

Senate Journal

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

Fortieth Legislative Day, Thursday, April 11, 2013

The Senate was called to order by Senator Sykes.

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 (C), Johnson (R), Jolley, Justice, Loveless, Marlatt, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes, Treat and Wyrick.—47.

Excused: Mazzei.—1.

Senator Sykes declared a quorum present.

The prayer was offered by Reverend Kevin Akins, First Assembly of God, Elk City, the guest of Senator Ivester.

REPORT OF ENGROSSED AND ENROLLED MEASURES

HBs 1080, 1245 and 1874 were each correctly engrossed and, together with engrossed **SAs**, properly signed and ordered returned to the Honorable House.

SBs 478, 592, 738 and 924 and **SJR 8** were each correctly enrolled, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

SRs 19 and 20 were each correctly enrolled, properly signed and ordered transmitted to the Secretary of State.

INTRODUCTION

Senator Loveless introduced former Senator Kathleen Wilcoxson to the Senate.

**UNANIMOUS CONSENT REQUEST
DIRECT TO CALENDAR**

Senator Marlatt asked unanimous consent to refer **SR 11** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

SR 11 by Marlatt was called up for consideration.

SR 11 was adopted upon motion of Senator Marlatt and referred for enrollment.

GENERAL ORDER

HB 1599 by Martin (Scott) et al of the House and Jolley and Ivester of the Senate was called up for consideration.

Senator Jolley moved to amend **HB 1599**, Page 1, by restoring the title, which amendment was declared adopted.

The above amendment restored **HB 1599** to the engrossed version of the bill.

Senator Jolley moved that **HB 1599** be advanced, which motion was declared adopted.

THIRD READING

HB 1599 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, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Loveless, Marlatt, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Shortey, Shumate, Simpson, Standridge, Stanislawski, Sykes, Treat and Wyrick.--45.

Excused: Halligan, Mazzei and Sparks.--3.

The bill and emergency passed.

HB 1599 was properly signed and ordered returned to the Honorable House.

**UNANIMOUS CONSENT REQUEST
DIRECT TO CALENDAR**

Senator Anderson asked unanimous consent to refer **SR 18** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

SR 18 by Anderson et al was called up for consideration.

SR 18 was adopted upon motion of Senator Anderson and referred for enrollment.

GENERAL ORDER

HB 1449 by Murphey of the House and Anderson and Ivester of the Senate was called up for consideration.

Senator Anderson moved that **HB 1449** be advanced, which motion was declared adopted.

THIRD READING

HB 1449 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, Coates, Crain, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Holt, Johnson (C), Johnson (R), Jolley, Justice, Loveless, Marlatt, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes, Treat and Wyrick.--45.

Excused: Halligan, Ivester and Mazzei.--3.

The bill passed.

HB 1449 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 2003 by McNeil of the House and Anderson of the Senate was called up for consideration.

Senator Anderson moved that **HB 2003** be advanced, which motion was declared adopted.

THIRD READING

HB 2003 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, Coates, Crain, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Holt, Johnson (C), Johnson (R), Jolley, Justice, Loveless, Marlatt, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes, Treat and Wyrick.--45.

Excused: Halligan, Ivester and Mazzei.--3.

The bill passed.

HB 2003 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 2231 by Dorman et al of the House and Anderson and Ivester of the Senate was called up for consideration.

Senator Anderson moved to amend **HB 2231**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Anderson moved that **HB 2231** be advanced, which motion was declared adopted.

THIRD READING

HB 2231 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, Bingman, Boggs, Branan, Brecheen, Brinkley, Brown, Burrage, Coates, Crain, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Loveless, Marlatt, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes, Treat and Wyrick.--44.

Excused: Bass, Brooks, Halligan and Mazzei.--4.

The bill passed.

Pursuant to Rule 12-21, Senator Anderson served notice that the vote be reconsidered whereby **HB 2231** passed.

Senator Brinkley presiding.

GENERAL ORDER

HB 1403 by Johnson et al of the House and Sykes of the Senate was called up for consideration.

Senator Sykes moved to amend **HB 1403**, 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 Sykes moved to amend the floor substitute to **HB 1403**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Sykes moved that **HB 1403** be advanced, which motion was declared adopted.

THIRD READING

HB 1403 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, Boggs, Branan, Brecheen, Brinkley, Brown, Burrage, Coates, Crain, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Holt, Ivester, Johnson (R), Jolley, Justice, Loveless, Marlatt, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Shortey, Simpson, Sparks, Standridge, Stanislawski, Sykes, Treat and Wyrick.--41.

Nay: Johnson (C) and Shumate.--2.

Excused: Bass, Bingman, Brooks, Halligan and Mazzei.--5.

The bill passed.

HB 1403 was referred for engrossment.

GENERAL ORDER

HB 1067 by Denney et al of the House and Griffin and Shortey of the Senate was called up for consideration.

Senator Griffin moved that **HB 1067** be advanced, which motion was declared adopted.

THIRD READING

HB 1067 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, Burrage, Coates, Crain, Dahm, David, Fields, Ford, Garrison, Griffin, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Loveless, Marlatt, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski and Sykes.--40.

Nay: Treat.--1.

Excused: Anderson, Ballenger, Bass, Ellis, Halligan, Mazzei and Wyrick.--7.

The bill passed.

HB 1067 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 1058 by Kern et al of the House and Dahm of the Senate was called up for consideration.

Senator Dahm moved that **HB 1058** be advanced, which motion was declared adopted.

THIRD READING

HB 1058 was read for the third time at length.

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

Aye: Aldridge, Anderson, Barrington, Bingman, Boggs, Branan, Brecheen, Brinkley, Brooks, Brown, Burrage, Coates, Crain, Dahm, David, Fields, Ford, Garrison, Griffin, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Loveless, Marlatt, McAffrey, Newberry,

Paddack, Schulz, Sharp, Shaw, Shortey, Shumate, Simpson, Standridge, Stanislawski, Sykes and Treat.--40.

Nay: Allen.--1.

Excused: Ballenger, Bass, Ellis, Halligan, Mazzei, Sparks and Wyrick.--7.

The bill passed.

HB 1058 was properly signed and ordered returned to the Honorable House.

MOTION TO RECONSIDER VOTE

Senator Fields moved to reconsider the vote whereby **HB 1687** failed, which motion was declared adopted upon roll call as follows:

Aye: Allen, Anderson, Barrington, Boggs, Branan, Brecheen, Brinkley, Brooks, Brown, Burrage, Coates, Crain, David, Fields, Ford, Garrison, Griffin, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Loveless, Marlatt, McAffrey, Newberry, Paddack, Schulz, Sharp, Shortey, Shumate, Simpson, Standridge and Stanislawski.--35.

Nay: Aldridge, Dahm, Shaw, Sykes and Treat.--5.

Excused: Ballenger, Bass, Bingman, Ellis, Halligan, Mazzei, Sparks and Wyrick.--8.

THIRD READING

HB 1687 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, Brecheen, Brinkley, Brooks, Burrage, Coates, Crain, David, Fields, Ford, Garrison, Griffin, Ivester, Johnson (C), Johnson (R), Justice, Loveless, Marlatt, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Shumate, Simpson, Standridge and Stanislawski.--32.

Nay: Aldridge, Branan, Brown, Dahm, Holt, Jolley, Shortey, Sykes and Treat.--9.

Excused: Ballenger, Bass, Ellis, Halligan, Mazzei, Sparks and Wyrick.--7.

The bill passed.

HB 1687 was referred for engrossment.

Senator Stanislawski presiding.

**MESSAGE FROM THE HOUSE
HAS TO SENATE BILLS**

Advising passage of and returning the following engrossed bills as amended:

SB 254

House amendments were read on the above-numbered bills.

MESSAGES FROM THE HOUSE

Advising passage of and returning the following Engrossed bills:

SB 256 - coauthored by Bennett, Hoskin, Inman and Sherrer

SB 257 - coauthored by Sherrer, Hoskin, Inman and Dorman of the House

SB 258 - coauthored by Hoskin, McDaniel (Jeannie), Inman and Sherrer

SB 259 - coauthored by Sherrer, Hoskin and McDaniel (Jeannie) of the House

SB 456 - coauthored by Biggs, Sherrer and Hoskin

SB 696 - coauthored by Johnson (Constance) of the Senate

SB 975 - coauthored by Pittman

The above-numbered measures were referred for enrollment.

Advising concurrence in **SAs** to and passage of Engrossed **HB 1060**.

Advising fourth reading of and returning Enrolled **SBs 478, 592, 738 and 924** and **SJR 8**.

The above-numbered enrolled measures were referred to the Governor.

Senator Schulz moved that when the clerk's desk is clear, the Senate stand adjourned to convene Monday, April 15, 2013, at 1:30 p.m., which motion prevailed.

CHANGE IN AUTHORS/COAUTHORS

The following measures were authored/coauthored:

- SB 156** - Coauthored by Walker
- SB 257** - Coauthored by Nollan
- SB 258** - Coauthored by Nollan
- SB 259** - Coauthored by Nollan
- SB 456** - Coauthored by Nollan
- SR 11** - Coauthored by all other Senators
- SR 18** - Coauthored by all other Senators
- HB 1058** - Coauthored by Jolley
- HB 1067** - Coauthored by Jolley
- HB 2099** - Coauthored by Johnson (Constance)
- HB 2180** - Coauthored by Johnson (Constance)
- HB 2231** - Coauthored by Johnson (Constance)

Pursuant to the Schulz motion, the Senate adjourned at 11:15 p.m. to meet Monday, April 15, 2013, at 1:30 p.m.