

Senate Journal

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

Sixty-second Legislative Day, Wednesday, May 20, 2015

The Senate was called to order by Senator Griffin.

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, Matthews, Mazzei, Newberry, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat, Wyrick and Yen.—48.

Senator Griffin declared a quorum present.

The prayer was offered by Dr. Ray L. Earley, Westport Baptist Church, Cleveland, the guest of Senator Griffin.

REPORT OF ENGROSSED AND ENROLLED MEASURES

SBs 114 and 395 and SCR 14 were each correctly enrolled, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

SR 38 was correctly enrolled, properly signed and ordered transmitted to the Secretary of State.

MESSAGES FROM THE HOUSE

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

SB 372

The above-numbered measure, as amended in conference, was referred for enrollment.

Advising conferees are unable to agree on the following:

HB 1732

**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 2217

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

REPORT OF ENGROSSED AND ENROLLED MEASURE

SB 372 was correctly enrolled and after fourth reading, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

MESSAGES FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed **HBs 2233** and **2244**.

HB 2233 – By Sears and Casey of the House and Jolley and Treat of the Senate.

An Act relating to the Supreme Court; amending 20 O.S. 2011, Section 1227, as amended by Section 78, Chapter 304, O.S.L. 2012 (20 O.S. Supp. 2014, Section 1227), which relates to the Law Library Revolving Fund; directing transfer of monies to perform court duties; amending 20 O.S. 2011, Section 1310.1, as amended by Section 81, Chapter 304, O.S.L. 2012 (20 O.S. Supp. 2014, Section 1310.1), which relates to the Supreme Court Revolving Fund; modifying name; modifying authorization; directing transfer of monies to perform court duties; amending 20 O.S. 2011, Section 1310.2, as amended by Section 82, Chapter 304, O.S.L. 2012 (20 O.S. Supp. 2014, Section 1310.2), which relates to the State Judicial Revolving Fund; directing transfer of monies to perform court duties; amending 20 O.S. 2011, Section 1310.3, as amended by Section 83, Chapter 304, O.S.L. 2012 (20 O.S. Supp. 2014, Section 1310.3), which relates to the Supreme Court Administrative Revolving Fund; modifying procedure; modifying authorized expenditures; directing transfer of monies to perform court duties; amending 28 O.S. 2011, Section 86, which relates to the Lengthy Trial Fund; directing transfer of monies to perform court duties; and declaring an emergency.

HB 2244 – By Sears and Casey of the House and Jolley and Treat of the Senate.

An Act relating to motor vehicles; amending 47 O.S. 2011, Section 1104, as amended by Section 1, Chapter 347, O.S.L. 2012 (47 O.S. Supp. 2014, Section 1104), which relates to apportionment of motor vehicle fees, taxes and penalties; placing limits on certain apportionments; providing for distribution of amounts in excess of limits; removing certain deduction for certain apportionment; deleting certain minimum apportionment requirements; providing an effective date; and declaring an emergency.

The above-numbered measures were read the first time.

Advising fourth reading of and returning Enrolled **SBs 114** and **395**.

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

Advising the signing of and returning Enrolled **SCR 14**.

The above-numbered enrolled measure was transmitted to the Secretary of State.

MESSAGE FROM THE HOUSE

Advising the Honorable Senate that pursuant to paragraph (b) of Joint Rule Eight, the House has suspended Section 4.12, paragraph (b) of Joint Rules for the purpose of allowing consideration of all measures reported out of the Joint Committee on Appropriations and Budget on Wednesday, May 20, 2015 to be considered in the chamber of origin on Wednesday, May 20, 2015.

MOTION

JOINT RULE SUSPENDED

Senator Schulz moved pursuant to paragraph (b) of Joint Rule Eight, to suspend Section 4.12, Paragraph (b) of the Joint Rules for the purpose of allowing consideration of all measures reported out of the Joint Committee on Appropriations and Budget on Wednesday, May 20, 2015 to be considered in the chamber of origin on Wednesday, May 20, 2015, which motion was declared adopted upon roll call as follows:

Aye: Allen, Anderson, Barrington, Bice, Boggs, Brinkley, Brooks, Brown, Crain, Dahm, David, Fields, Ford, Fry, Garrison, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Matthews, Mazzei, Newberry, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Simpson, Smalley, Standridge, Stanislawski, Sykes, Thompson, Treat and Yen.--40.

Nay: Bass, Floyd, Paddack, Sparks and Wyrick.--5.

Excused: Bingman, Brecheen and Pittman.--3.

Senator Schulz moved that the Senate recess until the Call of the Chair, which motion was declared adopted.

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The Senate reconvened with Senator Griffin presiding.

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

PENDING CONSIDERATION OF JCR

The **JCR** on **SB 835** was adopted upon motion of Senator Jolley.

SB 835 was read at length.

On the question of passage of the bill and emergency, 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, Justice, Loveless, Marlatt, Matthews, Mazzei, Newberry, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat, Wyrick and Yen.--47.

Excused: Bingman.--1.

The bill and emergency passed.

SB 835 was referred for engrossment.

PENDING CONSIDERATION OF JCR

The **JCR** on **SB 848** was adopted upon motion of Senator Jolley.

SB 848 was read at length.

On the question of passage of the bill and emergency, 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, Justice, Loveless, Marlatt, Matthews, Mazzei, Newberry, Paddack, Pittman,

Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat, Wyrick and Yen.--47.

Excused: Bingman.--1.

The bill and emergency passed.

SB 848 was referred for engrossment.

PENDING CONSIDERATION OF JCR

The **JCR** on **SB 849** was adopted upon motion of Senator Jolley.

SB 849 was read at length.

On the question of passage of the bill and emergency, 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, Justice, Loveless, Marlatt, Matthews, Mazzei, Newberry, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat, Wyrick and Yen.--47.

Excused: Bingman.--1.

The bill and emergency passed.

SB 849 was referred for engrossment.

PENDING CONSIDERATION OF JCR

The **JCR** on **SB 850** was adopted upon motion of Senator Jolley.

SB 850 was read at length.

On the question of passage of the bill and emergency, 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, Justice, Loveless, Marlatt, Matthews, Mazzei, Newberry, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Silk, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat, Wyrick and Yen.--46.

Nay: Shortey.--1.

Excused: Bingman.--1.

The bill and emergency passed.

SB 850 was referred for engrossment.

PENDING CONSIDERATION OF JCR

The **JCR** on **SB 851** was adopted upon motion of Senator Jolley.

SB 851 was read at length.

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

Aye: Allen, Anderson, Barrington, Bice, Boggs, Brecheen, Brinkley, Brooks, Brown, Crain, Dahm, David, Fields, Ford, Fry, Garrison, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Mazzei, Newberry, Quinn, Schulz, Sharp, Shaw, Simpson, Smalley, Standridge, Stanislawski, Sykes, Thompson, Treat, Wyrick and Yen.--39.

Nay: Bass, Floyd, Matthews, Paddack, Pittman, Shortey and Sparks.--7.

Excused: Bingman and Silk.--2.

The bill and emergency passed.

SB 851 was referred for engrossment.

PENDING CONSIDERATION OF JCR

The **JCR** on **SB 852** was adopted upon motion of Senator Jolley.

SB 852 was read at length.

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

Aye: Allen, Anderson, Barrington, Bice, Boggs, Brecheen, Brinkley, Brooks, Brown, Crain, Dahm, David, Fields, Ford, Fry, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Mazzei, Newberry, Quinn, Schulz, Sharp, Shaw, Simpson, Smalley, Standridge, Stanislawski, Sykes, Thompson, Treat and Yen.--37.

Nay: Bass, Floyd, Garrison, Matthews, Paddack, Pittman, Shortey, Sparks and Wyrick.--9.

Excused: Bingman and Silk.--2.

The bill and emergency passed.

SB 852 was referred for engrossment.

PENDING CONSIDERATION OF JCR

The **JCR** on **SB 853** was adopted upon motion of Senator Jolley.

SB 853 was read at length.

On the question of passage of the bill and emergency, 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, Justice, Loveless, Marlatt, Matthews, Mazzei, Newberry, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Silk, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat, Wyrick and Yen.--46.

Nay: Shortey.--1.

Excused: Bingman.--1.

The bill and emergency passed.

SB 853 was referred for engrossment.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 412** was adopted upon motion of Senator Brinkley.

SB 412, as amended in conference, was read at length.

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

Aye: Allen, Anderson, Barrington, Bice, Boggs, Brecheen, Brinkley, Brooks, Brown, Crain, Dahm, David, Fields, Ford, Fry, Garrison, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Mazzei, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Simpson, Smalley, Standridge, Stanislawski, Sykes, Thompson, Treat, Wyrick and Yen.--40.

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

Excused: Bingman and Newberry.--2.

The bill passed.

SB 412, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 85** was adopted upon motion of Senator Mazzei.

SB 85, as amended in conference, was read 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, Justice, Loveless, Marlatt, Matthews, Mazzei, Newberry, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat, Wyrick and Yen.--47.

Excused: Bingman.--1.

The bill passed.

SB 85, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 726** was adopted upon motion of Senator Crain.

SB 726, as amended in conference, was read at length.

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

Aye: Allen, Anderson, Barrington, Bice, Boggs, Brecheen, Brinkley, Brooks, Brown, Crain, Dahm, David, Fields, Ford, Fry, Griffin, Halligan, Jech, Jolley, Justice, Loveless, Marlatt, Matthews, Mazzei, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Simpson, Smalley, Standridge, Stanislawski, Sykes, Thompson and Yen.--39.

Nay: Bass, Garrison, Holt, Sparks, Treat and Wyrick.--6.

Excused: Bingman, Floyd and Newberry.--3.

The bill passed.

SB 726, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 460** was adopted upon motion of Senator Floyd.

SB 460, as amended in conference, was read 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, Justice, Loveless, Marlatt, Matthews, Mazzei, Newberry, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat, Wyrick and Yen.--47.

Excused: Bingman.--1.

The bill passed.

SB 460, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 706** was adopted upon motion of Senator Ford.

SB 706, as amended in conference, was read at length.

On the question of passage of the bill and emergency, 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, Justice, Loveless, Matthews, Mazzei, Newberry, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat, Wyrick and Yen.--46.

Excused: Bingman and Marlatt.--2.

The bill and emergency passed.

SB 706, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

INTRODUCTION

Senator Griffin introduced Governor Mary Fallin to the Senate.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 165** was called up for consideration.

Senator Loveless asked that the **CCR** on **SB 165** be laid over for this legislative day, which was the order.

The **CCR** on **SB 165** remains on pending consideration of the **CCR**.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 144** was adopted upon motion of Senator Holt.

SB 144, as amended in conference, was read 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, Justice, Loveless, Marlatt, Matthews, Mazzei, Newberry, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat, Wyrick and Yen.--47.

Excused: Bingman.--1.

The bill passed.

SB 144, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 342** was adopted upon motion of Senator Standridge.

SB 342, as amended in conference, was read at length.

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

Aye: Allen, Anderson, Barrington, Bice, Boggs, Brecheen, Brinkley, Brown, Crain, Dahm, David, Fields, Ford, Fry, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Mazzei, Newberry, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Simpson, Smalley, Standridge, Stanislawski, Sykes, Thompson and Yen.--36.

Nay: Bass, Brooks, Floyd, Garrison, Matthews, Pittman, Sparks and Wyrick.--8.

Excused: Bingman, Griffin, Paddack and Treat.--4.

The bill passed.

SB 342, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

Senator Marlatt presiding.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 141** was adopted upon motion of Senator Stanislawski.

SB 141, as amended in conference, was read 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, Justice, Loveless, Marlatt, Matthews, Mazzei, Newberry, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat and Yen.--45.

Nay: Wyrick.--1.

Excused: Bingman and Paddack.--2.

The bill passed.

SB 141, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 1773** was adopted upon motion of Senator Newberry.

HB 1773, as amended in conference, was read 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, Crain, Dahm, David, Fields, Floyd, Ford, Fry, Garrison, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Matthews, Mazzei, Newberry, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat, Wyrick and Yen.--45.

Excused: Bingman, Brown and Paddack.--3.

The bill passed.

HB 1773, together with the conference committee report thereon, was ordered returned to the Honorable House.

Senator Griffin presiding.

REPORT OF ENGROSSED AND ENROLLED MEASURES

SBs 835, 848, 849, 850, 851, 852 and 853 were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

COMMITTEE REPORTS

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

DO PASS:

SB 837 – Joint Committee on Appropriations and Budget

Senate:

Ayes: Allen, Barrington, Bice, Boggs, Brecheen, Brinkley, Brooks, Brown, Crain, David, Fields, Ford, Fry, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Newberry, Quinn, Sharp, Shaw, Silk, Simpson, Smalley, Standridge, Stanislawski, Sykes, Thompson, Treat, Yen

Nays: Anderson, Floyd, Garrison, Matthews, Paddack, Pittman, Sparks

House:

Ayes: Bennett, Casey, Coody (A), Cox, Johnson, McCall, McCullough, McDaniel (R), Nelson, Ortega, Osborn, Ownbey, Peterson, Russ, Sears, Wright

Nays: Brown, McDaniel (J), Morrissette, Sherrer

DO PASS, As Amended:

CS for SB 841 – Joint Committee on Appropriations and Budget

Senate:

Ayes: Allen, Barrington, Bice, Boggs, Brecheen, Brinkley, Brooks, Brown, Crain, Dahm, David, Fields, Ford, Fry, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Newberry, Quinn, Sharp, Shaw, Silk, Simpson, Smalley, Standridge, Stanislawski, Sykes, Thompson, Treat, Yen

Nays: Anderson, Bass, Floyd, Garrison, Matthews, Paddack, Pittman, Sparks

House:

Ayes: Bennett, Casey, Cox, Johnson, Martin, McCall, McCullough, McDaniel (R), Nelson, Ortega, Ownbey, Peterson, Russ, Sanders, Sears, Wright

Nays: Brown, Hoskin, Inman, McDaniel (J), Morrissette, Sherrer

CS for SB 842 – Joint Committee on Appropriations and Budget

Senate:

Ayes: Allen, Anderson, Barrington, Bass, Bice, Boggs, Brecheen, Brinkley, Brooks, Brown, Crain, Dahm, David, Fields, Ford, Fry, Garrison, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Newberry, Quinn, Sharp, Shaw, Silk, Simpson, Smalley, Standridge, Stanislawski, Sykes, Thompson, Treat, Wyrick, Yen

Nays: Floyd, Matthews, Paddack, Pittman, Sparks

House:

Ayes: Bennett, Brown, Casey, Coody (A), Cox, Johnson, Martin, McCall, McCullough, McDaniel (R), Morrissette, Nelson, Ortega, Osborn, Ownbey, Peterson, Russ, Sanders, Sears, Sherrer, Wright

Nays: McDaniel (J)

CS for SB 843 – Joint Committee on Appropriations and Budget

Senate:

Ayes: Allen, Anderson, Barrington, Bass, Bice, Boggs, Brecheen, Brinkley, Brooks, Brown, Crain, Dahm, David, Fields, Ford, Fry, Garrison, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Newberry, Quinn, Sharp, Shaw, Silk, Simpson, Smalley, Standridge, Stanislawski, Sykes, Thompson, Treat, Wyrick, Yen

Nays: Floyd, Matthews, Paddack, Pittman, Sparks

House:

Ayes: Bennett, Brown, Casey, Coody (A), Cox, Hoskin, Johnson, Martin, McCall, McCullough, McDaniel (R), Nelson, Ortega, Osborn, Ownbey, Peterson, Russ, Sanders, Sears, Sherrer, Wright

Nays: McDaniel (J), Morrissette

CS for SB 845 – Joint Committee on Appropriations and Budget

Senate:

Ayes: Allen, Anderson, Barrington, Bass, Bice, Boggs, Brecheen, Brinkley, Brooks, Brown, Crain, Dahm, David, Fields, Ford, Fry, Garrison, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Newberry, Quinn, Sharp, Shaw, Silk, Simpson, Smalley, Standridge, Stanislawski, Sykes, Thompson, Treat, Wyrick, Yen

Nays: Floyd, Matthews, Paddack, Pittman, Sparks

House:

Ayes: Bennett, Casey, Cox, Johnson, Martin, McCall, McCullough, McDaniel (R), Nelson, Ortega, Osborn, Ownbey, Peterson, Russ, Sanders, Sears, Wright

Nays: Brown, Hoskin, Inman, McDaniel (J), Morrissette, Sherrer

CS for SB 846 – Joint Committee on Appropriations and Budget

Senate:

Ayes: Allen, Barrington, Bice, Boggs, Brecheen, Brinkley, Brooks, Brown, Crain, Dahm, David, Fields, Ford, Fry, Garrison, Griffin, Halligan, Jech, Jolley, Justice, Loveless, Newberry, Quinn, Sharp, Shaw, Silk, Simpson, Smalley, Standridge, Stanislawski, Sykes, Thompson, Treat, Yen

Nays: Anderson, Bass, Floyd, Matthews, Paddack, Pittman, Sparks, Wyrick

House:

Ayes: Bennett, Billy, Casey, Cox, Hoskin, Johnson, Martin, McCall, McCullough, McDaniel (R), Nelson, Ortega, Osborn, Ownbey, Peterson, Rousselot, Sears, Wright

Nays: McDaniel (J)

CS for SB 847 – Joint Committee on Appropriations and Budget

Senate:

Ayes: Allen, Barrington, Bice, Boggs, Brecheen, Brinkley, Brooks, Brown, Crain, Dahm, David, Fields, Ford, Fry, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Quinn, Sharp, Shaw, Silk, Simpson, Smalley, Standridge, Stanislawski, Sykes, Thompson, Treat, Yen

Nays: Anderson, Bass, Floyd, Garrison, Matthews, Paddack, Pittman, Sparks, Wyrick

House:

Ayes: Bennett, Billy, Casey, Coody (A), Cox, Hoskin, Johnson, Martin, McCall, McCullough, McDaniel (J), McDaniel (R), Ortega, Osborn, Ownbey, Peterson, Rousselot, Sears, Sherrer, Wright

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 1890** was adopted upon motion of Senator Newberry.

HB 1890, as amended in conference, was read at length.

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

Aye: Anderson, Barrington, Bice, Boggs, Brinkley, Brooks, Crain, David, Fields, Ford, Fry, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Mazzei, Newberry, Schulz, Sharp, Shaw, Simpson, Standridge, Stanislawski, Thompson, Treat and Yen.--30.

Nay: Allen, Bass, Brecheen, Dahm, Floyd, Garrison, Matthews, Pittman, Quinn, Shortey, Silk, Smalley, Sparks, Sykes and Wyrick.--15.

Excused: Bingman, Brown and Paddack.--3.

The bill passed.

HB 1890, together with the conference committee report thereon, was ordered returned to the Honorable House.

PENDING CONSIDERATION OF JCR

The **JCR** on **SB 837** was adopted upon motion of Senator Jolley.

SB 837 was read at length.

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

Aye: Allen, Anderson, Barrington, Bice, Boggs, Brecheen, Brinkley, Brooks, Crain, Dahm, David, Fields, Ford, Fry, Garrison, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Mazzei, Newberry, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Simpson, Smalley, Standridge, Stanislawski, Sykes, Thompson, Treat and Yen.--39.

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

Excused: Bingman, Brown and Paddack.--3.

The bill and emergency passed.

SB 837 was referred for engrossment.

PENDING CONSIDERATION OF JCR

The **JCR** on **SB 841** was adopted upon motion of Senator Jolley.

SB 841 was read at length.

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

Aye: Allen, Anderson, Barrington, Bice, Boggs, Brecheen, Brinkley, Brooks, Crain, Dahm, David, Fields, Ford, Fry, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Mazzei, Newberry, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Simpson, Smalley, Standridge, Stanislawski, Sykes, Thompson, Treat and Yen.--38.

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

Excused: Bingman, Brown, Matthews and Paddack.--4.

The bill and emergency passed.

SB 841 was referred for engrossment.

PENDING CONSIDERATION OF JCR

The **JCR** on **SB 842** was adopted upon motion of Senator Jolley.

SB 842 was read at length.

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

Aye: Allen, Anderson, Barrington, Bice, Boggs, Brecheen, Brinkley, Brooks, Crain, Dahm, David, Fields, Ford, Fry, Garrison, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Mazzei, Newberry, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Simpson, Smalley, Standridge, Stanislawski, Sykes, Thompson, Treat, Wyrick and Yen.--40.

Nay: Bass, Floyd, Matthews, Pittman and Sparks.--5.

Excused: Bingman, Brown and Paddack.--3.

The bill and emergency passed.

SB 842 was referred for engrossment.

PENDING CONSIDERATION OF JCR

The **JCR** on **SB 843** was adopted upon motion of Senator Jolley.

SB 843 was read at length.

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

Aye: Allen, Anderson, Barrington, Bice, Boggs, Brecheen, Brinkley, Brooks, Crain, Dahm, David, Fields, Ford, Fry, Garrison, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Mazzei, Newberry, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Simpson, Smalley, Standridge, Stanislawski, Sykes, Thompson, Treat, Wyrick and Yen.--40.

Nay: Bass, Floyd, Matthews, Pittman and Sparks.--5.

Excused: Bingman, Brown and Paddack.--3.

The bill and emergency passed.

SB 843 was referred for engrossment.

PENDING CONSIDERATION OF JCR

The **JCR** on **SB 845** was adopted upon motion of Senator Jolley.

SB 845 was read at length.

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

Aye: Allen, Anderson, Barrington, Bice, Boggs, Brecheen, Brinkley, Brooks, Crain, Dahm, David, Fields, Ford, Fry, Garrison, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Mazzei, Newberry, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Simpson, Smalley, Standridge, Stanislawski, Sykes, Thompson, Treat, Wyrick and Yen.--40.

Nay: Bass, Floyd, Matthews, Pittman and Sparks.--5.

Excused: Bingman, Brown and Paddack.--3.

The bill and emergency passed.

SB 845 was referred for engrossment.

PENDING CONSIDERATION OF JCR

The **JCR** on **SB 846** was adopted upon motion of Senator Jolley.

SB 846 was read at length.

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

Aye: Allen, Barrington, Bice, Boggs, Brecheen, Brinkley, Brooks, Crain, Dahm, David, Fields, Ford, Fry, Griffin, Halligan, 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: Anderson, Bass, Floyd, Garrison, Matthews, Pittman, Sparks and Wyrick.--8.

Excused: Bingman, Brown and Paddack.--3.

The bill and emergency passed.

SB 846 was referred for engrossment.

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 1687** was adopted upon motion of Senator Halligan.

HB 1687, as amended in conference, was read at length.

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

Aye: Allen, Anderson, Barrington, Bass, Bice, Boggs, Brecheen, Brinkley, Brooks, Crain, Dahm, David, Fields, Floyd, Ford, Fry, Garrison, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Matthews, Mazzei, Newberry, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat, Wyrick and Yen.--45.

Excused: Bingman, Brown and Paddack.--3.

The bill and emergency passed.

HB 1687, together with the conference committee report thereon, was ordered returned to the Honorable House.

**UNANIMOUS CONSENT REQUEST
DIRECT TO CALENDAR**

Senator Fields asked unanimous consent to refer **HCR 1008** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

HCR 1008 by Fields of the House and Scott et al of the Senate was called up for consideration.

All other members of the Senate asked to coauthor **HCR 1008**, which was the order.

HCR 1008 was adopted upon motion of Senator Fields, properly signed and ordered returned to the Honorable House.

Senator Schulz moved that the Senate recess until the Call of the Chair, which motion was declared adopted.

*

The Senate reconvened with Senator Griffin presiding.

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

REPORT OF ENGROSSED AND ENROLLED MEASURES

SBs 837, 841, 842, 843, 845 and **846** were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

CONFERENCE COMMITTEE REPORTS SUBMITTED

Conference committee reports were read on the following bills:

SB 312
SB 459
SB 592
SB 642

CHANGE IN CONFEREES

Advising change in Senate conferees as follows:

HB 1672 – withdraw from GCCA and name Thompson, Jolley, Treat, Smalley, Ford, Floyd and Sparks.

MESSAGES FROM THE HOUSE

Advising fourth reading of and returning Enrolled **SB 372**.

The above-numbered enrolled measure was referred to the Governor.

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

SB 410

The above-numbered measure, as amended in conference, was referred for enrollment.

REPORT OF ENGROSSED AND ENROLLED MEASURE

SB 410 was correctly enrolled, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

**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 1014

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

MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed **HBs 2238, 2239, 2241, 2243, 2245** and **2246**.

HB 2238 – By Sears and Casey of the House and Jolley and Treat of the Senate.

An Act relating to workers' compensation; amending Section 28, Chapter 208, O.S.L. 2013, as amended by Section 1, Chapter 169, O.S.L. 2014, Section 31, Chapter 208, O.S.L. 2013, and Section 165, Chapter 208, O.S.L. 2013 (85A O.S. Supp. 2014, Sections 28, 31 and 122), which relate to the Administrative Workers' Compensation Act; eliminating certain fund; providing for deposit of fines and penalties; transferring certain monies; creating the Workers' Compensation Commission Revolving Fund; providing for source of funding; providing purpose; providing for budgeting and expenditures; eliminating certain restrictions on insurance rates; eliminating certain payments excluded from the Multiple Injury Trust Fund; stating permissible uses of the Workers' Compensation Commission Revolving Fund; expanding purpose of certain assessments; providing for allocation of certain monies collected; creating the Workers' Compensation Administrative Fund; providing source of funding; providing purpose; providing for budgeting and expenditures; providing for codification; providing an effective date; and declaring an emergency.

HB 2239 – By Sears and Casey of the House and Jolley and Treat of the Senate.

An Act relating to the Office of Juvenile Affairs; requiring budgeting in certain categories and amounts; requiring certain performance measures; providing for duties and compensation of employees; authorizing certain attorney position; providing budgetary limitations; authorizing certain requests for exemptions from expenditure limitations and budgetary limitations; requiring certain procedures; requiring certain filings; requiring certain approvals; requiring written notice; providing lapse dates; and requiring and prohibiting certain budget procedures.

HB 2241 – By Sears and Casey of the House and Jolley and Treat of the Senate.

An Act relating to revenue and taxation; amending 68 O.S. 2011, Section 6005, which relates to aircraft excise tax; modifying distribution of revenue above a certain amount; and providing an effective date.

HB 2243 – By Sears and Casey of the House and Jolley and Treat of the Senate.

An Act relating to tax revenue apportionment; amending 68 O.S. 2011, Sections 1353, as amended by Section 540, Chapter 304, O.S.L. 2012 and 1403, as amended by Section 542, Chapter 304, O.S.L. 2012 (68 O.S. Supp. 2014, Sections 1353 and 1403), which relate to apportionment of sales and use tax; modifying apportionment of sales and use tax revenue to certain funds based on specified limits; providing for distribution of amounts in excess of limits; providing an effective date; and declaring an emergency.

HB 2245 – By Sears and Casey of the House and Jolley, Treat and Pittman of the Senate.

An Act relating to the Oklahoma Arts Council; amending 53 O.S. 2011, Section 174, which relates to incentive grants for visual arts programs in schools; modifying authorized uses of incentive grant funding; providing an effective date; and declaring an emergency.

HB 2246 – By Sears and Casey of the House and Jolley, Treat and Pittman of the Senate.

An Act relating to state government; amending 74 O.S. 2011, Section 500.2, as last amended by Section 1, Chapter 109, O.S.L. 2014 (74 O.S. Supp. 2014, Section 500.2), which relates to the State Travel Reimbursement Act; authorizing the Office of Educational Quality and Accountability to enter into contracts for payment of certain expenses relating to conferences, meetings and training sessions; allowing the Office of Educational Quality and Accountability to establish necessary accounts; providing for direct payment of expenses; and limiting the cost of food under certain conditions.

The above-numbered measures were read the first time.

MESSAGES FROM THE HOUSE

Advising fourth reading of and returning Enrolled **SB 410**.

The above-numbered enrolled measure was referred to the Governor.

Advising conferees are unable to agree on the following:

HB 1065

HB 1747

HB 1793

PENDING CONSIDERATION OF JCR

The **JCR** on **SB 847** was called up for consideration.

Senator Jolley moved adoption of the **JCR** on **SB 847**.

Senator Sparks moved to recommit **SB 847** to the Joint Committee on Appropriations and Budget with the following instructions:

To report out a committee substitute that includes a new Paragraph 3 to Subsection C of Section 2355 of Title 68 to read as follows:

3. Notwithstanding the provisions of sub-paragraph F of Paragraphs 1 and 2 of Subsection C, the top marginal income tax rate shall remain at 5.25%.

Senator Jolley moved to table the Sparks motion, which tabling motion was declared adopted upon roll call as follows:

Aye: Allen, Barrington, Bice, Boggs, Brecheen, Brinkley, Brooks, Dahm, David, Fields, Ford, Fry, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Newberry, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Simpson, Smalley, Standridge, Stanislawski, Sykes, Thompson, Treat and Yen.--35.

Nay: Bass, Floyd, Garrison, Matthews, Paddack, Sparks and Wyrick.--7.

Excused: Anderson, Bingman, Brown, Crain, Mazzei and Pittman.--6.

Senator Jolley pressed his motion to adopt the **JCR** on **SB 847**, which motion was declared adopted.

SB 847 was read at length.

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

Aye: Allen, Barrington, Bice, Boggs, Brecheen, Brinkley, Brooks, Dahm, David, Fields, Ford, Fry, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Newberry, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Simpson, Smalley, Standridge, Stanislawski, Sykes, Thompson, Treat and Yen.--35.

Nay: Bass, Floyd, Garrison, Matthews, Paddack, Sparks and Wyrick.--7.

Excused: Anderson, Bingman, Brown, Crain, Mazzei and Pittman.--6.

The bill and emergency passed.

SB 847 was referred for engrossment.

REPORT OF ENGROSSED AND ENROLLED MEASURE

SB 847 was correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed **HBs 2240** and **2242**.

HB 2240 – By Sears and Casey of the House and Jolley and Treat of the Senate.

An Act relating to the Department of Mental Health and Substance Abuse Services; authorizing certain transfers; authorizing early allocation and establishing procedure;

exempting certain funds from expenditure and budgetary limitations; providing lapse dates; and requiring and prohibiting certain budget procedures.

HB 2242 – By Sears and Casey of the House and Jolley and Treat of the Senate.

An Act relating to general appropriations for the expenses of various agencies of the executive, legislative and judicial departments of the state; defining terms; stating legislative intent; summarizing appropriated funds; summarizing dedicated funds; summarizing interagency funds; summarizing other funds; providing totals; making appropriations to the State Board of Education, the Oklahoma Arts Council, the State Board of Career and Technology Education, the Office of Educational Quality and Accountability, the Oklahoma Educational Television Authority, the Oklahoma State Regents for Higher Education, the Commissioners of the Land Office, the Oklahoma Department of Libraries, the Physician Manpower Training Commission, the Board of Trustees of the Oklahoma School of Science and Mathematics, the Oklahoma Center for the Advancement of Science and Technology, the Office of the State Auditor and Inspector, the Office of the State Bond Advisor, the State Election Board, the Oklahoma Department of Emergency Management, the Ethics Commission, the Office of the Governor, the Oklahoma House of Representatives, the Legislative Service Bureau, the Office of the Lieutenant Governor, the Office of Management and Enterprise Services, the Oklahoma Merit Protection Commission, the Military Department of the State of Oklahoma, the Oklahoma State Senate, the Oklahoma Tax Commission, the Office of the State Treasurer, the Oklahoma Space Industry Development Authority, the Department of Transportation, the State Department of Health, the Oklahoma Health Care Authority, the J.D. McCarty Center for Children with Developmental Disabilities, the Department of Mental Health and Substance Abuse Services, the Oklahoma State University Medical Authority, the University Hospitals Authority, the Oklahoma Department of Veterans Affairs, the Oklahoma Commission on Children and Youth, the Office of Disability Concerns, the Department of Human Services, the Office of Juvenile Affairs, the State Department of Rehabilitation Services, the Oklahoma Department of Agriculture, Food, and Forestry, the Oklahoma Department of Commerce, the Rural Economic Action Plan Fund, the Oklahoma Conservation Commission, the Corporation Commission, the Department of Environmental Quality, the Oklahoma Historical Society, the Oklahoma Horse Racing Commission, the Insurance Department, the J.M. Davis Memorial Commission, the Department of Labor, the Department of Mines, the Scenic Rivers Commission, the Oklahoma Tourism and Recreation Department, the Oklahoma Water Resources Board, the Will Rogers Memorial Commission, the Alcoholic Beverage Laws Enforcement Commission, the Department of Corrections, the Office of the State Fire Marshal, the Oklahoma State Bureau of Investigation, the Council on Law Enforcement Education and Training, the Board of Medicolegal Investigations, the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control, the Department of Public Safety, the Office of the Attorney General, the Court of Criminal Appeals, district attorneys and the District Attorneys Council, the Supreme Court, the Oklahoma Indigent Defense System, the Pardon and Parole Board, the Special Cash Fund and the Quick Action Closing Fund; stating amounts of the appropriations; stating purposes and restrictions; authorizing and requiring certain expenditures; authorizing and requiring certain transfers; reappropriating and redesignating certain funds; providing for noncodification; and providing effective dates.

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, May 21, 2015, at 9:30 a.m., which motion prevailed.

SECOND READING

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

HJR 1030 – Direct To Calendar

FIRST READING

The following was introduced and read the first time:

SCR 29 – By Simpson of the Senate and Roberts (Dustin) of the House.

A Concurrent Resolution showing Oklahoma legislative support for the Toxic Exposure Act of 2015; encouraging members of the Congressional Delegation to join as cosponsors on the bill; urging the United States Congress to pass and asking the United States President to sign Senate Bill No. S.901 into law; and directing distribution.

CHANGE IN AUTHORS/COAUTHORS

The following measures were authored/coauthored:

SB 726 - Coauthored by Pittman

HB 1037 - Remove as coauthor Senator Matthews

HB 1037 – Coauthored by Walker

HB 1773 - Coauthored by Sparks

MESSAGES FROM THE GOVERNOR

Advising her approval May 20, 2015, of Enrolled **SBs 173, 438, 498, 502 and 789**.

Pursuant to the Schulz motion, the Senate adjourned at 11:20 p.m. to meet Thursday, May 21, 2015, at 9:30 a.m.

JOURNAL CORRECTION

Page 1204, Line 5, insert the following:

“REPORT OF ENGROSSED AND ENROLLED MEASURE”

SB 839 was correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.”