

Senate Journal

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

Sixteenth Legislative Day, Wednesday, February 27, 2013

The Senate was called to order by Senator Fields.

Roll Call:

Present: Aldridge, Allen, Anderson, 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, Marlatt, Mazzei, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes, and Treat.—46.

Excused: Johnson (C) and Wyrick.—2.

Senator Fields 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 5, 8, 41, 50, 79, 294, 322, 323, 404, 495, 520, 557, 630, 646, 648, 661, 751, 788, 854, 863, 877, 919, 955, 1000, 1022, 1025 and 1060 were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

GENERAL ORDER

SB 12 by Brecheen of the Senate and Condit of the House was called up for consideration.

Senator Brecheen moved that **SB 12** be advanced, which motion was declared adopted.

THIRD READING

SB 12 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, Boggs, Branan, Brecheen, Brinkley, Brooks, Brown, Burrage, Coates, Crain, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (R), Jolley, Justice, Loveless, Marlatt, Mazzei, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes and Treat.--46.

Excused: Johnson (C) and Wyrick.--2.

The bill and emergency passed.

SB 12 was referred for engrossment.

Senator Jolley presiding.

GENERAL ORDER

SB 1062 by Bingman et al of the Senate and Roberts (Sean) et al of the House was called up for consideration.

Senator Bingman moved to amend **SB 1062**, Page 188, Line 23, by deleting after the word "with" and before the period, the words "the Workers' Compensation Fund" and inserting the words "CompSource Oklahoma", which motion was declared adopted.

Senator Burrage moved to amend **SB 1062**, Page 113, Line 4 1/2, by inserting a new paragraph 14 to read as follows:

"14. In no event shall the Fee Schedule provide for reimbursement for any medical services or supplies provided under this act in excess of one hundred fifty percent (150%) of the Medicare Fee Schedule."

Senator Schulz moved to table the Burrage amendment, which tabling motion was declared adopted upon roll call as follows:

Aye: Aldridge, Allen, Barrington, Bingman, Boggs, Branan, Brecheen, Brinkley, Brooks, Brown, Crain, Dahm, David, Fields, Ford, Griffin, Halligan, Holt, Johnson (R), Jolley, Justice, Loveless, Marlatt, Mazzei, Newberry, Schulz, Sharp, Shaw, Shortey, Simpson, Standridge, Stanislawski, Sykes and Treat.--34.

Nay: Anderson, Ballenger, Bass, Burrage, Coates, Ellis, Garrison, Ivester, McAffrey, Paddack, Shumate and Sparks.--12.

Excused: Johnson (C) and Wyrick.--2.

Senator Sykes moved that **SB 1062** be advanced, which motion was declared adopted.

THIRD READING

SB 1062 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, Crain, Dahm, David, Fields, Ford, Griffin, Halligan, Holt, Johnson (R), Jolley, Justice, Loveless, Marlatt, Mazzei, Newberry, Schulz, Sharp, Shaw, Shortey, Simpson, Standridge, Stanislawski, Sykes and Treat.--34.

Nay: Anderson, Ballenger, Bass, Burrage, Coates, Ellis, Garrison, Ivester, McAffrey, Paddack, Shumate and Sparks.--12.

Excused: Johnson (C) and Wyrick.--2.

The bill passed.

SB 1062 was referred for engrossment.

Pursuant to Rule 12-21, Senator Sykes served notice that the vote be reconsidered whereby **SB 1062** passed.

GENERAL ORDER

SB 25 by Marlatt of the Senate and Hickman of the House was called up for consideration.

Senator Marlatt moved that **SB 25** be advanced, which motion was declared adopted.

THIRD READING

SB 25 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, Boggs, Branan, Brecheen, Brinkley, Brooks, Brown, Burrage, Coates, Crain, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (R), Jolley, Justice, Loveless, Marlatt, Mazzei, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes and Treat.--45.

Excused: Johnson (C), Shortey and Wyrick.--3.

The bill and emergency passed.

SB 25 was referred for engrossment.

GENERAL ORDER

SB 292 by Crain of the Senate and Sanders of the House was called up for consideration.

Senator Crain moved to amend **SB 292**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Crain moved that **SB 292** be advanced, which motion was declared adopted.

THIRD READING

SB 292 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, Boggs, Branan, Brecheen, Brinkley, Brooks, Brown, Burrage, Coates, Crain, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (R), Jolley, Justice, Loveless, Marlatt, Mazzei, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Shumate, Simpson, Sparks, Standridge, Stanislawski and Treat.--43.

Excused: Bingman, Johnson (C), Shortey, Sykes and Wyrick.--5.

The bill passed.

SB 292 was referred for engrossment.

GENERAL ORDER

SB 315 by Crain of the Senate and Cooksey of the House was called up for consideration.

Senator Crain moved that **SB 315** be advanced, which motion was declared adopted.

THIRD READING

SB 315 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, Boggs, Branan, Brecheen, Brinkley, Brooks, Brown, Burrage, Coates, Crain, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (R), Jolley, Justice, Loveless, Marlatt, Mazzei, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Shumate, Simpson, Sparks, Standridge, Stanislawski and Treat.--43.

Excused: Bingman, Johnson (C), Shortey, Sykes and Wyrick.--5.

The bill and emergency passed.

SB 315 was referred for engrossment.

Senator Fields presiding.

GENERAL ORDER

SB 970 by Crain of the Senate and Martin (Steve) of the House was called up for consideration.

Senator Crain moved that **SB 970** be advanced, which motion was declared adopted.

THIRD READING

SB 970 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, Boggs, Branan, Brecheen, Brinkley, Brooks, Brown, Burrage, Coates, Crain, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (R), Jolley, Justice, Loveless,

Marlatt, Mazzei, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Shumate, Simpson, Sparks, Standridge, Stanislawski and Treat.--43.

Excused: Bingman, Johnson (C), Shortey, Sykes and Wyrick.--5.

The bill passed.

SB 970 was referred for engrossment.

GENERAL ORDER

SB 105 by Brecheen of the Senate and Newell of the House was called up for consideration.

Senator Brecheen moved to amend **SB 105**, by striking the title, the enacting clause and the entire body of the bill and substituting the floor substitute, which amendment was declared adopted. (Copies were provided for all Senators.)

Senator Brecheen moved to amend the Floor Substitute to **SB 105**, Page 12, Line 8, by inserting after the word "period." and before the word "If" the words "Such counseling shall be in accordance with the requirements of the premarital counseling program pursuant to subsection B of Section 5.1 of this title.", which amendment was declared adopted.

Senator Brecheen moved that **SB 105** be advanced, which motion was declared adopted.

THIRD READING

SB 105 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, Barrington, Bingman, Boggs, Branan, Brecheen, Brinkley, Brooks, Brown, Coates, Crain, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (R), Jolley, Justice, Loveless, Marlatt, Mazzei, Newberry, Paddack, Schulz, Sharp, Shaw, Shumate, Simpson, Standridge, Stanislawski, Sykes and Treat.--40.

Nay: Ballenger, Bass, Burrage, McAffrey and Sparks.--5.

Excused: Johnson (C), Shortey and Wyrick.--3.

The bill passed.

SB 105 was referred for engrossment.

GENERAL ORDER

SB 30 by Ford and Shortey of the Senate and McNiel of the House was called up for consideration.

Senator Ford moved that **SB 30** be advanced, which motion was declared adopted.

THIRD READING

SB 30 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, Boggs, Branan, Brecheen, Brinkley, Brooks, Brown, Burrage, Coates, Crain, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Johnson (R), Justice, Loveless, Mazzei, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes and Treat.--41.

Excused: Bingman, Ivester, Johnson (C), Jolley, Marlatt, Shortey and Wyrick.--7.

The bill passed.

SB 30 was referred for engrossment.

GENERAL ORDER

SB 169 by Ford of the Senate and Casey of the House was called up for consideration.

Senator Ford moved that **SB 169** be advanced, which motion was declared adopted.

THIRD READING

SB 169 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, Anderson, Ballenger, Barrington, Bass, 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, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes and Treat.--41.

Excused: Aldridge, Bingman, Ivester, Johnson (C), Marlatt, Shortey and Wyrick.--7.

The bill and emergency passed.

SB 169 was referred for engrossment.

GENERAL ORDER

SB 207 by Ford of the Senate and Coody of the House was called up for consideration.

Senator Ford moved that **SB 207** be advanced, which motion was declared adopted.

THIRD READING

SB 207 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, Boggs, Branan, Brecheen, Brinkley, Brooks, Brown, Burrage, Coates, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Johnson (R), Jolley, Justice, Loveless, Mazzei, Newberry, Paddack, Schulz, Sharp, Shaw, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes and Treat.--40.

Excused: Bingman, Crain, Ivester, Johnson (C), Marlatt, McAffrey, Shortey and Wyrick.--8.

The bill and emergency passed.

SB 207 was referred for engrossment.

GENERAL ORDER

SB 33 by Justice and Ivester of the Senate and Armes of the House was called up for consideration.

Senator Justice moved that **SB 33** be advanced, which motion was declared adopted.

THIRD READING

SB 33 was read for the third time at length.

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

Aye: Allen, Anderson, Ballenger, Barrington, Bass, Boggs, Branan, Brecheen, Brinkley, Brooks, Brown, Burrage, Coates, Dahm, David, Ellis, Fields, Ford, Garrison,

Griffin, Halligan, Holt, Johnson (R), Jolley, Justice, Loveless, Mazzei, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes and Treat.--40.

Excused: Aldridge, Bingman, Crain, Ivester, Johnson (C), Marlatt, Shortey and Wyrick.--8.

The bill passed.

SB 33 was referred for engrossment.

GENERAL ORDER

SB 355 by Anderson and Ivester of the Senate and McCullough of the House was called up for consideration.

Senator Anderson moved that **SB 355** be advanced, which motion was declared adopted.

THIRD READING

SB 355 was read for the third time at length.

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

Aye: Allen, Anderson, Ballenger, Barrington, Bass, Bingman, Boggs, Branan, Brecheen, Brinkley, Brooks, Burrage, Coates, Crain, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Johnson (R), Jolley, Justice, Loveless, Mazzei, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes and Treat.--41.

Excused: Aldridge, Brown, Ivester, Johnson (C), Marlatt, Shortey and Wyrick.--7.

The bill passed.

SB 355 was referred for engrossment.

GENERAL ORDER

SB 450 by Anderson and Ivester of the Senate and Grau of the House was called up for consideration.

Senator Anderson moved that **SB 450** be advanced, which motion was declared adopted.

THIRD READING

SB 450 was read for the third time at length.

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

Aye: Allen, Anderson, Ballenger, Barrington, Bass, Bingman, Boggs, Branan, Brecheen, Brinkley, Brooks, Brown, Burrage, Coates, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Johnson (R), Jolley, Justice, Loveless, Mazzei, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes and Treat.--41.

Excused: Aldridge, Crain, Ivester, Johnson (C), Marlatt, Shortey and Wyrick.--7.

The bill passed.

SB 450 was referred for engrossment.

GENERAL ORDER

SB 455 by Anderson et al of the Senate and Grau of the House was called up for consideration.

Senator Anderson moved that **SB 455** be advanced, which motion was declared adopted.

THIRD READING

SB 455 was read for the third time at length.

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

Aye: Allen, Anderson, Ballenger, Barrington, Bass, Bingman, Boggs, Branan, Brecheen, Brinkley, Brooks, Burrage, Coates, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Johnson (R), Jolley, Justice, Loveless, Mazzei, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes and Treat.--40.

Excused: Aldridge, Brown, Crain, Ivester, Johnson (C), Marlatt, Shortey and Wyrick.--8.

The bill passed.

SB 455 was referred for engrossment.

GENERAL ORDER

SB 927 by Treat of the Senate and Newell of the House was called up for consideration.

Senator Treat moved to amend **SB 927**, Page 1, by striking the title, which amendment was declared adopted.

Senator Treat moved that **SB 927** be advanced, which motion was declared adopted.

THIRD READING

SB 927 was read for the third time at length.

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

Aye: Allen, Anderson, Ballenger, Barrington, Bass, Bingman, Boggs, Branan, Brecheen, Brinkley, Brooks, Brown, Burrage, Coates, Dahm, David, Fields, Ford, Garrison, Griffin, Halligan, Holt, Johnson (R), Jolley, Justice, Loveless, Marlatt, Mazzei, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Shumate, Simpson, Standridge, Stanislawski, Sykes and Treat.--40.

Nay: Ellis.--1.

Excused: Aldridge, Crain, Ivester, Johnson (C), Shortey, Sparks and Wyrick.--7.

The bill passed.

SB 927 was referred for engrossment.

GENERAL ORDER

SB 440 by Johnson (Rob) of the Senate and Grau of the House was called up for consideration.

Senator Johnson (Rob) moved that **SB 440** be advanced, which motion was declared adopted.

THIRD READING

SB 440 was read for the third time at length.

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

Aye: Allen, Anderson, Ballenger, Barrington, Bass, Bingman, Boggs, Branan, Brecheen, Brinkley, Brooks, Brown, Burrage, Coates, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Johnson (R), Jolley, Justice, Loveless, Marlatt, Mazzei, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes and Treat.--42.

Excused: Aldridge, Crain, Ivester, Johnson (C), Shortey and Wyrick.--6.

The bill passed.

SB 440 was referred for engrossment.

GENERAL ORDER

SB 668 by Johnson (Rob) of the Senate and Watson of the House was called up for consideration.

Senator Johnson (Rob) moved to amend **SB 668**, Page 1, by striking the title, which amendment was declared adopted.

Senator Johnson (Rob) moved that **SB 668** be advanced, which motion was declared adopted.

THIRD READING

SB 668 was read for the third time at length.

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

Aye: Allen, Anderson, 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, Marlatt, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes and Treat.--42.

Excused: Aldridge, Ivester, Johnson (C), Mazzei, Shortey and Wyrick.--6.

The bill passed.

SB 668 was referred for engrossment.

GENERAL ORDER

SB 754 by Johnson (Rob) and Brecheen of the Senate and McCullough of the House was called up for consideration.

Senator Johnson (Rob) moved that **SB 754** be advanced, which motion was declared adopted.

THIRD READING

SB 754 was read for the third time at length.

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

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

Nay: Ballenger, Bass, Burrage, Ellis, Garrison, McAffrey, Paddack, Shumate and Sparks.--9.

Excused: Aldridge, Ivester, Johnson (C), Mazzei, Shortey and Wyrick.--6.

The bill passed.

SB 754 was referred for engrossment.

GENERAL ORDER

SB 263 by Standridge of the Senate and Cleveland of the House was called up for consideration.

Senator Standridge moved that **SB 263** be advanced, which motion was declared adopted.

THIRD READING

SB 263 was read for the third time at length.

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

Aye: Allen, Anderson, Ballenger, Barrington, Bass, Bingman, Boggs, Branan, Brecheen, Brinkley, Brooks, Brown, Burrage, Coates, Crain, Dahm, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Johnson (R), Jolley, Justice, Loveless, Marlatt, McAffrey,

Newberry, Paddack, Schulz, Sharp, Shaw, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes and Treat.--41.

Nay: David.--1.

Excused: Aldridge, Ivester, Johnson (C), Mazzei, Shortey and Wyrick.--6.

The bill passed.

SB 263 was referred for engrossment.

GENERAL ORDER

SB 900 by Standridge of the Senate and Grau of the House was called up for consideration.

Senator Standridge moved that **SB 900** be advanced, which motion was declared adopted.

THIRD READING

SB 900 was read for the third time at length.

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

Aye: Allen, Anderson, Ballenger, Barrington, Bass, Boggs, Branan, Brecheen, Brinkley, Brooks, Brown, Burrage, Coates, Crain, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Johnson (R), Jolley, Justice, Loveless, Marlatt, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes and Treat.--42.

Excused: Aldridge, Bingman, Ivester, Johnson (C), Mazzei and Wyrick.--6.

The bill passed.

SB 900 was referred for engrossment.

GENERAL ORDER

SB 961 by Standridge of the Senate and Nelson of the House was called up for consideration.

Senator Standridge moved that **SB 961** be advanced, which motion was declared adopted.

THIRD READING

SB 961 was read for the third time at length.

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

Aye: Allen, Anderson, Ballenger, Barrington, Bass, Boggs, Branan, Brecheen, Brinkley, Brooks, Brown, Burrage, Coates, Crain, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Johnson (R), Jolley, Justice, Loveless, Marlatt, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes and Treat.--42.

Excused: Aldridge, Bingman, Ivester, Johnson (C), Mazzei and Wyrick.--6.

The bill passed.

SB 961 was referred for engrossment.

GENERAL ORDER

SB 402 by Justice of the Senate and DeWitt of the House was called up for consideration.

Senator Justice moved to amend **SB 402**, by striking the title, the enacting clause and the entire body of the bill and substituting the floor substitute, which amendment was declared adopted. (Copies were provided for all Senators.)

Senator Justice moved that **SB 402** be advanced, which motion was declared adopted.

THIRD READING

SB 402 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, Anderson, Ballenger, Barrington, Bass, Boggs, Branan, Brecheen, Brinkley, Brooks, Brown, Burrage, Coates, Crain, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Johnson (R), Jolley, Justice, Loveless, Marlatt, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes and Treat.--42.

Excused: Aldridge, Bingman, Ivester, Johnson (C), Mazzei and Wyrick.--6.

The bill and emergency passed.

SB 402 was referred for engrossment.

GENERAL ORDER

SB 283 by Brecheen of the Senate and Thomsen of the House was called up for consideration.

Senator Brecheen moved to amend **SB 283**, Page 2, Lines 9 and 10; Page 2, Lines 16 and 17; and Page 5, Lines 15 and 16, by deleting the following sentence: “The State Board of Education may take appropriate action with regard to such information.”, which amendment was declared adopted.

Senator Brecheen moved to amend **SB 283**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Brecheen moved that **SB 283** be advanced, which motion was declared adopted.

THIRD READING

SB 283 was read for the third time at length.

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

Aye: Anderson, Barrington, Boggs, Branan, Brecheen, Brinkley, Brooks, Brown, Burrage, Coates, Crain, Dahm, David, Fields, Ford, Griffin, Halligan, Holt, Johnson (R), Jolley, Justice, Loveless, Marlatt, Newberry, Schulz, Sharp, Shaw, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski and Sykes.--34.

Nay: Allen, Ballenger, Bass, Ellis, Garrison, McAffrey and Treat.--7.

Excused: Aldridge, Bingman, Ivester, Johnson (C), Mazzei, Paddack and Wyrick.--7.

The bill and emergency passed.

SB 283 was referred for engrossment.

GENERAL ORDER

SB 780 by Brecheen of the Senate and McCall of the House was called up for consideration.

Senator Brecheen moved that **SB 780** be advanced, which motion was declared adopted.

THIRD READING

SB 780 was read for the third time at length.

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

Aye: Allen, Anderson, Ballenger, Barrington, Bass, Boggs, Branan, Brecheen, Brinkley, Brooks, Brown, Burrage, Coates, Crain, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Johnson (R), Jolley, Justice, Loveless, Marlatt, McAffrey, Newberry, Schulz, Sharp, Shaw, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes and Treat.--41.

Excused: Aldridge, Bingman, Ivester, Johnson (C), Mazzei, Paddack and Wyrick.--7.

The bill passed.

SB 780 was referred for engrossment.

GENERAL ORDER

SB 454 by Sparks of the Senate and Echols of the House was called up for consideration.

Senator Sparks moved that **SB 454** be advanced, which motion was declared adopted.

THIRD READING

SB 454 was read for the third time at length.

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

Aye: Allen, Anderson, 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, Marlatt, McAffrey, Newberry, Schulz, Sharp, Shaw, Shortey, Simpson, Sparks, Standridge, Stanislawski, Sykes and Treat.--41.

Excused: Aldridge, Ivester, Johnson (C), Mazzei, Paddack, Shumate and Wyrick.--7.

The bill passed.

SB 454 was referred for engrossment.

GENERAL ORDER

SB 535 by Sparks of the Senate and Denney of the House was called up for consideration.

Senator Sparks moved that **SB 535** be advanced, which motion was declared adopted.

THIRD READING

SB 535 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, Anderson, 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, Marlatt, McAffrey, Newberry, Schulz, Sharp, Shaw, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes and Treat.--42.

Excused: Aldridge, Ivester, Johnson (C), Mazzei, Paddack and Wyrick.--6.

The bill and emergency passed.

SB 535 was referred for engrossment.

GENERAL ORDER

SB 536 by Sparks of the Senate and Denney of the House was called up for consideration.

Senator Sparks moved that **SB 536** be advanced, which motion was declared adopted.

THIRD READING

SB 536 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, Anderson, 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, Marlatt, McAffrey, Newberry, Schulz, Sharp, Shaw, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes and Treat.--42.

Excused: Aldridge, Ivester, Johnson (C), Mazzei, Paddack and Wyrick.--6.

The bill and emergency passed.

SB 536 was referred for engrossment.

GENERAL ORDER

SB 678 by Sparks of the Senate and Cleveland of the House was called up for consideration.

Senator Sparks moved that **SB 678** be advanced, which motion was declared adopted.

THIRD READING

SB 678 was read for the third time at length.

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

Aye: Allen, Anderson, 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, Marlatt, McAffrey, Newberry, Schulz, Sharp, Shaw, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes and Treat.--42.

Excused: Aldridge, Ivester, Johnson (C), Mazzei, Paddack and Wyrick.--6.

The bill passed.

SB 678 was referred for engrossment.

GENERAL ORDER

SB 738 by Sparks of the Senate and Kirby of the House was called up for consideration.

Senator Sparks moved that **SB 738** be advanced, which motion was declared adopted.

THIRD READING

SB 738 was read for the third time at length.

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

Aye: Allen, Anderson, Ballenger, Barrington, Bass, Bingman, Boggs, Branan, Brecheen, Brinkley, Brown, Burrage, Coates, Crain, Dahm, David, Ellis, Fields, Ford,

Garrison, Griffin, Halligan, Holt, Johnson (R), Jolley, Justice, Loveless, Marlatt, McAffrey, Newberry, Schulz, Sharp, Shaw, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes and Treat.--41.

Excused: Aldridge, Brooks, Ivester, Johnson (C), Mazzei, Paddack and Wyrick.--7.

The bill passed.

SB 738 was referred for engrossment.

GENERAL ORDER

SB 770 by Sparks of the Senate and Armes of the House was called up for consideration.

Senator Sparks moved that **SB 770** be advanced, which motion was declared adopted.

THIRD READING

SB 770 was read for the third time at length.

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

Aye: Allen, Anderson, Ballenger, Barrington, Bass, Bingman, Boggs, Branan, Brecheen, Brinkley, Brooks, Brown, Burrage, Coates, Crain, Dahm, David, Fields, Ford, Garrison, Griffin, Halligan, Holt, Johnson (R), Jolley, Justice, Loveless, Marlatt, McAffrey, Newberry, Schulz, Sharp, Shaw, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes and Treat.--41.

Excused: Aldridge, Ellis, Ivester, Johnson (C), Mazzei, Paddack and Wyrick.--7.

The bill passed.

SB 770 was referred for engrossment.

GENERAL ORDER

SB 891 by Sparks of the Senate and Virgin of the House was called up for consideration.

Senator Sparks moved that **SB 891** be advanced, which motion was declared adopted.

THIRD READING

SB 891 was read for the third time at length.

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

Aye: Allen, Anderson, 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, Marlatt, McAffrey, Newberry, Schulz, Sharp, Shaw, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes and Treat.--42.

Excused: Aldridge, Ivester, Johnson (C), Mazzei, Paddack and Wyrick.--6.

The bill passed.

SB 891 was referred for engrossment.

GENERAL ORDER

SB 282 by Ford of the Senate and Quinn of the House was called up for consideration.

Senator Ford moved that **SB 282** be advanced, which motion was declared adopted.

THIRD READING

SB 282 was read for the third time at length.

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

Aye: Allen, Anderson, 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, Marlatt, McAffrey, Newberry, Schulz, Sharp, Shaw, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes and Treat.--42.

Excused: Aldridge, Ivester, Johnson (C), Mazzei, Paddack and Wyrick.--6.

The bill passed.

SB 282 was referred for engrossment.

MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed **HBs 1422, 1423, 1547, 1614, 1921, 1996, 2079, 2097 and 2190.**

HB 1422 – By Hardin and Nelson of the House and Brecheen of the Senate.

An Act relating to schools; amending 70 O.S. 2011, Section 8-104, which relates to emergency transfers; adding harassment, intimidation and bullying as a basis for an emergency transfer; and declaring an emergency.

HB 1423 – By Biggs and Cooksey of the House and David of the Senate.

An Act relating to crimes and punishments; amending 21 O.S. 2011, Section 455, which relates to testimony by witnesses; expanding scope of certain prohibited act; updating language; and providing an effective date.

HB 1547 – By McCullough and Sherrer of the House and Sykes of the Senate.

An Act relating to probate procedure; amending 58 O.S. 2011, Sections 245 and 246, which relate to summary administration; increasing estate value for summary administration; directing court to issue letters of special administration at the time of filing; modifying time for filing of combined notice; adding certain information to be included in the combined notice; modifying timing for published notice and mailed notice; modifying time for final hearing; and providing an effective date.

HB 1614 – By Cannaday of the House and Boggs of the Senate.

An Act relating to public health and safety; amending 63 O.S. 2011, Section 1-319, which relates to burial transit and disinterment permits; requiring application for disinterment to include proof of notice to certain individuals; and providing an effective date.

HB 1921 – By DeWitt and Sherrer of the House and Fields of the Senate.

An Act relating to cities and towns; amending 11 O.S. 2011, Section 55-103, which relates to municipal ordinances regulating amateur radio antenna and support structures; requiring municipal ordinance to be minimal regulation; placing certain burdens upon an authority upon the denial of an application; and providing an effective date.

HB 1996 – By Grau of the House and Jolley of the Senate.

An Act relating to corporations; creating the Revised Uniform Unincorporated Nonprofit Association Act; providing short title; defining terms; providing for conflicts of law; specifying governing law; specifying powers and duration of unincorporated nonprofit associations; providing for the ownership and transfer of property; specifying liability parameters; providing for claims, venue and judgments of unincorporated nonprofit associations; requiring approval of members for certain actions; providing procedures and requirements for meetings and members of unincorporated nonprofit associations; providing requirements and duties of managers of unincorporated nonprofit associations; providing for compensation and reimbursement of members and managers; providing procedures for dissolution and termination of unincorporated nonprofit associations;

providing for interpretation and applicability of act; providing for codification; and providing an effective date.

HB 2079 – By McDaniel (Randy) of the House and Brinkley of the Senate.

An Act relating to the Teachers' Retirement System of Oklahoma; amending 70 O.S. 2011, Sections 17-101, 17-105, 17-116.2, as amended by Section 22, Chapter 11, O.S.L. 2012 and 17-116.10 (70 O.S. Supp. 2012, Section 17-116.2), which relate to administration of the retirement system; modifying definitions; modifying provisions related to applications for retirement; providing for execution of retirement contracts; modifying provisions related to disability retirement; modifying provisions related to post-retirement earnings limitation; and providing an effective date.

HB 2097 – By Jackson and Roberts (Dustin) of the House and Brinkley of the Senate.

An Act relating to revenue and taxation; amending 68 O.S. 2011, Sections 412 and 418, which relate to tobacco products; authorizing imposition of certain fines; and declaring an emergency.

HB 2190 – By Schwartz and Sherrer of the House and Holt of the Senate.

An Act relating to public health and safety; permitting assisted living center to participate in informal dispute resolution panel; authorizing State Department of Health to appoint certain panel to be comprised of certain members; providing for codification; and providing an effective date.

The above-numbered measures were read the first time.

MESSAGE FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled **HB 1646**.

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

Senator Schulz moved that when the clerk's desk is clear, the Senate stand adjourned to convene Thursday, February 28, 2013, at 9:30 a.m., which motion prevailed.

COMMITTEE REPORTS

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

DO PASS, As Amended:

CS for SB 89 – Appropriations, coauthored by Ivester

Ayes: Branam, Brinkley, Coates, Crain, David, Ellis, Fields, Ford, Griffin, Halligan, Holt, Ivester, Johnson (Rob), Jolley, Justice, Standridge, Stanislawski, Treat

SB 106 – Appropriations

Ayes: Branam, Brinkley, Coates, Crain, David, Ellis, Fields, Ford, Griffin, Halligan, Holt, Ivester, Johnson (Rob), Jolley, Justice, Standridge, Stanislawski, Treat

SB 162 – Appropriations

Ayes: Brinkley, Coates, Crain, David, Ellis, Fields, Ford, Griffin, Halligan, Holt, Ivester, Jolley, Justice, Standridge, Stanislawski, Treat

SB 266 – Appropriations, coauthored by Branam

Ayes: Branam, Brinkley, Coates, Crain, David, Ellis, Fields, Ford, Griffin, Halligan, Holt, Johnson (Rob), Jolley, Justice, Standridge, Stanislawski, Treat
Nays: Ivester

SB 267 – Appropriations

Ayes: Branam, Brinkley, Coates, Crain, David, Fields, Ford, Griffin, Halligan, Holt, Johnson (Rob), Jolley, Justice, Standridge, Stanislawski, Treat
Nays: Ellis, Ivester

CS for SB 268 – Appropriations

Ayes: Branam, Brinkley, Coates, Crain, David, Fields, Ford, Griffin, Halligan, Holt, Ivester, Johnson (Rob), Jolley, Justice, Standridge, Stanislawski, Treat
Nays: Ellis

SB 316 – Appropriations

Ayes: Branam, Brinkley, Coates, Crain, David, Ellis, Fields, Ford, Griffin, Halligan, Holt, Ivester, Johnson (Rob), Jolley, Justice, Standridge, Stanislawski, Treat

SB 367 – Appropriations

Ayes: Branam, Brinkley, Coates, Crain, David, Ellis, Fields, Ford, Griffin, Halligan, Holt, Jolley, Justice, Standridge, Stanislawski, Treat
Nays: Ivester

CS for SB 436 – Appropriations, coauthored by Branam

Ayes: Branam, Brinkley, Coates, Crain, David, Ellis, Fields, Ford, Griffin, Halligan, Holt, Johnson (Rob), Jolley, Justice, Newberry, Standridge, Stanislawski, Treat
Nays: Ivester

SB 511 – Appropriations

Ayes: Branan, Brinkley, Coates, Crain, David, Ellis, Fields, Ford, Griffin, Halligan, Ivester, Justice, Newberry, Stanislawski, Treat

Nays: Holt, Johnson (Rob), Jolley, Standridge

SB 521 – Appropriations, coauthored by David

Ayes: Branan, Brinkley, Coates, Crain, David, Ellis, Fields, Ford, Griffin, Halligan, Holt, Ivester, Johnson (Rob), Jolley, Justice, Newberry, Standridge, Stanislawski, Sykes, Treat

CS for SB 573 – Appropriations

Ayes: Branan, Brinkley, Coates, David, Ford, Griffin, Halligan, Holt, Johnson (Rob), Jolley, Justice, Newberry, Standridge, Stanislawski, Sykes, Treat

Nays: Crain, Ellis, Fields, Ivester

CS for SB 596 – Appropriations

Ayes: Branan, Brinkley, Coates, David, Ellis, Fields, Ford, Griffin, Halligan, Holt, Ivester, Johnson (Rob), Jolley, Justice, Newberry, Standridge, Stanislawski, Sykes, Treat

CS for SB 688 – Appropriations, coauthored by David

Ayes: Branan, Brinkley, Coates, David, Ellis, Fields, Ford, Griffin, Halligan, Holt, Ivester, Johnson (Rob), Jolley, Justice, Newberry, Standridge, Stanislawski, Sykes, Treat

SB 708 – Appropriations

Ayes: Branan, Brinkley, Coates, Crain, David, Ellis, Fields, Ford, Griffin, Halligan, Holt, Ivester, Johnson (Rob), Jolley, Justice, Standridge, Treat

SB 765 – Appropriations

Ayes: Branan, Brinkley, Coates, David, Ellis, Fields, Ford, Griffin, Halligan, Holt, Ivester, Johnson (Rob), Jolley, Justice, Newberry, Standridge, Stanislawski, Sykes, Treat

CS for SB 907 – Appropriations, coauthored by Ivester

Ayes: Branan, Brinkley, Coates, David, Ellis, Fields, Ford, Griffin, Halligan, Holt, Ivester, Johnson (Rob), Jolley, Justice, Newberry, Standridge, Stanislawski, Sykes, Treat

SB 932 – Appropriations, coauthored by Ivester

Ayes: Brinkley, Coates, David, Fields, Ford, Griffin, Halligan, Holt, Ivester, Johnson (Rob), Jolley, Justice, Newberry, Standridge, Stanislawski, Sykes, Treat

Nays: Ellis

SB 1008 – Appropriations

Ayes: Brinkley, Coates, David, Ellis, Fields, Ford, Griffin, Halligan, Holt, Ivester, Johnson (Rob), Jolley, Justice, Newberry, Standridge, Stanislawski, Sykes, Treat

CHANGE IN AUTHORS/COAUTHORS

The following measures were authored/coauthored:

SB 89 - Coauthored by Ivester

SB 266 - Coauthored by Branan

SB 436 - Coauthored by Branan

SB 521 - Coauthored by David

SB 688 - Coauthored by David

SB 863 - Coauthored by Shortey

SB 907 - Coauthored by Ivester

SB 932 - Coauthored by Ivester

SB 1062 - Coauthored by Newberry, David, Jolley, Ford, Crain, Allen, Brinkley

Pursuant to the Schulz motion, the Senate adjourned at 4:35 p.m. to meet Thursday, February 28, 2013, at 9:30 a.m.