

# Senate Journal

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

**Twenty-seventh Legislative Day, Tuesday, March 19, 2013**

The Senate was called to order by Senator Griffin.

Roll Call:

Present: Aldridge, Allen, Anderson, Ballenger, Barrington, Bass, Bingman, Boggs, Branan, Brecheen, Brinkley, Brooks, Brown, Burrage, Coates, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Loveless, Marlatt, McAffrey, Paddack, Schulz, Sharp, Shaw, Shortey, Shumate, Simpson, Standridge, Stanislawski, Sykes, Treat and Wyrick.—44.

Excused: Crain, Mazzei, Newberry and Sparks.—4.

Senator Griffin declared a quorum present.

The prayer was offered by Dustin Loehrs, Associate Pastor of Music, Henderson Hills Baptist Church, Edmond, the guest of Senator Jolley.

### INTRODUCTIONS

Senator Johnson (Rob) introduced his mother-in-law, Marian Jeter, his wife, Colleen, and his daughters, Madeline, Kensington, McKellyn, Megan and Maren; Senator Allen introduced his wife, Nikki and grandchildren, Gus May, Katie May and Kaden Warner; Senator Ivester introduced his sons Joseph and Jackson; Senator Standridge introduced his wife, Lisa, and his daughter Holly to the Senate.

### MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed **HCR 1005**.

**HCR 1005** – By Armes, Banz, Bennett, Biggs, Billy, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Christian, Cleveland, Cockroft, Condit, Coody, Cooksey, Cox, Dank, DeWitt, Denney, Derby, Dorman, Echols, Enns, Fisher, Floyd, Fourkiller, Glenn, Grau,

Hall, Hamilton, Hardin, Henke, Hickman, Hoskin, Hulbert, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Kouplen, Lockhart, Martin (Scott), Martin (Steve), Matthews, McBride, McCall, McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Morrissette, Mulready, Murphey, Nelson, Newell, Nollan, ODonnell, Ortega, Osborn, Ownbey, Perryman, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Reynolds, Ritze, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Smalley, Stiles, Thomsen, Trebilcock, Turner, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wood and Wright of the House and Justice of the Senate.

The above-numbered measure was read the first time.

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

Senator Justice asked unanimous consent to refer **HCR 1005** direct to the Calendar for consideration, which was the order.

#### **GENERAL ORDER**

**HCR 1005** by Armes et al of the House was called up for consideration.

**HCR 1005** was adopted upon motion of Senator Justice and properly signed and ordered returned to the Honorable House.

#### **REQUEST TO RECESS**

Senator Schulz asked consent, which was granted, that the Senate grants the request of the Honorable House to adjourn for more than 3 days beginning on Thursday, March 21, 2013 and ending on Monday, March 25, 2013.

#### **EXECUTIVE NOMINATIONS**

The following executive nominations were read and referred to the committees indicated:

Cassidy, John M. (Mike), Edmond, as a member of the Oklahoma Real Estate Commission - Business and Commerce

Erker, Rodger P., Tulsa, as a member of the Oklahoma Real Estate Commission - Business and Commerce

Greenlee, Warren J., Altus, as a member of the Board of Trustees for the Quartz Mountain Arts and Conference Center and Nature Park - Education

LaFortune, Kathryn A., Tulsa, as a member of the Oklahoma Indigent Defense Board - Judiciary

Lake, Edward A., Oklahoma City, as the Director of Human Services - Health and Human Services

Leverett, Joe L., Altus, as a member of the Physician Manpower Training Commission - Health and Human Services

Moore, Patrick E., Okmulgee, as a member of the Oklahoma Indigent Defense System Board - Judiciary

Scott, Mary J., Mangum, as a member of the Board of Trustees for the Quartz Mountain Arts and Conference Center and Nature Park - Education

Sherman, Stephen A., Oklahoma City, as a member of the Oklahoma Real Estate Commission - Business and Commerce

Senator Schulz moved that when the clerk's desk is clear, the Senate stand adjourned to convene Wednesday, March 20, 2013, at 1:00 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 1058** – Judiciary

Ayes: Allen, Anderson, Crain, Griffin, Holt, Johnson (Rob), Shumate, Sykes

**HB 1508** – Judiciary

Ayes: Allen, Anderson, Crain, Griffin, Johnson (Rob), Shumate, Sykes

**HB 1509** – Judiciary

Ayes: Allen, Anderson, Crain, Griffin, Holt, Ivester, Johnson (Rob), Shumate, Sykes

**HB 1511** – Judiciary

Ayes: Allen, Anderson, Crain, Griffin, Holt, Johnson (Rob), Shumate, Sykes

**HB 1547** – Judiciary

Ayes: Allen, Anderson, Crain, Griffin, Holt, Ivester, Johnson (Rob), Shumate, Sykes

**HB 1882** – Judiciary

Ayes: Allen, Anderson, Crain, Griffin, Holt, Ivester, Johnson (Rob), Shumate, Sykes

**HB 2166** – Judiciary

Ayes: Allen, Anderson, Crain, Griffin, Holt, Ivester, Johnson (Rob), Shumate, Sykes

DO PASS, As Amended:

**CS for HB 1009** – Judiciary

Ayes: Allen, Anderson, Crain, Griffin, Johnson (Rob), Shumate, Sykes

**HB 1039** – Finance

Ayes: Aldridge, Brinkley, Dahm, David, Ford, Halligan, Johnson (Constance), Jolley, McAffrey, Simpson, Treat

**HB 1265** – Finance

Ayes: Aldridge, Brinkley, Dahm, David, Ford, Halligan, Johnson (Constance), Jolley, McAffrey, Simpson, Treat

**HB 1351** – Finance

Ayes: Aldridge, Brinkley, Dahm, David, Ford, Halligan, Johnson (Constance), Jolley, McAffrey, Simpson, Treat

**HB 1352** – Finance

Ayes: Aldridge, Brinkley, Dahm, David, Ford, Halligan, Johnson (Constance), Jolley, McAffrey, Simpson, Treat

**HB 1399** – Finance

Ayes: Aldridge, Brinkley, Dahm, David, Ford, Halligan, Johnson (Constance), Jolley, McAffrey, Simpson, Treat

**HB 2072** – Judiciary

Ayes: Allen, Anderson, Crain, Griffin, Holt, Johnson (Rob), Shumate, Sykes

**HB 2097** – Finance

Ayes: Aldridge, Brinkley, Dahm, David, Ford, Halligan, Johnson (Constance), Jolley, McAffrey, Simpson, Treat

**SECOND READING**

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

**HB 1012** – Finance**HB 1032** – Health and Human Services**HB 1080** – Finance

- HB 1094** – Health and Human Services
- HB 1108** – Insurance
- HB 1115** – General Government
- HB 1119** – Judiciary
- HB 1235** – Health and Human Services
- HB 1257** – Transportation
- HB 1369** – Finance
- HB 1395** – Education then to Appropriations
- HB 1416** – Finance
- HB 1455** – General Government then to Appropriations
- HB 1467** – Health and Human Services then to Appropriations
- HB 1469** – General Government
- HB 1470** – General Government then to Appropriations
- HB 1478** – Appropriations
- HB 1513** – Public Safety then to Appropriations
- HB 1516** – Public Safety then to Appropriations
- HB 1525** – Rules
- HB 1532** – Appropriations
- HB 1625** – Finance
- HB 1660** – Education then to Appropriations
- HB 1711** – Rules then to Appropriations
- HB 1712** – Education then to Appropriations
- HB 1783** – Public Safety
- HB 1874** – Finance
- HB 1875** – Finance
- HB 1909** – Health and Human Services then to Appropriations
- HB 1912** – Judiciary
- HB 1923** – Appropriations
- HB 1989** – Rules
- HB 1990** – General Government then to Appropriations
- HB 2000** – Finance
- HB 2005** – Finance
- HB 2052** – Education then to Appropriations
- HB 2060** – Public Safety then to Appropriations
- HB 2158** – Appropriations
- HB 2171** – Finance
- HB 2187** – Transportation
- HB 2231** – Appropriations

**FIRST READING**

The following were introduced and read the first time:

**SJR 35** – By Justice of the Senate and Armes of the House.

A Joint Resolution approving permanent rules relating to the Oklahoma Department of Environmental Quality; directing distribution; and declaring an emergency.

**SCR 12** – By Sharp of the Senate and Banz of the House.

A Concurrent Resolution congratulating the 2013 American Showdown National Champions, the Choctaw High School Pom Squad; applauding their dedication and many accomplishments; and directing distribution.

**SR 11** – By Marlatt.

A Resolution congratulating Kayla Wilson for being named the 2012 Wendy's High School Heisman winner for the State of Oklahoma; applauding her many accomplishments and dedication; and directing distribution.

**CHANGE IN AUTHORS/COAUTHORS**

The following measures were authored/coauthored:

**SCR 12** - Authored by Senator Sharp; Coauthored by Banz (principal House author)

**SJR 35** - Authored by Senator Justice; Coauthored by Armes (principal House author)

**SR 11** - Authored by Senator Marlatt

**HB 1062** - Coauthored by Fisher

**HB 2145** - Coauthored by Ivester

Pursuant to the Schulz motion, the Senate adjourned at 2:05 p.m. to meet Wednesday, March 20, 2013, at 1:00 p.m.