

# Senate Journal

## Second Regular Session of the Fifty-fourth Legislature of the State of Oklahoma Twelfth Legislative Day, Thursday, February 20, 2014

The Senate was called to order by Senator Brinkley.

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, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Loveless, Marlatt, Mazzei, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes, and Treat.—47.

Excused: Wyrick.—1.

Senator Brinkley declared a quorum present.

The prayer was offered by Pastor David Player, First United Methodist Church, Altus, the guest of Senator Schulz.

### REPORT OF ENGROSSED AND ENROLLED MEASURES

**SBs 1181, 1198, 1444, 1612, 1788, 1789 and 2120** were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

### CHANGE IN COMMITTEE ASSIGNMENTS

The following bills will be reassigned as follows:

**SB 1315** – Withdrawn from Rules Committee and referred to General Government

**SB 1812** – Withdrawn from Rules Committee and referred to General Government

**SB 1820** – Withdrawn from Public Safety Committee and referred to Health and Human Services

**SB 1821** – Withdrawn from Public Safety Committee and referred to Health and Human Services

**UNANIMOUS CONSENT REQUEST  
DIRECT TO CALENDAR**

Senator Griffin asked unanimous consent to refer **SR 39** direct to the Calendar for consideration, which was the order.

**GENERAL ORDER**

**SR 39** by Griffin was called up for consideration.

**SR 39** was adopted upon motion of Senator Griffin and referred for enrollment.

**GENERAL ORDER**

**SB 2044** by Bingman et al of the Senate and McNiel of the House was called up for consideration.

Senators Ford, Loveless, Sharp, Schulz, Simpson, Brooks, Griffin, David, Justice, Marlatt, Johnson (Rob), Boggs, Coates, Fields, Halligan, Burrage, Ivester, Barrington, Jolley, Crain, Standridge Newberry and Shaw asked to coauthor **SB 2044**, which was the order.

Senator Anderson moved to amend **SB 2044**, by striking the title, the enacting clause and the entire body of the bill and substituting the floor substitute. (Copies were provided for all Senators.)

Senator Schulz moved to table the Anderson amendment, which tabling motion was declared adopted.

Senator Treat moved to amend **SB 2044**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Treat moved that **SB 2044** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 2044** was read for the third time at length.

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

Aye: Ballenger, Barrington, Bingman, Boggs, Branan, Brinkley, Brooks, Burrage, Coates, Crain, David, Ellis, Fields, Ford, Griffin, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Loveless, Marlatt, Mazzei, McAffrey, Newberry, Paddock, Schulz, Sharp, Shaw, Shumate, Simpson, Sparks, Standridge and Treat.--36.

Nay: Aldridge, Allen, Anderson, Bass, Brecheen, Brown, Dahm, Garrison, Shortey, Stanislawski and Sykes.--11.

Excused: Wyrick.--1.

The bill passed.

**SB 2044** was referred for engrossment.

## **MESSAGE FROM THE HOUSE**

Advising passage of and transmitting for consideration Engrossed **HB 1384**.

**HB 1384** – By Kern, Hulbert, Fisher, Cockroft, Walker, Murphey, Blackwell, Bennett and Turner of the House and Griffin and Shortey of the Senate.

An Act relating to parental rights; creating the Parents' Bill of Rights; prohibiting the state from infringing upon parental rights unless certain criteria is met; defining term; listing rights which are reserved to the parent; providing exception; construing provision; proscribing limitation or denial of parental rights; restricting applicability in certain cases; directing the board of education of a school district to develop certain policy; providing items to be included in the policy; listing parental rights related to education; allowing board to provide policy in electronic form; requiring parent to submit a written request for information at certain time; directing principal or superintendent to deliver information within certain time; providing for written request to board in certain cases; directing board to consider request; prohibiting surgical procedure on minor without parental consent; providing exception; defining term; providing exception; prescribing penalty for violation; prohibiting mental health evaluation of minor without parental consent; providing exception; prescribing penalty for violation; providing for codification; and providing an effective date.

The above-numbered measure was read the first time.

Senator Schulz moved that when the clerk's desk is clear, the Senate stand adjourned to convene Monday, February 24, 2014, 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:

**SB 1209** – Public Safety

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

**SB 1336** – Energy

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

**SB 1407** – Business and Commerce

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

**SB 1442** – Public Safety

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

**SB 1471** – Public Safety

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

**SB 1581** – Energy

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

**SB 1649** – Energy

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

**SB 1675** – Business and Commerce

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

**SB 1842** – Public Safety

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

**SB 1921** – Business and Commerce

Ayes: Coates, Dahm, Ellis, Ford, Garrison, Newberry, Sharp, Shumate, Sykes  
Nays: Crain

**SB 1923** – Insurance

Ayes: Aldridge, Bass, Brown, Sparks, Stanislawski

**SB 1964** – Energy

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

**SB 2055** – Insurance

Ayes: Aldridge, Bass, Brown, Loveless, Schulz, Sparks, Stanislawski

DO PASS, As Amended:

**CS for SB 371** – Business and Commerce

Ayes: Anderson, Coates, Crain, Dahm, Ellis, Ford, Garrison, Newberry, Sharp, Shumate, Sykes

**CS for SB 417** – Business and Commerce

Ayes: Anderson, Coates, Dahm, Ellis, Ford, Newberry, Sykes

**SB 442** – Public Safety

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

Nays: Shortey

**SB 1184** – Energy

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

**CS for SB 1187** – Energy, coauthored by Fields

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

**SB 1248** – Public Safety

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

**CS for SB 1357** – Public Safety

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

**CS for SB 1359** – Energy

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

**CS for SB 1389** – Energy

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

**SB 1393** – Public Safety

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

**CS for SB 1399** – Business and Commerce

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

**CS for SB 1413** – Energy

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

**CS for SB 1418** – Energy

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

**CS for SB 1440** – Energy

Ayes: Bingman, Branan, Brinkley, Halligan, Ivester, Johnson (Rob), Marlatt, Paddack, Simpson, Standridge  
Nays: Fields, Griffin, Justice

**CS for SB 1456** – Energy

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

**CS for SB 1508** – Energy, coauthored by Ortega (principal House author), and coauthored by Fields

Ayes: Bingman, Branan, Brinkley, Fields, Griffin, Halligan, Ivester, Justice, Marlatt, Paddack, Schulz, Simpson, Standridge

**CS for SB 1515** – Business and Commerce

Ayes: Anderson, Coates, Crain, Dahm, Ford, Newberry, Sykes

**CS for SB 1601** – Public Safety, coauthored by Inman

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

**CS for SB 1677** – Insurance

Ayes: Aldridge, Bass, Brown, Sparks, Stanislawski

**SB 1683** – Business and Commerce

Ayes: Anderson, Coates, Crain, Dahm, Ellis, Ford, Garrison, Newberry, Sharp, Shumate, Sykes

**CS for SB 1724** – Business and Commerce

Ayes: Anderson, Coates, Dahm, Ellis, Ford, Newberry  
Nays: Sykes

**SB 1737** – Public Safety

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

**SB 1740** – Public Safety

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

**CS for SB 1799** – Business and Commerce

Ayes: Anderson, Coates, Dahm, Ellis, Ford, Newberry, Sykes

**CS for SB 1808** – Business and Commerce

Ayes: Anderson, Coates, Crain, Dahm, Ford, Newberry, Sykes

Nays: Ellis

**CS for SB 1815** – Public Safety

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

Nays: Shortey

**CS for SB 1826** – Public Safety

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

Nays: Brecheen

**CS for SB 1843** – Public Safety

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

**CS for SB 1845** – Public Safety

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

**CS for SB 1852** – Energy

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

**CS for SB 1870** – Business and Commerce

Ayes: Anderson, Coates, Crain, Ellis, Ford, Garrison, Sharp, Shumate

Nays: Dahm, Newberry, Sykes

**CS for SB 1873** – Insurance

Ayes: Aldridge, Bass, Brown, Loveless, Schulz, Sparks, Stanislawski

**CS for SB 1874** – Insurance

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

**CS for SB 1885** – Energy

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

**SB 1924** – Business and Commerce

Ayes: Anderson, Coates, Crain, Dahm, Ford, Newberry, Sykes

Nays: Ellis

**CS for SB 1929** – Business and Commerce

Ayes: Anderson, Coates, Crain, Dahm, Ellis, Ford, Garrison, Newberry, Sharp, Shumate, Sykes

**CS for SB 2003** – Business and Commerce

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

**CS for SB 2069** – Public Safety

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

**SB 2078** – Public Safety

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

**CS for SB 2098** – Public Safety

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

**COMMITTEE REPORTS**

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

DO PASS, As Amended:

**CS for SB 1155** – Public Safety

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

**FIRST READING**

The following were introduced and read the first time:

**SR 43** – By Bass.

A Resolution congratulating Lawton Eisenhower High School on being named the National Math and Science Initiative School of the Year; recognizing the positive impact of the National Math and Science Initiative in Oklahoma; and directing distribution.

**SR 44** – By Jolley.

A Resolution congratulating Dr. Jane Fitch for being elected as the 2014 president of the American Society of Anesthesiologists; recognizing her outstanding medical career; thanking her for her contributions to medicine in Oklahoma; and directing distribution.

**CHANGE IN AUTHORS/COAUTHORS**

The following measures were authored/coauthored:

**SB 371** - Remove as author Senator Ivester; authored by Newberry

**SB 552** - Coauthored by Bennett

**SB 1187** - Coauthored by Fields

**SB 1315** - Remove as author Senator Bingman; authored by Marlatt

**SB 1331** - Coauthored by Casey (principal House author)

**SB 1344** - Coauthored by Bennett



**SB 1473** - Coauthored by Bennett

**SB 1508** - Coauthored by Fields

Coauthored by Ortega (principal House author)

**SB 1601** - Coauthored by Inman

**SB 1663** - Coauthored by Denney (principal House author)

**SB 1724** - Coauthored by Ford

Remove as author Senator Ford; authored by Newberry

**SB 1874** - Coauthored by Mulready (principal House author)

**SB 2044** - Coauthored by Ford, Loveless, Sharp, Schulz, Simpson, Brooks, Griffin, David, Justice, Marlatt, Johnson (Rob), Boggs, Coates, Fields, Halligan, Burrage, Ivester, Barrington, Jolley, Crain, Standridge, Newberry, Shaw

**SR 43** - Authored by Senator Bass

**SR 44** - Authored by Senator Jolley

**HB 1384** - Coauthored by Turner

Pursuant to the Schulz motion, the Senate adjourned at 11:05 a.m. to meet Monday, February 24, 2014, at 1:30 p.m.