

Senate Journal

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

Thirty-first Legislative Day, Thursday, March 27, 2014

The Senate was called to order by Senator Fields.

Roll Call:

Present: Aldridge, Allen, Anderson, 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, Shortey, Shumate, Simpson, Standridge, Stanislawski, Sykes, Treat and Wyrick.—45.

Excused: Coates, Mazzei and Sparks.—3.

Senator Fields declared a quorum present.

The prayer was offered by Doyle Sharp, First United Methodist Church, Ponca City, the guest of Senator Fields.

REPORT OF ENGROSSED AND ENROLLED MEASURES

SB 2122 was correctly enrolled, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

SR 52 was correctly enrolled, properly signed and ordered transmitted to the Secretary of State.

FIRST READING

The following was introduced and read the first time:

SR 55 – By Loveless.

A Resolution commending the Boys & Girls Clubs of Oklahoma for the valuable contribution they make to the young people of the state; proclaiming March 27, 2014, as Boys & Girls Clubs Day at the State Capitol; and directing distribution.

**UNANIMOUS CONSENT REQUEST
DIRECT TO CALENDAR**

Senator Loveless asked unanimous consent to refer **SR 55** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

SR 55 by Loveless was called up for consideration.

All other members of the Senate asked to coauthor **SR 55**, which was the order.

SR 55 was adopted upon motion of Senator Loveless and referred for enrollment.

**UNANIMOUS CONSENT REQUEST
DIRECT TO CALENDAR**

Senator Johnson (Rob) asked unanimous consent to refer **SR 51** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

SR 51 by Johnson (Rob) was called up for consideration.

All other members of the Senate asked to coauthor **SR 51**, which was the order.

SR 51 was adopted upon motion of Senator Johnson (Rob) and referred for enrollment.

**UNANIMOUS CONSENT REQUEST
DIRECT TO CALENDAR**

Senator Barrington asked unanimous consent to refer **SCR 37** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

SCR 37 by Barrington of the Senate and Hardin of the House was called up for consideration.

All other members of the Senate asked to coauthor **SCR 37**, which was the order.

SCR 37 was adopted upon motion of Senator Barrington and referred for engrossment.

GENERAL ORDER

HB 2580 by Thomsen et al of the House and Jolley of the Senate was called up for consideration.

Senator Jolley moved to amend **HB 2580**, Page 1, by restoring the enacting clause, which amendment was declared adopted.

The above amendment restores **HB 2580** to the engrossed version of the bill.

Senator Jolley moved that **HB 2580** be advanced, which motion was declared adopted.

THIRD READING

HB 2580 was read for the third time at length.

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

Aye: Ballenger, Barrington, Bass, Bingman, Branan, Brinkley, Brooks, Burrage, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Loveless, McAffrey, Newberry, Paddack, Schulz, Sharp, Shumate, Simpson, Treat and Wyrick.--31.

Nay: Aldridge, Allen, Anderson, Boggs, Brecheen, Brown, Dahm, Shaw, Shortey, Standridge and Stanislawski.--11.

Excused: Coates, Crain, Marlatt, Mazzei, Sparks and Sykes.--6.

The bill passed.

HB 2580 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 2711 by Cox of the House and Jolley of the Senate was called up for consideration.

Senator Jolley moved to amend **HB 2711**, Page 1, by restoring the enacting clause, which amendment was declared adopted.

The above amendment restores **HB 2711** to the engrossed version of the bill.

Senator Jolley moved that **HB 2711** be advanced, which motion was declared adopted.

THIRD READING

HB 2711 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, Bass, Bingman, Boggs, Branan, Brecheen, Brinkley, Brooks, Brown, Burrage, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Loveless, Marlatt, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Shortey, Shumate, Simpson, Standridge, Stanislowski, Treat and Wyrick.--43.

Excused: Coates, Crain, Mazzei, Sparks and Sykes.--5.

The bill passed.

HB 2711 was properly signed and ordered returned to the Honorable House.

CHANGE IN COMMITTEE ASSIGNMENT

The following bills will be reassigned as follows:

HB 1384 – Withdrawn from Rules and Appropriations Committees and referred to Appropriations

HB 1552 – Withdrawn from Health and Appropriations Committees and referred to Appropriations

HB 2100 – Withdrawn from Appropriations Committee and referred Direct to Calendar

MESSAGES FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled **HB 2566**.

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 **SB 2122**.

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

EXECUTIVE NOMINATIONS

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

Beasley, Stewart, Jr., Edmond, as a member of the Board of Mental Health and Substance Abuse Services - Health and Human Services

Fuchs, Keith, Elk City, as a member of the State Board of Veterinary Medical Examiners - Agriculture and Rural Development

Parks, Johnnie, Broken Arrow, as a member of the Commission for Educational Quality and Accountability - Education

Senator Schulz moved that when the clerk's desk is clear, the Senate stand adjourned to convene Monday, March 31, 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:

HB 2328 – Public Safety

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

HB 2380 – Business and Commerce

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

HB 2406 – Insurance

Ayes: Aldridge, Bass, Brooks, Brown, Stanislawski

HB 2407 – Business and Commerce

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

HB 2526 – Public Safety

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

HB 2592 – Public Safety

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

HB 2652 – Energy

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

HB 2706 – Public Safety

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

HB 2888 – Public Safety

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

HB 2926 – Insurance

Ayes: Aldridge, Bass, Brooks, Brown, Stanislawski

HB 3158 – Public Safety

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

HB 3282 – Insurance

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

DO PASS, As Amended:

HB 2387 – Public Safety

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

HB 2495 – Public Safety

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

Nays: Ballenger, McAffrey

HB 2748 – Insurance

Ayes: Aldridge, Bass, Brooks, Brown, Stanislawski

CS for HB 2914 – Business and Commerce

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

CS for HB 3102 – Energy

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

CS for HB 3280 – Insurance

Ayes: Aldridge, Bass, Brooks, Brown, Stanislawski

CS for HB 3286 – Insurance

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

HB 3287 – Insurance

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

COMMITTEE REPORTS

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

DO PASS:

HB 2344 – Business and Commerce

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

HB 2929 – Insurance

Ayes: Aldridge, Bass, Brooks, Brown, Stanislawski

HB 2994 – Insurance

Ayes: Aldridge, Bass, Brooks, Brown, Stanislawski

HB 3359 – Business and Commerce

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

DO PASS, As Amended:

CS for HB 2100 – Business and Commerce

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

HB 2608 – Public Safety

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

HB 2779 – Public Safety

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

HB 2804 – Public Safety

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

CS for HB 2828 – Insurance

Ayes: Aldridge, Bass, Brooks, Brown, Stanislawski

HB 2954 – Energy, coauthored by Marlatt

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

Nays: Halligan, Treat

HB 3212 – Public Safety

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

HB 3213 – Public Safety

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

HB 3297 – Energy

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

Nays: Ivester, Jolley, Wyrick

FIRST READING

The following were introduced and read the first time:

SB 2123 – By Jolley and Justice of the Senate and Martin (Scott) and Sears of the House.

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

SB 2124 – By Jolley and Justice of the Senate and Martin (Scott) and Sears of the House.

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

SB 2125 – By Jolley and Justice of the Senate and Martin (Scott) and Sears of the House.

An Act relating to the Department of Corrections; making an appropriation; stating purpose; requiring budgeting in certain categories and amounts; requiring certain performance measures; providing for duties and compensation of employees; limiting the salary of the Director; authorizing employment of certain percentage of employees in the unclassified service; providing budgetary limitations; and providing an effective date.

SB 2126 – By Jolley and Justice of the Senate and Martin (Scott) and Sears of the House.

An Act relating to the Department of Corrections; making an appropriation; stating purpose; requiring budgeting in certain categories and amounts; requiring certain performance measures; providing for duties and compensation of employees; limiting the salary of the Director; authorizing employment of certain percentage of employees in the unclassified service; providing budgetary limitations; and providing an effective date.

SB 2127 – By Jolley and Justice of the Senate and Martin (Scott) and Sears 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 2128 – By Jolley and Justice of the Senate and Martin (Scott) and Sears 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.

SR 56 – By Griffin.

A Resolution proclaiming May 14, 2014, as Childhood Apraxia of Speech Day in Oklahoma; supporting the goals of Better Hearing and Speech Month; and directing distribution.

SR 57 – By Griffin.

A Resolution congratulating the Perry Maroons for winning their 40th Wrestling State Championship; commending coaching staff for their leadership; and directing distribution.

CHANGE IN AUTHORS/COAUTHORS

The following measures were authored/coauthored:

SCR 37 - Coauthored by all other Senators

SR 51 - Coauthored by all other Senators

SR 55 - Authored by Senator Loveless

Coauthored by all other Senators

SR 56 - Authored by Senator Griffin

HB 2189 - Remove as author Senator Griffin; authored by Shortey

HB 2954 - Coauthored by Marlatt

Pursuant to the Schulz motion, the Senate adjourned at 10:30 a.m. to meet Monday, March 31, 2014, at 1:30 p.m.