

# Senate Journal

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

Thirty-seventh Legislative Day, Tuesday, April 7, 2015

The Senate was called to order by Senator David.

Roll Call:

Present: Allen, Anderson, Barrington, Bass, Bice, Bingman, Boggs, Brecheen, Brinkley, 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, Silk, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat, Wyrick and Yen.—45.

Excused: Brooks and Shortey.—2.

Vacancy: District 11.—1.

Senator David declared a quorum present.

The prayer was offered by Brother Daniel Smith, Sallisaw First Assembly, Sallisaw, the guest of Senator Allen.

### REPORT OF ENGROSSED AND ENROLLED MEASURES

**HB 1042** was correctly engrossed and, together with engrossed **SAs**, properly signed and ordered returned to the Honorable House.

**SBs 23, 126, 152, 250, 479, 575, 638, 763** and **831** were each correctly enrolled and after fourth reading, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

**SR 22** was correctly enrolled, properly signed and ordered transmitted to the Secretary of State.

**FIRST READING**

The following was introduced and read the first time:

**SR 25** – By Fields.

A Resolution proclaiming April 7, 2015, as the 19th Annual 4-H Day at the Oklahoma State Capitol; celebrating youth who have made an impact on the community; encouraging citizens to continue "Extending Knowledge, Changing Lives"; and directing distribution.

**UNANIMOUS CONSENT REQUEST  
DIRECT TO CALENDAR**

Senator Fields asked unanimous consent to refer **SR 25** direct to the Calendar for consideration, which was the order.

**GENERAL ORDER**

**SR 25** by Fields was called up for consideration.

All other members of the Senate asked to coauthor **SR 25**, which was the order.

**SR 25** was adopted upon motion of Senator Fields and referred for enrollment.

**INTRODUCTION**

Senator Boggs introduced former Senator Richard Lerblance, his wife, Frances and their granddaughter, Alexandria, to the Senate.

**UNANIMOUS CONSENT REQUEST  
DIRECT TO CALENDAR**

Senator Boggs asked unanimous consent to refer **SR 17** direct to the Calendar for consideration, which was the order.

**GENERAL ORDER**

**SR 17** by Boggs was called up for consideration.

All other members of the Senate asked to coauthor **SR 17**, which was the order.

**SR 17** was adopted upon motion of Senator Boggs and referred for enrollment.

**GENERAL ORDER**

**HB 1079** by Ownbey et al of the House and Simpson and Treat of the Senate was called up for consideration.

Senator Simpson moved that **HB 1079** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 1079** 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, Brinkley, Brown, Crain, Dahm, David, Fields, Floyd, Ford, Fry, Garrison, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Mazzei, Newberry, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Silk, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat, Wyrick and Yen.--44.

Excused: Brooks, Marlatt and Shortey.--3.

Vacancy: District 11.—1.

The bill passed.

**HB 1079** was properly signed and ordered returned to the Honorable House.

**GENERAL ORDER**

**HB 1331** by Coody (Ann) and Hoskin of the House and Simpson of the Senate was called up for consideration.

Senator Simpson moved that **HB 1331** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 1331** 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, Brinkley, 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, Silk, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat, Wyrick and Yen.--45.

Excused: Brooks and Shortey.--2.

Vacancy: District 11.—1.

The bill and emergency passed.

**HB 1331** was properly signed and ordered returned to the Honorable House.

### **GENERAL ORDER**

**HB 1066** by Nollan of the House and Griffin of the Senate was called up for consideration.

Senator Griffin moved that **HB 1066** be advanced, which motion was declared adopted.

### **THIRD READING**

**HB 1066** 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, Brinkley, 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, Silk, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat, Wyrick and Yen.--45.

Excused: Brooks and Shortey.--2.

Vacancy: District 11.—1.

The bill passed.

**HB 1066** was properly signed and ordered returned to the Honorable House.

**GENERAL ORDER**

**HB 1003** by McDaniel (Randy) of the House and Barrington of the Senate was called up for consideration.

Senator Barrington asked that **HB 1003** be laid over for this legislative day, which was the order.

**HB 1003** remains on General Order.

**GENERAL ORDER**

**HB 1903** by Johnson of the House and Barrington of the Senate was called up for consideration.

Senator Barrington moved that **HB 1903** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 1903** 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, Brinkley, 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, Silk, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat and Yen.--44.

Excused: Brooks, Shortey and Wyrick.--3.

Vacancy: District 11.—1.

The bill passed.

**HB 1903** was properly signed and ordered returned to the Honorable House.

**UNANIMOUS CONSENT REQUEST  
DIRECT TO CALENDAR**

Senator Griffin asked unanimous consent to refer **SR 19** direct to the Calendar for consideration, which was the order.

**GENERAL ORDER**

**SR 19** by Griffin et al was called up for consideration.

Senators Fry, Jech, Shaw, Brown, Barrington, Halligan, Anderson, Simpson, Ford, Yen, Newberry, Sykes, Mazzei, Jolley, Bingman, Treat, Schulz, Brinkley, Justice, Thompson, Bice, Loveless, Smalley, Allen, Fields, Quinn, Boggs, Stanislawski, Sharp, Silk, Dahm, Standridge and Sparks asked to coauthor **SR 19**, which was the order.

**SR 19** was adopted upon motion of Senator Griffin and referred for enrollment.

**MESSAGE FROM THE HOUSE  
HAS TO SENATE BILLS**

Advising passage of and returning the following engrossed bills as amended:

**SB 5** - (Emergency Failed)

**SB 64**

**SB 70**

House amendments were read on the above-numbered bills.

**MESSAGES FROM THE HOUSE**

Advising fourth reading of and transmitting for signature Enrolled **HBs 1006, 1330, 1438, 1450, 1612** and **1772**.

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 bills:

**SB 38**

**SB 195** - coauthored by Sharp of the Senate and Hoskin of the House

**SB 405**

**SB 487**

The above-numbered measures were referred for enrollment.

Advising fourth reading of and returning Enrolled **SBs 23, 126, 152, 250, 479, 575, 638, 763 and 831.**

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

Senator Schulz moved that when the clerk's desk is clear, the Senate stand adjourned to convene Wednesday, April 8, 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:

**HB 1007** – Judiciary

Ayes: Crain, Griffin, Holt, Standridge, Sykes, Thompson, Treat

Nays: Floyd, Sparks

**HB 1046** – Judiciary

Ayes: Crain, Floyd, Griffin, Holt, Sparks, Standridge, Sykes, Thompson, Treat

**HB 1123** – Judiciary

Ayes: Crain, Floyd, Griffin, Holt, Sparks, Standridge, Sykes, Thompson, Treat

**HB 1149** – Judiciary

Ayes: Crain, Floyd, Griffin, Holt, Sparks, Standridge, Sykes, Thompson, Treat

**HB 1263** – Judiciary

Ayes: Crain, Floyd, Griffin, Sparks, Standridge, Sykes, Thompson

**HB 1274** – Judiciary

Ayes: Crain, Floyd, Griffin, Sparks, Standridge, Sykes, Thompson

**HB 1320** – Judiciary

Ayes: Crain, Floyd, Griffin, Sparks, Standridge, Sykes, Thompson

**HB 1449** – Judiciary

Ayes: Griffin, Holt, Standridge, Sykes, Thompson

Nays: Crain, Floyd, Sparks, Treat

**HB 1508** – Judiciary

Ayes: Crain, Floyd, Griffin, Holt, Sparks, Standridge, Sykes, Thompson, Treat

**HB 1548** – Judiciary

Ayes: Crain, Floyd, Griffin, Holt, Sparks, Standridge, Sykes, Thompson, Treat

**HB 1653** – Tourism and Wildlife

Ayes: Anderson, Bass, Boggs, Brecheen, Brown, Fields, Garrison, Justice, Sharp,  
Shaw

**HB 1774** – Tourism and Wildlife

Ayes: Anderson, Bass, Boggs, Brecheen, Brown, Fields, Garrison, Justice, Sharp,  
Shaw

**HB 1806** – Judiciary

Ayes: Crain, Floyd, Griffin, Sparks, Standridge, Sykes, Thompson, Treat

**HB 1855** – Judiciary

Ayes: Crain, Floyd, Griffin, Holt, Sparks, Standridge, Sykes, Thompson, Treat

**HB 1857** – Tourism and Wildlife

Ayes: Anderson, Bass, Boggs, Brecheen, Brown, Fields, Garrison, Justice, Sharp,  
Shaw

**HB 2152** – Judiciary

Ayes: Crain, Floyd, Griffin, Holt, Sparks, Standridge, Sykes, Thompson, Treat

DO PASS, As Amended:

**HB 1400** – Finance

Ayes: Brinkley, Dahm, David, Ford, Halligan, Jech, Jolley, Mazzei, Quinn, Simpson,  
Sparks, Wyrick, Yen

**HB 1554** – Finance

Ayes: Brinkley, Dahm, David, Ford, Halligan, Jech, Mazzei, Quinn, Simpson, Yen  
Nays: Sparks, Wyrick

**HB 1693** – Finance

Ayes: Brinkley, Dahm, David, Ford, Halligan, Jech, Jolley, Quinn, Simpson, Sparks,  
Yen

Nays: Mazzei, Paddack, Wyrick

**HB 1725** – Judiciary

Ayes: Crain, Floyd, Griffin, Holt, Sparks, Standridge, Sykes, Thompson, Treat

**HB 1743** – Finance

Ayes: Brinkley, Dahm, David, Ford, Halligan, Jech, Jolley, Mazzei, Paddack, Quinn,  
Simpson, Sparks, Wyrick, Yen

**HB 1747** – Finance

Ayes: Brinkley, Dahm, David, Ford, Halligan, Jech, Jolley, Mazzei, Paddack, Quinn,  
Schulz, Simpson, Sparks, Yen

Nays: Wyrick

**CS for HB 1773** – Judiciary

Ayes: Crain, Floyd, Griffin, Holt, Sparks, Standridge, Sykes, Thompson, Treat

**HB 1778** – Finance

Ayes: Brinkley, Dahm, David, Ford, Halligan, Jech, Jolley, Mazzei, Quinn, Simpson,  
Sparks, Wyrick, Yen

**CS for HB 1825** – Finance

Ayes: Brinkley, David, Ford, Halligan, Jech, Jolley, Mazzei, Paddack, Quinn,  
Simpson, Sparks, Wyrick, Yen

Nays: Dahm

**HB 1834** – Judiciary

Ayes: Crain, Floyd, Griffin, Holt, Sparks, Standridge, Sykes, Thompson, Treat

**HB 1920** – Judiciary

Ayes: Crain, Floyd, Griffin, Holt, Sparks, Standridge, Sykes, Thompson, Treat

**CS for HB 1962** – Finance

Ayes: Brinkley, Dahm, David, Ford, Halligan, Jech, Jolley, Mazzei, Paddack, Quinn,  
Simpson, Sparks, Yen

Nays: Wyrick

**CS for HB 1963** – Finance

Ayes: Brinkley, Dahm, David, Ford, Halligan, Jech, Jolley, Mazzei, Paddack, Quinn,  
Simpson, Yen

Nays: Sparks, Wyrick

**HB 1964** – Judiciary

Ayes: Crain, Floyd, Griffin, Holt, Sparks, Standridge, Sykes, Thompson, Treat

**HB 2165** – Judiciary

Ayes: Crain, Floyd, Griffin, Holt, Sparks, Standridge, Sykes, Thompson, Treat

**HB 2182** – Finance

Ayes: Brinkley, Dahm, David, Ford, Halligan, Jech, Jolley, Mazzei, Quinn, Simpson, Sparks, Wyrick, Yen

**HB 2183** – Finance

Ayes: Brinkley, Dahm, David, Ford, Halligan, Jech, Jolley, Mazzei, Quinn, Simpson, Sparks, Wyrick, Yen

**FIRST READING**

The following were introduced and read the first time:

**SCR 15** – By Paddack of the Senate and Thomsen of the House.

A Concurrent Resolution declaring May as Motorcycle Safety Awareness Month in the State of Oklahoma; encouraging the motoring public to be more aware of motorcycles; encouraging all riders to seek and receive appropriate training; and directing distribution.

**SR 26** – By Jolley.

A Resolution commending the Boys & Girls Clubs of Oklahoma for the outstanding services they provide young people and their families; and directing distribution.

**CHANGE IN AUTHORS/COAUTHORS**

The following measures were authored/coauthored:

**SB 563** - Remove as author Senator Crain; authored by Smalley

**HB 1007** - Coauthored by Brecheen

Remove as author Senator Brecheen; authored by Senator Newberry

**HB 1515** - Coauthored by Pittman

**HB 2154** - Coauthored by Sharp

**HCR 1005** - Coauthored by Lepak

**HJR 1018** - Coauthored by Lepak

**MESSAGES FROM THE GOVERNOR**

Advising her approval April 7, 2015, of Enrolled **SBs 24, 46, 50, 55, 62, 206, 229, 331, 336, 345, 394, 429, 462** and **725**.

Pursuant to the Schulz motion, the Senate adjourned at 2:50 p.m. to meet Wednesday, April 8, 2015, at 1:30 p.m.