

# Senate Journal

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

**Twentieth Legislative Day, Wednesday, March 4, 2015**

The Senate was called to order by Senator Griffin.

Roll Call:

Present: Allen, Anderson, Barrington, Bass, Bice, Bingman, Boggs, Brecheen, Brinkley, Brooks, Brown, Dahm, Fields, Floyd, Ford, Fry, Griffin, 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.—43.

Excused: Crain, David, Garrison and Halligan.—4.

Vacancy: District 11.—1.

Senator Griffin declared a quorum present.

The prayer was offered by Senator Shaw.

### REPORT OF ENGROSSED AND ENROLLED MEASURES

**SBs 9, 28, 29, 46, 47, 84, 85, 86, 94, 95, 118, 172, 195, 233, 234, 309, 315, 321, 327, 337, 356, 361, 362, 375, 377, 382, 393, 394, 395, 409, 411, 412, 423, 428, 429, 447, 452, 459, 460, 505, 614, 635, 637, 641, 642, 648, 685, 695, 701, 704, 781, 804 and 819** and **SCR 11** were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

**SRs 11 and 16** were each correctly enrolled, properly signed and ordered transmitted to the Secretary of State.

**INTRODUCTION**

Senator Treat introduced his son, Mason, to the Senate.

**GENERAL ORDER**

**SB 418** by Fields of the Senate and Biggs of the House was called up for consideration.

Senator Fields moved to amend **SB 418**, Page 1, by striking the title, which amendment was declared adopted.

Senator Fields moved that **SB 418** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 418** 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, Fields, Floyd, Ford, Fry, Griffin, Holt, Jech, Justice, Loveless, Marlatt, Mazzei, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Silk, Simpson, Smalley, Sparks, Standridge, Stanislawski, Thompson, Wyrick and Yen.--37.

Nay: Dahm and Newberry.--2.

Excused: Crain, David, Garrison, Halligan, Jolley, Shortey, Sykes and Treat.--8.

Vacancy: District 11.--1.

The bill passed.

**SB 418** was referred for engrossment.

**GENERAL ORDER**

**SB 660** by Fields of the Senate and Biggs of the House was called up for consideration.

Senator Fields moved to amend **SB 660**, Page 1, Lines 16 through 19, by deleting all language in subsection A and inserting the words, "The Commissioner of Agriculture may allow food vendors to sell foods and incidental Made In Oklahoma products at the Clem Rogers McSpadden Agricultural Complex."; and

Page 1, Line 24, by deleting after the second word "the" and before the period "." all language and inserting the words "Commissioner of Agriculture"; and

Page 2, Line 1, by deleting after the word “The” and before the word “administrator” all language and inserting the words “Commissioner of Agriculture”, which amendment was declared adopted.

Senator Fields moved that **SB 660** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 660** 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, Dahm, Fields, Floyd, Ford, Fry, Griffin, Holt, Jech, Justice, Loveless, Marlatt, Mazzei, Newberry, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Silk, Simpson, Smalley, Sparks, Standridge, Stanislowski, Thompson, Treat, Wyrick and Yen.--40.

Excused: Crain, David, Garrison, Halligan, Jolley, Shortey and Sykes.--7.

Vacancy: District 11.--1.

The bill passed.

**SB 660** was referred for engrossment.

### **GENERAL ORDER**

**SB 815** by Bingman and Brinkley of the Senate and Hickman of the House was called up for consideration.

Senator Brinkley moved to amend **SB 815**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Brinkley moved that **SB 815** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 815** 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, Dahm, Fields, Floyd, Ford, Fry, Griffin, Holt, Jech, Justice, Loveless,

Marlatt, Mazzei, Newberry, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Silk, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat, Wyrick and Yen.--41.

Excused: Crain, David, Garrison, Halligan, Jolley and Shortey.--6.

Vacancy: District 11.--1.

The bill passed.

**SB 815** was referred for engrossment.

### **GENERAL ORDER**

**SB 806** by Bingman and Brinkley of the Senate and Hickman of the House was called up for consideration.

Senator Brinkley moved to amend **SB 806**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Brinkley moved that **SB 806** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 806** 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, Dahm, Fields, Floyd, Ford, Fry, Griffin, Holt, Jech, Justice, Loveless, Marlatt, Mazzei, Newberry, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat, Wyrick and Yen.--42.

Excused: Crain, David, Garrison, Halligan and Jolley.--5.

Vacancy: District 11.--1.

The bill passed.

**SB 806** was referred for engrossment.

**GENERAL ORDER**

**SB 482** by Marlatt of the Senate and Hickman of the House was called up for consideration.

Senator Marlatt moved that **SB 482** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 482** 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, Dahm, Fields, Ford, Fry, Griffin, Holt, Jech, Justice, Loveless, Marlatt, Mazzei, Newberry, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat, Wyrick and Yen.--41.

Excused: Crain, David, Floyd, Garrison, Halligan and Jolley.--6.

Vacancy: District 11.--1.

The bill and emergency passed.

**SB 482** was referred for engrossment.

**GENERAL ORDER**

**SB 173** by Fry of the Senate and Banz of the House was called up for consideration.

Senator Fry moved to amend **SB 173**, 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 Fry moved that **SB 173** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 173** was read for the third time at length.

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

Aye: Anderson, Barrington, Bass, Bice, Bingman, Brooks, Brown, Fields, Floyd, Fry, Griffin, Holt, Justice, Marlatt, Paddack, Pittman, Sharp, Shortey, Silk, Simpson, Smalley, Sparks, Standridge, Thompson and Wyrick.--25.

Nay: Allen, Boggs, Brecheen, Brinkley, Dahm, Ford, Jech, Loveless, Mazzei, Newberry, Quinn, Schulz, Shaw, Stanislawski, Sykes, Treat and Yen.--17.

Excused: Crain, David, Garrison, Halligan and Jolley.--5.

Vacancy: District 11.--1.

The bill passed.

**SB 173** was referred for engrossment.

### **GENERAL ORDER**

**SB 386** by Sparks and Pittman of the Senate and Cockroft of the House was called up for consideration.

Senator Sparks moved that **SB 386** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 386** 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, Dahm, Fields, Floyd, Ford, Fry, Griffin, Holt, Jech, Justice, Loveless, Marlatt, Mazzei, Newberry, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Silk, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat, Wyrick and Yen.--41.

Excused: Crain, David, Garrison, Halligan, Jolley and Shortey.--6.

Vacancy: District 11.--1.

The bill and emergency passed.

**SB 386** was referred for engrossment.

### **GENERAL ORDER**

**SB 615** by Sparks of the Senate and Echols of the House was called up for consideration.

Senator Sparks moved to amend **SB 615**, Page 1, by striking the title, which amendment was declared adopted.

Senator Sparks moved that **SB 615** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 615** was read for the third time at length.

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

Aye: Bass, Bingman, Brooks, Floyd, Griffin, Jech, Justice, Loveless, Marlatt, Paddack, Pittman, Quinn, Sharp, Sparks, Standridge and Yen.--16.

Nay: Allen, Anderson, Barrington, Bice, Boggs, Brecheen, Brinkley, Brown, Dahm, Fields, Ford, Fry, Holt, Jolley, Mazzei, Newberry, Schulz, Shaw, Shortey, Silk, Simpson, Smalley, Stanislawski, Sykes, Thompson, Treat and Wyrick.--27.

Excused: Crain, David, Garrison and Halligan.--4.

Vacancy: District 11.--1.

The bill failed.

Pursuant to Rule 8-32, Senator Sparks served notice that the vote be reconsidered whereby **SB 615** failed.

**GENERAL ORDER**

**SB 68** by Holt of the Senate and Nelson of the House was called up for consideration.

Senator Holt moved to amend **SB 68**, Page 4, Lines 15 and 16, by replacing the words and figures "five thousand (5,000)" after the word "of" on line 15 with the words and figures "fifteen thousand (15,000)", which amendment was declared adopted.

Senator Holt moved that **SB 68** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 68** 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, Bice, Bingman, Boggs, Brecheen, Brinkley, Brooks, Brown, Dahm, Fields, Floyd, Ford, Fry, Griffin, Holt, Jolley, Loveless, Marlatt, Mazzei, Newberry, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Simpson, Smalley, Standridge, Stanislawski, Thompson, Treat and Yen.--35.

Nay: Barrington, Bass, Jech, Justice, Paddack, Sparks, Sykes and Wyrick.--8.

Excused: Crain, David, Garrison and Halligan.--4.

Vacancy: District 11.--1.

The bill and emergency passed.

**SB 68** was referred for engrossment.

### **GENERAL ORDER**

**SB 249** by Holt of the Senate and McBride of the House was called up for consideration.

Senator Holt moved to amend **SB 249**, 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 Holt moved that **SB 249** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 249** 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, Dahm, Fields, Floyd, Ford, Fry, Griffin, 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.--43.

Excused: Crain, David, Garrison and Halligan.--4.

Vacancy: District 11.--1.

The bill passed.

**SB 249** was referred for engrossment.



**GENERAL ORDER**

**SB 494** by Holt of the Senate and Hall of the House was called up for consideration.

Senator Holt moved to amend **SB 494**, Page 1, Line 17, by striking the words “billing information” and inserting in their place the words “information relating to billing or explanation of benefits (EOB)”, which amendment was declared adopted.

Senator Holt moved that **SB 494** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 494** 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, Dahm, Fields, Floyd, Ford, Fry, Griffin, 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.--43.

Excused: Crain, David, Garrison and Halligan.--4.

Vacancy: District 11.--1.

The bill passed.

**SB 494** was referred for engrossment.

**GENERAL ORDER**

**SB 765** by Sykes of the Senate and McCullough of the House was called up for consideration.

Senator Sykes moved that **SB 765** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 765** 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, Bice, Bingman, Boggs, Brecheen, Brinkley, Brooks, Brown, Dahm, Fields, Ford, Fry, Griffin, Holt, Jech, Jolley, Justice, Loveless,

Marlatt, Mazzei, Newberry, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Simpson, Smalley, Standridge, Stanislawski, Sykes, Thompson, Treat and Yen.--37.

Nay: Bass, Floyd, Paddack, Pittman, Sparks and Wyrick.--6.

Excused: Crain, David, Garrison and Halligan.--4.

Vacancy: District 11.--1.

The bill passed.

**SB 765** was referred for engrossment.

### **GENERAL ORDER**

**SB 789** by Sykes of the Senate and Grau of the House was called up for consideration.

Senator Sykes moved that **SB 789** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 789** 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, Dahm, Fields, Floyd, Ford, Fry, Griffin, 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.--43.

Excused: Crain, David, Garrison and Halligan.--4.

Vacancy: District 11.--1.

The bill passed.

**SB 789** was referred for engrossment.

**GENERAL ORDER**

**SB 792** by Sykes of the Senate and McCullough of the House was called up for consideration.

Senator Sykes moved that **SB 792** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 792** 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, Bice, Bingman, Boggs, Brecheen, Brinkley, Brooks, Brown, Dahm, Fields, Ford, Fry, Griffin, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Mazzei, Newberry, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Simpson, Smalley, Standridge, Stanislawski, Sykes, Thompson, Treat and Yen.--39.

Nay: Bass, Floyd, Sparks and Wyrick.--4.

Excused: Crain, David, Garrison and Halligan.--4.

Vacancy: District 11.--1.

The bill passed.

**SB 792** was referred for engrossment.

**GENERAL ORDER**

**SB 376** by Newberry of the Senate and McCall of the House was called up for consideration.

Senator Newberry moved to amend **SB 376**, Page 3, Line 15, by deleting the words, "or receive payments of charges or fees"; and

Page 3, Line 20, by deleting the words, "contract for or"; and

Page 5, Line 23, by inserting after the word "state" and before the word "and" the words, "while in this state", which amendment was declared adopted.

Senator Newberry moved to amend **SB 376**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Newberry moved that **SB 376** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 376** 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, Dahm, Fields, Floyd, Ford, Fry, Griffin, 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.--43.

Excused: Crain, David, Garrison and Halligan.--4.

Vacancy: District 11.--1.

The bill passed.

**SB 376** was referred for engrossment.

**GENERAL ORDER**

**SJR 30** by Bingman and Holt of the Senate and Grau of the House was called up for consideration.

Senator Jolley moved to amend **SJR 30**, 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 Jolley asked that **SJR 30** be laid over for this legislative day, which was the order.

**SJR 30** remains on General Order.

**GENERAL ORDER**

**SB 715** by Smalley of the Senate and ODonnell of the House was called up for consideration.

Senator Smalley moved that **SB 715** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 715** 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, Dahm, Fields, Floyd, Ford, Fry, Griffin, 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.--43.

Excused: Crain, David, Garrison and Halligan.--4.

Vacancy: District 11.--1.

The bill passed.

**SB 715** was referred for engrossment.

**GENERAL ORDER**

**SB 757** by Pittman of the Senate and Young of the House was called up for consideration.

Senator Pittman moved to amend **SB 757**, 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 Pittman moved that **SB 757** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 757** 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, Dahm, Fields, Floyd, Ford, Fry, Griffin, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Mazzei, Newberry, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Silk, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat, Wyrick and Yen.--42.

Excused: Crain, David, Garrison, Halligan and Shortey.--5.

Vacancy: District 11.--1.

The bill passed.

**SB 757** was referred for engrossment.

### **UNANIMOUS CONSENT REQUEST DIRECT TO CALENDAR**

Senator Stanislawski asked unanimous consent to refer **SR 15** direct to the Calendar for consideration, which was the order.

### **GENERAL ORDER**

**SR 15** by Stanislawski and Newberry was called up for consideration.

All other members of the Senate asked to coauthor **SR 15**, which was the order.

**SR 15** was adopted upon motion of Senator Stanislawski and referred for enrollment.

### **MESSAGE FROM THE HOUSE**

Advising passage of and transmitting for consideration Engrossed **HBs 1003, 1016, 1018, 1019, 1020, 1023, 1044, 1074, 1103, 1118, 1119, 1120, 1122, 1123, 1148, 1268, 1350, 1354, 1362, 1376, 1391, 1400, 1423, 1442, 1516, 1567, 1628, 1751, 1756, 1773, 1775, 1855, 1879, 1900, 1904, 1964** and **2184**.

**HB 1003** – By McDaniel (Randy) of the House and Barrington of the Senate.

An Act relating to professions and occupations; amending 59 O.S. 2011, Sections 1004, as amended by Section 1, Chapter 73, O.S.L. 2012, and 1006 (59 O.S. Supp. 2014, Section 1004), which relate to the Plumbing License Law of 1955; removing Committee from Oklahoma Sunset Law; directing adoption of rules and procedures for certain military training; and providing an effective date.

**HB 1016** – By Faught of the House and Dahm of the Senate.

An Act relating to sunset; amending 59 O.S. 2011, Section 2053, as amended by Section 1, Chapter 57, O.S.L. 2012 (59 O.S. Supp. 2014, Section 2053), which relates to the State Board of Examiners of Perfusionists; re-creating the Board; and modifying termination date.

**HB 1018** – By Faught of the House and Dahm of the Senate.

An Act relating to sunset; amending 59 O.S. 2011, Section 624, as amended by Section 2, Chapter 83, O.S.L. 2014 (59 O.S. Supp. 2014, Section 624), which relates to the State Board of Osteopathic Examiners; re-creating the Board; and modifying termination date.

**HB 1019** – By Faught of the House and Dahm of the Senate.

An Act relating to sunset; amending 59 O.S. 2011, Section 137, which relates to the Board of Podiatric Medical Examiners; re-creating the Board; and modifying termination date.

**HB 1020** – By Faught of the House and Dahm of the Senate.

An Act relating to sunset; amending 59 O.S. 2011, Section 1607, as amended by Section 1, Chapter 59, O.S.L. 2012 (59 O.S. Supp. 2014, Section 1607), which relates to the Board of Examiners for Speech-Language Pathology and Audiology; re-creating the Board; and modifying termination date.

**HB 1023** – By Faught of the House and Dahm of the Senate.

An Act relating to sunset; amending 74 O.S. 2011, Section 4102, as amended by Section 1, Chapter 66, O.S.L. 2012 (74 O.S. Supp. 2014, Section 4102), which relates to the State Capitol Preservation Commission; re-creating the Commission; and modifying termination date.

**HB 1044** – By Walker of the House and Treat of the Senate.

An Act relating to state employees; establishing a state employee suggestion program; stating purpose; providing for financial rewards; stating limitation for certain payments; authorizing the Office of Management and Enterprise Services to promulgate rules; amending 74 O.S. 2011, Sections 4111, 4115A and 4119, as amended by Section 1016, Chapter 304, O.S.L. 2012 (74 O.S. Supp. 2014, Section 4119), which relate to the Incentive Awards for State Employees Act; clarifying language; transferring certain duties relating to administration of the Incentive Awards for State Employees program to the Office of Management and Enterprise Services; removing certain duties from the Committee for Incentive Awards for State Employees; repealing 74 O.S. 2011, Sections 4112, as amended by Section 1015, Chapter 304, O.S.L. 2012, 4116, 4117, 4118 and 4120, as amended by Section 1017, Chapter 304, O.S.L. 2012 (74 O.S. Supp. 2014, Sections 4112 and 4120), which relate to the Incentive Awards for State Employees program; providing for codification; providing an effective date; and declaring an emergency.

**HB 1074** – By Morrisette, Echols, Hoskin, Nelson and Sherrer of the House and Standridge of the Senate.

An Act relating to public health and safety; creating the Right to Try Act; defining terms; permitting certain manufacturer to make certain drugs available to eligible patient; permitting health insurance carrier to provide certain coverage; permitting insurer to deny certain coverage under certain conditions; prohibiting certain acts of licensing board of health care providers; prohibiting state officials from blocking eligible patients' access to certain drugs; providing certain act does not create private cause of action; providing for construction; providing for codification; and providing an effective date.

**HB 1103** – By Biggs, Murdock and Pfeiffer of the House and Justice of the Senate.

An Act relating to agriculture; providing limited exemption to the Open Records Act; prohibiting specific information from being released except under certain circumstances; providing that confidentiality requirements shall not limit use of information for certain purposes; providing for codification; and providing an effective date.

**HB 1118** – By Peterson of the House and Marlatt of the Senate.

An Act relating to child care; creating the Child Care Center Bill of Rights; prohibiting child care center penalty if employee has completed training; providing for codification; and providing an effective date.

**HB 1119** – By Russ of the House and Newberry of the Senate.

An Act relating to title insurance; defining terms; providing applicability; authorizing a title insurance company to execute and record certain records in certain circumstances; requiring affidavit contents; providing that certain affidavits will operate as a release for certain mortgages; requiring county clerk to index affidavit; providing penalties for certain actions; stating that certain remedies shall not be precluded; providing for codification; and providing an effective date.

**HB 1120** – By Russ of the House and Newberry of the Senate.

An Act relating to mortgages; amending 46 O.S. 2011, Section 15, which relates to release of mortgage; authorizing title insurance company to recover certain penalty; defining terms; and providing an effective date.

**HB 1122** – By Russ of the House and Newberry of the Senate.

An Act relating to counties and county officers; amending 19 O.S. 2011, Section 298, as amended by Section 1, Chapter 36, O.S.L. 2012 (19 O.S. Supp. 2014, Section 298), which relates to records and deeds; clarifying acceptance and filing of certain documents by county clerks; prohibiting additional fees; and providing an effective date.

**HB 1123** – By Russ of the House and Newberry of the Senate.

An Act relating to mortgages; amending 46 O.S. 2011, Section 15, which relates to mortgage releases; decreasing time for filing release of mortgage after debt payment; updating language; and providing an effective date.

**HB 1148** – By Grau of the House and Treat of the Senate.

An Act relating to roads and bridges; amending 69 O.S. 2011, Sections 606 and 621, which relate to maintenance and construction of county line roads and bridges; permitting counties to enter into agreements for the construction, maintenance and financial responsibility of such roads and bridges; and providing an effective date.

**HB 1268** – By Casey, Cannaday and Denney of the House and Ford of the Senate.

An Act relating to schools; amending 70 O.S. 2011, Section 11-103.6h, which relates to the Passport to Financial Literacy Act; deleting obsolete language; adding an alternative method of demonstrating satisfactory knowledge for certain students; requiring the State Department of Education to provide certain resources and materials; encouraging school



districts to make certain teaching assignments; providing an effective date; and declaring an emergency.

**HB 1350** – By Rousselot of the House and David of the Senate.

An Act relating to stalking and victim protection orders; amending 21 O.S. 2011, Section 1173, which relates to stalking; updating language; modifying penalties; making certain acts unlawful; amending 22 O.S. 2011, Sections 40, 40.2 and 40.3, which relate to victim protection orders; adding definitions; modifying requirements for emergency temporary orders of protection and victim protection orders; and providing an effective date.

**HB 1354** – By Joyner and Shelton of the House and Fry of the Senate.

An Act relating to memorial highway designations; amending Section 4, Chapter 268, O.S.L. 2014 (69 O.S. Supp. 2014, Section 1698.197), which relates to the Fire Chief Nolan Schmidt Highway; modifying name and end point of the highway designation; designating the Weatherford Veterans Memorial Drive; designating the President George H.W. Bush Highway; designating the President George W. Bush Highway; designating the 49 Waiters Club Memorial Bridge; designating the SSG Travis Tompkins Memorial Highway; designating the SPC Charles Jirtle Memorial Highway; designating the 1st Lt. Brandon Landrum Memorial Highway; designating the PFC Ernest Ray Taylor Memorial Bridge; designating the PFC Jon Ross Townsend Memorial Highway; designating the SSG James "Bevo" Olivo Memorial Bridge; designating the Bill Milroy Memorial Bridge; designating the Trooper Nicholas Dees Memorial Highway; providing for codification; and providing an effective date.

**HB 1362** – By Griffith and Shelton of the House and Floyd of the Senate.

An Act relating to schools; amending 70 O.S. 2011, Section 24-100.5, as amended by Section 4, Chapter 311, O.S.L. 2013 (70 O.S. Supp. 2014, Section 24-100.5), which relates to Safe School Committees; authorizing Safe School Committees to develop an optional rape or sexual assault response program for students and school staff; providing an effective date; and declaring an emergency.

**HB 1376** – By McDaniel (Randy) of the House and Brinkley of the Senate.

An Act relating to public retirement systems; amending Sections 2, as amended by Section 2, Chapter 419, O.S.L. 2014, and 11, Chapter 375, O.S.L. 2014 (74 O.S. Supp. 2014, Sections 935.2 and 935.11), which relate to the Retirement Freedom Act; modifying provisions related to eligible employees; modifying provision related to beginning service date; providing for continuation of participation in defined benefit plan based upon certain employment; modifying provisions related to qualified domestic orders; and providing an effective date.

**HB 1391** – By Murdock, Newell, Lockhart, Sanders, Loring, Park, Coody (Jeff), Billy, Ritze and Roberts (Sean) of the House and Marlatt of the Senate.

An Act relating to crimes and punishments; amending 21 O.S. 2011, Sections 1290.12, as last amended by Section 2, Chapter 11, O.S.L. 2014 and 1290.14, as last amended by Section 1, Chapter 123, O.S.L. 2014 (21 O.S. Supp. 2014, Sections 1290.12 and 1290.14),

which relate to the Oklahoma Self-Defense Act; providing for online firearms safety and training courses; directing the Council on Law Enforcement Education and Training to establish criteria for online training courses; and declaring an emergency.

**HB 1400** – By Murphey, Ownbey, Faught, Ritze and Strohm of the House and Sykes of the Senate.

An Act relating to revenue and taxation; amending 68 O.S. 2011, Sections 1370, 1370.1, 1370.2, 1370.2A, 1370.4, 1370.5, 1370.6 and 1370.8, which relate to sales tax; limiting subjects per levy; providing for codification; and providing an effective date.

**HB 1423** – By McPeak of the House and Marlatt of the Senate.

An Act relating to schools; amending Section 1, Chapter 31, O.S.L. 2014 (70 O.S. Supp. 2014, Section 14-108.2), which relates to agricultural education programs; modifying certain transportation requirement; providing an effective date; and declaring an emergency.

**HB 1442** – By Caldwell of the House and Quinn of the Senate.

An Act relating to school elections; amending 26 O.S. 2011, Section 13A-110, which relates to vacancies on boards of education; providing for the filling of certain vacancies on the board of education by appointment; allowing the appointment of persons who do not reside in certain districts; requiring appointed persons to reside in the school district and meet other eligibility qualifications; and limiting service.

**HB 1516** – By Peterson of the House and David of the Senate.

An Act relating to crimes and punishments; amending 21 O.S. 2011, Section 1173, which relates to the crime of stalking; updating language; defining certain term; amending 21 O.S. 2011, Section 2002, as amended by Section 2, Chapter 409, O.S.L. 2014 (21 O.S. Supp. 2014, Section 2002), which relates to forfeiture of unlawful proceeds; modifying circumstances for forfeiture; and providing an effective date.

**HB 1567** – By Mulready of the House and Treat of the Senate.

An Act relating to state employee benefits; amending 74 O.S. 2011, Section 1307, as amended by Section 941, Chapter 304, O.S.L. 2012 (74 O.S. Supp. 2014, Section 1307), which relates to the Oklahoma Employees Insurance and Benefits Act; modifying the application of deductibles and copayment or coinsurance provisions to the Health Insurance Plan; and providing an effective date.

**HB 1628** – By Derby of the House and Griffin of the Senate.

An Act relating to the Oklahoma Health Care Authority; prohibiting SoonerCare program from routinely paying for quantitative drug screening; requiring SoonerCare program to pay for confirmatory quantitative drug testing if initial screen is positive under certain circumstances; permitting SoonerCare to pay for quantitative drug screening if certain knowledge will have impact on clinical decision-making; providing requirements for reimbursement; authorizing SoonerCare to implement certain agreements; providing monetary limitation on agreements; providing for noncodification; and providing an effective date.

**HB 1751** – By Newell of the House and Quinn of the Senate.

An Act relating to oil and gas; amending 52 O.S. 2011, Section 420.4, which relates to the Oklahoma Liquefied Petroleum Gas Regulation Act; deleting the appliance dealer permit class; and providing an effective date.

**HB 1756** – By Enns of the House and Schulz of the Senate.

An Act relating to the Oklahoma Peanut Commission; amending 2 O.S. 2011, Sections 18-50, as amended by Section 26, Chapter 1, O.S.L. 2014, 18-51, 18-57, 18-58 and 18-62 (2 O.S. Supp. 2014, Section 18-50), which relate to the Oklahoma Peanut Act; removing authority of the Commissioner of the Oklahoma Department of Agriculture, Food, and Forestry to replace the Oklahoma Peanut Commission; modifying definitions; transferring certain duties to the executive director of the Commission; modifying reference to certain form; abolishing revolving fund for the Oklahoma Peanut Commission; declaring certain funds no longer be considered state property; authorizing balance be transferred; modifying reference to certain peanut growers; repealing 2 O.S. 2011, Sections 18-52, as amended by Section 1, Chapter 63, O.S.L. 2012, 18-53, 18-54, 18-55, 18-56 and 18-59 (2 O.S. Supp. 2014, Section 18-52), which relate to the Oklahoma Peanut Act; and providing an effective date.

**HB 1773** – By McCall of the House and Newberry of the Senate.

An Act relating to the Uniform Commercial Code; amending 12A O.S. 2011, Sections 1-9-102, 1-9-105, 1-9-307, 1-9-311, 1-9-316, 1-9-317, 1-9-326, 1-9-406, 1-9-408, 1-9-502, 1-9-503, 1-9-507, 1-9-516, 1-9-518, 1-9-521 and 1-9-607, which relate to secured transactions; modifying definitions; adding definition; establishing standard for determining control of electronic chattel paper; modifying how control is obtained; providing for designation of location by certain organizations; clarifying application of law of other jurisdictions for certain purpose; providing for effect of change in governing law with respect to filed financing statements; clarifying when certain buyers take free of a security interest or agricultural lien; modifying when certain licensees take free of a security interest; modifying subordination of security interest created by new debtor; modifying when terms restricting assignment are ineffective; modifying requirements for record of mortgage as financing statement; modifying information that sufficiently provides the name of the debtor; modifying scope of post-filing changes in debtor's name that does not affect effectiveness of financing statement; specifying financing statement that is effective for debtor that is a transmitting utility; modifying grounds for refusal to accept a record; providing procedure for filing information statements of inaccurate or wrongfully filed records; modifying UCC finance statement forms; modifying content of certain sworn affidavit; providing for transition; amending 12A O.S. 2011, Section 2A-103, which relates to definitions; modifying statutory cite; providing for codification; and providing an effective date.

**HB 1775** – By McCall and Roberts (Dustin) of the House and Simpson of the Senate.

An Act relating to local government funding options; authorizing county to call for an election regarding the tax of rock, gravel, granite, sand and limestone upon its severance; providing exception for materials extracted on private property by natural persons; providing exception for limestone extracted for agricultural purposes; requiring voter

approval before levying of tax; specifying time period before subsequent special election can be called under certain circumstances; providing effective date for tax levy or change in tax rate; requiring designation of purpose for tax and specifying purposes; specifying disposition of funds; providing for duration of tax; requiring Oklahoma Tax Commission to provide certain notice; modifying effective date of rate change under specified circumstances; authorizing certain contract between county and Tax Commission and providing contract criteria; authorizing Tax Commission to charge specified fee; requiring initiative petitions be in compliance with specified statutes; mandating specified procedures; setting time period during which election shall be held; providing for certain credit based on sales tax treatment; providing for apportionment of revenues to municipalities under certain circumstances; prohibiting counties from imposing certain fees, charges, assessments or related costs; providing for codification; and providing an effective date.

**HB 1855** – By Wright of the House and Sykes of the Senate.

An Act relating to criminal procedure; amending 22 O.S. 2011, Section 991c, as last amended by Section 1, Chapter 219, O.S.L. 2014 (22 O.S. Supp. 2014, Section 991c), which relates to deferred sentences; providing for continued supervision under certain circumstances; and providing an effective date.

**HB 1879** – By Christian, Jordan, ODonnell, Montgomery and Ritze of the House and Sykes of the Senate.

An Act relating to criminal procedure; amending 22 O.S. 2011, Section 1014, which relates to the manner of inflicting punishment of death; providing alternative method for inflicting punishment of death; and providing an effective date.

**HB 1900** – By Johnson, Sherrer and Russ of the House and Barrington of the Senate.

An Act relating to revenue and taxation; amending 68 O.S. 2011, Section 1365, which relates to sales tax; increasing the vendor sales tax threshold that requires semimonthly sales tax remittance; clarifying process, required reporting and limitations; requiring certain notice; requiring certain monthly reporting and monthly electronic remittance; and providing an effective date.

**HB 1904** – By Johnson of the House and Barrington of the Senate.

An Act relating to motor vehicles; amending 47 O.S. 2011, Section 1105, as amended by Section 1, Chapter 158, O.S.L. 2012 (47 O.S. Supp. 2014, Section 1105), which relates to certificates of title; placing limitation on adding names to titles; requiring certain notices; requiring certain affidavit; authorizing the Tax Commission to provide affidavit form; providing certain mailing; authorizing certain mailing fee; and providing an effective date.

**HB 1964** – By ODonnell of the House and Newberry of the Senate.

An Act relating to civil procedure; amending 12 O.S. 2011, Section 1557, which relates to receivers; mandating receiver liability for willful misconduct or gross negligence; allowing any party to motion for receiver discipline or removal; directing court to hold hearing within specified time; declaring civil immunity for receiver; providing that

immunity afforded is supplementary; permitting court to award attorney fees and expenses to receiver in certain civil action; specifying receivers are subject to investigation and discipline; providing an effective date; and declaring an emergency.

**HB 2184** – By Hickman of the House and Barrington of the Senate.

An Act relating to public health and safety; permitting Chief Medical Examiner to equip certain vehicles with flashing lights and sirens and to permit certain vehicles to exceed maximum speed limits; providing for codification; and providing an effective date.

The above-numbered measures were read the first time.

Senator Schulz moved that when the clerk's desk is clear, the Senate stand adjourned to convene Thursday, March 5, 2015, at 9:00 a.m. or the Call of the Chair, which motion prevailed.

#### **CHANGE IN AUTHORS/COAUTHORS**

The following measures were authored/coauthored:

**SB 92** - Coauthored by Sharp

**SB 213** - Coauthored by Kannady (principal House author)

**SB 372** - Coauthored by Peterson (principal House author)

**SB 380** - Coauthored by Sharp

Coauthored by McDaniel (Randy) (principal House author)

**SB 381** - Coauthored by Thomsen (principal House author)

**SB 383** - Coauthored by Mulready (principal House author)

**SB 390** - Coauthored by Rogers (principal House author)

**SB 436** - Coauthored by Sharp

**SB 468** - Coauthored by Calvey (principal House author)

**SB 469** - Coauthored by Sharp

**SB 499** - Coauthored by Sharp

**SB 592** - Coauthored by Grau (principal House author)

**SB 647** - Coauthored by Cox (principal House author)

**SB 663** - Coauthored by McDaniel (Randy) (principal House author)

**SB 767** - Coauthored by Echols (principal House author)

**SB 818** - Coauthored by Mulready (principal House author)

**SB 823** - Coauthored by McDaniel (Randy) (principal House author)

**SB 828** - Coauthored by Christian (principal House author)

**HB 1391** - Coauthored by Leewright

Coauthored by Moore

**HB 1516** - Coauthored by Biggs

Coauthored by Ritze

**HB 1900** - Coauthored by Roberts (Sean)

Pursuant to the Schulz motion, the Senate adjourned at 11:25 a.m. to meet Thursday, March 5, 2015, at 9:00 a.m. or the Call of the Chair.