 72** - Coauthored by Sears (principal House author)
- SB 80** - Coauthored by Coody (Ann) (principal House author)
- SB 81** - Coauthored by Sears (principal House author)
- SB 82** - Coauthored by Sears (principal House author)
- SB 83** - Coauthored by Sears (principal House author)
- SB 84** - Coauthored by Sears (principal House author)
- SB 85** - Coauthored by Sears (principal House author)
- SB 92** - Coauthored by Sears (principal House author)
- SB 94** - Coauthored by Sears (principal House author)
- SB 101** - Coauthored by Osborn (principal House author)
Coauthored by Bennett
- SB 144** - Coauthored by Wright (principal House author)
- SB 160** - Coauthored by Christian (principal House author)
- SB 184** - Coauthored by Williams (principal House author)
- SB 185** - Coauthored by Coody (Jeff) (principal House author)
- SB 195** - Coauthored by Newell (principal House author)
- SB 207** - Coauthored by Cleveland (principal House author)
- SB 211** - Coauthored by Williams (principal House author)
- SB 214** - Coauthored by Sears (principal House author)
- SB 229** - Coauthored by Enns (principal House author)
- SB 246** - Coauthored by Sears (principal House author)
- SB 247** - Coauthored by Sears (principal House author)
- SB 248** - Coauthored by Sears (principal House author)
- SB 309** - Coauthored by Cleveland (principal House author)
- SB 323** - Coauthored by Wood (principal House author)
- SB 326** - Coauthored by Cleveland (principal House author)
- SB 327** - Coauthored by Cleveland (principal House author)
- SB 335** - Coauthored by Denney (principal House author)
- SB 346** - Coauthored by Walker (principal House author)
- SB 352** - Coauthored by Echols (principal House author)
- SB 358** - Coauthored by Cox (principal House author)
- SB 386** - Coauthored by Cockroft (principal House author)
- SB 388** - Coauthored by Sears (principal House author)
- SB 429** - Coauthored by Wallace (principal House author)
- SB 431** - Coauthored by Hall (principal House author)
- SB 436** - Coauthored by Mulready (principal House author)
- SB 452** - Coauthored by Proctor (principal House author)
- SB 456** - Coauthored by Osborn (principal House author)

SB 495 - Coauthored by Ritze (principal House author)
SB 498 - Coauthored by Sears (principal House author)
SB 501 - Coauthored by Sears (principal House author)
SB 502 - Coauthored by Sears (principal House author)
SB 511 - Coauthored by Denney (principal House author)
SB 513 - Coauthored by Banz
SB 533 - Coauthored by Christian (principal House author)
SB 588 - Coauthored by Roberts (Dustin) (principal House author)
SB 618 - Coauthored by Jordan (principal House author)
SB 641 - Coauthored by Ownbey (principal House author)
SB 679 - Remove as author Senator Bass; authored by Floyd
SB 687 - Coauthored by Derby (principal House author)
SB 696 - Coauthored by Faught (principal House author)
SB 734 - Coauthored by Osborn (principal House author)
SB 763 - Coauthored by McDaniel (Jeannie) (principal House author)
SB 765 - Coauthored by McCullough (principal House author)
SB 781 - Coauthored by David
Coauthored by Crain

Pursuant to the Schulz motion, the Senate adjourned at 2:05 p.m. to meet Tuesday, February 10, 2015, at 1:30 p.m.