

# Senate Journal

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

Thirty-sixth Legislative Day, Thursday, April 4, 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, Crain, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, 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: Holt.—1.

Senator Griffin declared a quorum present.

The prayer was offered by Pastor Ted Miller, Crossroads Church, Oklahoma City, the guest of Senator Loveless.

### REPORT OF ENGROSSED AND ENROLLED MEASURES

**SBs 91, 440, 619, 716, 988 and 1042** were each correctly enrolled, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

### EXECUTIVE NOMINATIONS

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

McAlester, Monte R., Wilburton, to the Board of Regents of Eastern Oklahoma State College, to serve a seven year term ending June 1, 2020, succeeding Aud Balentine. (Education Committee) Motion to confirm made by Senator Larry Boggs.

Spurlock, F. Diana, Elk City, to the State Election Board, to serve a four year term ending March, 15, 2015, succeeding a new position. (Rules Committee) Motion to confirm made by Senator Roger Ballenger on behalf of Senator Tom Ivester.

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

Aye: Aldridge, Allen, Anderson, Ballenger, Barrington, Bass, Boggs, Brecheen, Brinkley, Brooks, Brown, Burrage, Crain, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Ivester, Johnson (C), Johnson (R), Justice, Loveless, Marlatt, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski, Treat and Wyrick.--41.

Excused: Bingman, Branan, Coates, Holt, Jolley, Mazzei and Sykes.--7.

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

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

**SB 1053** – (Emergency failed)

House amendments were read on the above-numbered bill.

#### **MESSAGES FROM THE HOUSE**

Advising passage of and returning the following Engrossed bills:

**SB 79** - coauthored by Bennett

**SB 162** - coauthored by Sherrer

**SB 196**

**SB 244** - (Emergency failed)

**SB 250**

**SB 282**

**SB 309**

**SB 324** - coauthored by Paddack and Sparks of the Senate and Sherrer of the House

**SB 752**

**SB 772**

The above-numbered measures were referred for enrollment.

Advising passage of and transmitting for consideration Engrossed **HCR 1007**.

**HCR 1007** – By DeWitt, Biggs, Armes, Banz, Bennett, Billy, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Christian, Cleveland, Cockroft, Condit, Coody, Cooksey, Cox, Dank, 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, Morrisette, 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 Fields of the Senate.

A Concurrent Resolution relating to agriculture; extending appreciation to the agriculture industry of Oklahoma for its efforts and contributions to this state; proclaiming April 4, 2013, as Agriculture Day at the State Capitol; and directing distribution.

The above-numbered measure was read the first time.

Advising fourth reading of and returning Enrolled **SBs 91, 440, 619, 716, 988** and **1042**.

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 Monday, April 8, 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:

**SCR 3** – Energy, coauthored by Fields

Ayes: Branan, Brinkley, Fields, Griffin, Halligan, Johnson (Constance), Justice, Marlatt, Paddack, Simpson, Standridge, Wyrick

Nays: Treat

**HB 1023** – Business and Commerce

Ayes: Crain, Dahm, Garrison, Newberry, Sharp, Sykes

**HB 1078** – Business and Commerce

Ayes: Crain, Dahm, Ellis, Garrison, Newberry, Sharp, Sykes

**HB 1082** – Public Safety

Ayes: Ballenger, Barrington, Boggs, David, McAffrey, Shaw

**HB 1243** – Public Safety

Ayes: Ballenger, Barrington, Boggs, Brecheen, David, McAffrey, Shaw, Shortey

**HB 1247** – Public Safety

Ayes: Ballenger, Barrington, Boggs, Brecheen, David, McAffrey, Shaw, Shortey

**HB 1314** – Public Safety

Ayes: Ballenger, Barrington, Boggs, Brecheen, David, McAffrey, Shaw

**HB 1341** – Business and Commerce

Ayes: Crain, Dahm, Ellis, Garrison, Newberry, Sharp

Nays: Sykes

**HB 1355** – Business and Commerce

Ayes: Crain, Dahm, Ellis, Garrison, Newberry, Sharp, Sykes

**HB 1413** – Public Safety

Ayes: Ballenger, Barrington, Boggs, David, McAffrey, Shaw

**HB 1419** – Public Safety

Ayes: Ballenger, Barrington, Boggs, Brecheen, David, McAffrey, Shaw, Shortey

**HB 1462** – Public Safety

Ayes: Ballenger, Barrington, Boggs, David, McAffrey, Shaw

**HB 1639** – Business and Commerce

Ayes: Crain, Dahm, Ellis, Garrison, Newberry, Sharp, Sykes

**HB 1751** – Business and Commerce

Ayes: Coates, Crain, Dahm, Ellis, Garrison, Newberry, Sharp, Sykes

**HB 1783** – Public Safety

Ayes: Ballenger, Barrington, Boggs, Brecheen, David, McAffrey, Shaw

**HB 1792** – Insurance

Ayes: Brooks, Brown, Loveless, Sparks, Stanislawski

Nays: Aldridge, Allen

**HB 1826** – Business and Commerce

Ayes: Crain, Dahm, Ellis, Garrison, Newberry, Sharp, Sykes

**HB 1829** – Business and Commerce

Ayes: Crain, Dahm, Garrison, Newberry, Sharp, Sykes

**HB 1886** – Business and Commerce

Ayes: Crain, Dahm, Ellis, Garrison, Newberry, Sharp, Sykes

**HB 1904** – Public Safety, coauthored by Shortey

Ayes: Ballenger, Barrington, Boggs, Brecheen, David, McAffrey, Shaw, Shortey

**HB 1911** – Business and Commerce

Ayes: Crain, Dahm, Ellis, Garrison, Newberry, Sharp, Sykes

**HB 2068** – Business and Commerce

Ayes: Crain, Dahm, Ellis, Garrison, Newberry, Sharp, Sykes

**HB 2167** – Business and Commerce

Ayes: Crain, Dahm, Ellis, Garrison, Sharp

Nays: Newberry, Sykes

**HB 2191** – Insurance

Ayes: Aldridge, Allen, Brown, Loveless, Sparks, Stanislawski

DO PASS, As Amended:

**HB 1092** – Public Safety

Ayes: Ballenger, Barrington, Boggs, David, McAffrey, Shaw

**HB 1242** – Public Safety

Ayes: Ballenger, Barrington, Boggs, Brecheen, David, McAffrey, Shaw

**CS for HB 1350** – Energy

Ayes: Branan, Brinkley, Fields, Halligan, Johnson (Rob), Justice, Marlatt, Simpson, Standridge, Treat, Wyrick

**HB 1364** – Business and Commerce

Ayes: Crain, Dahm, Ellis, Ford, Garrison, Newberry, Sharp, Sykes

**CS for HB 1441** – Public Safety

Ayes: Ballenger, Barrington, Boggs, Brecheen, David, McAffrey, Shaw, Shortey

**CS for HB 1512** – Insurance

Ayes: Aldridge, Allen, Brooks, Brown, Loveless, Sparks, Stanislawski

**CS for HB 1558** – Public Safety

Ayes: Ballenger, Boggs, Brecheen, David, Shaw

Nays: Barrington, McAffrey

**CS for HB 1672** – Insurance, coauthored by Stanislawski

Ayes: Aldridge, Allen, Brown, Loveless, Sparks, Stanislawski

**CS for HB 1871** – Public Safety, coauthored by Shortey

Ayes: Barrington, Boggs, Brecheen, David, McAffrey, Shaw

**HB 1884** – Insurance

Ayes: Aldridge, Allen, Brown, Loveless, Sparks, Stanislawski

**HB 1922** – Energy

Ayes: Branan, Brinkley, Fields, Griffin, Halligan, Johnson (Constance), Justice, Marlatt, Simpson, Standridge, Treat, Wyrick

**HB 1932** – Energy

Ayes: Branan, Brinkley, Fields, Griffin, Halligan, Johnson (Constance), Johnson (Rob), Justice, Marlatt, Paddack, Simpson, Treat, Wyrick

**CS for HB 2032** – Finance

Ayes: Aldridge, Brinkley, David, Ford, Halligan, Mazzei, Simpson, Treat

Nays: Johnson (Constance), McAffrey

**CS for HB 2042** – Public Safety

Ayes: Barrington, Boggs, Brecheen, David, McAffrey, Shaw

**CS for HB 2165** – Energy

Ayes: Branan, Brinkley, Fields, Griffin, Halligan, Johnson (Constance), Justice, Marlatt, Simpson, Standridge, Treat, Wyrick

**CS for HB 2194** – Energy

Ayes: Branan, Brinkley, Fields, Griffin, Halligan, Johnson (Constance), Justice, Marlatt, Paddack, Simpson, Standridge, Treat, Wyrick

**HB 2226** – Insurance

Ayes: Aldridge, Allen, Brown, Loveless, Sparks, Stanislawski

**CS for HB 2264** – Energy

Ayes: Branan, Brinkley, Fields, Griffin, Halligan, Johnson (Constance), Johnson (Rob), Justice, Marlatt, Paddack, Simpson, Treat, Wyrick

**CHANGE IN AUTHORS/COAUTHORS**

The following measures were authored/coauthored:

**SCR 3** - Coauthored by Fields

**HB 1094** - Coauthored by Dahm

**HB 1672** - Coauthored by Stanislawski

**HB 1871** - Coauthored by Shortey

**HB 1904** - Coauthored by Shortey

**HB 2087** - Remove as author Representative Casey

Pursuant to the Schulz motion, the Senate adjourned at 10:10 a.m. to meet Monday, April 8, 2013, at 1:30 p.m.