

Senate Journal

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

Fiftieth Legislative Day, Wednesday, May 1, 2013

The Senate was called to order by Senator David.

Roll Call:

Present: Aldridge, Allen, Ballenger, Barrington, Bass, Bingman, Boggs, Branan, 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: Anderson.—1.

Senator David declared a quorum present.

The prayer was offered by Dr. Brian Haynes, College Heights Baptist Church, Chickasha, the guest of Senator Justice.

REPORT OF ENGROSSED AND ENROLLED MEASURES

SBs 1, 396, 404, 495, 596, 630, 847, 887 and **1000** and **SCR 24** were each correctly enrolled, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

SR 26 was correctly enrolled, properly signed and ordered transmitted to the Secretary of State.

INTRODUCTIONS

Senator Shortey introduced his daughter, Kaitlyn; and Senator Barrington introduced his wife, Jennifer, to the Senate.

PENDING CONSIDERATION OF HAS

HAs to SB 295 were concurred in upon motion of Senator Ivester.

SB 295, as amended by the Honorable House, was read at length.

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

Aye: Aldridge, Allen, Ballenger, Barrington, Bass, Bingman, Boggs, Branan, Brecheen, Brinkley, Brooks, Brown, Burrage, Crain, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Loveless, McAffrey, Paddack, Schulz, Sharp, Shaw, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes, Treat and Wyrick.--43.

Excused: Anderson, Coates, Marlatt, Mazzei and Newberry.--5.

The bill passed.

House amendments were properly signed and the above-numbered bill was referred for enrollment.

PENDING CONSIDERATION OF HAS

HAs to SB 581 were concurred in upon motion of Senator Ivester.

SB 581, as amended by the Honorable House, was read at length.

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

Aye: Aldridge, Allen, Ballenger, Barrington, Bass, Boggs, Branan, Brecheen, Brinkley, Brooks, Brown, Burrage, Crain, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Loveless, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes, Treat and Wyrick.--43.

Excused: Anderson, Bingman, Coates, Marlatt and Mazzei.--5.

The bill passed.

House amendments were properly signed and the above-numbered bill was referred for enrollment.

PENDING CONSIDERATION OF HAS

HAs to SB 228 were concurred in upon motion of Senator Simpson.

SB 228, as amended by the Honorable House, was read at length.

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

Aye: Aldridge, Allen, Ballenger, Barrington, Bass, Boggs, Branan, Brecheen, Brinkley, Brooks, Brown, Burrage, Crain, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Loveless, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes, Treat and Wyrick.--43.

Excused: Anderson, Bingman, Coates, Marlatt and Mazzei.--5.

The bill passed.

House amendments were properly signed and the above-numbered bill was referred for enrollment.

PENDING CONSIDERATION OF HAS

HAs to SB 267 were concurred in upon motion of Senator Stanislawski.

SB 267, as amended by the Honorable House, was read at length.

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

Aye: Aldridge, Barrington, Bingman, Branan, Brecheen, Brooks, Brown, Burrage, Crain, David, Fields, Ford, Griffin, Halligan, Holt, Ivester, Johnson (R), Jolley, Justice, Loveless, Marlatt, Newberry, Paddack, Schulz, Shaw, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes and Treat.--33.

Nay: Allen, Ballenger, Bass, Boggs, Dahm, Ellis, Garrison, Johnson (C), McAffrey, Sharp and Wyrick.--11.

Excused: Anderson, Brinkley, Coates and Mazzei.--4.

The bill passed.

House amendments were properly signed and the above-numbered bill was referred for enrollment.

PENDING CONSIDERATION OF HAS

HAs to SB 682 were concurred in upon motion of Senator Barrington.

SB 682, as amended by the Honorable House, was read at length.

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

Aye: Aldridge, Allen, Ballenger, Barrington, Bass, Bingman, Boggs, Branan, Brecheen, Brinkley, Brooks, Brown, Burrage, Crain, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Loveless, Marlatt, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Shumate, Simpson, Sparks, Standridge, Stanislawski, Treat and Wyrick.--43.

Nay: Shortey and Sykes.--2.

Excused: Anderson, Coates and Mazzei.--3.

The bill passed.

House amendments were properly signed and the above-numbered bill was referred for enrollment.

PENDING CONSIDERATION OF HAS

HAs to SB 779 were concurred in upon motion of Senator Barrington.

SB 779, as amended by the Honorable House, was read at length.

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

Aye: Aldridge, Allen, Ballenger, Barrington, Bass, Boggs, Branan, Brecheen, Brinkley, Brooks, Brown, Burrage, Crain, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Loveless, Marlatt, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Shumate, Simpson, Sparks, Standridge, Stanislawski, Treat and Wyrick.--42.

Excused: Anderson, Bingman, Coates, Mazzei, Shortey and Sykes.--6.

The bill and emergency passed.

House amendments were properly signed and the above-numbered bill was referred for enrollment.

PENDING CONSIDERATION OF HAS

HAs to SB 886 were concurred in upon motion of Senator Barrington.

SB 886, as amended by the Honorable House, was read at length.

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

Aye: Aldridge, Allen, Ballenger, Barrington, Bass, Bingman, Boggs, Branan, Brecheen, Brinkley, Brooks, Brown, Burrage, 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, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes, Treat and Wyrick.--45.

Excused: Anderson, Coates and Shortey.--3.

The bill passed.

House amendments were properly signed and the above-numbered bill was referred for enrollment.

PENDING CONSIDERATION OF HAS

HAs to SBs 7, 164, 166, 321, 343, 387, 418, 519, 522, 582, 613, 733, 788, 789, 1022, 1053, 1102, 1103 and 1118 were rejected upon motion of Senator Schulz, conference requested, and Senate conferees to be named later.

**PENDING SENATE ACTION
HOUSE REQUEST FOR CONFERENCE**

Upon motion of Senator Schulz, the request of the Honorable House for conference on the following bills was ordered granted and Senate conferees appointed as follows:

SB 287 – Paddack, Griffin, Johnson (Rob), Marlatt, Burrage, Treat

SB 408 – Paddack, Barrington, Treat, David, Burrage, Boggs

SB 486 – GCCA

SB 521 – GCCA

SB 557 – GCCA

SB 574 – GCCA

SB 684 – Jolley, Crain, Standridge, Griffin, McAffrey, Schumate

HB 1035 – Ford, Halligan, Stanislawski, Holt, Paddack, Garrison

HB 1352 – GCCA

HB 1383 – GCCA

HB 1419 – Standridge, Barrington, Griffin, David, Shumate, Johnson (Constance)

HB 1477 – GCCA
HB 1525 – Branan, Griffin, Schulz, Bingman, Burrage, Marlatt
HB 1622 – Treat, Ford, Schulz, Bingman, Paddack, Burrage
HB 1660 – GCCA
HB 1874 – GCCA
HB 1923 – GCCA
HB 1942 – GCCA
HB 2062 – GCCA
HB 2186 – GCCA
HB 2232 – GCCA

MESSAGES FROM THE HOUSE

Advising the signing of and returning Enrolled **SCR 24**.

The above-numbered enrolled measure was transmitted to the Secretary of State.

Advising fourth reading of and returning Enrolled **SBs 1, 396, 404, 495, 596, 630, 847, 887 and 1000**.

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 Thursday, May 2, 2013, at 9:00 a.m., which motion prevailed.

FIRST READING

The following were introduced and read the first time:

SB 1120 – By Jolley and Justice of the Senate and Martin (Scott) and Newell of the House.

An Act relating to the Department of Human Services; requiring budgeting in certain categories and amounts; requiring certain performance measures; providing for exemptions from certain expenditure limitations; providing for duties and compensation of employees; providing budgetary limitations; and providing an effective date.

SB 1121 – By Jolley and Justice of the Senate and Martin (Scott) and Newell of the House.

An Act relating to the State Department of Rehabilitation Services; requiring budgeting in certain categories and amounts; providing for exemptions from certain expenditure limitations; providing for duties and compensation of employees; limiting the salary of the Director; limiting number of certain full-time-equivalent employees; making certain

employee positions exempt from FTE limitations; authorizing certain early transfers of certain funds for specific purposes; authorizing transfer of appropriated money in requested amounts and ratios; authorizing certain interyear transfers; requiring certain process and maintenance of records; and providing an effective date.

SB 1122 – By Jolley and Justice of the Senate and Martin (Scott) and Newell of the House.

An Act relating to the Department of Transportation; requiring budgeting in certain categories and amounts; requiring certain performance measures; providing for duties and compensation of employees; limiting the salary of the Director; providing budgetary limitations; and providing an effective date.

SB 1123 – By Jolley and Justice of the Senate and Martin (Scott) and Newell of the House.

An Act relating to the Office of Juvenile Affairs; requiring budgeting in certain categories and amounts; requiring certain performance measures; providing for duties and compensation of employees; limiting the maximum salary of the Director; authorizing certain attorney position; providing budgetary limitations; authorizing certain requests for exemptions from expenditure limitations and budgetary limitations; requiring certain procedures; requiring certain filings; requiring certain approvals; requiring written notice; making certain appropriations nonfiscal; and providing an effective date.

SB 1124 – By Jolley and Justice of the Senate and Martin (Scott) and Newell of the House.

An Act relating to state employees; amending 74 O.S. 2011, Section 840-5.4, which relates to the Merit System of Personnel Administration; clarifying language; providing an effective date; and declaring an emergency.

SB 1125 – By Jolley and Justice of the Senate and Martin (Scott) and Newell of the House.

An Act relating to public finance; amending 62 O.S. 2011, Section 34, which relates to the Oklahoma State Finance Act; clarifying language; and providing an effective date.

SB 1126 – By Jolley and Justice of the Senate and Martin (Scott) and Newell of the House.

An Act relating to public finance; amending 62 O.S. 2011, Section 34, which relates to the Oklahoma State Finance Act; clarifying language; and providing an effective date.

SB 1127 – By Jolley and Justice of the Senate and Martin (Scott) and Newell of the House.

An Act relating to the State Department of Education; providing for duties and compensation of employees; providing budgetary limitations; and providing an effective date.

SB 1128 – By Jolley and Justice of the Senate and Martin (Scott) and Newell of the House.

An Act relating to the State Board of Career and Technology Education; providing for the budgeting of funds in certain categories and amounts; requiring performance measures for budget categories; providing for the duties and compensation of employees; providing budgetary limitations; requiring budgeting of certain funds in certain years; providing lapse dates; requiring certain budget procedures; prohibiting certain budget procedures; and providing an effective date.

SB 1129 – By Jolley and Justice of the Senate and Martin (Scott) and Newell of the House.

An Act relating to the Commission on Consumer Credit; requiring budgeting in certain categories and amounts; requiring certain performance measures; providing for duties and compensation of employees; providing budgetary limitations; and providing an effective date.

SB 1130 – By Jolley and Justice of the Senate and Martin (Scott) and Newell of the House.

An Act relating to the Corporation Commission; requiring budgeting in certain categories and amounts; requiring certain performance measures; providing for duties and compensation of employees; limiting salary of the General Administrator; providing budgetary limitations; and providing an effective date.

SR 27 – By Bingman, Johnson (Constance) and Shumate.

A Resolution recognizing and celebrating the careers and accomplishments of certain judges; applauding them for their dedication; thanking them for their service; and directing distribution.

CHANGE IN AUTHORS/COAUTHORS

The following measures were authored/coauthored:

SB 295 - Coauthored by Johnson (Constance)

SB 1120 - Coauthored by Newell; Coauthored by Martin (Scott) (principal House author); Coauthored by Justice; Authored by Senator Jolley

SB 1121 - Coauthored by Newell; Coauthored by Martin (Scott); Coauthored by Justice; Authored by Senator Jolley

SB 1122 - Coauthored by Newell; Coauthored by Martin (Scott) (principal House author); Coauthored by Justice; Authored by Senator Jolley

SB 1123 - Coauthored by Newell; Authored by Senator Jolley; Coauthored by Justice; Coauthored by Martin (Scott) (principal House author)

SB 1124 - Coauthored by Newell; Authored by Senator Jolley; Coauthored by Justice; Coauthored by Martin (Scott) (principal House author)

SB 1125 - Coauthored by Newell; Coauthored by Martin (Scott) (principal House author); Coauthored by Justice; Authored by Senator Jolley

SB 1126 - Coauthored by Newell; Coauthored by Martin (Scott) (principal House author); Coauthored by Justice; Authored by Senator Jolley

SB 1127 - Coauthored by Newell; Coauthored by Martin (Scott) (principal House author); Coauthored by Justice; Authored by Senator Jolley

SB 1128 - Coauthored by Newell; Authored by Senator Jolley; Coauthored by Martin (Scott) (principal House author); Coauthored by Justice

SB 1129 - Coauthored by Newell; Coauthored by Martin (Scott) (principal House author); Coauthored by Justice; Authored by Senator Jolley

SB 1130 - Coauthored by Newell; Authored by Senator Jolley; Coauthored by Martin (Scott) (principal House author); Coauthored by Justice

SR 27 - Coauthored by Johnson (Constance), Shumate; Authored by Senator Bingman

Pursuant to the Schulz motion, the Senate adjourned at 3:00 p.m. to meet Thursday, May 2, 2013, at 9:00 a.m.