

# Senate Journal

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

Twelfth Legislative Day, Thursday, February 23, 2012

The Senate was called to order by Senator Stanislawski.

Roll Call:

Present: Aldridge, Allen, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brecheen, Brinkley, Brown, Burrage, Childers, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Lerblance, Marlatt, Mazzei, McAffrey, Newberry, Nichols, Paddack, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Wilson and Wyrick.—43.

Excused: Adelson, Coates, Laster and Treat.—4.

Vacancy: District 20.—1.

Senator Stanislawski declared a quorum present.

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

### GENERAL ORDER

**SB 1149** by Lerblance of the Senate and Renegar of the House was called up for consideration.

Senator Lerblance moved that **SB 1149** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 1149** 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, Childers, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Johnson (C), Johnson (R), Justice, Lerblance, Marlatt, Mazzei, Myers, Newberry, Nichols, Paddack, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Wilson and Wyrick.--41.

Excused: Adelson, Coates, Ivester, Jolley, Laster and Treat.--6.

Vacancy: District 20.--1.

The bill and emergency passed.

**SB 1149** was referred for engrossment.

**GENERAL ORDER**

**SB 1069** by Barrington of the Senate and Cockroft of the House was called up for consideration.

Senator Barrington moved that **SB 1069** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 1069** 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, Childers, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Johnson (C), Johnson (R), Justice, Lerblance, Marlatt, Mazzei, McAffrey, Newberry, Nichols, Paddack, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Wilson and Wyrick.--41.

Excused: Adelson, Coates, Ivester, Jolley, Laster and Treat.--6.

Vacancy: District 20.--1.

The bill passed.

**SB 1069** was referred for engrossment.

### **GENERAL ORDER**

**SB 1075** by Barrington of the Senate and Dorman of the House was called up for consideration.

Senator Barrington moved that **SB 1075** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 1075** 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, Childers, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Johnson (C), Johnson (R), Justice, Lerblance, Marlatt, McAffrey, Newberry, Nichols, Paddack, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Wilson and Wyrick.--40.

Excused: Adelson, Coates, Ivester, Jolley, Laster, Mazzei and Treat.--7.

Vacancy: District 20.--1.

The bill passed.

**SB 1075** was referred for engrossment.

### **MESSAGE FROM THE HOUSE**

Advising passage of and transmitting for consideration Engrossed **HBs 2449** and **2484** and **HJR 1093**.

**HB 2449** – By Quinn of the House and Brinkley of the Senate.

An Act relating to elections; amending 26 O.S. 2011, Section 13-102, which relates to municipal elections; modifying information contained in certain resolution; providing an effective date; and declaring an emergency.

**HB 2484** – By Grau of the House and Barrington of the Senate.

An Act relating to criminal procedure; amending 22 O.S. 2011, Section 991b, which relates to revocation of suspended sentences; modifying time limitation for revocation hearings; and providing an effective date.

**HJR 1093** – By Steele, Inman, Hilliard and Ritze of the House and Bingman and Burrage of the Senate.

A Joint Resolution disapproving certain action by the Board on Judicial Compensation; and declaring an emergency.

The above-numbered measures were read the first time.

### **COMMITTEE APPOINTED**

Advising that the Joint Committee on Appropriations and Budget and the Senate members thereof have been appointed as follows:

#### **JOINT COMMITTEE ON APPROPRIATIONS AND BUDGET**

Jolley, Co-Chair  
Justice, Co-Vice Chair

Ballenger	Marlatt
Bingman (ex-officio)	McAffrey
Branan	Newberry
Brinkley	Nichols
Burrage	Paddack
Crain	Schulz (ex-officio)
David	Stanislawski
Ford	Sykes
Halligan	Wilson
Ivester	Wyrick

### **CHANGE IN COMMITTEE ASSIGNMENTS**

**SB 1090** – Withdrawn from Rules and referred to General Government

**SB 1134** – Withdrawn from Appropriations and referred to General Government

**SB 1363** – Withdrawn from Rules and referred to Public Safety

**SB 1501** – Withdrawn from Rules and referred to Public Safety

**SB 1629** – Withdrawn from Rules and referred to Health and Human Services

**SB 1706** – Withdrawn from Rules and referred to Public Safety

**SB 1728** – Withdrawn from Rules and referred to Business and Commerce

**SB 1743** – Withdrawn from Tourism and Wildlife and referred to Agriculture and Rural Development

**SB 1867** – Withdrawn from Rules and referred to Business and Commerce

### **MESSAGE FROM THE HOUSE**

Advising conference granted on Engrossed **SB** and naming House Conference Committee as follows:

**SB 138** - Conference Committee on Public Safety, Judiciary, and Military Affairs

Senator Schulz moved that when the clerk's desk is clear, the Senate stand adjourned to convene Monday, February 27, 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 1222** – Veterans and Military Affairs, coauthored by Hardin (principal House author), and coauthored by Allen, Garrison, Johnson (Constance), Ivester of the Senate

Ayes: Aldridge, Allen, Barrington, Bass, Brown, Childers, David, Garrison, Ivester, Johnson (Constance), Shortey, Simpson, Treat

Nays: Adelson

### **COMMITTEE REPORTS**

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

DO PASS:

**SB 1051** – General Government, coauthored by Johnson (principal House author)

Ayes: Adelson, Aldridge, Ballenger, Brown, Coates, Shortey, Treat

**SB 1102** – Retirement and Insurance, coauthored by Thomsen (principal House author)

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

**SB 1198** – Business and Commerce, coauthored by Jackson (principal House author)  
Ayes: Brinkley, Childers, Coates, Ford, Halligan, Holt, Newberry

**SB 1215** – General Government, coauthored by Cockroft (principal House author)  
Ayes: Adelson, Aldridge, Ballenger, Brown, Coates, Shortey, Treat

**SB 1450** – General Government, coauthored by Jackson (principal House author)  
Ayes: Adelson, Aldridge, Ballenger, Brown, Coates, Marlatt, Shortey, Treat

**SB 1518** – Agriculture and Rural Development, coauthored by Armes (principal House author)  
Ayes: Allen, Anderson, Barrington, Bass, Ellis, Fields, Justice, Simpson, Wyrick  
Nays: Ivester, Sykes

**SB 1940** – Agriculture and Rural Development, coauthored by Armes (principal House author)  
Ayes: Allen, Anderson, Barrington, Bass, Ellis, Fields, Ivester, Justice, Simpson, Sykes, Wyrick

**SJR 80** – Veterans and Military Affairs, coauthored by Enns (principal House author), and coauthored by Allen, David, Ivester of the Senate  
Ayes: Allen, Barrington, Coates, David, Garrison, Johnson (Constance), Russell, Simpson, Treat

**HB 2658** – Rules, coauthored by Jordan (principal House author) and Ritze of the House and Bingman of the Senate  
Ayes: Anderson, Branan, Eason McIntyre, Fields, Ford, Holt, Johnson (Rob), McAffrey, Newberry, Nichols  
Nays: Wyrick

DO PASS, As Amended:

**CS for SB 747** – Finance, coauthored by McNiel (principal House author)  
Ayes: Adelson, Aldridge, Ballenger, Brinkley, Childers, David, Ford, Halligan, Ivester, Jolley, Mazzei, Simpson, Sparks, Treat, Wilson  
Nays: Russell

**SB 1111** – Education, coauthored by Denney (principal House author)  
Ayes: Branan, Childers, David, Eason McIntyre, Ford, Garrison, Halligan, Paddock, Sparks  
Nays: Lerblance, Stanislawski

**SB 1120** – Finance, coauthored by Wright (principal House author)  
Ayes: Adelson, Aldridge, Ballenger, Brinkley, David, Ford, Halligan, Jolley, Mazzei, Russell, Simpson, Treat, Wilson

**CS for SB 1218** – Business and Commerce, coauthored by McDaniel (Randy)  
(principal House author)

Ayes: Brinkley, Childers, Coates, Ford, Halligan, Holt, Newberry

**SB 1234** – Finance, coauthored by Dank (principal House author)

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

**CS for SB 1323** – General Government, coauthored by Grau (principal House author)

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

**SB 1437** – Finance, coauthored by Dank (principal House author)

Ayes: Aldridge, Brinkley, Childers, David, Ford, Halligan, Jolley, Mazzei, Russell, Simpson, Treat

Nays: Adelson, Ballenger, Ivester, Sparks, Wilson

**CS for SB 1571** – Finance, coauthored by Osborn (principal House author)

Ayes: Aldridge, Brinkley, Childers, David, Ford, Halligan, Jolley, Mazzei, Simpson, Treat

Nays: Adelson, Ballenger, Ivester, Sparks, Wilson

**CS for SB 1623** – Finance, coauthored by Dank (principal House author)

Ayes: Adelson, Aldridge, Brinkley, Childers, David, Ford, Halligan, Ivester, Jolley, Mazzei, Simpson, Treat

Nays: Ballenger, Sparks, Wilson

**CS for SB 1793** – Finance, coauthored by Murphey (principal House author)

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

**CS for SB 1935** – Finance, coauthored by DeWitt (principal House author)

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

Pursuant to the Schulz motion, the Senate adjourned at 10:25 a.m. to meet Monday, February 27, 2012, at 1:30 p.m.