

Senate Journal

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

Fifty-third Legislative Day, Wednesday, May, 7, 2014

The Senate was called to order by Senator Johnson (Rob).

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, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Loveless, Marlatt, Mazzei, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes, Treat and Wyrick.—46.

Excused: Ballenger and Coates.—2.

Senator Johnson (Rob) declared a quorum present.

The prayer was offered by Dr. Bryan Haynes, College Heights Baptist Church, Chickasha, the guest of Senator Justice.

REPORT OF ENGROSSED AND ENROLLED MEASURES

SBs 1228, 1244, 1319, 1460, 1461, 1520, 1648, 1884, 2024, 2078 and 2098 were each correctly enrolled, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

SRs 84 and 85 were each correctly enrolled, properly signed and ordered transmitted to the Secretary of State.

INTRODUCTIONS

Senator Newberry introduced his daughters, Claire and Paige, and asked unanimous consent, which was granted, that they be named Honorary Pages for this legislative day.

**UNANIMOUS CONSENT REQUEST
DIRECT TO CALENDAR**

Senator Justice asked unanimous consent to refer **SR 83** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

SR 83 by Justice was called up for consideration.

All other members of the Senate asked to coauthor **SR 83**, which was the order.

SR 83 was adopted upon motion of Senator Justice and referred for enrollment.

PENDING CONSIDERATION OF HAS

HAs to **SB 1497** were concurred in upon motion of Senator Holt.

SB 1497, 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, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (R), Jolley, Justice, Loveless, Mazzei, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat and Wyrick.--40.

Nay: Crain.--1.

Excused: Ballenger, Burrage, Coates, Johnson (C), Marlatt, Shumate and Standridge.--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 1715 were concurred in upon motion of Senator Holt.

SB 1715, 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, Anderson, Barrington, Bass, Bingman, Boggs, Branan, Brinkley, Crain, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Loveless, Mazzei, McAffrey, Newberry, Paddack, Schulz, Sharp, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski, Treat and Wyrick.--38.

Nay: Allen, Brecheen, Brooks, Brown, Shaw and Sykes.--6.

Excused: Ballenger, Burrage, Coates and Marlatt.--4.

The bill passed.

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

PENDING CONSIDERATION OF HAS

HAs to SB 1738 were concurred in upon motion of Senator Crain.

SB 1738, 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, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Loveless, Mazzei, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes, Treat and Wyrick.--44.

Excused: Ballenger, Burrage, Coates and Marlatt.--4.

The bill passed.

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

MOTION TO RECONSIDER VOTE

Senator Newberry moved to reconsider the vote whereby **SB 1698** failed, which motion was declared adopted upon roll call as follows:

Aye: Aldridge, Allen, Anderson, Barrington, Bass, Bingman, Boggs, Branan, Brecheen, Brinkley, Brooks, Brown, Crain, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Loveless, Mazzei, Newberry, Paddack, Schulz, Sharp, Shaw, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski and Sykes.--41.

Nay: McAffrey, Treat and Wyrick.--3.

Excused: Ballenger, Burrage, Coates and Marlatt.--4.

FOURTH READING

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

Aye: Allen, Anderson, Barrington, Bass, Bingman, Boggs, Brown, Dahm, David, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (C), Jolley, Justice, Loveless, Mazzei, Newberry, Paddack, Sharp, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski and Sykes.--31.

Nay: Aldridge, Branan, Brecheen, Brooks, Crain, Ellis, Johnson (R), McAffrey, Schulz, Shaw, Treat and Wyrick.--12.

Excused: Ballenger, Brinkley, Burrage, Coates and Marlatt.--5.

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

MESSAGES FROM THE HOUSE

Advising passage of and returning the following Engrossed bill:

SCR 38 - coauthored by all other Representatives

The above-numbered measure was referred for enrollment.

Advising fourth reading of and transmitting for signature Enrolled **HBs 2100, 2190, 2486, 2676, 2912, 3018, 3157, 3184, 3251 and 3280.**

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

MOTION TO RECONSIDER VOTE

Senator Stanislawski moved to reconsider the vote whereby **SB 1215** failed, which motion was declared adopted upon roll call as follows:

Aye: Aldridge, Allen, Anderson, Barrington, Bass, Bingman, Boggs, Branan, Brecheen, Brooks, Brown, Crain, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Loveless, Mazzei, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes and Treat.--42.

Excused: Ballenger, Brinkley, Burrage, Coates, Marlatt and Wyrick.--6.

FOURTH READING

Senator Stanislawski moved to reconsider the vote whereby the **HAs to SB 1215** were adopted, which motion was declared adopted.

Senator Stanislawski asked that **SB 1215** be laid over temporarily, which was the order.

SB 1215 remains on Pending Consideration of **HAs**.

PENDING CONSIDERATION OF HAs

HAs to SB 1151 were concurred in upon motion of Senator Mazzei.

SB 1151, 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, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Loveless, Mazzei, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes, Treat and Wyrick.--44.

Excused: Ballenger, Burrage, Coates and Marlatt.--4.

The bill passed.

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

PENDING CONSIDERATION OF HAS

HAs to SB 1152 were concurred in upon motion of Senator Mazzei.

SB 1152, as amended by the Honorable House, was read at length.

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

Aye: Allen, Anderson, Barrington, Bass, Bingman, Boggs, Branan, Brecheen, Brinkley, Brooks, Brown, Crain, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (R), Jolley, Justice, Loveless, Mazzei, McAffrey, Newberry, Paddack, Schulz, Sharp, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes, Treat and Wyrick.--41.

Excused: Aldridge, Ballenger, Burrage, Coates, Johnson (C), Marlatt and Shaw.--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 1474 were concurred in upon motion of Senator Paddack.

SB 1474, as amended by the Honorable House, was read at length.

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

Aye: Anderson, Barrington, Bass, Bingman, Boggs, Branan, Brecheen, Brinkley, Brooks, Brown, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (R), Justice, Loveless, Mazzei, McAffrey, Newberry, Paddack, Schulz, Sharp, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes and Wyrick.--37.

Nay: Allen and Treat.--2.

Excused: Aldridge, Ballenger, Burrage, Coates, Crain, Johnson (C), Jolley, Marlatt and Shaw.--9.

The bill passed.

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

Senator Griffin presiding.

PENDING CONSIDERATION OF HAS

HAs to SB 1183 were concurred in upon motion of Senator Standridge.

SB 1183, 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, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (R), Justice, Loveless, Mazzei, McAffrey, Newberry, Paddack, Schulz, Sharp, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes, Treat and Wyrick.--40.

Excused: Ballenger, Burrage, Coates, Crain, Johnson (C), Jolley, Marlatt and Shaw.--8.

The bill passed.

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

PENDING CONSIDERATION OF HAS

HAs to SB 1218 were concurred in upon motion of Senator Standridge.

SB 1218, 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, Anderson, Barrington, Bass, Bingman, Boggs, Branan, Brecheen, Brinkley, Brooks, Brown, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (R), Justice, Loveless, Mazzei, Paddack, Schulz, Sharp, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski and Wyrick.--34.

Nay: Allen, Dahm, Newberry, Sykes and Treat.--5.

Excused: Ballenger, Burrage, Coates, Crain, Johnson (C), Jolley, Marlatt, McAffrey and Shaw.--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 1551 were concurred in upon motion of Senator Standridge.

SB 1551, 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, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Justice, Loveless, Mazzei, Newberry, Paddock, Schulz, Sharp, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes, Treat and Wyrick.--39.

Excused: Ballenger, Burrage, Coates, Crain, Jolley, Marlatt, McAffrey, Shaw and Shortey.--9.

The bill and emergency passed.

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

EXECUTIVE NOMINATIONS

The following executive nominations have been approved by the committees named:

Brock, John A., Tulsa, to the Oklahoma Capital Investment Board, to serve a five year term ending December 31, 2018, succeeding himself. (Finance Committee) Motion to confirm made by Senator Rick Brinkley on behalf of Senator Brian Crain.

Cable, Nevyle, Okmulgee, to the Oklahoma Lottery Commission Board of Trustees, to serve an unexpired term ending January 1, 2018, succeeding Cindy Ball. (Finance Committee) Motion to confirm made by Senator Tom Ivester on behalf of Senator Roger Ballenger.

Krieger, Bradley, Edmond, to the State Banking Board, to serve a six year term ending June 1, 2020, succeeding himself. (Finance Committee) Motion to confirm made by Senator Greg Treat.

Oonk, Michael, Tulsa, to the Oklahoma Capital Investment Board, to serve a two year term ending December 31, 2016, succeeding Bill Andrew. (Finance Committee) Motion to confirm made by Senator Gary Stanislawski.

Smith, Don, Lawton, to the Oklahoma Development Finance Authority, to serve a six year term ending October 11, 2020, succeeding himself. (Finance Committee) Motion to confirm made by Senator Randy Bass.

Smith, Don L., Lawton, to the Oklahoma Industrial Finance Authority, to serve a six year term ending October 11, 2020, succeeding himself. (Finance Committee) Motion to confirm made by Senator Randy Bass.

Thompson, Tommy J., Norman, to the State Banking Board, to serve an unexpired term ending June 1, 2018, succeeding Michael Spradling. (Finance Committee) Motion to confirm made by Senator Corey Brooks.

Motions to confirm the above-named executive nominations were declared adopted upon roll call as follows:

Aye: Aldridge, Allen, Anderson, Barrington, Bass, Bingman, Boggs, Branan, Brecheen, Brinkley, Brooks, Brown, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Justice, Loveless, Newberry, Paddack, Schulz, Sharp, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes, Treat and Wyrick.--38.

Excused: Ballenger, Burrage, Coates, Crain, Jolley, Marlatt, Mazzei, McAffrey, Shaw and Shortey.--10.

MESSAGES FROM THE HOUSE

Advising fourth reading of and returning Enrolled **SBs 1228, 1244, 1319, 1460, 1461, 1520, 1648, 1884, 2024, 2078** and **2098**.

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 2748 – Conference Committee on Insurance

HB 3142 – GCCA

HB 3345 – Conference Committee on Economic Development and Financial Services

MESSAGE FROM THE HOUSE

Advising concurrence in **SAs** to and passage of Engrossed **HBs 2379, 3050, 3102, 3134, 3177 and 3198**.

PENDING CONSIDERATION OF HAs

HAs to **SBs 648, 1215, 1887 and 1905** were rejected upon motion of Senator Schulz, conference requested, and Senate conferees to be named later.

SCs NAMED

Upon motion of Senator Schulz, Senate conferees were appointed as follows:

SB 331 – GCCA

SB 1184 – Paddack, Branam, Ivester, Simpson, Brecheen, Boggs

SB 1248 – GCCA

SB 1524 – Bass, Stanislawski, Garrison, Brown, Simpson, Branam

**PENDING SENATE ACTION
HOUSE REQUEST FOR CONFERENCE**

Upon motion of Senator Schulz, the request of the Honorable House for conference on **HBs 2446 and 2643** was ordered granted and bills referred to GCCA.

**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:

HB 2497 – Stanislawski, Ford, Jolley, Halligan, Paddack, Sparks

HB 2928 – Sparks, Newberry, Brown, Stanislawski, Paddack, Brinkley

HB 3188 – Sykes, Brooks, Sharp, Shortey, McAffrey, Ivester

CHANGE IN CONFEREES

Advising change in Senate conferees as follows:

SB 387 – Remove Simpson and add Newberry

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

CHANGE IN AUTHORS/COAUTHORS

The following measures were authored/coauthored:

SB 814 - Coauthored by Anderson

Remove as author Senator Anderson; authored by Crain

Pursuant to the Schulz motion, the Senate adjourned at 3:30 p.m. to meet Thursday, May 8, 2014, at 9:30 a.m.