

# Senate Journal

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

**Thirty-fourth Legislative Day, Tuesday, March 31, 2015**

The Senate was called to order by Senator Brooks.

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, Silk, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat, Wyrick and Yen.—46.

Excused: Shortey.—1.

Vacancy: District 11.—1.

Senator Brooks declared a quorum present.

The prayer was offered by Sam Smith, Foundation Free Will Baptist Church, Grove, the guest of Senator Shaw.

### INTRODUCTIONS

Senator Allen introduced his wife, Nikki, and his granddaughter, Katie May; and Senator Loveless introduced Congressman Steve Russell and former Senator Kathleen Wilcoxson, to the Senate.

### REPORT OF ENGROSSED AND ENROLLED MEASURES

**SB 28, 109, 115, 215, 338 and 346** were each correctly enrolled and after fourth reading, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

**GENERAL ORDER**

**HB 1948** by Cox et al of the House and Griffin of the Senate was called up for consideration.

Senator Griffin moved that **HB 1948** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 1948** was read for the third time at length.

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

Aye: Barrington, Bass, Bice, Bingman, Boggs, Brinkley, Brooks, David, Fields, Floyd, Ford, Fry, Garrison, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Simpson, Smalley, Sparks, Standridge, Stanislawski, Thompson, Treat and Wyrick.--35.

Nay: Allen, Anderson, Brecheen, Brown, Dahm, Mazzei, Newberry, Silk, Sykes and Yen.--10.

Excused: Crain and Shortey.--2.

Vacancy: District 11.—1.

The bill passed.

**HB 1948** was properly signed and ordered returned to the Honorable House.

**GENERAL ORDER**

**HB 1154** by Montgomery of the House and Barrington of the Senate was called up for consideration.

Senator Barrington moved that **HB 1154** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 1154** 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, Dahm, David, Fields, Floyd, Ford, Fry, Garrison, Griffin, Halligan, 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.--44.

Excused: Bingman, Crain and Shortey.--3.

Vacancy: District 11.—1.

The bill passed.

**HB 1154** was properly signed and ordered returned to the Honorable House.

### **GENERAL ORDER**

**HB 1406** by Pfeiffer of the House and Barrington of the Senate was called up for consideration.

Senator Barrington moved that **HB 1406** be advanced, which motion was declared adopted.

### **THIRD READING**

**HB 1406** 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, Dahm, David, Fields, Floyd, Ford, Fry, Garrison, Griffin, Halligan, 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.--44.

Excused: Bingman, Crain and Shortey.--3.

Vacancy: District 11.—1.

The bill passed.

**HB 1406** was properly signed and ordered returned to the Honorable House.

**GENERAL ORDER**

**HB 1085** by Ownbey of the House and Treat and Pittman of the Senate was called up for consideration.

Senator Treat moved that **HB 1085** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 1085** 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, Dahm, David, Fields, Floyd, Ford, Fry, Garrison, Griffin, Halligan, 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.--44.

Excused: Bingman, Crain and Shortey.--3.

Vacancy: District 11.—1.

The bill passed.

**HB 1085** was properly signed and ordered returned to the Honorable House.

**EXECUTIVE NOMINATIONS**

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

Benge, G. Chris, Tulsa, as Secretary of State, to serve a coterminous term ending January 14, 2019, succeeding himself. (General Government Committee) Motion to confirm made by Senator Dan Newberry.

Benge, G. Chris, Tulsa, as Cabinet Secretary of State and Native American Affairs, to serve at the pleasure of the Governor, succeeding himself. (General Government 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: Allen, Anderson, Barrington, Bass, Bice, Boggs, Brecheen, Brinkley, Brooks, Brown, Dahm, David, Fields, Floyd, Ford, Fry, Garrison, Griffin, Halligan, 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.--44.

Excused: Bingman, Crain and Shortey.--3.

Vacancy: District 11.—1.

**MESSAGE FROM THE HOUSE  
HAS TO SENATE BILLS**

Advising passage of and returning the following engrossed bills as amended:

**SB 42**

**SB 167** - coauthored by Cockroft of the House and Pittman of the Senate

**SB 292** - remove Echols as principal House author and substitute Jordan as principal House author and add Echols as coauthor

**SB 563** - coauthored by Newell, Kirby, Cockroft, Billy and McPeak of the House

House amendments were read on the above-numbered bills.

**MESSAGES FROM THE HOUSE**

Advising passage of and returning the following Engrossed bills:

**SB 24**

**SB 46**

**SB 50** - coauthored by Pittman of the Senate and Perryman, Cockroft and Sherrer of the House

**SB 55**

**SB 62** - coauthored by Pittman of the Senate

**SB 206** - coauthored by Faught of the House

**SB 229** - coauthored by Pittman of the Senate

**SB 331**

**SB 336**

**SB 345**

**SB 394** - coauthored by Pittman of the Senate

**SB 429**

**SB 462**

**SB 725** - coauthored by Perryman of the House

The above-numbered measures were referred for enrollment.

**MESSAGES FROM THE HOUSE**

Advising fourth reading of and transmitting for signature Enrolled **HB 1948**.

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

Advising fourth reading of and returning Enrolled **SBs 28, 109, 115, 215, 338 and 346**.

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

Senator Schulz moved that when the clerk's desk is clear, the Senate stand adjourned to convene Wednesday, April 1, 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:

**HB 1318** – Public Safety

Ayes: Barrington, Brooks, David, Ford, Shaw, Wyrick

**HB 1396** – Public Safety

Ayes: Barrington, Brooks, David, Ford, Shaw, Wyrick

**HB 1399** – Judiciary

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

**HB 1577** – Judiciary

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

Nays: Crain, Holt

**HB 1650** – Tourism and Wildlife

Ayes: Anderson, Bass, Boggs, Brecheen, Brown, Fields, Garrison, Justice, Sharp,  
Wyrick

**HB 1652** – Tourism and Wildlife

Ayes: Anderson, Bass, Boggs, Brecheen, Brown, Fields, Garrison, Justice, Sharp

**HB 1714** – Judiciary

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

**HB 1918** – Judiciary

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

**HB 2179** – Public Safety

Ayes: Barrington, Brooks, David, Ford, Shaw, Wyrick

DO PASS, As Amended:

**HB 1119** – Judiciary

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

**HB 1120** – Judiciary

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

**HB 1122** – Judiciary

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

**HB 1269** – Finance

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

**CS for HB 1299** – Finance

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

**HB 1354** – Transportation

Ayes: Allen, Bass, Fry, Marlatt, Pittman, Silk, Smalley, Stanislawski

**HB 1407** – Finance

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

**HB 1516** – Public Safety

Ayes: Barrington, David, Ford, Shaw

Nays: Brooks, Wyrick

**HB 1619** – Finance

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

**CS for HB 1651** – Tourism and Wildlife

Ayes: Anderson, Bass, Boggs, Brecheen, Brown, Fields, Garrison, Justice, Sharp,  
Wyrick

**HB 1681** – Judiciary

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

**HB 1793** – Public Safety

Ayes: Barrington, Brooks, David, Ford, Shaw, Wyrick

**HB 1904** – Finance

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

**HB 2131** – Finance

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

**HB 2169** – Judiciary

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

**HB 2184** – Public Safety

Ayes: Barrington, Brooks, David, Ford, Shaw, Wyrick

**COMMITTEE REPORTS**

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

**DO PASS:****HB 1350** – Public Safety

Ayes: Barrington, Brooks, David, Ford, Shaw, Wyrick

**HB 1387** – Judiciary

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

**HB 1574** – Public Safety

Ayes: Barrington, Brooks, David, Ford, Shaw, Wyrick

**HB 2161** – Judiciary

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

**DO PASS, As Amended:****CS for HB 1077** – Transportation

Ayes: Bass, Fry, Marlatt, Newberry, Pittman, Silk, Smalley, Stanislawski  
Nays: Allen



**HB 1276** – Public Safety

Ayes: Barrington, Brooks, David, Ford, Shaw, Wyrick

**CS for HB 1477** – Judiciary

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

**HB 1607** – Transportation

Ayes: Allen, Bass, Fry, Marlatt, Newberry, Pittman, Silk, Stanislawski

Nays: Smalley

**CS for HB 1630** – Public Safety

Ayes: Barrington, Brooks, David, Ford, Shaw, Wyrick

**HB 1966** – Judiciary

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

**CS for HB 2187** – Public Safety

Ayes: Barrington, Brooks, David, Ford, Shaw, Wyrick

**CHANGE IN AUTHORS/COAUTHORS**

The following measures were authored/coauthored:

**SB 229** - Coauthored by Sherrer

**SB 563** - Coauthored by Wood

Coauthored by Wesselhoft

**HB 1074** - Coauthored by Pittman

**HB 1150** - Coauthored by Pittman

**HB 1408** - Coauthored by Pittman

**HB 1410** - Coauthored by Pittman

**HB 1435** - Coauthored by Pittman

**HB 1463** - Coauthored by Pittman

**HB 2182** - Coauthored by Brinkley

**HB 2183** - Coauthored by Brinkley

**MESSAGE FROM THE GOVERNOR**

Advising her approval March 31, 2015, of Enrolled **SBs 111** and **820**.

Pursuant to the Schulz motion, the Senate adjourned at 2:25 p.m. to meet Wednesday, April 1, 2015, at 1:30 p.m.

**JOURNAL CORRECTION**

Page 802, Line 15, inserting the following language:

**“REPORT OF ENGROSSED AND ENROLLED MEASURE**

**HB 2177** was correctly engrossed and, together with engrossed **SAs**, properly signed and ordered returned to the Honorable House.”