

# Senate Journal

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

**Eighteenth Legislative Day, Wednesday, March 9, 2011**

The Senate was called to order by Senator Stanislawski.

Roll Call:

Present: Adelson, Aldridge, Allen, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brecheen, Brinkley, Brown, Burrage, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Laster, Lerblance, Marlatt, Mazzei, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.—48.

Senator Stanislawski declared a quorum present.

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

### REPORT OF ENGROSSED AND ENROLLED MEASURES

**SB 3, 16, 60, 82, 90, 92, 101, 121, 126, 138, 147, 156, 169, 175, 176, 186, 190, 194, 237, 247, 261, 263, 266, 267, 292, 294, 301, 305, 308, 310, 329, 331, 339, 347, 398, 416, 420, 494, 498, 499, 530, 547, 558, 591, 598, 602, 621, 668, 675, 708, 710, 728, 737, 742, 753, 761, 778, 780, 782, 785, 794, 801, 837, 840 and 855 and SJR 15, 24 and 31** were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

**SR 6** was correctly enrolled, properly signed and ordered transmitted to the Secretary of State.

### GENERAL ORDER

**SB 124** by Justice of the Senate and Newell of the House was called up for consideration.

Senators Marlatt, Brecheen, David, Shortey, Brinkley and Garrison asked to coauthor **SB 124**, which was the order.

Senator Justice moved that **SB 124** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 124** 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, Allen, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brecheen, Brinkley, Brown, Burrage, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (R), Jolley, Justice, Laster, Lerblance, Marlatt, Myers, Paddack, Rice, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat and Wilson.--41.

Excused: Coates, Johnson (C), Mazzei, Newberry, Nichols, Reynolds and Wyrick.--7.

The bill and emergency passed.

**SB 124** was referred for engrossment.

### **GENERAL ORDER**

**SB 228** by Justice of the Senate and Jackson of the House was called up for consideration.

Senator Justice moved to amend **SB 228**, Page 1, by striking the title, which amendment was declared adopted.

Senator Justice moved that **SB 228** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 228** 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, Allen, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brecheen, Brinkley, Brown, Burrage, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (R), Jolley, Justice, Laster, Lerblance, Marlatt, Myers, Paddack, Rice, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat and Wilson.--41.

Excused: Coates, Johnson (C), Mazzei, Newberry, Nichols, Reynolds and Wyrick.--7.

The bill and emergency passed.

**SB 228** was referred for engrossment.

### **GENERAL ORDER**

**SB 115** by Ivester of the Senate and Trebilcock of the House was called up for consideration.

Senators Sparks, David, Bass, Garrison and Brinkley asked to coauthor **SB 115**, which was the order.

Senator Ivester moved that **SB 115** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 115** was read for the third time at length.

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

Aye: Adelson, Aldridge, Allen, Anderson, Ballenger, Barrington, Bass, Bingman, Branam, Brecheen, Brinkley, Brown, Burrage, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Laster, Lerblance, Marlatt, Myers, Paddack, Rice, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat and Wilson.--42.

Excused: Coates, Mazzei, Newberry, Nichols, Reynolds and Wyrick.--6.

The bill passed.

**SB 115** was referred for engrossment.

### **GENERAL ORDER**

**SB 532** by Ivester of the Senate and Russ of the House was called up for consideration.

Senator Ivester moved that **SB 532** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 532** 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, Allen, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brecheen, Brinkley, Brown, Burrage, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Laster, Lerblance, Marlatt, Myers, Paddack, Rice, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat and Wilson.--42.

Excused: Coates, Mazzei, Newberry, Nichols, Reynolds and Wyrick.--6.

The bill and emergency passed.

**SB 532** was referred for engrossment.

### **GENERAL ORDER**

**SB 940** by Anderson of the Senate and Grau of the House was called up for consideration.

Senator Anderson moved that **SB 940** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 940** was read for the third time at length.

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

Aye: Adelson, Aldridge, Allen, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brecheen, Brinkley, Brown, Burrage, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Laster, Lerblance, Marlatt, Myers, Paddack, Rice, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat and Wilson.--42.

Excused: Coates, Mazzei, Newberry, Nichols, Reynolds and Wyrick.--6.

The bill passed.

**SB 940** was referred for engrossment.

### **GENERAL ORDER**

**SB 941** by Anderson of the Senate and Grau of the House was called up for consideration.

Senator Anderson moved that **SB 941** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 941** was read for the third time at length.

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

Aye: Aldridge, Allen, Anderson, Ballenger, Barrington, Bass, Branan, Brecheen, Brinkley, Brown, Burrage, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Laster, Lerblance, Marlatt, Myers, Paddack, Rice, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat and Wilson.--40.

Excused: Adelson, Bingman, Coates, Mazzei, Newberry, Nichols, Reynolds and Wyrick.--8.

The bill passed.

**SB 941** was referred for engrossment.

### **GENERAL ORDER**

**SB 942** by Anderson of the Senate and Grau of the House was called up for consideration.

Senator Anderson moved that **SB 942** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 942** was read for the third time at length.

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

Aye: Aldridge, Allen, Anderson, Ballenger, Barrington, Bass, Branan, Brecheen, Brinkley, Brown, Burrage, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Laster, Lerblance, Marlatt, Myers, Paddack, Rice, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat and Wilson.--40.

Excused: Adelson, Bingman, Coates, Mazzei, Newberry, Nichols, Reynolds and Wyrick.--8.

The bill passed.

**SB 942** was referred for engrossment.

### **GENERAL ORDER**

**SB 943** by Anderson of the Senate and Grau of the House was called up for consideration.

Senator Anderson moved that **SB 943** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 943** was read for the third time at length.

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

Aye: Aldridge, Allen, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brecheen, Brinkley, Brown, Burrage, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Laster, Lerblance, Marlatt, Myers, Paddack, Reynolds, Rice, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat and Wilson.--42.

Excused: Adelson, Coates, Mazzei, Newberry, Nichols and Wyrick.--6.

The bill passed.

**SB 943** was referred for engrossment.

### **GENERAL ORDER**

**SB 22** by Barrington of the Senate and Brown of the House was called up for consideration.

Senator Barrington moved to amend **SB 22**, Page 1, by striking the title, which amendment was declared adopted.

Senator Barrington moved that **SB 22** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 22** was read for the third time at length.

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

Aye: Aldridge, Allen, Anderson, Barrington, Branan, Brecheen, Brinkley, Brown, Crain, David, Ellis, Fields, Ford, Halligan, Holt, Johnson (R), Jolley, Justice, Marlatt, Mazzei, Myers, Nichols, Reynolds, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes and Treat.--30.

Nay: Ballenger, Bass, Burrage, Eason McIntyre, Garrison, Ivester, Johnson (C), Laster, Lerblance, Paddack, Rice, Russell and Wilson.--13.

Excused: Adelson, Bingman, Coates, Newberry and Wyrick.--5.

The bill passed.

**SB 22** was referred for engrossment.

## **GENERAL ORDER**

**SB 282** by Holt of the Senate and Grau of the House was called up for consideration.

Senator Ivester asked to coauthor **SB 282**, which was the order.

Senator Holt moved to amend **SB 282**, 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 Holt moved that **SB 282** be advanced, which motion was declared adopted.

## **THIRD READING**

**SB 282** was read for the third time at length.

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

Aye: Aldridge, Allen, Anderson, Ballenger, Barrington, Bass, Branan, Brecheen, Brinkley, Brown, Burrage, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Laster, Lerblance, Marlatt, Mazzei, Myers, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat and Wilson.--43.

Excused: Adelson, Bingman, Coates, Newberry and Wyrick.--5.

The bill passed.

**SB 282** was referred for engrossment.

**Senator Marlatt presiding.**

**UNANIMOUS CONSENT REQUEST  
DIRECT TO CALENDAR**

Senator Reynolds asked unanimous consent to refer **SCR 8** direct to the Calendar for consideration, which was the order.

**GENERAL ORDER**

**SCR 8** by Reynolds and Russell of the Senate and Ritze of the House was called up for consideration.

All other members of the Senate asked to coauthor **SCR 8**, which was the order.

**SCR 8** was adopted upon motion of Senator Reynolds and referred for engrossment.

**Senator Stanislawski presiding.**

**GENERAL ORDER**

**SB 327** by Johnson (Rob) of the Senate and Grau of the House was called up for consideration.

Senators Laster and Ivester asked to coauthor **SB 327**, which was the order.

Senator Johnson (Rob) moved that **SB 327** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 327** was read for the third time at length.

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

Aye: Adelson, Aldridge, Allen, Ballenger, Barrington, Bass, Bingman, Branan, Brecheen, Brown, Burrage, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Laster, Lerblance, Paddack, Rice, Russell, Simpson, Sparks and Wilson.--29.

Nay: Anderson, Brinkley, Crain, David, Jolley, Justice, Marlatt, Mazzei, Myers, Newberry, Nichols, Reynolds, Schulz, Shortey, Stanislawski, Sykes and Treat.--17.

Excused: Coates and Wyrick.--2.



The bill passed.

Pursuant to Rule 12-21, Senator Sykes served notice that the vote be reconsidered whereby **SB 327** passed.

**Senator Jolley presiding.**

**GENERAL ORDER**

**SB 1** by Ford of the Senate and Denney of the House was called up for consideration.

Senator Ford moved that **SB 1** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 1** 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, Allen, Anderson, Barrington, Bingman, Branan, Brecheen, Brinkley, Brown, Crain, David, Fields, Ford, Halligan, Holt, Johnson (R), Jolley, Justice, Marlatt, Mazzei, Myers, Newberry, Nichols, Reynolds, Russell, Schulz, Simpson, Stanislawski, Sykes and Treat.--30.

Nay: Adelson, Ballenger, Bass, Burrage, Eason McIntyre, Ellis, Garrison, Ivester, Johnson (C), Laster, Lerblance, Paddack, Rice, Shortey, Sparks, Wilson and Wyrick.--17.

Excused: Coates.--1.

The bill passed and emergency failed.

Pursuant to Rule 12-21, Senator Ford served notice that the vote be reconsidered whereby **SB 1** passed.

**GENERAL ORDER**

**SB 534** by Ford of the Senate and Denney of the House was called up for consideration.

Senator Ford moved to amend **SB 534**, Page 2, Line 17, by deleting the language after the word "including" and before the word "failure", which amendment was declared adopted.

Senator Ford moved to amend **SB 534**, Page 1, by striking the title, which amendment was declared adopted.

Senator Ford moved that **SB 534** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 534** was read for the third time at length.

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

Aye: Aldridge, Allen, Anderson, Barrington, Bingman, Branan, Brecheen, Brinkley, Brown, Crain, Fields, Ford, Halligan, Holt, Johnson (R), Jolley, Justice, Marlatt, Mazzei, Myers, Newberry, Nichols, Reynolds, Russell, Schulz, Shortey, Simpson, Stanislawski, Sykes and Treat.--30.

Nay: Adelson, Ballenger, Bass, Burrage, Eason McIntyre, Ellis, Garrison, Ivester, Laster, Lerblance, Paddack, Rice, Sparks, Wilson and Wyrick.--15.

Excused: Coates, David and Johnson (C).--3.

The bill passed.

**SB 534** was referred for engrossment.

### **GENERAL ORDER**

**SB 447** by Barrington of the Senate and Armes of the House was called up for consideration.

Senator Barrington moved that **SB 447** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 447** was read for the third time at length.

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

Aye: Adelson, Aldridge, Allen, Anderson, Ballenger, Barrington, Bass, Branan, Brecheen, Brinkley, Brown, Burrage, Crain, David, Eason McIntyre, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (R), Jolley, Justice, Laster, Lerblance, Marlatt, Mazzei, Myers, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--43.

Excused: Bingman, Coates, Ellis, Johnson (C) and Newberry.--5.

The bill passed.

**SB 447** was referred for engrossment.

### **GENERAL ORDER**

**SB 443** by Rice and Halligan of the Senate and Moore of the House was called up for consideration.

Senator Rice moved that **SB 443** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 443** was read for the third time at length.

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

Aye: Aldridge, Allen, Anderson, Ballenger, Barrington, Bass, Branan, Brecheen, Brown, Burrage, Crain, David, Eason McIntyre, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (R), Jolley, Justice, Laster, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddock, Reynolds, Rice, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--41.

Excused: Adelson, Bingman, Brinkley, Coates, Ellis, Johnson (C) and Mazzei.--7.

The bill passed.

**SB 443** was referred for engrossment.

### **GENERAL ORDER**

**SB 145** by Schulz of the Senate and Wright of the House was called up for consideration.

Senator Schulz moved that **SB 145** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 145** was read for the third time at length.

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

Aye: Aldridge, Allen, Anderson, Ballenger, Barrington, Bass, Branan, Brecheen, Brinkley, Brown, Burrage, Crain, David, Eason McIntyre, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (R), Jolley, Justice, Laster, Lerblance, Marlatt, Newberry, Nichols,

Paddack, Rice, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--40.

Excused: Adelson, Bingman, Coates, Ellis, Johnson (C), Mazzei, Myers and Reynolds.--8.

The bill passed.

**SB 145** was referred for engrossment.

### **GENERAL ORDER**

**SB 274** by Stanislawski of the Senate and Liebmann of the House was called up for consideration.

Senator Stanislawski moved that **SB 274** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 274** 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, Allen, Anderson, Ballenger, Barrington, Bass, Branan, Brecheen, Brinkley, Brown, Burrage, Crain, David, Eason McIntyre, Ford, Garrison, Halligan, Holt, Ivester, Johnson (R), Jolley, Justice, Laster, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Rice, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--40.

Excused: Adelson, Bingman, Coates, Ellis, Fields, Johnson (C), Mazzei and Reynolds.-8.

The bill and emergency passed.

**SB 274** was referred for engrossment.

### **MESSAGE FROM THE HOUSE**

Advising passage of and transmitting for consideration Engrossed **HBs 1016, 1017, 1018, 1019, 1044, 1050, 1232, 1282, 1460, 1461, 1473, 1474, 1494, 1554, 1575, 1680, 1715, 2121 and 2140.**

**HB 1016** – By Faught of the House and Aldridge of the Senate.

An Act relating to sunset; amending 59 O.S. 2001, Section 1455, as last amended by Section 1, Chapter 23, O.S.L. 2005 (59 O.S. Supp. 2010, Section 1455), which relates to the Polygraph Examiners Board; re-creating the Board; and modifying termination date.

**HB 1017** – By Faught and Ritze of the House and Aldridge of the Senate.

An Act relating to sunset; amending 59 O.S. 2001, Section 624, as amended by Section 1, Chapter 22, O.S.L. 2005 (59 O.S. Supp. 2010, Section 624), which relates to the State Board of Osteopathic Examiners; re-creating the Board; and modifying termination date.

**HB 1018** – By Faught of the House and Aldridge of the Senate.

An Act relating to sunset; amending 59 O.S. 2001, Section 137, as amended by Section 1, Chapter 27, O.S.L. 2005 (59 O.S. Supp. 2010, Section 137), which relates to the Board of Podiatric Medical Examiners; re-creating the Board; and modifying termination date.

**HB 1019** – By Faught of the House and Aldridge of the Senate.

An Act relating to sunset; amending 3A O.S. 2001, Section 604.1, as last amended by Section 4, Chapter 329, O.S.L. 2008 (3A O.S. Supp. 2010, Section 604.1), which relates to the Oklahoma State Athletic Commission; re-creating the Commission; and modifying termination date.

**HB 1044** – By Faught, DeWitt, Roberts (Sean), Nelson, Martin (Scott), Kern, Cockroft, Dorman and Ritze of the House and Sykes of the Senate.

An Act relating to statutes and reports; amending 75 O.S. 2001, Sections 303.1 and 308, which relate to the Administrative Procedures Act; requiring agencies filing rules to cite certain authority; requiring approval of certain rules; and providing an effective date.

**HB 1050** – By Sanders of the House and Ballenger of the Senate.

An Act relating to agriculture; amending 2 O.S. 2001, Section 15-113, which relates to fair association elections; modifying filing procedure; and providing an effective date.

**HB 1232** – By Sherrer of the House and Burrage of the Senate.

An Act relating to motor vehicles; amending 47 O.S. 2001, Section 11-1302, as last amended by Section 1, Chapter 59, O.S.L. 2007 (47 O.S. Supp. 2010, Section 11-1302), which relates to temporary highway closings; authorizing closing based on flooding; allowing courts to order restitution reimbursing emergency responders; and declaring an emergency.

**HB 1282** – By Dank and Pittman of the House and Treat of the Senate.

An Act relating to public health and safety; amending 63 O.S. 2001, Section 330.51, as last amended by Section 1, Chapter 291, O.S.L. 2006 (63 O.S. Supp. 2010, Section 330.51), which relates to definitions; revising certain terms; adding certain terms; amending 63 O.S. 2001, Section 330.52, as last amended by Section 10, Chapter 347, O.S.L. 2007 (63 O.S. Supp. 2010, Section 330.52), which relates to the Oklahoma State Board of Examiners for Long-Term Care Administrators; re-creating the Board for certain term; modifying composition of Board membership; providing effective date for Board vacancy; providing

effective date for appointments; providing for terms; amending 63 O.S. 2001, Section 330.53, as last amended by Section 2, Chapter 273, O.S.L. 2006 (63 O.S. Supp. 2010, Section 330.53), which relates to qualifications for licenses; providing for license or certificate to serve in facility; permitting certain persons to continue to serve in their current capacity; amending 63 O.S. 2001, Section 330.54, as amended by Section 4, Chapter 291, O.S.L. 2006 (63 O.S. Supp. 2010, Section 330.54), which relates to license fees; requiring person to meet renewal requirements for license or certification; amending 63 O.S. 2001, Section 330.57, as amended by Section 6, Chapter 291, O.S.L. 2006 (63 O.S. Supp. 2010, Section 330.57), which relates to qualifications of administrators; authorizing the promulgation of certain rules; amending 63 O.S. 2001, Section 330.58, as last amended by Section 2, Chapter 411, O.S.L. 2008 (63 O.S. Supp. 2010, Section 330.58), which relates to duties of the Board; amending 63 O.S. 2001, Section 330.59, as amended by Section 8, Chapter 291, O.S.L. 2006 (63 O.S. Supp. 2010, Section 330.59), which creates certain civil penalty; amending Section 5, Chapter 168, O.S.L. 2005, as last amended by Section 4, Chapter 411, O.S.L. 2008 (63 O.S. Supp. 2010, Section 330.65), which relates to Board complaint procedures; requiring three persons to review certain complaints; and providing an effective date.

**HB 1460** – By Denney of the House and Halligan of the Senate.

An Act relating to telecommunications; amending 17 O.S. 2001, Section 139.109, as amended by Section 1, Chapter 409, O.S.L. 2004 (17 O.S. Supp. 2010, Section 139.109), which relates to Special Universal Services; changing certain Internet service data transfer rate restriction; and declaring an emergency.

**HB 1461** – By Denney, McDaniel (Jeannie) and Sherrer of the House and Halligan of the Senate.

An Act relating to schools; amending Section 2, Chapter 149, O.S.L. 2002, as amended by Section 5, Chapter 216, O.S.L. 2008, 70 O.S. 2001, Sections 6-114 and 24-100, as renumbered by Section 5, Chapter 149, O.S.L. 2002, and as last amended by Sections 6 and 7, Chapter 216, O.S.L. 2008 (70 O.S. Supp. 2010, Sections 24-100.3, 24-100.4 and 24-100.5), which relate to the School Bullying Prevention Act; expanding statement of findings; modifying definitions; deleting limitation on liability for school districts; modifying requirement for school districts to adopt a control and discipline policy; requiring policies to contain or establish certain procedures, requirements and statements, to identify certain persons and to address prevention in a certain manner; modifying certain required procedures; including certain additional persons in development of a policy; providing for implementation of a policy in a certain manner; modifying and adding duties of the State Board of Education; updating statutory language; adding certain persons to the Safe School Committee; modifying description of certain responsibility of the Committee; deleting exception for technology center schools; providing an effective date; and declaring an emergency.

**HB 1473** – By Armes and Roberts (Dustin) of the House and Fields of the Senate.

An Act relating to agriculture; amending Section 5, Chapter 138, O.S.L. 2006, as amended by Section 3, Chapter 360, O.S.L. 2010 (2 O.S. Supp. 2010, Section 6-505),

which relates to the Oklahoma Farmed Cervidae Act; removing double-fencing requirement for export of certain cervidae; and providing an effective date.

**HB 1474** – By Armes of the House and Fields of the Senate.

An Act relating to game and fish; amending Section 2, Chapter 63, O.S.L. 2008, as amended by Section 1, Chapter 266, O.S.L. 2009 (29 O.S. Supp. 2010, Section 7-209), which relates to the Oklahoma Wildlife Conservation Code; increasing maximum fine amount for trespass; and providing an effective date.

**HB 1494** – By Brumbaugh of the House and Reynolds of the Senate.

An Act relating to insurance; repealing Sections 1, 2, 3 and 4, Chapter 300, O.S.L. 2010 (36 O.S. Supp. 2010, Sections 7201, 7202, 7203 and 7204), which relate to the Health Carrier Access Payment Revolving Fund; and providing an effective date.

**HB 1554** – By Kern and Pittman of the House and Anderson of the Senate.

An Act relating to poor persons; creating the Oklahoma Options Counseling for Long-term Care Program Act; stating legislative findings; providing definitions; creating program; providing for administration; specifying program services; requiring option counseling for certain recipients; specifying act shall not implement certain federal law; providing for codification; and providing an effective date.

**HB 1575** – By Martin (Scott) of the House and Paddock of the Senate.

An Act relating to environment and natural resources; amending 27A O.S. 2001, Section 2-6-101, as last amended by Section 1, Chapter 138, O.S.L. 2005 (27A O.S. Supp. 2010, Section 2-6-101), which relates to water quality definitions; adding certain definition; allowing the use of a certain amount of gray water for certain purposes without a permit; listing certain conditions; providing for codification; and providing an effective date.

**HB 1680** – By Quinn of the House and Burrage of the Senate.

An Act relating to schools; amending 70 O.S. 2001, Section 1210.508, as last amended by Section 1, Chapter 251, O.S.L. 2010 (70 O.S. Supp. 2010, Section 1210.508), which relates to criterion-referenced tests for public school students; requiring school districts to report all performance levels on end-of-instruction tests on high school transcripts; and providing an effective date.

**HB 1715** – By Peterson of the House and Brinkley of the Senate.

An Act relating to professions and occupations; amending 59 O.S. 2001, Sections 1250.1, as amended by Section 1, Chapter 85, O.S.L. 2003, 1255, as amended by Section 5, Chapter 85, O.S.L. 2003, 1261.1, as amended by Section 8, Chapter 85, O.S.L. 2003, Section 9, Chapter 85, O.S.L. 2003, 1263, as amended by Section 14, Chapter 85, O.S.L. 2003 and Section 17, Chapter 85, O.S.L. 2003 (59 O.S. Supp. 2010, Sections 1250.1, 1255, 1261.1, 1261.1a, 1263 and 1266.1), which relate to the Social Workers' Licensing Act; modifying and adding definitions; increasing length of Board member terms; modifying number of terms Board members may serve; modifying application requirements for certain licenses; specifying ground for certain denials; adding definition; modifying requirements for reinstatement of license; modifying authority of State Board of Licensed Social Workers

to assess fees; modifying grounds for revocation of licenses; providing for codification; and providing an effective date.

**HB 2121** – By Hickman of the House and Branan of the Senate.

An Act relating to revenue and taxation; amending 68 O.S. 2001, Section 1001, as last amended by Section 1, Chapter 443, O.S.L. 2010 (68 O.S. Supp. 2010, Section 1001), which relates to gross production tax exemptions; modifying provisions related to production from certain horizontal wells; modifying provisions related to production from certain deep wells; and declaring an emergency.

**HB 2140** – By Steele and Murphey of the House and Bingman of the Senate.

An Act relating to state government; enacting the State Government Administrative Process Consolidation and Reorganization Reform Act of 2011; consolidating Department of Central Services, Office of Personnel Management, Oklahoma Merit Protection Commission, Archives Division of the Oklahoma State Library, Oklahoma State Employees Benefits Council and Oklahoma State and Education Employees Group Insurance Board into Office of State Finance; providing for assumption of responsibilities; defining term; requiring Director of Office of State Finance to implement consolidation; requiring certain cost savings; requiring report; requiring recommendations to the Legislature; providing for delivery of books, papers, records and property; transferring powers, duties and responsibilities; providing for effect of administrative rules; amending 62 O.S. 2001, Sections 41.3, as renumbered by Section 64, Chapter 441, O.S.L. 2009, and as amended by Section 32, Chapter 2, O.S.L. 2010, and 41.4, as amended by Section 7, Chapter 441, O.S.L. 2009, and as renumbered by Section 64, Chapter 441, O.S.L. 2009 (62 O.S. Supp. 2010, Sections 34.3 and 34.6), which relate to the Oklahoma State Finance Act; modifying references to certain divisions within the Office of State Finance; providing for assumption of responsibilities by the Director of the Office of State Finance; amending 74 O.S. 2001, Section 61.2, which relates to the Department of Central Services; modifying references; amending 74 O.S. 2001, Sections 85.3, as amended by Section 2, Chapter 96, O.S.L. 2008 and 85.5, as last amended by Section 1, Chapter 170, O.S.L. 2010 (74 O.S. Supp. 2010, Sections 85.3 and 85.5), which relate to the Oklahoma Central Purchasing Act; modifying references; amending 74 O.S. 2001, Section 840-1.6A, as last amended by Section 1, Chapter 312, O.S.L. 2004 (74 O.S. Supp. 2010, Section 840-1.6A), which relates to the Oklahoma Personnel Act; modifying references; amending 74 O.S. 2001, Section 840-1.8, which relates to the Oklahoma Personnel Act; modifying references; 67 O.S. 2001, Section 305, as amended by Section 1, Chapter 24, O.S.L. 2007, 306 and 311 (67 O.S. Supp. 2010, Section 305), which relate to the Archives and Records Commission and archived records; modifying composition of the Commission; changing state official in charge of determination of archive issues; modifying agency in charge of archived records; modifying on whose behalf the Attorney General may replevin certain records or archives; modifying references; amending 74 O.S. 2001, Section 1365, as last amended by Section 1, Chapter 28, O.S.L. 2009 (74 O.S. Supp. 2010, Section 1365), which relates to the Oklahoma State Employees Benefits Council; modifying provisions related to appointment of executive director; repealing 67 O.S. 2001, Section 312, which relates to microfilm equipment and supplies; repealing 74 O.S. 2001, Section 61.1, which relates to the Director of Public Affairs; repealing 74 O.S. 2001, Section 840-1.4, which relates to the Merit



System Office and State Personnel Board; providing for codification; and providing for noncodification.

The above-numbered measures were read the first time.

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

\*

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.

### **GENERAL ORDER**

**SB 603** by Schulz of the Senate and Blackwell of the House was called up for consideration.

Senator Schulz moved that **SB 603** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 603** 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, Allen, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brinkley, Brown, Burrage, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Laster, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Shortey, Simpson, Stanislawski, Sykes, Treat and Wilson.--42.

Excused: Adelson, Brecheen, Coates, Mazzei, Sparks and Wyrick.--6.

The bill and emergency passed.

**SB 603** was referred for engrossment.

**MESSAGE FROM THE HOUSE**

Advising passage of and transmitting for consideration Engrossed **HCR 1005**.

**HCR 1005** – By McNiel of the House and Justice of the Senate.

A Concurrent Resolution designating March 9, 2011, Water Appreciation Day at the State Capitol; encouraging recognition of the value and significance of water resources; and directing distribution.

The above-numbered measure was read the first time.

**GENERAL ORDER**

**SB 536** by Stanislawski and Branan of the Senate and Hickman of the House was called up for consideration.

Senator Fields asked to coauthor **SB 536**, which was the order.

Senator Stanislawski moved that **SB 536** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 536** was read for the third time at length.

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

Aye: Aldridge, Allen, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brecheen, Brinkley, Brown, Burrage, Crain, David, Ellis, Fields, Ford, Garrison, Halligan, Holt, Jolley, Justice, Laster, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Shortey, Simpson, Stanislawski, Sykes, Treat and Wilson.-39.

Nay: Eason McIntyre, Johnson (C) and Wyrick.--3.

Excused: Adelson, Coates, Ivester, Johnson (R), Mazzei and Sparks.--6.

The bill passed.

Senator Johnson (Rob) desired to vote Aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 40; Nay: 3; Excused: 5.

The emergency passed.

**SB 536** was referred for engrossment.

### **GENERAL ORDER**

**SB 568** by Russell of the Senate and Faught of the House was called up for consideration.

Senator Russell moved that **SB 568** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 568** was read for the third time at length.

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

Aye: Allen, Anderson, Barrington, Bass, Bingman, Branan, Brecheen, Brinkley, Brown, Burrage, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Johnson (C), Johnson (R), Jolley, Justice, Laster, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Rice, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--41.

Excused: Adelson, Aldridge, Ballenger, Coates, Ivester, Mazzei and Reynolds.--7.

The bill passed.

**SB 568** was referred for engrossment.

### **GENERAL ORDER**

**SB 606** by Russell of the Senate and Wesselhoft of the House was called up for consideration.

Representative Wesselhoft asked to be removed and Representative Key asked to be named as principal House author on **SB 606**, which was the order.

Senator Russell moved that **SB 606** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 606** was read for the third time at length.

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

Aye: Adelson, Aldridge, Allen, Anderson, Bingman, Branan, Brecheen, Brinkley, Brown, Burrage, David, Eason McIntyre, Ford, Holt, Ivester, Johnson (R), Jolley, Justice, Laster, Marlatt, Mazzei, Newberry, Nichols, Reynolds, Rice, Russell, Shortey, Sparks, Stanislawski, Sykes and Treat.--31.

Nay: Barrington, Bass, Crain, Ellis, Fields, Garrison, Halligan, Johnson (C), Lerblance, Myers, Paddack, Schulz, Simpson, Wilson and Wyrick.--15.

Excused: Ballenger and Coates.--2.

The bill passed.

Pursuant to Rule 12-21, Senator Russell served notice that the vote be reconsidered whereby **SB 606** passed.

### **GENERAL ORDER**

**SB 856** by Russell of the Senate and Wesselhoft of the House was called up for consideration.

Senators Brecheen, Brinkley and Shortey asked to coauthor **SB 856**, which was the order.

Senator Russell moved that **SB 856** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 856** was read for the third time at length.

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

Aye: Adelson, Aldridge, Allen, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brecheen, Brinkley, Brown, Burrage, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Laster, Lerblance, Marlatt, Mazzei, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--48.

The bill passed.

**SB 856** was referred for engrossment.

**GENERAL ORDER**

**SB 858** by Russell and Reynolds of the Senate and Wesselhoft of the House was called up for consideration.

Representative Wesselhoft asked to be removed and Representative Ritze asked to be named as principal House author on **SB 858**, which was the order.

Senator Russell moved that **SB 858** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 858** was read for the third time at length.

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

Aye: Adelson, Aldridge, Allen, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brecheen, Brinkley, Brown, Burrage, Coates, Crain, David, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (R), Jolley, Justice, Laster, Lerblance, Marlatt, Mazzei, Myers, Newberry, Nichols, Paddack, Reynolds, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat and Wyrick.--44.

Nay: Eason McIntyre, Johnson (C), Rice and Wilson.--4.

The bill passed.

**SB 858** was referred for engrossment.

**GENERAL ORDER**

**SB 363** by Shortey of the Senate and Christian of the House was called up for consideration.

Senator Shortey moved that **SB 363** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 363** was read for the third time at length.

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

Aye: Adelson, Allen, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brecheen, Brinkley, Brown, Burrage, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Johnson (C), Johnson (R), Jolley, Justice, Laster, Lerblance,

Marlatt, Myers, Newberry, Paddack, Rice, Russell, Schulz, Shortey, Simpson, Sparks, Sykes, Wilson and Wyrick.--41.

Nay: Aldridge, Nichols, Reynolds, Stanislawski and Treat.--5.

Excused: Ivester and Mazzei.--2.

The bill passed.

**SB 363** was referred for engrossment.

### **GENERAL ORDER**

**SB 104** by Aldridge of the Senate and Banz of the House was called up for consideration.

Senator Aldridge moved that **SB 104** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 104** was read for the third time at length.

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

Aye: Adelson, Aldridge, Allen, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brecheen, Brinkley, Brown, Burrage, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Johnson (C), Johnson (R), Jolley, Justice, Laster, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--46.

Excused: Ivester and Mazzei.--2.

The bill passed.

**SB 104** was referred for engrossment.

### **GENERAL ORDER**

**SB 359** by Aldridge of the Senate and Murphey of the House was called up for consideration.

Senator Aldridge moved that **SB 359** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 359** was read for the third time at length.

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

Aye: Aldridge, Crain and Stanislawski.--3.

Nay: Adelson, Allen, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brecheen, Brinkley, Brown, Burrage, Coates, David, Eason McIntyre, Fields, Ford, Garrison, Halligan, Holt, Johnson (C), Johnson (R), Jolley, Justice, Laster, Lerblance, Marlatt, Mazzei, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Shortey, Simpson, Sparks, Sykes, Treat, Wilson and Wyrick.--43.

Excused: Ivester.--1.

\*Not Voting: Ellis.--1.

The bill failed.

\*Senator Ellis asked to be shown not voting on **SB 359** for reason of personal interest, as provided in Article V, Section 24, Oklahoma Constitution.

**GENERAL ORDER**

**SB 648** by Aldridge of the Senate and Kirby of the House was called up for consideration.

Senator Aldridge moved that **SB 648** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 648** was read for the third time at length.

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

Aye: Adelson, Aldridge, Allen, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brecheen, Brinkley, Brown, Burrage, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Johnson (C), Johnson (R), Jolley, Justice, Laster, Lerblance, Marlatt, Mazzei, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--47.

Excused: Ivester.--1.

The bill passed.

**SB 648** was referred for engrossment.

### **GENERAL ORDER**

**SB 701** by Aldridge of the Senate and Sullivan of the House was called up for consideration.

Senator Aldridge moved that **SB 701** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 701** was read for the third time at length.

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

Aye: Aldridge, Allen, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brecheen, Brinkley, Brown, Burrage, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Johnson (C), Johnson (R), Jolley, Justice, Laster, Lerblance, Marlatt, Mazzei, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--46.

Excused: Adelson and Ivester.--2.

The bill passed.

**SB 701** was referred for engrossment.

### **GENERAL ORDER**

**SB 774** by Aldridge of the Senate and Cooksey of the House was called up for consideration.

Senator Aldridge moved that **SB 774** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 774** 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, Allen, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brecheen, Brinkley, Brown, Burrage, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Johnson (C), Johnson (R), Jolley, Justice, Laster, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--45.

Excused: Adelson, Ivester and Mazzei.--3.

The bill and emergency passed.

**SB 774** was referred for engrossment.

**Senator David presiding.**

### **GENERAL ORDER**

**SB 157** by Jolley of the Senate and McCullough of the House was called up for consideration.

Senator Jolley moved that **SB 157** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 157** was read for the third time at length.

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

Aye: Adelson, Aldridge, Allen, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brecheen, Brinkley, Brown, Burrage, Coates, David, Ellis, Fields, Ford, Garrison, Halligan, Holt, Johnson (C), Johnson (R), Jolley, Justice, Laster, Lerblance, Marlatt, Mazzei, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--45.

Excused: Crain, Eason McIntyre and Ivester.--3.

The bill passed.

**SB 157** was referred for engrossment.

### **GENERAL ORDER**

**SB 574** by Jolley of the Senate and Trebilcock of the House was called up for consideration.

Senator Jolley moved to amend **SB 574**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Jolley moved that **SB 574** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 574** was read for the third time at length.

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

Aye: Adelson, Aldridge, Allen, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brecheen, Brinkley, Brown, Burrage, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Johnson (C), Johnson (R), Jolley, Justice, Laster, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--46.

Excused: Ivester and Mazzei.--2.

The bill passed.

**SB 574** was referred for engrossment.

### **GENERAL ORDER**

**SB 629** by Jolley of the Senate and Jackson of the House was called up for consideration.

Senator Jolley moved that **SB 629** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 629** 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, Allen, Anderson, Ballenger, Barrington, Bingman, Branan, Brecheen, Brinkley, Brown, Burrage, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Johnson (C), Johnson (R), Jolley, Justice, Laster, Lerblance, Marlatt, Myers, Newberry, Paddack, Reynolds, Rice, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat and Wilson.--42.

Excused: Aldridge, Bass, Ivester, Mazzei, Nichols and Wyrick.--6.

The bill and emergency passed.

**SB 629** was referred for engrossment.

## **GENERAL ORDER**

**SB 658** by Jolley of the Senate and Peters of the House was called up for consideration.

Senator Jolley moved to amend **SB 658**, 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 Jolley asked unanimous consent, which was granted, to suspend Senate Rule 12-4 as it pertains to **SB 658**.

Senator Jolley moved to amend the floor substitute to **SB 658**, Page 3, Line 14, by deleting the word "Director", and inserting in lieu thereof the word "Commissioner", which amendment was declared adopted.

Senator Jolley moved that **SB 658** be advanced, which motion was declared adopted.

## **THIRD READING**

**SB 658** was read for the third time at length.

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

Aye: Aldridge, Anderson, Bass, Bingman, Branan, Brinkley, Brown, Burrage, Crain, David, Ellis, Fields, Ford, Halligan, Holt, Jolley, Justice, Laster, Lerblance, Marlatt, Mazzei, Newberry, Nichols, Paddack, Rice, Schulz, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--32.

Nay: Allen, Ballenger, Barrington, Brecheen, Coates, Garrison, Johnson (C), Johnson (R), Myers, Reynolds, Russell, Shortey and Simpson.--13.

Excused: Adelson, Eason McIntyre and Ivester.--3.

The bill passed.

**SB 658** was referred for engrossment.

## **INTRODUCTION**

Senator Treat introduced his wife, Maressa, to the Senate.

**GENERAL ORDER**

**SB 674** by Jolley of the Senate and Peters of the House was called up for consideration.

Senator Jolley moved that **SB 674** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 674** was read for the third time at length.

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

Aye: Aldridge, Allen, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brecheen, Brinkley, Brown, Burrage, Coates, Crain, David, Ellis, Fields, Ford, Garrison, Halligan, Holt, Johnson (C), Johnson (R), Jolley, Justice, Laster, Lerblance, Marlatt, Mazzei, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--45.

Excused: Adelson, Eason McIntyre and Ivester.--3.

The bill passed.

**SB 674** was referred for engrossment.

**Senator Sykes presiding.**

**GENERAL ORDER**

**SB 798** by Jolley of the Senate and Russ of the House was called up for consideration.

Senators Sykes and Jolley moved to amend **SB 798**, Page 3, Line 15, by inserting after the word "receive" and before the word "a" the words "from the plaintiff/mortgagee"; and by inserting after the word "fee" and before the word "for" the words "of One Hundred Fifty Dollars (\$150.00)"; and by inserting after the word "inspection" and before the word "and" the words "of each property", which amendment was declared adopted.

Senator Jolley moved that **SB 798** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 798** was read for the third time at length.

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

Aye: Adelson, Aldridge, Allen, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brecheen, Brinkley, Brown, Burrage, Coates, Crain, David, Ellis, Fields, Ford, Garrison, Halligan, Holt, Johnson (C), Johnson (R), Jolley, Justice, Laster, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--45.

Excused: Eason McIntyre, Ivester and Mazzei.--3.

The bill passed.

**SB 798** was referred for engrossment.

### **GENERAL ORDER**

**SJR 36** by Jolley of the Senate and Sullivan of the House was called up for consideration.

Senator Jolley moved that **SJR 36** be advanced, which motion was declared adopted.

### **THIRD READING**

**SJR 36** was read for the third time at length.

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

Aye: Aldridge, Allen, Anderson, Barrington, Bingman, Branan, Brecheen, Brinkley, Brown, Coates, Crain, David, Fields, Ford, Halligan, Holt, Johnson (R), Jolley, Justice, Marlatt, Mazzei, Myers, Newberry, Nichols, Reynolds, Russell, Schulz, Shortey, Simpson, Stanislawski, Sykes and Treat.--32.

Nay: Adelson, Ballenger, Bass, Burrage, Eason McIntyre, Ellis, Garrison, Johnson (C), Laster, Lerblance, Paddack, Rice, Sparks, Wilson and Wyrick.--15.

Excused: Ivester.--1.

The resolution passed.

**SJR 36** was referred for engrossment.

### **GENERAL ORDER**

**SB 740** by Schulz of the Senate and Blackwell of the House was called up for consideration.

Senator Schulz moved that **SB 740** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 740** 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, Allen, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brecheen, Brinkley, Brown, Burrage, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Johnson (C), Johnson (R), Jolley, Justice, Laster, Lerblance, Marlatt, Mazzei, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--47.

Excused: Ivester.--1.

The bill and emergency passed.

**SB 740** was referred for engrossment.

### **GENERAL ORDER**

**SB 704** by Johnson (Rob) of the Senate and Sullivan of the House was called up for consideration.

Senator Johnson (Rob) moved to amend **SB 704**, Page 2, Line 5, by striking after the word "satisfied" and before the colon ":" the words "and in addition" and inserting the words ", if the petition in the class action contains factual allegations sufficient to demonstrate a plausible claim for relief and"; and Page 4, Line 15, through Page 8, Line 24, by deleting all new language and restoring all stricken language, which amendment was declared adopted.

Senator Johnson (Rob) moved that **SB 704** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 704** was read for the third time at length.

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

Aye: Aldridge, Allen, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brecheen, Brinkley, Brown, Burrage, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Johnson (C), Johnson (R), Jolley, Justice, Lerblance, Marlatt, Mazzei, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--45.

Excused: Adelson, Ivester and Laster.--3.

The bill passed.

**SB 704** was referred for engrossment.

**UNANIMOUS CONSENT REQUEST  
DIRECT TO CALENDAR**

Senator Justice asked unanimous consent to refer **HCR 1005** direct to the Calendar for consideration, which was the order.

**GENERAL ORDER**

**HCR 1005** by McNiel of the House and Justice of the Senate was called up for consideration.

All other members of the Senate asked to coauthor **HCR 1005**, which was the order.

**HCR 1005** was adopted upon motion of Senator Justice and properly signed and ordered returned to the Honorable House.

**GENERAL ORDER**

**SB 94** by Ballenger of the Senate and Shoemake of the House was called up for consideration.

Senator Ballenger moved to amend **SB 94**, 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 Ballenger moved to amend the floor substitute to **SB 94**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Ballenger moved that **SB 94** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 94** was read for the third time at length.

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

Aye: Aldridge, Allen, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brecheen, Brinkley, Brown, Burrage, Coates, Crain, David, Eason McIntyre, Ellis, Fields,

Ford, Garrison, Halligan, Holt, Johnson (C), Johnson (R), Jolley, Justice, Lerblance, Marlatt, Mazzei, Myers, Newberry, Paddack, Reynolds, Rice, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--44.

Excused: Adelson, Ivester, Laster and Nichols.--4.

The bill passed.

**SB 94** was referred for engrossment.

### **GENERAL ORDER**

**SB 816** by Newberry of the Senate and McNeil of the House was called up for consideration.

Senator Newberry moved that **SB 816** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 816** 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, Allen, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brecheen, Brinkley, Burrage, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Johnson (C), Johnson (R), Jolley, Justice, Lerblance, Marlatt, Myers, Newberry, Paddack, Reynolds, Rice, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--42.

Excused: Adelson, Brown, Ivester, Laster, Mazzei and Nichols.--6.

The bill and emergency passed.

**SB 816** was referred for engrossment.

### **GENERAL ORDER**

**SB 928** by Newberry of the Senate and Jordan of the House was called up for consideration.

Senator Newberry moved to amend **SB 928**, Page 10, Line 7 ½, by inserting a new SECTION 4 to read as follows:



“SECTION 4. AMENDATORY Section 8, Chapter 479, O.S.L. 2010 (59 O.S. Supp. 2010, Section 1151.8), is amended to read as follows:

Section 1151.8. A. At the time of making application for a roofing contractor registration certificate pursuant to ~~this act~~ the Roofing Contractor Registration Act, the applicant shall pay to the registrar a fee ~~to be set by the registrar, which shall not exceed Three Hundred Dollars (\$300.00)~~ of Seventy-five Dollars (\$75.00) for the annual registration certificate.

B. All monies collected by the registrar for roofing contractor registration applications, renewals and other fee assessments shall be deposited by the registrar and credited to the Roofing Contractor Registration Revolving Fund and such funds shall be used by the ~~Construction Industries Board~~ registrar to implement and administer the provisions of ~~this act~~ the Roofing Contractor Registration Act.

C. The fee to be submitted with an application for a roofing contractor registration may be prorated as set by ~~the registrar~~ the provisions of the Roofing Contractor Registration Act. Unless prorated at the time of initial registration, fees shall be paid in the amount stated in subsection A of this section and such registration certificates shall expire June 30 each year.

D. A renewal fee for a roofing contractor registration shall be ~~set by the registrar, which shall not exceed Three Hundred Dollars (\$300.00)~~ Seventy-five Dollars (\$75.00) for the annual renewal registration certificate.

E. Any person having registered prior to July 15, 2011, shall be entitled to a fee refund for any amount paid in excess of the fee stated in subsection A of this section. The registrar shall make the fee refund on the date of expiration of the current registration period for which the fee charged was in excess of the amount stated in subsection A of this section.”, and by renumbering subsequent sections and by amending the title to conform, which amendment was declared adopted.

Senator Newberry moved to amend **SB 928**, Page 1, by striking the title, which amendment was declared adopted.

Senator Newberry moved that **SB 928** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 928** 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, Allen, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brecheen, Brinkley, Burrage, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Johnson (C), Johnson (R), Jolley, Justice, Lerblance, Marlatt, Myers, Newberry, Paddack, Reynolds, Rice, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--42.

Excused: Adelson, Brown, Ivester, Laster, Mazzei and Nichols.--6.

The bill and emergency passed.

**SB 928** was referred for engrossment.

### **GENERAL ORDER**

**SB 929** by Newberry of the Senate and Jordan of the House was called up for consideration.

Representative Jordan asked to be removed and Representative Sullivan asked to be named as principal House author on **SB 929**, which was the order.

Senator Newberry moved that **SB 929** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 929** 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, Allen, Anderson, Barrington, Bingman, Branan, Brecheen, Brinkley, Burrage, David, Fields, Ford, Halligan, Holt, Johnson (R), Jolley, Justice, Marlatt, Myers, Newberry, Paddack, Reynolds, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes and Treat.--30.

Nay: Ballenger, Bass, Coates, Eason McIntyre, Ellis, Garrison, Johnson (C), Lerblance, Rice, Wilson and Wyrick.--11.

Excused: Adelson, Brown, Crain, Ivester, Laster, Mazzei and Nichols.--7.

The bill passed and emergency failed.

**SB 929** was referred for engrossment.

Senator Schulz moved that when the clerk's desk is clear, the Senate stand adjourned to convene Thursday, March 10, 2011, at 9:00 a.m., which motion prevailed.

Pursuant to the Schulz motion, the Senate adjourned at 4:50 p.m. to meet Thursday, March 10, 2011, at 9:00 a.m.

### **JOURNAL CORRECTION**

Page 405, 10<sup>th</sup> line from bottom, **SB 681**, insert after "Appropriations," and before the word "coauthored", the words "remove Jolly and substitute Johnson (Rob) as principal Senate author".