

# Senate Journal

## First Regular Session of the Fifty-fifth Legislature of the State of Oklahoma

Seventh Legislative Day, Tuesday, February 10, 2015

The Senate was called to order by Senator Brinkley.

Roll Call:

Present: Allen, Anderson, Barrington, Bass, Bice, Bingman, Boggs, Brecheen, Brinkley, Brooks, Brown, Crain, Dahm, David, Fields, Floyd, Ford, Fry, Garrison, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Mazzei, Newberry, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat, Wyrick and Yen.—47.

Vacancy: District 11.—1.

Senator Brinkley declared a quorum present.

The prayer was offered by Pastor J.A. Reed, Jr., Fairview Baptist Church, Oklahoma City, the guest of Senator Pittman.

### INTRODUCTION

Senator Pittman introduced her daughter, A.J. Pittman, to the Senate.

### CHANGE IN COMMITTEE ASSIGNMENTS

The following bills will be reassigned as follows:

**SB 278** – Withdrawn from Rules and referred to General Government

**SB 773** – Withdrawn from Judiciary and referred to Judiciary and then to Appropriations

**FIRST READING**

The following were introduced and read the first time:

**SCR 7** – By Bingman of the Senate and Hickman of the House.

A Concurrent Resolution relating to Joint Rules; adopting Joint Rules for the 55th Legislature.

**SCR 8** – By Mazzei of the Senate and Peterson of the House.

A Concurrent Resolution congratulating the Class 3A volleyball state champions, the Regent Prep Lady Rams; applauding their years of hard work and dedication leading to five consecutive state titles; wishing the team's five seniors well in their future endeavors; and directing distribution.

**SCR 9** – By Mazzei, Bingman, Dahm and David of the Senate and Strohm, McCullough, Peterson, Ritze and Shoemake of the House.

A Concurrent Resolution congratulating the 2014 Class 6A-II State Football Champions, the Bixby Spartans; and directing distribution.

**SR 9** – By Newberry.

A Resolution congratulating the Class 6A-I State Football Champions, the Jenks Trojans; applauding Jenks High School's football legacy and 15 state championships; and directing distribution.

**UNANIMOUS CONSENT REQUEST  
DIRECT TO CALENDAR**

Senator Schulz asked unanimous consent to refer **SCR 7** direct to the Calendar for consideration, which was the order.

**GENERAL ORDER**

**SCR 7** by Bingman of the Senate was called up for consideration.

**SCR 7** was adopted upon motion of Senator Schulz and referred for engrossment.

**MESSAGE FROM THE HOUSE**

Advising passage of and transmitting for consideration Engrossed **HBs 1046, 1047, 1048, 1406** and **1948**.

**HB 1046** – By Biggs of the House and Sykes of the Senate.

An Act relating to criminal procedure; amending 22 O.S. 2011, Section 991b, as amended by Section 5, Chapter 228, O.S.L. 2012 (22 O.S. Supp. 2014, Section 991b),

which relates to revoking suspended sentences; modifying certain restitution requirement; and providing an effective date.

**HB 1047** – By Biggs of the House and David of the Senate.

An Act relating to crimes and punishments; amending 21 O.S. 2011, Section 13.1, as last amended by Section 1, Chapter 231, O.S.L. 2014 (21 O.S. Supp. 2014, Section 13.1), which relates to required service of prison sentence; updating statutory references; adding certain offense; amending 22 O.S. 2011, Section 152, which relates to statute of limitations for criminal offenses; providing statute of limitation for certain offense; repealing 21 O.S. 2011, Section 1024.2, which relates to the possession of obscene material; and providing an effective date.

**HB 1048** – By Biggs of the House and Smalley of the Senate.

An Act relating to state government; amending 74 O.S. 2011, Section 151.1, as amended by Section 2, Chapter 115, O.S.L. 2012 (74 O.S. Supp. 2014, Section 151.1), which relates to the Internet Crimes Against Children unit of the Oklahoma State Bureau of Investigation; authorizing the subpoena of witnesses and production of records for certain investigations; providing compliance options for witnesses; establishing procedures for service of subpoenas and for compelling witnesses to comply; authorizing district courts to quash subpoenas; and providing an effective date.

**HB 1406** – By Pfeiffer of the House and Barrington of the Senate.

An Act relating to state government; repealing 74 O.S. 2011, Section 324.18, which relates to fire-resistant insulating materials; and providing an effective date.

**HB 1948** – By Cox and Morrissette of the House and Griffin of the Senate.

An Act relating to public health and safety; amending 63 O.S. 2011, Section 2-304, which relates to denial, revocation and suspension of certain licenses; making references gender neutral; prohibiting director of Oklahoma State Bureau of Narcotics and Dangerous Drugs Control from assessing certain fee; amending 63 O.S. 2011, Section 2-309D, as last amended by Section 22, Chapter 293, O.S.L. 2014 (63 O.S. Supp. 2014, Section 2-309D), which relates to central repository information; expanding access to repository information to certain persons; permitting registrant access to certain information for certain purposes; requiring registrants or staff to access central repository prior to prescribing certain drugs; requiring notation of repository access; providing for exceptions; directing enforcement responsibility to certain state agencies; requiring Director of Oklahoma Bureau of Narcotics and Dangerous Drugs Control to provide monthly list; and providing an effective date.

The above-numbered measures were read the first time.

**EXECUTIVE NOMINATIONS**

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

Abercrombie, Louise, Ponca City, as a member of the Board of Trustees of the University Center at Ponca City - Education

Asher, Robbie L., Oklahoma City, as Adjutant General - Veterans and Military Affairs

Asher, Robbie L., Oklahoma City, as Cabinet Secretary of the Military - Veterans and Military Affairs

Barber, Belva B., Poteau, as a member of the Board of Regents for Carl Albert State College - Education

Boatman, Jonathon "Jeb", Oklahoma City, as a member of the Oklahoma State Bureau of Investigation Commission - Judiciary

Burg, Timothy A., Shawnee, as a member of the State Board of Career and Technology Education - Education

Burger, Martha A., Oklahoma City, as a member of the State Board of Health - Health and Human Services

Burrage, J. David, Atoka, as a member of the Transportation Commission - Transportation

Burrage, David A., Durant, as a member of the Oklahoma Turnpike Authority - Transportation

Cline, Terry L., Oklahoma City, as Cabinet Secretary of Health and Human Services - Health and Human Services

Cox, Robert C., Altus, as a member of the Oklahoma Space Industry Development Authority - Energy

Cunningham, James E., Lawton, as a member of the Oklahoma Space Industry Development Authority - Energy

Deering, Myles, Midwest City, as Cabinet Secretary of Veterans Affairs - Veterans and Military Affairs

Derr, Daniel, Edmond, as a member of the Oklahoma Used Motor Vehicle and Parts Commission - Business and Commerce

Ferrell, Shannon, Stillwater, as a member of the Environmental Quality Board - Energy

Fidler, John, Okmulgee, as a member of the Transportation Commission –  
Transportation

Gaddis, Leigh, Ada, as a member of the Oklahoma Wildlife Conservation Commission  
- Tourism and Wildlife

Jolly, Steven, Sulphur, as a member of the Board of Regents of Murray State College -  
Education

Klutts, Kurt, Poteau, as a member of the Oklahoma Mining Commission - Energy

LeGrand, Deanna, Reydon, as a member of the Oklahoma Conservation Commission -  
Energy

Lenaburg, Gary, Tecumseh, as a member of the State Board of Veterinary Medical  
Examiners – Agriculture and Rural Development

Link, L. Tucker, Finley, as a member of the Board of Regents for the Oklahoma  
Agricultural and Mechanical Colleges - Education

Lyttle, John, Midwest City, as a member of the Board of Regents for Rose State  
College - Education

McCrea, Wyatt, Camarillo, as a member of the Will Rogers Memorial Commission -  
Tourism and Wildlife

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McKamey, William "Bill", Tulsa, as a member of the Board of Regents of the Tulsa  
Community College - Education

Morris, Aaron, Ardmore, as a member of the State Board of Licensure for Professional  
Engineers and Land Surveyors - Business and Commerce

Reese, James L., Nardin, as a member of the State Board of Agriculture - Agriculture  
and Rural Development

Reese, James L., Nardin, as Cabinet Secretary of Agriculture - Agriculture and Rural  
Development

Ridley, Gary M., Yukon, as Cabinet Secretary of Transportation - Transportation

Shirley, Natalie, Oklahoma City, as Cabinet Secretary of Education and Workforce Development - Education

Smithson, Everett Lloyd, Yukon, as a member of the Oklahoma Veterans Commission - Veterans and Military Affairs

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Teague, Michael J., Bixby, as Cabinet Secretary of Energy and Environment - Energy

Youngblood, Devery R., Yukon, as a member of the Board of Regents for Oklahoma City Community College - Education

Senator Schulz moved that when the clerk's desk is clear, the Senate stand adjourned to convene Wednesday, February 11, 2015, at 1:30 p.m., which motion prevailed.

## **COMMITTEE REPORTS**

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

DO PASS:

**SB 57** – Judiciary

Ayes: Brooks, Crain, Floyd, Griffin, Holt, Sparks, Standridge, Sykes, Thompson, Treat

**SB 111** – Judiciary

Ayes: Brooks, Crain, Floyd, Griffin, Holt, Sparks, Standridge, Sykes, Thompson, Treat

**SB 267** – Transportation

Ayes: Allen, Barrington, Bass, Bice, Fry, Loveless, Newberry, Paddack, Pittman, Shortey, Silk, Stanislawski

**SB 322** – Transportation

Ayes: Allen, Barrington, Bass, Bice, Fry, Loveless, Marlatt, Newberry, Paddack, Pittman, Shortey, Silk, Stanislawski

**SB 617** – Judiciary

Ayes: Brooks, Crain, Floyd, Griffin, Holt, Sparks, Standridge, Sykes, Thompson, Treat

**SB 745** – Judiciary

Ayes: Brooks, Crain, Floyd, Griffin, Holt, Sparks, Sykes, Thompson, Treat

DO PASS, As Amended:

**SB 42** – Transportation

Ayes: Allen, Barrington, Bass, Bice, Fry, Loveless, Marlatt, Newberry, Paddack, Pittman, Silk, Stanislawski

**SB 81** – Finance

Ayes: Brinkley, Dahm, David, Ford, Halligan, Jech, Mazzei, Paddack, Quinn, Simpson, Sparks, Wyrick, Yen

**SB 82** – Finance

Ayes: Brinkley, Dahm, David, Ford, Halligan, Jech, Mazzei, Quinn, Simpson, Yen  
Nays: Paddack, Sparks, Wyrick

**CS for SB 83** – Finance

Ayes: Brinkley, Dahm, David, Ford, Halligan, Jech, Mazzei, Quinn, Simpson, Yen  
Nays: Paddack, Sparks, Wyrick

**SB 84** – Finance

Ayes: Brinkley, Dahm, David, Ford, Halligan, Jech, Mazzei, Quinn, Simpson, Yen  
Nays: Paddack, Sparks, Wyrick

**SB 85** – Finance

Ayes: Brinkley, Dahm, David, Ford, Halligan, Jech, Mazzei, Paddack, Quinn, Simpson, Yen  
Nays: Sparks, Wyrick

**SB 94** – Finance

Ayes: Brinkley, Dahm, David, Ford, Halligan, Jech, Mazzei, Quinn, Simpson, Yen  
Nays: Paddack, Sparks, Wyrick

**SB 292** – Judiciary

Ayes: Brooks, Crain, Floyd, Griffin, Holt, Sparks, Standridge, Sykes, Thompson, Treat

**SB 335** – Finance

Ayes: Brinkley, Dahm, David, Ford, Halligan, Jech, Mazzei, Paddack, Quinn, Simpson, Wyrick, Yen

**SB 361** – Judiciary

Ayes: Brooks, Crain, Floyd, Griffin, Holt, Sparks, Standridge, Sykes, Thompson, Treat

**SB 460** – Judiciary

Ayes: Brooks, Crain, Floyd, Griffin, Holt, Sparks, Standridge, Sykes, Thompson, Treat

**SB 492** – Judiciary

Ayes: Crain, Griffin, Sparks, Standridge, Sykes, Thompson

Nays: Brooks, Floyd, Holt, Treat

**SB 563** – Transportation

Ayes: Barrington, Bice, Fry, Loveless, Marlatt, Newberry, Silk, Stanislawski

Nays: Allen, Bass, Paddack

**SB 570** – Finance

Ayes: Brinkley, Dahm, David, Ford, Halligan, Jech, Mazzei, Paddack, Quinn, Simpson, Wyrick, Yen

**SB 574** – Finance

Ayes: Brinkley, Dahm, David, Ford, Halligan, Jech, Mazzei, Paddack, Quinn, Simpson, Wyrick, Yen

**SB 575** – Finance

Ayes: Brinkley, Dahm, David, Jech, Mazzei, Paddack, Quinn, Simpson, Wyrick, Yen

**SB 577** – Finance

Ayes: Dahm, David, Ford, Halligan, Jech, Paddack, Quinn, Simpson, Sparks, Wyrick, Yen

**SB 794** – Judiciary

Ayes: Brooks, Crain, Floyd, Griffin, Holt, Sparks, Sykes, Thompson, Treat

**COMMITTEE REPORTS**

The following was reported by the committee named and referred to a second committee:

DO PASS, As Amended:

**SB 119** – Judiciary

Ayes: Brooks, Crain, Floyd, Griffin, Holt, Sparks, Standridge, Sykes, Thompson, Treat

**SECOND READING**

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

**SB 818** – Insurance



**CHANGE IN AUTHORS/COAUTHORS**

The following measures were authored/coauthored:

- SB 19** - Coauthored by Echols (principal House author)
- SB 33** - Coauthored by Enns (principal House author)
- SB 68** - Coauthored by Nelson (principal House author)
- SB 116** - Remove as principal author Representative Peterson and substitute with Representative Echols
- SB 136** - Coauthored by Nelson (principal House author)
- SB 139** - Coauthored by Roberts (Sean) (principal House author)
- SB 155** - Coauthored by Fourkiller (principal House author)
- SB 199** - Coauthored by Martin (principal House author)
- SB 261** - Coauthored by Echols (principal House author)
- SB 267** - Coauthored by Allen
- SB 308** - Coauthored by Faught (principal House author)
- SB 363** - Coauthored by Calvey (principal House author)
- SB 406** - Coauthored by Cleveland (principal House author)
- SB 423** - Coauthored by Cleveland (principal House author)
- SB 444** - Coauthored by Jordan (principal House author)
- Coauthored by Mazzei
- SB 475** - Coauthored by Mazzei
- SB 476** - Coauthored by Mazzei
- SB 485** - Coauthored by Mazzei
- SB 498** - Coauthored by Shortey
- SB 501** - Coauthored by Shortey
- SB 502** - Coauthored by Shortey
- SB 505** - Coauthored by Nelson (principal House author)
- SB 524** - Coauthored by Ritze (principal House author)
- SB 561** - Coauthored by Mazzei
- SB 580** - Coauthored by McDaniel (Jeannie) (principal House author)
- SB 618** - Coauthored by Mazzei
- SB 621** - Coauthored by Echols (principal House author)
- SB 651** - Coauthored by Kouplen (principal House author)
- SB 655** - Coauthored by Fourkiller (principal House author)
- SB 811** - Coauthored by Roberts (Sean) (principal House author)

Pursuant to the Schulz motion, the Senate adjourned at 1:55 p.m. to meet Wednesday, February 11, 2015, at 1:30 p.m.