

# Senate Journal

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

Thirty-fifth Legislative Day, Monday, April 11, 2011

The Senate was called to order by Senator Sykes.

Roll Call:

Present: 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, Reynolds, Rice, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.—47.

Excused: Adelson.—1

Senator Sykes declared a quorum present.

The prayer was offered by Reverend Kirt Moelling, Lakeside United Methodist Church, Oklahoma City, the guest of Senator Rice.

### REPORT OF ENGROSSED AND ENROLLED MEASURES

**HBs 1520, 1615 and 1917** were each correctly engrossed and, together with engrossed **SAs**, properly signed and ordered returned to the Honorable House.

**SR 14** was correctly enrolled, properly signed and ordered transmitted to the Secretary of State.

### GENERAL ORDER

**HB 1686** by Morrisette et al of the House and Crain and Johnson (Constance) of the Senate was called up for consideration.

Senator Sparks asked to coauthor **HB 1686**, which was the order.

Senator Crain moved that **HB 1686** be advanced, which motion was declared adopted.

### **THIRD READING**

**HB 1686** was read for the third time at length.

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

Aye: Ballenger, Barrington, Bingman, Branan, Brinkley, Burrage, Coates, Crain, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Johnson (C), Justice, Laster, Paddack, Rice, Schulz, Simpson, Sparks, Stanislawski and Wilson.--25.

Nay: Aldridge, Allen, Anderson, Bass, Brecheen, Brown, David, Ivester, Johnson (R), Jolley, Lerblance, Marlatt, Myers, Newberry, Nichols, Russell, Shortey, Sykes and Treat.--19.

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

The bill passed.

Senators Marlatt, Newberry, Allen, Myers and David desired to vote Aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 30; Nay: 14; Excused: 4.

The emergency failed.

Pursuant to Rule 12-21, Senator Crain served notice that the vote be reconsidered whereby **HB 1686** passed.

### **MESSAGE FROM THE HOUSE**

Advising passage of and transmitting for consideration Engrossed **HCR 1011**.

**HCR 1011** – By Blackwell of the House and Schulz of the Senate.  
A Concurrent Resolution supporting Lesser Prairie Chicken conservation.

The above-numbered measures was read the first time.

**FIRST READING**

The following was introduced and read the first time:

**SCR 11** – By Halligan of the Senate and Denney and Williams of the House

A Concurrent Resolution congratulating Miss Devin Kerns upon her selection as the Distinguished Young Woman of Oklahoma for 2011; wishing her the best for further competition; and directing distribution.

**UNANIMOUS CONSENT REQUEST  
DIRECT TO CALENDAR**

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

**GENERAL ORDER**

**SCR 11** by Halligan of the Senate and Denney and Williams of the House was called up for consideration.

**SCR 11** was adopted upon motion of Senator Halligan and referred for engrossment.

**GENERAL ORDER**

**HB 1228** by Ownbey of the House and Simpson of the Senate was called up for consideration.

Senator Simpson moved that **HB 1228** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 1228** 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, Branan, Brecheen, Brinkley, Brown, Burrage, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Johnson (C), Johnson (R), Jolley, Justice, Laster, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--45.

Excused: Adelson and Mazzei.--2

\*Ivester.--1.

\*Senator Ivester asked to be shown not voting on **HB 1228** for reason of personal interest, as provided in Article V, Section 24, Oklahoma Constitution.

The bill passed.

**HB 1228** was properly signed and ordered returned to the Honorable House.

### **GENERAL ORDER**

**HB 1533** by Blackwell of the House and Barrington of the Senate was called up for consideration.

Senator Johnson (Constance) asked to coauthor **HB 1533**, which was the order.

Senator Barrington moved that **HB 1533** be advanced, which motion was declared adopted.

### **THIRD READING**

**HB 1533** was read for the third time at length.

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

Aye: Allen, Ballenger, Barrington, Bass, Bingman, Branan, Brecheen, Brown, Burrage, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Laster, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Simpson, Sparks, Stanislawski, Treat, Wilson and Wyrick.--40.

Nay: Aldridge, Anderson, Brinkley, Holt, Shortey and Sykes.--6.

Excused: Adelson and Mazzei.--2.

The bill and emergency passed.

**HB 1533** was referred for engrossment.

### **GENERAL ORDER**

**HB 1969** by Mulready and Ritze of the House and Brown of the Senate was called up for consideration.

Senator Brown moved that **HB 1969** be advanced, which motion was declared adopted.

### **THIRD READING**

**HB 1969** 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, 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, Reynolds, Rice, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--46.

Excused: Adelson and Mazzei.--2.

The bill passed.

**HB 1969** was properly signed and ordered returned to the Honorable House.

### **EXECUTIVE NOMINATIONS**

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

Longacre, John T., IV, Kellyville, to the Oklahoma Used Motor Vehicle and Parts Commission, to serve a four term ending January 12, 2015, succeeding himself. (Business and Commerce Committee) Motion to confirm made by Senator Brian Bingman.

McKeever, Stephen W. S., Stillwater, as the Cabinet Secretary of Science and Technology, to serve at the pleasure of the Governor, succeeding Dr. J. S. Alexander. (Energy Committee) Motion to confirm made by Senator Jim Halligan.

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

Aye: 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, Reynolds, Rice, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--46.

Excused: Adelson and Mazzei.--2.

**PENDING CONSIDERATION OF HAS**

**HAs to SBs 339 and 774** were rejected upon motion of Senator Schulz, conference requested, and Senate conferees to be named later.

**GENERAL ORDER**

**HB 1218** by Kirby of the House and Treat of the Senate was called up for consideration.

Senator Treat moved that **HB 1218** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 1218** 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, 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, Reynolds, Rice, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--46.

Excused: Adelson and Mazzei.--2.

The bill passed.

**HB 1218** was properly signed and ordered returned to the Honorable House.

**GENERAL ORDER**

**HB 1990** by Sullivan of the House and Newberry of the Senate was called up for consideration.

Senator Sparks asked to coauthor **HB 1990**, which was the order.

Senator Newberry moved to amend **HB 1990**, 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 Newberry 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: Bingman, Branam, Brecheen, Brinkley, Brown, Coates, David, Eason McIntyre, Ford, Halligan, Ivester, Johnson (C), Johnson (R), Justice, Marlatt, Mazzei, Newberry, Rice, Schulz, Simpson, Sparks, Stanislawski and Treat.--23.

Nay: Aldridge, Allen, Ballenger, Barrington, Bass, Burrage, Crain, Ellis, Fields, Garrison, Holt, Jolley, Laster, Lerblance, Myers, Nichols, Paddack, Reynolds, Russell, Shortey, Sykes, Wilson and Wyrick.--23.

Excused: Adelson and Anderson.--2.

The bill failed.

Pursuant to Rule 12-21, Senator Newberry served notice that the vote be reconsidered whereby **HB 1990** failed.

**GENERAL ORDER**

**HB 1634** by Ortega et al of the House and Schulz et al of the Senate was called up for consideration.

Senators Simpson, Russell, Brecheen, Sparks and Representative Ownbey asked to coauthor **HB 1634**, which was the order.

Senator Schulz moved to amend **HB 1634**, Page 1, by restoring the title, which amendment was declared adopted.

The above amendment restores **HB 1634** to the engrossed version of the bill.

Senator Schulz moved that **HB 1634** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 1634** 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, Branam, 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, Reynolds, Rice, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--47.

Excused: Adelson.--1.

The bill and emergency passed.

**HB 1634** was properly signed and ordered returned to the Honorable House.

### **GENERAL ORDER**

**HB 1050** by Sanders of the House and Ballenger of the Senate was called up for consideration.

Senator Ballenger 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, Anderson, Ballenger, Barrington, Bass, Branan, Brecheen, Brinkley, Brown, Burrage, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Jolley, Justice, Laster, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--43.

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

Excused: Adelson, Bingman and Mazzei.--3.

The bill passed.

**HB 1050** was referred for engrossment.

### **GENERAL ORDER**

**HB 1051** by Sanders of the House and Ballenger of the Senate was called up for consideration.

Senator Ballenger moved to amend **HB 1051**, 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 Ballenger moved to amend the floor substitute to **HB 1051**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Ballenger moved that **HB 1051** be advanced, which motion was declared adopted.

### **THIRD READING**

**HB 1051** 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, 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, Paddock, Reynolds, Rice, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--44.

Excused: Adelson, Bingman, Mazzei and Russell.--4.

The bill passed.

**HB 1051** was referred for engrossment.

### **GENERAL ORDER**

**HB 1412** by Joyner of the House and Ballenger of the Senate was called up for consideration.

Senator Ballenger moved that **HB 1412** be advanced, which motion was declared adopted.

### **THIRD READING**

**HB 1412** 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, 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, Reynolds, Rice, Schulz, Shortey, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--43.

Excused: Adelson, Bingman, Mazzei, Russell and Simpson.--5.

The bill passed.

**HB 1412** was properly signed and ordered returned to the Honorable House.

### **GENERAL ORDER**

**HB 1468** by Johnson et al of the House and Ballenger of the Senate was called up for consideration.

Senator Ballenger moved to amend **HB 1468**, 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 Ballenger moved that **HB 1468** be advanced, which motion was declared adopted.

### **THIRD READING**

**HB 1468** 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, 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, Reynolds, Rice, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Wilson and Wyrick.--43.

Excused: Adelson, Bingman, Mazzei, Russell and Treat.--5.

The bill passed.

**HB 1468** was referred for engrossment.

### **GENERAL ORDER**

**HB 1688** by Russ of the House and Anderson of the Senate was called up for consideration.

Senator Anderson moved that **HB 1688** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 1688** 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, 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, Reynolds, Rice, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--46.

Excused: Adelson and Bingman.--2.

The bill passed.

**HB 1688** was properly signed and ordered returned to the Honorable House.

**Senator Stanislawski presiding.**

**GENERAL ORDER**

**HB 1648** by Newell et al of the House and Russell of the Senate was called up for consideration.

Senator Russell moved that **HB 1648** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 1648** 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, Branan, Brecheen, Brinkley, Burrage, Coates, 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, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--43.

Excused: Adelson, Bingman, Brown, Crain and Simpson.--5.

The bill passed.

**HB 1648** was referred for engrossment.

### GENERAL ORDER

**HB 1991** by Sullivan and Ritze of the House and Sykes and Shortey of the Senate was called up for consideration.

Senator Sykes moved that **HB 1991** be advanced, which motion was declared adopted.

### THIRD READING

**HB 1991** 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, Branan, Brecheen, Brinkley, Brown, Burrage, Coates, David, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (R), Jolley, Justice, Laster, Lerblance, Marlatt, Mazzei, Myers, Newberry, Nichols, Paddack, Rice, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat and Wyrick.--42.

Nay: Eason McIntyre, Johnson (C) and Wilson.--3.

Excused: Adelson, Crain and Reynolds.--3.

The bill passed.

**HB 1991** was properly signed and ordered returned to the Honorable House.

### MESSAGE FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled **HBs 1044, 1296, 1511 and 1812**.

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

### GENERAL ORDER

**HB 2038** by Sullivan and Sherrer of the House and Sykes of the Senate was called up for consideration.

Senator Sykes moved that **HB 2038** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 2038** 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, 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, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat and Wyrick.--45.

Excused: Adelson, Reynolds and Wilson.--3.

The bill passed.

**HB 2038** was properly signed and ordered returned to the Honorable House.

**GENERAL ORDER**

**HB 1007** by McDaniel (Randy) of the House and Mazzei of the Senate was called up for consideration.

Senator Mazzei moved that **HB 1007** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 1007** 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, Barrington, Bingman, Branan, Brecheen, Brinkley, Brown, Burrage, Coates, Crain, David, Ellis, Fields, Ford, Halligan, Holt, Ivester, Johnson (R), Jolley, Justice, Lerblance, Marlatt, Mazzei, Myers, Newberry, Nichols, Paddack, Rice, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes and Treat.--38.

Nay: Ballenger, Bass, Eason McIntyre, Garrison, Johnson (C), Laster and Wyrick.--7.

Excused: Adelson, Reynolds and Wilson.--3.

The bill passed.

**HB 1007** was properly signed and ordered returned to the Honorable House.

**GENERAL ORDER**

**HB 1230** by Ownbey of the House and Mazzei and Ivester of the Senate was called up for consideration.

Senator Mazzei moved that **HB 1230** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 1230** 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, 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, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat and Wyrick.--45.

Excused: Adelson, Reynolds and Wilson.--3.

The bill and emergency passed.

**HB 1230** was referred for engrossment.

**GENERAL ORDER**

**HB 1231** by Ownbey of the House and Mazzei and Ivester of the Senate was called up for consideration.

Senator Ivester moved to amend **HB 1231**, Page 4, Line 7, by inserting after the word "works" and before the period "." the words, "or if the state employee is an elected official, such state employee shall resign from the elective office and the Tax Commission shall cause a list of such resignations to be posted on the Internet"; and Page 4, Line 20, by inserting after the word "an" and before the word "appointed" the words, "elected or"; and Page 4, Line 22, by deleting after the word "an" and before the second word "employee" the words, "elected official or an", which amendment was declared adopted.

Senator Mazzei moved that **HB 1231** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 1231** 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, 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, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat and Wyrick.--45.

Excused: Adelson, Reynolds and Wilson.--3.

The bill and emergency passed.

**HB 1231** was referred for engrossment.

### **GENERAL ORDER**

**HB 1060** by Sanders et al of the House and Marlatt of the Senate was called up for consideration.

Senator Marlatt moved that **HB 1060** be advanced, which motion was declared adopted.

### **THIRD READING**

**HB 1060** 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, 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, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat and Wyrick.--45.

Excused: Adelson, Reynolds and Wilson.--3.

The bill and emergency passed.

**HB 1060** was properly signed and ordered returned to the Honorable House.

**FIRST READING**

The following was introduced and read the first time:

**SCR 12** – By Brown of the Senate and Faught of the House  
A Concurrent Resolution recalling from the Office of the Governor Enrolled Senate Bill No. 253, passed by the 1st Session of the 53rd Oklahoma Legislature.

**UNANIMOUS CONSENT REQUEST  
DIRECT TO CALENDAR**

Senator Brown asked unanimous consent to refer **SCR 12** direct to the Calendar for consideration, which was the order.

**GENERAL ORDER**

**SCR 12** by Brown of the Senate and Faught of the House was called up for consideration.

**SCR 12** was adopted upon motion of Senator Brown and referred for engrossment.

**REPORT OF ENGROSSED AND ENROLLED MEASURE**

**SCR 12** was correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

**MESSAGE FROM THE HOUSE**

Advising passage of and returning the following Engrossed bills:

**SB 331** - coauthored by Brumbaugh and Derby

**SB 406** - coauthored by Reynolds, Bennett, Derby, Cannaday and Ritze

The above-numbered measures were referred for enrollment.

**MESSAGES FROM THE HOUSE**

Advising passage of and returning the following Engrossed bill:

**SCR 12**

The above-numbered measure was referred for enrollment.

Advising passage of and returning the following Engrossed bills:

**SB 54** - coauthored by Wright

**SB 840** - (emergency failed)

The above-numbered measures were referred for enrollment.

Advising the signing of and returning Enrolled **SCR 12**.

The above-numbered enrolled measure was transmitted to the Secretary of State.

Senator Schulz moved that when the clerk's desk is clear, the Senate stand adjourned to convene Tuesday, April 12, 2011, at 9:15 a.m., which motion prevailed.

**COMMITTEE REPORTS**

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

DO PASS:

**HB 1059** – Energy

Ayes: Allen, Branan, Burrage, Fields, Ivester, Jolley, Lerblance, Marlatt, Myers, Nichols, Paddack, Schulz, Simpson

**HB 1308** – Energy

Ayes: Adelson, Allen, Branan, Burrage, Fields, Ivester, Jolley, Lerblance, Marlatt, Myers, Nichols, Paddack, Simpson

**HB 1382** – Public Safety

Ayes: Barrington, Garrison, Johnson (Constance), Justice, Russell, Shortey

**HB 1391** – Public Safety

Ayes: Barrington, Garrison, Johnson (Constance), Justice, Russell, Shortey

**HB 1439** – Public Safety, coauthored by Barrington, Garrison, Russell, Shortey of the Senate

Ayes: Barrington, Garrison, Justice, Russell, Shortey, Sykes

Nays: Johnson (Constance)

**HB 1481** – Energy

Ayes: Adelson, Allen, Branan, Burrage, Fields, Ivester, Johnson (Rob), Lerblance, Marlatt, Myers, Nichols, Paddack, Simpson

**HB 1595** – Public Safety

Ayes: Barrington, Garrison, Johnson (Constance), Justice, Russell, Shortey, Sykes

**HB 1604** – Judiciary

Ayes: Brecheen, Crain, Eason McIntyre, Johnson (Rob), Laster, Lerblance, Nichols, Shortey, Sykes

**HB 1672** – Judiciary, coauthored by Lerblance of the Senate

Ayes: Brecheen, Crain, Eason McIntyre, Johnson (Rob), Laster, Lerblance, Nichols, Shortey, Sykes

**HB 1800** – Public Safety

Ayes: Barrington, Garrison, Johnson (Constance), Justice, Russell, Shortey, Sykes

**HB 1939** – Energy

Ayes: Adelson, Allen, Branan, Burrage, Fields, Ivester, Johnson (Rob), Lerblance, Marlatt, Myers, Nichols, Paddack

Nays: Simpson

**HB 1995** – Judiciary

Ayes: Brecheen, Eason McIntyre, Johnson (Rob), Laster, Lerblance, Nichols, Shortey, Sykes

Nays: Crain

**HB 2004** – Retirement and Insurance

Ayes: Aldridge, Anderson, Bass, Brecheen, Brown, Crain, Mazzei, Sparks, Stanislawski, Treat

**HB 2024** – Judiciary

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

Nays: Laster, Lerblance

DO PASS, As Amended:

**CS for HB 1062** – Retirement and Insurance

Ayes: Aldridge, Anderson, Bass, Brecheen, Brown, Crain, Mazzei, Sparks, Stanislawski, Treat

Nays: Wilson

**HB 1086** – Appropriations

Ayes: Brinkley, Burrage, Ford, Halligan, Ivester, Jolley, Justice, Marlatt, Myers, Newberry, Paddack, Rice, Stanislawski, Sykes, Wilson, Wyrick

**HB 1211** – Appropriations

Ayes: Brinkley, Burrage, Ford, Halligan, Ivester, Jolley, Justice, Marlatt, Myers, Newberry, Nichols, Paddack, Rice, Stanislawski, Sykes, Wilson, Wyrick

**CS for HB 1212** – Business and Commerce

Ayes: Brinkley, Coates, David, Eason McIntyre, Ellis, Ford, Halligan, Holt, Newberry, Wyrick

**CS for HB 1243** – Retirement and Insurance

Ayes: Aldridge, Anderson, Bass, Brecheen, Brown, Crain, Mazzei, Sparks, Stanislawski, Treat

**CS for HB 1267** – Appropriations, coauthored by Hickman of the House

Ayes: Branan, Brinkley, Burrage, Crain, Ford, Halligan, Justice, Marlatt, Myers, Rice, Stanislawski, Sykes, Wilson

**HB 1284** – Finance

Ayes: Adelson, Aldridge, Ford, Halligan, Ivester, Mazzei, Reynolds, Russell, Simpson, Sparks, Treat

Nays: Ballenger, David, Wilson

**HB 1311** – Business and Commerce

Ayes: Brinkley, Coates, Eason McIntyre, Ellis, Ford, Halligan, Holt, Newberry, Wyrick

**HB 1319** – Appropriations

Ayes: Brinkley, Burrage, Ford, Halligan, Ivester, Jolley, Justice, Marlatt, Myers, Newberry, Paddack, Rice, Stanislawski, Sykes, Wilson, Wyrick

**CS for HB 1343** – Appropriations, coauthored by Brinkley, Ford, Jolley, Justice, Marlatt, Newberry, Stanislawski, Sykes of the Senate

Ayes: Brinkley, Burrage, Ford, Halligan, Ivester, Jolley, Justice, Marlatt, Myers, Newberry, Paddack, Rice, Stanislawski, Sykes, Wilson, Wyrick

**HB 1360** – Judiciary

Ayes: Brecheen, Crain, Eason McIntyre, Johnson (Rob), Laster, Lerblance, Nichols, Shortey, Sykes

**CS for HB 1363** – Appropriations

Ayes: Branan, Brinkley, Ford, Halligan, Ivester, Jolley, Justice, Marlatt, Myers, Newberry, Nichols, Paddack, Rice, Stanislawski, Sykes, Wilson, Wyrick

**CS for HB 1381** – Appropriations, coauthored by Sears of the House, and remove Jolley and substitute Myers as principal Senate author

Ayes: Brinkley, Burrage, Ford, Halligan, Ivester, Justice, Myers, Newberry, Nichols, Paddack, Rice, Stanislawski, Wilson, Wyrick

Nays: Sykes

**HB 1446** – Appropriations

Ayes: Brinkley, Ford, Halligan, Jolley, Justice, Myers, Newberry, Stanislawski, Sykes

Nays: Burrage, Ivester, Paddack, Rice, Wilson, Wyrick

**CS for HB 1486** – Energy

Ayes: Adelson, Allen, Branan, Burrage, Fields, Ivester, Jolley, Lerblance, Marlatt, Myers, Nichols, Paddack, Simpson

**HB 1507** – Public Safety, coauthored by Garrison of the Senate

Ayes: Barrington, Garrison, Johnson (Constance), Justice, Russell, Shortey, Sykes

**HB 1554** – Appropriations

Ayes: Branan, Brinkley, Crain, Ford, Halligan, Justice, Marlatt, Myers, Newberry, Nichols, Stanislawski, Sykes, Wilson

**HB 1559** – Judiciary

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

Nays: Eason McIntyre, Laster, Lerblance

**CS for HB 1575** – Energy

Ayes: Adelson, Allen, Branan, Burrage, Fields, Ivester, Johnson (Rob), Lerblance, Marlatt, Myers, Nichols, Paddack, Simpson

**CS for HB 1586** – Judiciary

Ayes: Brecheen, Crain, Eason McIntyre, Johnson (Rob), Laster, Lerblance, Shortey, Sykes

**HB 1594** – Business and Commerce

Ayes: Brinkley, Coates, David, Eason McIntyre, Ellis, Ford, Halligan, Holt, Newberry, Wyrick

**CS for HB 1598** – Business and Commerce

Ayes: Brinkley, Coates, David, Eason McIntyre, Ellis, Ford, Halligan, Holt, Newberry, Wyrick

**HB 1603** – Judiciary, coauthored by Russell of the Senate

Ayes: Brecheen, Crain, Eason McIntyre, Johnson (Rob), Laster, Lerblance, Nichols, Shortey, Sykes

**HB 1607** – Judiciary

Ayes: Brecheen, Crain, Eason McIntyre, Johnson (Rob), Laster, Lerblance, Nichols, Shortey, Sykes

**HB 1649** – Appropriations

Ayes: Branan, Brinkley, Burrage, Crain, Ford, Halligan, Ivester, Jolley, Justice, Marlatt, Myers, Newberry, Nichols, Rice, Stanislawski, Sykes, Wilson, Wyrick

**CS for HB 1665** – Appropriations

Ayes: Brinkley, Ford, Halligan, Jolley, Justice, Myers, Stanislawski, Sykes  
Nays: Branan, Burrage, Ivester, Newberry, Paddack, Rice, Wyrick

**HB 1675** – Appropriations

Ayes: Branan, Brinkley, Burrage, Ford, Halligan, Ivester, Jolley, Justice, Myers, Newberry, Paddack, Rice, Stanislawski, Sykes, Wyrick

**HB 1692** – Energy, coauthored by Walker of the House, and coauthored by Fields of the Senate

Ayes: Adelson, Allen, Branan, Burrage, Fields, Ivester, Johnson (Rob), Jolley, Lerblance, Marlatt, Myers, Nichols, Paddack, Simpson

**HB 1736** – Appropriations

Ayes: Branan, Brinkley, Burrage, Ford, Halligan, Ivester, Jolley, Myers, Newberry, Paddack, Stanislawski, Sykes, Wyrick

**HB 1744** – Appropriations

Ayes: Brinkley, Burrage, Ford, Halligan, Ivester, Justice, Myers, Newberry, Nichols, Rice, Stanislawski, Sykes, Wyrick  
Nays: Paddack, Wilson

**HB 1776** – Appropriations

Ayes: Brinkley, Burrage, Halligan, Ivester, Justice, Marlatt, Myers, Newberry, Nichols, Paddack, Rice, Stanislawski, Sykes, Wilson, Wyrick

**HB 1797** – Appropriations

Ayes: Brinkley, Burrage, Ford, Halligan, Ivester, Jolley, Justice, Marlatt, Myers, Newberry, Paddack, Stanislawski, Sykes, Wilson  
Nays: Wyrick

**HB 1798** – Appropriations

Ayes: Brinkley, Burrage, Halligan, Ivester, Justice, Marlatt, Myers, Newberry, Nichols, Paddack, Rice, Stanislawski, Sykes, Wilson, Wyrick

**HB 1802** – Appropriations

Ayes: Brinkley, Burrage, Ford, Halligan, Justice, Marlatt, Myers, Newberry, Nichols, Paddack, Rice, Stanislawski, Wilson, Wyrick  
Nays: Ivester, Jolley, Sykes

**HB 1814** – Appropriations

Ayes: Branam, Brinkley, Burrage, Crain, Ford, Halligan, Ivester, Justice, Marlatt, Myers, Newberry, Rice, Stanislawski, Sykes, Wilson

**CS for HB 1821** – Energy

Ayes: Allen, Branam, Burrage, Fields, Ivester, Johnson (Rob), Lerblance, Marlatt, Myers, Nichols, Paddack, Simpson  
Nays: Adelson

**HB 1828** – Appropriations

Ayes: Branam, Brinkley, Burrage, Halligan, Ivester, Jolley, Justice, Myers, Newberry, Rice, Stanislawski, Sykes, Wilson, Wyrick

**HB 1918** – Appropriations

Ayes: Branam, Brinkley, Burrage, Crain, Ford, Halligan, Ivester, Jolley, Justice, Marlatt, Myers, Newberry, Stanislawski, Sykes, Wilson

**CS for HB 1943** – Energy, coauthored by Fields of the Senate

Ayes: Adelson, Allen, Branam, Burrage, Fields, Johnson (Rob), Lerblance, Marlatt, Myers, Nichols, Paddack, Simpson  
Nays: Ivester

**HB 2023** – Judiciary

Ayes: Brecheen, Crain, Eason McIntyre, Johnson (Rob), Nichols, Shortey, Sykes  
Nays: Laster, Lerblance

**CS for HB 2033** – Business and Commerce

Ayes: Brinkley, Coates, Eason McIntyre, Ellis, Ford, Halligan, Holt, Newberry, Wyrick

**CS for HB 2072** – Retirement and Insurance

Ayes: Aldridge, Anderson, Brecheen, Brown, Crain, Mazzei, Sparks, Stanislawski, Treat  
Nays: Bass

**CS for HB 2075** – Retirement and Insurance

Ayes: Aldridge, Anderson, Bass, Brecheen, Brown, Crain, Mazzei, Sparks, Stanislawski, Treat

**HB 2115** – Appropriations

Ayes: Brinkley, Ford, Halligan, Jolley, Justice, Marlatt, Myers, Newberry, Paddack, Stanislawski, Sykes, Wilson, Wyrick

**HB 2140** – Appropriations

Ayes: Branan, Brinkley, Burrage, Crain, Ford, Halligan, Jolley, Justice, Myers, Nichols, Stanislawski, Sykes  
Nays: Ivester, Newberry, Rice, Wilson, Wyrick

**MESSAGES FROM THE GOVERNOR**

Advising her approval April 11, 2011, of Enrolled **SBs 100, 145, 498** and **666**.

Pursuant to SCR 12, I hear by return enrolled **SB 253** by Brown et al of the Senate and Faught et al of the House.

Pursuant to the Schulz motion, the Senate adjourned at 3:10 p.m. to meet Tuesday, April 12, 2011, at 9:15 a.m.

**JOURNAL CORRECTION**

Page 819, On **HB 1615**, 5<sup>th</sup> Line from the bottom, insert after the word “title” and before the “,” the words “and enacting clause”.