

Senate Journal

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

Fifty-first Legislative Day, Thursday, May 2, 2013

The Senate was called to order by Senator Fields.

Roll Call:

Present: Aldridge, Allen, Ballenger, Barrington, Bass, Bingman, Boggs, Branan, Brecheen, Brinkley, Brooks, Brown, Burrage, Coates, Crain, Dahm, David, Ellis, Fields, 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, Treat and Wyrick.—45.

Excused: Anderson, Ford and Sykes.—3.

Senator Fields 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 228, 267, 295, 581, 682, 779 and **886** were each correctly enrolled, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

INTRODUCTION

Senator Treat introduced Congressman James Lankford to the Senate.

PENDING CONSIDERATION OF HAS

HAs to SB 197 were concurred in upon motion of Senator Griffin.

SB 197, 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, Coates, Crain, Dahm, David, Ellis, Fields, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Justice, Loveless, Marlatt, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Shumate, Simpson, Sparks, Standridge, Stanislawski, Treat and Wyrick.--42.

Excused: Anderson, Ford, Jolley, Mazzei, Shortey and Sykes.--6.

The bill passed.

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

PENDING CONSIDERATION OF HAS

HAs to SB 235 were concurred in upon motion of Senator Simpson.

SB 235, 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, Coates, Crain, Dahm, David, Ellis, Fields, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (C), Justice, Loveless, Marlatt, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Shumate, Simpson, Sparks, Standridge, Stanislawski, Treat and Wyrick.--41.

Excused: Anderson, Ford, Johnson (R), Jolley, Mazzei, Shortey and Sykes.--7.

The bill passed.

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

PENDING CONSIDERATION OF HAS

HAs to SB 549 were concurred in upon motion of Senator Treat.

SB 549, 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, Coates, Crain, Dahm, David, Ellis, Fields, Garrison, Griffin, Halligan, Holt, Johnson (C), Jolley, Justice, Loveless, Marlatt, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Shumate, Simpson, Sparks, Standridge, Stanislawski, Treat and Wyrick.--41.

Excused: Anderson, Ford, Ivester, Johnson (R), Mazzei, Shortey and Sykes.--7.

The bill passed.

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

PENDING CONSIDERATION OF HAS

HAs to SB 931 were concurred in upon motion of Senator Justice.

SB 931, 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, Coates, Crain, Dahm, David, Ellis, Fields, Garrison, Griffin, Halligan, Holt, Ivester, Jolley, Justice, Loveless, Marlatt, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Shumate, Simpson, Sparks, Standridge, Stanislawski, Treat and Wyrick.--41.

Excused: Anderson, Ford, Johnson (C), Johnson (R), Mazzei, Shortey and Sykes.--7.

The bill passed.

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

PENDING CONSIDERATION OF HAS

HAs to **SB 853** were concurred in upon motion of Senator Treat.

SB 853, 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, Coates, Crain, Dahm, David, Ellis, Fields, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (C), Jolley, Justice, Marlatt, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Shumate, Simpson, Sparks, Standridge, Stanislawski, Treat and Wyrick.--41.

Excused: Anderson, Ford, Johnson (R), Loveless, Mazzei, Shortey and Sykes.--7.

The bill passed.

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

PENDING CONSIDERATION OF HAS

HAs to **SBs 254, 639, 929, 1030** and **1034** 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 7 – GCCA

SB 164 – GCCA

SB 166 – GCCA

SB 321 – GCCA

SB 387 – GCCA

SB 418 – Loveless, Stanislawski, Standridge, Paddack, Marlatt, Shumate

SB 519 – GCCA

SB 522 – Standridge, Crain, David, Griffin, Burrage, Paddack

SB 582 – Brinkley, Sykes, Johnson (Rob), David, McAffrey, Paddack

SB 613 – GCCA

SB 733 – GCCA

SB 788 – Newberry, Sykes, Ford, Coates, Garrison, Shumate

SB 789 – Johnson (Rob), Newberry, Marlatt, Brinkley, Ballenger, Bass
SB 792 – GCCA
SB 1012 – Johnson (Rob), Treat, Jolley, Branam, Burrage, Ballenger
SB 1022 – Newberry, Sykes, Ford, Coates, Garrison, Shumate
SB 1053 – Newberry, Ford, Sykes, Coates, Garrison, Shumate
SB 1102 – GCCA
SB 1103 – GCCA
SB 1118 – GCCA
HB 1068 – GCCA
HB 1080 – GCCA
HB 1103 – GCCA
HB 1104 – GCCA
HB 1115 – Ballenger, Treat, Bingman, Schulz, Brinkley, Burrage
HB 1340 – GCCA
HB 1418 – McAffrey, Crain, Bass, Brooks, Dahm, Boggs
HB 1426 – Justice, Coates, Schulz, Fields, Garrison, Sparks
HB 1434 – Griffin, Shortey, Halligan, Ford, Paddack, Garrison
HB 1558 – Loveless, Barrington, Schulz, David, Burrage, Sparks
HB 1770 – GCCA
HB 1922 – Fields, Branam, Sykes, Marlatt, Burrage, Ballenger
HB 1932 – Marlatt, Branam, Bingman, Griffin, Paddack, Ellis
HB 1933 – Marlatt, Treat, Griffin, Brinkley, Ballenger, Burrage
HB 2054 – Johnson (Rob), Sykes, Treat, Crain, Ballenger, Burrage
HB 2097 – GCCA
HB 2101 – Jolley, Ford, Johnson (Rob), Stanislawski, Shumate, Paddack
HB 2145 – GCCA
HB 2228 – GCCA
HB 2231 – GCCA

MESSAGES FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed **HCR 1015**.

HCR 1015 – By Nelson, Kirby, Sherrer, Banz, Quinn, Cooksey, Wesselhoft, Coody, Wood, Denney, Christian, Dorman, Condit, Brumbaugh, Johnson, Cannaday, McDaniel (Curtis), Cockroft, Rousselot, Sears, Wright, Sanders, Mulready, Ownbey, Perryman, Grau, Martin (Steve), Lockhart, Trebilcock, Casey, Walker, Bennett, Russ, Turner, Shoemake, Hulbert, Henke, Floyd, Nollan and Cox of the House and Ford of the Senate.

A Concurrent Resolution stating appreciation and support of cultural heritage entities in the state; and directing distribution.

The above-numbered measure was read the first time.

Advising concurrence in **SAs** to and passage of Engrossed **HBs 1009, 1235, 1455, 1461, 1467, 1740, 1908** and **HB 1910**.

Advising fourth reading of and transmitting for signature Enrolled **HB 1910**.

The above-numbered enrolled measure was, after fourth reading, properly signed and ordered returned to the Honorable House.

Advising fourth reading of and returning Enrolled **SBs 228, 267, 295, 581, 682, 779** and **886**.

The above-numbered enrolled measures were referred to the Governor.

Advising passage of and returning Engrossed **SJR 35**.

The above-numbered measure was referred for enrollment.

Advising rejection of **SAs** to the following bills, requesting conference and House conferees to be named later as follows:

HB 1050
HB 1109
HB 1233
HB 1451
HB 1465
HB 1484
HB 1516
HB 1526
HB 1594
HB 1683
HB 1688
HB 1690
HB 1700
HB 1703
HB 1716
HB 1717
HB 1719
HB 1794
HB 1875
HB 1917
HB 1919
HB 1924

HB 2057
HB 2180
HB 2182
HB 2193
HB 2194
HB 2195

Advising conference granted on Engrossed **SBs** and naming House conferees as follows:

SB 301 - Conference Committee on Judiciary
SB 820 - Conference Committee on Judiciary
SB 1101 - Conference Committee on Economic Development and Financial Services

Advising naming House conferees on Engrossed:

HB 1035 - Conference Committee on Common Education
HB 1115 - Conference Committee on Public Safety
HB 1259 - Conference Committee on Insurance
HB 1340 - Conference Committee on Judiciary
HB 1352 - Conference Committee on Transportation
HB 1383 - Conference Committee on Economic Development and Financial Services
HB 1426 - Conference Committee on Agriculture and Wildlife
HB 1434 - Conference Committee on Higher Education and Career Tech
HB 1477 - Conference Committee on Government Modernization
HB 1525 - Conference Committee on Energy and Aerospace
HB 1558 - Conference Committee on Judiciary
HB 1622 - Conference Committee on Public Safety
HB 1770 - Conference Committee on Higher Education and Career Tech
HB 1932 - Conference Committee on Energy and Aerospace
HB 1933 - Conference Committee on General Government
HB 2054 - Conference Committee on Judiciary
HB 2062 - Conference Committee on Government Modernization
HB 2101 - Conference Committee on Public Health

Advising naming of GCCA as House conferees as follows:

HB 1103
HB 1104
HB 1660
HB 1874
HB 1922

MESSAGES FROM THE HOUSE

Advising the Honorable Senate the appointment of the following House Members as conferees on the General Conference Committee on Appropriations. Speaker Shannon and Speaker Pro Tempore Jackson are ex officio voting Members of the General Conference Committee on Appropriations:

GENERAL CONFERENCE COMMITTEE ON APPROPRIATIONS

Martin (Scott), Chair
Newell, Vice-Chair

Armes	McNiel
Billy	McPeak
Brown	Morrisette
Christian	Nelson
Coody	Osborn
Cox	Proctor
Denney	Roberts (Sean)
Dorman	Sanders
Hickman	Schwartz
Hoskin	Sears
Kern	Watson
McCullough	Wesselhoft
McDaniel (Jeannie)	

Advising the Honorable Senate the appointment of the following House Members as conferees on the Joint Committee on Appropriations and Budget. Speaker Shannon and Speaker Pro Tempore Jackson are ex officio voting Members of the Joint Committee on Appropriations and Budget:

JOINT COMMITTEE ON APPROPRIATIONS AND BUDGET

Martin (Scott), Chair
Newell, Vice-Chair

Armes	McNiel
Billy	McPeak
Brown	Morrisette
Christian	Nelson
Coody	Osborn
Cox	Proctor
Denney	Roberts (Sean)
Dorman	Sanders
Hickman	Schwartz

Hoskin	Sears
Kern	Watson
McCullough	Wesselhoft
McDaniel (Jeannie)	

EXECUTIVE NOMINATIONS

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

Barrick, Lona A., Ada, as a member of the Oklahoma Arts Council - Education

Bobo, Jennifer L., Guthrie, as a member of the State Textbook Committee - Education

Calhoon, Scott W., Oklahoma City, as a member of the Oklahoma State Board of Examiners for Long-Term Care Administrators - Health and Human Services

Calhoon, Scott W., Oklahoma City, as a member of the Oklahoma State Board of Examiners for Long-Term Care Administrators - Health and Human Services

Covington, Darrell L., Guthrie, as a member of the Committee on Home Inspector Examiners - Business and Commerce

Dearth, Andrew N., Tecumseh, as a member of the Oklahoma State Athletic Commission - Business and Commerce

Everest, Tricia L., Nichols Hills, as a member of the Oklahoma Arts Council - Education

Greenwell, David T., Oklahoma City, as a member of the Oklahoma Accountancy Board - Business and Commerce

Howard, Brent S., Headrick, as a member of the Board of Regents of Western Oklahoma State College - Education

Hughes, Robert S. III, Bartlesville, as a member of the Oklahoma Wildlife Conservation Commission - Tourism and Wildlife

Lance,, Billy G., Jr., Sulphur, as a member of the Board of Regents of the University of Science and Arts of Oklahoma - Education

Lawson, Holbrook C., Tulsa, as a member of the Oklahoma Arts Council - Education

Myers, Deidre D., Oklahoma City, as a member of the Oklahoma Board of Private Vocational Schools - Education

Peterson, Adam C., Tulsa, as a member of the State Textbook Committee - Education

Pilkington, Catherine A., Stillwater, as a member of the State Textbook Committee - Education

Reed, Mark E., Pawnee, as a member of the Committee on Home Inspector Examiners - Business and Commerce

Sloop, Gail, Oklahoma City, as a member of the State Textbook Committee - Education

Smith, Glen W., Edmond, as a member of the State Board of Licensure for Professional Engineers and Land Surveyors - Business and Commerce

Smith, Lee Allen, Oklahoma City, as a member of the Oklahoma Arts Council - Education

Steinke, Harold J. III, Tulsa, as a member of the Oklahoma Motor Vehicle Commission - Business and Commerce

Senator Schulz moved that when the clerk's desk is clear, the Senate stand adjourned to convene Monday, May 6, 2013, at 1:30 p.m., which motion prevailed.

SECOND READING

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

- SB 1120** – Joint Committee on Appropriations and Budget
- SB 1121** – Joint Committee on Appropriations and Budget
- SB 1122** – Joint Committee on Appropriations and Budget
- SB 1123** – Joint Committee on Appropriations and Budget
- SB 1124** – Joint Committee on Appropriations and Budget
- SB 1125** – Joint Committee on Appropriations and Budget
- SB 1126** – Joint Committee on Appropriations and Budget
- SB 1127** – Joint Committee on Appropriations and Budget
- SB 1128** – Joint Committee on Appropriations and Budget
- SB 1129** – Joint Committee on Appropriations and Budget
- SB 1130** – Joint Committee on Appropriations and Budget

CHANGE IN AUTHORS/COAUTHORS

The following measures were authored/coauthored:

SB 853 - Coauthored by Johnson (Constance)

HCR 1015 - Coauthored by Bennett, Russ, Turner, Shoemake, Hulbert, Henke, Floyd, Nollan, Cox

Pursuant to the Schulz motion, the Senate adjourned at 10:15 a.m. to meet Monday, May 6, 2013, at 1:30 p.m.