

Senate Journal

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

Eighteenth Legislative Day, Tuesday, March 2, 2010

The Senate was called to order by Senator Bingman.

Roll Call:

Present: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.—47.

Excused: Mazzei.—1.

Senator Bingman declared a quorum present.

The prayer was offered by Pastor Scott Williams, LifeChurch, NW OKC Campus, Oklahoma City, the guest of Senator Jolley.

REPORT OF ENGROSSED AND ENROLLED MEASURES

SB 1281, 1289, 1303, 1349, 1357, 1606, 1616, 1626, 1628, 1633, 1686, 1700, 1712, 1752, 1759, 1772, 1799, 1819, 1836, 1907, 1914, 1925, 1940, 1941, 1954, 1966, 1977, 1989, 1998, 2027, 2040, 2045, 2132, 2154, 2163, 2207, 2210 and 2291 were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

SB 2113 was correctly enrolled, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

GENERAL ORDER

SB 1332 by Myers of the Senate and Martin (Scott) of the House was called up for consideration.

Senator Myers moved that **SB 1332** be advanced, which motion was declared adopted.

THIRD READING

SB 1332 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Corn, Crain, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Stanislawski, Sykes, Wilson and Wyrick.--42.

Excused: Coffee, Crutchfield, Easley, Mazzei, Sparks and Sweeden.--6.

The bill and emergency passed.

SB 1332 was referred for engrossment.

GENERAL ORDER

SB 1599 by Myers of the Senate and DeWitt of the House was called up for consideration.

Senator Myers moved that **SB 1599** be advanced, which motion was declared adopted.

THIRD READING

SB 1599 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sykes, Wilson and Wyrick.--44.

Excused: Coffee, Johnson (M), Mazzei and Sweeden.--4.

The bill and emergency passed.

SB 1599 was referred for engrossment.

GENERAL ORDER

SB 1658 by Myers of the Senate and Sullivan of the House was called up for consideration.

Senator Myers moved that **SB 1658** be advanced, which motion was declared adopted.

THIRD READING

SB 1658 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Barrington, Bingman, Brown, Burrage, Crain, Crutchfield, Eason McIntyre, Ellis, Ford, Halligan, Ivester, Johnson (C), Justice, Leftwich, Lerblance, Marlatt, Myers, Newberry, Reynolds, Schulz, Sparks and Wyrick.--25.

Nay: Ballenger, Bass, Branan, Brogdon, Coates, Easley, Garrison, Gumm, Jolley, Lamb, Nichols, Russell, Stanislawski, Sykes and Wilson.--15.

Excused: Coffee, Corn, Johnson (M), Laster, Mazzei, Paddack, Rice and Sweeden.--8.

The bill passed.

Senators Paddack and Gumm desired to vote Aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 27; Nay: 14; Excused: 7.

The emergency failed.

SB 1658 was referred for engrossment.

GENERAL ORDER

SB 2024 by Myers of the Senate and Benge of the House was called up for consideration.

Senator Myers moved to amend **SB 2024**, Page 1, by striking the title, which amendment was declared adopted.

Senator Myers moved that **SB 2024** be advanced, which motion was declared adopted.

THIRD READING

SB 2024 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sykes, Wilson and Wyrick.--45.

Excused: Coffee, Mazzei and Sweeden.--3.

The bill and emergency passed.

SB 2024 was referred for engrossment.

GENERAL ORDER

SB 2128 by Myers of the Senate and Jackson of the House was called up for consideration.

Senator Myers moved that **SB 2128** be advanced, which motion was declared adopted.

THIRD READING

SB 2128 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sykes, Wilson and Wyrick.--45.

Excused: Coffee, Mazzei and Sweeden.--3.

The bill and emergency passed.

SB 2128 was referred for engrossment.

GENERAL ORDER

SB 2224 by Myers of the Senate and Terrill and Hickman of the House was called up for consideration.

Senator Myers moved that **SB 2224** be advanced, which motion was declared adopted.

THIRD READING

SB 2224 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sykes, Wilson and Wyrick.--44.

Nay: Barrington.--1.

Excused: Coffee, Mazzei and Sweeden.--3.

The bill passed.

SB 2224 was referred for engrossment.

GENERAL ORDER

SB 1264 by Mazzei and Barrington of the Senate and Ritze of the House was called up for consideration.

Senator Barrington asked unanimous consent, which was granted, to suspend Senate Rule 12-4 as it pertains to **SB 1264**.

Senator Barrington moved to amend **SB 1264**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Barrington moved that **SB 1264** be advanced, which motion was declared adopted.

THIRD READING

SB 1264 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bingman, Brogdon, Brown, Burrage, Coates, Crain, Crutchfield, Easley, Ellis, Ford, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Leftwich, Marlatt, Myers, Newberry, Nichols, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski and Sykes.--35.

Nay: Bass, Branan, Corn, Eason McIntyre, Garrison, Laster, Lerblance, Paddack, Wilson and Wyrick.--10.

Excused: Coffee, Mazzei and Sweeden.--3.

The bill passed.

Pursuant to Rule 12-21, Senator Branan served notice that the vote be reconsidered whereby **SB 1264** passed.

GENERAL ORDER

SB 1350 by Barrington of the Senate and Blackwell of the House was called up for consideration.

Senator Gumm asked to coauthor **SB 1350**, which was the order.

Senator Barrington moved to amend **SB 1350**, 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 Barrington asked that **SB 1350** be laid over for this legislative day, which was the order.

SB 1350 remains on General Order.

GENERAL ORDER

SB 2235 by Crain of the Senate and Sullivan of the House was called up for consideration.

Senator Crain moved that **SB 2235** be advanced, which motion was declared adopted.

THIRD READING

SB 2235 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sykes, Wilson and Wyrick.--45.

Excused: Coffee, Mazzei and Sweeden.--3.

The bill passed.

SB 2235 was referred for engrossment.

GENERAL ORDER

SB 2166 by Branan of the Senate and Nelson of the House was called up for consideration.

Senator Johnson (Constance) asked to coauthor **SB 2166**, which was the order.

Senator Branan moved that **SB 2166** be advanced, which motion was declared adopted.

THIRD READING

SB 2166 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb,

Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sykes, Wilson and Wyrick.--45.

Excused: Coffee, Mazzei and Sweeden.--3.

The bill and emergency passed.

SB 2166 was referred for engrossment.

GENERAL ORDER

SB 2173 by Branán of the Senate and Shannon of the House was called up for consideration.

Senator Branán moved that **SB 2173** be advanced, which motion was declared adopted.

THIRD READING

SB 2173 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branán, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sykes and Wyrick.--44.

Nay: Wilson.--1.

Excused: Coffee, Mazzei and Sweeden.--3.

The bill and emergency passed.

SB 2173 was referred for engrossment.

GENERAL ORDER

SB 2183 by Branán of the Senate and Blackwell of the House was called up for consideration.

Senator Branán moved that **SB 2183** be advanced, which motion was declared adopted.

THIRD READING

SB 2183 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sykes, Wilson and Wyrick.--42.

Nay: Brogdon and Easley.--2.

Excused: Coffee, Mazzei, Newberry and Sweeden.--4.

The bill and emergency passed.

SB 2183 was referred for engrossment.

GENERAL ORDER

SB 2169 by Branan of the Senate and McDaniel (Randy) of the House was called up for consideration.

Senator Branan asked unanimous consent, which was granted, to suspend Senate Rule 12-4 as it pertains to **SB 2169**.

Senator Branan moved to amend **SB 2169**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Branan moved that **SB 2169** be advanced, which motion was declared adopted.

THIRD READING

SB 2169 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sykes, Wilson and Wyrick.--44.

Excused: Coffee, Corn, Mazzei and Sweeden.--4.

The bill passed.

SB 2169 was referred for engrossment.

GENERAL ORDER

SB 1284 by Stanislawski of the Senate and Liebmann of the House was called up for consideration.

Senator Stanislawski moved that **SB 1284** be advanced, which motion was declared adopted.

THIRD READING

SB 1284 was read for the third time at length.

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

Aye: Aldridge, Anderson, Bingman, Branan, Coates, Coffee, Crain, Eason McIntyre, Ford, Gumm, Halligan, Ivester, Jolley, Justice, Lamb, Leftwich, Marlatt, Newberry, Nichols, Rice, Schulz, Sparks and Stanislawski.--23.

Nay: Adelson, Ballenger, Barrington, Bass, Brogdon, Brown, Burrage, Crutchfield, Easley, Ellis, Garrison, Johnson (C), Johnson (M), Laster, Lerblance, Myers, Paddock, Reynolds, Russell, Sykes, Wilson and Wyrick.--22.

Excused: Corn, Mazzei and Sweeden.--3.

The bill failed.

Pursuant to Rule 12-21, Senator Stanislawski served notice that the vote be reconsidered whereby **SB 1284** failed.

GENERAL ORDER

SB 1330 by Schulz of the Senate and Armes of the House was called up for consideration.

Senator Schulz moved to amend **SB 1330**, Page 1, Line 6, by deleting after the word "to" the words "musk thistle" and inserting the words "invasive species"; and by deleting after the word "the" the words "Musk Thistle" and inserting the words "Invasive Species";

Page 1, Lines 17 and 18, by deleting after the word “the” the words “Musk Thistle” and inserting “Invasive Species”; and Page 1, Line 19, by deleting after the word “of” the words “musk thistle” and inserting “invasive species”, and by amending the title to conform, which amendment was declared adopted.

Senator Schulz moved that **SB 1330** be advanced, which motion was declared adopted.

THIRD READING

SB 1330 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Crain, Crutchfield, Easley, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sykes, Wilson and Wyrick.--44.

Excused: Corn, Eason McIntyre, Mazzei and Sweeden.--4.

The bill and emergency passed.

SB 1330 was referred for engrossment.

GENERAL ORDER

SB 2218 by Stanislawski of the Senate and Proctor of the House was called up for consideration.

Senator Stanislawski moved that **SB 2218** be advanced, which motion was declared adopted.

THIRD READING

SB 2218 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coffee, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb,

Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sykes, Wilson and Wyrick.--44.

Excused: Coates, Corn, Mazzei and Sweeden.--4.

The bill and emergency passed.

SB 2218 was referred for engrossment.

GENERAL ORDER

SB 2319 by Stanislawski of the Senate and Coody of the House was called up for consideration.

Senator Stanislawski moved that **SB 2319** be advanced, which motion was declared adopted.

THIRD READING

SB 2319 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brown, Burrage, Coates, Coffee, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sykes, Wilson and Wyrick.--44.

Excused: Brogdon, Corn, Mazzei and Sweeden.--4.

The bill and emergency passed.

SB 2319 was referred for engrossment.

GENERAL ORDER

SB 1857 by Coates et al of the Senate and Sullivan of the House was called up for consideration.

Representative Jones (Tad) asked to coauthor **SB 1857**, which was the order.

Senator Coates moved that **SB 1857** be advanced, which motion was declared adopted.

THIRD READING

SB 1857 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sykes and Wilson.--45.

Nay: Wyrick.--1.

Excused: Mazzei and Sweeden.--2.

The bill and emergency passed.

SB 1857 was referred for engrossment.

GENERAL ORDER

SB 1901 by Coates and Rice of the Senate and McDaniel (Randy) et al of the House was called up for consideration.

Representative Jett asked to coauthor **SB 1901**, which was the order.

Senator Coates moved that **SB 1901** be advanced, which motion was declared adopted.

THIRD READING

SB 1901 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Wilson and Wyrick.--44.

Nay: Brogdon and Sykes.--2.

Excused: Mazzei and Sweeden.--2.

The bill passed.

SB 1901 was referred for engrossment.

Senator Lamb moved that the Senate recess until 1:30 p.m., which motion was declared adopted.

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The Senate reconvened with Senator Sykes presiding.

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

MESSAGE FROM THE HOUSE

Advising fourth reading of and returning Enrolled **SB 2113**.

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

MESSAGE FROM THE HOUSE CONFERENCE COMMITTEE REPORT

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

HB 1740: coauthored by Shumate

The conference committee report was read on the above-numbered bill.

GENERAL ORDER

SB 1997 by Jolley of the Senate and Sanders of the House, considered on Page 465, was called up for further consideration.

Senator Jolley moved that **SB 1997** be advanced, which motion was declared adopted.

THIRD READING

SB 1997 was read for the third time at length.

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

Aye: Adelson, Aldridge, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Crain, Crutchfield, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Rice, Russell, Schulz, Sparks, Stanislawski, Sykes, Wilson and Wyrick.--41.

Excused: Anderson, Coffee, Corn, Easley, Mazzei, Reynolds and Sweden.--7.

The bill passed.

SB 1997 was referred for engrossment.

UNANIMOUS CONSENT REQUEST DIRECT TO CALENDAR

Senator Branan asked unanimous consent to refer **SR 92** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

SR 92 by Branan was called up for consideration.

All other members of the Senate asked to coauthor **SR 92**, which was the order.

SR 92 was adopted upon motion of Senator Branan and referred for enrollment.

MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed **HBs 3323, 3338, 3366 and 3379** and **HJR 1065**.

HB 3323 – By Pittman and Tibbs of the House and Anderson and Eason McIntyre of the Senate.

An Act relating to poor persons; amending 56 O.S. 2001, Section 183, which relates to confidentiality of certain applications and records; creating Kelley's Law; requiring certain persons sign form related to confidentiality; specifying required contents of form; and providing an effective date.

HB 3338 – By Christian of the House and Sykes of the Senate.

An Act relating to state government; amending 74 O.S. 2001, Sections 320 and 324.20b, as last amended by Section 4, Chapter 269, O.S.L. 2005 (74 O.S. Supp. 2009, Section 324.20b), which relate to the State Fire Marshal; prohibiting engaging in business that is a conflict of interest; removing monetary limit on the State Fire Marshal Revolving Fund; and providing an effective date.

HB 3366 – By Jett of the House and Jolley of the Senate.

An Act relating to counties and county officers; providing short title; authorizing certain entities to provide support services to county sheriffs; providing for codification; providing for noncodification; and providing an effective date.

HB 3379 – By Terrill of the House and Sykes of the Senate.

An Act relating to prisons and reformatories; amending Section 5, Chapter 159, O.S.L. 2005 (57 O.S. Supp. 2009, Section 564.1), which relates to the Oklahoma Corrections Act of 1967; clarifying notice requirement for petitions for judicial review; amending 57 O.S. 2001, Section 584, as last amended by Section 6, Chapter 404, O.S.L. 2009 (57 O.S. Supp. 2009, Section 584), which relates to the Sex Offenders Registration Act; prohibiting courts from ordering attorney fees under certain circumstances; and providing an effective date.

HJR 1065 – By Peters and Billy of the House and Anderson and Crain of the Senate.

A Joint Resolution relating to juvenile justice; creating the Oklahoma Juvenile Justice Reform Committee; requiring certain cooperation; specifying membership of Committee; directing notification of membership; permitting Committee to divide into subcommittees; authorizing the Committee to enter into certain contracts; providing for vacancies on the Committee; specifying duties of Committee; directing the Committee to prepare and submit certain report; providing for termination of Committee; directing appointment of cochairs and other officers; permitting certain travel reimbursement; providing for staff support; providing for noncodification; and declaring an emergency.

The above-numbered measures were read the first time.

GENERAL ORDER

SB 1871 by Coates et al of the Senate and Steele of the House was called up for consideration.

Representative Jones (Tad) asked to coauthor **SB 1871**, which was the order.

Senator Coates moved that **SB 1871** be advanced, which motion was declared adopted.

THIRD READING

SB 1871 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sykes, Wilson and Wyrick.--43.

Excused: Coffee, Easley, Johnson (M), Mazzei and Sweeden.--5.

The bill and emergency passed.

SB 1871 was referred for engrossment.

INTRODUCTIONS

Senator Newberry introduced his daughters, Claire and Paige Newberry, to the Senate. Senator Newberry asked unanimous consent, which was granted, that Claire be named Honorary President Pro Tempore for this legislative day.

GENERAL ORDER

SB 1872 by Coates of the Senate and Jordan of the House was called up for consideration.

Senator Coates moved to amend **SB 1872**, Page 1, by striking the title, which amendment was declared adopted.

Senator Coates moved that **SB 1872** be advanced, which motion was declared adopted.

THIRD READING

SB 1872 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Rice, Russell, Schulz, Sparks, Stanislawski, Sykes, Wilson and Wyrick.--42.

Excused: Coffee, Corn, Johnson (M), Mazzei, Reynolds and Sweeden.--6.

The bill and emergency passed.

SB 1872 was referred for engrossment.

GENERAL ORDER

SB 1900 by Coates et al of the Senate and Jett of the House was called up for consideration.

Senator Barrington and Representative Jones (Tad) asked to coauthor **SB 1900**, which was the order.

Senator Coates moved that **SB 1900** be advanced, which motion was declared adopted.

THIRD READING

SB 1900 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddock, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sykes, Wilson and Wyrick.--45.

Excused: Coffee, Mazzei and Sweeden.--3.

The bill passed.

SB 1900 was referred for engrossment.

GENERAL ORDER

SB 1937 by Coates of the Senate and Proctor of the House was called up for consideration.

Senator Coates moved that **SB 1937** be advanced, which motion was declared adopted.

THIRD READING

SB 1937 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sykes, Wilson and Wyrick.--45.

Excused: Coffee, Mazzei and Sweeden.--3.

The bill passed.

SB 1937 was referred for engrossment.

GENERAL ORDER

SB 1948 by Coates of the Senate and Martin (Scott) of the House was called up for consideration.

Senator Coates moved that **SB 1948** be advanced, which motion was declared adopted.

THIRD READING

SB 1948 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sykes, Wilson and Wyrick.--45.

Excused: Coffee, Mazzei and Sweeden.--3.

The bill passed.

SB 1948 was referred for engrossment.

GENERAL ORDER

SB 1329 by Bass and Anderson of the Senate and Hoskin and Ownbey of the House was called up for consideration.

Senator Lamb asked to coauthor **SB 1329**, which was the order.

Senator Bass moved to amend **SB 1329**, Page 5, Lines 14 through 22, by deleting all language beginning with the word "It" on Line 14 through the period on Line 22, which amendment was declared adopted.

Senator Bass moved that **SB 1329** be advanced, which motion was declared adopted.

THIRD READING

SB 1329 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddock, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sykes, Wilson and Wyrick.--45.

Excused: Coffee, Mazzei and Sweeden.--3.

The bill passed.

SB 1329 was referred for engrossment.

GENERAL ORDER

SB 1324 by Russell of the Senate and Sullivan of the House was called up for consideration.

Senator Lamb asked to coauthor **SB 1324**, which was the order.

Senator Russell moved that **SB 1324** be advanced, which motion was declared adopted.

THIRD READING

SB 1324 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis,

Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski and Wilson.--41.

Nay: Jolley, Nichols, Sykes and Wyrick.--4.

Excused: Coffee, Mazzei and Sweeden.--3.

The bill passed.

SB 1324 was referred for engrossment.

GENERAL ORDER

SB 1250 by Nichols of the Senate and Terrill of the House was called up for consideration.

Senator Nichols moved that **SB 1250** be advanced, which motion was declared adopted.

THIRD READING

SB 1250 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sykes, Wilson and Wyrick.--45.

Excused: Coffee, Mazzei and Sweeden.--3.

The bill and emergency passed.

SB 1250 was referred for engrossment.

GENERAL ORDER

SB 2137 by Nichols of the Senate and Billy of the House was called up for consideration.

Senators Sykes and Lamb asked to coauthor **SB 2137**, which was the order.

Senator Nichols moved that **SB 2137** be advanced, which motion was declared adopted.

THIRD READING

SB 2137 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sykes, Wilson and Wyrick.--45.

Excused: Coffee, Mazzei and Sweeden.--3.

The bill and emergency passed.

SB 2137 was referred for engrossment.

GENERAL ORDER

SB 1635 by Nichols of the Senate and Billy of the House was called up for consideration.

Senator Nichols moved that **SB 1635** be advanced, which motion was declared adopted.

THIRD READING

SB 1635 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sykes, Wilson and Wyrick.--45.

Excused: Coffee, Mazzei and Sweeden.--3.

The bill and emergency passed.

SB 1635 was referred for engrossment.

GENERAL ORDER

SB 1691 by Nichols et al of the Senate and Terrill of the House was called up for consideration.

Senator Nichols moved that **SB 1691** be advanced, which motion was declared adopted.

THIRD READING

SB 1691 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sykes, Wilson and Wyrick.--45.

Excused: Coffee, Mazzei and Sweeden.--3.

The bill and emergency passed.

SB 1691 was referred for engrossment.

MESSAGE FROM THE HOUSE HAS TO SENATE BILLS

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

SB 1133 - remove Denney and substitute Trebilcock as principal House author and coauthored by Derby, Ritze and Sullivan of the House.

House amendments were read on the above-numbered bill.

MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed **HBs 1611, 1686, 2302, 2314, 2330, 2541, 2552, 2566, 2609, 2626, 2628, 2652, 2658, 2659, 2730, 2745, 2775, 2836, 2854, 2862, 2894, 2936, 2964, 2965, 2999, 3154, 3169, 3231, 3292 and 3294.**

HB 1611 – By Sullivan of the House and Coffee of the Senate.
(workers' compensation – amending 85 O.S., Section 22 – schedule of compensation – soft tissue injury)

HB 1686 – By Scott, Pittman and Dorman of the House and Brown of the Senate.
An Act relating to state government; providing for certain bidding preference related to contracts subject to the provisions of the Oklahoma Central Purchasing Act; providing preference based upon employer-provided health care; and providing for codification.

HB 2302 – By Banz, Denney, McAffrey and Tibbs of the House and Ford of the Senate.

An Act relating to schools; amending Section 1, Chapter 466, O.S.L. 2005, as last amended by Section 2, Chapter 439, O.S.L. 2008 (70 O.S. Supp. 2009, Section 3-152.1), which relates to the Academic Achievement Award program; modifying number of certain awards granted under the program; adding certain award levels; changing date for distributing monetary award; directing the State Board of Education to identify certain school sites for certain awards; modifying calculation of the awards; specifying allocation of funding for awards based on availability of funds; establishing API score requirements for certain awards; deleting monetary awards for certain categories; modifying amount of certain monetary award; providing monetary award amounts for certain awards; modifying certain definitions; limiting award to certain qualified employees; requiring the State Board to make certain announcement and post list of award winners on certain Internet website; providing an effective date; and declaring an emergency.

HB 2314 – By Smithson and Roan of the House and Ballenger of the Senate.
An Act relating to game and fish; amending 29 O.S. 2001, Section 4-110, as last amended by Section 1, Chapter 123, O.S.L. 2009 (29 O.S. Supp. 2009, Section 4-110), which relates to fishing licenses; extending duration of certain nonresident fishing license; and providing an effective date.

HB 2330 – By Nelson, Smithson and Roan of the House and Crain of the Senate.
An Act relating to state government; amending 74 O.S. 2001, Section 150.23, as last amended by Section 3, Chapter 169, O.S.L. 2005 (74 O.S. Supp. 2009, Section 150.23), which relates to authority of retired state employees to retain possession of certain sidearms and badges; authorizing certain retired Department of Human Services employees retain possession of sidearms and badges; and providing an effective date.

HB 2541 – By Cooksey of the House and Jolley of the Senate.

An Act relating to officers; Section 1, Chapter 72, O.S.L. 2005 (51 O.S. Supp. 2009, Section 24A.29), which relates to the Oklahoma Open Records Act; making certain information in municipal court records confidential; and providing an effective date.

HB 2552 – By McCullough, Ritze, Duncan and Wright (John) of the House and Anderson of the Senate.

An Act relating to firearms; amending 19 O.S. 2001, Section 215.29, which relates to the carrying of firearms by district attorneys; authorizing assistant district attorneys to carry firearms under certain circumstances; and providing an effective date.

HB 2566 – By Wesselhoft of the House and Stanislawski of the Senate.

An Act relating to appropriations; making appropriation to Employment Security Administration Fund; specifying amount and purposes of appropriation; requiring expenditure by certain date; requiring certain federal standards; requiring compliance with Social Security Act; and providing an effective date.

HB 2609 – By Liebmann of the House and Branan of the Senate.

An Act relating to outdoor advertising; amending 69 O.S. 2001, Sections 1271, 1272 and 1275, as amended by Section 1, Chapter 335, O.S.L. 2003 (69 O.S. Supp. 2009, Section 1275), which relate to outdoor advertising; clarifying intent of regulation of certain signs; modifying application of act; clarifying certain application to signs visible from certain highways; and declaring an emergency.

HB 2626 – By Jones of the House and Schulz of the Senate.

An Act relating to motor fuel; amending 52 O.S. 2001, Section 325, as amended by Section 15, Chapter 430, O.S.L. 2004 (52 O.S. Supp. 2009, Section 325), which relates to the authority of the Corporation Commission to set motor fuel specifications; providing definition of biodiesel for certain purposes; and providing an effective date.

HB 2628 – By Jones and Cox of the House and Barrington of the Senate.

An Act relating to revenue and taxation; amending 68 O.S. 2001, Section 1623, which relates to fireworks; modifying when fireworks may be sold by certain types of businesses; and providing an effective date.

HB 2652 – By Sullivan, McCullough, Moore, Duncan and Osborn of the House and Coffee of the Senate.

(workers' compensation - amending various sections in Title 85 – definitions - reporting procedures - medical services after an injury - vocational rehabilitation counselors – codification - effective date)

HB 2658 – By Sullivan of the House and Coffee of the Senate.

(workers' compensation – amending 85 O.S., Section 15 – prosthetic devices – injured workers – effective date)

HB 2659 – By Sullivan of the House and Coffee of the Senate.

(workers' compensation – amending 85 O.S., Section 1 – Workers' Compensation Act – effective date)

HB 2730 – By Rousselot of the House and Garrison of the Senate.

An Act relating to public safety; requiring branding of certain vehicle titles; directing law enforcement to notify Oklahoma Tax Commission; providing terms to appear on title; providing for codification; and providing an effective date.

HB 2745 – By Denney and Nations of the House and Anderson of the Senate.

An Act relating to animals; creating the Oklahoma Pet Quality Assurance and Protection Act; providing for administration; defining terms; providing for a rule advisory committee; specifying membership; establishing a voluntary license procedure; providing for application form; requiring applicants to submit certain protocol; limiting issuance of licenses; authorizing temporary permit; specifying certain requirements to be met before license approval or renewal; specifying procedures for renewal; specifying late penalty; establishing fees; specifying requirements for display of license and certain information; providing for the promulgation of rules consistent with United States Department of Agriculture standards; authorizing certain inspection system; providing for enforcement; providing for disclosure of records; prohibiting the issuance of a license to certain persons; stating penalties for violation; establishing the Pet Quality Assurance Enforcement Fund; providing for revenues; providing for use of fund; providing for expenditures; specifying conditions justifying refusal of license; providing for written notice; authorizing seizure and impoundment of dogs or cats upon certain circumstances; prohibiting certain dogs and cats to be sold or transferred; requiring certain information to accompany dogs or cats; requiring certain records be maintained; providing for codification; providing for noncodification; and providing an effective date.

HB 2775 – By Steele, Shelton, Hickman, Jackson, Denney, Cox, Sherrer, Tibbs, McAffrey, Dorman, Shumate and DeWitt of the House and Justice of the Senate.

An Act relating to the Oklahoma State Department of Health; authorizing the Department to contract with vendor for electronic benefit transfer for certain program; providing for noncodification; and providing an effective date.

HB 2836 – By Sears, Coody, Denney, Tibbs, Cooksey and Derby of the House and Ford of the Senate.

(schools - teacher performance pay pilot program - teacher performance pay plan - conditions for approval – award certain number of grants - three-year implementation - distribution of grants based on school district size – codification)

HB 2854 – By Inman, Kern, Proctor, Hoskin and Hilliard of the House and Laster of the Senate.

An Act relating to schools; amending 70 O.S. 2001, Section 6-105, as amended by Section 2, Chapter 278, O.S.L. 2006 (70 O.S. Supp. 2009, Section 6-105), which relates to substitute teachers; modifying the number of school days a substitute teacher may be employed during a school year; and providing an effective date.

HB 2862 – By Richardson and Roan of the House and Justice of the Senate.

An Act relating to game and fish; amending Section 1, Chapter 130, O.S.L. 2002 (29 O.S. Supp. 2009, Section 4-138), which relates to the Blue River Conservation Passport; changing the name of the Passport; expanding requirement for Passport to certain designated areas of land; authorizing the Wildlife Conservation Commission to designate lands; and modifying fee for annual Passport.

HB 2894 – By Walker of the House and Schulz of the Senate.

An Act relating to crimes and punishments; amending 21 O.S. 2001, Section 1663, as amended by Section 1, Chapter 1, 1st Extraordinary Session, O.S.L. 2005 (21 O.S. Supp. 2009, Section 1663), which relates to workers' compensation fraud; requiring persons convicted of workers' compensation fraud to pay certain costs to employer; and providing an effective date.

HB 2936 – By Russ and Hilliard of the House and Newberry of the Senate.

An Act relating to banks and trust companies; amending 6 O.S. 2001, Section 2206, which relates to the Financial Privacy Act; raising the fees for search and processing of certain financial records; and providing an effective date.

HB 2964 – By Nelson and Smithson of the House and Justice of the Senate.

An Act relating to victims rights; amending 19 O.S. 2001, Section 215.33, as last amended by Section 113, Chapter 234, O.S.L. 2009 (19 O.S. Supp. 2009, Section 215.33), which relates to victims' and witnesses' rights; deleting list of rights and certain duties of the district attorney and victim-witness coordinators; amending 21 O.S. 2001, Sections 142A and 142A-1, which relate to the Victim's Rights Act; updating statutory references; modifying name of certain act; adding definitions; directing district attorneys and victim-witness coordinators to inform victims of certain rights; requiring peace officers to provide written notification of rights to victims of certain crimes; providing procedures for victim restitution; requiring victims to have a priority interest in certain proceeds received by an offender; stating victims' right to participate in the Address Confidentiality Program; declaring victims' right to wear buttons during certain criminal trial; providing for the return of certain property used in criminal actions or proceedings; stating victims' right to contest parole for an offender; stating guidelines for providing written notification to victims; directing Pardon and Parole Board to give written notification to victims when granting a pardon or parole; requiring designated area be provided to victims and certain persons to witness executions in person or by other means; defining terms; amending 22 O.S. 2001, Sections 984.1, as last amended by Section 1, Chapter 100, O.S.L. 2008 and 984.2, as amended by Section 1, Chapter 197, O.S.L. 2006 (22 O.S. Supp. 2009, Sections 984.1 and 984.2), which relate to use of victim impact statements and disclosure of personal information of victims and witnesses; clarifying language; repealing 22 O.S. 2001, Section 40.1, as last amended by Section 7, Chapter 171, O.S.L. 2007 (22 O.S. Supp. 2009, Section 40.1), which relates to notice of rights to certain victims; repealing Section 5, Chapter 466, O.S.L. 2002 (22 O.S. Supp. 2009, Section 60.15), which relates to the Protection from Domestic Abuse Act; repealing 22 O.S. 2001, Section 984, as amended by Section 2, Chapter 163, O.S.L. 2009 and Section 2, Chapter 165, O.S.L. 2009 (22 O.S. Supp. 2009, Sections 984 and 984.4), which relate to definitions and notification rights of certain crime

victims; providing for codification; providing for recodification; and providing an effective date.

HB 2965 – By Duncan, Ritze, Reynolds, Thompson, Terrill, Billy, Martin (Steve), Tibbs, Wright (Harold) and Ortega of the House and Sykes of the Senate.

An Act relating to sex crimes; amending 10 O.S. 2001, Section 7115, as last amended by Section 5, Chapter 3, O.S.L. 2008, and as renumbered by Section 207, Chapter 233, O.S.L. 2009 (21 O.S. Supp. 2009, Section 843.5), which relates to child abuse; modifying and adding penalties; amending 22 O.S. 2001, Section 1015, as last amended by Section 3, Chapter 275, O.S.L. 2009 (22 O.S. Supp. 2009, Section 1015), which relates to who may witness executions; allowing certain persons to witness executions; amending 57 O.S. 2001, Sections 584, as last amended by Section 6, Chapter 404, O.S.L. 2009 and 587, as amended by Section 10, Chapter 284, O.S.L. 2006 (57 O.S. Supp. 2009, Sections 584 and 587), which relate to the Sex Offenders Registration Act; prohibiting use of certain defense in prosecutions for failure to register; modifying certain penalty; and declaring an emergency.

HB 2999 – By Steele and McAffrey of the House and Brown of the Senate.

An Act relating to mental health; amending 43A O.S. 2001, Section 2-103, as last amended by Section 3, Chapter 401, O.S.L. 2008 (43A O.S. Supp. 2009, Section 2-103), which relates to the Board of Mental Health and Substance Abuse Services; modifying membership of the Board of Mental Health and Substance Abuse Services; providing for services by certified alcohol and drug counselor providers through certain date; providing for interpretation; providing for codification; and providing an effective date.

HB 3154 – By Osborn of the House and Justice of the Senate.

An Act relating to state government; allowing legislators to opt out of state-provided health insurance benefits; specifying that any savings remain with the state; requiring certain affidavit; amending 74 O.S. 2001, Section 1370, as last amended by Section 2, Chapter 28, O.S.L. 2009 (74 O.S. Supp. 2009, Section 1370), which relates to the flexible benefit allowance plan; prohibiting the receipt of certain flexible benefits by legislators opting out of coverage; amending 74 O.S. 2001, Section 1371, as last amended by Section 6, Chapter 269, O.S.L. 2007 (74 O.S. Supp. 2009, Section 1371), which relates to the election of certain benefits; prohibiting the receipt of certain benefits by certain legislators; providing exceptions; providing for codification; and providing an effective date.

HB 3169 – By Hickman, Faught and Ritze of the House and Marlatt of the Senate.

An Act relating to workers' compensation; amending 85 O.S. 2001, Section 2.6, as amended by Section 1, Chapter 213, O.S.L. 2009 (85 O.S. Supp. 2009, Section 2.6), which relates to Workers' Compensation Act exemptions; exempting the spouse of any exempt employer; and providing an effective date.

HB 3231 – By Jackson and Wright (John) of the House and Anderson of the Senate.

An Act relating to poor persons; amending Section 9, Chapter 315, O.S.L. 2006 (56 O.S. Supp. 2009, Section 1011.9), which relates to the establishment of a method to reduce the payment error rate; defining term; specifying time of certain training; providing for certain referral upon suspicion of fraud; providing for appeal upon certain condition;

providing for hearing; providing for participation and legal representation in hearing; requiring report to the Governor and Legislature; and providing an effective date.

HB 3292 – By Peterson and McAffrey of the House and Crain of the Senate.

An Act relating to children; amending 10 O.S. 2001, Sections 7504-1.2, 7510-1.5, as last amended by Section 7, Chapter 258, O.S.L. 2006 and 7510-3.2 (10 O.S. Supp. 2009, Section 7510-1.5), which relate to disclosure, adoption assistance benefits, and Compact on Adoption and Medical Assistance; authorizing disclosure of certain history under specified circumstances; updating statutory references; modifying certain educational requirements for eligibility for certain benefits; making language gender neutral; modifying certain residential requirements for certain benefits; amending 10 O.S. 2001, Section 7004-1.6, as amended by Section 63, Chapter 233, O.S.L. 2009, and as renumbered by Section 299, Chapter 233, O.S.L. 2009 (10A O.S. Supp. 2009, Section 1-9-107), which relates to the Independent Living Act; expanding purpose of act; modifying eligibility for certain independent living services; amending 63 O.S. 2001, Section 1-227.4, as last amended by Section 150, Chapter 234, O.S.L. 2009 (63 O.S. Supp. 2009, Section 1-227.4), which relates to interagency child abuse prevention task force; modifying certain membership requirement; clarifying language; and declaring an emergency.

HB 3294 – By Tibbs and Roan of the House and Barrington of the Senate.

An Act relating to state government; amending 74 O.S. 2001, Section 150.5, as last amended by Section 162, Chapter 234, O.S.L. 2009 (74 O.S. Supp. 2009, Section 150.5), which relates to investigation procedures of the Oklahoma State Bureau of Investigation; authorizing use of investigation records under certain circumstances; and providing an effective date.

The above-numbered measures were read the first time.

GENERAL ORDER

SB 1810 by Nichols of the Senate and Thomsen of the House was called up for consideration.

Senator Nichols moved that **SB 1810** be advanced, which motion was declared adopted.

THIRD READING

SB 1810 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis,

Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Rice, Russell, Schulz, Sparks, Stanislawski, Sykes, Wilson and Wyrick.--44.

Excused: Coffee, Mazzei, Reynolds and Sweeden.--4.

The bill and emergency passed.

SB 1810 was referred for engrossment.

GENERAL ORDER

SB 1347 by Schulz of the Senate and McNiel of the House was called up for consideration.

Senator Schulz asked unanimous consent, which was granted, to suspend Senate Rule 12-4 as it pertains to **SB 1347** and to amend **SB 1347**, Page 1, by restoring the title.

Senator Schulz moved that **SB 1347** be advanced, which motion was declared adopted.

THIRD READING

SB 1347 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Rice, Russell, Schulz, Sparks, Stanislawski, Wilson and Wyrick.--42.

Nay: Brogdon, Reynolds and Sykes.--3.

Excused: Coffee, Mazzei and Sweeden.--3.

The bill and emergency passed.

SB 1347 was referred for engrossment.

GENERAL ORDER

SB 1784 by Stanislawski of the Senate and Wright (John) of the House was called up for consideration.

Senator Stanislawski moved to amend **SB 1784**, Page 2, Line 17, by inserting after the 2nd comma and before the word “school”, the language, “and for any fiscal year thereafter when actual state revenues are at least five percent (5%) less than the total appropriated amount for the same fiscal year,”, which amendment was declared adopted.

Senator Bingman moved to amend **SB 1784**, Page 3, Line 5 ½, by inserting a new Section 2 to read as follows:

"SECTION 2. AMENDATORY Section 18, Chapter 434, O.S.L. 2003, as last amended by Section 2, Chapter 248, O.S.L. 2004 (70 O.S. Supp. 2009, Section 18-114.9), is amended to read as follows:

Section 18-114.9. A. If a teacher, as defined in Section 6-101.3 of this title, is employed by the same school district for the next school year as the preceding school year, the total compensation, consisting of salary and fringe benefits, of the teacher shall not be decreased the next school year unless the hours or the duties of the teacher are reduced proportionately, or upon agreement of the district board of education and the local bargaining unit.

For school year 2004-05, total compensation shall not include any amount paid by a district during school year 2003-04 over and above the flexible benefit allowance for certified personnel pursuant to Section 26-105 of this title toward employee health insurance if:

1. The district provided the health insurance benefit mandated in Section 1310.1 of Title 74 of the Oklahoma Statutes as a fringe benefit that required the employee to accept the health insurance option in order to receive the benefit; and
2. The district did not apply the payment toward meeting the requirements of subsection A of Section 18-114.7 of this title.

B. Subject to the provisions of this section, any school district that willfully reduces or has in years previous to enactment of this section willfully reduced the compensation of a teacher in violation of subsection A of this section shall forfeit as a penalty a portion of its State Aid equal to the total amount that the teacher was underpaid. If the teacher was underpaid for more than one (1) school year, the amount forfeited shall equal the cumulative amount that the teacher was underpaid. The amount to be forfeited shall be deducted from the State Aid payment following confirmation of the underpayment by the State Department of Education.

C. In addition to the amount of State Aid forfeited as a penalty pursuant to subsection B of this section, in order to ensure that the teacher receives the full amount of unpaid compensation, the State Department of Education shall withhold an amount which is equal to the total amount that the teacher was underpaid from the State Aid payment of the school district and pay the amount directly to the teacher. The Board shall not withhold an amount for payment to the teacher pursuant to the subsection if the teacher has recovered the underpayment pursuant to judicial action.

D. Complaints filed with the State Board of Education pursuant to this section may be based on alleged underpayments during fiscal years that began:

1. On or after July 1, 2002; or
2. Before July 1, 2002, if the teacher filed an action to recover the underpayment in a court of competent jurisdiction before July 1, 2002.

E. Complaints filed with the State Board of Education alleging underpayment during fiscal years that began on or after July 1, 2002, shall be filed within one (1) year of the end of the fiscal year in which the underpayment is alleged to have occurred.

F. Filing a complaint with the State Board of Education pursuant to this section shall not operate to prohibit a teacher from filing an action for underpayment in a court of competent jurisdiction or continuing to pursue an action for underpayment pending in a court of competent jurisdiction on August 29, 2003.

G. The State Board of Education shall promulgate rules necessary to implement the provisions of this section. The rules shall include, but not be limited to, procedures for a teacher to file a complaint for violation of this section and the Department to investigate the complaint.", and by renumbering subsequent sections, which amendment was declared adopted upon roll call as follows:

Aye: Aldridge, Anderson, Barrington, Bingman, Branan, Brogdon, Brown, Coates, Coffee, Crain, Ford, Halligan, Johnson (M), Jolley, Justice, Lamb, Marlatt, Myers, Newberry, Reynolds, Russell, Schulz, Stanislawski and Sykes.--24.

Nay: Adelson, Ballenger, Bass, Burrage, Corn, Crutchfield, Easley, Ellis, Garrison, Gumm, Ivester, Johnson (C), Laster, Leftwich, Lerblance, Paddack, Rice, Sparks, Wilson and Wyrick.--20.

Excused: Eason McIntyre, Mazzei, Nichols and Sweeden.--4.

Senator Stanislawski moved that **SB 1784** be advanced, which motion was declared adopted.

THIRD READING

SB 1784 was read for the third time at length.

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

Aye: Aldridge, Anderson, Barrington, Bingman, Branan, Brown, Burrage, Coates, Coffee, Crain, Ellis, Ford, Gumm, Halligan, Ivester, Johnson (M), Jolley, Justice, Lamb, Leftwich, Marlatt, Myers, Newberry, Paddack, Schulz, Stanislawski and Sykes.--27.

Nay: Adelson, Ballenger, Bass, Brogdon, Corn, Crutchfield, Easley, Garrison, Johnson (C), Laster, Lerblance, Reynolds, Rice, Russell, Sparks, Wilson and Wyrick.--17.

Excused: Eason McIntyre, Mazzei, Nichols and Sweeden.--4.

The bill passed and emergency failed.

SB 1784 was referred for engrossment.

INTRODUCTIONS

President Pro Tempore Coffee introduced his daughters, Anna and Kate Coffee, to the Senate. Senator Lamb asked unanimous consent, which was granted, that Anna and Kate be named Honorary President Pro Tempores for this legislative day.

REPORT OF ENGROSSED AND ENROLLED MEASURE

SR 92 was correctly enrolled, properly signed and ordered transmitted to the Secretary of State.

Senator Lamb moved that when the clerk's desk is clear, the Senate stand adjourned to convene Wednesday, March 3, 2010, at 10:00 a.m., which motion prevailed.

BILL RELEASED TIME EXPIRED TO RECONSIDER

SJR 59 was referred for engrossment.

Pursuant to the Lamb motion, the Senate adjourned at 3:25 p.m. to meet Wednesday, March 3, 2010, at 10:00 a.m.

JOURNAL CORRECTION

Page 540, 7th Line from the bottom by deleting the language "emergency passed" and inserting in lieu therein the language "emergency failed".