

# Senate Journal

## Second Regular Session of the Fifty-fourth Legislature of the State of Oklahoma

**Twenty-sixth Legislative Day, Tuesday, March 18, 2014**

The Senate was called to order by Senator Ford.

Roll Call:

Present: Aldridge, Allen, Anderson, Ballenger, Barrington, Bass, Bingman, Brecheen, Brinkley, Brooks, Brown, Burrage, Coates, Crain, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Loveless, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes, Treat and Wyrick.—42.

Excused: Boggs, Branan, Marlatt, Mazzei, Shortey and Sparks.—6

Senator Ford declared a quorum present.

The prayer was offered by Doug Jones, First Baptist Church, Harrah, the guest of Senator Sharp.

### INTRODUCTIONS

Senator Sykes introduced his parents, David and Kathy Sykes; Senator Allen introduced his wife, Nikki and their grandchildren, Bailey Cox, Sydney Shipman, Kaden Warner, and Brooklynn Shipman; Senator Griffin introduced her daughters, Alexandra and Reagan; Senator Standridge introduced his guest, Jolie Caperton, the daughter of Travis Caperton; Senator Fields introduced his daughter, Jacie; and Senator Treat introduced his children, Olivia, Cooper and Mason, to the Senate.

### REPORT OF ENGROSSED AND ENROLLED MEASURES

**SRs 46 and 50** were each correctly enrolled, properly signed and ordered transmitted to the Secretary of State.

**SCR 32** was correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

## **EXECUTIVE NOMINATIONS**

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

Alexopoulos, Jenny, Tulsa, to the State Board of Health, to serve a nine year term ending June 30, 2023, succeeding herself. (Health and Human Services Committee) Motion to confirm made by Senator Gary Stanislawski.

Ballenger, Robin F., Tulsa, to the Board of Regents for Tulsa Community College, to serve an unexpired term ending June 30, 2020, succeeding Daniel G. Keating. (Education Committee) Motion to confirm made by Senator Gary Stanislawski.

Barber, Belva B., Poteau, to the Board of Regents for Carl Albert State College, to serve an unexpired term ending July 1, 2015, succeeding Bill Barber. (Education Committee) Motion to confirm made by Senator Mark Allen.

Bixler, Amy M., Piedmont, to the Commission for Educational Quality and Accountability, to serve an initial term ending June 30, 2014, succeeding a new position. (Education Committee) Motion to confirm made by Senator Rick Brinkley on behalf of Senator Rob Johnson.

Burgess, Billy, Lawton, to the Board of Regents of the University of Oklahoma, to serve a seven year term ending March 21, 2021, succeeding Rick Dunning. (Education Committee) Motion to confirm made by Senator Earl Garrison on behalf of Senator Randy Bass.

Clancy, Michele, Tulsa, to the State Textbook Committee, to serve an unexpired term ending March 1, 2016, succeeding Rhonda Harlow. (Education Committee) Motion to confirm made by Senator Mike Schulz on behalf of Senator Brian Crain.

Cohen, Julie, Norman, to the Board of Trustees for the Quartz Mountain Arts and Conference Center and Nature Park, to serve a seven year term ending June 30, 2021, succeeding herself. (Education Committee) Motion to confirm made by Senator Susan Paddack on behalf of Senator John Sparks.

Combs, Rita A., Bixby, to the Board of Trustees for Langston University - Oklahoma City and Langston University - Tulsa, to serve a seven year term ending June 30, 2021, succeeding herself. (Education Committee) Motion to confirm made by Senator Rick Brinkley on behalf of Senator Mike Mazzei.

Croak, William H., Oklahoma City, to the Board of Regents for Rose State College, to serve a seven year term ending July 1, 2021, succeeding Robert H. Croak. (Education Committee) Motion to confirm made by Senator Cliff Aldridge.

Gilbert, Randall R., Tecumseh, to the State Board of Career and Technology Education, to serve a six year term ending April 1, 2020, succeeding himself. (Education Committee) Motion to confirm made by Senator Ron Sharp on behalf of Senator Harry Coates.

Johnson, Frank S., Kingston, to the Board of Regents of Murray State College, to serve a seven year term ending June 1, 2021, succeeding himself. (Education Committee) Motion to confirm made by Senator Rick Brinkley on behalf of Senator Josh Brecheen.

Kitch, James R., Yukon, to the Board of Regents for Redlands Community College, to serve a seven year term ending April 22, 2021, succeeding himself. (Education Committee) Motion to confirm made by Senator Ron Justice.

McKay, Bradley K., Norman, to the State Board of Behavioral Health Licensure, to serve a three year term ending October 31, 2016, succeeding a new position. (Health and Human Services Committee) Motion to confirm made by Senator Susan Paddack on behalf of Senator John Sparks.

Miller, Robyn R., Edmond, to the Commission for Educational Quality and Accountability, to serve an initial term ending June 30, 2014, succeeding a new position. (Education Committee) Motion to confirm made by Senator Rob Johnson.

Tapley, Jahni, Idabel, to the Board of Regents for Carl Albert State College, to serve an unexpired term ending July 1, 2014, succeeding Jennifer McBee. (Education Committee) Motion to confirm made by Senator Jerry Ellis.

Tapley, Jahni (2), Idabel, to the Board of Regents for Carl Albert State College, to serve a seven year term ending July 1, 2021, succeeding herself. (Education Committee) Motion to confirm made by Senator Jerry Ellis.

Wilson, Denise M., Langley, to the Oklahoma State Board of Examiners for Long-Term Care Administrators, to serve a three year term ending October 31, 2017, succeeding herself. (Health and Human Services Committee) Motion to confirm made by Senator Susan Paddack on behalf of Senator Charles Wyrick.

Motions to confirm the above-named executive nominations were declared adopted upon roll call as follows:

Aye: Aldridge, Allen, Anderson, Barrington, Bingman, Brecheen, Brinkley, Brooks, Brown, Burrage, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (R), Justice, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Shumate, Simpson, Standridge, Stanislawski, Sykes and Wyrick.--34.

Excused: Ballenger, Bass, Boggs, Branan, Coates, Crain, Johnson (C), Jolley, Loveless, Marlatt, Mazzei, Shortey, Sparks and Treat.--14.

### **CHANGE IN COMMITTEE ASSIGNMENTS**

The following bills will be reassigned as follows:

**HB 2407** – Withdrawn from Business and Commerce and Appropriations Committees and referred to Business and Commerce

**HB 2730** – Withdrawn from Rules Committee and referred to Education

### **MESSAGE FROM THE HOUSE**

Advising the Honorable Senate pursuant to Article 5, Section 30 of the Oklahoma Constitution that the House grants the request of the Honorable Senate to the adjournment for more than three (3) days beginning Thursday, March 20, 2014 and ending on Monday, March 24, 2014.

### **REQUEST TO RECESS**

Senator Schulz moved that the Senate consent to the House's request to adjourn for a period of more than three days in the Second Regular Session of the 54<sup>th</sup> Legislature, pursuant to Article 5, Section 30 of the Oklahoma Constitution, beginning Thursday, March 20, which motion was declared adopted.

Senator Schulz moved that when the clerk's desk is clear, the Senate stand adjourned to convene Wednesday, March 19, 2014, at 1:30 p.m., which motion prevailed.

### **SECOND READING**

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

**HB 1378** – Health and Human Services and then to Appropriations

**HB 1471** – Energy

**HB 1473** – Appropriations

**HB 2249** – Judiciary

**HB 2312** – Judiciary

**HB 2328** – Public Safety

**HB 2338** – Judiciary

**HB 2355** – Appropriations

**HB 2361** – Finance

- HB 2363** – Finance
- HB 2364** – Judiciary
- HB 2366** – Rules
- HB 2367** – General Government
- HB 2402** – Health and Human Services
- HB 2408** – Education
- HB 2414** – Education
- HB 2443** – Transportation and then to Appropriations
- HB 2461** – Public Safety
- HB 2462** – Education and then to Appropriations
- HB 2548** – Education
- HB 2550** – Finance
- HB 2571** – Education
- HB 2592** – Public Safety
- HB 2608** – Public Safety and then to Appropriations
- HB 2609** – Judiciary
- HB 2617** – Public Safety
- HB 2630** – Pensions
- HB 2640** – Education and then to Appropriations
- HB 2642** – Appropriations
- HB 2669** – Appropriations
- HB 2686** – Judiciary
- HB 2688** – Finance
- HB 2691** – Judiciary
- HB 2693** – Finance
- HB 2696** – Education
- HB 2766** – Business and Commerce
- HB 2767** – Health and Human Services
- HB 2773** – Education
- HB 2778** – Education and then to Appropriations
- HB 2779** – Public Safety and then to Appropriations
- HB 2804** – Public Safety and then to Appropriations
- HB 2828** – Insurance and then to Appropriations
- HB 2903** – Judiciary
- HB 2906** – Health and Human Services
- HB 2922** – Education
- HB 2951** – General Government
- HB 2956** – Finance
- HB 2974** – Energy
- HB 2998** – Rules
- HB 3000** – Judiciary
- HB 3001** – Judiciary
- HB 3013** – Public Safety
- HB 3018** – Transportation

**HB 3026** – Business and Commerce  
**HB 3027** – Education  
**HB 3050** – Appropriations  
**HB 3085** – Finance  
**HB 3099** – Finance  
**HB 3101** – Finance and then to Appropriations  
**HB 3143** – Finance  
**HB 3158** – Public Safety  
**HB 3184** – Business and Commerce  
**HB 3211** – Education and then to Appropriations  
**HB 3212** – Public Safety and then to Appropriations  
**HB 3213** – Public Safety and then to Appropriations  
**HB 3217** – General Government  
**HB 3243** – General Government  
**HB 3280** – Insurance  
**HB 3286** – Rules  
**HB 3293** – General Government and then to Appropriations  
**HB 3300** – Judiciary  
**HB 3349** – Appropriations  
**HB 3359** – Business and Commerce and then to Appropriations  
**HB 3363** – Rules  
**HB 3365** – Judiciary  
**HB 3399** – Education  
**HB 3450** – Appropriations  
**HB 3472** – Judiciary  
**HB 3473** – Judiciary  
**HB 3475** – Health and Human Services  
**HJR 1006** – Rules  
**HJR 1026** – Rules  
**HJR 1027** – Rules  
**HJR 1082** – Rules

## **COMMITTEE REPORTS**

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

DO PASS:

**HB 2325** – Judiciary  
Ayes: Allen, Crain, Griffin, Holt, Ivester, Johnson (Rob), Sykes

**HB 2405** – Judiciary

Ayes: Allen, Crain, Griffin, Holt, Ivester, Johnson (Rob), Sykes

**HB 2774** – Judiciary

Ayes: Allen, Crain, Griffin, Holt, Ivester, Johnson (Rob), Sykes

**HB 2790** – Judiciary

Ayes: Allen, Crain, Griffin, Holt, Ivester, Johnson (Rob), Shumate, Sykes

**HB 3159** – Judiciary

Ayes: Allen, Crain, Griffin, Holt, Ivester, Johnson (Rob), Shumate, Sykes

**HB 3164** – Judiciary

Ayes: Allen, Crain, Griffin, Holt, Ivester, Johnson (Rob), Sykes

DO PASS, As Amended:

**HB 2527** – Finance

Ayes: Aldridge, Brinkley, Dahm, Ford, Halligan, Jolley, Simpson, Treat

**HB 2580** – Finance

Ayes: Brinkley, David, Ford, Halligan, Jolley, Simpson, Treat

Nays: Aldridge, Dahm

**HB 2711** – Finance

Ayes: Aldridge, Brinkley, Dahm, David, Ford, Halligan, Jolley, Simpson, Treat

**COMMITTEE REPORT**

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

DO PASS:

**HB 2859** – Judiciary

Ayes: Allen, Crain, Griffin, Holt, Ivester, Johnson (Rob), Sykes

**CHANGE IN AUTHORS/COAUTHORS**

The following measures were authored/coauthored:

**HB 2685** - Remove as author Senator Standridge; authored by Stanislawski

**HB 2954** - Coauthored by Ballenger

Pursuant to the Schulz motion, the Senate adjourned at 2:10 p.m. to meet Wednesday, March 18, 2014, at 1:30 p.m.

### **JOURNAL CORRECTIONS**

Pages 647 through 649, add the words “and then to Appropriations” as it pertains to **HBs 1384, 2070, 2334, 2344, 2407, 2568, 2587, 2624, 2685 and 2859.**

Pages 667 through 668, add the words “and then to Appropriations” as it pertains to **HBs 1707, 2330, 2349, 2353, 2418, 2441, 2500, 2530, 2589, 2639, 2589, 2639, 2929, 2955 and 3177;** and Page 669, add the words “and then to Finance” as it pertains to **HB 3297.**

Pages 680 and 681, add the words “and then to Appropriations” as it pertains to **HBs 1581, 2438, 2885, 2954, 2994, 3294 and 3350.**