

Senate Journal

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

Fifty-sixth Legislative Day, Tuesday, May 10, 2016

The Senate was called to order by Senator Sykes.

Roll Call:

Present: Allen, Anderson, Barrington, Bass, Bice, Bingman, Boggs, Brecheen, Brooks, Brown, Crain, Dahm, David, Dossett, Fields, Floyd, Ford, Fry, 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.

Excused: Garrison and Shortey.—2.

Senator Sykes declared a quorum present.

The prayer was offered by Dr. Bryan Haynes, College Heights Baptist Church, Chickasha, the guest of Senator Justice.

REPORT OF ENGROSSED AND ENROLLED MEASURES

SBs 804, 1386, 1424 and 1573 were each correctly enrolled and after fourth reading, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

SR 66 was correctly enrolled, properly signed and ordered transmitted to the Secretary of State.

**UNANIMOUS CONSENT REQUEST
DIRECT TO CALENDAR**

Senator Pittman asked unanimous consent to refer **SCR 38** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

SCR 38 by Pittman of the Senate and Young of the House was called up for consideration.

All other members of the Senate asked to coauthor **SCR 38**, which was the order.

SCR 38 was adopted upon motion of Senator Pittman and referred for engrossment.

PENDING CONSIDERATION OF HAS

HAs to **SB 172** were concurred in upon motion of Senator Loveless.

SB 172, as amended by the Honorable House, was read at length.

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

Aye: Anderson, Barrington, Bass, Bice, Bingman, Brecheen, Brooks, Brown, Crain, David, Dossett, Fields, Floyd, Ford, Fry, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Mazzei, Newberry, Pittman, Quinn, Schulz, Sharp, Shaw, Silk, Simpson, Smalley, Sparks, Standridge, Stanislawski, Thompson, Wyrick and Yen.--39.

Nay: Allen, Boggs, Dahm, Matthews and Sykes.--5.

Excused: Garrison, Paddack, Shortey and Treat.--4.

The bill passed.

House amendments were properly signed and the above-numbered bill was referred for enrollment.

PENDING CONSIDERATION OF HAS

HAs to SB 1196 were concurred in upon motion of Senator Griffin.

SB 1196, as amended by the Honorable House, 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, Bingman, Boggs, Brecheen, Brooks, Brown, Crain, Dahm, David, Dossett, Fields, Floyd, Ford, Fry, Griffin, Halligan, Holt, Jech, Justice, Loveless, Marlatt, Matthews, Mazzei, Newberry, Pittman, Quinn, Schulz, Sharp, Shaw, Silk, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Wyrick and Yen.--43.

Excused: Garrison, Jolley, Paddack, Shortey and Treat.--5.

The bill and emergency passed.

House amendments were properly signed and the above-numbered bill was referred for enrollment.

PENDING CONSIDERATION OF HAS

HAs to SB 1030 were concurred in upon motion of Senator Mazzei.

SB 1030, as amended by the Honorable House, 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, Brooks, Brown, Crain, Dahm, David, Dossett, Fields, Floyd, Ford, Fry, 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.--45.

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

The bill and emergency passed.

House amendments were properly signed and the above-numbered bill was referred for enrollment.

EXECUTIVE NOMINATIONS

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

Aduddell, Curtis T., Edmond, to the Oklahoma State Board of Examiners for Long-Term Care Administrators, to serve a three-year term ending October 31, 2019, succeeding himself. (Health and Human Services Committee) Motion to confirm made by Senator Stephanie Bice.

Arthur, Jon, Grove, to the Oklahoma Veterans Commission, to serve a three-year term ending July 1, 2019, succeeding Jerletta Halford-Pandos. (Veterans and Military Affairs Committee) Motion to confirm made by Senator Wayne Shaw.

Calhoon, Scott, Oklahoma City, to the Oklahoma State Board of Examiners for Long-Term Care Administrators, to serve a three-year term ending October 31, 2019, succeeding himself. (Health and Human Services Committee) Motion to confirm made by Senator Ervin Yen.

Conner, Claudia, Oklahoma City, to the Oklahoma Employment Security Commission, to serve an unexpired term ending July 2, 2021, succeeding Brian "Max" Dubroff. (Business and Commerce Committee) Motion to confirm made by Senator Kay Floyd.

Cox, Kimberly, Rush Springs, to the State Board of Behavioral Health Licensure, to serve a three-year term ending October 31, 2019, succeeding herself. (Health and Human Services Committee) Motion to confirm made by Senator Corey Brooks.

Dillingham, Daniel Chad, Enid, to the Board of Regents of the Northern Oklahoma College, to serve a five-year term ending June 30, 2021, succeeding Keith James. (Education Committee) Motion to confirm made by Senator Patrick Anderson.

Evans, Stanley L., Oklahoma City, to the Board of Trustees for Langston University-Oklahoma City and Langston University-Tulsa, to serve a seven-year term ending June 30, 2023, succeeding M. L. Jemison. (Education Committee) Motion to confirm made by Senator Kay Floyd.

Ferrell, David L., Chickasha, to the Board of Regents of the University of Science and Arts of Oklahoma, to serve a seven-year term ending June 30, 2023, succeeding Hilary Kitz. (Education Committee) Motion to confirm made by Senator Ron Justice.

Gaines, Cassandra, Muskogee, to the Oklahoma Arts Council, to serve a three-year term ending July 1, 2019, succeeding herself. (Education Committee) Motion to confirm made by Senator Charles Wyrick on behalf of Senator Earl Garrison.

Hanna, Traci, Lawton, to the State Textbook Committee, to serve a three-year term ending March 1, 2019, succeeding Catherine Pilkington. (Education Committee) Motion to confirm made by Senator Randy Bass.

Haws, Susan C., Glenpool, to the Oklahoma State Board of Examiners for Long-Term Care Administrators, to serve a three-year term ending October 31, 2019, succeeding herself. (Health and Human Services Committee) Motion to confirm made by Senator Brian Bingman.

Jolly, Steven R., Sulphur, to the Board of Regents of Murray State College, to serve a seven-year term ending June 1, 2023, succeeding himself. (Education Committee) Motion to confirm made by Senator Frank Simpson.

Karnes, Michael "Shawn", Tulsa, to the Commission on Consumer Credit, to serve a five-year term ending January 1, 2021, succeeding Spencer Stanley. (Business and Commerce Committee) Motion to confirm made by Senator Brian Crain.

Lawhorn, Caron, Tulsa, to the Board of Regents of the Tulsa Community College, to serve a seven-year term ending June 30, 2023, succeeding Larry D. Leonard. (Education Committee) Motion to confirm made by Senator Mike Mazzei.

Lawson, Chris, Oklahoma City, to the Board of Regents for Oklahoma City Community College, to serve an unexpired term ending April 22, 2020, succeeding Helen Camey. (Education Committee) Motion to confirm made by Senator Kay Floyd.

Lawson, Ronald, Spiro, to the Board of Regents for Carl Albert State College, to serve a seven-year term ending July 1, 2023, succeeding himself. (Education Committee) Motion to confirm made by Senator Mark Allen.

Loy, A. Thomas, Oklahoma City, to the Oklahoma Student Loan Authority, to serve an unexpired term ending April 6, 2017, succeeding Hilarie Blaney. (Education Committee) Motion to confirm made by Senator Greg Treat.

Maltz, Shurlyn, Guthrie, to the State Textbook Committee, to serve a three-year term ending ending March 1, 2019, succeeding Jennifer Bobo. (Education Committee) Motion to confirm made by Senator A. J. Griffin.

Manning, Jody M., Tulsa, to the Oklahoma Accountancy Board, to serve a five-year term ending June 30, 2021, succeeding himself. (Business and Commerce Committee) Motion to confirm made by Senator Mike Mazzei.

McGlamery, Jay "Pat", Porum, to the Committee of Home Inspector Examiners, to serve an unexpired term ending June 30, 2018, succeeding Gary Stone. (Business and Commerce Committee) Motion to confirm made by Senator Roger Thompson.

Moran, Deborah, McAlester, to the State Board of Behavioral Health Licensure, to serve a three-year term ending October 31, 2019, succeeding herself. (Health and Human Services Committee) Motion to confirm made by Senator Larry Boggs.

Neal, Ann L., Miami, to the Oklahoma Arts Council, to serve a three-year term ending July 1, 2019, succeeding Nancy Pilkington. (Education Committee) Motion to confirm made by Senator Charles Wyrick.

Ototivo, Brenda, Walters, to the State Board of Behavioral Health Licensure, to serve an unexpired term ending October 31, 2016, succeeding Lisa Deason. (Health and Human Services Committee) Motion to confirm made by Senator Don Barrington.

Ototivo, Brenda, Walters, to the State Board of Behavioral Health Licensure, to serve a three-year term ending October 31, 2019, succeeding herself. (Health and Human Services Committee) Motion to confirm made by Senator Don Barrington.

Parman, Darlene, Oklahoma City, to the Oklahoma Arts Council, to serve a three-year term ending July 1, 2019, succeeding Lee Allen Smith. (Education Committee) Motion to confirm made by Senator Ervin Yen.

Perry, Kevin S., Edmond, to the Board of Regents for Oklahoma City Community College, to serve a seven-year term ending April 22, 2023, succeeding Theresa Moisant. (Education Committee) Motion to confirm made by Senator Stephanie Bice.

Pever, Lisa, Edmond, to the Oklahoma State Board of Examiners for Long-Term Care Administrators, to serve a three-year term ending October 31, 2019, succeeding herself. (Health and Human Services Committee) Motion to confirm made by Senator Clark Jolley.

Pierce, William M., Edmond, to the Oklahoma State Board of Examiners for Long-Term Care Administrators, to serve a three-year term ending October 31, 2019, succeeding himself. (Health and Human Services Committee) Motion to confirm made by Senator Clark Jolley.

Poindexter, Nancy, Sallisaw, to the State Textbook Committee, to serve a three-year term ending March 1, 2019, succeeding a vacant position. (Education Committee) Motion to confirm made by Senator Mark Allen.

Secor, Gary, Lawton, to the Oklahoma Veterans Commission, to serve a three-year term ending July 1, 2018, succeeding Rebecca McGary. (Veterans and Military Affairs Committee) Motion to confirm made by Senator Don Barrington.

Shepherd, Gerald, Oklahoma City, to the Oklahoma Veterans Commission, to serve a three-year term ending July 1, 2019, succeeding Robert L. Willis. (Veterans and Military Affairs Committee) Motion to confirm made by Senator Kyle Loveless.

Smith, Janet, Tulsa, to the State Board of Career and Technology Education, to serve a six-year term ending April 1, 2022, succeeding H.C. "Will" Williams. (Education Committee) Motion to confirm made by Senator Gary Stanislawski.

Spencer, Dwight, Sallisaw, to the Board of Regents for Carl Albert State College, to serve an unexpired term ending July 1, 2019, succeeding Jerry Hetherington. (Education Committee) Motion to confirm made by Senator Mark Allen.

Stroud, Clarke, Norman, to the Oklahoma Educational Television Authority, to serve a seven-year term ending June 30, 2023, succeeding himself. (Education Committee) Motion to confirm made by Senator Rob Standridge.

Tetsworth, Julie, Tulsa, to the Oklahoma Real Estate Commission, to serve a four-year term ending July 1, 2020, succeeding herself. (Business and Commerce Committee) Motion to confirm made by Senator Gary Stanislawski.

Von Tungeln, David, Calumet, to the Board of Regents for Redlands Community College, to serve a seven-year term ending April 22, 2023, succeeding Charlie Beard. (Education Committee) Motion to confirm made by Senator Ron Justice.

Werner, Jack L. "Jackie", Oklahoma City, to the Oklahoma Board of Private Vocational Schools, to serve an unexpired term ending July 1, 2018, succeeding Deidre Myers. (Education Committee) Motion to confirm made by Senator Ervin Yen.

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

Aye: Allen, Anderson, Barrington, Bass, Bice, Bingman, Boggs, Brecheen, Brooks, Brown, Crain, David, Dossett, Fields, Floyd, Ford, Fry, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Matthews, Mazzei, Newberry, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Silk, Simpson, Smalley, Sparks, Standridge, Stanislawski, Thompson, Treat, Wyrick and Yen.--44.

Nay: Dahm and Sykes.--2.

Excused: Garrison and Shortey.--2.

PENDING CONSIDERATION OF HAS

HAs to **SBs 1117** and **1554** were rejected upon motion of Senator Schulz, conference requested, and Senate conferees to be named later.

MESSAGES FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed **HB 3206**.

HB 3206 – By Sears and Casey of the House and Jolley, Treat and Mazzei of the Senate.

An Act relating to public finance; amending 62 O.S. 2011, Section 34.54, as amended by Section 381, Chapter 304, O.S.L. 2012 (62 O.S. Supp. 2015, Section 34.54), which relates to the General Revenue Cash-flow Reserve Fund; requiring the Office of Management and Enterprise Services to make certain analysis and submission of information to the State Board of Equalization; and providing an effective date.

The above-numbered measure was read the first time.

Advising fourth reading of and transmitting for signature Enrolled **HB 2497**.

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

Advising conference granted on Engrossed **SBs** and naming House conferees as follows:

SB 1329 - GCCA

SB 1380 - Conference Committee on Common Education

Advising fourth reading of and returning Enrolled **SBs 804, 1386, 1424 and 1573**.

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, May 11, 2016, at 1:30 p.m., which motion prevailed.

SECOND READING

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

SB 1583 – Joint Committee on Appropriations and Budget

FIRST READING

The following were introduced and read the first time:

SCR 39 – By Dahm of the Senate and Roberts (Sean) of the House.

A Concurrent Resolution recalling from the Office of the Governor Enrolled Senate Bill No. 1142, passed by the 2nd Session of the 55th Oklahoma Legislature.

SR 67 – By Sparks.

A Resolution congratulating the OU Men's Gymnastics team for winning the 2016 NCAA National Championship; congratulating OU for being the first school in NCAA history to win the national championship in both men's and women's gymnastics in the same year; applauds Head Coach Mark Williams' 7th national championship and the program's 10th national championship; and directing distribution.

MESSAGE FROM THE GOVERNOR

Advising her approval May 10, 2016, of Enrolled **SB 1150**.

Pursuant to the Schulz motion, the Senate adjourned at 10:45 a.m. to meet Wednesday, May 11, 2016, at 1:30 p.m.