

Senate Journal

Second Regular Session of the Fifty-third Legislature

of the State of Oklahoma

Thirty-first Legislative Day, Thursday, March 29, 2012

The Senate was called to order by Senator David.

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 David 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

SB 1704 was correctly enrolled, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

SR 35 was correctly enrolled, properly signed and ordered transmitted to the Secretary of State.

UNANIMOUS CONSENT REQUEST DIRECT TO CALENDAR

Senator Jolley asked unanimous consent to refer **SR 46** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

SR 46 by Jolley et al was called up for consideration.

All other members of the Senate asked to coauthor **SR 46**, which was the order.

SR 46 was adopted upon motion of Senator Jolley and referred for enrollment.

Senator Sykes presiding.

**UNANIMOUS CONSENT REQUEST
DIRECT TO CALENDAR**

Senator David asked unanimous consent to refer **SR 43** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

SR 43 by David was called up for consideration.

All other members of the Senate asked to coauthor **SR 43**, which was the order.

SR 43 was adopted upon motion of Senator David and referred for enrollment.

INTRODUCTION

Senator Sykes introduced his cousin, Twana Griffith, to the Senate.

FIRST READING

The following was introduced and read the first time:

SCR 34 – By Johnson (Constance), David, Eason McIntyre, Paddock of the Senate and Virgin and Pittman of the House.

A Concurrent Resolution encouraging Congress to support the establishment of a National Women's History Museum in Washington, D.C.; and directing distribution.

**UNANIMOUS CONSENT REQUEST
DIRECT TO CALENDAR**

Senator Johnson (Constance) asked unanimous consent to refer **SCR 34** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

SCR 34 by Johnson (Constance) et al of the Senate was called up for consideration.

All other members of the Senate asked to coauthor **SCR 34**, which was the order.

SCR 34 was adopted upon motion of Senator Johnson (Constance) and referred for engrossment.

MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed **HJRs 1095, 1097, 1098** and **1101** and **HCRs 1023** and **1029**.

HJR 1095 – By Peters of the House and David of the Senate.

A Joint Resolution disapproving permanent rule of the State Board of Health; and directing distribution.

HJR 1097 – By Cox of the House and Jolley of the Senate.

A Joint Resolution approving permanent rules of the State Board of Pharmacy; and directing distribution.

HJR 1098 – By Banz of the House and Aldridge of the Senate.

A Joint Resolution approving permanent rules of the Oklahoma Accountancy Board; and directing distribution.

HJR 1101 – By Faught of the House and Ford of the Senate.

A Joint Resolution approving permanent rules of the Board of Governors of the Licensed Architects, Landscape Architects and Registered Interior Designers of Oklahoma; and directing distribution.

HCR 1023 – By Kern of the House and Brinkley of the Senate.

A Concurrent Resolution relating to religious freedom; encouraging Oklahomans to commemorate and celebrate January 16 as Religious Freedom Day; and providing for distribution.

HCR 1029 – By Wesselhoft, Armes, Banz, Bennett, Billy, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Christian, Cockroft, Condit, Coody, Cooksey, Cox, Dank, DeWitt, Denney, Derby, Dorman, Enns, Farley, Faught, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Key, Kirby, Kouplen, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Morgan, Morrissette, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Reynolds, Richardson, Ritze, Roan, Roberts (Dustin), Roberts (Sean), Rousselot,

Russ, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Steele, Stiles, Sullivan, Terrill, Thomsen, Tibbs, Trebilcock, Vaughan, Virgin, Walker, Watson, Williams and Wright of the House and Adelson of the Senate.

A Concurrent Resolution supporting the Nation of Israel and congratulating Israel on the sixty-fourth anniversary of its founding; and directing distribution.

The above-numbered measures were read the first time.

MESSAGES FROM THE HOUSE

Advising fourth reading of and returning Enrolled **SB 1704**.

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

Advising fourth reading of and transmitting for signature Enrolled **HBs 2443** and **2768**.

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

Advising the signing of and transmitting for signature Enrolled **HCR 1032**.

The above-numbered enrolled measure was properly signed and ordered returned to the Honorable House.

Advising passage of and returning the following Engrossed bills:

SB 1210 - coauthored by Roberts (Dustin) and Walker.

SB 1304

SB 1316 - coauthored by Walker

SB 1321

SB 1882 - coauthored by Morrissette, Walker and McCullough

The above-numbered measures were referred for enrollment.

Senator Ford moved that when the clerk's desk is clear, the Senate stand adjourned to convene Monday, April 2, 2012, at 1:30 p.m., which motion prevailed.

COMMITTEE REPORTS

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

DO PASS:

HB 2241 – Judiciary, coauthored by Shortey of the Senate and coauthored by Newell of the House

Ayes: Brecheen, Crain, Johnson (Rob), Shortey, Sykes

Nays: Eason McIntyre, Lerblance

HB 2257 – Judiciary

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

HB 2289 – Judiciary

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

HB 2296 – Judiciary, coauthored by Shortey of the Senate

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

Nays: Lerblance

HB 2353 – Agriculture and Rural Development, coauthored by Pittman of the House

Ayes: Allen, Anderson, Barrington, Bass, Ellis, Fields, Ivester, Justice, Simpson, Sykes, Wyrick

HB 2365 – Energy, remove Crain and substitute Simpson as principal Senate author, and coauthored by Crain of the Senate

Ayes: Adelson, Allen, Branan, Burrage, Fields, Ivester, Johnson (Rob), Lerblance, Marlatt, Paddack, Simpson

HB 2419 – Judiciary, coauthored by Shortey of the Senate

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

Nays: Lerblance

HB 2429 – Transportation, coauthored by Condit of the House

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

HB 2502 – Energy, coauthored by Fields of the Senate

Ayes: Adelson, Allen, Branan, Burrage, Fields, Ivester, Lerblance, Marlatt, Paddack, Simpson

HB 2521 – Judiciary, coauthored by Peterson of the House

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

HB 2655 – General Government, coauthored by Key of the House

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

HB 2656 – Judiciary

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

HB 2713 – Judiciary

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

HB 2786 – Agriculture and Rural Development

Ayes: Allen, Anderson, Barrington, Bass, Ellis, Fields, Ivester, Justice, Simpson, Sykes, Wyrick

HB 2833 – General Government

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

HB 2920 – Tourism and Wildlife

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

HB 2967 – Judiciary

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

HB 3055 – Energy

Ayes: Allen, Branan, Burrage, Fields, Ivester, Johnson (Rob), Lerblance, Marlatt, Paddack, Simpson

HJR 1070 – Tourism and Wildlife

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

DO PASS, As Amended:

HB 1910 – Energy, coauthored by Fields of the Senate

Ayes: Adelson, Branan, Burrage, Fields, Ivester, Johnson (Rob), Lerblance, Marlatt, Paddack, Simpson

Nays: Allen

HB 2207 – Veterans and Military Affairs, coauthored by Ivester of the Senate
Ayes: Allen, Barrington, Brown, Childers, David, Garrison, Ivester, Johnson
(Constance), Russell, Simpson, Treat

HB 2286 – Judiciary
Ayes: Brecheen, Crain, Eason McIntyre, Johnson (Rob), Laster, Lerblance, Shortey,
Sykes

HB 2300 – Judiciary, coauthored by Shortey of the Senate
Ayes: Brecheen, Crain, Eason McIntyre, Johnson (Rob), Lerblance, Nichols, Shortey,
Sykes

HB 2523 – Tourism and Wildlife
Ayes: Anderson, Barrington, Bass, Brown, Coates, Ellis, Fields, Garrison, Justice,
Wyrick

CS for HB 2573 – Tourism and Wildlife
Ayes: Anderson, Barrington, Bass, Brown, Coates, Ellis, Fields, Garrison, Justice,
Wyrick

HB 2607 – Tourism and Wildlife
Ayes: Anderson, Barrington, Bass, Brown, Coates, Ellis, Fields, Garrison, Justice,
Wyrick

HB 2738 – Energy
Ayes: Adelson, Allen, Branan, Burrage, Fields, Ivester, Johnson (Rob), Lerblance,
Marlatt, Paddack, Simpson

HB 2835 – Energy, coauthored by Fields of the Senate
Ayes: Adelson, Allen, Branan, Fields, Ivester, Johnson (Rob), Lerblance, Marlatt,
Paddack, Simpson

HB 2836 – Energy, coauthored by Fields of the Senate
Ayes: Adelson, Allen, Branan, Burrage, Fields, Ivester, Johnson (Rob), Lerblance,
Marlatt, Paddack, Simpson

CS for HB 2925 – Agriculture and Rural Development
Ayes: Allen, Anderson, Barrington, Bass, Ellis, Fields, Ivester, Justice, Simpson,
Sykes, Wyrick

HB 2929 – Energy, coauthored by Fields of the Senate
Ayes: Adelson, Allen, Branan, Fields, Ivester, Johnson (Rob), Marlatt, Nichols,
Paddack, Simpson
Nays: Lerblance

HJR 1082 – Veterans and Military Affairs, coauthored by Allen, Childers, David, Garrison, Shortey of the Senate

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

FIRST READING

SR 47 – By Ballenger.

A Resolution declaring April 9th – 13th, 2012, "County Government Week" in Oklahoma; and directing distribution.

Pursuant to the Ford motion, the Senate adjourned at 10:15 a.m. to meet Monday, April 2, 2012, at 1:30 p.m.