

# Senate Journal

## First Regular Session of the Fifty-fourth Legislature of the State of Oklahoma

**Fifteenth Legislative Day, Tuesday, February 26, 2013**

The Senate was called to order by Senator Sykes.

Roll Call:

Present: Aldridge, Allen, Ballenger, Barrington, Bass, Bingman, Boggs, Branan, Brecheen, Brinkley, Brooks, Brown, Burrage, Coates, Crain, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Loveless, Mazzei, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes, Treat and Wyrick.—46.

Excused: Anderson and Marlatt.—2.

Senator Sykes declared a quorum present.

The prayer was offered by Tony "Mack" McMullen, Free in Christ Ministries, Coweta, the guest of Senator Brown.

### **REPORT OF ENGROSSED AND ENROLLED MEASURES**

**SBs 70, 330, 343, 387, 659, 844, 848** and **1015** and **SJR 32** were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

### **GENERAL ORDER**

**SB 5** by Stanislawski of the Senate and Watson of the House was called up for consideration.

Senator Stanislawski moved that **SB 5** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 5** 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, Bingman, Boggs, Branan, Brecheen, Brinkley, Brooks, Brown, Burrage, Coates, Crain, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Loveless, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes and Treat.--44.

Excused: Anderson, Marlatt, Mazzei and Wyrick.--4.

The bill and emergency passed.

**SB 5** was referred for engrossment.

**GENERAL ORDER**

**SB 854** by Crain of the Senate and Martin (Steve) of the House was called up for consideration.

Senator Crain moved that **SB 854** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 854** was read for the third time at length.

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

Aye: Aldridge, Allen, Barrington, Bingman, Boggs, Branan, Brecheen, Brinkley, Brown, Coates, Crain, Dahm, Fields, Ford, Griffin, Halligan, Holt, Johnson (R), Jolley, Justice, Loveless, Mazzei, Newberry, Paddack, Schulz, Sharp, Shaw, Shortey, Simpson, Standridge, Stanislawski and Sykes.--32.

Nay: Ballenger, Bass, Brooks, Burrage, David, Ellis, Garrison, Ivester, Johnson (C), McAffrey, Shumate, Sparks and Treat.--13.

Excused: Anderson, Marlatt and Wyrick.--3.

The bill passed.

**SB 854** was referred for engrossment.

**GENERAL ORDER**

**SB 79** by Bingman and Fields of the Senate and McNiel of the House was called up for consideration.

Senator Fields moved that **SB 79** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 79** 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, Bingman, Boggs, Branan, Brecheen, Brinkley, Brooks, Brown, Burrage, Coates, Crain, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Loveless, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes and Treat.--44.

Excused: Anderson, Marlatt, Mazzei and Wyrick.--4.

The bill and emergency passed.

**SB 79** was referred for engrossment.

**GENERAL ORDER**

**SB 404** by Jolley of the Senate and Jordan of the House was called up for consideration.

Senator Jolley moved that **SB 404** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 404** was read for the third time at length.

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

Aye: Aldridge, Allen, Barrington, Bingman, Boggs, Branan, Brecheen, Brinkley, Brooks, Brown, Coates, Crain, Dahm, David, Fields, Ford, Griffin, Halligan, Holt, Johnson (R), Jolley, Justice, Loveless, Newberry, Schulz, Sharp, Shaw, Shortey, Simpson, Standridge, Stanislawski, Sykes and Treat.--33.

Nay: Ballenger, Bass, Burrage, Ellis, Garrison, Ivester, Johnson (C), McAffrey, Paddack, Shumate and Sparks.--11.

Excused: Anderson, Marlatt, Mazzei and Wyrick.--4.

The bill passed.

**SB 404** was referred for engrossment.

### **GENERAL ORDER**

**SB 495** by Jolley of the Senate and Martin (Scott) of the House was called up for consideration.

Senator Jolley moved that **SB 495** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 495** 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, Bingman, Boggs, Branan, Brecheen, Brinkley, Brooks, Brown, Burrage, Coates, Crain, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Loveless, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes and Treat.--44.

Excused: Anderson, Marlatt, Mazzei and Wyrick.--4.

The bill and emergency passed.

**SB 495** was referred for engrossment.

### **GENERAL ORDER**

**SB 557** by Jolley of the Senate and Martin (Scott) of the House was called up for consideration.

Senator Jolley moved that **SB 557** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 557** 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, Bingman, Boggs, Branan, Brecheen, Brinkley, Brooks, Brown, Burrage, Coates, Crain, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Loveless, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes and Treat.--44.

Excused: Anderson, Marlatt, Mazzei and Wyrick.--4.

The bill and emergency passed.

**SB 557** was referred for engrossment.

**GENERAL ORDER**

**SB 630** by Jolley of the Senate and Murphey of the House was called up for consideration.

Senator Jolley moved that **SB 630** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 630** 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, Bingman, Boggs, Branan, Brecheen, Brinkley, Brooks, Brown, Burrage, Coates, Crain, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Loveless, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes and Treat.--44.

Excused: Anderson, Marlatt, Mazzei and Wyrick.--4.

The bill and emergency passed.

**SB 630** was referred for engrossment.

**GENERAL ORDER**

**SB 646** by Jolley of the Senate and Quinn of the House was called up for consideration.

Senator Jolley moved that **SB 646** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 646** 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, Boggs, Branan, Brecheen, Brinkley, Brooks, Brown, Burrage, Coates, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Loveless, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes and Treat.--43.

Excused: Anderson, Crain, Marlatt, Mazzei and Wyrick.--5.

The bill passed.

**SB 646** was referred for engrossment.

**GENERAL ORDER**

**SB 863** by Jolley of the Senate and Jackson of the House was called up for consideration.

Senator Jolley moved that **SB 863** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 863** 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, Bingman, Boggs, Branan, Brecheen, Brinkley, Brooks, Brown, Burrage, Coates, Dahm, David, Ellis, Fields, Ford, Griffin, Halligan, Holt, Johnson (R), Jolley, Justice, Loveless, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Shortey, Simpson, Sparks, Standridge, Stanislawski, Sykes and Treat.--39.

Nay: Garrison, Ivester and Shumate.--3.

Excused: Anderson, Crain, Johnson (C), Marlatt, Mazzei and Wyrick.--6.

The bill and emergency passed.

**SB 863** was referred for engrossment.

### **GENERAL ORDER**

**SB 955** by Jolley and Fields of the Senate and Nelson of the House was called up for consideration.

Senator Jolley moved that **SB 955** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 955** 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, Bingman, Boggs, Branan, Brecheen, Brinkley, Brooks, Brown, Burrage, Coates, Crain, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Johnson (R), Jolley, Justice, Loveless, Mazzei, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Shortey, Simpson, Sparks, Standridge, Stanislawski, Sykes and Treat.--42.

Nay: Ivester and Shumate.--2.

Excused: Anderson, Johnson (C), Marlatt and Wyrick.--4.

The bill and emergency passed.

**SB 955** was referred for engrossment.

### **GENERAL ORDER**

**SB 1000** by Jolley of the Senate and Grau of the House was called up for consideration.

Senator Jolley moved that **SB 1000** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 1000** 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, Boggs, Branan, Brecheen, Brinkley, Brooks, Brown, Burrage, Coates, Crain, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (R), Jolley, Justice, Loveless, Mazzei, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes and Treat.--44.

Excused: Anderson, Johnson (C), Marlatt and Wyrick.--4.

The bill passed.

**SB 1000** was referred for engrossment.

**GENERAL ORDER**

**SB 322** by Mazzei of the Senate and Sears of the House was called up for consideration.

Senator Mazzei moved that **SB 322** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 322** was read for the third time at length.

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

Aye: Allen, Ballenger, Barrington, Bass, Bingman, Boggs, Branan, Brecheen, Brinkley, Brooks, Brown, Burrage, Coates, Crain, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (R), Jolley, Justice, Loveless, Mazzei, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes and Treat.--43.

Excused: Aldridge, Anderson, Johnson (C), Marlatt and Wyrick.--5.

The bill and emergency passed.

**SB 322** was referred for engrossment.



**GENERAL ORDER**

**SB 323** by Mazzei of the Senate and Sears of the House was called up for consideration.

Senator Mazzei moved that **SB 323** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 323** 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, Boggs, Branan, Brecheen, Brinkley, Brooks, Brown, Burrage, Coates, Crain, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (R), Jolley, Justice, Loveless, Mazzei, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes and Treat.--44.

Excused: Anderson, Johnson (C), Marlatt and Wyrick.--4.

The bill passed.

**SB 323** was referred for engrossment.

**GENERAL ORDER**

**SB 648** by Schulz and Ivester of the Senate and Wright of the House was called up for consideration.

Senator Schulz moved that **SB 648** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 648** 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, Bingman, Boggs, Branan, Brecheen, Brinkley, Brooks, Brown, Burrage, Coates, Crain, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (R), Jolley, Justice, Loveless, Mazzei, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes and Treat.--44.

Excused: Anderson, Johnson (C), Marlatt and Wyrick.--4.

The bill and emergency passed.

**SB 648** was referred for engrossment.

### **GENERAL ORDER**

**SB 661** by Schulz of the Senate and Jackson of the House was called up for consideration.

Senator Schulz moved that **SB 661** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 661** 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, Bingman, Boggs, Branan, Brecheen, Brinkley, Brooks, Brown, Burrage, Coates, Crain, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (R), Jolley, Justice, Loveless, Mazzei, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes and Treat.--44.

Excused: Anderson, Johnson (C), Marlatt and Wyrick.--4.

The bill and emergency passed.

**SB 661** was referred for engrossment.

### **GENERAL ORDER**

**SB 751** by Schulz of the Senate and Wright of the House was called up for consideration.

Senator Schulz moved that **SB 751** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 751** 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, Bingman, Boggs, Branan, Brecheen, Brinkley, Brooks, Brown, Burrage, Coates, Crain, Dahm, David, Ellis, Fields,

Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (R), Jolley, Justice, Loveless, Mazzei, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes and Treat.--44.

Excused: Anderson, Johnson (C), Marlatt and Wyrick.--4.

The bill and emergency passed.

**SB 751** was referred for engrossment.

### **GENERAL ORDER**

**SB 520** by Newberry of the Senate and Armes of the House was called up for consideration.

Senator Newberry moved that **SB 520** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 520** 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, Bingman, Boggs, Branan, Brecheen, Brinkley, Brooks, Brown, Burrage, Coates, Crain, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (R), Jolley, Justice, Loveless, Mazzei, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes and Treat.--44.

Excused: Anderson, Johnson (C), Marlatt and Wyrick.--4.

The bill and emergency passed.

**SB 520** was referred for engrossment.

### **GENERAL ORDER**

**SB 788** by Newberry of the Senate and McDaniel (Randy) of the House was called up for consideration.

Senator Newberry moved that **SB 788** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 788** 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, Boggs, Branan, Brecheen, Brinkley, Brooks, Brown, Burrage, Coates, Crain, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (R), Jolley, Justice, Loveless, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes and Treat.--43.

Excused: Anderson, Johnson (C), Marlatt, Mazzei and Wyrick.--5.

The bill passed.

**SB 788** was referred for engrossment.

**GENERAL ORDER**

**SB 1022** by Newberry of the Senate and Echols of the House was called up for consideration.

Senator Newberry moved to amend **SB 1022**, Page 1, by striking the title, which amendment was declared adopted.

Senator Newberry moved that **SB 1022** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 1022** 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, Bingman, Boggs, Branan, Brecheen, Brinkley, Brooks, Brown, Burrage, Coates, Crain, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (R), Jolley, Justice, Loveless, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes and Treat.--42.

Nay: Bass.--1.

Excused: Anderson, Johnson (C), Marlatt, Mazzei and Wyrick.--5.

The bill and emergency passed.

**SB 1022** was referred for engrossment.

### **GENERAL ORDER**

**SB 1025** by Newberry of the Senate and Echols of the House was called up for consideration.

Senator Newberry moved that **SB 1025** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 1025** 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, Boggs, Branan, Brecheen, Brinkley, Brooks, Brown, Burrage, Coates, Crain, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (R), Jolley, Justice, Loveless, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes and Treat.--43.

Excused: Anderson, Johnson (C), Marlatt, Mazzei and Wyrick.--5.

The bill passed.

**SB 1025** was referred for engrossment.

### **GENERAL ORDER**

**SB 1053** by Newberry of the Senate and McBride of the House was called up for consideration.

Senator Newberry moved that **SB 1053** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 1053** was read for the third time at length.

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

Aye: Aldridge, Barrington, Branan, Brecheen, Brooks, Brown, Coates, Crain, Ford, Griffin, Halligan, Johnson (R), Justice, Loveless, Newberry, Schulz, Sharp, Shaw, Simpson, Standridge and Stanislawski.--21.

Nay: Allen, Ballenger, Bass, Boggs, Brinkley, Burrage, Dahm, David, Ellis, Fields, Garrison, Holt, Ivester, Jolley, McAffrey, Paddack, Shortey, Shumate, Sparks, Sykes and Treat.--21.

Excused: Anderson, Bingman, Johnson (C), Marlatt, Mazzei and Wyrick.--6.

The bill failed.

Pursuant to Rule 12-21, Senator Newberry served notice that the vote be reconsidered whereby **SB 1053** failed.

**GENERAL ORDER**

**SB 1060** by Newberry of the Senate and Mulready of the House was called up for consideration.

Senator Newberry moved that **SB 1060** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 1060** 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, Boggs, Branan, Brecheen, Brinkley, Brooks, Brown, Burrage, Coates, Crain, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (R), Jolley, Justice, Loveless, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes and Treat.--43.

Excused: Anderson, Johnson (C), Marlatt, Mazzei and Wyrick.--5.

The bill passed.

**SB 1060** was referred for engrossment.

### **GENERAL ORDER**

**SB 1068** by Newberry of the Senate and McBride of the House was called up for consideration.

Senator Newberry moved that **SB 1068** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 1068** was read for the third time at length.

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

Aye: Allen, Barrington, Bingman, Brecheen, Brooks, Coates, Crain, Ford, Johnson (R), Justice, Loveless, Newberry, Paddack, Schulz, Sharp, Shaw, Shortey, Simpson, Standridge, Stanislawski and Treat.--21.

Nay: Aldridge, Ballenger, Bass, Boggs, Branan, Brinkley, Brown, Burrage, Dahm, David, Ellis, Fields, Garrison, Griffin, Halligan, Holt, Ivester, Jolley, McAffrey, Shumate, Sparks and Sykes.--22.

Excused: Anderson, Johnson (C), Marlatt, Mazzei and Wyrick.--5.

The bill failed.

Pursuant to Rule 12-21, Senator Newberry served notice that the vote be reconsidered whereby **SB 1068** failed.

### **GENERAL ORDER**

**SB 877** by Treat of the Senate and Dorman of the House was called up for consideration.

Senator Treat moved that **SB 877** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 877** 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, Bingman, Boggs, Branan, Brecheen, Brinkley, Brooks, Brown, Burrage, Coates, Crain, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (R), Jolley, Justice, Loveless, McAffrey, Newberry, Paddack, Schulz, Shaw, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes and Treat.--42.

Nay: Sharp.--1.

Excused: Anderson, Johnson (C), Marlatt, Mazzei and Wyrick.--5.

The bill and emergency passed.

**SB 877** was referred for engrossment.

**GENERAL ORDER**

**SB 919** by Justice of the Senate and Armes of the House was called up for consideration.

Senator Justice 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, Ballenger, Barrington, Bass, Bingman, Boggs, Branan, Brecheen, Brinkley, Brooks, Brown, Burrage, Coates, Crain, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (R), Jolley, Justice, Loveless, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes and Treat.--43.

Excused: Anderson, Johnson (C), Marlatt, Mazzei and Wyrick.--5.

The bill passed.

**SB 919** was referred for engrossment.



**GENERAL ORDER**

**SB 920** by Justice of the Senate and Casey of the House was called up for consideration.

Senator Justice moved that **SB 920** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 920** was read for the third time at length.

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

Aye: Ballenger, Barrington, Bingman, Branan, Brecheen, Brinkley, Brown, David, Fields, Ford, Griffin, Johnson (R), Justice, Loveless, Paddack, Schulz, Sharp, Shaw, Shortey, Simpson, Standridge and Stanislawski.--22.

Nay: Aldridge, Allen, Bass, Boggs, Brooks, Burrage, Coates, Crain, Dahm, Ellis, Garrison, Halligan, Holt, Ivester, Jolley, McAffrey, Newberry, Shumate, Sparks, Sykes and Treat.--21.

Excused: Anderson, Johnson (C), Marlatt, Mazzei and Wyrick.--5.

The bill failed.

Pursuant to Rule 12-21, Senator Justice served notice that the vote be reconsidered whereby **SB 920** failed.

**GENERAL ORDER**

**SB 374** by Brown of the Senate and Brumbaugh of the House was called up for consideration.

Senator Brown moved to amend **SB 374**, Page 1, Lines 21 and 22 by deleting all language in Paragraph 3 beginning on Line 21 and ending on Line 22, and renumbering subsequent paragraphs, which amendment was declared adopted.

Senator Brown moved to amend **SB 374**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Brown moved that **SB 374** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 374** was read for the third time at length.

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

Aye: Branan, Brecheen, Brown, Crain, Ford, Halligan, Holt, Justice, Newberry, Schulz, Shaw, Simpson, Standridge and Stanislawski.--14.

Nay: Aldridge, Allen, Ballenger, Barrington, Bass, Boggs, Brinkley, Brooks, Burrage, Coates, Dahm, David, Fields, Garrison, Griffin, Ivester, Johnson (R), Jolley, Loveless, McAffrey, Paddack, Sharp, Shortey, Shumate, Sparks, Sykes and Treat.--27.

Excused: Anderson, Bingman, Ellis, Johnson (C), Marlatt, Mazzei and Wyrick.--7.

The bill failed.

Pursuant to Rule 12-21, Senator Brown served notice that the vote be reconsidered whereby **SB 374** failed.

**GENERAL ORDER**

**SB 8** by Coates of the Senate and Grau of the House was called up for consideration.

Senator Coates moved that **SB 8** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 8** 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, Boggs, Branan, Brinkley, Burrage, Coates, Crain, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (R), Jolley, Justice, Loveless, Mazzei, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Shumate, Simpson, Sparks, Standridge, Sykes and Treat.--39.

Nay: Brecheen, Brooks, Brown, Shortey and Stanislawski.--5.

Excused: Anderson, Johnson (C), Marlatt and Wyrick.--4.

The bill passed.

**SB 8** was referred for engrossment.

**Senator Stanislawski presiding.**

**GENERAL ORDER**

**HB 1646** by Jordan of the House and Bingman and Ivester of the Senate was called up for consideration.

Senator Sykes moved that **HB 1646** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 1646** 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, Bingman, Boggs, Branan, Brecheen, Brinkley, Brooks, Brown, Burrage, Coates, Crain, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (R), Jolley, Justice, Loveless, Mazzei, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes and Treat.--44.

Excused: Anderson, Johnson (C), Marlatt and Wyrick.--4.

The bill and emergency passed.

**HB 1646** was properly signed and ordered returned to the Honorable House.

**GENERAL ORDER**

**SB 41** by Coates of the Senate and Moore of the House was called up for consideration.

Senator Coates moved that **SB 41** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 41** was read for the third time at length.

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

Aye: Allen, Ballenger, Boggs, Branan, Brecheen, Brooks, Brown, Burrage, Coates, Crain, Dahm, David, Ellis, Ford, Garrison, Griffin, Ivester, Johnson (R), Justice, Loveless, Paddack, Schulz, Sharp, Shaw, Shumate, Sparks, Standridge, Stanislawski and Treat.--29.

Nay: Aldridge, Barrington, Brinkley, Fields, Halligan, Holt, Newberry, Shortey, Simpson and Sykes.--10.

Excused: Anderson, Bass, Bingman, Johnson (C), Jolley, Marlatt, Mazzei, McAffrey and Wyrick.--9.

The bill passed and the emergency failed.

**SB 41** was referred for engrossment.

**Senator Sykes presiding.**

### **GENERAL ORDER**

**SB 50** by Coates of the Senate and Roberts (Dustin) of the House was called up for consideration.

Senator Coates moved that **SB 50** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 50** was read for the third time at length.

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

Aye: Ballenger, Barrington, Branan, Brooks, Brown, Burrage, Coates, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Justice, Newberry, Paddock, Schulz, Sharp, Shaw, Shumate, Sparks, Standridge and Stanislawski.--25.

Nay: Aldridge, Allen, Boggs, Brecheen, Brinkley, Crain, Dahm, David, Johnson (R), Loveless, Shortey, Simpson, Sykes and Treat.--14.

Excused: Anderson, Bass, Bingman, Johnson (C), Jolley, Marlatt, Mazzei, McAffrey and Wyrick.--9.

The bill passed.

**SB 50** was referred for engrossment.

## **GENERAL ORDER**

**SB 294** by Coates of the Senate and Jordan of the House was called up for consideration.

Senator Coates moved that **SB 294** be advanced, which motion was declared adopted.

## **THIRD READING**

**SB 294** was read for the third time at length.

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

Aye: Allen, Ballenger, Barrington, Boggs, Branan, Brecheen, Brinkley, Brooks, Brown, Burrage, Coates, Crain, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (R), Justice, Loveless, Newberry, Paddack, Schulz, Sharp, Shaw, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes and Treat.--38.

Nay: Aldridge.--1.

Excused: Anderson, Bass, Bingman, Johnson (C), Jolley, Marlatt, Mazzei, McAffrey and Wyrick.--9.

The bill passed.

**SB 294** was referred for engrossment.

## **MESSAGE FROM THE HOUSE**

Advising passage of and transmitting for consideration Engrossed **HBs 1104, 1241, 1265, 1325, 1426, 1599** and **2219**.

**HB 1104** – By Sears of the House and Mazzei of the Senate.

An Act relating to revenue and taxation; amending 68 O.S. 2011, Sections 1010 and 1024, which relate to gross production taxes; modifying reporting requirements; modifying procedures related to release of information regarding certain production; amending 68 O.S. 2011, Section 1359, which relates to sales tax exemptions for certain manufacturers; modifying statutory reference; repealing 68 O.S. 2011, Section 1368.2, which relates to notices to sales tax vendors; providing an effective date; and declaring an emergency.

**HB 1241** – By Martin (Steve) and Biggs of the House and Allen of the Senate.

An Act relating to crimes and punishments; amending 21 O.S. 2011, Section 1401, which relates to arson in the first degree; clarifying scope of certain prohibited act; modifying penalty for certain conviction; and providing an effective date.

**HB 1265** – By Moore and Shelton of the House and Holt of the Senate.

An Act relating to revenue and taxation; amending 68 O.S. 2011, Sections 2817, 2863, 2871 and 2874, which relate to ad valorem taxation; modifying provisions related to valuation of property destroyed by certain natural events; modifying terminology regarding protests; modifying provisions related to board of tax roll corrections; modifying basis upon which certain action by board of tax roll corrections to be taken; modifying dates with respect to certain allowed corrections; and providing an effective date.

**HB 1325** – By McDaniel (Randy) of the House and Brinkley of the Senate.

An Act relating to the Oklahoma Public Employees Retirement System; amending 74 O.S. 2011, Sections 902, 914, 915, 916.1 and 917, which relate to administration of the retirement system; modifying definition; imposing reporting requirements on participating employers; prescribing required information; providing for disqualification of retirement eligibility; imposing requirement on employer for failure to report or for inaccurate reports; modifying provisions related to payment of employee contributions in the event of death; modifying amount eligible for payment without probate requirements; modifying content of certain information reported to the System in the event of death of a member; modifying provisions related to payment of benefits in the event of death of retired member; providing an effective date; and declaring an emergency.

**HB 1426** – By Biggs of the House and Justice of the Senate.

An Act relating to game and fish; amending 29 O.S. 2011, Section 4-101, which relates to license usage; expanding information to be included during wildlife check-in; providing for electronic check-in of wildlife; modifying penalties for certain violations; requiring certain licenses to be revoked upon violation; specifying revocation period; directing the court to provide copy of judgment; defining term; and providing an effective date.

**HB 1599** – By Martin (Scott), McCall, Henke, Newell, McPeak, Roberts (Dustin) and Wright of the House and Jolley of the Senate.

No full titles for HB1599 were found!

**HB 2219** – By Newell, Nelson, Pittman, Kern and Echols of the House and Brecheen of the Senate.

An Act relating to the Department of Human Services; requiring Department to issue family impact statement for every proposed rule; describing time requirement for issuing statement; permitting modification of statement; requiring certain questions to be answered in the statement; providing for codification; and providing an effective date.

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 Wednesday, February 27, 2013, at 1:30 p.m., which motion prevailed.

**FIRST READING**

The following was introduced and read the first time:

**SCR 8** – By Johnson (Constance) of the Senate and Pittman and Shelton of the House.  
A Concurrent Resolution recognizing March 2013 through March 2014 as the Centennial Celebration Year of the life and work of Ralph Waldo Ellison; and directing distribution.

**CHANGE IN AUTHORS/COAUTHORS**

The following measures were authored/coauthored:

- SB 156** - Coauthored by Brecheen
- SB 250** - Coauthored by Loveless
- SB 266** - Coauthored by Fields
- SB 436** - Coauthored by Fields
- SB 489** - Coauthored by Ivester
- SB 500** - Remove as principal author Representative Wesselhoft and substitute with Representative Johnson
- SB 585** - Coauthored by Brinkley
- SB 754** - Coauthored by Brecheen
- SB 831** - Coauthored by Cleveland
- SB 920** - Coauthored by Shortey
- SB 965** - Coauthored by Ivester
- SB 977** - Coauthored by Osborn
- SB 1026** - Coauthored by Jolley, Brinkley
- SB 1062** - Coauthored by McBride, Cooksey; Coauthored by Justice, Treat, Simpson, Loveless, Boggs, Branan, Brown
- SJR 8** - Coauthored by Allen
- HB 2219** - Coauthored by Echols

Pursuant to the Schulz motion, the Senate adjourned at 4:20 p.m. to meet February 27, 2013, at 1:30 p.m.