

# Senate Journal

**First Regular Session of the Fifty-fourth Legislature**

**of the State of Oklahoma**

**Thirty-first Legislative Day, Tuesday, March 26, 2013**

The Senate was called to order by Senator David.

Roll Call:

Present: Aldridge, Allen, Anderson, Ballenger, Barrington, Bass, Bingman, Boggs, Brecheen, Brinkley, Brooks, Brown, Burrage, Coates, Crain, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Loveless, Marlatt, Mazzei, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes, Treat and Wyrick.—47.

Excused: Branana.—1.

Senator David declared a quorum present.

The prayer was offered by Pastor Eric W. Cox, Living Word Fellowship, Woodward, the guest of Senator Marlatt.

## **INTRODUCTION**

Senator Anderson introduced his nephew, Luke Summar, to the Senate.

## **CHANGE IN COMMITTEE ASSIGNMENT**

The following bill will be reassigned as follows:

**HB 1021** - Withdrawn from Rules and referred to Appropriations

**UNANIMOUS CONSENT REQUEST  
DIRECT TO CALENDAR**

Senator Ballenger asked unanimous consent to refer **SR 6** direct to the Calendar for consideration, which was the order.

**GENERAL ORDER**

**SR 6** by Ballenger was called up for consideration.

**SR 6** was adopted upon motion of Senator Ballenger and referred for enrollment.

**GENERAL ORDER**

**HB 1999** by McNiel et al of the House and Fields of the Senate was called up for consideration.

Senator Fields moved that **HB 1999** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 1999** was read for the third time at length.

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

Aye: Aldridge, Allen, Anderson, Ballenger, Barrington, Bingman, Boggs, Brecheen, Brooks, Brown, Burrage, Coates, Dahm, David, Ellis, Fields, Ford, Griffin, Ivester, Johnson (R), Jolley, Justice, Loveless, Marlatt, Newberry, Paddack, Schulz, Simpson, Sparks, Stanislawski, Sykes and Wyrick.--32.

Nay: Bass, Brinkley, Crain, Garrison, Halligan, Holt, Johnson (C), Mazzei, McAffrey, Sharp, Shaw, Shumate, Standridge and Treat.--14.

Excused: Branan and Shortey.--2.

The bill passed.

**HB 1999** was properly signed and ordered returned to the Honorable House.

## **EXECUTIVE NOMINATIONS**

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

Beffort, Mark L., Arcadia, to the Council of Bond Oversight, to serve an unexpired term ending September 26, 2014, succeeding Marc Nuttle. (Finance Committee) Motion to confirm made by Senator Clark Jolley.

Bradley, Henry P., Oklahoma City, to the Oklahoma Development Finance Authority, to serve a six year term ending October 11, 2019, succeeding himself. (Finance Committee) Motion to confirm made by Senator John Ford on behalf of Senator Cliff Branam.

Bradley, Henry P., Oklahoma City, to the Oklahoma Industrial Finance Authority, to serve a six year term ending October 11, 2019, succeeding himself. (Finance Committee) Motion to confirm made by Senator John Ford on behalf of Senator Cliff Branam.

Camey, Helen L., Oklahoma City, to the Board of Regents for Oklahoma City Community College, to serve a seven year term ending April 22, 2020, succeeding Ben Brown. (Education Committee) Motion to confirm made by Senator Kyle Loveless.

Doerflinger, Preston, Tulsa, as the Director of the Office of Management and Enterprise Services, to serve at the pleasure of the Governor, a vacant position. (Finance Committee) Motion to confirm made by Senator Brian Crain.

Ewing, Robyn L., Tulsa, to the Board of Trustees for Oklahoma State University/Tulsa, to serve a seven year term ending June 30, 2020, succeeding herself. (Education Committee) Motion to confirm made by Senator Gary Stanislawski.

Haynes, Ernest E., Jr., Claremore, to the State Board of Corrections, to serve a six year term ending March 15, 2019, succeeding Matthew McBee. (Public Safety Committee) Motion to confirm made by Senator Sean Burrage.

Kemp, Thomas E., Jr., Norman, to the Oklahoma Tax Commission, to serve a six year term ending January 14, 2019, succeeding himself. (Finance Committee) Motion to confirm made by Senator Rob Standridge.

Krehbiel, Karen S., Hydro, to the State Board of Agriculture, to serve a four year term ending April 26, 2017, succeeding Rod Carver. (Agriculture and Rural Development Committee) Motion to confirm made by Senator Tom Ivester.

Kunzweiler, Christine C., Tulsa, to the State Board of Veterinary Medical Examiners, to serve a five year term ending May 9, 2018, succeeding Dan Danner. (Agriculture and Rural Development Committee) Motion to confirm made by Senator Mike Mazzei.

Neville, Robert M., Oklahoma City, to the Oklahoma Securities Commission, to serve a six year term ending July 27, 2019, succeeding himself. (Finance Committee) Motion to confirm made by Senator John Ford on behalf of Senator Cliff Branam.

Newcomb, Robert L., Elk City, to the State Banking Board, to serve a six year term ending June 1, 2019, succeeding himself. (Finance Committee) Motion to confirm made by Senator Tom Ivester.

Siegfried, Theodore H., Tulsa, to the State Board of Corrections, to serve a six year term ending March 15, 2019, succeeding Gerald Wright. (Public Safety Committee) Motion to confirm made by Senator Brian Crain.

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

Aye: Aldridge, Allen, Ballenger, Barrington, Bass, Boggs, Brecheen, Brinkley, Brooks, Brown, Burrage, Coates, Crain, 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, Sparks, Standridge, Stanislawski, Sykes, Treat and Wyrick.--43.

Excused: Anderson, Bingman, Branam, Mazzei and Newberry.--5.

#### **MESSAGE FROM THE HOUSE**

Advising passage of and returning the following Engrossed bills:

**SB 369** - coauthored by Hoskin of the House  
**SB 372**  
**SB 580**  
**SB 1036**

The above-numbered measures were referred for enrollment.

#### **MESSAGE FROM THE HOUSE**

Advising the Honorable Senate pursuant to Article 5, Section 30 of the Oklahoma Constitution that the House grants the request of the Honorable Senate to the adjournment for more than three (3) days beginning Thursday, March 28, 2013 and ending on Monday April 1, 2013.

Senator Schulz moved that when the clerk's desk is clear, the Senate stand adjourned to convene Wednesday, March 27, 2013, 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 1010** – Tourism and Wildlife

Ayes: Brown, Coates, Ellis, Fields, Garrison, Justice, Wyrick

**HB 1244** – Tourism and Wildlife

Ayes: Brown, Coates, Ellis, Fields, Garrison, Justice, Wyrick

**HB 1257** – Transportation

Ayes: Barrington, Bass, Loveless, McAffrey, Newberry, Paddack, Shaw, Shortey, Standridge, Stanislawski

**HB 1449** – Judiciary, coauthored by Ivester

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

**HB 1526** – Transportation

Ayes: Barrington, Bass, Loveless, McAffrey, Paddack, Schulz, Shaw, Shortey, Standridge, Stanislawski

**HB 1595** – Tourism and Wildlife

Ayes: Boggs, Brown, Coates, Ellis, Fields, Garrison, Justice, Sharp, Wyrick

**HB 1596** – Tourism and Wildlife

Ayes: Boggs, Brown, Coates, Ellis, Fields, Garrison, Justice, Sharp, Wyrick

**HB 1597** – Tourism and Wildlife

Ayes: Boggs, Brown, Coates, Ellis, Fields, Garrison, Justice, Sharp, Wyrick

**HB 1638** – Judiciary

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

**HB 1722** – Judiciary, coauthored by Ivester

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

**HB 1912** – Judiciary, coauthored by Echols, and coauthored by Ivester

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

**HB 1920** – Tourism and Wildlife

Ayes: Brown, Coates, Ellis, Fields, Garrison, Justice, Wyrick

**HB 1928** – Tourism and Wildlife

Ayes: Boggs, Brown, Coates, Ellis, Fields, Garrison, Justice, Sharp, Wyrick

**HB 1941** – Judiciary

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

**HB 1985** – Transportation

Ayes: Barrington, Bass, Loveless, McAffrey, Newberry, Paddock, Shaw, Shortey, Standridge, Stanislawski

**HB 2217** – Judiciary, coauthored by Ivester

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

**HJR 1023** – Judiciary, coauthored by Ivester

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

DO PASS, As Amended:

**CS for HB 1060** – Judiciary

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

Nays: Crain

**HB 1103** – Finance

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

**HB 1104** – Finance

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

Nays: McAffrey

**HB 1248** – Finance

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

**HB 1416** – Finance, coauthored by Brinkley

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

**HB 1426** – Tourism and Wildlife

Ayes: Boggs, Brown, Coates, Fields, Garrison, Justice, Sharp, Wyrick

Nays: Ellis

**CS for HB 1594** – Tourism and Wildlife

Ayes: Boggs, Brecheen, Brown, Coates, Ellis, Fields, Garrison, Justice, Sharp, Wyrick

**HB 1612** – Finance, coauthored by Treat

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

**HB 1874** – Finance

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

**HB 2005** – Finance

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

**HB 2054** – Judiciary

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

**HB 2164** – Judiciary

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

**HB 2232** – Finance

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

**COMMITTEE REPORTS**

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

DO PASS:

**HB 1328** – Judiciary, coauthored by Ivester

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

**HB 1340** – Judiciary

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

**HB 1743** – Judiciary

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

**HB 2160** – Judiciary

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

DO PASS, As Amended:

**CS for HB 1068** – Judiciary, coauthored by Ivester

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

**HB 2180** – Transportation

Ayes: Barrington, Bass, Loveless, McAffrey, Newberry, Paddack, Schulz, Shaw, Shortey, Standridge, Stanislawski

## **SECOND READING**

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

**HB 1522** – Judiciary

**HB 1523** – Judiciary

**HB 1524** – Judiciary

## **FIRST READING**

The following was introduced and read the first time:

**SR 15** – By Fields.

A Resolution proclaiming April 2, 2013, as Oklahoma 4-H Day at the Capitol; and directing distribution.

## **CHANGE IN AUTHORS/COAUTHORS**

The following measures were authored/coauthored:

**SR 6** - Coauthored by all other Senators

**HB 1068** - Coauthored by Ivester

**HB 1328** - Coauthored by Ivester

**HB 1416** - Coauthored by Brinkley

**HB 1449** - Coauthored by Ivester

**HB 1612** - Coauthored by Treat

**HB 1722** - Coauthored by Ivester

**HB 1912** - Coauthored by Ivester; Coauthored by Echols

**HB 2217** - Coauthored by Ivester

**HJR 1023** - Coauthored by Ivester

Pursuant to the Schulz motion, the Senate adjourned at 2:35 p.m. to meet Wednesday, March 27, 2013, at 1:30 p.m.