

Senate Journal

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

Twenty-second Legislative Day, Wednesday, March 16, 2011

The Senate was called to order by Senator Sykes.

Roll Call:

Present: Aldridge, Allen, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brecheen, Brinkley, Brown, Burrage, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, 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, Ivester and Johnson (C).—3.

Senator Sykes declared a quorum present.

The prayer was offered by Reverend Darryl Bryan Fouts, Victory Worship Center, Spiro, the guest of Senator Allen.

REPORT OF ENGROSSED AND ENROLLED MEASURES

SB 13, 55, 129, 163, 201, 239, 241, 242, 243, 246, 250, 252, 272, 275, 278, 279, 327, 335, 397, 497, 517, 528, 529, 541, 542, 593, 597, 607, 633, 664, 684, 695, 696, 697, 698, 699, 709, 711, 722, 732, 763, 772, 788, 852, 870, 872, 885, 902, 905, 917, 923, 931, 935, 939, 944, 949, 952, 953 and 954 and SCR 9 and 10 were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

SB 970 was correctly enrolled, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

REQUEST TO RECESS

Advising the Honorable House of Representatives that the Senate anticipates completing its work on Senate Bills today, Wednesday, March 16, 2011, and intends to adjourn for the week in order to achieve cost savings for Oklahoma taxpayers. Therefore,

pursuant to Article 5, Section 30 of the Oklahoma Constitution, the Senate respectfully requests the Honorable House of Representatives to consent to the adjournment of the Senate for more than three days beginning Thursday March 17, 2011 and ending on Monday March 21, 2011.

GENERAL ORDER

SB 171 by Fields of the Senate and Casey of the House was called up for consideration.

Senator Fields asked unanimous consent, which was granted, to suspend Senate Rule 12-4 as it pertains to **SB 171**.

Senator Fields moved to amend **SB 171**, 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 Fields moved to amend the floor substitute to **SB 171**, Page 1, by restoring the title, which amendment was withdrawn upon motion of Senator Fields.

Senator Fields moved that **SB 171** be advanced, which motion was declared adopted.

THIRD READING

SB 171 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, Branan, Brecheen, Brinkley, Brown, Crain, David, Fields, Ford, Halligan, Holt, Johnson (R), Justice, Marlatt, Myers, Newberry, Nichols, Russell, Schulz, Shortey, Simpson, Stanislawski, Sykes and Treat.--26.

Nay: Aldridge, Ballenger, Bass, Burrage, Coates, Eason McIntyre, Ellis, Garrison, Jolley, Lerblance, Mazzei, Paddack, Reynolds, Rice, Sparks, Wilson and Wyrick.--17.

Excused: Adelson, Bingman, Ivester, Johnson (C) and Laster.--5.

The bill passed.

Senators Mazzei and Jolley desired to vote Aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 28; Nay: 15; Excused: 5.

The emergency failed.

SB 171 was referred for engrossment.

INTRODUCTIONS

Senator Reynolds introduced his grandchildren, Joe and Noah Reynolds; and Senator Eason McIntyre introduced her Godchild, Kevin Hawkins, to the Senate.

GENERAL ORDER

SB 605 by Ford of the Senate and Denney of the House was called up for consideration.

Senator Ford moved that **SB 605** be advanced, which motion was declared adopted.

THIRD READING

SB 605 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, Brecheen, Brinkley, Brown, Burrage, Coates, Crain, David, Eason McIntyre, Fields, Ford, Halligan, Holt, Johnson (R), Jolley, Justice, Marlatt, Mazzei, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Shortey, Simpson, Stanislawski, Sykes and Treat.--35.

Nay: Allen, Ballenger, Bass, Ellis, Garrison, Lerblance, Sparks, Wilson and Wyrick.--9.

Excused: Adelson, Ivester, Johnson (C) and Laster.--4.

The bill and emergency passed.

SB 605 was referred for engrossment.

GENERAL ORDER

SB 610 by Ford of the Senate and Thomsen of the House was called up for consideration.

Senator Crain moved to amend **SB 610**, Page14, Line 5 ½, by inserting a new SECTION 3 to read as follows:

“SECTION 1. AMENDATORY 70 O.S. 2001, Section 4667, is amended to read as follows:

On July 1, 2001, there shall be established a branch of Langston University within the Tulsa metropolitan area consistent with the statewide plan for Langston University as provided in Section 6 of this act. Langston University shall continue to meet the missions and programs of the Langston Urban Center in Tulsa. The Oklahoma State Regents for Higher Education are authorized to make upper division undergraduate and graduate course offerings at the Langston University Branch in Tulsa available as the State Regents shall determine are appropriate. Undergraduate degree programs offered through Oklahoma State University/Tulsa shall not unnecessarily duplicate those undergraduate degree programs offered by Langston University Branch in Tulsa, as determined by the Oklahoma State Regents for Higher Education and shall be consistent with and in furthering implementation of the statewide plan for Langston University as developed by the State Regents pursuant to Section 6 of this act and filed with the Office for Civil Rights, United States Department of Education.

The Oklahoma State Regents for Higher Education shall fund Langston University at a level not less than its fiscal year 1998 level, and its Education and General Budget shall be held harmless from reductions in succeeding years. The Oklahoma State Regents for Higher Education shall allocate funds to Langston University sufficient to fund full time faculty in Tulsa at a level equal to seventy percent (70%) of its faculty level that existed in Tulsa in fiscal year 1998 and adequate building and classroom space which were funded in fiscal year 1998 in order to carry out all functions in Tulsa. The Board of Regents for the Oklahoma Agricultural and Mechanical Colleges shall allocate space for Langston University in Tulsa.

It is the intent of the Legislature that Langston University be funded at a level consistent with the average allocation and allotment of the institutions in the regional funding tier as established by the Oklahoma State Regents for Higher Education.

Beginning with the 2001 - 2002 academic year, degrees earned at Langston University Branch in Tulsa shall be designated as awarded by the Oklahoma State Regents for Higher Education acting through Langston University.”, and by renumbering subsequent sections, which amendment was declared adopted upon roll call 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: Ballenger, Bass, Burrage, Eason McIntyre, Ellis, Garrison, Lerblance, Paddack, Rice, Sparks, Wilson and Wyrick.--12.

Excused: Adelson, Ivester, Johnson (C) and Laster.--4.

Senator Ford moved that **SB 610** be advanced, which motion was declared adopted.

THIRD READING

SB 610 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, Ellis, Fields, Ford, Garrison, Halligan, Holt, Johnson (R), Jolley, Justice, Lerblance, Marlatt, Mazzei, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--43.

Nay: Eason McIntyre.--1.

Excused: Adelson, Ivester, Johnson (C) and Laster.--4.

The bill and emergency passed.

SB 610 was referred for engrossment.

GENERAL ORDER

SB 891 by Mazzei of the Senate and McDaniel (Randy) of the House was called up for consideration.

Senator Mazzei moved that **SB 891** be advanced, which motion was declared adopted.

THIRD READING

SB 891 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 (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, Ivester and Johnson (C).--3.

The bill and emergency passed.

SB 891 was referred for engrossment.

GENERAL ORDER

SJR 5 by Reynolds and Treat of the Senate and Dank of the House was called up for consideration.

Senator Reynolds moved that **SJR 5** be advanced, which motion was declared adopted.

THIRD READING

SJR 5 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, David, Fields, Ford, Holt, Johnson (R), Jolley, Justice, Marlatt, Mazzei, Myers, Newberry, Nichols, Reynolds, Russell, Schulz, Shortey, Simpson, Stanislawski, Sykes and Treat.--30.

Nay: Ballenger, Bass, Burrage, Crain, Eason McIntyre, Ellis, Garrison, Laster, Lerblance, Paddack, Rice, Sparks, Wilson and Wyrick.--14.

Excused: Adelson, Halligan, Ivester and Johnson (C).--4.

The resolution passed.

SJR 5 was referred for engrossment.

GENERAL ORDER

SB 969 by Newberry of the Senate and Denney of the House was called up for consideration.

Senators Ford, Holt, Jolley, Stanislawski, Simpson, Russell and Brown asked to coauthor **SB 969**, which was the order.

Senator Newberry moved to amend **SB 969**, 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 Newberry moved that **SB 969** be advanced, which motion was declared adopted.

THIRD READING

SB 969 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, Coates, Crain, David, Eason McIntyre, Fields, Ford, Halligan, Holt, Johnson (R), Jolley, Justice, Mazzei, Myers, Newberry, Nichols, Russell, Shortey, Simpson, Stanislawski, Sykes and Treat.--30.

Nay: Ballenger, Bass, Burrage, Ellis, Garrison, Laster, Lerblance, Marlatt, Paddack, Rice, Schulz, Sparks, Wilson and Wyrick.--14.

Excused: Adelson, Ivester, Johnson (C) and Reynolds.--4.

The bill passed.

SB 969 was referred for engrossment.

GENERAL ORDER

SJR 45 by Newberry of the Senate and Sullivan of the House was called up for consideration.

Senator Newberry moved that **SJR 45** be advanced, which motion was declared adopted.

THIRD READING

SJR 45 was read for the third time at length.

On the question of passage of the resolution 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 (R), Jolley, Justice, Laster, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Rice, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--43.

Excused: Adelson, Ivester, Johnson (C), Mazzei and Reynolds.--5.

The resolution and emergency passed.

SJR 45 was referred for engrossment.

GENERAL ORDER

SB 56 by Burrage of the Senate and Sherrer of the House was called up for consideration.

Senator Burrage moved to amend **SB 56**, 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 Burrage moved that **SB 56** be advanced, which motion was declared adopted.

THIRD READING

SB 56 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 (R), Jolley, Justice, Laster, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Rice, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--43.

Excused: Adelson, Ivester, Johnson (C), Mazzei and Reynolds.--5.

The bill and emergency passed.

SB 56 was referred for engrossment.

GENERAL ORDER

SB 492 by Burrage of the Senate and Grau of the House was called up for consideration.

Senator Burrage moved that **SB 492** be advanced, which motion was declared adopted.

THIRD READING

SB 492 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 (R), Jolley, Justice, Laster, Lerblance, Marlatt,

Myers, Newberry, Paddack, Reynolds, Rice, Russell, Schulz, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--42.

Excused: Adelson, Ivester, Johnson (C), Mazzei, Nichols and Shortey.--6.

The bill passed.

SB 492 was referred for engrossment.

GENERAL ORDER

SJR 16 by Sparks and Johnson (Constance) of the Senate and Schwartz of the House was called up for consideration.

Senator Sparks moved that **SJR 16** be advanced, which motion was declared adopted.

THIRD READING

SJR 16 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, Ballenger, Barrington, Bass, Bingman, Branan, Brecheen, Brinkley, Brown, Burrage, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Johnson (R), Jolley, Justice, Laster, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--44.

Excused: Adelson, Ivester, Johnson (C) and Mazzei.--4.

The resolution passed.

SJR 16 was referred for engrossment.

GENERAL ORDER

SB 828 by Sparks of the Senate and Armes of the House was called up for consideration.

Senator Sparks moved that **SB 828** be advanced, which motion was declared adopted.

THIRD READING

SB 828 was read for the third time at length.

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

Aye: Anderson, Barrington, Bingman, Branan, Brecheen, Brinkley, Brown, Burrage, Coates, Crain, David, Eason McIntyre, Fields, Ford, Holt, Johnson (R), Jolley, Justice, Laster, Marlatt, Myers, Newberry, Nichols, Paddack, Rice, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat and Wyrick.--33.

Nay: Aldridge, Allen, Ballenger, Bass, Ellis, Garrison, Lerblance, Reynolds, Russell and Wilson.--10.

Excused: Adelson, Halligan, Ivester, Johnson (C) and Mazzei.--5.

The bill passed.

SB 828 was referred for engrossment.

GENERAL ORDER

SB 908 by Shortey of the Senate and Terrill of the House was called up for consideration.

Senator Jolley raised a point of order that the motion to advance **SB 908** has been made and asked clarification of the Chair if the amendments on the desk were in order to be heard.

The Chair ruled that Senator Shortey moved that **SB 908** be advanced at the appropriate time and the amendments were in order to be heard.

Senator Jolley moved to amend **SB 908**, Page 15, Line 22 through Page 16, Line 22 by deleting SECTION 6 from the bill and renumbering subsequent sections, which amendment was declared adopted upon roll call as follows:

Aye: Ballenger, Barrington, Bingman, Branan, Brecheen, Brinkley, Burrage, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Holt, Johnson (R), Jolley, Justice, Lerblance, Marlatt, Mazzei, Myers, Newberry, Nichols, Reynolds, Rice, Schulz, Sparks, Stanislawski and Treat.--30.

Nay: Allen, Anderson, Bass, Brown, Coates, Laster, Paddack, Russell, Shortey, Simpson, Sykes, Wilson and Wyrick.--13.

Excused: Adelson, Aldridge, Halligan, Ivester and Johnson (C).--5.

Senator Jolley moved to amend **SB 908**, Page 19, Line 18 through Page 20, Line 22, by deleting SECTION 11 from the bill and renumbering subsequent sections, which amendment failed of adoption upon roll call as follows:

Aye: Aldridge, Barrington, Bingman, Branan, Brinkley, Fields, Ford, Holt, Johnson (R), Jolley, Justice, Marlatt, Myers, Newberry, Schulz and Wyrick.--16.

Nay: Allen, Anderson, Ballenger, Bass, Brecheen, Brown, Burrage, Coates, Crain, David, Eason McIntyre, Ellis, Garrison, Laster, Lerblance, Mazzei, Nichols, Paddack, Reynolds, Rice, Russell, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat and Wilson.-
-28.

Excused: Adelson, Halligan, Ivester and Johnson (C).--4.

Senator Jolley moved to amend **SB 908**, Page 23, Lines 10 through 12, by deleting subsection B of SECTION 14 and re-lettering subsequent subsections, which amendment failed of adoption upon roll call as follows:

Aye: Barrington, Bingman, Branan, Brinkley, Brown, Crain, David, Fields, Ford, Holt, Johnson (R), Jolley, Justice, Marlatt, Mazzei, Myers, Newberry, Nichols, Schulz and Stanislawski.--20.

Nay: Allen, Anderson, Ballenger, Bass, Brecheen, Burrage, Coates, Eason McIntyre, Ellis, Garrison, Laster, Lerblance, Paddack, Reynolds, Rice, Russell, Shortey, Simpson, Sparks, Sykes, Treat, Wilson and Wyrick.--23.

Excused: Adelson, Aldridge, Halligan, Ivester and Johnson (C).--5.

Senator Shortey moved that **SB 908** be advanced, which motion was declared adopted.

THIRD READING

SB 908 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, Bingman, Branan, Brecheen, Brinkley, Brown, David, Ellis, Fields, Ford, Holt, Johnson (R), Jolley, Justice, Marlatt, Mazzei, Newberry, Nichols, Reynolds, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes and Treat.--29.

Nay: Ballenger, Barrington, Bass, Burrage, Coates, Crain, Eason McIntyre, Garrison, Laster, Lerblance, Myers, Paddack, Rice, Wilson and Wyrick.--15.

Excused: Adelson, Halligan, Ivester and Johnson (C).--4.

The bill passed.

Pursuant to Rule 12-21, Senator Shortey served notice that the vote be reconsidered whereby **SB 908** passed.

INTRODUCTIONS

Senator Allen introduced his grandson, Kaden Warner, and Senator Jolley introduced Mason and Ian McGregor and asked unanimous consent, which was granted, that they be named Honorary Capitol Photographers for this legislative day.

REPORT OF ENGROSSED AND ENROLLED MEASURE

SJR 45 was correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

MESSAGES FROM THE HOUSE

Advising fourth reading of and returning Enrolled

SB 970

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

Advising passage of and transmitting for consideration Engrossed **HBs 1220, 1222, 1228, 1229, 1231, 1283, 1284, 1285, 1356, 1358, 1360, 1362, 1366, 1377, 1381, 1421, 1468, 1481, 1559, 1634, 1642, 1917, 1954, 1957, 1992, 2024, 2028** and **2131**.

HB 1220 – By McCullough of the House and Crain of the Senate.

An Act relating to mental health; creating the Prevention Services Efficiency and Consolidation Act of 2011; stating legislative findings and intent; defining term; providing that Department of Mental Health and Substance Abuse Services shall be coordinating agency; establishing responsibilities of Department of Mental Health and Substance Abuse Services; requiring certain plan; requiring certain annual report; requiring certain cost savings from program; directing Department to identify and make recommendations for the modification of certain programs; directing agencies to implement recommendation; describing recommendations Department may make; providing for the selection of at-large members of the Oklahoma Prevention Leadership Collaborative; providing for terms of at-large members of Collaborative; specifying Collaborative members shall not be compensated for service; authorizing payment for certain travel expenses; providing duties and responsibilities of at-large members of Collaborative; requiring cooperation of state agencies with Department of Mental Health and Substance Abuse Services and Board; providing for expiration of act; providing for codification; providing an effective date; and declaring an emergency.

HB 1222 – By McCullough of the House and Sykes of the Senate.

An Act relating to motor vehicles; providing for powersports vehicle dealer license option; providing sales authority and restrictions; requiring dealer meet certain standards; amending 47 O.S. 2001, Section 562, as last amended by Section 7, Chapter 182, O.S.L.

2009 (47 O.S. Supp. 2010, Section 562), which relates to new motor vehicles; modifying definition; amending 47 O.S. 2001, Section 1102, as last amended by Section 1, Chapter 312, O.S.L. 2010 (47 O.S. Supp. 2010, Section 1102), which relates to motor vehicle registration; removing certain definitions; providing for codification; and providing an effective date.

HB 1228 – By Ownbey of the House and Simpson of the Senate.

An Act relating to public health and safety; creating the Sheltered Workshop Act; stating purpose; defining terms; providing powers and duties of the Department of Human Services; requiring Department to develop rules and standards for sheltered workshops; specifying standard requirements; providing duration of license; providing for annual renewal of licenses; providing for form of license; providing license requirements and restrictions; specifying required elements of applications; establishing age and experience requirements for applicants; providing that certain persons and entities are ineligible for licensing or certain contracts; authorizing conditional licenses; specifying information required for applications; establishing requirements of conditional license; authorizing Department to establish certain corrective plans for license applicants; requiring written notice for conditional licenses; authorizing informal conference in certain circumstances; specifying procedure for informal conference; authorizing Department to revise determination after informal conference; restricting transfer of licenses; providing requirements for transfer of licenses; specifying transferor shall be liable for operation of workshop until transfer is completed; requiring inspection of sheltered workshops by Department; providing for rules; specifying notice shall not be required prior to inspections; requiring Department to keep certain log for each workshop; specifying details to be recorded in log; requiring background checks of workshop employees; prohibiting employment of certain persons; providing for waivers; specifying conditions of waiver; authorizing criminal background checks under certain circumstances; specifying criminal background records shall be confidential; providing exceptions; requiring destruction of background checks after certain period; providing for codification; and providing an effective date.

HB 1229 – By Ownbey of the House and Simpson of the Senate.

An Act relating to motor vehicles; amending 47 O.S. 2001, Section 14-120.1, which relates to oversize loads; modifying escort vehicle requirements; and declaring an emergency.

HB 1231 – By Ownbey of the House and Mazzei of the Senate.

An Act relating to revenue and taxation; amending Section 1, Chapter 376, O.S.L. 2003, as amended by Section 4, Chapter 479, O.S.L. 2005 (68 O.S. Supp. 2010, Section 238.2), which relates to state employee income taxes; specifying that certain notices are not agency specific; amending 68 O.S. 2001, Section 255, as last amended by Section 10, Chapter 412, O.S.L. 2010 (68 O.S. Supp. 2010, Section 255), which relates to delinquent taxes; removing certain requirement that unfiled returns be consecutive; expanding scope to include withholding returns; amending 68 O.S. 2001, Section 228.1, which relates to tax refunds; providing additional source of funds; providing an effective date; and declaring an emergency.

HB 1283 – By Dank of the House and Treat of the Senate.

An Act relating to counties and county officers; amending 19 O.S. 2001, Section 180.75, as amended by Section 2, Chapter 362, O.S.L. 2010 (19 O.S. Supp. 2010, Section 180.75), which relates to salaries and compensation; making certain salary increases discretionary; and providing an effective date.

HB 1284 – By Dank and Pittman of the House and Mazzei of the Senate.

An Act relating to revenue and taxation; requiring certain reports to the Oklahoma Tax Commission and the State Insurance Department with respect to certain state tax credits; requiring compilation of report by Tax Commission and Insurance Department; requiring submission of report; prescribing content and format of report; requiring revenue estimate; requiring Oklahoma Tax Commission or Insurance Department to disallow tax credits for failure to report pursuant to requirement; providing for recomputation of tax liability; providing for penalty and interest; excluding certain credits from requirements; providing for codification; providing an effective date; and declaring an emergency.

HB 1285 – By Dank, Pittman and Cannaday of the House and Mazzei of the Senate.

An Act relating to revenue and taxation; creating the Task Force for the Study of State Tax Credits and Economic Incentives; providing for membership of Task Force; requiring organizational meeting; providing for quorum; providing for cochairs; requiring study of certain tax credits; providing for study of economic incentives; defining scope of study; providing Task Force subject to certain statutory provisions; providing for staff assistance; requiring final report; providing for termination of Task Force; providing for codification; providing an effective date; and declaring an emergency.

HB 1356 – By Peters of the House and Jolley of the Senate.

An Act relating to children; authorizing court to allow certain children to enter into lease agreements; specifying requirements; specifying property owners shall not be required to participate; providing for codification; and providing an effective date.

HB 1358 – By Peters of the House and Jolley of the Senate.

An Act relating to criminal procedure; amending 22 O.S. 2001, Section 60.4, as last amended by Section 4, Chapter 116, O.S.L. 2010 (22 O.S. Supp. 2010, Section 60.4), which relates to the Protection from Domestic Abuse Act; authorizing issuance of protective orders against incarcerated persons; authorizing issuance of emergency protective orders in certain circumstances; providing for duration of order; providing for confidentiality of orders with exception; providing for codification; and providing an effective date.

HB 1360 – By Peters, Tibbs and Kern of the House and Jolley of the Senate.

An Act relating to children and juvenile code; amending 10 O.S. 2001, Section 7003-3.7, as last amended by Section 26, Chapter 233, O.S.L. 2009, and as renumbered by Section 234, Chapter 233, O.S.L. 2009 (10A O.S. Supp. 2010, Section 1-4-306), which relates to appointment of counsel or guardian ad litem; providing guidelines and criteria when representing certain children; declaring role of child in deprived proceedings; and providing an effective date.

HB 1362 – By Peters and Grau of the House and Brown of the Senate.

An Act relating to revenue and taxation; amending 68 O.S. 2001, Section 2844, as last amended by Section 19, Chapter 272, O.S.L. 2006 (68 O.S. Supp. 2010, Section 2844), which relates to omitted property; specifying penalties applicable to certain omitted property; amending 68 O.S. 2001, Sections 2871, as last amended by Section 2, Chapter 140, O.S.L. 2008 and 2877, as amended by Section 7, Chapter 518, O.S.L. 2004 (68 O.S. Supp. 2010, Sections 2871 and 2877), which relate to the Ad Valorem Tax Code; authorizing board of tax roll corrections to examine evidence; providing for appeal; authorizing board of tax roll corrections to compel attendance by witnesses and production of certain information; prohibiting certain communications; providing exception; providing for methods of appearance by taxpayers; prohibiting certain communications; providing exception; amending 68 O.S. 2001, Section 2945, as amended by Section 2, Chapter 250, O.S.L. 2007 (68 O.S. Supp. 2010, Section 2945), which relates to prohibiting certain acts dealing with ad valorem taxation; allowing certain appeals; specifying application of certain rules; providing an effective date; and declaring an emergency.

HB 1366 – By Watson of the House and Bingman of the Senate.

An Act relating to cities and towns; creating the Oklahoma Municipal Energy Independence Act; establishing a municipal energy district authority; appointing certain persons to certain positions; establishing time and place for certain meetings; specifying general powers and duties of the authority; establishing certain boundaries; authorizing the authority to collect certain repayments of certain loans; stating parameters for eligibility; providing for lien on property; providing penalty for failure to repay certain loans; providing for grants for certain purposes; stating certain parameters for participation in certain program; providing for codification; and providing an effective date.

HB 1377 – By Holland of the House and Crain of the Senate.

An Act relating to mental health; directing Board of Mental Health and Substance Abuse Services to promulgate certain rules and standards for certification of certain program; providing for application for certain certification for three-year period; authorizing the establishment and collection of certain fees; providing that certain program be in compliance with certain standards; providing for codification; and providing an effective date.

HB 1381 – By Cox, Roan, Shelton and Pittman of the House and Jolley of the Senate.

(public health and safety - Supplemental Hospital Offset Payment Program Act - Supplemental Hospital Offset Payment Program Fund – codification)

HB 1421 – By Casey, Osborn, Hickman and Billy of the House and Halligan of the Senate.

An Act relating to higher education; amending 70 O.S. 2001, Section 2603, as last amended by Section 32, Chapter 2, O.S.L. 2009 (70 O.S. Supp. 2010, Section 2603), which relates to eligibility requirements for the Oklahoma Higher Learning Access Program; and adding certain requirement to retain eligibility.

HB 1468 – By Johnson, Roan and Walker of the House and Ballenger of the Senate.

An Act relating to counties and county officers; amending 19 O.S. 2001, Section 131, as last amended by Section 9, Chapter 1, O.S.L. 2005 (19 O.S. Supp. 2010, Section 131), which relates to county officers; modifying candidate requirements for county commissioner; and providing an effective date.

HB 1481 – By Armes and Roan of the House and Marlatt of the Senate.

An Act relating to environment and natural resources; amending 27A O.S. 2001, Section 4-1-103, which relates to the Oklahoma Emergency Response Act; modifying the dangerous substances release responsibility of the Department of Environmental Quality; modifying requirement to maintain a certain list; amending 27A O.S. 2001, Section 4-2-102, which relates to the Oklahoma Hazardous Materials Planning and Notification Act; clarifying certain duty of the Oklahoma Hazardous Materials Emergency Response Commission; and providing an effective date.

HB 1559 – By Jordan of the House and Newberry of the Senate.

An Act relating to civil procedure; amending 12 O.S. 2001, Section 2502, as last amended by Section 2, Chapter 251, O.S.L. 2009 (12 O.S. Supp. 2010, Section 2502), which relates to attorney-client privilege; modifying attorney-client privilege exception for communication between a public officer or agency and its attorney; and providing an effective date.

HB 1634 – By Ortega, Reynolds, Ritze, Moore, Wright, Bennett, Cox, Johnson, Derby, Peterson and Walker of the House and Schulz of the Senate.

An Act relating to revenue and taxation; amending 68 O.S. 2001, Section 1503, as last amended by Section 17, Chapter 412, O.S.L. 2010 (68 O.S. Supp. 2010, Section 1503), which relates to vending machines; reducing amount of certain fees; providing an effective date; and declaring an emergency.

HB 1642 – By Ritze, Reynolds, Kern, Cockroft and Christian of the House and Brown of the Senate.

An Act relating to abortions; amending 63 O.S. 2001, Section 1-731, which relates to persons who may perform abortions; modifying requirements for persons allowed to perform or induce abortions; and providing an effective date.

HB 1917 – By Coody and Cannaday of the House and Stanislawski of the Senate.

An Act relating to schools; amending Sections 5 and 6, Chapter 432, O.S.L. 2005, as last amended by Sections 10 and 11, Chapter 456, O.S.L. 2009 and Section 3, Chapter 387, O.S.L. 2008 (70 O.S. Supp. 2010, Sections 1210.522, 1210.523 and 1210.526), which relate to the Achieving Classroom Excellence Act of 2005; adding intervention as a service that schools can provide to certain students; expanding means of providing remediation and intervention; providing an effective date; and declaring an emergency.

HB 1954 – By McNeil of the House and Mazzei of the Senate.

An Act relating to revenue and taxation; amending 68 O.S. 2001, Section 1359, as last amended by Section 8, Chapter 44, 2nd Extraordinary Session, O.S.L. 2006 (68 O.S. Supp.

2010, Section 1359), which relates to manufacturing exemptions; expanding manufacturer exemption to include sale to entities in certain contractual relationships; requiring certain documentation; and providing penalty for violation.

HB 1957 – By McNiel of the House and Johnson (Rob) of the Senate.

An Act relating to agriculture; amending 2 O.S. 2001, Section 9-204.1, as renumbered by Section 25, Chapter 292, O.S.L. 2005, and as last amended by Section 1, Chapter 3, O.S.L. 2008 (2 O.S. Supp. 2010, Section 20-6), which relates to the Oklahoma Concentrated Animal Feeding Operations Act; requiring certain operations be licensed pursuant to the Oklahoma Swine Feeding Operations Act; amending 2 O.S. 2001, Section 9-210.3, as renumbered by Section 25, Chapter 292, O.S.L. 2005, and as amended by Section 21, Chapter 31, O.S.L. 2007 (2 O.S. Supp. 2010, Section 20-21), which relates to the Oklahoma Swine Feeding Operations Act; establishing proximity requirements for certain new swine feeding operations; directing Board of Agriculture to consider list of factors to determine if area is a camp or recreational site; stating applicability where property is owned or leased prior to establishment of swine feeding operation; repealing 82 O.S. 2001, Section 1020.11a, as last amended by Section 105, Chapter 3, O.S.L. 2003 (82 O.S. Supp. 2010, Section 1020.11a), which relates to permits for swine feeding operations; and providing an effective date.

HB 1992 – By Sullivan of the House and Crain of the Senate.

An Act relating to public finance; amending 62 O.S. 2001, Sections 445 and 446, which relate to sinking funds; modifying procedures with respect to expenditure or transfer of surplus fund balances by political subdivisions; authorizing approval by certain municipal official; modifying required content of published notice; modifying authorized purpose of expenditures for transferred surplus funds; and repealing 62 O.S. 2001, Section 447, which relates to district court approval procedures.

HB 2024 – By Sullivan of the House and Sykes of the Senate.

An Act relating to damages; defining terms; stating applicability of section; providing for periodic payment of certain damages; limiting duration; directing court to make specific findings; stating result of entry of certain order; requiring evidence of financial responsibility for certain defendants; mandating certain order upon termination of periodic payments; providing procedures upon death of recipient of periodic payments; establishing computation for attorney fees; providing for periodic payments to include interest; providing for codification; and providing an effective date.

HB 2028 – By Sullivan of the House and Crain of the Senate.

An Act relating to municipalities; amending 12 O.S. 2001, Section 735, as amended by Section 4, Chapter 468, O.S.L. 2002 (12 O.S. Supp. 2010, Section 735), which relates to judgment limitations; removing municipalities as exception to five-year limitation on judgments; amending 62 O.S. 2001, Sections 365.5 and 365.6, which relate to judgments against municipalities; modifying manner in which judgments shall be paid; and providing an effective date.

HB 2131 – By Steele, Billy, Peterson, Tibbs, McDaniel (Jeannie) and Shelton of the House and Anderson of the Senate.

An Act relating to corrections; amending 21 O.S. 2001, Sections 61.1, 61.2, 61.3, 61.4 and 61.5, which relate to sentences served by defendants; providing for more than one sentence to be served concurrently under certain circumstances; providing for more than one sentence to run consecutively when specified; authorizing Governor to order certain sentencing under certain circumstances; authorizing the court to order certain sentencing under certain circumstances; authorizing the court to determine if certain terms of sentencing are satisfied; amending 22 O.S. 2001, Section 976, which relates to concurrent sentences; requiring certain sentences to be served concurrently; amending 22 O.S. 2001, Sections 988.2, as amended by Section 1, Chapter 251, O.S.L. 2004, 988.9, as amended by Section 3, Chapter 165, O.S.L. 2002 and 988.18, as amended by Section 6, Chapter 165, O.S.L. 2002 (22 O.S. Supp. 2010, Sections 988.2, 988.9 and 988.18), which relate to the Oklahoma Community Sentencing Act; modifying definition of eligible offender; modifying supervision fee requirement; making certain offenders eligible for state-funded community punishments; providing minimum qualifications for pardon and parole board members; amending 57 O.S. 2001, Section 332.16, which relates to time limitations for acting on paroles; clarifying time limitations; deeming parole recommendation granted if action not taken within certain time period; providing an exception; requiring review and parole recommendation for certain crimes; amending 57 O.S. 2001, Section 510.9, as last amended by Section 2, Chapter 507, O.S.L. 2004 (57 O.S. Supp. 2010, Section 510.9), which relates to the Oklahoma Corrections Act of 1967; modifying eligibility requirements for the Electronic Monitoring Program; providing for codification; and providing an effective date.

The above-numbered measures were read the first time.

Advising the Honorable Senate pursuant to Article 5, Section 30 of the Oklahoma Constitution that the House grants the request of the Honorable Senate to the adjournment for more than three (3) days beginning Thursday, March 17, 2011 and ending on Monday, March 21, 2011.

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

*

The Senate reconvened with Senator Jolley presiding.

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

GENERAL ORDER

SB 259 by Coates of the Senate and McNiell of the House was called up for consideration.

Senator Coates moved that **SB 259** be advanced, which motion was declared adopted.

THIRD READING

SB 259 was read for the third time at length.

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

Aye: Ballenger, Barrington, Bass, Bingman, Branan, Brown, Burrage, Coates, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Jolley, Justice, Lerblance, Marlatt, Myers, Rice, Schulz, Simpson, Sparks, Wilson and Wyrick.--25.

Nay: Aldridge, Allen, Anderson, Brecheen, Brinkley, Holt, Johnson (R), Newberry, Russell, Shortey, Stanislawski, Sykes and Treat.--13.

Excused: Adelson, Crain, Halligan, Ivester, Johnson (C), Laster, Mazzei, Nichols, Paddack and Reynolds.--10.

The bill passed.

SB 259 was referred for engrossment.

GENERAL ORDER

SB 433 by Nichols of the Senate and Ritze of the House was called up for consideration.

Senator Nichols moved that **SB 433** be advanced, which motion was declared adopted.

THIRD READING

SB 433 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, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Holt, Johnson (R), Jolley, Justice, Laster, Lerblance, Marlatt, Myers, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--41.

Excused: Adelson, Crain, Halligan, Ivester, Johnson (C), Mazzei and Newberry.--7.

The bill passed.

SB 433 was referred for engrossment.

GENERAL ORDER

SB 700 by Nichols of the Senate and Trebilcock of the House was called up for consideration.

Senator Nichols asked to be removed and Senator Jolley asked to be named principal Senate author on **SB 700**, which was the order.

Senator Nichols moved that **SB 700** be advanced, which motion was declared adopted.

THIRD READING

SB 700 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, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Holt, Johnson (R), Jolley, Justice, Laster, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--42.

Excused: Adelson, Crain, Halligan, Ivester, Johnson (C) and Mazzei.--6.

The bill and emergency passed.

SB 700 was referred for engrossment.

GENERAL ORDER

SB 727 by Sparks of the Senate and Billy of the House was called up for consideration.

Senator Sparks asked to be removed and Senator Marlatt asked to be named principal Senate author on **SB 727**, which was the order.

Senator Sparks moved to amend **SB 727**, 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 Sparks moved that **SB 727** be advanced, which motion was declared adopted.

THIRD READING

SB 727 was read for the third time at length.

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

Aye: Ballenger, Bass, Bingman, Burrage, Coates, Eason McIntyre, Ellis, Laster, Lerblance, Myers, Newberry, Paddack, Rice, Sparks, Wilson and Wyrick.--16.

Nay: Aldridge, Allen, Anderson, Barrington, Branan, Brecheen, Brinkley, Brown, David, Fields, Ford, Garrison, Holt, Johnson (R), Jolley, Justice, Marlatt, Mazzei, Nichols, Reynolds, Russell, Schulz, Shortey, Simpson, Stanislawski, Sykes and Treat.--27.

Excused: Adelson, Crain, Halligan, Ivester and Johnson (C).--5.

The bill failed.

Pursuant to Rule 12-21, Senator Marlatt served notice that the vote be reconsidered whereby **SB 727** failed.

GENERAL ORDER

SB 509 by Shortey of the Senate and Scott of the House was called up for consideration.

Senator Shortey moved to amend **SB 509**, Page 2, Line 1, by inserting after the word "Approve" and before the word "the" the following language: "by unanimous vote of the school district board," which amendment was declared adopted.

Senator Shortey moved that **SB 509** be advanced, which motion was declared adopted.

THIRD READING

SB 509 was read for the third time at length.

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

Aye: Anderson, Brown, Ford, Holt, Jolley, Laster, Marlatt, Nichols, Schulz, Shortey, Stanislawski, Sykes and Treat.--13.

Nay: Aldridge, Allen, Ballenger, Barrington, Bass, Bingman, Branan, Brecheen, Brinkley, Burrage, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Garrison, Halligan, Johnson (R), Justice, Lerblance, Mazzei, Myers, Newberry, Paddack, Reynolds, Rice, Russell, Simpson, Sparks, Wilson and Wyrick.--32.

Excused: Adelson, Ivester and Johnson (C).--3.

The bill failed.

GENERAL ORDER

SB 269 by Schulz of the Senate and Liebmann of the House was called up for consideration.

Senator Schulz moved to amend **SB 269**, 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 Schulz moved that **SB 269** be advanced, which motion was declared adopted.

THIRD READING

SB 269 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, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, 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.--44.

Excused: Adelson, Bingman, Ivester and Johnson (C).--4.

The bill passed.

SB 269 was referred for engrossment.

GENERAL ORDER

SB 757 by Schulz and Russell of the Senate and Ortega of the House was called up for consideration.

Senators Bass and Garrison asked to coauthor **SB 757**, which was the order.

Senator Schulz moved that **SB 757** be advanced, which motion was declared adopted.

THIRD READING

SB 757 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, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Johnson (R), Jolley, Justice, Laster, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--42.

Excused: Adelson, Bingman, Ivester, Johnson (C), Mazzei and Rice.--6.

The bill and emergency passed.

SB 757 was referred for engrossment.

MOTION TO RECONSIDER VOTE

Senator Marlatt moved to reconsider the vote whereby **SB 727** failed, which motion was declared adopted upon roll call as follows:

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

Nay: Reynolds.--1.

Excused: Adelson, Bingman, Ivester, Johnson (C), Mazzei, Nichols and Rice.--7.

THIRD READING

SB 727 was read for the third time at length.

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

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

Excused: Adelson, Aldridge, Bingman, Ivester, Johnson (C), Mazzei and Rice.--7.

The bill passed.

SB 727 was referred for engrossment.

GENERAL ORDER

SB 683 by Sykes of the Senate and Christian of the House was called up for consideration.

Senator Sykes moved that **SB 683** be advanced, which motion was declared adopted.

THIRD READING

SB 683 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, David, Fields, Ford, Halligan, Holt, Johnson (R), Jolley, Justice, Marlatt, Mazzei, Myers, Newberry, Nichols, Reynolds, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes and Treat.--32.

Nay: Ballenger, Bass, Burrage, Coates, Eason McIntyre, Ellis, Garrison, Laster, Lerblance, Paddack, Rice, Wilson and Wyrick.--13.

Excused: Adelson, Ivester and Johnson (C).--3.

The bill passed.

SB 683 was referred for engrossment.

GENERAL ORDER

SJR 25, considered on Page 666, by Brecheen and Lerblance of the Senate and Faught of the House was called up for consideration.

Senator Brecheen asked unanimous consent, which was granted, to suspend Senate Rule 12-4 as it pertains to **SJR25**.

Senator Brecheen moved to amend **SJR 25**, 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 Brecheen moved that **SJR 25** be advanced, which motion was declared adopted.

THIRD READING

SJR 25 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, Johnson (R), Jolley, Justice, Laster, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Schulz, Shortey, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--41.

Excused: Adelson, Coates, Ivester, Johnson (C), Mazzei, Russell and Simpson.--7.

The bill passed.

SJR 25 was referred for engrossment.

GENERAL ORDER

SB 789 by Marlatt of the Senate and Sanders of the House was called up for consideration.

Senator Marlatt asked to be removed and Senator Brecheen asked to be named principal Senate author on **SB 789**, which was the order.

Senator Brecheen moved to amend **SB 789**, 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 Marlatt moved to amend the floor substitute to **SB 789**, Page 46, Line 23 through Page 47, Line 9, by deleting Section 16; and renumbering subsequent section and by amending the title to conform, which amendment was declared adopted.

Senator Marlatt moved that **SB 789** be advanced, which motion was declared adopted.

THIRD READING

SB 789 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, Johnson (R), Jolley, Justice, Laster, Lerblance, Marlatt, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Shortey, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--40.

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

The bill passed.

SB 789 was referred for engrossment.

GENERAL ORDER

SB 218 by Marlatt of the Senate and Sullivan of the House was called up for consideration.

Senator Marlatt moved to amend **SB 218**, Page 1, by striking the title, which amendment was declared adopted.

Senator Marlatt moved that **SB 218** be advanced, which motion was declared adopted.

THIRD READING

SB 218 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, Johnson (R), Jolley, Justice, Laster, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Shortey, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--41.

Excused: Adelson, Bingman, Coates, Ivester, Johnson (C), Mazzei and Simpson.--7.

The bill passed.

SB 218 was referred for engrossment.

GENERAL ORDER

SB 919 by Sykes of the Senate and Derby of the House was called up for consideration.

Senator Nichols moved to amend **SB 919**, 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 Marlatt moved to amend the floor substitute to **SB 919**, Page 1, by striking the title, which amendment was declared adopted.

Senator Sykes moved that **SB 919** be advanced, which motion was declared adopted.

THIRD READING

SB 919 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, Johnson (R), Jolley, Justice, Laster, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Shortey, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--41.

Excused: Adelson, Bingman, Coates, Ivester, Johnson (C), Mazzei and Simpson.--7.

The bill passed.

SB 919 was referred for engrossment.

GENERAL ORDER

SB 921 by Sykes of the Senate and Sullivan of the House was called up for consideration.

Senator Sykes moved that **SB 921** be advanced, which motion was declared adopted.

THIRD READING

SB 921 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, Johnson (R), Jolley, Justice, Laster, Lerblance, Marlatt, Myers, Newberry, Paddack, Rice, Russell, Schulz, Shortey, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--40.

Excused: Adelson, Coates, Ivester, Johnson (C), Mazzei, Nichols, Reynolds and Simpson.--8.

The bill passed.

SB 921 was referred for engrossment.

GENERAL ORDER

SB 731 by Myers and Ivester of the Senate and Vaughan of the House was called up for consideration.

Senator Myers moved that **SB 731** be advanced, which motion was declared adopted.

THIRD READING

SB 731 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, Burrage, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Johnson (R), Jolley, Justice, Laster, Marlatt, Myers, Newberry, Paddack, Rice, Russell, Schulz, Shortey, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--38.

Excused: Adelson, Brown, Coates, Ivester, Johnson (C), Lerblance, Mazzei, Nichols, Reynolds and Simpson.--10.

The bill passed.

SB 731 was referred for engrossment.

GENERAL ORDER

SB 350 by Sparks of the Senate and Virgin of the House was called up for consideration.

Senator Sparks moved to amend **SB 350**, Page 1, by striking the title, which amendment was declared adopted.

Senator Sparks moved that **SB 350** be advanced, which motion was declared adopted.

THIRD READING

SB 350 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, Holt, Johnson (R), Jolley, Justice, Laster, Lerblance, Marlatt, Myers, Newberry, Paddack, Reynolds, Rice, Russell, Schulz, Shortey, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--40.

Excused: Adelson, Coates, Halligan, Ivester, Johnson (C), Mazzei, Nichols and Simpson.--8.

The bill passed.

SB 350 was referred for engrossment.

GENERAL ORDER

SB 336 by Sparks of the Senate and Virgin of the House was called up for consideration.

Senator Fields asked to coauthor **SB 336**, which was the order.

Senator Sparks moved to amend **SB 336**, Page 1, by striking the title, which amendment was declared adopted.

Senator Sparks moved that **SB 336** be advanced, which motion was declared adopted.

THIRD READING

SB 336 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, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Johnson (R), Jolley, Justice, Laster, Lerblance, Marlatt, Myers, Newberry, Paddack, Reynolds, Rice, Russell, Schulz, Shortey, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--41.

Excused: Adelson, Coates, Ivester, Johnson (C), Mazzei, Nichols and Simpson.--7.

The bill and emergency passed.

SB 336 was referred for engrossment.

GENERAL ORDER

SB 333 by Sparks of the Senate and Denney of the House was called up for consideration.

Senator Sparks moved that **SB 333** be advanced, which motion was declared adopted.

THIRD READING

SB 333 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, David, Ellis, Fields, Ford, Garrison, Halligan, Holt, Johnson (R), Jolley, Justice, Laster, Lerblance, Marlatt, Myers, Newberry, Paddack, Reynolds, Rice, Russell, Schulz, Shortey, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--39.

Excused: Adelson, Coates, Crain, Eason McIntyre, Ivester, Johnson (C), Mazzei, Nichols and Simpson.--9.

The bill and emergency passed.

SB 333 was referred for engrossment.

GENERAL ORDER

SB 314 by Sparks of the Senate and Armes of the House was called up for consideration.

Senator Sparks moved that **SB 314** be advanced, which motion was declared adopted.

THIRD READING

SB 314 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, David, Ellis, Fields, Ford, Garrison, Halligan, Holt, Johnson (R), Jolley, Justice, Laster, Lerblance, Marlatt, Myers, Newberry, Paddack, Reynolds, Rice, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--40.

Excused: Adelson, Coates, Crain, Eason McIntyre, Ivester, Johnson (C), Mazzei and Nichols.--8.

The bill passed.

SB 314 was referred for engrossment.

GENERAL ORDER

SB 146 by Ellis et al of the Senate and Morgan of the House was called up for consideration.

Senator Bass asked to coauthor **SB 146**, which was the order.

Senator Ellis moved to amend **SB 146**, Page 1, by striking the title, which amendment was declared adopted.

Senator Ellis moved that **SB 146** be advanced, which motion was declared adopted.

THIRD READING

SB 146 was read for the third time at length.

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

Aye: Aldridge, Allen, Ballenger, Barrington, Bass, Bingman, Branan, Brinkley, Brown, Burrage, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Justice, Laster, Lerblance, Myers, Newberry, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sykes, Wilson and Wyrick.--32.

Nay: Anderson, Brecheen, David, Johnson (R), Jolley, Marlatt, Shortey, Simpson and Treat.--9.

Excused: Adelson, Coates, Crain, Ivester, Johnson (C), Mazzei and Nichols.--7.

The bill passed.

SB 146 was referred for engrossment.

GENERAL ORDER

SB 637 by Wyrick of the Senate and Renegar of the House was called up for consideration.

Senator Brecheen asked to coauthor **SB 637**, which was the order.

Senator Wyrick moved that **SB 637** be advanced, which motion was declared adopted.

THIRD READING

SB 637 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, Ballenger, Barrington, Bass, Brecheen, Brinkley, Brown, Burrage, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Justice, Laster, Lerblance, Newberry, Paddack, Reynolds, Russell, Schulz, Shortey, Simpson, Sparks, Sykes, Wilson and Wyrick.--29.

Nay: Anderson, Bingman, Branan, Crain, Halligan, Holt, Johnson (R), Jolley, Marlatt, Myers, Rice, Stanislawski and Treat.--13.

Excused: Adelson, Coates, Ivester, Johnson (C), Mazzei and Nichols.--6.

The bill passed.

Senators Treat, Rice, Crain, Stanislawski, Halligan, Branan, Marlatt, Johnson (Rob), Bingman and Jolley desired to vote Aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 39; Nay: 3; Excused: 6.

The emergency passed.

SB 637 was referred for engrossment.

GENERAL ORDER

SB 446 by Wyrick of the Senate and Glenn of the House was called up for consideration.

Senator Wyrick moved that **SB 446** be advanced, which motion was declared adopted.

THIRD READING

SB 446 was read for the third time at length.

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

Aye: Aldridge, Allen, Ballenger, Barrington, Bass, Bingman, Branan, Brecheen, Brinkley, Brown, Burrage, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Johnson (R), Justice, Laster, Lerblance, Marlatt, Myers, Newberry, Paddack, Rice, Russell, Schulz, Simpson, Sparks, Stanislawski, Treat, Wilson and Wyrick.--36.

Nay: Anderson, Crain, Jolley, Reynolds, Shortey and Sykes.--6.

Excused: Adelson, Coates, Ivester, Johnson (C), Mazzei and Nichols.--6.

The bill passed.

SB 446 was referred for engrossment.

GENERAL ORDER

SB 324 by Brown of the Senate and Tibbs of the House was called up for consideration.

Senator Brown moved to amend **SB 324**, Page 1, by striking the title, which amendment was declared adopted.

Senator Brown moved that **SB 324** be advanced, which motion was declared adopted.

THIRD READING

SB 324 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, Crain, David, Ellis, Fields, Ford, Garrison, Halligan, Holt, Johnson (R), Jolley, Justice, Laster, Lerblance, Marlatt, Myers, Newberry, Paddack, Reynolds, Rice, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--41.

Excused: Adelson, Coates, Eason McIntyre, Ivester, Johnson (C), Mazzei and Nichols.-
-7.

The bill and emergency passed.

SB 324 was referred for engrossment.

CHANGE IN COMMITTEE ASSIGNMENT

HB 1363 – Withdrawn from Health and Human Services committee and referred to Appropriations

Senator Schulz moved that when the clerk's desk is clear, the Senate stand adjourned to convene Monday, March 21, 2011, at 1:30 p.m., which motion prevailed.

SECOND READING

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

HB 2169 – Direct To Calendar

FIRST READING

The following was introduced and read the first time:

SCR 11 – By Halligan of the Senate and Denney and Williams of the House.

A Concurrent Resolution congratulating Miss Devin Kerns upon her selection as the Distinguished Young Woman of Oklahoma for 2011; wishing her the best for further competition; and directing distribution.

BILL RELEASED

TIME EXPIRED TO RECONSIDER

SB 908 was referred for engrossment.

Pursuant to the Schulz motion, the Senate adjourned at 4:05 p.m. to meet Monday, March 21, 2011, at 1:30 p.m.