

# Senate Journal

## Second Regular Session of the Fifty-third Legislature

### of the State of Oklahoma

#### Ninth Legislative Day, Monday, February 20, 2012

The Senate was called to order by Senator Sykes.

Roll Call:

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

Vacancy: Districts 20; 46. – 2.

Senator Sykes declared a quorum present.

The prayer was offered by Reverend Larry Thoma, First Assembly of God, Elgin, the guest of Senator Barrington.

#### INTRODUCTIONS

Senator Marlatt introduced his daughter, Kloey; Senator Ivester introduced his sons, Joseph and Jackson; Senator Anderson introduced his daughters, Lauren and Kate; and Senator Rob Johnson introduced his daughters, Kensington and McKellyn, to the Senate.

#### GENERAL ORDER

**SB 1050** by Treat of the Senate and Osborn of the House was called up for consideration.

Senator Allen asked to coauthor **SB 1050**, which was the order.

Senator Treat moved that **SB 1050** be advanced, which motion was declared adopted.

### THIRD READING

**SB 1050** 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, Barrington, Bass, Bingman, Branan, Brecheen, Brinkley, Brown, Burrage, Childers, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (R), Jolley, Justice, Lerblance, Marlatt, Mazzei, Newberry, Nichols, Paddack, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes and Treat.—41.

Nay: Johnson (C), Laster, Wilson and Wyrick.—4.

Excused: Ballenger.—1.

Vacancy: Districts 20; 46. — 2.

The bill and emergency passed.

**SB 1050** was referred for engrossment.

### CHANGE IN COMMITTEE ASSIGNMENT

The following bill will be reassigned as follows:

**SB 1350** – Withdrawn from Rules and referred to Energy

### MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed **HBs 2119, 2320, 2655** and **2656** and **HCR 1020**.

**HB 2119** – By Hickman of the House and Newberry of the Senate.

An Act relating to the State Capitol Building; amending 7 O.S. 2011, Section 73, which relates to vending facilities; providing exception for areas of the State Capitol Building under management and control of Legislature; amending 73 O.S. 2011, Section 15.1, which relates to management and control of space in State Capitol Building; and modifying space under management and control of Legislature.

**HB 2320** – By McDaniel (Randy) and Pittman of the House and Anderson of the Senate.

An Act relating to public retirement systems; amending 11 O.S. 2011, Sections 49-106.1 and 49-122, which relate to the Oklahoma Firefighters Pension and Retirement System; modifying provisions related to Deferred Retirement Option Plan; prescribing maximum interest rate on certain account balances; modifying employee contribution rate; modifying employer contribution rate; amending 36 O.S. 2011, Section 312.1, which relates to the apportionment of insurance premium tax revenues; modifying percentage of revenue apportioned to the Oklahoma Firefighters Pension and Retirement System; providing an effective date; and declaring an emergency.

**HB 2655** – By Jordan of the House and Crain of the Senate.

An Act relating to counties and county officers; amending 19 O.S. 2011, Section 298, which relates to documents recorded by the county clerk; permitting recording of digitized image or electronic copy if submitted electronically; and providing an effective date.

**HB 2656** – By Jordan of the House and Crain of the Senate.

An Act relating to conveyances; amending 16 O.S. 2011, Section 86.2, which relates to the Uniform Real Property Electronic Recording Act; modifying definition of electronic signature; and providing an effective date.

**HCR 1020** – By Wright of the House and Fields of the Senate.

A Concurrent Resolution relating to music therapy; recognizing music therapy professionals who serve children and adults with illness and disabilities; proclaiming the third week of February to the third week of March in 2012 as Music Therapy Month at the State Capitol; and providing for distribution.

The above-numbered measures were read the first time.

Senator Schulz moved that when the clerk's desk is clear, the Senate stand adjourned to convene Tuesday, February 21, 2012, at 1:30 p.m., which motion prevailed.

## **COMMITTEE REPORT**

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

DO PASS, As Amended:

**SB 1108** – Finance, coauthored by McDaniel (Randy) (principal House author)

Ayes: Aldridge, Brinkley, Childers, David, Ford, Halligan, Ivester, Mazzei, Simpson, Wilson

Nays: Russell

**SB 1624** – Education, coauthored by Halligan of the Senate, and coauthored by Virgin (principal House author), and coauthored by Martin (Scott) of the House

Ayes: Branán, Childers, Eason McIntyre, Ford, Garrison, Halligan, Lerblance, Paddack, Sparks, Stanislawski

## COMMITTEE REPORTS

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

DO PASS:

**SB 1006** – General Government, coauthored by Scott (principal House author)

Ayes: Adelson, Aldridge, Ballenger, Brown, Coates, Marlatt

**SB 1065** – Public Safety, coauthored by Derby (principal House author)

Ayes: Barrington, David, Garrison, Johnson (C), Justice, Russell, Shortey, Sykes

**SB 1131** – General Government, coauthored by Jackson (principal House author)

Ayes: Adelson, Aldridge, Ballenger, Brown, Coates

**SB 1164** – Energy, coauthored by Watson (principal House author)

Ayes: Allen, Branán, Fields, Ivester, Johnson (Rob), Jolley, Lerblance, Marlatt, Paddack, Simpson

**SB 1476** – Retirement and Insurance, coauthored by McNiel (principal House author)

Ayes: Adelson, Aldridge, Anderson, Bass, Brown, Sparks, Stanislawski, Treat, Wilson

DO PASS, As Amended:

**SB 987** – Appropriations, coauthored by Marlatt of the Senate

Ayes: Ballenger, Brinkley, Crain, Ford, Halligan, Jolley, Justice, Marlatt, Newberry, Paddack, Stanislawski, Sykes, Wyrick

Nays: Wilson

**SB 1068** – Appropriations

Ayes: Ballenger, Branán, Brinkley, David, Ford, Halligan, Ivester, Jolley, Justice, Marlatt, Newberry, Stanislawski, Sykes, Wilson

**SB 1144** – Appropriations, coauthored by Liebmann (principal House author)

Ayes: Ballenger, Brinkley, Ford, Halligan, Jolley, Justice, Newberry, Paddack, Stanislawski, Sykes, Wilson, Wyrick

**SB 1163** – Appropriations, coauthored by Liebmann (principal House author)

Ayes: Ballenger, Brinkley, David, Ford, Halligan, Jolley, Justice, Marlatt, Newberry, Stanislawski, Sykes, Wilson, Wyrick

**SB 1182** – Appropriations

Ayes: Brinkley, Crain, Ford, Halligan, Jolley, Justice, Marlatt, Newberry, Stanislawski, Sykes, Wilson, Wyrick

**SB 1187** – Appropriations, coauthored by Thomsen (principal House author)

Ayes: Ballenger, Brinkley, Crain, Ford, Halligan, Jolley, Justice, Marlatt, Newberry, Paddack, Stanislawski, Sykes, Wilson, Wyrick

**SB 1242** – Appropriations, coauthored by Armes (principal House author)

Ayes: Ballenger, Branana, Brinkley, David, Ford, Halligan, Ivester, Jolley, Justice, Marlatt, Newberry, Stanislawski, Sykes, Wilson, Wyrick

**SB 1325** – Energy, coauthored by Richardson (principal House author)

Ayes: Adelson, Allen, Branana, Fields, Ivester, Johnson (Rob), Lerblance, Marlatt, Nichols, Paddack, Simpson

**CS for SB 1380** – Appropriations

Ayes: Ballenger, Branana, Brinkley, David, Ford, Halligan, Ivester, Jolley, Justice, Marlatt, Newberry, Stanislawski, Sykes, Wilson, Wyrick

**SB 1412** – Appropriations

Ayes: Ballenger, Brinkley, Crain, Ford, Halligan, Jolley, Justice, Marlatt, Newberry, Paddack, Stanislawski, Sykes, Wilson, Wyrick

**SB 1535** – Appropriations, coauthored by Sears (principal House author)

Ayes: Ballenger, Branana, Brinkley, David, Ford, Halligan, Ivester, Jolley, Justice, Marlatt, Newberry, Stanislawski, Sykes, Wilson, Wyrick

**SB 1554** – Appropriations, coauthored by Osborn (principal House author)

Ayes: Ballenger, Brinkley, Crain, Ford, Halligan, Jolley, Justice, Marlatt, Stanislawski, Sykes, Wilson, Wyrick  
Nays: Newberry

**SB 1565** – Appropriations

Ayes: Ballenger, Brinkley, Crain, Ford, Halligan, Jolley, Justice, Marlatt, Newberry, Paddack, Stanislawski, Sykes, Wilson, Wyrick

**SB 1624** – Appropriations

Ayes: Brinkley, Crain, Ford, Halligan, Jolley, Justice, Marlatt, Newberry, Stanislawski, Sykes, Wilson, Wyrick

**SB 1678** – Finance, coauthored by Wright (principal House author)

Ayes: Aldridge, Ballenger, Brinkley, Childers, David, Ford, Halligan, Ivester, Jolley, Mazzei, Russell, Schulz, Simpson, Sparks, Treat, Wilson

**SB 1796** – Appropriations, coauthored by Sears (principal House author)

Ayes: Ballenger, Branam, Brinkley, David, Ford, Halligan, Ivester, Jolley, Justice, Marlatt, Newberry, Stanislawski, Sykes, Wilson, Wyrick

FAILED:

**SB 1498** – General Government

Ayes: Brown, Marlatt, Treat

Nays: Adelson, Aldridge, Ballenger, Coates, Shortey

### **COMMITTEE REPORT**

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

DO PASS, As Amended:

**CS for SB 1603** – Energy, coauthored by Richardson (principal House author)

Ayes: Adelson, Branam, Fields, Ivester, Johnson (Rob), Jolley, Marlatt, Nichols, Simpson

Nays: Lerblance, Paddack

### **SECOND READING**

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

**HB 2658** – Rules

**SCR 30** – Rules

Pursuant to the Schulz motion, the Senate adjourned at 2:00 p.m. to meet Tuesday, February 21, 2012, at 1:30 p.m.