

Senate Journal

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

Eleventh Legislative Day, Tuesday, February 17, 2015

The Senate was called to order by Senator Sykes.

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, Treat, Wyrick and Yen.—46.

Excused: Thompson.—1.

Vacancy: District 11.—1.

Senator Sykes declared a quorum present.

The prayer was offered by Connie Goodson, Henderson Hills Baptist Church, Edmond, the guest of Senator Jolley.

REPORT OF ENGROSSED AND ENROLLED MEASURES

SBs 71, 144 and 147 were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

CHANGE IN COMMITTEE ASSIGNMENTS

The following bills will be reassigned as follows:

SB 401 – Withdrawn from Rules and Appropriations and referred to General Government then to Appropriations

SB 634 – Withdrawn from Rules and Appropriations and referred to Energy then to Appropriations

MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed **HBs 1033, 1275, 1409 and 1806.**

HB 1033 – By Kirby of the House and Sparks of the Senate.

An Act relating to bail bonds; amending 59 O.S. 2011, Section 1306, as amended by Section 2, Chapter 150, O.S.L. 2013 (59 O.S. Supp. 2014, Section 1306), which relates to cash bondsman licensing; requiring submission of audited financial statements in accordance with certain standards; amending Section 3, Chapter 53, O.S.L. 2014 (59 O.S. Supp. 2014, Section 1306A), which relates to application requirements for multicounty agent bondsmen; requiring submission of audited financial statements in accordance with certain standards; authorizing transferees to apply for certain license; amending 59 O.S. 2011, Section 1309, as last amended by Section 1, Chapter 385, O.S.L. 2014 (59 O.S. Supp. 2014, Section 1309), which relates to renewal licenses; requiring submission of audited financial statements in accordance with certain standards; amending 59 O.S. 2011, Section 1310, as amended by Section 4, Chapter 150, O.S.L. 2013 (59 O.S. Supp. 2014, Section 1310), which relates to the denial or suspension of licenses; modifying list of circumstances that allow for license suspensions and denials; deleting statutory reference; amending 59 O.S. 2011, Section 1311.3, as amended by Section 1, Chapter 373, O.S.L. 2014 (59 O.S. Supp. 2014, Section 1311.3), which relates to unlawful acts; deleting certain time limitation; amending 59 O.S. 2011, Section 1314, as amended by Section 5, Chapter 53, O.S.L. 2014 (59 O.S. Supp. 2014, Section 1314), which relates to collateral requirements; clarifying certain reporting requirements; amending 59 O.S. 2011, Section 1315, as last amended by Section 5, Chapter 150, O.S.L. 2013 (59 O.S. Supp. 2014, Section 1315), which relates to persons prohibited as bondsmen; clarifying scope of certain prohibited act; amending 59 O.S. 2011, Section 1316, as last amended by Section 2, Chapter 385, O.S.L. 2014 (59 O.S. Supp. 2014, Section 1316), which relates to signing bonds; deleting certain submission requirement; modifying notification procedures to include multicounty agent bondsmen; amending 59 O.S. 2011, Section 1317, as last amended by Section 3, Chapter 385, O.S.L. 2014 (59 O.S. Supp. 2014, Section 1317), which relates to notice requirements for sureties; modifying notification procedures to include multicounty agent bondsmen; amending 59 O.S. 2011, Section 1320, as last amended by Section 4, Chapter 385, O.S.L. 2014 (59 O.S. Supp. 2014, Section 1320), which relates to license registration requirements; deleting certain filing requirement and fees; requiring the filing of certain document; providing for registration fees and procedures; amending 59 O.S. 2011, Section 1321, which relates to the qualifications of sureties; modifying surety qualifications to include multicounty agent bondsmen; providing for electronic filings and payments; providing for codification; providing for recodification; and providing an effective date.

HB 1275 – By Cockroft, Ritze and Strohm of the House and Jolley of the Senate.

An Act relating to elections; amending 26 O.S. 2011, Section 13A-103, which relates to election dates; providing for Primary and General Elections for candidates for the board of education; and providing an effective date.

HB 1409 – By Billy, Ritze, Hall, Christian, Faught, Brumbaugh, Kern and Vaughan of the House and Treat and Jolley of the Senate.

An Act relating to public health and safety; amending 63 O.S. 2011, Sections 1-738.2, 1-738.3, 1-738.3a, 1-738.8, 1-738.13, 1-738m, as amended by Section 2, Chapter 303, O.S.L. 2013, Section 2, Chapter 175, O.S.L. 2014 and Section 6, Chapter 175, O.S.L. 2014 (63 O.S. Supp. 2014, Sections 1-738m, 1-746.2 and 1-746.6), which relate to abortion; increasing time period of voluntary and informed consent prior to abortion; requiring certain facilities to publish link on website to State Board of Medical Licensure and Supervision's website; requiring certain information on link; updating references; and providing an effective date.

HB 1806 – By Banz of the House and Justice of the Senate.

An Act relating to driving under the influence; amending 47 O.S. 2011, Section 753, which relates to blood or breath test refusals; authorizing search warrant requests under certain circumstances; requiring reinstatement of driving privileges under certain circumstances; and providing an effective date.

The above-numbered measures were read the first time.

GENERAL ORDER

SB 206 by Simpson of the Senate and Roberts (Dustin) of the House was called up for consideration.

Senator Simpson moved that **SB 206** be advanced, which motion was declared adopted.

THIRD READING

SB 206 was read for the third time at length.

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

Aye: Allen, Anderson, Barrington, Bass, Bice, Boggs, Brecheen, Brinkley, Brooks, Brown, Crain, Dahm, David, Fields, Floyd, Ford, Fry, Garrison, Griffin, Halligan, Holt, Jech, Jolley, Loveless, Marlatt, Mazzei, Newberry, Paddock, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Treat, Wyrick and Yen.--44.

Excused: Bingman, Justice and Thompson.--3.

Vacancy: District 11.--1.

The bill passed.

SB 206 was referred for engrossment.

GENERAL ORDER

SB 567 by Simpson of the Senate and Hardin of the House was called up for consideration.

Senator Simpson moved that **SB 567** be advanced, which motion was declared adopted.

THIRD READING

SB 567 was read for the third time at length.

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

Aye: 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, Treat, Wyrick and Yen.--46.

Excused: Thompson.--1.

Vacancy: District 11.--1.

The bill and emergency passed.

SB 567 was referred for engrossment.

GENERAL ORDER

SB 352 by Newberry of the Senate and Echols of the House was called up for consideration.

Senator Newberry moved that **SB 352** be advanced, which motion was declared adopted.

THIRD READING

SB 352 was read for the third time at length.

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

Aye: Brecheen, Fry, Griffin, Halligan, Holt, Justice, Newberry, Sharp, Shortey and Simpson.--10.

Nay: Allen, Anderson, Barrington, Bass, Bice, Bingman, Boggs, Brinkley, Brooks, Brown, Crain, Dahm, David, Fields, Floyd, Ford, Garrison, Jech, Jolley, Loveless, Marlatt, Mazzei, Paddack, Pittman, Quinn, Schulz, Shaw, Silk, Smalley, Sparks, Standridge, Stanislawski, Sykes, Treat, Wyrick and Yen.--36.

Excused: Thompson.--1.

Vacancy: District 11.--1.

The bill failed.

Pursuant to Rule 8-32, Senator Newberry served notice that the vote be reconsidered whereby **SB 352** failed.

GENERAL ORDER

SB 11 by Barrington of the Senate and Bennett of the House was called up for consideration.

Senator Barrington moved that **SB 11** be advanced, which motion was declared adopted.

THIRD READING

SB 11 was read for the third time at length.

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

Aye: Allen, Anderson, Barrington, Bass, Bice, Bingman, Boggs, Brecheen, Brinkley, Brooks, Brown, Crain, David, Fields, Floyd, Ford, Fry, Garrison, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Mazzei, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Simpson, Smalley, Sparks, Standridge, Stanislawski, Treat, Wyrick and Yen.--43.

Nay: Dahm, Newberry and Sykes.--3.

Excused: Thompson.--1.

Vacancy: District 11.--1.

The bill passed.

SB 11 was referred for engrossment.

Senator Schulz moved that when the clerk's desk is clear, the Senate stand adjourned to convene Wednesday, February 18, 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 62 – Transportation

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

SB 109 – Judiciary

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

SB 145 – Transportation

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

SB 321 – Transportation

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

SB 389 – Transportation

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

SB 449 – Judiciary

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

SB 452 – Judiciary

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

SB 764 – Judiciary

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

DO PASS, As Amended:

SB 51 – Judiciary

Ayes: Brooks, Crain, Floyd, Griffin, Standridge, Sykes, Treat

Nays: Sparks

SB 72 – Finance

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

SB 93 – Finance

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

SB 231 – Judiciary

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

Nays: Sparks

SB 243 – Finance

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

Nays: Wyrick

SB 261 – Judiciary

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

SB 342 – Finance

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

Nays: Paddack, Sparks, Wyrick

SB 356 – Judiciary

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

SB 437 – Finance

Ayes: Brinkley, David, Halligan, Jech, Paddack, Quinn, Simpson, Sparks, Yen

Nays: Dahm, Ford, Mazzei, Wyrick

SB 447 – Judiciary

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

Nays: Floyd

SB 457 – Judiciary

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

SB 463 – Finance

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

CS for SB 465 – Finance

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

SB 466 – Finance

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

Nays: Mazzei, Wyrick

SB 469 – Judiciary

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

SB 474 – Finance

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

SB 497 – Finance

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

Nays: Sparks, Wyrick

SB 571 – Finance

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

Nays: Paddack, Sparks

SB 611 – Finance

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

SB 806 – Finance

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

SB 815 – Finance

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

COMMITTEE REPORTS

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

DO PASS:

SB 626 – Transportation

Ayes: Barrington, Bass, Bice, Loveless, Marlatt, Newberry, Paddack, Smalley, Stanislawski

Nays: Allen, Fry, Pittman, Shortey, Silk

SB 726 – Judiciary

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

DO PASS, As Amended:

CS for SB 622 – Transportation

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

Nays: Bass, Smalley

SB 623 – Transportation

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

FIRST READING

The following were introduced and read the first time:

SB 819 – By Newberry.

An Act relating to Construction Industries Board; amending 59 O.S. 1681, which relates to rules of the Board; authorizing the Board to exercise certain powers; providing for a poultry house contractor license; granting powers to implement and enforce poultry house contractor licenses; prohibiting certain code inspections and installation standards on certain poultry house premises; establishing authority of certain license; prohibiting poultry house contractor license experience to apply to other electrical license requirements; authorizing certain expedited processing; making licenses nontransferable; setting penalty for certain violations; requiring nonrefundable fee; setting fee amount; setting term of license; providing for renewal; setting renewal fee; setting qualifications for license; establishing information to be provided for licensure; stating disqualifications for licensure; authorizing suspensions; stating reasons for suspension; amending 59 O.S. 1689, which relates to Electrical Hearing Board; including authority over poultry house contractor

license; adding certain reason for revocation of license; providing for codification; and providing an effective date.

SB 820 – By Jolley and Treat of the Senate and Sears and Casey of the House.

An Act relating to the Office of the Attorney General; reappropriating a certain amount of appropriations for the prosecution and defense of claims related to water and water rights in Oklahoma; making appropriations exempt from budget and category limits; and declaring an emergency.

SB 821 – By Barrington.

An Act relating to texting while driving; making it unlawful to operate a motor vehicle while manually composing, sending or reading an electronic text message; providing penalty; providing exceptions; providing for codification; and providing an effective date.

SB 822 – By Justice.

An Act relating to the Oklahoma Water Resources Board; declaring seasonal employees of the Board as temporary unclassified employees; authorizing the Board to employ seasonal employees; requiring the Board report certain employee statistics; providing for codification; and declaring an emergency.

CHANGE IN AUTHORS/COAUTHORS

The following measures were authored/coauthored:

- SB 34** - Coauthored by Christian (principal House author)
- SB 47** - Coauthored by Johnson (principal House author)
- SB 93** - Coauthored by Brinkley
- SB 118** - Coauthored by Justice
- SB 134** - Coauthored by Sanders (principal House author)
- SB 178** - Coauthored by Loring (principal House author)
- SB 296** - Coauthored by Newell (principal House author)
- SB 357** - Coauthored by Martin (principal House author)
- SB 392** - Coauthored by Cooksey (principal House author)
- SB 417** - Coauthored by Biggs (principal House author)
- SB 430** - Coauthored by Roberts (Sean) (principal House author)
- SB 463** - Coauthored by Murphey (principal House author)
- SB 628** - Coauthored by Denney (principal House author)
- SJR 19** - Coauthored by Hall (principal House author)
- HB 1275** - Coauthored by Moore
- HB 1717** - Coauthored by Loring
- HB 1806** - Coauthored by Loring

Pursuant to the Schulz motion, the Senate adjourned at 2:20 p.m. to meet Wednesday, February 18, 2015, at 1:30 p.m.