

Senate Journal

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

Twenty-eighth Legislative Day, Tuesday, March 29, 2011

The Senate was called to order by Senator Stanislawski.

Roll Call:

Present: Adelson, Aldridge, Allen, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brecheen, Brinkley, Brown, Burrage, Coates, 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, Rice, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.—46.

Excused: Reynolds and Russell.—2.

Senator Stanislawski declared a quorum present.

The prayer was offered by Reverend Roy Schneider, First Presbyterian Church, Enid, the guest of Senator Anderson.

REPORT OF ENGROSSED AND ENROLLED MEASURES

SBs 16, 131, 137, 157 and 940 were each correctly enrolled, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

UNANIMOUS CONSENT REQUEST DIRECT TO CALENDAR

Senator Ivester asked unanimous consent to refer **SR 10** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

SR 10 by Ivester was called up for consideration.

All other members of the Senate asked to coauthor **SR 10**, which was the order.

SR 10 was adopted upon motion of Senator Ivester and referred for enrollment.

GENERAL ORDER

HB 1321 by Wright et al of the House and Justice and Ivester of the Senate was called up for consideration.

Senators Garrison, Marlatt, Treat, Shortey, Brinkley, Brecheen, Newberry, Allen, David and Ford asked to coauthor **HB 1321**, which was the order.

Senator Justice moved that **HB 1321** be advanced, which motion was declared adopted.

THIRD READING

HB 1321 was read for the third time at length.

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

Aye: Adelson, Aldridge, Allen, Anderson, Ballenger, Barrington, Bass, Branan, Brecheen, Brinkley, Brown, Burrage, Coates, 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, Rice, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--45.

Excused: Bingman, Reynolds and Russell.--3.

The bill passed.

HB 1321 was referred for engrossment.

GENERAL ORDER

HB 1666 by Osborn et al of the House and Justice of the Senate was called up for consideration.

Senators Allen, Treat and Brecheen asked to coauthor **HB 1666**, which was the order.

Senator Justice moved that **HB 1666** be advanced, which motion was declared adopted.

THIRD READING

HB 1666 was read for the third time at length.

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

Aye: Adelson, Aldridge, Allen, Anderson, Ballenger, Barrington, Bass, Branan, Brecheen, Brinkley, Brown, Burrage, Coates, Crain, David, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (R), Jolley, Justice, Laster, Marlatt, Mazzei, Myers, Newberry, Nichols, Paddack, Rice, Schulz, Shortey, Simpson, Stanislawski, Sykes, Treat and Wyrick.--39.

Nay: Eason McIntyre, Ellis, Johnson (C), Lerblance, Sparks and Wilson.--6.

Excused: Bingman, Reynolds and Russell.--3.

The bill and emergency passed.

HB 1666 was properly signed and ordered returned to the Honorable House.

**UNANIMOUS CONSENT REQUEST
DIRECT TO CALENDAR**

Senator Ivester asked unanimous consent to refer **SR 9** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

SR 9 by Ivester was called up for consideration.

All other members of the Senate asked to coauthor **SR 9**, which was the order.

SR 9 was adopted upon motion of Senator Ivester and referred for enrollment.

GENERAL ORDER

HB 1197 by McDaniel (Jeannie) et al of the House and Anderson and Johnson (Constance) of the Senate was called up for consideration.

Senator Brecheen asked to coauthor **HB 1197**, which was the order.

Senator Anderson moved that **HB 1197** be advanced, which motion was declared adopted.

THIRD READING

HB 1197 was read for the third time at length.

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

Aye: Adelson, Aldridge, Allen, Anderson, Ballenger, Barrington, Bass, Branan, Brecheen, Brinkley, Brown, Burrage, Coates, 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, Rice, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat and Wilson.--44.

Excused: Bingman, Reynolds, Russell and Wyrick.--4.

The bill and emergency passed.

HB 1197 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 1441 by Cox of the House and Jolley of the Senate was called up for consideration.

Senator Jolley moved that **HB 1441** be advanced, which motion was declared adopted.

THIRD READING

HB 1441 was read for the third time at length.

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

Aye: Adelson, Aldridge, Allen, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brecheen, Brinkley, Brown, Burrage, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Laster, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Rice, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat and Wilson.--44.

Excused: Mazzei, Reynolds, Russell and Wyrick.--4.

The bill passed.

HB 1441 was properly signed and ordered returned to the Honorable House.

CHANGE IN COMMITTEE ASSIGNMENTS

The following bills will be reassigned as follows:

HB 1243 – Withdrawn from Business and Labor and referred to Retirement and Insurance

HB 1996 – Withdrawn from Business and Labor and referred to Retirement and Insurance

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

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

SB 102

SB 527 - coauthored by Hoskin

SB 943

House amendments were read on the above-numbered bills.

MESSAGES FROM THE HOUSE

Advising passage of and returning the following Engrossed bills:

SB 862 - coauthored by Tibbs

SB 865

The above-numbered measures were referred for enrollment.

Advising fourth reading of and returning Enrolled **SBs 16, 131, 137, 157 and 940**.

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 Wednesday, March 30, 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:

HB 1015 – General Government

Ayes: Adelson, Aldridge, Ballenger, Brown, Rice, Shortey, Treat

HB 1016 – General Government

Ayes: Adelson, Aldridge, Ballenger, Brown, Rice, Shortey, Treat

HB 1017 – General Government

Ayes: Aldridge, Ballenger, Brown, Rice, Shortey, Treat

Nays: Adelson

HB 1018 – General Government

Ayes: Adelson, Aldridge, Ballenger, Brown, Rice, Shortey, Treat

HB 1019 – General Government

Ayes: Adelson, Aldridge, Ballenger, Brown, Rice, Shortey, Treat

HB 1026 – General Government

Ayes: Adelson, Aldridge, Ballenger, Brown, Rice, Shortey, Treat

HB 1047 – General Government

Ayes: Aldridge, Ballenger, Brown, Rice, Shortey, Treat

HB 1194 – Health and Human Services

Ayes: Brinkley, Burrage, Crain, Johnson (Rob), Newberry, Russell, Wilson

HB 1228 – Health and Human Services

Ayes: Brinkley, Burrage, Crain, Johnson (Rob), Newberry, Russell, Wilson

HB 1249 – Agriculture and Rural Development

Ayes: Barrington, Fields, Ivester, Justice, Myers, Simpson, Sykes

Nays: Allen, Anderson, Bass, Ellis, Wyrick

HB 1283 – General Government

Ayes: Adelson, Aldridge, Ballenger, Brown, Marlatt, Rice, Shortey, Treat

HB 1323 – General Government

Ayes: Aldridge, Ballenger, Brown, Rice, Schulz, Shortey, Treat

HB 1377 – Health and Human Services

Ayes: Brinkley, Burrage, Crain, Johnson (Constance), Johnson (Rob), Newberry, Russell, Wilson

HB 1412 – General Government

Ayes: Adelson, Aldridge, Ballenger, Brown, Marlatt, Rice, Shortey, Treat

HB 1504 – Health and Human Services, coauthored by Pittman of the House

Ayes: Brinkley, Burrage, Crain, Johnson (Rob), Newberry, Russell, Wilson

HB 1511 – General Government

Ayes: Aldridge, Ballenger, Brown, Marlatt, Rice, Shortey, Treat

HB 1593 – General Government

Ayes: Aldridge, Brown, Marlatt, Shortey, Treat

Nays: Adelson, Ballenger, Rice

HB 1669 – General Government, coauthored by Inman of the House

Ayes: Adelson, Aldridge, Ballenger, Brown, Marlatt, Rice, Shortey, Treat

HB 1680 – Education

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

HB 1685 – General Government

Ayes: Adelson, Aldridge, Ballenger, Brown, Marlatt, Rice, Shortey, Treat

HB 1917 – Education

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

HB 1992 – General Government

Ayes: Adelson, Aldridge, Ballenger, Brown, Marlatt, Rice, Shortey, Treat

DO PASS, As Amended:

HB 1034 – General Government

Ayes: Adelson, Aldridge, Ballenger, Brown, Rice, Shortey, Treat

HB 1051 – General Government

Ayes: Adelson, Aldridge, Ballenger, Brown, Rice, Shortey, Treat

HB 1533 – General Government

Ayes: Adelson, Aldridge, Ballenger, Brown, Marlatt, Rice, Shortey, Treat

CS for HB 1888 – Health and Human Services, coauthored by Brinkley, Newberry of the Senate

Ayes: Brinkley, Burrage, Crain, Johnson (Rob), Newberry, Russell

Nays: Wilson

HB 2017 – Health and Human Services

Ayes: Brinkley, Burrage, Crain, Johnson (Constance), Johnson (Rob), Newberry, Russell, Wilson

COMMITTEE REPORTS

The following were reported by the committees named and referred to a second committee:

DO PASS:

HB 1086 – General Government

Ayes: Aldridge, Ballenger, Brown, Marlatt, Rice, Shortey, Treat

DO PASS, As Amended:

HB 1744 – Education

Ayes: Branan, Brecheen, David, Ford, Halligan, Holt, Jolley, Mazzei, Nichols, Paddack, Sparks, Stanislawski

Nays: Garrison, Lerblance

HB 2115 – Education, coauthored by Branan of the Senate

Ayes: Branan, Brecheen, David, Ford, Halligan, Jolley, Mazzei, Nichols, Sparks, Stanislawski

Nays: Garrison, Lerblance, Paddack

HB 2116 – Education

Ayes: Branan, Brecheen, David, Ford, Garrison, Halligan, Holt, Lerblance, Mazzei, Nichols, Paddack, Sparks, Stanislawski

Nays: Jolley

Pursuant to the Schulz motion, the Senate adjourned at 2:20 p.m. to meet Wednesday, March 30, 2011, at 1:30 p.m.