

# Senate Journal

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

**Eighteenth Legislative Day, Tuesday, March 1, 2016**

The Senate was called to order by Senator Griffin.

Roll Call:

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

Excused: Fry.—1.

Senator Griffin declared a quorum present.

The prayer was offered by Tony “Mac” McMullen, Free in Christ Ministries, Coweta, the guest of Senator Brown.

### REPORT OF ENGROSSED AND ENROLLED MEASURES

**SBs 874, 902, 936, 963, 965, 1001, 1027, 1040, 1062, 1102, 1156, 1172, 1182, 1185, 1246, 1277, 1381, 1408 and 1503** were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

### GENERAL ORDER

**SB 1127** by Crain of the Senate and Munson of the House was called up for consideration.

Senator Crain moved that **SB 1127** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 1127** was read for the third time at length.

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

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

Excused: Anderson, Fry, Jolley, Loveless and Quinn.--5.

The bill passed.

**SB 1127** was referred for engrossment.

**GENERAL ORDER**

**SB 1141** by Crain of the Senate and Derby of the House was called up for consideration.

Senator Crain moved that **SB 1141** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 1141** was read for the third time at length.

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

Aye: Barrington, Bice, Bingman, Boggs, Brooks, Brown, Crain, Dahm, Fields, Ford, Griffin, Halligan, Holt, Jech, Justice, Mazzei, Schulz, Sharp, Shaw, Silk, Simpson, Standridge, Stanislawski, Sykes, Thompson and Yen.--26.

Nay: Allen, Bass, Brecheen, David, Dossett, Floyd, Garrison, Marlatt, Matthews, Newberry, Paddack, Pittman, Shortey, Smalley, Sparks and Wyrick.--16.

Excused: Anderson, Fry, Jolley, Loveless, Quinn and Treat.--6.

The bill passed.

**SB 1141** was referred for engrossment.

**GENERAL ORDER**

**SB 1147** by Crain of the Senate and Faught of the House was called up for consideration.

Senator Crain moved that **SB 1147** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 1147** was read for the third time at length.

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

Aye: Allen, Barrington, Bass, Bice, Bingman, Boggs, Brecheen, Brooks, Brown, Crain, David, Dossett, Fields, Floyd, Ford, Garrison, Griffin, Halligan, Holt, Jech, Justice, Marlatt, Matthews, Mazzei, Newberry, Paddack, Schulz, Sharp, Shaw, Shortey, Silk, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Wyrick and Yen.--40.

Nay: Dahm.--1.

Excused: Anderson, Fry, Jolley, Loveless, Pittman, Quinn and Treat.--7.

The bill passed.

**SB 1147** was referred for engrossment.

**GENERAL ORDER**

**SB 1148** by Crain of the Senate and Ritze of the House was called up for consideration.

Senator Crain moved that **SB 1148** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 1148** was read for the third time at length.

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

Aye: Allen, Barrington, Bass, Bice, Bingman, Boggs, Brecheen, Brooks, Brown, Crain, Dahm, David, Dossett, Fields, Floyd, Ford, Garrison, Griffin, Halligan, Holt, Jech, Justice, Marlatt, Matthews, Mazzei, Newberry, Paddack, Pittman, Schulz, Sharp, Shaw, Shortey, Silk, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Wyrick and Yen.--42.

Excused: Anderson, Fry, Jolley, Loveless, Quinn and Treat.--6.

The bill passed.

**SB 1148** was referred for engrossment.

### **GENERAL ORDER**

**SB 1270** by Crain of the Senate and Peterson of the House was called up for consideration.

Senator Crain moved that **SB 1270** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 1270** was read for the third time at length.

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

Aye: Allen, Barrington, Bass, Bice, Bingman, Boggs, Brecheen, Brooks, Brown, Crain, Dahm, David, Dossett, Fields, Floyd, Ford, Garrison, Griffin, Halligan, Holt, Jech, Justice, Marlatt, Matthews, Mazzei, Newberry, Paddack, Pittman, Schulz, Sharp, Shaw, Shortey, Silk, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Wyrick and Yen.--42.

Excused: Anderson, Fry, Jolley, Loveless, Quinn and Treat.--6.

The bill passed.

**SB 1270** was referred for engrossment.

### **GENERAL ORDER**

**SB 1085** by Dahm of the Senate and Billy of the House was called up for consideration.

Senator Dahm moved to amend **SB 1085**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Dahm moved that **SB 1085** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 1085** was read for the third time at length.

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

Aye: Allen, Barrington, Bass, Bice, Bingman, Boggs, Brecheen, Brooks, Brown, Crain, Dahm, David, Fields, Ford, Griffin, Halligan, Holt, Jech, Justice, Marlatt, Mazzei, Newberry, Schulz, Sharp, Shaw, Shortey, Silk, Simpson, Smalley, Standridge, Stanislawski, Sykes, Thompson, Treat and Yen.--35.

Nay: Dossett, Floyd, Garrison, Matthews, Paddack, Pittman, Sparks and Wyrick.--8.

Excused: Anderson, Fry, Jolley, Loveless and Quinn.--5.

The bill passed.

**SB 1085** was referred for engrossment.

### **GENERAL ORDER**

**SB 1159** by Dahm of the Senate and Jordan of the House was called up for consideration.

Senator Dahm moved that **SB 1159** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 1159** was read for the third time at length.

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

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

Excused: Anderson, Floyd, Fry, Loveless and Quinn.--5.

The bill passed.

**SB 1159** was referred for engrossment.

### **GENERAL ORDER**

**SB 954** by Paddack of the Senate and Thomsen of the House was called up for consideration.

Senator Paddack moved that **SB 954** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 954** was read for the third time at length.

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

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

Excused: Anderson, Bingman, Fry, Loveless and Quinn.--5.

The bill passed.

**SB 954** was referred for engrossment.

### **GENERAL ORDER**

**SB 1329** by Ford of the Senate and Dunlap of the House was called up for consideration.

Senator Ford moved that **SB 1329** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 1329** was read for the third time at length.

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

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

Excused: Anderson, Bingman, Fry, Loveless and Quinn.--5.

The bill passed.

**SB 1329** was referred for engrossment.

**GENERAL ORDER**

**SB 893** by Mazzei et al of the Senate and Montgomery of the House was called up for consideration.

Senator Mazzei moved that **SB 893** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 893** was read for the third time at length.

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

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

Excused: Anderson, Fry, Loveless and Quinn.--4.

The bill passed.

**SB 893** was referred for engrossment.

**GENERAL ORDER**

**SB 1331** by Sparks of the Senate and Kirby of the House was called up for consideration.

Senator Sparks moved that **SB 1331** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 1331** was read for the third time at length.

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

Aye: Allen, Barrington, Bass, Bice, Bingman, Boggs, Brecheen, Brooks, Brown, Crain, Dahm, David, Dossett, Fields, Floyd, Ford, Garrison, Griffin, Halligan, Holt, Jech, Jolley, Justice, Matthews, Mazzei, Newberry, Paddack, Pittman, Schulz, Sharp, Shaw, Shortey, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat, Wyrick and Yen.--42.

Excused: Anderson, Fry, Loveless, Marlatt, Quinn and Silk.--6.

The bill passed.

**SB 1331** was referred for engrossment.

### **GENERAL ORDER**

**SB 976** by Allen of the Senate and Osborn of the House was called up for consideration.

Senator Allen moved that **SB 976** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 976** was read for the third time at length.

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

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

Excused: Anderson, Fry, Loveless, Marlatt and Quinn.--5.

The bill passed.

**SB 976** was referred for engrossment.

### **GENERAL ORDER**

**SB 1239** by Mazzei of the Senate and McCall of the House was called up for consideration.

Senator Mazzei moved that **SB 1239** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 1239** was read for the third time at length.

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

Aye: Allen, Barrington, Bass, Bice, Bingman, Boggs, Brecheen, Brooks, Brown, Crain, Dahm, David, Dossett, Fields, Floyd, Ford, Garrison, Griffin, Halligan, Holt, Jech, Jolley,

Justice, Marlatt, Matthews, Mazzei, Newberry, Paddack, Pittman, Schulz, Sharp, Shaw, Shortey, Silk, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat, Wyrick and Yen.--44.

Excused: Anderson, Fry, Loveless and Quinn.--4.

The bill passed.

**SB 1239** was referred for engrossment.

### **GENERAL ORDER**

**SB 1390** by Mazzei of the Senate and McCall of the House was called up for consideration.

Senator Mazzei moved that **SB 1390** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 1390** was read for the third time at length.

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

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

Excused: Anderson, Fry, Loveless, Marlatt and Quinn.--5.

The bill passed.

**SB 1390** was referred for engrossment.

### **GENERAL ORDER**

**SB 890** by Simpson of the Senate and Roberts (Dustin) of the House was called up for consideration.

Senator Simpson moved that **SB 890** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 890** was read for the third time at length.

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

Aye: Allen, Barrington, Bass, Bice, Bingman, Boggs, Brecheen, Brooks, Brown, Dahm, David, Dossett, Fields, Floyd, Ford, Garrison, Griffin, Halligan, Holt, Jech, Jolley, Justice, Matthews, Mazzei, Newberry, Paddack, Pittman, Schulz, Sharp, Shaw, Shortey, Silk, Simpson, Smalley, Sparks, Standridge, Stanislowski, Sykes, Thompson, Treat, Wyrick and Yen.--42.

Excused: Anderson, Crain, Fry, Loveless, Marlatt and Quinn.--6.

The bill passed.

**SB 890** was referred for engrossment.

**GENERAL ORDER**

**SB 913** by Simpson of the Senate and Roberts (Dustin) of the House was called up for consideration.

Senator Simpson moved that **SB 913** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 913** was read for the third time at length.

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

Aye: Allen, Barrington, Bass, Bice, Bingman, Boggs, Brecheen, Brooks, Brown, Dahm, David, Dossett, Fields, Floyd, Ford, Garrison, Griffin, Halligan, Holt, Jech, Jolley, Justice, Matthews, Mazzei, Newberry, Paddack, Pittman, Schulz, Sharp, Shaw, Shortey, Silk, Simpson, Smalley, Sparks, Standridge, Stanislowski, Sykes, Thompson, Treat, Wyrick and Yen.--42.

Excused: Anderson, Crain, Fry, Loveless, Marlatt and Quinn.--6.

The bill passed.

**SB 913** was referred for engrossment.

**MESSAGE FROM THE HOUSE**

Advising passage of and transmitting for consideration Engrossed **HBs 2253, 2281, 2292, 2298, 2303, 2314, 2349, 2424, 2432, 2536, 2551, 2586, 2626, 2742, 3019, 3025 and 3115.**

**HB 2253** – By McDaniel (Randy) of the House and Newberry of the Senate.

An Act relating to labor; amending 40 O.S. 2011, Sections 1-218, 1-223, 2-607, 2-613, as amended by Section 6, Chapter 196, O.S.L. 2012, 2-617, 3-107 and 3-111.1, as amended by Section 10, Chapter 71, O.S.L. 2013 (40 O.S. Supp. 2015, Sections 2-613 and 3-111.1), and Section 14, Chapter 249, O.S.L. 2015 and Section 2, Chapter 221, O.S.L. 2014 (40 O.S. Supp. 2015, Sections 3-110.1 and 3-120), which relate to the Employment Security Act of 1980; modifying definition; removing obsolete language; providing for definitions; providing for disqualification of benefits; requiring Oklahoma Employment Security Commission to create and maintain certain manual; authorizing voluntary repayment of overpayment with private funds; removing obsolete language; providing for rate reduction for technology reinvestment apportionment; modifying unemployment tax rate; providing definition; modifying transfer of rates and experiences; modifying filings by professional employer organizations; providing for transfer of experience history for professional employer organizations; creating the OESC Technology Fund; providing for expenditures from fund; providing for custodian and treasurer of fund; authorizing technology reinvestment apportionment; repealing 40 O.S. 2011, Section 3-103, as last amended by Section 12, Chapter 249, O.S.L. 2015 (40 O.S. Supp. 2015, Section 3-103), which relates to percentages of wages payable; repealing 40 O.S. 2011, Section 3-111, as last amended by Section 1, Chapter 180, O.S.L. 2015 (40 O.S. Supp. 2015, Section 3-111), which relates to successor and predecessor employers; providing for codification; and providing an effective date.

**HB 2281** – By Murphey and Ritze of the House and Dahm of the Senate.

An Act relating to open records; amending 51 O.S. 2011, Section 24A.5, as amended by Section 1, Chapter 370, O.S.L. 2015 (51 O.S. Supp. 2015, Section 24A.5), which relates to the inspection and copying of public records; providing that public body which makes the requested records available on the Internet shall meet obligation of providing prompt, reasonable access to its records; and providing an effective date.

**HB 2292** – By Rousselot, Peterson and Nollan of the House and David of the Senate.

An Act relating to criminal procedure; amending 22 O.S. 2011, Section 152, as amended by Section 2, Chapter 290, O.S.L. 2015 (22 O.S. Supp. 2015, Section 152), which relates to statutes of limitation; updating statutory citation; listing additional crimes; increasing statute of limitations for victims of specified crimes; and providing an effective date.

**HB 2298** – By McDaniel (Randy) of the House and Yen of the Senate.

An Act relating to motor vehicles; creating the Safe Driving Act; amending 47 O.S. 2011, Section 6-105, as last amended by Section 1, Chapter 102, O.S.L. 2015 (47 O.S. Supp. 2015, Section 6-105), which relates to graduated Class D driver licenses; requiring driver education courses to include certain education components; providing for noncodification; and providing an effective date.

**HB 2303** – By Watson of the House and Marlatt of the Senate.

An Act relating to the Corporation Commission Well Plugging Fund; amending 17 O.S. 2011, Section 180.10, as last amended by Section 1, Chapter 314, O.S.L. 2015 (17 O.S. Supp. 2015, Section 180.10), which relates to the Corporation Commission Plugging Fund; modifying certain termination date for plugging fund; amending 68 O.S. 2011, Sections 1101, 1102 and 1103, as last amended by Section 1, Chapter 331, O.S.L. 2012 (68 O.S. Supp. 2015, Section 1103), which relate to the excise tax on oil and gas; extending termination date for certain taxes; and declaring an emergency.

**HB 2314** – By Nollan of the House and Smalley of the Senate.

An Act relating to schools; amending 70 O.S. 2011, Section 18-114.9, as amended by Section 1, Chapter 56, O.S.L. 2015 (70 O.S. Supp. 2015, Section 18-114.9), which relates to reduction in teacher salary; modifying type of retention pay that is not included in total compensation of teachers; providing an effective date; and declaring an emergency.

**HB 2349** – By Roberts (Dustin), Bennett, Dunnington, Murphey, Christian and McBride of the House and Simpson of the Senate.

An Act relating to revenue and taxation; amending 68 O.S. 2011, Section 2890, which relates to an additional homestead exemption; modifying definition of gross household income; excluding veterans' disability compensation payments; and providing an effective date.

**HB 2424** – By Kern of the House and Dahm of the Senate.

An Act relating to human trafficking; amending 21 O.S. 2011, Section 748.2, as last amended by Section 2, Chapter 309, O.S.L. 2014 (21 O.S. Supp. 2015, Section 748.2), which relates to human trafficking; deleting time limitation for commencing civil cause of action; amending 22 O.S. 2011, Section 152, as amended by Section 2, Chapter 290, O.S.L. 2015 (22 O.S. Supp. 2015, Section 152), which relates to statute of limitations for criminal prosecutions; providing statute of limitations for human trafficking; and providing an effective date.

**HB 2432** – By Kern and Ritze of the House and Shaw of the Senate.

An Act relating to schools; requiring public schools to post a sign containing certain child abuse toll-free telephone number information; directing the State Board of Education to promulgate rules; providing for codification; providing an effective date; and declaring an emergency.

**HB 2536** – By Montgomery and McDaniel (Randy) of the House and Mazzei of the Senate.

An Act relating to revenue and taxation; amending 68 O.S. 2011, Section 2370.1, as amended by Section 1, Chapter 32, O.S.L. 2014 (68 O.S. Supp. 2015, Section 2370.1), which relates to tax credits for the U.S. Small Business Administration Loan Guaranty program fees; modifying period for which credits may be claimed; providing for job creation or retention; and providing an effective date.

**HB 2551** – By Coody (Ann), Shelton and Nollan of the House and Stanislawski of the Senate.

An Act relating to higher education; amending Section 1, Chapter 237, O.S.L. 2012 (70 O.S. Supp. 2015, Section 7001), which relates to the dyslexia teacher training pilot program; deleting legislative intent language; modifying certain terms; clarifying statutory language; including a deadline for forming an advisory committee; including a deadline for the Oklahoma State Regents for Higher Education to promulgate rules; adding the State Superintendent of Public Instruction to list of persons receiving certain report; adding definition; providing an effective date; and declaring an emergency.

**HB 2586** – By Perryman of the House and Jech of the Senate.

An Act relating to public health and safety; amending 63 O.S. 2011, Section 1-317, which relates to death certificates; providing that hospice medical director may sign medical certification under certain circumstances; amending 63 O.S. 2011, Section 1-317a, which relates to electronic capture of death certificates; requiring physicians to electronically file death certificates by certain date; requiring certain agencies to work together regarding permit applications; requiring certain agency to establish electronic accounts for funeral homes; providing for noncodification; and providing an effective date.

**HB 2626** – By Osborn of the House and Thompson of the Senate.

An Act relating to professions and occupations; amending 59 O.S. 2011, Sections 1951 and 1954, which relate to the Oklahoma Rental-Purchase Act; adding definition; modifying sequence of defined terms; updating citation; providing disclosures for certain property; requiring separate disclosures for property not displayed or offered primarily for rental-purchase; and providing an effective date.

**HB 2742** – By Cox of the House and Standridge of the Senate.

An Act relating to public health and safety; amending 63 O.S. 2011, Section 1-2503, as last amended by Section 65, Chapter 229, O.S.L. 2013 (63 O.S. Supp. 2015, Section 1-2503), which relates to definitions; modifying and adding certain definitions; amending 63 O.S. 2011, Section 1-2504, as amended by Section 2, Chapter 23, O.S.L. 2013 (63 O.S. Supp. 2015, Section 1-2504), which relates to the utilization of emergency medical personnel; adding certain personnel that may be utilized; amending 63 O.S. 2011, Section 1-2505, as amended by Section 3, Chapter 23, O.S.L. 2013 (63 O.S. Supp. 2015, Section 1-2505), which relates to levels of care; adding certain definition; requiring State Board of Health to promulgate certain rules; providing for codification; and providing an effective date.

**HB 3019** – By Calvey of the House and Griffin of the Senate.

An Act relating to solid waste; amending 27A O.S. 2011, Section 2-10-501, which relates to permits for landfill disposal sites; providing that certain landfill disposal sites shall be subject to seismic impact zone location restrictions; amending 45 O.S. 2011, Section 940, which relates to exemptions from solid waste permitting requirements; providing that the disposal of certain materials shall be subject to certain permitting requirements; exempting the generation of certain materials from certain permitting requirements under certain circumstances; and providing an effective date.

**HB 3025** – By Jordan of the House and Smalley of the Senate.

An Act relating to schools; amending 70 O.S. 2011, Section 6-122.3, as last amended by Section 7, Chapter 124, O.S.L. 2014 (70 O.S. Supp. 2015, Section 6-122.3), which relates to alternative placement teaching certificates; modifying certain criteria for eligibility of certificate; and providing an effective date.

**HB 3115** – By Martin of the House and Smalley of the Senate.

An Act relating to schools; amending 70 O.S. 2011, Section 16-102, which relates to the selection of textbooks; modifying definition of textbooks; providing an effective date; and declaring an emergency.

The above-numbered measures were read the first time.

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

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The Senate reconvened with Senator Marlatt presiding.

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

## **GENERAL ORDER**

**SB 1370** by Simpson of the Senate and Ownbey of the House was called up for consideration.

Senator Simpson moved that **SB 1370** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 1370** 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, Dahm, David, Dossett, Fields, Floyd, Ford, Garrison, Griffin, Halligan, Jech, Jolley, Justice, Loveless, Marlatt, Matthews, Mazzei, Newberry, Paddack, Quinn, Schulz, Sharp, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Wyrick and Yen.--40.

Excused: Crain, Fry, Holt, Pittman, Shaw, Shortey, Silk and Treat.--8.

The bill passed.

**SB 1370** was referred for engrossment.

**GENERAL ORDER**

**SB 1214** by Sharp et al of the Senate and Wood of the House was called up for consideration.

Senator Sykes asked unanimous consent, which was granted, to suspend Senate Rule 8-23 as it pertains to **SB 1214**.

Senator Sykes moved to amend **SB 1214**, Page 8, Line 21, by inserting between the word "insanity" and the period ".", the words "or not guilty by reason of mental illness for those persons adjudicated as such upon or after the effective date of this act", which amendment was declared adopted.

Senator Sykes moved that **SB 1214** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 1214** 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, Dahm, David, Dossett, Fields, Floyd, Ford, Garrison, Griffin, Halligan, Jech, Jolley, Justice, Loveless, Marlatt, Matthews, Mazzei, Paddack, Quinn, Schulz, Sharp, Shaw, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat, Wyrick and Yen.--41.

Excused: Crain, Fry, Holt, Newberry, Pittman, Shortey and Silk.--7.

The bill passed.

**SB 1214** was referred for engrossment.

### **GENERAL ORDER**

**SB 1017** by Sharp of the Senate and Cockroft of the House was called up for consideration.

Senator Sharp moved that **SB 1017** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 1017** 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, Dahm, David, Dossett, Fields, Floyd, Ford, Garrison, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Matthews, Mazzei, Paddack, Quinn, Schulz, Sharp, Shaw, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat, Wyrick and Yen.--42.

Excused: Crain, Fry, Newberry, Pittman, Shortey and Silk.--6.

The bill passed.

**SB 1017** was referred for engrossment.

### **GENERAL ORDER**

**SB 1456** by Sharp of the Senate and Mulready of the House was called up for consideration.

Senator Sharp moved that **SB 1456** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 1456** was read for the third time at length.

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

Aye: Anderson, Barrington, Boggs, Crain, Ford, Halligan, Holt, Jech, Justice, Loveless, Schulz, Sharp, Simpson, Smalley, Thompson, Wyrick and Yen.--17.

Nay: Allen, Bass, Bice, Bingman, Brecheen, Brown, Dahm, David, Dossett, Fields, Floyd, Garrison, Griffin, Jolley, Marlatt, Matthews, Mazzei, Newberry, Paddack, Quinn, Shaw, Sparks, Standridge, Stanislawski, Sykes and Treat.--26.

Excused: Brooks, Fry, Pittman, Shortey and Silk.--5.

The bill failed.

Pursuant to Rule 8-32, Senator Sharp served notice that the vote be reconsidered whereby **SB 1456** failed.

### **GENERAL ORDER**

**SB 1036** by Smalley of the Senate and Coody (Jeff) of the House was called up for consideration.

Senator Smalley moved to amend **SB 1036**, Page 1, by restoring the title, effective date and emergency clause, which amendment was declared adopted.

Senator Smalley moved that **SB 1036** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 1036** 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, David, Dossett, Fields, Ford, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Mazzei, Newberry, Paddack, Quinn, Schulz, Sharp, Shaw, Shortey, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat, Wyrick and Yen.--42.

Nay: Floyd, Garrison and Matthews.--3.

Excused: Fry, Pittman and Silk.--3.

The bill and emergency passed.

**SB 1036** was referred for engrossment.

**GENERAL ORDER**

**SB 1038** by Smalley of the Senate and Martin of the House was called up for consideration.

Senator Smalley moved to amend **SB 1038**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Smalley moved that **SB 1038** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 1038** 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, Bice, Bingman, Boggs, Brecheen, Brooks, Brown, Crain, David, Dossett, Fields, Floyd, Ford, Garrison, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Matthews, Mazzei, Newberry, Paddack, Quinn, Schulz, Sharp, Shaw, Shortey, Simpson, Smalley, Sparks, Standridge, Stanislawski, Thompson, Treat, Wyrick and Yen.--42.

Nay: Bass, Dahm and Sykes.--3.

Excused: Fry, Pittman and Silk.--3.

The bill passed.

**SB 1038** was referred for engrossment.

**GENERAL ORDER**

**SB 1245** by Smalley of the Senate and Osborn of the House was called up for consideration.

Senator Smalley moved that **SB 1245** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 1245** 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, David, Dossett, Fields, Floyd, Ford, Garrison, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Matthews, Mazzei, Newberry, Paddack, Quinn, Schulz, Sharp, Shaw, Shortey, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat, Wyrick and Yen.--45.

Excused: Fry, Pittman and Silk.--3.

The bill and emergency passed.

**SB 1245** was referred for engrossment.

**GENERAL ORDER**

**SB 1308** by Smalley et al of the Senate and Calvey of the House was called up for consideration.

Senator Smalley moved that **SB 1308** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 1308** 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, Bice, Bingman, Boggs, Brecheen, Brooks, Brown, Crain, Dahm, David, Fields, Ford, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Mazzei, Newberry, Quinn, Schulz, Sharp, Shaw, Shortey, Simpson, Smalley, Standridge, Stanislawski, Sykes, Thompson, Treat and Yen.--37.

Nay: Bass, Dossett, Floyd, Garrison, Matthews, Paddack, Sparks and Wyrick.--8.

Excused: Fry, Pittman and Silk.--3.

The bill passed.

**SB 1308** was referred for engrossment.

**GENERAL ORDER**

**SB 1431** by Smalley of the Senate and Casey of the House was called up for consideration.

Senator Smalley moved that **SB 1431** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 1431** was read for the third time at length.

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

Aye: Anderson, Barrington, Bice, Brooks, David, Dossett, Fields, Ford, Griffin, Halligan, Jech, Justice, Loveless, Marlatt, Paddack, Quinn, Schulz, Sharp, Shortey, Simpson, Smalley, Thompson and Yen.--23.

Nay: Allen, Bass, Bingman, Boggs, Brecheen, Brown, Crain, Dahm, Floyd, Garrison, Holt, Jolley, Matthews, Mazzei, Newberry, Pittman, Shaw, Sparks, Standridge, Stanislawski, Sykes, Treat and Wyrick.--23.

Excused: Fry and Silk.--2.

The bill failed.

Pursuant to Rule 8-32, Senator Smalley served notice that the vote be reconsidered whereby **SB 1431** failed.

**GENERAL ORDER**

**SJR 68** by Jolley et al of the Senate and Mulready of the House was called up for consideration.

Senator Jolley moved to amend **SJR 68**, by striking the title, the enacting clause and the entire body of the resolution and substituting the floor substitute, which amendment was declared adopted. (Copies were provided for all Senators.)

Senator Jolley moved to amend the floor substitute to **SJR 68**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Jolley moved that **SJR 68** be advanced, which motion was declared adopted.

**THIRD READING**

**SJR 68** was read for the third time at length.

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

Aye: Allen, Anderson, Bice, Bingman, Brooks, Crain, David, Fields, Ford, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Mazzei, Newberry, Quinn, Sharp, Shortey, Simpson, Standridge, Stanislawski, Thompson, Treat and Yen.--28.

Nay: Barrington, Bass, Boggs, Brecheen, Brown, Dahm, Dossett, Floyd, Garrison, Paddack, Pittman, Schulz, Shaw, Sparks, Sykes and Wyrick.--16.

Excused: Fry, Matthews, Silk.--3.

\*Not voting: Smalley.—1.

The bill passed.

\*Senator Smalley asked to be shown not voting on **SJR 68** for reason of personal interest, as provided in Article V, Section 24, Oklahoma Constitution.

**SJR 68** was referred for engrossment.

**GENERAL ORDER**

**SB 1128** by Anderson of the Senate and Thomsen of the House was called up for consideration.

Senator Anderson moved to amend **SB 1128**, Page 1, by restoring the title, effective date and emergency clause, which amendment was declared adopted.

Senator Anderson moved that **SB 1128** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 1128** was read for the third time at length.

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

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

Nay: Allen and Bass.--2.

Excused: Bingman, Fry and Silk.--3.

The bill and emergency passed.

**SB 1128** was referred for engrossment.

**Senator Griffin presiding.**

## **INTRODUCTION**

Senator Brown introduced Attorney General Scott Pruitt, to the Senate.

## **GENERAL ORDER**

**SB 1353** by Anderson and Silk of the Senate and Murphey of the House was called up for consideration.

Senator Anderson moved to amend **SB 1353**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Anderson moved that **SB 1353** be advanced, which motion was declared adopted.

## **THIRD READING**

**SB 1353** 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, David, Dossett, Fields, Floyd, Ford, Garrison, Griffin, Halligan, Holt, Jech, Justice, Loveless, Matthews, Mazzei, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat, Wyrick and Yen.--43.

Excused: Fry, Jolley, Marlatt, Newberry and Silk.--5.

The bill passed.

**SB 1353** was referred for engrossment.

**GENERAL ORDER**

**SB 481** by Stanislawski of the Senate and McCall of the House was called up for consideration.

Senator Stanislawski moved that **SB 481** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 481** 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, David, Dossett, Fields, Floyd, Ford, Garrison, Griffin, Halligan, Holt, Jech, Justice, Loveless, Marlatt, Matthews, Mazzei, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat, Wyrick and Yen.--44.

Excused: Fry, Jolley, Newberry and Silk.--4.

The bill passed.

**SB 481** was referred for engrossment.

**GENERAL ORDER**

**SB 1535** by Stanislawski and Loveless of the Senate and Casey of the House was called up for consideration.

Senator Stanislawski moved that **SB 1535** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 1535** 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, David, Dossett, Fields, Floyd, Ford, Garrison, Griffin, Halligan, Holt, Jech, Justice, Loveless, Marlatt, Matthews, Mazzei, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat, Wyrick and Yen.--44.

Excused: Fry, Jolley, Newberry and Silk.--4.

The bill passed.

Pursuant to Rule 8-32, Senator Stanislawski served notice that the vote be reconsidered whereby **SB 1535** passed.

### **GENERAL ORDER**

**SB 1012** by Brown of the Senate and Mulready of the House was called up for consideration.

Senator Brown moved that **SB 1012** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 1012** was read for the third time at length.

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

Aye: Anderson, Barrington, Bass, Bice, Bingman, Boggs, Brooks, Brown, Crain, David, Dossett, Fields, Floyd, Ford, Garrison, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Matthews, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Simpson, Smalley, Sparks, Standridge, Stanislawski, Thompson, Treat, Wyrick and Yen.--39.

Nay: Allen, Brecheen, Dahm, Griffin, Mazzei and Sykes.--6.

Excused: Fry, Newberry and Silk.--3.

The bill passed.

**SB 1012** was referred for engrossment.

### **GENERAL ORDER**

**SB 1193** by Brown of the Senate and Kirby of the House was called up for consideration.

Senator Brown moved that **SB 1193** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 1193** was read for the third time at length.

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

Aye: Allen, Barrington, Bass, Bice, Bingman, Boggs, Brooks, Brown, Crain, Dossett, Fields, Floyd, Ford, Garrison, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Matthews, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Simpson, Sparks, Standridge, Stanislawski, Thompson, Wyrick and Yen.--36.

Nay: Brecheen, Dahm, David, Marlatt, Mazzei, Smalley, Sykes and Treat.--8.

Excused: Anderson, Fry, Newberry and Silk.--4.

The bill passed.

**SB 1193** was referred for engrossment.

Senator Schulz moved that when the clerk's desk is clear, the Senate stand adjourned to convene Wednesday, March 2, 2016, at 9:30 a.m., which motion prevailed.

#### **CHANGE IN AUTHORS/COAUTHORS**

The following measures were authored/coauthored:

- SB 441** - Coauthored by Virgin (principal House author)
- SB 932** - Coauthored by Rogers (principal House author)
- SB 1005** - Coauthored by Echols (principal House author)
- SB 1113** - Coauthored by Loveless
- SB 1149** - Coauthored by Cox (principal House author)
- SB 1170** - Coauthored by Newberry
- SB 1175** - Coauthored by Grau (principal House author)
- SB 1187** - Coauthored by Hickman (principal House author)
- SB 1214** - Coauthored by Sykes
- SB 1257** - Coauthored by Jordan (principal House author)
- SB 1308** - Coauthored by Calvey (principal House author)
- SB 1326** - Coauthored by Pfeiffer (principal House author)
- SB 1327** - Coauthored by Grau (principal House author)
- SB 1360** - Coauthored by Paddack
- SB 1377** - Coauthored by Cox (principal House author)  
Coauthored by Moore
- SB 1393** - Coauthored by Banz (principal House author)
- SB 1406** - Coauthored by Inman (principal House author)

**SB 1491** - Coauthored by Bingman

**SB 1511** - Coauthored by McCullough (principal House author)

**SB 1554** - Coauthored by Jordan (principal House author)

**SB 1567** - Coauthored by Echols (principal House author)

**HB 1419** - Remove as author Senator Dahm; authored by Brecheen

Pursuant to the Schulz motion, the Senate adjourned at 3:45 p.m. to meet Wednesday, March 2, 2016, at 9:30 a.m.