

Senate Journal

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

Fifty-eighth Legislative Day, Thursday, May 15, 2014

The Senate was called to order by Senator Ford.

Roll Call:

Present: Aldridge, Allen, Anderson, Ballenger, Barrington, Bass, Bingman, Boggs, Branan, Brecheen, Brinkley, Brooks, Brown, Burrage, Coates, Crain, Dahm, 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.—47.

Excused: David.—1.

Senator Ford declared a quorum present.

The prayer was offered by Reverend Paul D. Everett, Greater Cleaves Memorial CME Church, Oklahoma City, the guest of Senator Johnson (Constance).

REPORT OF ENGROSSED AND ENROLLED MEASURES

SB 1737 was correctly enrolled, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

SRs 56, 89, 90, 92, 94 and **95** were each correctly enrolled, properly signed and ordered transmitted to the Secretary of State.

PENDING CONSIDERATION OF HAS

HAs to **SB 2080** were concurred in upon motion of Senator Dahm.

SB 2080, 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, Ballenger, Barrington, Bingman, Boggs, Branan, Brecheen, Brinkley, Brooks, Brown, Burrage, Coates, Crain, Dahm, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Justice, Loveless, Marlatt, Mazzei, McAffrey, Newberry, Schulz, Sharp, Shaw, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes, Treat and Wyrick.--44.

Excused: Bass, David, Jolley and Paddack.--4.

The bill passed.

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

**UNANIMOUS CONSENT REQUEST
SENATE RULE SUSPENDED**

Senator Marlatt asked unanimous consent to suspend Senate Rule 16-1B as it pertains to **HB 3348**, which was the order.

GENERAL ORDER

HB 3348 by Armes et al of the House and Wyrick of the Senate was called up for consideration.

Senator Wyrick moved to amend **HB 3348**, by striking the title, the enacting clause and the entire body of the bill and substituting the floor substitute, which amendment was declared adopted. (Copies were provided for all Senators.)

Senator Wyrick moved that **HB 3348** be advanced, which motion was declared adopted.

THIRD READING

HB 3348 was read for the third time at length.

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

Aye: Aldridge, Anderson, Ballenger, Barrington, Bingman, Boggs, Branan, Brecheen, Brinkley, Brooks, Burrage, Coates, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (R), Justice, Loveless, Marlatt, McAffrey, Newberry, Schulz, Sharp, Shaw, Shumate, Simpson, Sparks, Standridge, Stanislawski, Treat and Wyrick.--36.

Nay: Allen, Brown, Crain, Dahm, Johnson (C), Mazzei, Shortey and Sykes.--8.

Excused: Bass, David, Jolley and Paddack.--4.

The bill passed.

HB 3348 was referred for engrossment.

**UNANIMOUS CONSENT REQUEST
DIRECT TO CALENDAR**

Senator Shortey asked unanimous consent to refer **SR 97** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

SR 97 by Shortey was called up for consideration.

All other members of the Senate asked to coauthor **SR 97**, which was the order.

SR 97 was adopted upon motion of Senator Shortey and referred for enrollment.

EXECUTIVE NOMINATIONS

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

Aduddell, Curtis, Edmond, to the Oklahoma State Board of Examiners for Long-Term Care Administrators, to serve a three year term ending October 31, 2016, succeeding James Jakubovitz. (Health and Human Services Committee) Motion to confirm made by Senator Greg Treat on behalf of Senator Rob Johnson.

Charlton, George, Tulsa, to the Oklahoma Lottery Commission - Board of Trustees, to serve a five year term ending January 1, 2019, succeeding himself. (Finance Committee) Motion to confirm made by Senator Mike Mazzei.

Harris, Judie, Oklahoma City, to the Board of Trustees of the Teachers' Retirement System of Oklahoma, to serve an unexpired term ending June 30, 2014, succeeding Sherrie Barnes. (Pensions Committee) Motion to confirm made by Senator Greg Treat.

Harris (2), Judie, Oklahoma City, to the Board of Trustees of the Teachers' Retirement System of Oklahoma, to serve a four year term ending June 30, 2018, succeeding herself. (Pensions Committee) Motion to confirm made by Senator Greg Treat.

Heard, III, Earl D., Clinton, to the Oklahoma Abstractors Board, to serve a four year term ending July 1, 2018, succeeding himself. (Business and Commerce Committee) Motion to confirm made by Senator Mike Schulz.

Jarman, Kristin, Pauls Valley, to the Board of Juvenile Affairs, to serve a three year term ending March 15, 2017, succeeding Deanna Hartley-Kelso. (Health and Human Services Committee) Motion to confirm made by Senator Charles Wyrick on behalf of Senator Susan Paddock.

Moss, Phillip, Norman, to the Oklahoma Department of Libraries Board, to serve an unexpired term ending July 1, 2014, succeeding Anne Morgan. (General Government Committee) Motion to confirm made by Senator John Sparks.

Moss, Phillip (2), Norman, to the Oklahoma Department of Libraries Board, to serve a six year term ending July 1, 2020, succeeding himself. (General Government Committee) Motion to confirm made by Senator John Sparks.

Ostrowe, David C., Nichols Hills, to the Oklahoma Lottery Commission - Board of Trustees, to serve a five year term ending January 1, 2019, succeeding William Paul. (Finance Committee) Motion to confirm made by Senator Cliff Branam.

Patterson, James, Oklahoma City, to the Oklahoma Board of Licensed Alcohol and Drug Counselors, to serve a five year term ending July 1, 2019, succeeding himself. (Health and Human Services Committee) Motion to confirm made by Senator Greg Treat.

Peever, Lisa G., Edmond, to the Oklahoma State Board of Examiners for Long-Term Care Administrators, to serve an unexpired term ending October 31, 2016, succeeding Curtis Aduddell. (Health and Human Services Committee) Motion to confirm made by Senator Clark Jolley.

Priest, Maureen Guerrero, Jenks, to the Oklahoma Board of Licensed Alcohol and Drug Counselors, to serve a five year term ending July 1, 2019, succeeding James Killian. (Health and Human Services Committee) Motion to confirm made by Senator Dan Newberry.

Sullivan, J. Andy, Oklahoma City, to the Board of Mental Health and Substance Abuse Services, to serve a seven year term ending December 31, 2020, succeeding himself. (Health and Human Services Committee) Motion to confirm made by Senator Al McAffrey.

Wallace, Sharolyn, Skiatook, to the State Board of Licensed Social Workers, to serve a four year term ending July 1, 2018, succeeding Connie Schlittler. (Health and Human Services Committee) Motion to confirm made by Senator Rick Brinkley.

Willis, Michael, Tulsa, to the Board of Juvenile Affairs, to serve a four year term ending March 15, 2018, succeeding Janice Smith. (Health and Human Services Committee) Motion to confirm made by Senator Dan Newberry.

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

Aye: Aldridge, Allen, Anderson, Ballenger, Barrington, Bass, Bingman, Boggs, Branam, Brecheen, Brinkley, Brooks, Brown, Burrage, Coates, Crain, Dahm, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Loveless, Mazzei, McAffrey, Newberry, Schulz, Sharp, Shaw, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes, Treat and Wyrick.--44.

Excused: David, Ellis, Marlatt and Paddack.--4.

UNANIMOUS CONSENT REQUEST DIRECT TO CALENDAR

Senator Bingman asked unanimous consent to refer **SR 93** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

SR 93 by Bingman and Burrage was called up for consideration.

SR 93 was adopted upon motion of Senator Bingman and referred for enrollment.

**UNANIMOUS CONSENT REQUEST
DIRECT TO CALENDAR**

Senator Stanislawski asked unanimous consent to refer **HCR 1026** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

HCR 1026 by Kern et al of the House and Stanislawski of the Senate was called up for consideration.

HCR 1026 was adopted upon motion of Senator Stanislawski, properly signed and ordered returned to the Honorable House.

REPORT OF ENGROSSED AND ENROLLED MEASURES

SB 2080 was correctly enrolled, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

SRs 93 and **97** were each correctly enrolled, properly signed and ordered transmitted to the Secretary of State.

HB 3348 was correctly engrossed and, together with engrossed **SAs**, properly signed and ordered returned to the Honorable House.

MESSAGES FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled **HBs 2568, 3012, 3143** and **3349**.

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 1737** and **2080**.

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

Advising conference granted on Engrossed **SBs** and naming House conferees:

SB 1639 - GCCA

SB 1702 - Conference Committee on Public Health

SB 1887 - Conference Committee on Utility and Environmental Regulation

SB 2003 - Conference Committee on Economic Development and Financial Services

SB 2019 - Conference Committee on Public Safety

Advising the signing of and transmitting for signature Enrolled **HCR 1026**.

Advising passage of and transmitting for consideration Engrossed **HBs 3509, 3510** and **3511**.

HB 3509 – By Hickman, Roberts (Sean) and Bennett of the House and Bingman of the Senate.

An Act relating to revenue and taxation; amending 68 O.S. 2011, Section 1357, as last amended by Section 1, Chapter 364, O.S.L. 2013 (68 O.S. Supp. 2013, Section 1357), which relates to exemptions; directing the Oklahoma Tax Commission to issue a separate exemption card to certain persons authorized to make purchases on behalf of an eligible veteran; and declaring an emergency.

HB 3510 – By Hickman, O'Donnell, Turner and Ritze of the House and Bingman of the Senate.

An Act relating to crimes and punishments; amending 21 O.S. 2011, Section 733, which relates to justifiable homicide; clarifying certain provision; defining term; and declaring an emergency.

HB 3511 – By Hickman and Murphey of the House and Bingman of the Senate.

An Act relating to state government; amending 74 O.S. 2011, Sections 85.5, as amended by Section 737, Chapter 304, O.S.L. 2012 and 85.12 (74 O.S. Supp. 2013, Section 85.5), which relate to The Oklahoma Central Purchasing Act; modifying provisions related to use of state purchasing card; and modifying provisions related to acquisition of certain utility services.

The above-numbered measures were read the first time.

Advising concurrence in **SAs** to and passage of Engrossed **HB 2906**.

**MESSAGE FROM THE HOUSE
CONFERENCE COMMITTEE REPORTS**

Transmitting the following bills, together with conference committee reports thereon, advising adoption of conference committee reports and passage of measures as amended:

HB 2374

HB 2614 - coauthored by Representative Kern, Senator Boggs, Representative Enns, Senator Ivester, Representative Cockroft and Representative Ritze

Conference committee reports were read on the above-numbered bills.

PENDING CONSIDERATION OF HAS

HAs to SBs 78, 355, 582, 814, 1315 and 1866 were rejected upon motion of Senator Schulz, conference requested, and Senate conferees to be named later.

CHANGE IN CONFEREES

Advising change in Senate conferees as follows:

HB 2929 – remove GCCA and name Sparks, Brown, Loveless, Stanislawski, Marlatt, Burrage

Senator Schulz moved that when the clerk's desk is clear, the Senate stand adjourned to convene Friday, May 16, 2014, at 9:30 a.m., which motion prevailed.

CONFERENCE COMMITTEE REPORTS SUBMITTED

Conference committee reports were read on the following bills:

SB 639 (2nd CCR)

SB 1654

FIRST READING

The following was introduced and read the first time:

SCR 44 – By Anderson of the Senate and Banz of the House.

A Concurrent Resolution authorizing the State Capitol Preservation Commission to permit placement of certain Bill of Rights monument on the State Capitol grounds; stating requirements; and directing distribution.

CHANGE IN AUTHORS/COAUTHORS

The following measure was authored/coauthored:

SB 2128 - Coauthored by Denney

Coauthored by McNiel

Pursuant to the Schulz motion, the Senate adjourned at 10:45 a.m. to meet Friday, May 16, 2014, at 9:30 a.m.