

Senate Journal

Second Regular Session of the Fifty-third Legislature

of the State of Oklahoma

Thirtieth Legislative Day, Wednesday, March 28, 2012

The Senate was called to order by Senator Marlatt.

Roll Call:

Present: Adelson, Aldridge, Allen, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brecheen, Brinkley, Brown, Burrage, Childers, Coates, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Lerblance, Marlatt, Mazzei, McAffrey, Newberry, Nichols, Paddack, Russell, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.—44.

Excused: Crain, Laster and Schulz.—3.

Vacancy: District 20.—1.

Senator Marlatt declared a quorum present.

The prayer was offered by Reverend Shawn Money, First Assembly of God, Muldrow, the guest of Senator Allen.

REPORT OF ENGROSSED AND ENROLLED MEASURES

SCR 33 was correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

SB 301 was correctly enrolled, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

SR 45 was correctly enrolled, properly signed and ordered transmitted to the Secretary of State.

**UNANIMOUS CONSENT REQUEST
DIRECT TO CALENDAR**

Senator David asked unanimous consent to refer **SR 35** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

SR 35 by David was called up for consideration.

All other members of the Senate asked to coauthor **SR 35**, which was the order.

SR 35 was adopted upon motion of Senator David and referred for enrollment.

COMMITTEE APPOINTMENT

Pursuant to Senate Rule 7-2 (D), Senator Bingman appointed Senator Laster to replace Senator Rice on the Select Committee on Redistricting.

GENERAL ORDER

HB 2443 by DeWitt and Vaughan of the House and Fields of the Senate was called up for consideration.

Senator Fields moved that **HB 2443** be advanced, which motion was declared adopted.

THIRD READING

HB 2443 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, Childers, Coates, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Lerblance, Marlatt, Mazzei, McAffrey, Newberry, Nichols, Paddack, Russell, Simpson, Sparks, Sykes, Treat, Wilson and Wyrick.--41.

Excused: Bingman, Crain, Laster, Schulz, Shortey and Stanislawski.--6.

Vacancy: District 20.--1.

The bill passed.

HB 2443 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 2768 by Pruett and Pittman of the House and Fields of the Senate was called up for consideration.

Senator Fields moved that **HB 2768** be advanced, which motion was declared adopted.

THIRD READING

HB 2768 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, Branan, Brecheen, Brinkley, Brown, Burrage, Childers, Coates, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Lerblance, Marlatt, McAffrey, Newberry, Nichols, Paddack, Russell, Simpson, Sparks, Sykes, Treat, Wilson and Wyrick.--40.

Excused: Bingman, Crain, Laster, Mazzei, Schulz, Shortey and Stanislawski.--7.

Vacancy: District 20.--1.

The bill and emergency passed.

HB 2768 was properly signed and ordered returned to the Honorable House.

FIRST READING

Advising passage of and transmitting for consideration Engrossed **HCR 1032**.

HCR 1032 – By Morgan of the House and Coates of the Senate.

A Resolution congratulating Miss Betty Thompson upon her selection as Miss Oklahoma 2011, as America's Choice semifinalist, winner of the talent competition and as first runner-up in the Miss America 2012 pageant; and directing distribution.

The above-numbered measure was read the first time.

**UNANIMOUS CONSENT REQUEST
DIRECT TO CALENDAR**

Senator Coates asked unanimous consent to refer **HCR 1032** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

HCR 1032 by Morgan of the House and Coates of the Senate was called up for consideration.

All other members of the Senate asked to coauthor **HCR 1032**, which was the order.

HCR 1032 was adopted upon motion of Senator Coates and returned to the Honorable House.

BILL REFERRED

HB 2254 – Appropriations

CHANGE IN COMMITTEE ASSIGNMENT

HB 3134 – Withdrawn from Health and Human Services and referred to Rules.

MESSAGES FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled **HBs 2188** and **2189**.

The above-numbered enrolled measures were, after fourth reading, properly signed and ordered returned to the Honorable House.

Advising fourth reading of and returning Enrolled **SB 301**.

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

Advising passage of and returning Engrossed **SB 1704**.

The above-numbered measure was referred for enrollment.

Senator Ford moved that when the clerk's desk is clear, the Senate stand adjourned to convene Thursday, March 29, 2012, at 9:30 a.m., which motion prevailed.

COMMITTEE REPORTS

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

DO PASS:

HB 1952 – Transportation, coauthored by Walker of the House, and coauthored by Marlatt of the Senate

Ayes: Allen, Branan, Holt, Johnson (Constance), Marlatt, Newberry, Stanislawski

HB 1985 – General Government, coauthored by Shortey of the Senate

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

DO PASS, As Amended:

CS for HB 2198 – Tourism and Wildlife

Ayes: Anderson, Barrington, Bass, Brown, Coates, Ellis, Fields, Garrison, Justice, Wyrick

HB 2563 – General Government, coauthored by Fourkiller and Walker of the House

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

HB 2652 – Judiciary

Ayes: Brecheen, Crain, Eason McIntyre, Johnson (Rob), Laster, Lerblance, Nichols, Shortey, Sykes

HB 2740 – Judiciary

Ayes: Brecheen, Crain, Eason McIntyre, Johnson (Rob), Laster, Lerblance, Shortey, Sykes

HB 2741 – Judiciary, coauthored by Shortey of the Senate

Ayes: Brecheen, Crain, Eason McIntyre, Johnson (Rob), Laster, Lerblance, Nichols, Shortey, Sykes

HB 2841 – Veterans and Military Affairs

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

COMMITTEE REPORTS

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

DO PASS:

HB 1577 – General Government

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

HB 2211 – General Government

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

HB 2212 – General Government

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

HB 2213 – General Government

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

HB 2214 – General Government

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

HB 2215 – General Government

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

HB 2216 – General Government

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

HB 2217 – General Government

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

HB 2218 – General Government

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

HB 2219 – General Government

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

HB 2220 – General Government

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

Nays: Shortey

HB 2221 – General Government

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

Nays: Shortey

HB 2222 – General Government

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

HB 2223 – General Government

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

HB 2224 – General Government

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

HB 2225 – General Government

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

HB 2226 – General Government

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

HB 2227 – General Government

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

HB 2231 – General Government

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

HB 2232 – General Government

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

Nays: Shortey, Treat

HB 2233 – General Government

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

HB 2234 – General Government

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

HB 2235 – General Government

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

HB 2237 – General Government

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

Nays: Shortey

HB 2260 – Transportation

Ayes: Allen, Branan, Holt, Marlatt, Newberry, Paddack, Stanislawski

HB 2281 – General Government

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

HB 2310 – General Government

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

HB 2371 – General Government

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

HB 2373 – General Government

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

HB 2476 – General Government

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

HB 2499 – General Government

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

HB 2618 – General Government

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

HB 2619 – General Government

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

HB 2646 – General Government, coauthored by Hickman of the House

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

HB 2669 – General Government

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

DO PASS, As Amended:

HB 2230 – General Government

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

HB 2247 – General Government

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

Nays: Shortey

HB 2254 – Health and Human Services

Ayes: Brinkley, Burrage, Crain, Johnson (Constance), Johnson (Rob), Newberry,
Wilson

HB 2510 – Finance

Ayes: Aldridge, Ballenger, Brinkley, Childers, Ford, Halligan, Jolley, Mazzei,
Simpson, Sparks, Treat, Wilson

Nays: Ivester

HB 2616 – Finance

Ayes: Aldridge, Ballenger, Brinkley, Childers, Ford, Halligan, Ivester, Mazzei, Simpson, Sparks, Treat, Wilson

HB 2645 – Finance

Ayes: Aldridge, Ballenger, Brinkley, Childers, Ford, Halligan, Ivester, Mazzei, Simpson, Sparks, Treat, Wilson

CS for HB 2710 – Finance

Ayes: Aldridge, Ballenger, Brinkley, Childers, Ford, Halligan, Ivester, Mazzei, Simpson, Sparks, Treat, Wilson

HB 2736 – Health and Human Services

Ayes: Brinkley, Burrage, Crain, Johnson (Rob), Newberry, Russell, Wilson
Nays: Johnson (Constance)

HB 3093 – Finance

Ayes: Aldridge, Childers, Ford, Halligan, Mazzei, Simpson, Sparks, Treat, Wilson
Nays: Ballenger, Brinkley, Jolley

FIRST READING

The following was introduced and read the first time:

SR 46 – By Jolley, Treat and Johnson (Rob).

A Resolution congratulating the Edmond Santa Fe Lady Wolves for winning the 2012 6A women's basketball state championship; and directing distribution.

Pursuant to the Ford motion, the Senate adjourned at 2:30 p.m. to meet Thursday, March 29, 2012, at 9:30 a.m.