

# Senate Journal

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

**Forty-ninth Legislative Day, Wednesday, April 30, 2014**

The Senate was called to order by Senator Sykes.

Roll Call:

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

Excused: Ballenger, Coates, Ivester, Mazzei, Shortey, and Stanislawski.—6.

Senator Sykes declared a quorum present.

The prayer was offered by Pastor Michael Strange, First United Methodist Church, Perry, the guest of Senator Griffin.

### **REPORT OF ENGROSSED AND ENROLLED MEASURES**

**SCR 41** was correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

**SBs 72, 417, 989, 1143, 1173, 1336, 1372, 1397, 1431, 1433, 1581, 1604, 1724, 1853** and **2029** were each correctly enrolled, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

**REQUEST TO RECESS GRANTED**

Senator Schulz moved pursuant to Article 5, Section 30 of the Oklahoma Constitution, the Senate grants the Honorable House's request to adjourn for a period of more than three days beginning Thursday, May 1, 2014 and ending on Monday, May 5, 2014 in the Second Regular Session of the 54<sup>th</sup> Legislature, which motion was declared adopted.

**UNANIMOUS CONSENT REQUEST  
DIRECT TO CALENDAR**

Senator Dahm asked unanimous consent to refer **SR 77** direct to the Calendar for consideration, which was the order.

**GENERAL ORDER**

**SR 77** by Dahm was called up for consideration.

All other members of the Senate asked to coauthor **SR 77**, which was the order.

**SR 77** was adopted upon motion of Senator Dahm and referred for enrollment.

**UNANIMOUS CONSENT REQUEST  
DIRECT TO CALENDAR**

Senator Dahm asked unanimous consent to refer **SR 78** direct to the Calendar for consideration, which was the order.

**GENERAL ORDER**

**SR 78** by Dahm was called up for consideration.

All other members of the Senate asked to coauthor **SR 78**, which was the order.

**SR 78** was adopted upon motion of Senator Dahm and referred for enrollment.

**UNANIMOUS CONSENT REQUEST  
DIRECT TO CALENDAR**

Senator Crain asked unanimous consent to refer **SR 81** direct to the Calendar for consideration, which was the order.

**GENERAL ORDER**

**SR 81** by Crain was called up for consideration.

All other members of the Senate asked to coauthor **SR 81**, which was the order.

**SR 81** was adopted upon motion of Senator Crain and referred for enrollment.

**PENDING CONSIDERATION OF HAS**

**HAs** to **SB 1239** were concurred in upon motion of Senator Simpson.

**SB 1239**, 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, Anderson, Barrington, Bingman, Boggs, Branan, Brecheen, Brinkley, Brooks, Brown, Burrage, Crain, Dahm, David, Ellis, Fields, Ford, Griffin, Halligan, Holt, Johnson (R), Jolley, Justice, Loveless, Marlatt, Newberry, Paddack, Schulz, Sharp, Shaw, Shumate, Simpson, Sparks, Standridge, Sykes and Treat.--37.

Excused: Ballenger, Bass, Coates, Garrison, Ivester, Johnson (C), Mazzei, McAffrey, Shortey, Stanislawski and Wyrick.--11.

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 1257** were concurred in upon motion of Senator Simpson.

**SB 1257**, 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, Anderson, Barrington, Bass, Bingman, Boggs, Branan, Brecheen, Brinkley, Brooks, Brown, Burrage, Crain, Dahm, David, Ellis, Fields, Ford, Griffin, Halligan, Holt, Johnson (C), Johnson (R), Jolley, Justice, Loveless, Marlatt, Newberry, Paddack, Schulz, Sharp, Shaw, Shumate, Simpson, Sparks, Standridge, Sykes and Treat.--39.

Excused: Ballenger, Coates, Garrison, Ivester, Mazzei, McAffrey, Shortey, Stanislawski and Wyrick.--9.

The bill passed.

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

#### **PENDING CONSIDERATION OF HAS**

**HAs to SB 1970** were concurred in upon motion of Senator Simpson.

**SB 1970**, 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, Anderson, Barrington, Bass, Bingman, Boggs, Branan, Brecheen, Brinkley, Brooks, Brown, Burrage, Crain, Dahm, David, Ellis, Fields, Ford, Griffin, Halligan, Holt, Johnson (C), Johnson (R), Jolley, Justice, Loveless, Marlatt, McAffrey, Paddack, Sharp, Shaw, Shumate, Simpson, Sparks, Standridge, Sykes and Treat.--38.

Excused: Ballenger, Coates, Garrison, Ivester, Mazzei, Newberry, Schulz, Shortey, Stanislawski and Wyrick.--10.

The bill passed.

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

#### **PENDING CONSIDERATION OF HAS**

**HAs to SB 1515** were concurred in upon motion of Senator Crain.

**SB 1515**, 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, Anderson, Barrington, Bass, Bingman, Boggs, Branan, Brecheen, Brinkley, Brooks, Brown, Burrage, Crain, Dahm, David, Ellis, Fields, Ford, Griffin, Halligan, Holt, Johnson (C), Johnson (R), Jolley, Justice, Loveless, Marlatt, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Shumate, Simpson, Sparks, Standridge, Sykes and Treat.--40.

Excused: Ballenger, Coates, Garrison, Ivester, Mazzei, Shortey, Stanislawski and Wyrick.--8.

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 1254** were concurred in upon motion of Senator Griffin.

**SB 1254**, 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, Anderson, Barrington, Bass, Bingman, Boggs, Branan, Brecheen, Brinkley, Brooks, Brown, Burrage, Crain, Dahm, David, Ellis, Fields, Ford, Griffin, Halligan, Holt, Johnson (C), Johnson (R), Jolley, Justice, Loveless, Marlatt, McAffrey, Paddack, Schulz, Sharp, Shaw, Shumate, Simpson, Sparks, Standridge, Sykes and Treat.--39.

Excused: Ballenger, Coates, Garrison, Ivester, Mazzei, Newberry, Shortey, Stanislawski and Wyrick.--9.

The bill passed.

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

**PENDING CONSIDERATION OF HAS**

**HAs to SB 1791** were concurred in upon motion of Senator Griffin.

**SB 1791**, 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, Anderson, Barrington, Bass, Bingman, Boggs, Branan, Brecheen, Brinkley, Brooks, Brown, Burrage, Crain, Dahm, David, Ellis, Fields, Ford, Griffin, Halligan, Holt, Johnson (R), Jolley, Justice, Loveless, Marlatt, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Shumate, Simpson, Sparks, Standridge, Sykes and Treat.--39.

Excused: Ballenger, Coates, Garrison, Ivester, Johnson (C), Mazzei, Shortey, Stanislawski and Wyrick.--9.

The bill passed.

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

#### **PENDING CONSIDERATION OF HAS**

**HAs to SB 1793** were concurred in upon motion of Senator Griffin.

**SB 1793**, 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, Anderson, Barrington, Bass, Bingman, Boggs, Branan, Brecheen, Brinkley, Brooks, Brown, Burrage, Crain, Dahm, David, Ellis, Fields, Ford, Griffin, Halligan, Holt, Johnson (R), Jolley, Justice, Loveless, Marlatt, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Shumate, Simpson, Sparks, Standridge, Sykes and Treat.--39.

Excused: Ballenger, Coates, Garrison, Ivester, Johnson (C), Mazzei, Shortey, Stanislawski and Wyrick.--9.

The bill passed.

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

#### **PENDING CONSIDERATION OF HAS**

**HAs to SB 1929** were concurred in upon motion of Senator Griffin.

**SB 1929**, 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, Anderson, Barrington, Bass, Bingman, Boggs, Branan, Brecheen, Brinkley, Brooks, Brown, Crain, David, Ellis, Fields, Ford, Griffin, Halligan, Holt, Johnson (R), Jolley, Justice, Loveless, Marlatt, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Shumate, Simpson, Sparks, Standridge and Treat.--36.

Nay: Dahm and Sykes.--2.

Excused: Ballenger, Burrage, Coates, Garrison, Ivester, Johnson (C), Mazzei, Shortey, Stanislawski and Wyrick.--10.

The bill passed.

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

#### **PENDING CONSIDERATION OF HAS**

**HAs to SBs 862, 1141, 1675, 1851 and 2120** 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 further conference was ordered granted and same Senate conferees appointed as follows:

**HB 1416 - GCCA**

Upon motion of Senator Schulz, the request of the Honorable House for conference on **HBs 2534 and 3294** was ordered granted and bills referred to GCCA.

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:

**HB 2617** – Sharp, Barrington, Schulz, Holt, Burrage, Ivester

**HB 2851** – Shortey, Sykes, Schulz, Bingman, Ivester, Shumate

**HB 2999** – Crain, Sykes, Griffin, David, Sparks, Paddock

**HJR 1006** – Fields, Griffin, Schulz, Dahm, Burrage, Wyrick

**HJR 1026** – Treat, Griffin, Schulz, Barrington, Burrage, Sparks

**EXECUTIVE NOMINATIONS**

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

Aduddell, Curtis, Edmond, as a member of the Oklahoma State Board of Examiners for Long-Term Care Administrators - Health and Human Services

Bartmann, William, Tulsa, as a member of the Council of Bond Oversight - Finance

Kupiec, Thomas, Edmond, as a member of the Oklahoma Science and Technology Research and Development Board - Energy

Peveer, Lisa G., Edmond, as a member of the Oklahoma State Board of Examiners for Long-Term Care Administrators - Health and Human Services

Smith, Lenardo, Oklahoma City, as a member of the Capitol-Medical Center Improvement and Zoning Commission - General Government

Thomas, J. Charles, Yukon, as a member of the Oklahoma Abstractors Board - Business and Commerce

Thompson, Scott, Oklahoma City, as a member of the Arkansas-Oklahoma Arkansas River Compact Commission - Energy

**MESSAGES FROM THE HOUSE**

Advising fourth reading of and transmitting for signature Enrolled **HBs 2505** and **2914**.

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 72, 417, 989, 1143, 1173, 1336, 1372, 1397, 1431, 1433, 1581, 1604, 1724, 1853, and 2029**.

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

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

**HB 2363** – Conference Committee on Judiciary

**HB 2384** – Conference Committee on Public Health

**HB 2637** – Conference Committee on Agriculture and Wildlife



**HB 2642** – Conference Committee on Common Education  
**HB 2720** – GCCA  
**HB 2779** – GCCA  
**HB 2954** – GCCA  
**HB 3119** – GCCA  
**HB 3201** – Conference Committee on Administrative Rules, Government Oversight and Repealer  
**HB 3282** – Conference Committee on Insurance  
**HB 3359** – Conference Committee on Economic Development and Financial Services  
**HB 3360** – Conference Committee on Economic Development and Financial Services

Advising concurrence in **SAs** to and passage of Engrossed **HBs 2328, 2334, 2527** and **2909**.

Senator Schulz moved that when the clerk's desk is clear, the Senate stand adjourned to convene Thursday, May 1, 2014, at 9:30 a.m., which motion prevailed.

## **FIRST READING**

The following was introduced and read the first time:

**SCR 43** – By Johnson (Constance) of the Senate and Scott of the House.

A Concurrent Resolution establishing a moratorium on capital punishment and calling for an independent investigation of specified aspects of capital punishment in Oklahoma; and directing distribution.

## **CHANGE IN AUTHOR/COAUTHOR**

The following measure was authored/coauthored:

**SB 1524** - Coauthored by Boggs

## **MESSAGE FROM THE HOUSE**

Transmitting herewith enrolled **HB 2461** together with the Governor's veto message thereon, and advising that under the provisions of Article VI, Section 11, of the Constitution of the State of Oklahoma, the House of Representatives has reconsidered and passed said measure, over the Governor's veto, by a two-thirds vote of all members elected to and constituting the House, said vote being as follows: Ayes 86, Nays 3.

**MESSAGES FROM THE GOVERNOR**

Advising her approval April 30, 2014, of Enrolled **SBs 711, 1422, 1448, 1585, 1610, and 1653.**

Pursuant to the Schulz motion, the Senate adjourned at 3:05 p.m. to meet Thursday, May 1, 2014, at 9:30 a.m.

**JOURNAL CORRECTIONS**

Page 1015, Line 7, insert the following:

“**HB 2374** – Simpson, Boggs, Allen, Sharp, Ivester, McAffrey

Page 999, Line 13, delete all language as it pertains to **SB 792** and insert the following:

“Advising rejection of **CCR** to **SB 792**, requesting further conference and conferees to be named later.”