

Senate Journal

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

Sixtieth Legislative Day, Monday, May 19, 2014

The Senate was called to order by Senator Sykes.

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

Excused: Coates and Johnson (C).—2.

Senator Sykes declared a quorum present.

The prayer was offered by Pastor Winston Curtis, First Baptist Church of Hammon, Hammon, the guest of Senator Ivester.

INTRODUCTION

Senator Sharp introduced former Senator Charlie Laster to the Senate.

UNANIMOUS CONSENT REQUEST DIRECT TO CALENDAR

Senator Jolley asked unanimous consent to refer **SR 91** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

SR 91 by Jolley was called up for consideration.

All other members of the Senate asked to coauthor **SR 91**, which was the order.

SR 91 was adopted upon motion of Senator Jolley and referred for enrollment.

Senator Schulz moved that the Senate recess to the call of the chair, which motion was declared adopted.

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The Senate reconvened with Senator Sykes presiding.

Senator Sykes questioned the presence of a quorum and ordered the roll called, following which a quorum was declared present.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 1654** was adopted upon motion of Senator Ford.

SB 1654, as amended in conference, was read at length.

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

Aye: Aldridge, Anderson, Ballenger, Barrington, Bass, Brooks, Burrage, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Ivester, Johnson (R), Justice, Mazzei, McAffrey, Paddack, Shaw, Sparks and Wyrick.--22.

Nay: Allen, Boggs, Branan, Brecheen, Brinkley, Brown, Dahm, Holt, Jolley, Loveless, Marlatt, Newberry, Schulz, Sharp, Shortey, Simpson, Standridge, Stanislawski, Sykes and Treat.--20.

Excused: Bingman, Coates, Crain, David, Johnson (C) and Shumate.--6.

The bill failed.

Pursuant to Rule 12-21, Senator Ford served notice that the vote be reconsidered whereby **SB 1654** failed.

PENDING CONSIDERATION OF HAS

HAs to SB 1828 were concurred in upon motion of Senator Ford.

SB 1828, 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, Ballenger, Barrington, Bass, Bingman, Boggs, Branan, Brecheen, Brinkley, Brooks, Brown, Burrage, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Johnson (R), Jolley, Justice, Loveless, Marlatt, Mazzei, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Shortey, Simpson, Sparks, Standridge, Stanislawski, Sykes, Treat and Wyrick.--43.

Excused: Coates, Crain, Ivester, Johnson (C) and Shumate.--5.

The bill and emergency passed.

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

PENDING CONSIDERATION OF CCR

The **2ND CCR** on **SB 436** was adopted upon motion of Senator Stanislawski.

SB 436, as amended in conference, was read at length.

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

Aye: Aldridge, Allen, Anderson, Barrington, Bingman, Boggs, Branan, Brecheen, Brinkley, Brooks, Brown, Burrage, Dahm, David, Fields, Ford, Griffin, Halligan, Holt, Ivester, Johnson (R), Jolley, Justice, Loveless, Marlatt, Mazzei, Newberry, Schulz, Sharp, Shaw, Shortey, Simpson, Standridge, Stanislawski, Sykes and Treat.--36.

Nay: Ballenger, Bass, Ellis, Garrison, McAffrey, Paddack, Sparks and Wyrick.--8.

Excused: Coates, Crain, Johnson (C) and Shumate.--4.

The bill passed.

SB 436, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 2614** was adopted upon motion of Senator Treat.

HB 2614, as amended in conference, was read 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, Griffin, Halligan, Holt, Ivester, Johnson (R), Jolley, Justice, Loveless, Marlatt, Mazzei, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Shortey, Simpson, Sparks, Standridge, Stanislawski, Sykes, Treat and Wyrick.--43.

Nay: Garrison.--1.

Excused: Coates, Crain, Johnson (C) and Shumate.--4.

The bill passed.

HB 2614, together with the conference committee report thereon, was ordered returned to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 1216** was adopted upon motion of Senator Treat.

SB 1216, as amended in conference, was read at length.

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

Aye: Aldridge, Allen, Anderson, Ballenger, Barrington, Bass, Bingman, Boggs, Brecheen, Brinkley, Brooks, Brown, Burrage, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (R), Jolley, Justice, Loveless, Marlatt, Mazzei, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Shortey, Simpson, Sparks, Standridge, Stanislawski, Sykes, Treat and Wyrick.--43.

Excused: Branan, Coates, Crain, Johnson (C) and Shumate.--5.

The bill and emergency passed.

SB 1216, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF HAS

HAs to SB 1799 were concurred in upon motion of Senator Burrage.

SB 1799, 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, Bass, Bingman, Boggs, Brecheen, Brinkley, Brooks, Brown, Burrage, 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, Standridge, Stanislawski, Sykes, Treat and Wyrick.--42.

Excused: Branan, Coates, Crain, Johnson (C), Marlatt and Shumate.--6.

The bill passed.

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

PENDING CONSIDERATION OF HAS

HAs to SB 1199 were concurred in upon motion of Senator Brecheen.

SB 1199, 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, Ballenger, Barrington, Bass, Bingman, Boggs, Brecheen, Brinkley, Brooks, Brown, Burrage, 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, Standridge, Stanislawski, Sykes, Treat and Wyrick.--42.

Excused: Branan, Coates, Crain, Johnson (C), Marlatt and Shumate.--6.

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 2115 were concurred in upon motion of Senator Brecheen.

SB 2115, 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, Bass, Bingman, Boggs, Brecheen, Brinkley, Brooks, Brown, Burrage, 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, Standridge, Stanislawski, Sykes, Treat and Wyrick.--42.

Excused: Branan, Coates, Crain, Johnson (C), Marlatt and Shumate.--6.

The bill passed.

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

SCs NAMED

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

SB 355 – Anderson, Sykes, Johnson (Rob), Holt, Ivester, Sparks

SB 582 – Brinkley, Sykes, Johnson (Rob), David, McAffrey, Paddack

SB 1315 – Marlatt, Treat, Schulz, Standridge, Sparks, McAffrey

SB 1499 – Standridge, Crain, Griffin, Halligan, Sparks, Burrage

SB 1866 – GCCA

**PENDING SENATE ACTION
HOUSE REQUEST FOR CONFERENCE**

Upon motion of Senator Schulz, the request of the Honorable House for conference on the following bill was ordered granted and Senate conferees appointed as follows:

HJR 1092 – Sykes, Griffin, Treat, Sharp, Sparks, Ivester

Upon motion of Senator Schulz, the request of the Honorable House for further conference on **HB 1794** was ordered granted and bills referred to GCCA.

CHANGE IN CONFEREES

Advising change in Senate conferees as follows:

SB 1691 – Remove Treat and add Johnson (R)

MESSAGES FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled **HB 2372**.

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

Advising concurrence in **SAs** to and passage of Engrossed **HBs 2730** and **3297**.

**MESSAGE FROM THE HOUSE
CONFERENCE COMMITTEE REPORT**

Transmitting the following bill, together with conference committee report thereon, advising adoption of conference committee report and passage of measure as amended:

HB 1020

Conference committee report was read on the above-numbered bill.

Senator Schulz moved that when the clerk's desk is clear, the Senate stand adjourned to convene Tuesday, May 20, 2014, at 1:30 p.m., which motion prevailed.

CONFERENCE COMMITTEE REPORTS SUBMITTED

Conference committee reports were read on the following bills:

SB 1265
SB 1612
SB 1851
SB 1873
SB 1903
SB 1905
SB 1914

COMMITTEE REPORTS

The following were reported by the committees named, ordered printed and placed on the Calendar:

DO PASS, As Amended:

CS for SB 2131 – Joint Committee on Appropriations and Budget

Senate:

Ayes: Bass, Bingman, Brinkley, Crain, David, Fields, Ford, Griffin, Halligan, Holt, Johnson (Rob), Jolley, Justice, Marlatt, Newberry, Paddack, Standridge, Stanislawski, Sykes, Treat

House:

Ayes: Armes, Brown, Christian, Coody, Cox, Denney, Dorman, Hoskin, Kern, Martin (Sc), McCullough, McDaniel (J), McNeil, Osborn, Ownbey, Proctor, Ritze, Roberts (S), Sanders, Schwartz, Sears, Sherrer, Wesselhoft

Nays: McPeak, Morrissette

CS for SB 2133 – Joint Committee on Appropriations and Budget

Senate:

Ayes: Bass, Brinkley, Crain, David, Fields, Ford, Griffin, Halligan, Holt, Johnson (Rob), Jolley, Justice, Marlatt, Newberry, Paddack, Standridge, Stanislawski, Sykes, Treat

House:

Ayes: Armes, Brown, Coody, Cox, Dorman, Hoskin, Kern, Martin (Sc), McCullough, McDaniel (J), McNeil, McPeak, Ownbey, Proctor, Ritze, Roberts (S), Sanders, Schwartz, Sears, Sherrer, Wesselhoft

CS for SB 2135 – Joint Committee on Appropriations and Budget

Senate:

Ayes: Brinkley, David, Fields, Ford, Griffin, Halligan, Johnson (Rob), Jolley, Justice, Marlatt, Newberry, Paddack, Standridge, Stanislawski, Treat

Nays: Crain, Ivester, Sykes, Wyrick

House:

Ayes: Armes, Brown, Coody, Cox, Dorman, Hoskin, Kern, Martin (Sc), McCullough, McDaniel (J), McNeil, McPeak, Ownbey, Proctor, Ritze, Roberts (S), Sanders, Schwartz, Sears, Sherrer, Wesselhoft

CS for SB 2136 – Joint Committee on Appropriations and Budget

Senate:

Ayes: Brinkley, Crain, David, Fields, Ford, Griffin, Halligan, Ivester, Johnson (Rob), Jolley, Justice, Marlatt, Newberry, Paddack, Standridge, Stanislawski, Sykes, Treat, Wyrick

House:

Ayes: Armes, Brown, Coody, Cox, Dorman, Hoskin, Kern, Martin (Sc), McDaniel (J), McNiel, McPeak, Ownbey, Proctor, Ritze, Roberts (S), Sanders, Schwartz, Sears, Sherrer, Wesselhoft

CS for SB 2137 – Joint Committee on Appropriations and Budget

Senate:

Ayes: Brinkley, Crain, David, Fields, Ford, Griffin, Halligan, Ivester, Johnson (Rob), Jolley, Justice, Marlatt, Newberry, Paddack, Standridge, Stanislawski, Treat, Wyrick

Nays: Sykes

House:

Ayes: Armes, Brown, Coody, Cox, Denney, Dorman, Hoskin, Kern, Martin (Sc), McCullough, McDaniel (J), McNiel, McPeak, Ownbey, Proctor, Ritze, Roberts (S), Sanders, Schwartz, Sears, Sherrer, Wesselhoft

SECOND READING

The following was read for the second time and referred to committee as indicated:

HJR 1097 – Rules

FIRST READING

The following were introduced and read the first time:

SB 2140 – By Bingman and Burrage of the Senate and Hickman of the House.

An Act relating to criminal procedure; amending 22 O.S. 2011, Section 18, as amended by Section 2, Chapter 183, O.S.L. 2012 (22 O.S. Supp. 2013, Section 18), which relates to the expungement of criminal records; modifying certain qualifications; providing for offenses arising out of the same transaction; making certain records kept by the Pardon and Parole Board subject to being sealed; and providing an effective date.

SR 98 – By Brecheen.

A Resolution congratulating the Rock Creek Lady Mustangs softball team for winning the 2014 Class 2A Slow-Pitch State Championship; and directing distribution.

CHANGE IN AUTHORS/COAUTHORS

The following measures were authored/coauthored:

SB 2128 - Coauthored by Inman

Coauthored by Marlatt, Schulz

SB 2131 - Coauthored by Condit, Matthews

HB 3509 - Remove as principal author Representative Hickman and substitute with Representative Martin (Scott)

HB 3510 - Remove as principal author Representative Hickman and substitute with Representative O'Donnell

MESSAGE FROM THE GOVERNOR

Advising her approval May 19, 2014, of Enrolled **SBs 1469, 1744, 1745** and **1746**.

Pursuant to the Schulz motion, the Senate adjourned at 4:00 p.m. to meet Tuesday, May 20, 2014, at 1:30 p.m.