

Senate Journal

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

Fortieth Legislative Day, Tuesday, April 19, 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, Reynolds, Rice, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.—48.

Senator Stanislawski declared a quorum present.

The prayer was offered by Reverend Mike Booth, Emmaus Baptist Church, Oklahoma City, the guest of Senator Sykes.

REPORT OF ENGROSSED AND ENROLLED MEASURES

HBs 1598, 1692 and 2033 were each correctly engrossed and, together with engrossed **SAs**, properly signed and ordered returned to the Honorable House.

SBs 186, 246, 325, 416 and 426 were each correctly enrolled, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

SR 18 was correctly enrolled, properly signed and ordered transmitted to the Secretary of State.

MOTION TO RECONSIDER VOTE

Senator Simpson moved to reconsider the vote whereby **HB 1227** passed.

Senator Schulz moved to table the motion to reconsider the vote whereby **HB 1227** passed, which tabling motion was declared adopted.

HB 1227 was referred for engrossment.

GENERAL ORDER

HB 2032 by Sullivan of the House and Newberry of the Senate was called up for consideration.

Senator Newberry asked unanimous consent, which was granted, to suspend Senate Rule 12-4 as it pertains to **HB 2032**.

Senator Newberry moved to amend **HB 2032**, Pages 1 and 3, by deleting on Page 1, Line 19 and on Page 3, Line 5 the words and figure “six hundred twenty-five thousand (625,000)” and inserting in lieu thereof the words and figure “six hundred seventy-five thousand (675,000)”, which amendment was declared adopted.

Senator Newberry 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, the vote resulted as follows:

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

Nay: Bass.--1.

Excused: Bingman, Johnson (C) and Laster.--3.

The bill passed.

HB 2032 was referred for engrossment.

**UNANIMOUS CONSENT REQUEST
DIRECT TO CALENDAR**

Senator Fields asked unanimous consent to refer **SR 19** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

SR 19 by Fields was called up for consideration.

All other members of the Senate asked to coauthor **SR 19**, which was the order.

SR 19 was adopted upon motion of Senator Fields and referred for enrollment.

MESSAGES FROM THE HOUSE

Advising conference granted on Engrossed **SBs** and naming House conferees as follows:

SB 339 - Conference Committee on Insurance and Economic Development
SB 774 - Conference Committee on Insurance and Economic Development

Advising rejection of **SAs** to the following bill, requesting conference and naming House conferees as follows:

HB 1854 - Conference Committee on Education

GENERAL ORDER

HB 2049 by Moore et al of the House and Rice of the Senate was called up for consideration.

Senator Rice moved that **HB 2049** be advanced, which motion was declared adopted.

THIRD READING

HB 2049 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, Lerblance, Marlatt, Mazzei, Myers, Newberry, Paddack, Reynolds, Rice, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--46.

Excused: Laster and Nichols.--2.

The bill passed.

HB 2049 was referred for engrossment.

GENERAL ORDER

HB 1593 by Martin (Steve) of the House and Aldridge of the Senate was called up for consideration.

Senator Jolley asked to coauthor **HB 1593**, which was the order.

Senator Aldridge moved that **HB 1593** be advanced, which motion was declared adopted.

THIRD READING

HB 1593 was read for the third time at length.

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

Aye: Aldridge, Allen, Barrington, Bingman, Branan, Brecheen, Brinkley, Brown, Crain, David, Fields, Ford, Halligan, Holt, Johnson (R), Jolley, Justice, Marlatt, Mazzei, Myers, Newberry, Nichols, Reynolds, Russell, Schulz, Simpson, Stanislawski, Sykes and Treat.--29.

Nay: Adelson, Anderson, Ballenger, Bass, Burrage, Coates, Eason McIntyre, Ellis, Garrison, Ivester, Johnson (C), Laster, Lerblance, Paddack, Rice, Shortey, Sparks, Wilson and Wyrick.--19.

The bill passed.

Pursuant to Rule 12-21, Senator Aldridge served notice that the vote be reconsidered whereby **HB 1593** passed.

MESSAGES FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled **HBs 1075, 1269, 1275, 1358, 1366, 1391, 1397, 1439, 1471, 1504 and 1595.**

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

Advising passage of and returning the following Engrossed bills:

SB 193 - (emergency failed)

SB 530

SB 633

SB 895 - Remove Christian and substitute Jackson as principal House author, coauthored by Moore

The above-numbered measures were referred for enrollment.

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

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

SB 267

SB 272 (emergency failed)

SB 397 (emergency failed)

SB 412

SB 521

SB 536 (emergency failed)

SB 673 - coauthored by Ritze and Derby

SB 782

SB 854

SB 959 (emergency failed)

SJR 16 - coauthored by Bennett, Moore and Roberts (Dustin)

House amendments were read on the above-numbered bills.

GENERAL ORDER

HB 1283 by Dank of the House and Treat of the Senate was called up for consideration.

Senator Treat asked to be removed and Senator Reynolds asked to be named as principal Senate author to **HB 1283**, which was the order.

Senator Reynolds asked unanimous consent, which was granted, to suspend Senate Rule 12-4 as it pertains to **HB 1283**.

Senator Reynolds moved to amend **HB 1283**, 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 Reynolds moved that **HB 1283** be advanced, which motion was declared adopted.

THIRD READING

HB 1283 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, Garrison, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Laster, Lerblance, Marlatt, Mazzei, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Simpson, Sparks, Stanislawski, Sykes, Wilson and Wyrick.--44.

Nay: Shortey and Treat.--2.

Excused: Bingman and Ford.--2.

The bill passed.

HB 1283 was referred for engrossment.

GENERAL ORDER

HB 2132 by Steele and McDaniel (Randy) of the House and Bingman and Mazzei of the Senate was called up for consideration.

Senator Mazzei moved that **HB 2132** be advanced, which motion was declared adopted.

THIRD READING

HB 2132 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, Barrington, Bingman, Branan, Brecheen, Brinkley, Brown, Burrage, Coates, David, Eason McIntyre, Fields, Ford, Halligan, Holt, Ivester, Johnson (R), Jolley, Justice, Marlatt, Mazzei, Myers, Newberry, Nichols, Russell, Schulz, Shortey, Simpson, Stanislawski, Sykes and Treat.--33.

Nay: Adelson, Ballenger, Bass, Ellis, Garrison, Johnson (C), Laster, Lerblance, Paddack, Rice, Sparks, Wilson and Wyrick.--13.

Excused: Crain and Reynolds.--2.

The bill and emergency passed.

HB 2132 was referred for engrossment.

GENERAL ORDER

HB 1002 by McDaniel (Randy) of the House and Mazzei of the Senate was called up for consideration.

Senator Mazzei moved that **HB 1002** be advanced, which motion was declared adopted.

THIRD READING

HB 1002 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, David, Eason McIntyre, Ellis, Fields, Garrison, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Laster, Lerblance, Marlatt, Mazzei, Myers, Newberry, Paddack, Rice, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--43.

Excused: Bingman, Crain, Ford, Nichols and Reynolds.--5.

The bill and emergency passed.

HB 1002 was referred for engrossment.

GENERAL ORDER

HB 1284 by Dank and Pittman of the House and Mazzei of the Senate was called up for consideration.

Senator Mazzei moved to amend **HB 1284**, 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 1284**, Page 2, Line 4, by inserting, after the word "Department" and before the word "on", the words, "by the entity transferring or allocating the credit", which amendment was declared adopted.

Senator Mazzei moved that **HB 1284** be advanced, which motion was declared adopted.

THIRD READING

HB 1284 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, Barrington, Branan, Brecheen, Brinkley, Brown, Burrage, Coates, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Johnson (C), Johnson (R), Jolley, Justice, Laster, Lerblance, Mazzei, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat and Wilson.--41.

Nay: Ballenger, Bass, Ivester and Wyrick.--4.

Excused: Bingman, Crain and Marlatt.--3.

The bill and emergency passed.

HB 1284 was referred for engrossment.

THIRD READING

HB 1475, considered on Page 855, was called up for further consideration.

Senator Barrington moved to reconsider the vote whereby **HB 1475** was advanced, which motion was declared adopted.

GENERAL ORDER

HB 1475 by Armes and Ritze of the House and Barrington of the Senate was considered further.

Senator Barrington asked unanimous consent, which was granted, to suspend Senate Rule 12-4 as it pertains to **HB 1475**.

Senator Barrington moved to amend **HB 1475**, Page 1, Line 18 through Page 3, Line 23, by deleting Sections 1 and 2, and by renumbering subsequent sections and amending the title to conform, which amendment was declared adopted.

Senator Barrington moved that **HB 1475** be advanced, which motion was declared adopted.

THIRD READING

HB 1475 was read for the third time at length.

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

Aye: Barrington, Bass, Bingman, Branan, Brecheen, Brown, Coates, Ford, Halligan, Johnson (R), Justice, Myers, Schulz and Simpson.--14.

Nay: Aldridge, Allen, Anderson, Ballenger, Brinkley, Burrage, David, Ellis, Fields, Garrison, Holt, Ivester, Johnson (C), Jolley, Laster, Lerblance, Marlatt, Mazzei, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Shortey, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--31.

Excused: Adelson, Crain and Eason McIntyre.--3.

The bill failed.

Pursuant to Rule 12-21, Senator Barrington served notice that the vote be reconsidered whereby **HB 1475** failed.

GENERAL ORDER

HB 1489 by Brumbaugh of the House and Brown and Ivester of the Senate, considered on Page 904, was called up for further consideration.

Senator Brown moved that **HB 1489** be advanced, which motion was declared adopted.

THIRD READING

HB 1489 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, David, 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: Crain and Eason McIntyre.--2.

The bill passed.

HB 1489 was referred for engrossment.

GENERAL ORDER

HB 1438 by Shannon of the House and Jolley of the Senate was called up for consideration.

Senator Jolley moved to amend **HB 1438**, Page 1, by restoring the title, which amendment was declared adopted.

The above amendment restores **HB 1438** to the engrossed version of the bill.

Senator Jolley moved that **HB 1438** be advanced, which motion was declared adopted.

THIRD READING

HB 1438 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, Barrington, Bass, Branan, Brecheen, Brinkley, Brown, Burrage, Coates, Crain, David, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Laster, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat and Wyrick.--42.

Nay: Wilson.--1.

Excused: Ballenger, Bingman, Eason McIntyre, Mazzei and Rice.--5.

The bill passed.

HB 1438 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 1456 by Denney et al of the House and Jolley et al of the Senate was called up for consideration.

Senator Shortey asked to coauthor **HB 1456**, which was the order.

Senator Jolley moved to amend **HB 1456**, 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 Paddack moved to amend the floor substitute to **HB 1456**, Page 9, Line 15 by inserting a new subsection K to read as follows:

“K. Schools receiving a grade of “C”, “D”, or “F” pursuant to subsection B of this section shall receive additional funding from the Academic Achievement Award Program pursuant to rules promulgated by the State Board of Education.”, which amendment failed of adoption upon roll call as follows:

Aye: Adelson, Ballenger, Bass, Ellis, Garrison, Ivester, Johnson (C), Laster, Lerblance, Paddack, Rice, Sparks, Wilson and Wyrick.--14.

Nay: Aldridge, Allen, Anderson, Barrington, Bingman, Branan, Brecheen, Brinkley, Brown, Burrage, Crain, David, Fields, Ford, Halligan, Holt, Johnson (R), Jolley, Justice, Marlatt, Mazzei, Myers, Newberry, Nichols, Reynolds, Russell, Schulz, Shortey, Simpson, Stanislawski, Sykes and Treat.--32.

Excused: Coates and Eason McIntyre.--2.

Senator Jolley moved that **HB 1456** be advanced, which motion was declared adopted.

THIRD READING

HB 1456 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, Crain, David, Fields, Ford, Halligan, Holt, Johnson (R), Jolley, Justice, Marlatt, Mazzei, Myers, Newberry, Nichols, Reynolds, Russell, Schulz, Shortey, Simpson, Stanislawski, Sykes and Treat.--31.

Nay: Adelson, Ballenger, Burrage, Ellis, Garrison, Ivester, Johnson (C), Laster, Lerblance, Paddack, Rice, Sparks, Wilson and Wyrick.--14.

Excused: Bass, Coates and Eason McIntyre.--3.

The bill passed.

Pursuant to Rule 12-21, Senator Jolley served notice that the vote be reconsidered whereby **HB 1456** passed.

Senator Schulz moved that the Senate recess until 1:30 p.m., which motion was declared adopted.

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The Senate reconvened with Senator Marlatt presiding.

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

GENERAL ORDER

HB 1414 by Joyner and Blackwell of the House and Jolley of the Senate was called up for consideration.

Senator Jolley moved to amend **HB 1414**, Page 1, by restoring the title, which amendment was declared adopted.

The above amendment restores **HB 1414** to the engrossed version of the bill.

Senator Jolley moved that **HB 1414** be advanced, which motion was declared adopted.

THIRD READING

HB 1414 was read for the third time at length.

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

Aye: Aldridge, Barrington, Bingman, Branan, Brecheen, Brinkley, Brown, Burrage, Coates, David, Fields, Ford, Halligan, Holt, Johnson (R), Jolley, Justice, Marlatt, Myers, Newberry, Nichols, Paddack, Rice, Schulz, Simpson, Sparks, Stanislawski and Treat.--28.

Nay: Adelson, Allen, Anderson, Bass, Crain, Eason McIntyre, Ellis, Garrison, Ivester, Johnson (C), Laster, Lerblance, Mazzei, Reynolds, Russell, Shortey, Sykes, Wilson and Wyrick.--19.

Excused: Ballenger.--1.

The bill passed.

HB 1414 was properly signed and ordered returned to the Honorable House.

**UNANIMOUS CONSENT REQUEST
DIRECT TO CALENDAR**

Senator Schulz asked unanimous consent to refer **SCR 14** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

SCR 14 by Schulz of the Senate and Ortega of the House was called up for consideration.

All other members of the Senate asked to coauthor **SCR 14**, which was the order.

SCR 14 was adopted upon motion of Senator Schulz and referred for engrossment.

**UNANIMOUS CONSENT REQUEST
DIRECT TO CALENDAR**

Senator Jolley asked unanimous consent to refer **SR 17** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

SR 17 by Jolley was called up for consideration.

All other members of the Senate, except Senator Brinkley, asked to coauthor **SR 17**, which was the order.

SR 17 was adopted upon motion of Senator Jolley and referred for enrollment.

GENERAL ORDER

HB 1918 by Coody of the House and Ford of the Senate was called up for consideration.

Senator Ford moved that **HB 1918** be advanced, which motion was declared adopted.

THIRD READING

HB 1918 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, Barrington, Bingman, Branan, Brecheen, Brinkley, Brown, Burrage, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Laster, Marlatt, Mazzei, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat and Wilson.--42.

Nay: Bass, Garrison, Lerblance and Wyrick.--4.

Excused: Ballenger and Russell.--2.

The bill and emergency passed.

HB 1918 was referred for engrossment.

MESSAGES FROM THE HOUSE

Advising fourth reading of and returning Enrolled **SBs 186, 246, 325, 416** and **426**.

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

Advising passage of and returning the following Engrossed bills:

SB 95 (emergency failed), coauthored by Walker

SB 816 (emergency failed)

The above-numbered measures were referred for enrollment.

Advising passage of and transmitting for consideration Engrossed measure:

HB 1527 - Remove DeWitt and substitute Steele as principal House author, add Bingman as principal Senate author, and retain DeWitt of the House as coauthor.

GENERAL ORDER

HB 2115 by Hickman and Denney of the House and Ford and Branan of the Senate was called up for consideration.

Senator Fields asked to coauthor **HB 2115**, which was the order.

Senator Paddack moved to amend **HB 2115**, Page 6, Line 22, by inserting after the word "Education" and before the "period" the words "with preference given to school district consolidation and annexation", which amendment was declared adopted.

Senator Ford moved that **HB 2115** be advanced, which motion was declared adopted.

THIRD READING

HB 2115 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, Barrington, Bingman, Branan, Brecheen, Brinkley, Brown, Burrage, Coates, Crain, David, Fields, Ford, Halligan, Holt, Johnson (R), Jolley, Justice, Laster, Marlatt, Mazzei, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes and Treat.--38.

Nay: Bass, Eason McIntyre, Ellis, Garrison, Ivester, Johnson (C), Lerblance and Wyrick.--8.

Excused: Ballenger and Wilson.--2.

The bill and emergency passed.

HB 2115 was referred for engrossment.

GENERAL ORDER

HB 1586 by Thomsen of the House and Bingman of the Senate was called up for consideration.

Senator Bingman moved that **HB 1586** be advanced, which motion was declared adopted.

THIRD READING

HB 1586 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, 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: Ballenger.--1.

The bill passed.

HB 1586 was referred for engrossment.

GENERAL ORDER

HB 1559 by Jordan of the House and Newberry of the Senate was called up for consideration.

Senator Sykes moved to amend **HB 1559**, Page 2, Line 5, by striking after the word "is" and before the word "if" the word "confidential" and inserting the word "privileged"; and Page 2, Line 13, by striking after the word "disclosing" and before the word "communications" the word "confidential" and inserting the word "privileged".

Senator Newberry moved to amend the above amendment to **HB 1559**, Page 1, by restoring the title, which amendment was withdrawn upon motion of Senator Newberry.

Senator Sykes pressed adoption of his previous amendment, which amendment was declared adopted.

Senator Newberry moved that **HB 1559** be laid over temporarily, which motion was declared adopted.

HB 1559 remains on General Order.

INTRODUCTION

Senator Burrage introduced his brother, David Burrage, to the Senate.

GENERAL ORDER

HB 1226 by Ownbey et al of the House and Simpson and Shortey of the Senate was called up for consideration.

Senator Simpson moved to amend **HB 1226**, Page 1, Lines 22 and 23, by deleting after the word "property" on Line 22 and before the comma ",", on Line 23, all language.

Senator Shortey moved to table the Simpson amendment which tabling motion was declared adopted upon roll call as follows:

Aye: Adelson, Allen, Bass, Bingman, Brecheen, Burrage, Coates, Eason McIntyre, Ellis, Ford, Ivester, Johnson (C), Laster, Lerblance, Paddack, Reynolds, Rice, Russell, Schulz, Shortey, Sparks, Sykes, Wilson and Wyrick.--24.

Nay: Aldridge, Anderson, Barrington, Branan, Brinkley, Brown, Crain, David, Fields, Garrison, Halligan, Holt, Johnson (R), Jolley, Justice, Marlatt, Mazzei, Myers, Newberry, Nichols, Simpson, Stanislawski and Treat.--23.

Excused: Ballenger.--1.

Senator Simpson moved that **HB 1226** be advanced, which motion was declared adopted.

THIRD READING

HB 1226 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, Barrington, Bass, Bingman, Branan, Brecheen, Brinkley, Brown, Burrage, Crain, David, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (R), Jolley, Justice, Lerblance, Marlatt, Mazzei, Myers, Newberry, Nichols, Paddack, Rice, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat and Wyrick.--41.

Nay: Eason McIntyre, Johnson (C), Laster and Wilson.--4.

Excused: Ballenger, Coates and Reynolds.--3.

The bill passed.

HB 1226 was referred for engrossment.

REPORT OF ENGROSSED AND ENROLLED MEASURES

SCR 14 was correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

HB 1227 was correctly engrossed and, together with engrossed **SAs**, properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 1559 by Jordan of the House and Newberry of the Senate was called up for further consideration.

Senator Newberry moved that **HB 1559** be advanced, which motion was declared adopted.

THIRD READING

HB 1559 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, Crain, David, Ellis, Fields, Ford, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Lerblance, Marlatt, Mazzei, Myers, Newberry, Nichols, Paddack, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes and Treat.--36.

Nay: Adelson, Bass, Burrage, Eason McIntyre, Garrison, Laster, Rice, Wilson and Wyrick.--9.

Excused: Ballenger, Coates and Reynolds.--3.

The bill passed.

HB 1559 was referred for engrossment.

MESSAGE FROM THE HOUSE

Advising passage of and returning the following Engrossed bill:

SB 275 – (emergency failed), coauthored by Cannaday

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 Treat presiding.

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

Senator Marlatt presiding.

GENERAL ORDER

HB 1243 by McDaniel (Randy) of the House and Brown of the Senate was called up for consideration.

Senator Brown moved to amend **HB 1243**, Page 39, Line 16, by deleting Section 18 and renumbering subsequent sections and amending the title to conform, which amendment was declared adopted.

Senator Brown asked that **HB 1243**, be laid over temporarily, which was the order.

HB 1243 remains on General Order.

GENERAL ORDER

HB 1715 by Peterson of the House and Brinkley of the Senate was called up for consideration.

Senator Brinkley moved that **HB 1715** be advanced, which motion was declared adopted.

THIRD READING

HB 1715 was read for the third time at length.

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

Aye: Barrington, Brinkley, Brown, Crain, Eason McIntyre, Rice and Schulz.--7.

Nay: Aldridge, Allen, Anderson, Bass, Branan, Brecheen, Burrage, David, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Laster, Lerblance, Marlatt, Mazzei, Myers, Newberry, Nichols, Paddack, Reynolds, Russell, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--37.

Excused: Adelson, Ballenger, Bingman and Coates.--4.

The bill failed.

Pursuant to Rule 12-21, Senator Brinkley served notice that the vote be reconsidered whereby **HB1715** failed.

GENERAL ORDER

HB 1744 by Nelson et al of the House and Anderson of the Senate was called up for consideration.

Senator Anderson moved that **HB 1744** be advanced, which motion was declared adopted.

THIRD READING

HB 1744 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, Crain, David, Fields, Ford, Halligan, Holt, Johnson (R), Jolley, Justice, Marlatt, Myers, Newberry, Nichols, Reynolds, Russell, Schulz, Shortey, Simpson, Stanislawski, Sykes and Treat.--30.

Nay: Bass, Burrage, Eason McIntyre, Ellis, Garrison, Ivester, Johnson (C), Laster, Lerblance, Paddack, Rice, Sparks, Wilson and Wyrick.--14.

Excused: Adelson, Ballenger, Coates and Mazzei.--4.

The bill passed.

HB 1744 was referred for engrossment.

MESSAGES FROM THE HOUSE

Advising passage of and returning the following Engrossed bill:

SCR 14

The above-numbered measure was referred for enrollment.

Advising passage of and returning the following Engrossed bill:

SB 495 - (emergency failed)

The above-numbered measure was referred for enrollment.

INTRODUCTION

Senator Allen introduced his granddaughter, Brooklynn Shipman, to the Senate.

GENERAL ORDER

HB 1319 by Wright et al of the House and Sykes and Brecheen of the Senate was called up for consideration.

Senator Ivester asked to coauthor **HB 1319**, which was the order.

Senator Sykes moved to amend **HB 1319**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Sykes moved that **HB 1319** be advanced, which motion was declared adopted.

THIRD READING

HB 1319 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, Bass, Bingman, Branan, Brecheen, Brinkley, Brown, Burrage, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (R), Jolley, Justice, Laster, Lerblance, Marlatt, Mazzei, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat and Wyrick.--43.

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

Excused: Adelson, Ballenger and Coates.--3.

The bill passed.

HB 1319 was referred for engrossment.

GENERAL ORDER

HB 1664 by Osborn of the House and Sykes of the Senate was called up for consideration.

Senator Sykes moved that **HB 1664** be advanced, which motion was declared adopted.

THIRD READING

HB 1664 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, Crain, David, Ellis, Fields, Ford, Garrison, Halligan, Holt, Johnson (R), Jolley, Justice, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Russell, Schulz, Shortey, Simpson, Stanislawski, Sykes and Treat.--34.

Nay: Bass, Eason McIntyre, Ivester, Johnson (C), Laster, Rice, Sparks, Wilson and Wyrick.--9.

Excused: Adelson, Ballenger, Coates, Mazzei and Reynolds.--5.

The bill passed.

HB 1664 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 1995 by Sullivan of the House and Sykes of the Senate was called up for consideration.

Senator Sykes moved to amend **HB 1995**, by striking the title, the enacting clause and the entire body of the bill and substituting the floor substitute, which amendment was declared adopted. (Copies were provided for all Senators.)

Senator Sykes asked that **HB 1995**, be laid over for this legislative day, which was the order.

HB 1995 remains on General Order.

Senator Stanislawski presiding.

GENERAL ORDER

HB 1473 by Armes and Roberts (Dustin) of the House and Fields of the Senate was called up for consideration.

Senator Fields asked unanimous consent, which was granted, to suspend Senate Rule 12-4 as it pertains to **HB1473**.

Senator Fields moved to amend **HB 1473**, 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 Fields moved that **HB 1473** be advanced, which motion was declared adopted.

THIRD READING

HB 1473 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, 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, Myers, Newberry, Nichols, Paddack, Rice, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--42.

Excused: Adelson, Ballenger, Coates, Marlatt, Mazzei and Reynolds.--6.

The bill passed.

HB 1473 was referred for engrossment.

GENERAL ORDER

HB 1474 by Armes of the House and Fields of the Senate was called up for consideration.

Senator Sparks asked to coauthor **HB 1474**, which was the order.

Senator Fields moved that **HB 1474** be advanced, which motion was declared adopted.

THIRD READING

HB 1474 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, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Justice, Laster, Lerblance, Myers, Newberry, Nichols, Paddack, Rice, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--39.

Nay: Bass and Russell.--2.

Excused: Adelson, Ballenger, Coates, Jolley, Marlatt, Mazzei and Reynolds.--7.

The bill passed.

HB 1474 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 1243 by McDaniel (Randy) of the House and Brown of the Senate was called up for consideration.

Senator Brown moved to amend **HB 1243**, Page 1, by striking the title, which amendment was declared adopted.

Senator Brown moved that **HB 1243** be advanced, which motion was declared adopted.

THIRD READING

HB 1243 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, Barrington, Bass, Branan, Brecheen, Brinkley, Brown, Burrage, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Justice, Laster, Lerblance, Myers, Newberry, Nichols, Paddack, Rice, Russell, Schulz, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--39.

Excused: Adelson, Ballenger, Bingman, Coates, Jolley, Marlatt, Mazzei, Reynolds and Shortey.--9.

The bill and emergency passed.

HB 1243 was referred for engrossment.

GENERAL ORDER

HB 2072 by Key of the House and Brown of the Senate was called up for consideration.

Senator Aldridge asked unanimous consent, which was granted, to suspend Senate Rule 12-4 as it pertains to **HB 2072**.

Senator Aldridge moved to amend **HB 2072**, Page 153, Lines 4 and 5, by on page 153, line 4, inserting after the word “insurer” and before the word “shall” the following: “,at any time,” and by inserting on line 5 after the word “documentation” and before the word “needed” the following “or records”, which amendment was declared adopted.

Senator Brown moved that **HB 2072** be advanced, which motion was declared adopted.

THIRD READING

HB 2072 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, Barrington, Bingman, Brecheen, Brinkley, Brown, Burrage, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Justice, Laster, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Rice, Schulz, Simpson, Sparks, Stanislawski, Treat and Wilson.--36.

Nay: Bass, Branan, Russell and Sykes.--4.

Excused: Adelson, Ballenger, Coates, Jolley, Mazzei, Reynolds, Shortey and Wyrick.--8.

The bill and emergency passed.

HB 2072 was referred for engrossment.

GENERAL ORDER

HB 2075 by Mulready of the House and Brown of the Senate was called up for consideration.

Senator Stanislawski asked to coauthor **HB 2075**, which was the order.

Senator Brown moved to amend **HB 2075**, Page 3, Line 4, by deleting on page 3, line 4 the following “with two or more” and inserting in lieu thereof the following: “with at least two or more, but not to exceed three hundred fifty”, which amendment was declared adopted.

Senator Brown moved to amend **HB 2075**, Page 3, Line 22, by deleting on page 3 line 22 all of the language beginning with the word “at” through the word “by” and inserting in lieu thereof the following: “a financial strength rating equivalent to that represented by a B+ rating from”, which amendment was declared adopted.

Senator Brown moved that **HB 2075** be advanced, which motion was declared adopted.

THIRD READING

HB 2075 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, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Johnson (R), Justice, Laster, Lerblance, Marlatt, Mazzei, Myers, Newberry, Nichols, Paddack, Rice, Russell, Schulz, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--39.

Nay: Bass, Ivester and Johnson (C).--3.

Excused: Adelson, Ballenger, Coates, Jolley, Reynolds and Shortey.--6.

The bill passed.

HB 2075 was referred for engrossment.

GENERAL ORDER

HB 1549 by Kern et al of the House and Eason McIntyre and Shortey of the Senate was called up for consideration.

Senators Stanislawski and Johnson (Constance) asked to coauthor **HB 1549**, which was the order.

Senator Eason McIntyre moved that **HB 1549** be advanced, which motion was declared adopted.

THIRD READING

HB 1549 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, Bass, Bingman, Branan, Brecheen, Brinkley, Brown, Burrage, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Justice, Laster, Lerblance, Marlatt, Myers, Newberry, Paddack, Rice, Russell, Schulz, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--40.

Excused: Adelson, Ballenger, Coates, Jolley, Mazzei, Nichols, Reynolds and Shortey.--8.

The bill passed.

HB 1549 was referred for engrossment.

GENERAL ORDER

HB 1852 by Shumate et al of the House and Eason McIntyre of the Senate was called up for consideration.

Senator Eason McIntyre moved that **HB 1852** be advanced, which motion was declared adopted.

THIRD READING

HB 1852 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, Barrington, Bass, Bingman, Branan, Brecheen, Brinkley, Brown, Burrage, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Justice, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddock, Rice, Russell, Schulz, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--40.

Excused: Adelson, Ballenger, Coates, Jolley, Laster, Mazzei, Reynolds and Shortey.--8.

The bill and emergency passed.

HB 1852 was referred for engrossment.

GENERAL ORDER

HB 1979 by Pittman et al of the House and Eason McIntyre of the Senate was called up for consideration.

Senator Allen and Representative Bennett asked to coauthor **HB 1979**, which was the order.

Senator Eason McIntyre moved to amend **HB 1979**, Page 1, by restoring the title, and enacting clause which amendment was declared adopted.

Senator Eason McIntyre moved that **HB 1979** be advanced, which motion was declared adopted.

THIRD READING

HB 1979 was read for the third time at length.

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

Aye: Allen, Bass, Burrage, Eason McIntyre, Ellis, Garrison, Ivester, Lerblance, Marlatt, Paddack, Rice, Sparks, Wilson and Wyrick.--14.

Nay: Aldridge, Anderson, Barrington, Bingman, Branan, Brecheen, Brinkley, Brown, Crain, David, Fields, Ford, Halligan, Holt, Johnson (R), Justice, Mazzei, Myers, Newberry, Russell, Schulz, Simpson, Stanislawski, Sykes and Treat.--25.

Excused: Adelson, Ballenger, Coates, Johnson (C), Jolley, Laster, Nichols, Reynolds and Shortey.--9.

The bill failed.

Pursuant to Rule 12-21, Senator Eason McIntyre served notice that the vote be reconsidered whereby **HB 1979** failed.

GENERAL ORDER

HB 1209 by Kirby et al of the House and Marlatt of the Senate was called up for consideration.

Senator Marlatt moved that **HB 1209** be advanced, which motion was declared adopted.

THIRD READING

HB 1209 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, Barrington, Bass, Branan, Brecheen, Brinkley, Brown, Burrage, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (R), Justice, Lerblance, Marlatt, Myers, Newberry, Nichols, Rice, Russell, Schulz, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--37.

Excused: Adelson, Ballenger, Bingman, Coates, Johnson (C), Jolley, Laster, Mazzei, Paddack, Reynolds and Shortey.--11.

The bill and emergency passed.

HB 1209 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 1821 by Trebilcock of the House and Marlatt of the Senate was called up for consideration.

Senator Fields asked to coauthor **HB 1821**, which was the order.

Senator Marlatt moved that **HB 1821** be advanced, which motion was declared adopted.

THIRD READING

HB 1821 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, Barrington, Bass, Branan, Brecheen, Brinkley, Brown, Burrage, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Johnson (R), Justice, Lerblance, Marlatt, Myers, Newberry, Nichols, Rice, Russell, Schulz, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--36.

Excused: Adelson, Ballenger, Bingman, Coates, Ivester, Johnson (C), Jolley, Laster, Mazzei, Paddack, Reynolds and Shortey.--12.

The bill and emergency passed.

HB 1821 was referred for engrossment.

MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed **HB 1527** and **HCR 1016**.

HB 1527 – By Steele and DeWitt of the House and Bingman of the Senate.

An Act relating to Congressional Districts; creating the Oklahoma Congressional Redistricting Act of 2011; providing short title; dividing the state into five Congressional Districts; stating the act shall not affect the operations of certain boards, commissions or entities; providing operative dates for Congressional Districts and conducting elections; authorizing the Department of Transportation to prepare and publish certain maps and descriptions; requiring the Department to provide such maps and descriptions to the State Election Board; repealing 14 O.S. 2001, Sections 5.1, 5.2, 5.3, 5.4 and 5.5, which relate to

the Oklahoma Congressional Redistricting Act of 1991; providing for codification; and providing an effective date.

HCR 1016 – By Hickman, Billy, Condit, Walker, Jackson and McDaniel (Randy) of the House and Marlatt of the Senate.

A Concurrent Resolution recognizing the contributions of Vera Mae Eversole and Donald L. Benson to the Oklahoma Department of Corrections; naming a building and chapel in honor of Vera Mae Eversole and Donald L. Benson; and directing distribution.

The above-numbered measures were read the first time.

EXECUTIVE NOMINATIONS

The following executive nominations were read and referred to committee as indicated:

Davis, Ricky J., Guthrie, as a member of the Board of Regents for the Oklahoma Agricultural and Mechanical Colleges - Education

Fields, Michael J., Enid, as a member of the Oklahoma State Bureau of Investigation Commission - Judiciary

Kunze, Janet, Oklahoma City, as a member of the Environmental Quality Board - Energy

Lakin, Phillip L., Jr., Tulsa, as a member of the State Board of Education - Education

Mason, G. Stephen, Jr., Oklahoma City, as a member of the Environmental Quality Board - Energy

Robbins, R. Dan, Altus, as a member of the Oklahoma Wildlife Conservation Commission - Tourism and Wildlife

Stafford, Whitney, Moore, as a member of the State Textbook Committee – Education

Tyler, Tony J., Norman, as a member of the Board of Regents for Oklahoma City Community College - Education

Williams, Lavon A., Poteau, as a member of the Board of Regents for Carl Albert State College - Education

Williams, Lavon A., Poteau, as a member of the Board of Regents for Carl Albert State College – Education

Youngblood, Devery R., Yukon, as a member of the Board of Regents for Oklahoma City Community College - Education

Senator Schulz moved that when the clerk's desk is clear, the Senate stand adjourned to convene Wednesday, April 20, 2011, at 9:30 a.m., which motion prevailed.

FIRST READING

The following was introduced and read the first time:

SCR 16 – By Halligan of the Senate and Denney of the House

A Concurrent Resolution supporting construction of the Keystone XL pipeline project; encouraging approval process; and directing distribution.

MESSAGE FROM THE GOVERNOR

Advising her approval April 19, 2011, of Enrolled **SBs 104** and **603**.

Pursuant to the Schulz motion, the Senate adjourned at 5:00 p.m. to meet Wednesday, April 20, 2011, at 9:30 a.m.