

# Senate Journal

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

**Thirty-sixth Legislative Day, Monday, April 7, 2014**

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

Excused: McAffrey.—1.

Senator Griffin declared a quorum present.

The prayer was offered by Pastor Phil Scowden, Echo Church, Norman, the guest of Senator Standridge.

### REPORT OF ENGROSSED AND ENROLLED MEASURES

**HBs 2100 and 3012** were each correctly engrossed and, together with engrossed **SAs**, properly signed and ordered returned to the Honorable House.

**SCR 39** was correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

**SBs 1150, 1153, 1170, 1421, 1645, 1694, 1710, 1784 and 2026** were each correctly enrolled, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

**SRs 57 and 60** were each correctly enrolled, properly signed and ordered transmitted to the Secretary of State.

**MESSAGE FROM THE HOUSE**

Advising fourth reading of and transmitting for signature Enrolled **HBs 2509** and **3006**.

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

Advising fourth reading of and returning Enrolled **SBs 1150, 1153, 1170, 1421, 1645, 1694, 1710, 1784** and **2026**.

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

Advising passage of and returning the following Engrossed bills:

**SB 1023** - coauthored by Turner and Ortega of the House  
**SB 1226**  
**SB 1399**  
**SB 1511**

The above-numbered measures were referred for enrollment.

**MESSAGE FROM THE HOUSE  
HAs TO SENATE BILLS**

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

**SB 1152**  
**SB 1195** - coauthored by Marlatt of the Senate  
**SB 1332** - coauthored by Russ of the House  
**SB 1372** - coauthored by Ritze of the House  
**SB 1398** - coauthored by Pittman of the House  
**SB 1497**  
**SB 1581**  
**SB 1673**  
**SB 1873**

House amendments were read on the above-numbered bills.

Senator Schulz moved that when the clerk's desk is clear, the Senate stand adjourned to convene Tuesday, April 8, 2014, at 9:30 a.m., which motion prevailed.

## CHANGE IN AUTHORS/COAUTHORS

The following measures were authored/coauthored:

**HB 2562** - Coauthored by Fields  
**HB 2954** - Coauthored by Garrison  
**HB 3018** - Coauthored by Hardin  
**HJR 1026** - Coauthored by Marlatt

## MESSAGE FROM THE GOVERNOR

Advising her approval April 7, 2014, of Enrolled **SBs 1198, 1369, 1418, 1444, 1590, 1706, 1730, 1830** and **1843**; and veto of **SB 1393**.

The veto message reads as follows:

April 7, 2014

To the Honorable President Pro Tempore  
and Members of the Oklahoma Senate  
Second Session of the  
Fifty-fourth Oklahoma Legislature

Enrolled **SB 1393**

This is to advise you that on this date, pursuant to the authority vested in me by Section 11 of Article VI of the Oklahoma Constitution to approve or object to legislation presented to me, I have VETOED Senate Bill 1393.

Current law requires an active full-time certified peace officer or CLEET certified cross-deputized tribal officer to complete at least twenty-five (25) hours of continuing law enforcement training annually. If the officer fails to achieve the required training, the Council on Law Enforcement Education Training is required to serve upon the officer's employer a written Notice of Intent to Suspend. The officer must be suspended if the officer fails to meet the requirements within a "reasonable time" after the employer's notice. A "reasonable time" is defined by the Council as, "no more than thirty (30) days after the Notice of Intent to Suspend has been received *except in situations of documented medical or military leave.*"

Senate Bill 1393 removes two critical provisions from current law. First, it removes the requirement of the Council to notify the officer's employer, requiring *only* the officer be notified in writing. Senate Bill 1393 requires *immediate* suspension and *removal from employment* upon the officer's receipt of the Notice. The removal of the Council's duty to notify an employer of the officer's failure to comply with the required annual training could easily result in a police department unknowingly employing an officer unlawfully.

Second, Senate Bill 1393 removes the current “reasonable time” provision, thereby removing an officer’s ability to complete the training requirement within thirty days of receiving the Notice. Senate Bill 1393 makes no exception for officers who may fail to complete the annual training requirements due to documented medical or military reasons. It is common for police departments to maintain deployed officers and medically limited officers as full time, active officers. This Bill could result in those officers’ immediate suspension and termination in spite of their military service or medical condition.

The Council on Law Enforcement Education and Training concurs with these concerns, and will continue to work with the Governor’s Office and the Legislature to find appropriate solutions for the issues addressed in this legislation.

By the Governor of the State of Oklahoma  
/s/ Mary Fallin

Pursuant to the Schulz motion, the Senate adjourned at 2:20 p.m. to meet Tuesday, April 8, 2014, at 9:30 a.m.

#### **JOURNAL CORRECTION**

Page 764, delete 6<sup>th</sup> line from the bottom, and insert:  
“**HB 2100** was referred for engrossment.”