

Senate Journal

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

Forty-seventh Legislative Day, Wednesday, April 24, 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, Crain, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Loveless, Marlatt, Mazzei, McAffrey, Paddack, Schulz, Sharp, Shaw, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes, Treat and Wyrick.—47.

Excused: Newberry.—1.

Senator Stanislawski declared a quorum present.

The prayer was offered by Reverend Chad Balthrop, First Baptist Church, Owasso, the guest of Senator Brinkley.

REPORT OF ENGROSSED AND ENROLLED MEASURES

HBs 1009, 1259, 1426, 1451, 1469, 1516, 1525, 1658, 1693, 1701, 1716, 1717, 1719, 1759, 1763, 1770, 1794, 1883, 1917, 1932, 2048, 2062, 2087, 2101, 2180, 2182, 2187, 2188, 2193, 2194 and 2195 were each correctly engrossed and, together with engrossed **SAs**, properly signed and ordered returned to the Honorable House.

SBs 88, 237, 302, 501, 925 and 1009 were each correctly enrolled, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

GENERAL ORDER

HB 1467 by Murphey and Turner of the House and Griffin of the Senate was called up for consideration.

Senator Griffin moved to amend **HB 1467**, 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 Griffin moved to amend the floor substitute to **HB 1467**, Page 169, Line 19, by inserting after the word "Act" a new sentence to read as follows: "Licensed cosmetology schools may offer education to secondary and postsecondary students in this state;" which amendment was declared adopted.

Senator Griffin moved to amend the floor substitute to **HB 1467**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Griffin moved that **HB 1467** be advanced, which motion was declared adopted.

THIRD READING

HB 1467 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, Crain, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Loveless, Marlatt, McAffrey, Paddack, Schulz, Sharp, Shaw, Shumate, Simpson, Sparks, Standridge, Stanislowski, Treat and Wyrick.--43.

Nay: Sykes.--1.

Excused: Coates, Mazzei, Newberry and Shortey.--4.

The bill passed.

HB 1467 was referred for engrossment.

GENERAL ORDER

HB 2226 by Schwartz of the House and Griffin of the Senate was called up for consideration.

Senator Griffin moved to amend **HB 2226**, 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 Griffin moved to amend the floor substitute to **HB 2226**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Griffin moved that **HB 2226** be advanced, which motion was declared adopted.

THIRD READING

HB 2226 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, Crain, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Loveless, Marlatt, McAffrey, Paddack, Schulz, Sharp, Shaw, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes, Treat and Wyrick.--43.

Excused: Anderson, Coates, Mazzei, Newberry and Shortey.--5.

The bill and emergency passed.

HB 2226 was referred for engrossment.

GENERAL ORDER

HB 2264 by Trebilcock of the House and Bingman of the Senate was called up for consideration.

Senator Bingman moved that **HB 2264** be advanced, which motion was declared adopted.

THIRD READING

HB 2264 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, Crain, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Loveless, Marlatt, McAffrey, Paddack, Schulz, Sharp, Shaw, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes, Treat and Wyrick.--44.

Excused: Coates, Mazzei, Newberry and Shortey.--4.

The bill and emergency passed.

HB 2264 was referred for engrossment.

GENERAL ORDER

HB 2032 by Shannon et al of the House and Bingman et al of the Senate was called up for consideration.

Senator Bingman moved to amend **HB 2032**, by striking the title, the enacting clause and the entire body of the bill and substituting the floor substitute, to which request objection was heard. (Copies were provided for all Senators.)

Senator Bingman moved to amend **HB 2032**, by striking the title, the enacting clause and the entire body of the bill and substituting the floor substitute, which motion was 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, Schulz, Sharp, Shaw, Simpson, Standridge, Stanislawski, Sykes and Treat.--32.

Nay: Anderson, Ballenger, Bass, Burrage, Ellis, Garrison, Ivester, Johnson (C), McAffrey, Paddack, Shumate, Sparks and Wyrick.--13.

Excused: Coates, Newberry and Shortey.--3.

Senator Bingman moved to amend the floor substitute to **HB 2032**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Bingman moved that **HB 2032** be advanced, which motion was declared adopted.

THIRD READING

HB 2032 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, Barrington, Bingman, Boggs, Branan, Brecheen, Brinkley, Brooks, Brown, Crain, Dahm, David, Fields, Ford, Griffin, Halligan, Holt, Johnson (R), Jolley, Justice, Loveless, Marlatt, Mazzei, Schulz, Sharp, Shaw, Shortey, Simpson, Standridge, Stanislawski, Sykes and Treat.--32.

Nay: Allen, Anderson, Ballenger, Bass, Burrage, Ellis, Garrison, Ivester, Johnson (C), McAffrey, Paddack, Shumate, Sparks and Wyrick.--14.

Excused: Coates and Newberry.--2.

The bill and emergency passed.

HB 2032 was referred for engrossment.

Senator Marlatt presiding.

GENERAL ORDER

HB 1910 by Shannon et al of the House and Bingman et al of the Senate was called up for consideration.

Senator Johnson (Rob) moved to amend **HB 1910**, 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 Johnson (Rob) moved that **HB 1910** be advanced, which motion was declared adopted.

THIRD READING

HB 1910 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, Crain, Dahm, David, Ellis, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Loveless, Marlatt, McAffrey, Paddack, Schulz, Sharp, Shaw, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes, Treat and Wyrick.--42.

Nay: Bass, Fields and Mazzei.--3.

Excused: Anderson, Coates and Newberry.--3.

The bill and emergency passed.

HB 1910 was referred for engrossment.

Senator Stanislawski presiding.

GENERAL ORDER

HB 1912 by Shannon et al of the House and Bingman et al of the Senate was called up for consideration.

Senator Sykes moved that **HB 1912** be advanced, which motion was declared adopted.

THIRD READING

HB 1912 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, Crain, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Loveless, Marlatt, McAffrey, Paddack, Schulz, Sharp, Shaw, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes, Treat and Wyrick.--41.

Excused: Anderson, Coates, Jolley, Justice, Mazzei, Newberry and Shortey.--7.

The bill passed.

HB 1912 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 1908 by Shannon et al of the House and Holt of the Senate was called up for consideration.

Senator Holt moved to amend **HB 1908**, Page 1, Lines 21 and 22, by deleting the sentence beginning with the word “The” and ending with the word “Program.”, which amendment was declared adopted.

Senator Holt moved to amend **HB 1908**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Holt moved that **HB 1908** be advanced, which motion was declared adopted.

THIRD READING

HB 1908 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, Crain, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (R), Jolley, Justice, Loveless, Marlatt, McAffrey, Paddack, Schulz, Sharp, Shaw, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes, Treat and Wyrick.--42.

Excused: Anderson, Coates, Johnson (C), Mazzei, Newberry and Shortey.--6.

The bill passed.

HB 1908 was referred for engrossment.

GENERAL ORDER

HB 1455 by Murphey and Walker of the House and Treat of the Senate was called up for consideration.

Senator Treat moved to amend **HB 1455**, 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 moved to amend the floor substitute to **HB 1455**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Treat moved that **HB 1455** be advanced, which motion was declared adopted.

THIRD READING

HB 1455 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, Crain, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (R), Jolley, Justice, Loveless, Marlatt, Mazzei, McAffrey, Paddack, Schulz, Sharp, Shaw, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes, Treat and Wyrick.--43.

Excused: Anderson, Coates, Johnson (C), Newberry and Shortey.--5.

The bill passed.

HB 1455 was referred for engrossment.

GENERAL ORDER

HB 1416 by Hall et al of the House and Mazzei et al of the Senate was called up for consideration.

Senator Mazzei moved to amend **HB 1416**, 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 Mazzei moved to amend the floor substitute to **HB 1416**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Mazzei moved that **HB 1416** be advanced, which motion was declared adopted.

THIRD READING

HB 1416 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, Crain, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (R), Jolley, Justice, Loveless, Marlatt, Mazzei, McAffrey, Paddack, Schulz, Sharp, Shaw, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes, Treat and Wyrick.--43.

Excused: Anderson, Coates, Johnson (C), Newberry and Shortey.--5.

The bill passed.

HB 1416 was referred for engrossment.

GENERAL ORDER

HB 1078 by Sanders of the House and Marlatt of the Senate was called up for consideration.

Senator Marlatt moved that **HB 1078** be advanced, which motion was declared adopted.

THIRD READING

HB 1078 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, Crain, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (R), Loveless, Marlatt, Mazzei, McAffrey, Paddack, Schulz, Sharp, Shaw, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes, Treat and Wyrick.--41.

Excused: Anderson, Coates, Johnson (C), Jolley, Justice, Newberry and Shortey.--7.

The bill passed.

HB 1078 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 1484 by Murphey and Ritze of the House and Loveless of the Senate was called up for consideration.

Senator Loveless moved that **HB 1484** be advanced, which motion was declared adopted.

THIRD READING

HB 1484 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, Crain, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (R), Loveless, Marlatt, McAffrey, Paddack, Schulz, Sharp, Shaw, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes, Treat and Wyrick.--40.

Excused: Anderson, Coates, Johnson (C), Jolley, Justice, Mazzei, Newberry and Shortey.--8.

The bill passed.

HB 1484 was referred for engrossment.

MESSAGES FROM THE HOUSE

Advising the Honorable Senate pursuant to Article 5, Section 30 of the Oklahoma Constitution that the House grants the request of the Honorable Senate to the adjournment for more than three (3) days beginning Thursday, April 25, 2013 and ending on Monday, April 29, 2013.

Advising passage of and returning the following Engrossed bill:

SB 869

The above-numbered measure was referred for enrollment.

Senator Schulz moved that the Senate recess to the call of the Chair, which motion was declared adopted.

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The Senate reconvened with Senator Griffin presiding.

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

GENERAL ORDER

HB 1264 by Nelson of the House and Jolley of the Senate was called up for consideration.

Senator Jolley moved to amend **HB 1264**, Page 7, Line 17, by striking after the word “of”, and before the word “private”, the words “public or”, which amendment was declared adopted.

Senator Jolley moved that **HB 1264** be advanced, which motion was declared adopted.

THIRD READING

HB 1264 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 (C), Jolley, Justice, Loveless, Marlatt, McAffrey, Paddack, Schulz, Sharp, Shaw, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes, Treat and Wyrick.--44.

Excused: Bingman, Johnson (R), Mazzei and Newberry.--4.

The bill and emergency passed.

HB 1264 was referred for engrossment.

Senator Jolley presiding.

GENERAL ORDER

HB 1526 by Banz et al of the House and Schulz of the Senate was called up for consideration.

Senator Schulz moved to amend **HB 1526**, Page 1, by striking the title, which amendment was declared adopted.

Senator Schulz moved that **HB 1526** be advanced, which motion was declared adopted.

THIRD READING

HB 1526 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), Jolley, Justice, Loveless, McAffrey, Paddack, Schulz, Sharp, Shaw, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes, Treat and Wyrick.--43.

Excused: Anderson, Johnson (R), Marlatt, Mazzei and Newberry.--5.

The bill and emergency passed.

HB 1526 was referred for engrossment.

GENERAL ORDER

HB 1050 by Roberts (Dustin) et al of the House and Simpson of the Senate was called up for consideration.

Senator Simpson moved that **HB 1050** be advanced, which motion was declared adopted.

THIRD READING

HB 1050 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, Boggs, Branan, Brecheen, Brinkley, Brooks, Brown, Burrage, Coates, Crain, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (C), Jolley, Justice, Loveless, McAffrey, Paddack, Schulz, Sharp, Shaw, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes, Treat and Wyrick.--42.

Excused: Anderson, Bingman, Johnson (R), Marlatt, Mazzei and Newberry.--6.

The bill passed.

HB 1050 was referred for engrossment.

GENERAL ORDER

HB 1351 by Cooksey of the House and Treat of the Senate was called up for consideration.

Senator Treat moved to amend **HB 1351**, Page 1, by restoring the title, which amendment was declared adopted.

The above amendment restored **HB 1351** to the engrossed version of the bill.

Senator Treat moved that **HB 1351** be advanced, which motion was declared adopted.

THIRD READING

HB 1351 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), Jolley, Justice, Loveless, McAffrey, Paddack, Schulz, Sharp, Shaw, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes, Treat and Wyrick.--42.

Nay: Crain.--1.

Excused: Anderson, Johnson (R), Marlatt, Mazzei and Newberry.--5.

The bill passed.

HB 1351 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 1989 by Brumbaugh et al of the House and Treat of the Senate was called up for consideration.

Senator Treat moved to amend **HB 1989**, 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 moved to amend the floor substitute to **HB 1989**, Page 1, by striking the title, which amendment was declared adopted.

Senator Treat moved that **HB 1989** be advanced, which motion was declared adopted.

THIRD READING

HB 1989 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, Crain, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (C), Jolley, Justice, Loveless, McAffrey, Paddack, Schulz, Sharp, Shaw, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes, Treat and Wyrick.--42.

Excused: Anderson, Coates, Johnson (R), Marlatt, Mazzei and Newberry.--6.

The bill and emergency passed.

HB 1989 was referred for engrossment.

GENERAL ORDER

HB 1990 by Brumbaugh and Murphey of the House and Treat of the Senate was called up for consideration.

Senator Treat moved to amend **HB1990**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Treat moved that **HB 1990** be advanced, which motion was declared adopted.

THIRD READING

HB 1990 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, Crain, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (C), Jolley, Justice, Loveless, McAffrey, Paddack, Schulz, Sharp, Shaw, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes, Treat and Wyrick.--42.

Excused: Anderson, Coates, Johnson (R), Marlatt, Mazzei and Newberry.--6.

The bill passed.

HB 1990 was referred for engrossment.

GENERAL ORDER

HB 2055 by Jackson of the House and Treat of the Senate was called up for consideration.

Senator Treat moved to amend **HB 2055**, 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 moved that **HB 2055** be advanced, which motion was declared adopted.

THIRD READING

HB 2055 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, Burrage, Crain, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (C), Jolley, Justice, Loveless, Marlatt, McAffrey, Paddack, Schulz, Sharp, Shaw, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes, Treat and Wyrick.--42.

Excused: Anderson, Brown, Coates, Johnson (R), Mazzei and Newberry.--6.

The bill passed.

HB 2055 was referred for engrossment.

GENERAL ORDER

HB 2057 by Inman and Shelton of the House and Treat of the Senate was called up for consideration.

Senator Treat moved to amend **HB 2057**, 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 moved that **HB 2057** be advanced, which motion was declared adopted.

THIRD READING

HB 2057 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, Burrage, Crain, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (C), Jolley, Justice, Loveless, Marlatt, McAffrey, Paddack, Schulz, Sharp, Shaw, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes, Treat and Wyrick.--42.

Excused: Anderson, Brown, Coates, Johnson (R), Mazzei and Newberry.--6.

The bill passed.

HB 2057 was referred for engrossment.

GENERAL ORDER

HB 2099 by Nelson and Pittman of the House and Treat and Johnson (Constance) of the Senate was called up for consideration.

Senator Treat moved that **HB 2099** be advanced, which motion was declared adopted.

THIRD READING

HB 2099 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, Crain, Dahm, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (C), Jolley, Justice, Loveless, Marlatt, McAffrey, Paddack, Schulz, Sharp, Shaw, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski, Treat and Wyrick.--41.

Excused: Anderson, Coates, David, Johnson (R), Mazzei, Newberry and Sykes.--7.

The bill passed.

HB 2099 was referred for engrossment.

GENERAL ORDER

HB 1922 by DeWitt and Vaughan of the House and Fields of the Senate was called up for consideration.

Senator Fields moved that **HB 1922** be advanced, which motion was declared adopted.

THIRD READING

HB 1922 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, Crain, Dahm, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (C), Jolley, Justice, Loveless, Marlatt, McAffrey, Paddack, Schulz, Sharp, Shaw, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes, Treat and Wyrick.--42.

Excused: Anderson, Coates, David, Johnson (R), Mazzei and Newberry.--6.

The bill passed.

HB 1922 was referred for engrossment.

GENERAL ORDER

HB 1434 by Turner and Virgin of the House and Shortey of the Senate was called up for consideration.

Senator Shortey moved that **HB 1434** be advanced, which motion was declared adopted.

THIRD READING

HB 1434 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, Crain, Dahm, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (C), Jolley, Justice, Loveless, Marlatt, McAffrey, Paddack, Schulz, Sharp, Shaw, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes, Treat and Wyrick.--42.

Excused: Anderson, Coates, David, Johnson (R), Mazzei and Newberry.--6.

The bill and emergency passed.

HB 1434 was referred for engrossment.

GENERAL ORDER

HB 1364 by Kirby and Pittman of the House and Bass of the Senate was called up for consideration.

Senator Bass moved to amend **HB 1364**, Page 14, Line 11 through Page 15, Line 14, by deleting Section 6; and renumbering subsequent section, which amendment was declared adopted.

Senator Bass moved to amend **HB 1364**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Bass moved that **HB 1364** be advanced, which motion was declared adopted.

THIRD READING

HB 1364 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, Crain, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (C), Jolley, Justice, Loveless, Marlatt, McAffrey, Paddack, Schulz, Sharp, Shaw, Shumate, Simpson, Sparks, Stanislowski, Treat and Wyrick.--38.

Nay: Dahm, Standridge and Sykes.--3.

Excused: Anderson, Coates, David, Johnson (R), Mazzei, Newberry and Shortey.--7.

The bill passed.

HB 1364 was referred for engrossment.

GENERAL ORDER

HB 2164 by Echols of the House and Sparks of the Senate was called up for consideration.

Senator Sparks moved to amend **HB 2164**, Page 1, by restoring the title and enacting clause, which amendment was declared adopted.

Senator Sparks moved that **HB 2164** be advanced, which motion was declared adopted.

THIRD READING

HB 2164 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, Crain, Dahm, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (C), Jolley, Justice, Loveless, Marlatt, McAffrey, Paddack, Schulz, Sharp, Shaw, Shumate, Simpson, Sparks, Standridge, Stanislowski, Sykes, Treat and Wyrick.--41.

Excused: Anderson, Coates, David, Johnson (R), Mazzei, Newberry and Shortey.--7.

The bill passed.

HB 2164 was referred for engrossment.

**UNANIMOUS CONSENT REQUEST
DIRECT TO CALENDAR**

Senator Johnson (Constance) asked unanimous consent to refer **SCR 10** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

SCR 10 by Johnson (Constance) of the Senate and Shelton of the House was called up for consideration.

SCR 10 was adopted upon motion of Senator Johnson (Constance) and referred for engrossment.

PENDING CONSIDERATION OF HAS

HAs to **SB 767** were concurred in upon motion of Senator Marlatt.

SB 767, as amended by the Honorable House, was read 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, Crain, Dahm, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (C), Jolley, Justice, Loveless, Marlatt, Mazzei, McAffrey, Paddack, Schulz, Sharp, Shaw, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes, Treat and Wyrick.--42.

Excused: Anderson, Coates, David, Johnson (R), Newberry and Shortey.--6.

The bill and emergency passed.

House amendments were properly signed and the above-numbered bill was referred for enrollment.

EXECUTIVE NOMINATIONS

The following executive nominations have been approved by the committees named:

Aduddell, Curtis T., Edmond, to the Oklahoma State Board of Examiners for Long-Term Care Administrators, to serve a three year term ending October 31, 2016, succeeding himself. (Health and Human Services Committee) Motion to confirm made by Senator Clark Jolley.

Barnes, Susan J., Oklahoma City, to the Oklahoma State Board of Examiners for Long-Term Care Administrators, to serve a three year term ending October 31, 2016, succeeding herself. (Health and Human Services Committee) Motion to confirm made by Senator Cliff Branan.

DeLaughter, Harold Z., Comanche, to the Physician Manpower Training Commission, to serve a five year term ending June 5, 2016, succeeding Troy Harden. (Health and Human Services Committee) Motion to confirm made by Senator Corey Brooks.

Grim, Charles W., Hulbert, to the State Board of Health, to serve a nine year term ending June 30, 2022, succeeding Barry Smith. (Health and Human Services Committee) Motion to confirm made by Senator Rick Brinkley on behalf of Senator Kim David.

Haynes, Michael T., Tulsa, to the Physician Manpower Training Commission, to serve a five year term ending June 5, 2018, succeeding Staci Freeman. (Health and Human Services Committee) Motion to confirm made by Senator Brian Crain.

Lake, Edward A., Oklahoma City, as the Director of Human Services, to serve at the pleasure of the Governor, a new position. (Health and Human Services Committee) Motion to confirm made by Senator Constance Johnson.

Leverett, Joe L., Altus, to the Physician Manpower Training Commission, to serve a five year term ending June 5, 2018, succeeding Pam Ahearn. (Health and Human Services Committee) Motion to confirm made by Senator Mike Schulz.

Messler, J. Peter, Tulsa, to the Organ Donor Education and Awareness Program Advisory Council, to serve an unexpired term ending November 1, 2014, succeeding Randall Barron, Sr.. (Health and Human Services Committee) Motion to confirm made by Senator Gary Stanislawski.

Perry, Charles H., Grove, to the Oklahoma Tourism and Recreation Commission, to serve a six year term ending July 1, 2019, succeeding himself. (Tourism and Wildlife Committee) Motion to confirm made by Senator Wayne Shaw.

Pierce, William M., Edmond, to the Oklahoma State Board of Examiners for Long-Term Care Administrators, to serve a three year term ending October 31, 2016, succeeding himself. (Health and Human Services Committee) Motion to confirm made by Senator Clark Jolley.

Schlittler, Connie L., Edmond, to the State Board of Licensed Social Workers, to serve a five year term ending July 1, 2018, succeeding Kelly Scott. (Health and Human Services Committee) Motion to confirm made by Senator Clark Jolley.

Van Stavern, Phillip, Oklahoma City, to the Organ Donor Education and Awareness Program Advisory Council, to serve a four year term ending November 1, 2016, succeeding Robert Tippett Turner II. (Health and Human Services Committee) Motion to confirm made by Senator Cliff Branan.

Motions to confirm the above-named executive nominations were declared adopted upon roll call as follows:

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

Excused: Anderson, Coates, David, Johnson (R), Mazzei, Newberry and Shortey.--7.

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

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

SB 267 - coauthored by Nelson

SB 283

SB 402 - coauthored by Scott

SB 406

SB 486 - coauthored by Johnson (Constance) of the Senate and Pittman, Dorman, Sherrer, Hoskin, Lockhart, Proctor, Ritze and Perryman of the House

SB 655 - coauthored by Mulready

SB 667 - coauthored by Derby, Walker, Hall, Biggs, Kern, Bennett, Ownbey, Russ, Roberts (Dustin), O'Donnell and Cockcroft of the House and Sharp of the Senate

SB 678

SB 679

SB 700

SB 759 - coauthored by Allen and Ivester of the Senate and Bennett of the House

SB 847 - (Emergency Failed) coauthored by Allen of the Senate and Mulready, Sherrer and Hoskin of the House

SB 864 - coauthored by Sherrer

SB 907 - coauthored by Turner of the House

SB 919 - coauthored by Shortey of the Senate and Roberts (Dustin) of the House

SB 1016

SB 1058

House amendments were read on the above-numbered bills.

MESSAGES FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled **HBs 1081, 1597, HB 1743, 1792, 1909** and **2160** and **HJR 1023**.

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

Advising fourth reading of and returning Enrolled **SBs 88, 237, 302, 501, 925** and **1009**.

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 29, 2013, at 1:30, which motion prevailed.

FIRST READING

The following were introduced and read the first time:

SCR 25 – By Bingman, Johnson (Constance) and Shumate of the Senate and Pittman and Shannon of the House.

A Concurrent Resolution recognizing and celebrating the careers and accomplishments of certain judges; applauding them for their dedication; thanking them for their service; and directing distribution.

SR 26 – By Griffin.

A Resolution commending the 2012-2013 Perry High School Maroons wrestling team for earning their 39th State Championship title; and directing distribution.

CHANGE IN AUTHORS/COAUTHORS

The following measures were authored/coauthored:

SB 486 - Coauthored by Condit

SB 911 - Coauthored by Sparks

SCR 10 - Coauthored by all other Senators

SCR 25 - Authored by Senator Bingman; Coauthored by Shannon (principal House author); Coauthored by Johnson (Constance); Remove as principal author Representative Shannon and substitute with Representative Pittman; Coauthored by Shumate; Coauthored by Shannon

HB 2032 - Coauthored by Jolley, Branam

MESSAGE FROM THE GOVERNOR

Advising her approval April 24, 2013, of Enrolled **25, 37, 107, 292, 755** and **976**.

Advising her veto April 24, 2013, of Enrolled **SB 854**.

The veto message reads as follows:

April 24, 2013

To the Honorable President Pro Tempore
and Members of the Oklahoma Senate
First Session of the
Fifty-fourth Legislature

Enrolled Senate Bill No. 854

This is to advise you that on this date, pursuant to the authority vested in me by Section 11 of Article VI of the Oklahoma Constitution to approve or object to legislation presented to me, I have VETOED Senate Bill 854.

Current law requires a police officer contesting his termination to first pursue administrative remedies under the Collective Bargaining Agreement. This Agreement is negotiated by both the municipal employer and the union representing police officers and governs disciplinary proceedings for police officers. If either party is dissatisfied with an arbitrator's ruling during the arbitration process, the decision can be appealed to the district court.

Senate Bill 854 would bar police officers terminated for using "excessive force" on the job from utilizing the arbitration process and requires them to go directly to district court where a jury trial would likely occur.

This legislation may create more costly litigation for municipalities and eliminate due process protections currently in place for law enforcement officers. While I am against police brutality in any form, this legislation does not resolve that issue. Instead, it merely strips essential due process protections away from important public servants who ensure our safety.

By the Governor of the State of Oklahoma
/s/ Mary Fallin

Pursuant to the Schulz motion, the Senate adjourned at 3:15 p.m. to meet Monday, April 29, 2013, at 1:30