

Senate Journal

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

Third Legislative Day, Tuesday, February 8, 2011

The Senate was called to order by Senator Jolley.

Roll Call:

Present: Aldridge, Allen, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brecheen, Brinkley, Brown, Burrage, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Laster, Lerblance, Marlatt, Mazzei, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.—46.

Excused: Adelson, Coates.—2.

Senator Jolley 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

SRs 1 and 2 were each correctly enrolled, properly signed and ordered transmitted to the Secretary of State.

INTRODUCTION

Senator Rob Johnson introduced his father and former Senator Mike Johnson to the Senate.

REQUEST TO RECESS

Pursuant to Article 5, Section 30 of the Oklahoma Constitution, the Senate requests the Honorable House to consent to the adjournment of the Senate for more than three days beginning on Wednesday, February 9, 2011 and ending on Monday, February 14, 2011.

MESSAGE 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 adjourn for more than three (3) days beginning Wednesday, February 9, 2011 and ending Monday, February 14, 2011.

MESSAGE FROM THE HOUSE

Advising the Honorable Senate pursuant to Article 5, Section 30 of the Oklahoma Constitution that the House requests the Honorable Senate to grant the request of the House to adjourn for more than three (3) days beginning Wednesday, February 9, 2011 and ending Monday, February 14, 2011.

REQUEST TO RECESS GRANTED

Pursuant to Article 5, Section 30 of the Oklahoma Constitution the Senate grants the request of the Honorable House to adjourn for more than three days beginning, February 9, 2011 and ending on Monday, February 14, 2011.

Senator Schulz moved that when the clerk's desk is clear, the Senate stand adjourned to convene Monday, February 14, 2011, at 1:30 p.m., which motion prevailed.

COMMITTEE REPORTS

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

DO PASS:

SB 59 – Education, coauthored by Osborn (principal House author)

Ayes: Branan, Brecheen, David, Eason McIntyre, Ford, Garrison, Halligan, Holt, Jolley, Laster, Lerblance, Mazzei, Nichols, Paddack, Reynolds, Sparks, Stanislowski

SB 862 – Judiciary, coauthored by Sullivan (principal House author)

Ayes: Brecheen, Crain, Johnson (Rob), Nichols, Shortey, Sykes

Nays: Eason McIntyre, Laster, Lerblance

SB 863 – Judiciary, coauthored by Sullivan (principal House author)

Ayes: Brecheen, Crain, Johnson (Rob), Nichols, Shortey, Sykes

Nays: Eason McIntyre, Laster, Lerblance

SB 864 – Judiciary, coauthored by Sullivan (principal House author)

Ayes: Brecheen, Johnson (Rob), Nichols, Shortey, Sykes

Nays: Crain, Eason McIntyre, Laster, Lerblance

SB 865 – Judiciary, coauthored by Sullivan (principal House author)

Ayes: Brecheen, Crain, Johnson (Rob), Nichols, Shortey, Sykes

Nays: Eason McIntyre, Laster, Lerblance

DO PASS, As Amended:

SB 171 – Education, coauthored by Casey (principal House author)

Ayes: Branan, Brecheen, David, Eason McIntyre, Ford, Garrison, Halligan, Holt, Jolley, Laster, Lerblance, Mazzei, Nichols, Paddack, Reynolds, Sparks, Stanislawski

SB 866 – Judiciary, coauthored by Sullivan (principal House author)

Ayes: Brecheen, Crain, Johnson (Rob), Nichols, Shortey, Sykes

Nays: Eason McIntyre, Laster, Lerblance

SECOND READING

The following were read for the second time and referred to committee as indicated:

SB 1 – Education

SB 2 – Education

SB 3 – Finance

SB 4 – Finance

SB 5 – Rules

SB 6 – Education

SB 7 – Rules

SB 8 – Finance

SB 9 – Judiciary

SB 10 – General Government

SB 11 – Transportation

SB 12 – Education

SB 13 – Finance

- SB 14** – Appropriations
- SB 15** – Agriculture and Rural Development
- SB 16** – General Government
- SB 17** – Rules
- SB 18** – Energy
- SB 19** – Energy
- SB 20** – General Government
- SB 21** – Tourism and Wildlife
- SB 22** – Rules
- SB 23** – Retirement and Insurance
- SB 24** – Retirement and Insurance
- SB 25** – Health and Human Services
- SB 26** – Health and Human Services
- SB 27** – Health and Human Services
- SB 28** – Retirement and Insurance
- SB 29** – Health and Human Services
- SB 30** – Health and Human Services
- SB 31** – Health and Human Services
- SB 32** – Health and Human Services
- SB 33** – Health and Human Services
- SB 34** – Health and Human Services
- SB 35** – Health and Human Services
- SB 36** – Health and Human Services
- SB 37** – Education
- SB 38** – Finance
- SB 39** – Health and Human Services
- SB 40** – Retirement and Insurance
- SB 41** – Transportation
- SB 42** – Finance
- SB 43** – Retirement and Insurance
- SB 44** – Veterans and Military Affairs
- SB 45** – Transportation
- SB 46** – Veterans and Military Affairs
- SB 47** – Finance
- SB 48** – Retirement and Insurance
- SB 49** – Retirement and Insurance
- SB 50** – Retirement and Insurance
- SB 51** – Health and Human Services
- SB 52** – Retirement and Insurance
- SB 53** – Retirement and Insurance
- SB 54** – Rules
- SB 55** – Education
- SB 56** – Veterans and Military Affairs
- SB 57** – Retirement and Insurance

- SB 58** – Agriculture and Rural Development
- SB 59** – Education
- SB 60** – Energy
- SB 61** – General Government
- SB 62** – Agriculture and Rural Development
- SB 63** – Health and Human Services
- SB 64** – Education
- SB 66** – Health and Human Services
- SB 67** – Rules
- SB 68** – Rules
- SB 69** – Health and Human Services
- SB 70** – Finance
- SB 71** – Retirement and Insurance
- SB 72** – Tourism and Wildlife
- SB 73** – General Government
- SB 74** – Retirement and Insurance
- SB 75** – Rules
- SB 76** – Energy
- SB 77** – Retirement and Insurance
- SB 78** – Retirement and Insurance
- SB 79** – Retirement and Insurance
- SB 80** – Education
- SB 81** – Retirement and Insurance
- SB 82** – Transportation
- SB 83** – Rules
- SB 84** – Appropriations
- SB 85** – Education
- SB 86** – Appropriations
- SB 87** – Energy
- SB 88** – Rules
- SB 89** – Education
- SB 90** – General Government
- SB 91** – Rules
- SB 92** – Agriculture and Rural Development
- SB 93** – Judiciary
- SB 94** – Tourism and Wildlife
- SB 95** – Public Safety
- SB 96** – General Government
- SB 97** – Appropriations
- SB 98** – Rules
- SB 99** – Rules
- SB 100** – Energy
- SB 101** – Finance
- SB 102** – General Government

- SB 103** – Finance
- SB 104** – General Government
- SB 105** – Finance
- SB 106** – Tourism and Wildlife
- SB 107** – Transportation
- SB 108** – Appropriations
- SB 109** – Education
- SB 110** – Energy
- SB 111** – Health and Human Services
- SB 112** – Retirement and Insurance
- SB 113** – Energy
- SB 114** – General Government
- SB 115** – Rules
- SB 116** – Rules
- SB 117** – Rules
- SB 118** – Rules
- SB 119** – Veterans and Military Affairs
- SB 120** – Finance
- SB 121** – Health and Human Services
- SB 122** – Finance
- SB 123** – Finance
- SB 124** – Judiciary
- SB 125** – Health and Human Services
- SB 126** – Public Safety
- SB 127** – General Government
- SB 128** – Agriculture and Rural Development
- SB 129** – Tourism and Wildlife
- SB 130** – General Government
- SB 131** – Public Safety
- SB 132** – Rules
- SB 133** – Finance
- SB 134** – Health and Human Services
- SB 135** – Energy
- SB 136** – Health and Human Services
- SB 137** – Public Safety
- SB 138** – Public Safety
- SB 139** – Rules
- SB 140** – Energy
- SB 141** – Education
- SB 142** – Education
- SB 143** – Public Safety
- SB 144** – Rules
- SB 145** – General Government
- SB 146** – Public Safety

- SB 147** – Rules
- SB 148** – Judiciary
- SB 149** – Judiciary
- SB 150** – Judiciary
- SB 151** – Judiciary
- SB 152** – Education
- SB 153** – Appropriations
- SB 154** – Finance
- SB 155** – Judiciary
- SB 156** – Judiciary
- SB 157** – Public Safety
- SB 158** – Education
- SB 159** – Education
- SB 160** – General Government
- SB 161** – Judiciary
- SB 162** – Public Safety
- SB 163** – Finance
- SB 164** – Rules
- SB 165** – Rules
- SB 166** – Rules
- SB 167** – Health and Human Services
- SB 168** – Public Safety
- SB 169** – Agriculture and Rural Development
- SB 170** – General Government
- SB 171** – Education
- SB 172** – General Government
- SB 173** – Education
- SB 174** – Education
- SB 175** – Rules
- SB 176** – Appropriations
- SB 177** – Health and Human Services
- SB 178** – Health and Human Services
- SB 179** – Public Safety
- SB 180** – Public Safety
- SB 181** – Rules
- SB 182** – Public Safety
- SB 183** – Retirement and Insurance
- SB 184** – General Government
- SB 185** – General Government
- SB 186** – General Government
- SB 187** – Public Safety
- SB 188** – Judiciary
- SB 189** – Judiciary
- SB 190** – Retirement and Insurance

- SB 191** – Retirement and Insurance
- SB 192** – Transportation
- SB 193** – Transportation
- SB 194** – Retirement and Insurance
- SB 195** – Transportation
- SB 196** – Retirement and Insurance
- SB 197** – Finance
- SB 198** – Public Safety
- SB 199** – Finance
- SB 200** – Finance
- SB 201** – Finance
- SB 202** – Agriculture and Rural Development
- SB 203** – Judiciary
- SB 204** – General Government
- SB 205** – Rules
- SB 206** – Education
- SB 207** – Education
- SB 208** – Finance
- SB 209** – Education
- SB 210** – Education
- SB 211** – Retirement and Insurance
- SB 212** – Health and Human Services
- SB 213** – Education
- SB 214** – Rules
- SB 215** – Public Safety
- SB 216** – General Government
- SB 217** – Judiciary
- SB 218** – Retirement and Insurance
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- SB 220** – Rules
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- SB 230** – Rules
- SB 231** – Rules
- SB 232** – Health and Human Services
- SB 233** – Finance
- SB 234** – Retirement and Insurance

- SB 235** – Transportation
- SB 236** – Judiciary
- SB 237** – Health and Human Services
- SB 238** – Judiciary
- SB 239** – Rules
- SB 240** – Health and Human Services
- SB 241** – Transportation
- SB 242** – Energy
- SB 243** – Energy
- SB 244** – Energy
- SB 245** – Rules
- SB 246** – Business and Commerce
- SB 247** – Health and Human Services
- SB 248** – Energy
- SB 249** – Health and Human Services
- SB 250** – Public Safety
- SB 251** – Veterans and Military Affairs
- SB 252** – Education
- SB 253** – Veterans and Military Affairs
- SB 254** – Rules
- SB 255** – Rules
- SB 256** – Education
- SB 257** – Public Safety
- SB 258** – Tourism and Wildlife
- SB 259** – Tourism and Wildlife
- SB 260** – Education
- SB 261** – Finance
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SB 298 – Rules
SB 299 – Health and Human Services
SB 300 – Energy
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SB 302 – Rules
SB 303 – Public Safety
SB 304 – Transportation
SB 305 – Rules
SB 306 – Rules
SB 307 – Retirement and Insurance
SB 308 – Rules
SB 309 – Rules
SB 310 – Rules
SB 311 – Rules
SB 312 – Public Safety
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SB 487 – Public Safety
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- SB 541** – Appropriations
- SB 542** – Judiciary

SB 543 – Rules
SB 544 – Judiciary
SB 545 – Rules
SB 546 – Judiciary
SB 547 – Retirement and Insurance
SB 548 – Finance
SB 549 – Rules
SB 550 – Rules
SB 551 – Rules
SB 552 – Rules
SB 553 – Direct To Calendar
SB 554 – Education
SB 555 – Rules
SB 556 – Public Safety
SB 557 – Appropriations
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SB 559 – Rules
SB 560 – Rules
SB 561 – Rules
SB 562 – Rules
SB 563 – Retirement and Insurance
SB 564 – Rules
SB 565 – Rules
SB 566 – Health and Human Services
SB 567 – Public Safety
SB 568 – Business and Commerce
SB 569 – Business and Commerce
SB 570 – Business and Commerce
SB 571 – Finance
SB 572 – Health and Human Services
SB 573 – Health and Human Services
SB 574 – Appropriations
SB 575 – Education
SB 576 – Judiciary
SB 577 – Retirement and Insurance
SB 578 – Rules
SB 579 – Rules
SB 580 – Rules
SB 581 – Rules
SB 582 – Rules
SB 583 – Rules
SB 584 – Retirement and Insurance
SB 585 – Rules
SB 586 – Rules

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- SB 588** – Rules
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- SB 591** – Energy
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- SB 593** – Finance
- SB 594** – Rules
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- SB 596** – Energy
- SB 597** – Rules
- SB 598** – Energy
- SB 599** – Education
- SB 600** – Rules
- SB 601** – Rules
- SB 602** – Rules
- SB 603** – Business and Commerce
- SB 604** – Business and Commerce
- SB 605** – Education
- SB 606** – Rules
- SB 607** – Rules
- SB 608** – Judiciary
- SB 609** – Judiciary
- SB 610** – Education
- SB 611** – Judiciary
- SB 612** – Rules
- SB 613** – Judiciary
- SB 614** – General Government
- SB 615** – Rules
- SB 616** – Retirement and Insurance
- SB 617** – Tourism and Wildlife
- SB 618** – General Government
- SB 619** – Rules
- SB 620** – Rules
- SB 621** – Rules
- SB 622** – Rules
- SB 623** – Rules
- SB 624** – Rules
- SB 625** – Rules
- SB 626** – General Government
- SB 627** – Rules
- SB 628** – Energy
- SB 629** – Energy
- SB 630** – Transportation

- SB 631** – Rules
- SB 632** – Education
- SB 633** – Veterans and Military Affairs
- SB 634** – Rules
- SB 635** – Finance
- SB 636** – Rules
- SB 637** – Agriculture and Rural Development
- SB 638** – Education
- SB 639** – Rules
- SB 640** – Energy
- SB 641** – Energy
- SB 642** – Energy
- SB 643** – Retirement and Insurance
- SB 644** – Rules
- SB 645** – Business and Commerce
- SB 646** – Health and Human Services
- SB 647** – Rules
- SB 648** – Business and Commerce
- SB 649** – Rules
- SB 650** – Education
- SB 651** – Public Safety
- SB 652** – Judiciary
- SB 653** – Judiciary
- SB 654** – Appropriations
- SB 655** – Education
- SB 656** – Tourism and Wildlife
- SB 657** – Judiciary
- SB 658** – Business and Commerce
- SB 659** – Business and Commerce
- SB 660** – Rules
- SB 661** – Rules
- SB 662** – Rules
- SB 663** – Retirement and Insurance
- SB 664** – Education
- SB 665** – Judiciary
- SB 666** – General Government
- SB 667** – Health and Human Services
- SB 668** – Health and Human Services
- SB 669** – Rules
- SB 670** – Rules
- SB 671** – Appropriations
- SB 672** – Business and Commerce
- SB 673** – Health and Human Services
- SB 674** – Public Safety

- SB 675** – Appropriations
- SB 676** – Health and Human Services
- SB 677** – Health and Human Services
- SB 678** – Rules
- SB 679** – Health and Human Services
- SB 680** – Rules
- SB 681** – Rules
- SB 682** – Education
- SB 683** – Education
- SB 684** – Business and Commerce
- SB 685** – Agriculture and Rural Development
- SB 686** – General Government
- SB 687** – Business and Commerce
- SB 688** – Judiciary
- SB 689** – Rules
- SB 690** – Rules
- SB 691** – Business and Commerce
- SB 692** – Health and Human Services
- SB 693** – Redistricting
- SB 694** – Redistricting
- SB 695** – Redistricting
- SB 696** – Redistricting
- SB 697** – Redistricting
- SB 698** – Redistricting
- SB 699** – Redistricting
- SB 700** – Redistricting
- SB 701** – Judiciary
- SB 702** – Judiciary
- SB 703** – Rules
- SB 704** – Judiciary
- SB 705** – Judiciary
- SB 706** – Rules
- SB 707** – General Government
- SB 708** – General Government
- SB 709** – Appropriations
- SB 710** – Transportation
- SB 711** – Transportation
- SB 712** – Rules
- SB 713** – Appropriations
- SB 714** – Rules
- SB 715** – Rules
- SB 716** – Rules
- SB 717** – Rules
- SB 718** – Education

SB 719 – Rules
SB 720 – Rules
SB 721 – Rules
SB 722 – Rules
SB 723 – Appropriations
SB 724 – Appropriations
SB 725 – Appropriations
SB 726 – Health and Human Services
SB 727 – Redistricting
SB 728 – Finance
SB 729 – Finance
SB 730 – Finance
SB 731 – Rules
SB 732 – Finance
SB 733 – Finance
SB 734 – Rules
SB 735 – Appropriations
SB 736 – Public Safety
SB 737 – Redistricting
SB 738 – Energy
SB 739 – Rules
SB 740 – Judiciary
SB 741 – Appropriations
SB 742 – Transportation
SB 743 – Appropriations
SB 744 – Finance
SB 745 – Finance
SB 746 – Rules
SB 747 – Rules
SB 748 – Veterans and Military Affairs
SB 749 – Finance
SB 750 – Finance
SB 751 – Judiciary
SB 752 – Rules
SB 753 – Appropriations
SB 754 – Rules
SB 755 – Business and Commerce
SB 756 – Business and Commerce
SB 757 – Finance
SB 758 – Public Safety
SB 759 – Rules
SB 760 – Rules
SB 761 – Judiciary
SB 762 – Judiciary

- SB 763** – Judiciary
- SB 764** – Judiciary
- SB 765** – Judiciary
- SB 766** – Judiciary
- SB 767** – Rules
- SB 768** – Judiciary
- SB 769** – Judiciary
- SB 770** – Rules
- SB 771** – Rules
- SB 772** – Business and Commerce
- SB 773** – Agriculture and Rural Development
- SB 774** – Business and Commerce
- SB 775** – Business and Commerce
- SB 776** – Business and Commerce
- SB 777** – Retirement and Insurance
- SB 778** – Business and Commerce
- SB 779** – Retirement and Insurance
- SB 780** – Retirement and Insurance
- SB 781** – Appropriations
- SB 782** – Retirement and Insurance
- SB 783** – Judiciary
- SB 784** – Retirement and Insurance
- SB 785** – Public Safety
- SB 786** – Rules
- SB 787** – Retirement and Insurance
- SB 788** – Retirement and Insurance
- SB 789** – Business and Commerce
- SB 790** – Judiciary
- SB 791** – Appropriations
- SB 792** – Rules
- SB 793** – Appropriations
- SB 794** – Retirement and Insurance
- SB 795** – Retirement and Insurance
- SB 796** – Business and Commerce
- SB 797** – Business and Commerce
- SB 798** – Judiciary
- SB 799** – Judiciary
- SB 800** – Rules
- SB 801** – Retirement and Insurance
- SB 802** – Retirement and Insurance
- SB 803** – Rules
- SB 804** – Rules
- SB 805** – Public Safety
- SB 806** – Retirement and Insurance

SB 807 – Retirement and Insurance
SB 808 – Rules
SB 809 – Retirement and Insurance
SB 810 – Retirement and Insurance
SB 811 – Retirement and Insurance
SB 812 – Appropriations
SB 813 – Judiciary
SB 814 – Judiciary
SB 815 – Judiciary
SB 816 – General Government
SB 817 – Rules
SB 818 – Judiciary
SB 819 – Public Safety
SB 820 – Public Safety
SB 821 – Redistricting
SB 822 – Redistricting
SB 823 – Redistricting
SB 824 – Redistricting
SB 825 – Education
SB 826 – Business and Commerce
SB 827 – Business and Commerce
SB 828 – Tourism and Wildlife
SB 829 – Judiciary
SB 830 – Rules
SB 831 – Business and Commerce
SB 832 – Finance
SB 833 – Finance
SB 834 – Finance
SB 835 – Rules
SB 836 – Judiciary
SB 837 – Judiciary
SB 838 – Judiciary
SB 839 – Rules
SB 840 – Retirement and Insurance
SB 841 – Rules
SB 842 – Redistricting
SB 843 – Judiciary
SB 844 – Public Safety
SB 845 – Public Safety
SB 846 – Rules
SB 847 – Rules
SB 848 – Judiciary
SB 849 – Rules
SB 850 – Judiciary

- SB 862** – Judiciary
- SB 863** – Judiciary
- SB 864** – Judiciary
- SB 865** – Judiciary
- SB 866** – Judiciary
- SJR 1** – Retirement and Insurance
- SJR 2** – Rules
- SJR 3** – Finance
- SJR 4** – Finance
- SJR 5** – Finance
- SJR 6** – Education
- SJR 7** – Energy
- SJR 8** – Health and Human Services
- SJR 9** – Health and Human Services
- SJR 10** – Health and Human Services
- SJR 11** – Energy
- SJR 12** – Rules

Pursuant to the Schulz motion, the Senate adjourned at 2:05 p.m. to meet Monday, February 14, 2011 at 1:30 p.m.