

# Senate Journal

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

**Twenty-fifth Legislative Day, Thursday, March 14, 2013**

The Senate was called to order by Senator Stanislawski.

Roll Call:

Present: Aldridge, Allen, Anderson, 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, Marlatt, McAffrey, Paddack, Schulz, Sharp, Shaw, Shortey, Simpson, Sparks, Standridge, Stanislawski, Sykes, Treat and Wyrick.—44.

Excused: Crain, Mazzei, Newberry and Shumate.—4.

Senator Stanislawski declared a quorum present.

The prayer was offered by Pastor Jerod Smith, Highpointe Church, Oklahoma City, the guest of Senator Treat.

### REPORT OF ENGROSSED AND ENROLLED MEASURES

**SBs 49, 78, 162, 164, 191, 256, 257, 258, 259, 267, 298, 341, 436, 466, 501, 512, 573, 639, 692, 708, 711, 849, 924, 925, 951, 971, 977, 1009, 1038, 1039, 1090 and 1119 and SJRs 10, 16, 17, 21, 22 and 24 and SCR 1** were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

### GENERAL ORDER

**SB 1058** by Schulz of the Senate and Ortega of the House was called up for consideration.

Senator Schulz moved that **SB 1058** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 1058** was read for the third time at length.

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

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

Excused: Coates, Crain, Johnson (C), Mazzei, Newberry, Shumate and Sparks.--7.

The bill passed.

**SB 1058** was referred for engrossment.

**GENERAL ORDER**

**SB 767** by Marlatt of the Senate and Jackson of the House was called up for consideration.

Senator Marlatt moved to amend **SB 767**, 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 Marlatt moved that **SB 767** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 767** 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, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (R), Jolley, Justice, Loveless, Marlatt, McAffrey, Paddack, Schulz, Sharp, Shaw, Shortey, Simpson, Sparks, Standridge, Stanislawski, Sykes, Treat and Wyrick.--42.

Excused: Coates, Crain, Johnson (C), Mazzei, Newberry and Shumate.--6.

The bill and emergency passed.

**SB 767** was referred for engrossment.

### **GENERAL ORDER**

**SB 965** by Marlatt et al of the Senate and Jackson of the House was called up for consideration.

Senator Marlatt moved to amend **SB 965**, Page 3, Line 12, by deleting after the word “thereafter” and before the period (.) the following: “become an at-large position”; and inserting therein the following: “be represented by a person residing in the Panhandle Region”, which amendment was declared adopted.

Senator Marlatt moved that **SB 965** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 965** 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, Brecheen, Brinkley, Brooks, Brown, Burrage, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Ivester, Justice, Marlatt, Paddock, Schulz, Sharp, Shaw, Simpson, Sparks, Standridge, Stanislawski, Sykes and Wyrick.--31.

Nay: Aldridge, Bingman, Branan, Dahm, Holt, Johnson (R), Jolley, Loveless, Shortey and Treat.--10.

Excused: Coates, Crain, Johnson (C), Mazzei, McAffrey, Newberry and Shumate.--7.

The bill passed.

Senator Johnson (Rob) desired to vote Aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 32; Nay: 9; Excused: 7.

The emergency passed.

**SB 965** was referred for engrossment.

**GENERAL ORDER**

**SB 1049** by Shortey of the Senate and Stiles of the House was called up for consideration.

Senator Shortey moved to amend **SB 1049**, 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 Treat raised a point of order questioning whether the language on Page 2, Line 9, constitutes legislative intent, which would violate Senate Rule 7-3 requiring the Rules Committee to approve any language expressing legislative intent prior to such language being included in a bill.

The Chair ruled that the language does not constitute legislative intent and that the language was in order.

Senator Shortey moved that **SB 1049** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 1049** 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, Branan, Brown, Griffin, Holt, Johnson (R), Loveless, Marlatt, Shortey, Standridge and Stanislawski.--13.

Nay: Aldridge, Bass, Boggs, Brecheen, Brinkley, Brooks, Burrage, Dahm, David, Ellis, Fields, Ford, Halligan, Ivester, Justice, Paddack, Schulz, Sharp, Shaw, Simpson, Sparks, Sykes, Treat and Wyrick.--24.

Excused: Anderson, Ballenger, Coates, Crain, Garrison, Johnson (C), Jolley, Mazzei, McAffrey, Newberry and Shumate.--11.

The bill failed.

Pursuant to Rule 12-21, Senator Shortey served notice that the vote be reconsidered whereby **SB 1049** failed.

**MESSAGE FROM THE HOUSE**

Advising passage of and transmitting for consideration Engrossed **HBs 1021, 1022, 1023, 1031, 1035, 1238, 1264, 1373, 1413, 1418, 1441, 1527, 1554, 1633, 1672, 1683, 1684, 1685, 1686, 1687, 1688, 1690, 1691, 1693, 1694, 1695, 1696, 1698, 1700, 1701, 1702, 1703, 1763, 1770, 1867, 1881, 1911, 1985, 2042, 2054, 2100, 2172, 2189 and 2193.**

**HB 1021** – By Ritze, Reynolds, Murphey, Bennett, Fisher and Christian of the House and Dahm of the Senate.

An Act relating to public health and safety; making legislative findings; making certain declarations; providing duty of Legislature to enact measure to prevent enforcement of certain federal act; providing for codification; and declaring an emergency.

**HB 1022** – By McDaniel (Randy) of the House and Jolley of the Senate.

An Act relating to public lands; amending 64 O.S. 2011, Section 1002, which relates to the powers and authority of the Commissioners of the Land Office; adding authority to purchase real property; amending 64 O.S. 2011, Section 1013, which relates to the investment of permanent school funds and other funds; allowing investment in certain real property; authorizing the acquisition or purchase of real property for investment purposes; limiting the amount invested in real property; and limiting amount bid against certain private bidders.

**HB 1023** – By McDaniel (Randy) of the House and Newberry of the Senate.

An Act relating to labor; providing for certain study concerning laws and amendments that expand unemployment benefits; amending 40 O.S. 2011, Sections 1-224, 2-203, 2-404, 2-405, 2-503, as amended by Section 4, Chapter 196, O.S.L. 2012, 2-616, 3-103, 3-111, 3-111.1, 3-112, 3-115, as amended by Section 9, Chapter 196, O.S.L. 2012 and 3-403 (40 O.S. Supp. 2012, Sections 2-503 and 3-115), which relate to the Employment Security Act of 1980; modifying production of documents and information; modifying definitions; modifying factors for determining good cause; providing that certain working days need not be consecutive; modifying appeals process; modifying compensation experience years for employers; providing for review and redetermination of certain untimely requests; providing for contents of petition for review; repealing 40 O.S. 2011, Section 3-104, which relates to contribution rates for certain employers; providing for codification; and providing an effective date.

**HB 1031** – By Cox, Sherrer and Hoskin of the House and David of the Senate.

An Act relating to public health and safety; amending 63 O.S. 2011, Sections 3241.2, 3241.3 and 3241.4, which relate to the Supplemental Hospital Offset Payment Program Act; modifying certain definitions; determining net hospital patient revenue for certain years in order to determine assessment rate; providing monies in certain fund to be used only for certain transfers; and providing an effective date.

**HB 1035** – By Casey, Roberts (Dustin), Smalley, Nollan, Shelton, Hoskin, Condit, Cannaday and Wood of the House and Ford of the Senate.

An Act relating to schools; amending 70 O.S. 2011, Section 1210.508, as last amended by Section 8, Chapter 354, O.S.L. 2012 (70 O.S. Supp. 2012, Section 1210.508), which relates to the Oklahoma School Testing Program; providing an exception from certain end-of-instruction examination requirement; amending 70 O.S. 2011, Section 1210.523, as amended by Section 1, Chapter 96, O.S.L. 2012 (70 O.S. Supp. 2012, Section 1210.523), which relates to mastery of state academic content standards; allowing scores on certain other approved alternative examinations and assessments to demonstrate mastery; allowing certain students to be eligible to graduate with a standard diploma and not take certain exams; prohibiting the State Board of Education from limiting students to one alternative exam; providing an effective date; and declaring an emergency.

**HB 1238** – By Condit and Dorman of the House and Brecheen of the Senate.

An Act relating to state employees; amending Rule 257:10-1-4 of the Rules of the Ethics Commission (74 O.S. 2011, Ch. 62, App.), which relates to political activity by state employees; allowing certain employees to become candidates for office; specifying procedures relating to employees becoming candidates; requiring employees to make certain request; providing procedure for determining whether the employee is eligible to become a candidate; and providing an effective date.

**HB 1264** – By Nelson of the House and Jolley of the Senate.

An Act relating to schools; amending Section 2, Chapter 322, O.S.L. 2012, which relates to the Rethinking Special Education, Competency and Transition Task Force; extending termination date of the Task Force; extending final report filing date; amending 70 O.S. 2011, Sections 13-121, 13-123.1, 13-124, 13-124.1, as amended by Section 605, Chapter 304, O.S.L. 2012, 13-126, 13-127, 13-128 and 13-129 (70 O.S. Supp. 2012, Section 13-124.1), which relate to the Oklahoma Early Intervention Act; updating statutory citations and language; modifying statutory citations; changing administrator of the Interagency Coordinating Council for Early Childhood Intervention; and declaring an emergency.

**HB 1373** – By Virgin of the House and Sparks of the Senate.

An Act relating to marriage and family; creating the Alimony Guidelines Task Force; stating purpose of Task Force; providing for membership; providing for service of members and vacancy; providing for date of appointment; providing for quorum; requiring designation of cochairs by certain persons; providing for convening of initial meeting and scheduling of subsequent meetings; providing for staff; prohibiting compensation and travel reimbursement for members; directing Task Force to make certain recommendations; requiring certain publication; providing for codification; and providing an effective date.

**HB 1413** – By Hall of the House and Treat of the Senate.

An Act relating to professions and occupations; amending 59 O.S. 2011, Section 1750.5, which relates to the Oklahoma Security Guard and Private Investigator Act; authorizing armed private investigators to openly carry a firearm under certain circumstances; and providing an effective date.

**HB 1418** – By Morrisette, Lockhart, Bennett, Nollan, Pittman, Hoskin, Sherrer, Proctor, Dorman and Cooksey of the House and McAffrey of the Senate.

An Act relating to poor persons; creating the Josephine Meade Anti-Hunger Act; directing the Department of Human Services to promulgate certain rules regarding certain leftover food; directing the State Department of Education to promulgate rules to prevent food waste and to distribute nonperishable food to students in need; amending 76 O.S. 2011, Section 5.6, which relates to good-faith donations of food; requiring donor to provide certain information concerning food; requiring segregation of certain food; requiring posting of certain notice; providing for codification; and declaring an emergency.

**HB 1441** – By Turner of the House and Standridge of the Senate.

An Act relating to motor vehicles; amending 47 O.S. 2011, Section 6-205.1, which relates to driver license revocation and denial of driving privileges; prohibiting modification of certain revocation period; amending 47 O.S. 2011, Section 6-212.3, as amended by Section 6, Chapter 283, O.S.L. 2012 (47 O.S. Supp. 2012, Section 6-212.3), which relates to ignition interlock devices; modifying conditions for which certain requests shall not be accepted; amending 47 O.S. 2011, Section 754.1, as amended by Section 14, Chapter 283, O.S.L. 2012 (47 O.S. Supp. 2012, Section 754.1), which relates to driver license modification; modifying conditions for which certain requests shall not be accepted; and providing an effective date.

**HB 1527** – By Banz, Jackson, Proctor and Inman of the House and Schulz of the Senate.

[ Oklahoma Aeronautics Commission – appropriation – purpose - effective date ]

**HB 1554** – By Wesselhoft of the House and Stanislawski of the Senate.

An Act relating to appropriations; making appropriation to Employment Security Administration Fund; specifying source, amount and purpose of appropriation; requiring expenditure by certain date; requiring certain federal standards; requiring compliance with Social Security Act; and providing an effective date.

**HB 1633** – By Pruett and Hickman of the House and Ellis of the Senate.

An Act relating to roads, bridges and ferries; requiring name of cemetery on certain signs; providing for codification; and providing an effective date.

**HB 1672** – By Blackwell of the House and Holt of the Senate.

[ insurance - Continuity of Care Act of 2013 - prescription medication notice requirements – codification - effective date ]

**HB 1683** – By Blackwell of the House and Treat of the Senate.

An Act relating to sunset; amending 59 O.S. 2011, Section 1354, which relates to the State Board of Examiners of Psychologists; re-creating the Board; and modifying termination date.

**HB 1684** – By Blackwell of the House and Treat of the Senate.

An Act relating to sunset; amending 2 O.S. 2011, Section 18-272, as amended by Section 1, Chapter 75, O.S.L. 2012 (2 O.S. Supp. 2012, Section 18-272), which relates to the Oklahoma Oilseed Commission; re-creating the Commission; and modifying termination date.

**HB 1685** – By Blackwell and Walker of the House and Treat of the Senate.

An Act relating to sunset; amending 59 O.S. 2011, Section 858-624, which relates to the Committee of Home Inspector Examiners; removing Committee from Oklahoma Sunset Law; placing Committee under authority of the Construction Industries Board; and providing an effective date.

**HB 1686** – By Blackwell of the House and Treat of the Senate.

An Act relating to sunset; amending 59 O.S. 2011, Section 1000.2, which relates to the Construction Industries Board; re-creating the Board; and modifying termination date.

**HB 1687** – By Blackwell of the House and Treat of the Senate.

An Act relating to sunset; amending 2 O.S. 2011, Section 18-181, which relates to the Sheep and Wool Utilization, Research and Market Development Commission; re-creating the Commission; and modifying termination date.

**HB 1688** – By Blackwell of the House and Treat of the Senate.

An Act relating to sunset; amending 59 O.S. 2011, Section 2305, which relates to the Advisory Committee on Pedorthics; re-creating the Committee; and modifying termination date.

**HB 1690** – By Blackwell of the House and Treat of the Senate.

An Act relating to sunset; amending 59 O.S. 2011, Section 3005, which relates to the Advisory Committee on Orthotics and Prosthetics; re-creating the Committee; and modifying termination date.

**HB 1691** – By Blackwell of the House and Treat of the Senate.

An Act relating to sunset; amending 52 O.S. 2011, Section 288.3, which relates to the Oklahoma Energy Resources Board; re-creating the Board; and modifying termination date.

**HB 1693** – By Blackwell and Pittman of the House and Treat of the Senate.

An Act relating to sunset; amending 22 O.S. 2011, Section 1601, which relates to the Domestic Violence Fatality Review Board; removing Board from Oklahoma Sunset Law; and providing an effective date.

**HB 1694** – By Blackwell of the House and Treat of the Senate.

An Act relating to sunset; amending 67 O.S. 2011, Section 305, which relates to the Archives and Records Commission; re-creating the Commission; and modifying termination date.



**HB 1695** – By Blackwell of the House and Treat of the Senate.

An Act relating to sunset; amending 82 O.S. 2011, Section 1461, which relates to the Scenic Rivers Commission; re-creating the Commission; and modifying termination date.

**HB 1696** – By Blackwell of the House and Treat of the Senate.

An Act relating to sunset; amending 59 O.S. 2011, Section 858-201, which relates to the Oklahoma Real Estate Commission; re-creating the Commission; and modifying termination date.

**HB 1698** – By Blackwell and Walker of the House and Treat of the Senate.

An Act relating to sunset; amending 72 O.S. 2011, Section 241, which relates to the State Accrediting Agency; re-creating the Agency; and modifying termination date.

**HB 1700** – By Blackwell of the House and Treat of the Senate.

An Act relating to sunset; amending 59 O.S. 2011, Section 481, which relates to the State Board of Medical Licensure and Supervision; re-creating the Board; and modifying termination date.

**HB 1701** – By Blackwell of the House and Treat of the Senate.

An Act relating to sunset; amending 74 O.S. 2011, Section 18p-2, which relates to the Domestic Violence and Sexual Assault Advisory Council; removing Council from Oklahoma Sunset Law; re-creating Council within the Office of the Attorney General; and providing an effective date.

**HB 1702** – By Blackwell of the House and Treat of the Senate.

An Act relating to sunset; amending 59 O.S. 2011, Section 199.2, which relates to the State Board of Cosmetology; re-creating the Board; and modifying termination date.

**HB 1703** – By Blackwell of the House and Treat of the Senate.

An Act relating to sunset; amending 1 O.S. 2011, Section 22, which relates to the Oklahoma Abstractors Board; re-creating the Board; and modifying termination date.

**HB 1763** – By Roberts (Dustin), Proctor and Hoskin of the House and Sykes of the Senate.

An Act relating to militia; amending 44 O.S. 2011, Section 21.1, which relates to Military Department personnel; providing certain employees to be in the classified service; authorizing the Adjutant General to establish certain requirements; and providing an effective date.

**HB 1770** – By Russ of the House and Schulz of the Senate.

An Act relating to higher education; amending 70 O.S. 2011, Section 2603, as amended by Section 24, Chapter 11, O.S.L. 2012 (70 O.S. Supp. 2012, Section 2603), which relates to eligibility requirements for the Oklahoma Higher Learning Access Program; allowing certain vocational-technical programs to count toward certain curricular requirements; providing an effective date; and declaring an emergency.

**HB 1867** – By Billy and Condit of the House and Anderson of the Senate.

An Act relating to resource centers; requiring Department of Human Services to ensure that an entity providing services to certain individuals be assessed annually; providing certain quality standards; requiring certain providers to participate in certain assessments; providing for codification; and providing an effective date.

**HB 1881** – By Coody, Nollan, Pittman and Scott of the House and Stanislawski of the Senate.

An Act relating to schools; creating the School Transportation Task Force; providing termination date; stating purpose of the Task Force; providing for membership; providing date for appointments and organizational meeting; providing for selection of officers; stating duties; exempting the Task Force from certain acts; providing for meetings; providing for travel reimbursement and staff assistance; requiring completion of the study by a certain date; providing for noncodification; and declaring an emergency.

**HB 1911** – By Shannon of the House and Johnson (Rob) of the Senate.

An Act relating to labor; amending 40 O.S. 2011, Sections 2-203, 2-406, 2-406.1, as amended by Section 3, Chapter 196, O.S.L. 2012, and 2-418 (40 O.S. Supp. 2012, Section 2-406.1), which relate to the Employment Security Act of 1980; requiring claimant for unemployment benefits to make certain certification; modifying discharge for misconduct; providing for burden of proof; defining term; modifying discharge for refusal to take certain test; modifying burden of proof; providing for cessation of benefits upon certain evidence; requiring investigation and verification; and providing an effective date.

**HB 1985** – By Brumbaugh of the House and Stanislawski of the Senate.

An Act relating to roads, bridges and ferries; creating the Oklahoma Port Task Force; providing purpose; providing for appointment of members; requiring organizational meeting; providing for task force chair, vacancies, quorum and meetings; providing for staff assistance; requiring task force to submit final report; providing for expiration of task force; providing for codification; and declaring an emergency.

**HB 2042** – By Murphey and Ritze of the House and Johnson (Rob) of the Senate.

An Act relating to prisons and reformatories; amending 57 O.S. 2011, Section 521.1, as amended by Section 248, Chapter 304, O.S.L. 2012 (57 O.S. Supp. 2012, Section 521.1), which relates to the Reentry Policy Council; modifying purpose of the Reentry Policy Council; modifying membership of Council; providing additional duties; providing support staff; repealing 57 O.S. 2011, Section 521.2, as amended by Section 249, Chapter 304, O.S.L. 2012 (57 O.S. Supp. 2012, Section 521.2), which relates to the Transformational Justice Interagency Task Force; and providing an effective date.

**HB 2054** – By Jackson of the House and Johnson (Rob) of the Senate.

An Act relating to workers' compensation; amending 85 O.S. 2011, Section 312, which relates to noncompensable injuries; modifying what constitutes a noncompensable injury; and providing an effective date.

**HB 2100** – By Derby and Pittman of the House and Standridge of the Senate.

An Act relating to pharmacies; defining terms; requiring certain license in order to provide pharmacy benefits management; requiring State Board of Pharmacy to adopt certain licensure procedures; permitting Board to subpoena witnesses and information and to take certain action against a license for certain reasons; prohibiting pharmacy benefits manager from taking certain action; requiring pharmacy benefits manager to provide certain information to covered entity; requiring contract between pharmacy benefits manager and provider to include certain information; providing certain requirements of a drug product; and providing for codification.

**HB 2172** – By Echols of the House and Griffin of the Senate.

[ Oklahoma Health Care Authority – bidding process to select a provider to perform an audit – effective date ]

**HB 2189** – By Schwartz of the House and Johnson (Rob) of the Senate.

An Act relating to professions and occupations; prescribing requirements for electronic transmission of prescriptions; requiring the promulgation of rules; providing for codification; and providing an effective date.

**HB 2193** – By Schwartz, Hickman and Scott of the House and Schulz of the Senate.

An Act relating to waters and water rights; granting the Oklahoma Water Resources Board powers and duties relating to the Water Infrastructure Credit Enhancement Reserve Fund; listing certain powers and duties; authorizing the Board to issue general obligation bonds for certain purpose; requiring general obligation bonds to be issued in certain manner and with certain qualifications and characteristics; providing for full faith and credit of the state; prohibiting the Board from issuing general obligation bonds unless certain actions are accomplished; providing for codification; and providing an effective date.

The above-numbered measures were read the first time.

Senator Schulz moved that the Senate recess until 1:30 p.m., which motion was declared adopted.

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The Senate reconvened with Senator Brinkley presiding.

Senator Brinkley questioned the presence of a quorum and ordered the roll called, following which a quorum was declared present.

**GENERAL ORDER**

**SB 592** by Holt of the Senate and Schwartz of the House was called up for consideration.

Senator Holt moved that **SB 592** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 592** 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, Dahm, David, Fields, Ford, Griffin, Halligan, Holt, Johnson (R), Marlatt, Paddock, Schulz, Sharp, Shaw, Shortey, Simpson, Standridge, Sykes and Treat.--27.

Excused: Aldridge, Ballenger, Bass, Brown, Burrage, Coates, Crain, Ellis, Garrison, Ivester, Johnson (C), Jolley, Justice, Loveless, Mazzei, McAffrey, Newberry, Shumate, Sparks, Stanislawski and Wyrick.--21.

The bill passed.

**SB 592** was referred for engrossment.

**GENERAL ORDER**

**SB 596** by Holt of the Senate and Murphey of the House was called up for consideration.

Senator Holt moved to amend **SB 596**, by deleting, on Page 2, Lines 8 through 10, all language on Lines 8 and 9 and through the word "Government" on Line 10; and by inserting the words, "Chair and Vice-chair of the House Appropriations and Budget Committee, Chair and Vice-Chair of the Senate Appropriations and Budget Committee and the Chair and Vice-chair of the Senate Finance Committee", which amendment was declared adopted.

Senator Holt moved to amend **SB 596**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Holt moved that **SB 596** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 596** 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, Dahm, David, Fields, Ford, Griffin, Halligan, Holt, Johnson (R), Marlatt, Paddack, Schulz, Sharp, Shaw, Shortey, Simpson, Standridge, Sykes and Treat.--27.

Excused: Aldridge, Ballenger, Bass, Brown, Burrage, Coates, Crain, Ellis, Garrison, Ivester, Johnson (C), Jolley, Justice, Loveless, Mazzei, McAffrey, Newberry, Shumate, Sparks, Stanislawski and Wyrick.--21.

The bill passed.

**SB 596** was referred for engrossment.

**GENERAL ORDER**

**SB 887** by Holt and Stanislawski of the Senate and Grau of the House was called up for consideration.

Senator Holt moved that **SB 887** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 887** 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, Dahm, David, Fields, Ford, Griffin, Halligan, Holt, Johnson (R), Marlatt, Paddack, Schulz, Sharp, Shaw, Shortey, Simpson, Standridge, Sykes and Treat.--27.

Excused: Aldridge, Ballenger, Bass, Brown, Burrage, Coates, Crain, Ellis, Garrison, Ivester, Johnson (C), Jolley, Justice, Loveless, Mazzei, McAffrey, Newberry, Shumate, Sparks, Stanislawski and Wyrick.--21.

The bill passed.

**SB 887** was referred for engrossment.

**GENERAL ORDER**

**SB 889** by Holt of the Senate and Schwartz of the House was called up for consideration.

Senator Holt moved to amend **SB 889**, 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 Holt moved to amend the floor substitute to **SB 889**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Holt moved that **SB 889** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 889** 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, Dahm, David, Fields, Ford, Griffin, Halligan, Holt, Johnson (R), Marlatt, Paddack, Schulz, Sharp, Shaw, Shortey, Simpson, Standridge, Sykes and Treat.--27.

Excused: Aldridge, Ballenger, Bass, Brown, Burrage, Coates, Crain, Ellis, Garrison, Ivester, Johnson (C), Jolley, Justice, Loveless, Mazzei, McAffrey, Newberry, Shumate, Sparks, Stanislawski and Wyrick.--21.

The bill passed.

**SB 889** was referred for engrossment.

**GENERAL ORDER**

**SB 309** by Holt of the Senate and Banz of the House was called up for consideration.

Senator Holt moved that **SB 309** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 309** 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, Dahm, David, Fields, Ford, Griffin, Halligan, Holt, Johnson (R), Marlatt, Paddack, Schulz, Sharp, Shaw, Shortey, Simpson, Standridge, Sykes and Treat.--27.

Excused: Aldridge, Ballenger, Bass, Brown, Burrage, Coates, Crain, Ellis, Garrison, Ivester, Johnson (C), Jolley, Justice, Loveless, Mazzei, McAffrey, Newberry, Shumate, Sparks, Stanislawski and Wyrick.--21.

The bill passed.

**SB 309** was referred for engrossment.

### **GENERAL ORDER**

**SB 310** by Holt of the Senate and Grau of the House was called up for consideration.

Senator Holt moved to amend **SB 310**, 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 Holt moved that **SB 310** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 310** 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, Dahm, David, Fields, Griffin, Halligan, Holt, Johnson (R), Schulz, Sharp, Shaw, Shortey, Simpson, Standridge and Treat.--23.

Nay: Ford, Marlatt, Paddack and Sykes.--4.

Excused: Aldridge, Ballenger, Bass, Brown, Burrage, Coates, Crain, Ellis, Garrison, Ivester, Johnson (C), Jolley, Justice, Loveless, Mazzei, McAffrey, Newberry, Shumate, Sparks, Stanislawski and Wyrick.--21.

The bill failed.

Pursuant to Rule 12-21, Senator Holt served notice that the vote be reconsidered whereby **SB 310** failed.

**GENERAL ORDER**

**SB 461** by Holt of the Senate and Brumbaugh of the House was called up for consideration.

Senator Holt moved to amend **SB 461**, 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 Holt moved to amend the floor substitute to **SB 461**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Holt moved that **SB 461** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 461** 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, Dahm, David, Fields, Ford, Griffin, Halligan, Holt, Johnson (R), Marlatt, Paddack, Schulz, Sharp, Shaw, Shortey, Simpson, Standridge, Sykes and Treat.--27.

Excused: Aldridge, Ballenger, Bass, Brown, Burrage, Coates, Crain, Ellis, Garrison, Ivester, Johnson (C), Jolley, Justice, Loveless, Mazzei, McAffrey, Newberry, Shumate, Sparks, Stanislawski and Wyrick.--21.

The bill passed.

**SB 461** was referred for engrossment.

**MOTION TO RECONSIDER VOTE**

Senator Shortey moved to reconsider the vote whereby **SB 1049** failed, which motion was declared adopted upon roll call as follows:

Aye: Allen, Anderson, Barrington, Bingman, Boggs, Brecheen, Brinkley, Brooks, Dahm, David, Fields, Ford, Griffin, Halligan, Holt, Johnson (R), Marlatt, Paddack, Schulz, Sharp, Shaw, Shortey, Simpson, Standridge, Sykes and Treat.--26.

Excused: Aldridge, Ballenger, Bass, Branan, Brown, Burrage, Coates, Crain, Ellis, Garrison, Ivester, Johnson (C), Jolley, Justice, Loveless, Mazzei, McAffrey, Newberry, Shumate, Sparks, Stanislawski and Wyrick.--22.



### **THIRD READING**

Senator Shortey moved that **SB 1049** be referred back to the committee of origin, which motion was declared adopted.

Senator Schulz moved that when the clerk's desk is clear, the Senate stand adjourned to convene Monday, March 18, 2013, at 1:30 p.m., which motion prevailed.

### **FIRST READING**

The following were introduced and read the first time:

**SR 9** – By Griffin.

A Resolution proclaiming March 20, 2013, as Nonprofit Day in Oklahoma; and directing distribution.

**SR 10** – By Ballenger.

A Resolution declaring March 25-28, 2013, "County Government Week" in Oklahoma; and directing distribution.

### **CHANGE IN AUTHORS/COAUTHORS**

The following measures were authored/coauthored:

**SR 9** - Authored by Senator Griffin

**SR 10** - Authored by Senator Ballenger

**HB 1035** - Coauthored by Cannaday, Wood

**HB 1080** - Remove as author Senator Griffin; authored by Senator Marlatt;  
Coauthored by Griffin

**HB 1693** - Coauthored by Pittman

**HB 1881** - Coauthored by Scott

**HB 2032** - Coauthored by Turner

**HB 2193** - Coauthored by Scott

### **MOTION EXPIRED**

Time expired for consideration of the motion to reconsider whereby **SB 310** failed.

Pursuant to the Schulz motion, the Senate adjourned at 2:10 p.m. to meet Monday, March 18, 2013, at 1:30 p.m.