

# Senate Journal

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

**Eighteenth Legislative Day, Monday, March 2, 2015**

The Senate was called to order by Senator Sykes.

Roll Call:

Present: Allen, Anderson, Barrington, Bass, Bice, Bingman, Boggs, Brecheen, Brooks, Brown, Crain, Dahm, Fields, Floyd, Ford, Fry, Garrison, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Mazzei, Newberry, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat, Wyrick and Yen.—44.

Excused: Brinkley, David and Paddack.—3.

Vacancy: District 11.—1.

Senator Sykes declared a quorum present.

The prayer was offered by Chaplain Steve Meier, Gospel Light Baptist Church, Enid, the guest of Senator Anderson.

### **REPORT OF ENGROSSED AND ENROLLED MEASURES**

**SBs 56, 81, 82, 83, 207, 308, 336, 346, 449, 659, 674 and 762** were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

### **INTRODUCTION**

Senator Marlatt introduced his daughter, Kloey, to the Senate.

**GENERAL ORDER**

**SB 62** by Stanislawski of the Senate and ODonnell of the House was called up for consideration.

Senator Stanislawski moved that **SB 62** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 62** was read for the third time at length.

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

Aye: Allen, Anderson, Barrington, Bass, Bice, Bingman, Boggs, Brecheen, Brooks, Brown, Crain, Fields, Floyd, Ford, Fry, Garrison, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Mazzei, Newberry, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat, Wyrick and Yen.--43.

Nay: Dahm.--1.

Excused: Brinkley, David and Paddack.--3.

Vacancy: District 11.--1.

The bill passed.

**SB 62** was referred for engrossment.

**GENERAL ORDER**

**SB 340** by Stanislawski of the Senate and Mulready of the House was called up for consideration.

Senator Stanislawski moved that **SB 340** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 340** was read for the third time at length.

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

Aye: Allen, Anderson, Barrington, Bass, Bice, Bingman, Boggs, Brecheen, Brooks, Brown, Crain, Dahm, Fields, Floyd, Ford, Fry, Garrison, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Mazzei, Newberry, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat, Wyrick and Yen.--44.

Excused: Brinkley, David and Paddack.--3.

Vacancy: District 11.--1.

The bill passed.

**SB 340** was referred for engrossment.

### **GENERAL ORDER**

**SB 219** by Brooks of the Senate and Roberts (Sean) of the House was called up for consideration.

Senator Brooks moved that **SB 219** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 219** was read for the third time at length.

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

Aye: Allen, Anderson, Barrington, Bass, Bice, Bingman, Boggs, Brecheen, Brooks, Brown, Crain, Dahm, Fields, Floyd, Ford, Fry, Garrison, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Mazzei, Newberry, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat, Wyrick and Yen.--44.

Excused: Brinkley, David and Paddack.--3.

Vacancy: District 11.--1.

The bill passed.

**SB 219** was referred for engrossment.

**GENERAL ORDER**

**SB 220** by Brooks of the Senate and Roberts (Sean) of the House was called up for consideration.

Senator Brooks moved that **SB 220** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 220** was read for the third time at length.

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

Aye: Allen, Anderson, Barrington, Bass, Bice, Bingman, Boggs, Brecheen, Brooks, Brown, Crain, Dahm, Fields, Floyd, Ford, Fry, Garrison, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Mazzei, Newberry, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat, Wyrick and Yen.--44.

Excused: Brinkley, David and Paddack.--3.

Vacancy: District 11.--1.

The bill passed.

**SB 220** was referred for engrossment.

**GENERAL ORDER**

**SB 261** by Sharp of the Senate and Echols of the House was called up for consideration.

Senator Sharp moved that **SB 261** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 261** was read for the third time at length.

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

Aye: Allen, Anderson, Barrington, Bass, Bice, Bingman, Boggs, Brecheen, Brooks, Brown, Crain, Dahm, Fields, Floyd, Ford, Fry, Garrison, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Mazzei, Newberry, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat, Wyrick and Yen.--44.

Excused: Brinkley, David and Paddack.--3.

Vacancy: District 11.--1.

The bill passed.

**SB 261** was referred for engrossment.

### **GENERAL ORDER**

**SB 50** by Smalley of the Senate and Biggs of the House was called up for consideration.

Senator Smalley moved to amend **SB 50**, Page 1, by restoring the title and the emergency clause, which amendment was declared adopted.

Senator Smalley moved that **SB 50** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 50** was read for the third time at length.

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

Aye: Allen, Anderson, Barrington, Bass, Bice, Bingman, Boggs, Brecheen, Brooks, Brown, Crain, Dahm, Fields, Floyd, Ford, Fry, Garrison, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Mazzei, Newberry, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat, Wyrick and Yen.--44.

Excused: Brinkley, David and Paddack.--3.

Vacancy: District 11.--1.

The bill and emergency passed.

**SB 50** was referred for engrossment.

**GENERAL ORDER**

**SB 231** by Smalley of the Senate and Echols of the House was called up for consideration.

Senator Smalley moved to amend **SB 231**, Page 1, by restoring the title, which amendment was withdrawn upon motion of Senator Smalley.

Senator Smalley moved that **SB 231** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 231** was read for the third time at length.

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

Aye: Allen, Anderson, Barrington, Bass, Bice, Bingman, Boggs, Brecheen, Brooks, Brown, Crain, Dahm, Fields, Floyd, Ford, Fry, Garrison, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Mazzei, Newberry, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Simpson, Smalley, Standridge, Stanislawski, Sykes, Thompson, Treat and Yen.--42.

Nay: Sparks and Wyrick.--2.

Excused: Brinkley, David and Paddack.--3.

Vacancy: District 11.--1.

The bill passed.

**SB 231** was referred for engrossment.

**GENERAL ORDER**

**SB 109** by Anderson of the Senate and Rousselot of the House was called up for consideration.

Senator Anderson moved that **SB 109** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 109** was read for the third time at length.

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

Aye: Allen, Anderson, Barrington, Bass, Bice, Bingman, Boggs, Brecheen, Brooks, Brown, Crain, Dahm, Fields, Floyd, Ford, Fry, Garrison, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Mazzei, Newberry, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat, Wyrick and Yen.--44.

Excused: Brinkley, David and Paddack.--3.

Vacancy: District 11.--1.

The bill passed.

**SB 109** was referred for engrossment.

### **GENERAL ORDER**

**SB 434** by Floyd and Pittman of the Senate and Echols of the House was called up for consideration.

Senator Floyd moved to amend **SB 434**, Page 10, Lines 1-5, by striking Subsection C in its entirety and inserting a new Subsection C to read as follows:

“C. Each applicant shall be a graduate of a chiropractic school, college or program accredited by an accrediting agency either recognized by the U.S. Secretary of Education or a Board-approved chiropractic school, college or program. Applicants graduating from a chiropractic program outside the United States must have completed an educational program leading to a degree in chiropractic from an institution authorized to operate by the government having jurisdiction in which it is domiciled.”, which amendment was declared adopted.

Senator Floyd moved to amend **SB 434**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Floyd moved that **SB 434** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 434** was read for the third time at length.

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

Aye: Allen, Anderson, Barrington, Bass, Bice, Bingman, Boggs, Brecheen, Brooks, Brown, Crain, Dahm, Fields, Floyd, Ford, Fry, Garrison, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Mazzei, Newberry, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat, Wyrick and Yen.--44.

Excused: Brinkley, David and Paddack.--3.

Vacancy: District 11.--1.

The bill passed.

**SB 434** was referred for engrossment.

### **GENERAL ORDER**

**SB 145** by Standridge and Sharp of the Senate and Griffith of the House was called up for consideration.

Senator Standridge moved that **SB 145** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 145** was read for the third time at length.

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

Aye: Allen, Anderson, Barrington, Bass, Bice, Bingman, Boggs, Brecheen, Brooks, Brown, Crain, Dahm, Fields, Floyd, Ford, Fry, Garrison, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Mazzei, Newberry, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Treat, Wyrick and Yen.--43.

Excused: Brinkley, David, Paddack and Thompson.--4.

Vacancy: District 11.--1.

The bill passed.

**SB 145** was referred for engrossment.

### **GENERAL ORDER**

**SB 560** by Standridge of the Senate and Derby of the House was called up for consideration.

Senator Standridge moved that **SB 560** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 560** was read for the third time at length.

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

Aye: Allen, Anderson, Barrington, Bass, Bice, Bingman, Boggs, Brecheen, Brooks, Brown, Crain, Dahm, Fields, Floyd, Ford, Fry, Garrison, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Mazzei, Newberry, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat, Wyrick and Yen.--44.

Excused: Brinkley, David and Paddack.--3.

Vacancy: District 11.--1.

The bill and emergency passed.

**SB 560** was referred for engrossment.

**GENERAL ORDER**

**SB 24** by Quinn of the Senate and Faught of the House was called up for consideration.

Senator Quinn moved that **SB 24** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 24** was read for the third time at length.

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

Aye: Allen, Anderson, Barrington, Bass, Bice, Bingman, Boggs, Brecheen, Brooks, Brown, Crain, Dahm, Fields, Floyd, Ford, Fry, Garrison, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Mazzei, Newberry, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat, Wyrick and Yen.--44.

Excused: Brinkley, David and Paddack.--3.

Vacancy: District 11.--1.

The bill and emergency passed.

**SB 24** was referred for engrossment.

**EXECUTIVE NOMINATIONS**

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

Thompson, Michael C., Edmond, as Commissioner of Public Safety. (Public Safety Committee) Motion to confirm made by Senator Clark Jolley.

Thompson, Michael C., Edmond, as Cabinet Secretary of Safety and Security. (Public Safety Committee) Motion to confirm made by Senator Clark Jolley.

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

Aye: Allen, Anderson, Barrington, Bass, Bice, Bingman, Boggs, Brecheen, Brooks, Brown, Crain, Dahm, Fields, Floyd, Ford, Fry, Garrison, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Mazzei, Newberry, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat, Wyrick and Yen.--44.

Excused: Brinkley, David and Paddack.--3.

Vacancy: District 11.--1.

**MESSAGE FROM THE HOUSE**

Advising passage of and transmitting for consideration Engrossed **HBs 1085, 1322, 1721** and **2177**.

**HB 1085** – By Ownbey of the House and Treat of the Senate.

An Act relating to public health; amending Section 44, Chapter 229, O.S.L. 2013, as amended by Section 1, Chapter 141, O.S.L. 2014 (63 O.S. Supp. 2014, Section 1-103a.1), which relates to public health advisory councils; creating the Home Care, Hospice and Palliative Care Advisory Council; providing for membership; providing for quorum; providing for appointments to certain council; requiring certain council to include certain jurisdictional areas; and providing an effective date.

**HB 1322** – By Bennett of the House and Allen of the Senate.

An Act relating to cities and towns; prohibiting municipalities from adopting certain ordinances; providing exception; providing for codification; and providing an effective date.

**HB 1721** – By Peterson, Ritze, Christian, Roberts (Sean), Faught, Strohm, Kern, Ownbey and Johnson of the House and Brecheen of the Senate.

An Act relating to public health and safety; creating the Oklahoma Unborn Child Protection from Dismemberment Abortion Act; defining terms; prohibiting certain act;

providing certain hearing before State Board of Medical Licensure and Supervision; excluding certain liability; permitting injunctive relief; providing for civil damages; providing for attorney fee; providing for criminal penalty; providing for anonymity of certain individual in court proceedings; providing for certain construction; providing for severability; providing for codification; and providing an effective date.

**HB 2177** – By Hickman, McBride and Murdock of the House and Bingman of the Senate.

An Act relating to oil and gas; amending 52 O.S. 2011, Sections 87.6, as last amended by Section 1, Chapter 400, O.S.L. 2014, 87.7, 87.8, as amended by Section 2, Chapter 400, O.S.L. 2014 and 87.9 (52 O.S. Supp. 2014, Sections 87.6 and 87.8), which relate to the 2011 Shale Reservoir Development Act; changing name of act to the Extended Lateral Horizontal Well Development Act; modifying definitions; providing an alternate development method to creating a new unit or changing an existing drilling and spacing unit for certain horizontal development; limiting allowance of multiunit horizontal wells to targeted reservoir or reservoirs; modifying requirements for allocation of certain costs; expanding authority of the Corporation Commission to adjust allocation factors; changing pooling requirements to targeted reservoirs; updating statutory citations; and declaring an emergency.

The above-numbered measures were read the first time.

Senator Schulz moved that when the clerk's desk is clear, the Senate stand adjourned to convene Tuesday, March 3, 2015, at 9:00 a.m., which motion prevailed.

## **SECOND READING**

The following was read for the second time and referred to committee as indicated:

**SB 829** – General Government

## **FIRST READING**

The following were introduced and read the first time:

**SB 830** – By Yen.

An Act relating to schools; amending 70 O.S. 2011, Section 1210.192, which relates to certain exemptions; removing certain exemption; and providing an effective date.

**SR 14** – By Stanislawski.

A Resolution commending the State of Israel for its cordial and mutually beneficial relationship with the United States and with the State of Oklahoma; and commending Israeli Prime Minister Benjamin Netanyahu's Congressional address.

**SR 15** – By Stanislawski and Newberry.

A Resolution commending the State of Israel for its cordial and mutually beneficial relationship with the United States and with the State of Oklahoma; and commending Israeli Prime Minister Benjamin Netanyahu's Congressional address.

## **COMMITTEE REPORT**

The following was reported by the committee named, ordered printed and placed on the Calendar:

DO PASS, As Amended:

**SB 829** – General Government, Remove as author Senator Dahm; authored by General Government Committee

Ayes: Bice, Brooks, Dahm, Holt, Shortey

Nays: Floyd, Fry, Marlatt, Pittman

## **CHANGE IN AUTHORS/COAUTHORS**

The following measures were authored/coauthored:

**SB 84** - Remove as coauthor Senator Sharp

**SB 85** - Remove as coauthor Senator Sharp

**SB 94** - Remove as coauthor Senator Sharp

**SB 95** - Coauthored by Martin (principal House author)

**SB 114** - Coauthored by Newberry

Coauthored by Walker (principal House author)

**SB 131** - Coauthored by Osborn (principal House author)

**SB 249** - Coauthored by McBride (principal House author)

**SB 258** - Coauthored by Grau (principal House author)

**SB 296** - Coauthored by Quinn

**SB 312** - Coauthored by Echols (principal House author)

**SB 321** - Coauthored by Sanders (principal House author)

**SB 375** - Coauthored by McCall (principal House author)

**SB 376** - Coauthored by McCall (principal House author)

**SB 377** - Coauthored by McCall (principal House author)

**SB 419** - Coauthored by Osborn (principal House author)

**SB 424** - Coauthored by Williams (principal House author)

**SB 425** - Coauthored by Grau (principal House author)

**SB 494** - Coauthored by Hall (principal House author)

**SB 498** - Coauthored by Newberry

**SB 501** - Coauthored by Newberry

**SB 542** - Coauthored by Derby (principal House author)

**SB 609** - Coauthored by Yen

Coauthored by Stanislawski

**SB 612** - Coauthored by Wright (principal House author)

Coauthored by Halligan

**SB 720** - Coauthored by Derby (principal House author)

**SB 782** - Coauthored by Griffin

**SR 15** - Coauthored by Newberry

**HB 1747** - Coauthored by McCall

Pursuant to the Schulz motion, the Senate adjourned at 2:40 p.m. to meet Tuesday, March 3, 2015, at 9:00 a.m.