Senate Journal

Second Regular Session of the Fifty-third Legislature
of the State of Oklahoma
Seventeenth Legislative Day, Monday, March 5, 2012

The Senate was called to order by Senator David.

Roll Call:

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

Excused: Laster.—1.

Vacancy: District 20.—1.

Senator David declared a quorum present.

The prayer was offered by Reverend John Johnson, Southwestern Christian University, Bethany, the guest of Senator Schulz.

REPORT OF ENGROSSED AND ENROLLED MEASURES

SBs 1191, 1664, 1834 and **1935** were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

INTRODUCTIONS

Senator Treat introduced his son, Mason, to the Senate. Senator Treat also introduced Lieutenant Governor Todd Lamb.

DEDICATION

Former Senator Charles Ford presented a portrait of Choctaw Statesman Chief Allen Wright. Senator Ford introduced artist Mike Larsen, who addressed the Senate. Senator Ford introduced the Chief's great-great grandson, Allen Wright and his family, who presented the painting to the Senate as a gift. Allen Wright addressed the Senate.

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

*

The Senate reconvened with Senator David presiding.

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

GENERAL ORDER

SB 1201 by Simpson of the Senate and Ownbey of the House was called up for consideration.

Senator Simpson moved that **SB 1201** be advanced, which motion was declared adopted.

THIRD READING

SB 1201 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, Childers, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Lerblance, Marlatt, Mazzei, McAffrey, Newberry, Paddack, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--44.

Excused: Bingman, Laster and Nichols.--3.

Vacancy: District 20.--1.

The bill and emergency passed.

SB 1201 was referred for engrossment.

GENERAL ORDER

SB 1707 by Treat of the Senate and Nelson of the House was called up for consideration.

Senator Treat moved that **SB 1707** be advanced, which motion was declared adopted.

THIRD READING

SB 1707 was read for the third time at length.

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

Aye: Adelson, Allen, Ballenger, Barrington, Bass, Branan, Brecheen, Brinkley, Brown, Burrage, Childers, Coates, Crain, David, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Lerblance, Marlatt, McAffrey, Newberry, Nichols, Paddack, Schulz, Simpson, Sparks, Treat, Wilson and Wyrick.--37.

Nay: Aldridge, Anderson, Eason McIntyre, Mazzei, Russell, Shortey, Stanislawski and Sykes.--8.

Excused: Bingman and Laster.--2.

Vacancy: District 20.--1.

The bill passed.

Pursuant to Rule 12-21, Senator Treat served notice that the vote be reconsidered whereby **SB 1707** passed.

GENERAL ORDER

SB 1185 by Paddack of the Senate and Denney of the House was called up for consideration.

Senator Brecheen asked to coauthor **SB 1185**, which was the order.

Senator Paddack moved that **SB 1185** be advanced, which motion was declared adopted.

THIRD READING

SB 1185 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, Allen, Ballenger, Barrington, Bass, Bingman, Branan, Brecheen, Brinkley, Brown, Burrage, Childers, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Lerblance, Marlatt, Mazzei, McAffrey, Newberry, Nichols, Paddack, Schulz, Simpson, Sparks, Stanislawski, Treat, Wilson and Wyrick.--40.

Nay: Aldridge, Anderson, Russell, Shortey and Sykes.--5.

Excused: Holt and Laster.--2.

Vacancy: District 20.--1.

The bill and emergency passed.

SB 1185 was referred for engrossment.

GENERAL ORDER

SB 1187 by Paddack of the Senate and Thomsen of the House was called up for consideration.

Senator Paddack asked unanimous consent, which was granted, to suspend Senate Rule 12-4 as it pertains to **SB 1187**.

Senator Paddack moved to amend **SB 1187**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Paddack moved that **SB 1187** be advanced, which motion was declared adopted.

THIRD READING

SB 1187 was read for the third time at length.

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

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

Excused: Allen, Laster and Mazzei.--3.

Vacancy: District 20.--1.

The bill passed.

SB 1187 was referred for engrossment.

GENERAL ORDER

SB 1012 by Jolley of the Senate and Ownbey of the House was called up for consideration.

Senator Jolley asked unanimous consent, which was granted, to suspend Senate Rule 12-4 as it pertains to **SB 1012**.

Senator Jolley moved to amend **SB 1012**, Page 1, Line 19 ½ by adding a new Section 1 to read as follows:

SECTION 1. AMENDATORY 36 O.S. 2011, Section 6670, is amended to read as follows:

As used in Sections ~~1~~ 6670 through ~~7~~ 6676 of this ~~act~~ title:

1. "Commissioner" means the Insurance Commissioner;
2. "Enrolled customer" means a customer who elects coverage under a portable electronics insurance policy issued to a vendor of portable electronics;
3. "Customer" means a person who purchases portable electronics or services;
4. "Location" means any physical location in the State of Oklahoma or any website, call center site, or similar location directed to residents of the State of Oklahoma;
5. "Portable electronics" means electronic devices that are portable in nature, their accessories and services related to the use of the device;
6. "Portable electronics insurance" means insurance providing coverage for the repair or replacement of portable electronics which may provide coverage for portable electronics against any one or more of the following causes of loss: loss, theft, inoperability due to mechanical failure, malfunction, damage or other similar causes of loss. "Portable electronics insurance" does not include:

a. a service contract governed by the Service Warranty Insurance Act,

b. a policy of insurance covering a seller's or a manufacturer's obligations under a warranty, ~~or~~

c. a homeowner's, renter's, private passenger automobile, commercial multi-peril, or similar policy; or

d. a contract excluded from the definition of a service warranty as set forth by subparagraphs a through e of paragraph 14 of Section 6602 of this title;

7. "Portable electronics transaction" means:

a. the sale or lease of portable electronics by a vendor to a customer, or

b. the sale of a service related to the use of portable electronics by a vendor to a customer;

8. "Supervising entity" means a business entity that is a licensed insurer or insurance producer; and

9. "Vendor" means a person in the business of engaging in portable electronics transactions directly or indirectly., and by amending the title to conform, which amendment was declared adopted.

Senator Jolley moved that **SB 1012** be advanced, which motion was declared adopted.

THIRD READING

SB 1012 was read for the third time at length.

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

Aye: Adelson, Allen, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brecheen, Brinkley, Brown, Burrage, Childers, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Lerblance, Marlatt, Mazzei, McAffrey, Newberry, Nichols, Paddack, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--45.

Nay: Aldridge.--1.

Excused: Laster.--1.

Vacancy: District 20.--1.

The bill passed.

SB 1012 was referred for engrossment.

GENERAL ORDER

SB 1102 by Anderson of the Senate and Thomsen of the House was called up for consideration.

Senators Fields and Johnson (Constance) asked to coauthor **SB 1102**, which was the order.

Senator Anderson moved that **SB 1102** be advanced, which motion was declared adopted.

THIRD READING

SB 1102 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, Bingman, Branan, Brecheen, Brinkley, Brown, Burrage, Childers, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Lerblance, McAffrey, Newberry, Nichols, Paddack, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--44.

Excused: Laster, Marlatt and Mazzei.--3.

Vacancy: District 20.--1.

The bill and emergency passed.

SB 1102 was referred for engrossment.

GENERAL ORDER

SB 1108 by Anderson of the Senate and McDaniel (Randy) of the House was called up for consideration.

Senator Anderson moved that **SB 1108** be advanced, which motion was declared adopted.

THIRD READING

SB 1108 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, Childers, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Lerblance, Marlatt, Mazzei, McAffrey, Newberry, Paddack, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--45.

Excused: Laster and Nichols.--2.

Vacancy: District 20.--1.

The bill passed.

SB 1108 was referred for engrossment.

GENERAL ORDER

SB 1231 by Mazzei of the Senate and Dank of the House was called up for consideration.

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

THIRD READING

SB 1231 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, Childers, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Lerblance, Marlatt, Mazzei, McAffrey, Newberry, Nichols, Paddack, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--46.

Excused: Laster.--1.

Vacancy: District 20.--1.

The bill passed.

SB 1231 was referred for engrossment.

GENERAL ORDER

SB 1232 by Mazzei of the Senate and Dank of the House was called up for consideration.

Senator Brecheen asked to coauthor **SB 1232**, which was the order.

Senator Mazzei moved that **SB 1232** be advanced, which motion was declared adopted.

THIRD READING

SB 1232 was read for the third time at length.

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

Aye: Adelson, Allen, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brecheen, Brinkley, Brown, Burrage, Childers, Coates, Crain, David, Eason McIntyre,

Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Lerblance, Marlatt, Mazzei, McAffrey, Newberry, Paddack, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--44.

Excused: Aldridge, Laster and Nichols.--3.

Vacancy: District 20.--1.

The bill passed.

SB 1232 was referred for engrossment.

GENERAL ORDER

SB 1188 by Paddack of the Senate and Thomsen of the House was called up for consideration.

Senator Paddack moved that **SB 1188** be advanced, which motion was declared adopted.

THIRD READING

SB 1188 was read for the third time at length.

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

Aye: Adelson, Allen, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brecheen, Brinkley, Brown, Burrage, Childers, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Lerblance, Marlatt, Mazzei, McAffrey, Newberry, Nichols, Paddack, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--45.

Excused: Aldridge and Laster.--2.

Vacancy: District 20.--1.

The bill passed.

SB 1188 was referred for engrossment.

GENERAL ORDER

SB 1406 by Paddack of the Senate and Thomsen of the House was called up for consideration.

Senator Russell asked to coauthor **SB 1406**, which was the order.

Senator Paddack asked unanimous consent, which was granted, to suspend Senate Rule 12-4 as it pertains to **SB 1406**.

Senator Paddack moved to amend **SB 1406**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Paddack moved that **SB 1406** be advanced, which motion was declared adopted.

THIRD READING

SB 1406 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, Childers, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Lerblance, Marlatt, Mazzei, McAffrey, Newberry, Nichols, Paddack, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--46.

Excused: Laster.--1.

Vacancy: District 20.--1.

The bill passed.

SB 1406 was referred for engrossment.

GENERAL ORDER

SB 1412 by Paddack and Johnson (Constance) of the Senate and Thomsen of the House was called up for consideration.

Senator Paddack moved that **SB 1412** be advanced, which motion was declared adopted.

THIRD READING

SB 1412 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, Childers, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Lerblance, Marlatt, McAffrey, Newberry, Paddack, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--44.

Excused: Laster, Mazzei and Nichols.--3.

Vacancy: District 20.--1.

The bill passed.

SB 1412 was referred for engrossment.

GENERAL ORDER

SB 1493 by Paddack of the Senate and Thomsen of the House was called up for consideration.

Senator Paddack moved that **SB 1493** be advanced, which motion was declared adopted.

THIRD READING

SB 1493 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, Bingman, Branan, Brecheen, Brinkley, Brown, Burrage, Childers, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Lerblance, Marlatt, McAffrey, Newberry, Nichols, Paddack, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Treat, Wilson and Wyrick.--44.

Nay: Sykes.--1.

Excused: Laster and Mazzei.--2.

Vacancy: District 20.--1.

The bill and emergency passed.

SB 1493 was referred for engrossment.

GENERAL ORDER

SB 1131 by Anderson of the Senate and Jackson of the House was called up for consideration.

Senator Anderson moved that **SB 1131** be advanced, which motion was declared adopted.

THIRD READING

SB 1131 was read for the third time at length.

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

Aye: Anderson, Ballenger, Barrington, Bass, Coates, Crain, Ford, Garrison, Halligan, Ivester, Marlatt, Paddack, Russell, Schulz, Simpson, Sparks and Wyrick.--17.

Nay: Adelson, Aldridge, Allen, Bingman, Branan, Brecheen, Brinkley, Brown, Burrage, Childers, David, Eason McIntyre, Ellis, Fields, Holt, Johnson (C), Johnson (R), Jolley, Justice, Lerblance, McAffrey, Newberry, Nichols, Shortey, Stanislawski, Sykes, Treat and Wilson.--28.

Excused: Laster and Mazzei.--2.

Vacancy: District 20.--1.

The bill failed.

Pursuant to Rule 12-21, Senator Anderson served notice that the vote be reconsidered whereby **SB 1131** failed.

GENERAL ORDER

SB 1198 by Anderson of the Senate and Jackson of the House was called up for consideration.

Senator Anderson moved that **SB 1198** be advanced, which motion was declared adopted.

THIRD READING

SB 1198 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, Childers, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Lerblance, Marlatt, McAffrey, Newberry, Paddack, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--44.

Excused: Laster, Mazzei and Nichols.--3.

Vacancy: District 20.--1.

The bill passed.

SB 1198 was referred for engrossment.

GENERAL ORDER

SB 1162 by Bingman of the Senate and McNiel of the House was called up for consideration.

Senator Bingman moved to amend **SB 1162**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Bingman moved that **SB 1162** be advanced, which motion was declared adopted.

THIRD READING

SB 1162 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, Bingman, Branan, Brecheen, Brinkley, Brown, Burrage, Childers, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Lerblance, Marlatt, McAffrey, Newberry, Nichols, Paddack, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--45.

Excused: Laster and Mazzei.--2.

Vacancy: District 20.--1.

The bill and emergency passed.

SB 1162 was referred for engrossment.

GENERAL ORDER

SB 1430 by Stanislawski of the Senate and Martin (Steve) of the House was called up for consideration.

Senator Shortey asked to coauthor **SB 1430**, which was the order.

Senator Stanislawski moved that **SB 1430** be advanced, which motion was declared adopted.

THIRD READING

SB 1430 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, Brown, Burrage, Childers, Coates, Crain, David, Eason McIntyre, Ellis, Ford, Garrison, Halligan, Holt, Ivester, Johnson (C), Jolley, Justice, Lerblance, Marlatt, McAffrey, Newberry, Nichols, Paddack, Russell, Schulz, Simpson, Sparks, Stanislawski, Sykes, Wilson and Wyrick.--40.

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

Excused: Brinkley, Fields, Laster, Mazzei and Treat.--5.

Vacancy: District 20.--1.

The bill passed.

SB 1430 was referred for engrossment.

GENERAL ORDER

SB 1199 by Anderson of the Senate and Grau of the House was called up for consideration.

Senator Anderson moved that **SB 1199** be advanced, which motion was declared adopted.

THIRD READING

SB 1199 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, Childers, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Lerblance, Marlatt, McAffrey, Newberry, Nichols, Paddack, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--45.

Excused: Laster and Mazzei.--2.

Vacancy: District 20.--1.

The bill passed.

SB 1199 was referred for engrossment.

GENERAL ORDER

SB 1508 by Anderson of the Senate and Jackson of the House was called up for consideration.

Senator Anderson moved that **SB 1508** be advanced, which motion was declared adopted.

THIRD READING

SB 1508 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, Childers, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Lerblance, Marlatt, McAffrey, Newberry, Nichols, Paddack, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--45.

Excused: Laster and Mazzei.--2.

Vacancy: District 20.--1.

The bill passed.

SB 1508 was referred for engrossment.

Senator Sykes presiding.

GENERAL ORDER

SB 1943 by Anderson of the Senate and Armes of the House was called up for consideration.

Senator Anderson moved that **SB 1943** be advanced, which motion was declared adopted.

THIRD READING

SB 1943 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, Bingman, Branan, Brecheen, Brinkley, Brown, Burrage, Childers, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Lerblance, Marlatt, McAffrey, Newberry, Nichols, Paddack, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--45.

Excused: Laster and Mazzei.--2.

Vacancy: District 20.--1.

The bill and emergency passed.

SB 1943 was referred for engrossment.

Senator David presiding.

GENERAL ORDER

SB 1189 by Marlatt of the Senate and Jackson of the House was called up for consideration.

Senator Marlatt asked that **SB 1189** be laid over for this legislative day, which was the order.

SB 1189 remains on General Order.

GENERAL ORDER

SB 1215 by Ballenger of the Senate and Cockroft of the House was called up for consideration.

Senator Ballenger moved that **SB 1215** be advanced, which motion was declared adopted.

THIRD READING

SB 1215 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, Bingman, Branan, Brecheen, Brinkley, Brown, Burrage, Childers, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Lerblance, Marlatt, McAffrey, Newberry, Nichols, Paddack, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--45.

Excused: Laster and Mazzei.--2.

Vacancy: District 20.--1.

The bill and emergency passed.

SB 1215 was referred for engrossment.

GENERAL ORDER

SB 1360 by Ballenger of the Senate and Kirby of the House was called up for consideration.

Senator Ballenger moved that **SB 1360** be advanced, which motion was declared adopted.

THIRD READING

SB 1360 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, Bingman, Branan, Brecheen, Brinkley, Brown, Burrage, Childers, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (C), Johnson (R),

Jolley, Justice, Lerblance, Marlatt, McAffrey, Newberry, Nichols, Paddack, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--45.

Excused: Laster and Mazzei.--2.

Vacancy: District 20.--1.

The bill and emergency passed.

SB 1360 was referred for engrossment.

PENDING SENATE ACTION
HOUSE REQUEST FOR CONFERENCE

Upon motion of Senator Schulz, the request of the Honorable House for conference on **SB 91** was ordered granted and Senate conferees appointed as follows: Brinkley, Johnson (Rob), David, Burrage, Jolley, Sparks.

MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed **HBs 2242, 2262, 2302, 2389, 2524, 2833, 2927, 2994** and **2995** and **HCR 1026**.

HB 2242 – By Denney and Pittman of the House and Halligan of the Senate.
(motor vehicles - amending 47 O.S., Section 1133 - registration – weight - effective date)

HB 2262 – By Shannon of the House and Jolley of the Senate.
An Act relating to state government assets; amending 62 O.S. 2011, Section 901, which relates to the Long Range Capital Planning Commission; modifying requirements related to certain report; providing for findings related to Oklahoma State Government Asset Reduction and Cost Savings Program; amending 74 O.S. 2011, Section 61.7, which relates to the Oklahoma State Government Asset Reduction and Cost Savings Program; creating the Maintenance of State Buildings Revolving Fund; providing for deposit of certain sale proceeds; prescribing requirements for expenditures; providing an effective date; and declaring an emergency.

HB 2302 – By Hilliard of the House and Simpson of the Senate.
An Act relating to crimes and punishments; amending 21 O.S. 2011, Section 741, which relates to kidnapping; clarifying scope of kidnapping definition; and providing an effective date.

HB 2389 – By Liebmann of the House and Marlatt of the Senate.

An Act relating to state government; amending 74 O.S. 2011, Section 840-5.5, which relates to unclassified service; modifying requirement that certain positions be unclassified; and providing an effective date.

HB 2524 – By Martin (Steve) and Armes of the House and Newberry of the Senate.

An Act relating to professions and occupations; amending 59 O.S. 2011, Sections 858-351, 858-353, 858-356, 858-359, 858-360, 858-362 and 858-363, which relate to The Oklahoma Real Estate License Code; modifying definitions; modifying duties and responsibilities of broker; modifying broker service agreements; providing for written disclosure for certain agreements; requiring certain confirmation be in writing; providing for compensation of services; allowing cooperation of brokers; prohibiting certain agreements; repealing 59 O.S. 2011, Sections 858-352, 858-354, 858-355 and 858-357, which relate to The Oklahoma Real Estate License Code; providing for codification; and providing an effective date.

HB 2833 – By Martin (Scott) of the House and Bingman of the Senate.

An Act relating to energy; creating the Oklahoma State Facilities Energy Conservation Program; defining terms; stating application of the Program; requiring the Director of the Office of State Finance to oversee the Program; providing for selection of a vendor; stating objectives and scope of the Program; directing state agencies to input historical utility cost data and make certain reports; requiring the Director to consider certain contracts; stating impact of compliance with the Program on certain contracts; authorizing the Director to develop a plan for state-wide performance-based efficiency contracts; repealing 27A O.S. 2011, Section 3-4-106, which relates to energy efficiency and conservation plans; providing for codification; providing an effective date; and declaring an emergency.

HB 2927 – By Armes and DeWitt of the House and Marlatt of the Senate.

An Act relating to public lands; amending 64 O.S. 2011, Section 1011, which relates to a revolving fund for the Commissioners of the Land Office; designating name of the fund; adding source of monies for the revolving fund; adding an expenditure purpose for the revolving fund; providing for investment of monies in the fund; requiring interest to be credited to the fund; amending 64 O.S. 2011, Section 1069, which relates to proceeds from bonuses, royalties and other inducements; creating the Multiyear Education Distribution Stabilization Revolving Fund; providing for deposit of bonuses and delay rental income; making the fund a continuing fund; making deposit of income contingent upon certain determination by the Commission; providing for investment of monies in the fund; requiring interest to be credited to the fund; providing an effective date; and declaring an emergency.

HB 2994 – By Newell of the House and Newberry of the Senate.

An Act relating to cities and towns; authorizing inclusion of certain real property in street improvement districts under certain circumstances; imposing duties upon municipal clerk; providing for codification; and providing an effective date.

HB 2995 – By Newell of the House and Ivester of the Senate.

An Act relating to county and county officers; amending 19 O.S. 2011, Sections 339, 421.2 and 1502, which relate to county commissioners; modifying general powers of the board; modifying transfer of surplus equipment; requiring board to prescribe certain inventory system for county supplies; and providing an effective date.

HCR 1026 – By McDaniel (Jeannie), Armes, Banz, Bennett, Billy, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Christian, Cockroft, Condit, Coody, Cooksey, Cox, Dank, DeWitt, Denney, Derby, Dorman, Enns, Farley, Faught, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Key, Kirby, Kouplen, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Curtis), McDaniel (Randy), McNiel, McPeak, Moore, Morgan, Morrissette, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Reynolds, Richardson, Ritze, Roan, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Steele, Stiles, Sullivan, Terrill, Thomsen, Tibbs, Trebilcock, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams and Wright of the House and Eason McIntyre of the Senate.

A Concurrent Resolution recognizing the importance of finding the cause and cure for multiple sclerosis; stating belief that all Americans and Oklahomans should support finding the cause and developing a method of prevention of multiple sclerosis; expressing appreciation to the Oklahoma Chapter of the National Multiple Sclerosis Society for its work; proclaiming March 2012 as Multiple Sclerosis Awareness Month; and directing distribution.

The above-numbered measures were read the first time.

EXECUTIVE NOMINATION

The following executive nomination was read and referred to the committee indicated:

Lambert, Linda P., Oklahoma City, as a member of the Oklahoma Water Resources Board – Energy

Senator Schulz moved that when the clerk's desk is clear, the Senate stand adjourned to convene Tuesday, March 6, 2012, at 9:30 a.m., which motion prevailed.

FIRST READING

The following were introduced and read the first time:

SR 35 – By David.
A Resolution congratulating the Wagoner High School football team for winning the 2011 Class 4A State Championship; and directing distribution.

SR 36 – By Anderson.
A Resolution expressing the desire that the Oklahoma Department of Human Services adopt a plan to continue the operation of a state-administered resource center or resource centers; and directing distribution.

SR 37 – By Sykes.
A Resolution commending the career of Albert Hinshaw; mourning his loss; and directing distribution.

SR 38 – By Fields.
A Resolution proclaiming 2012 as the "Year of Cooperatives" in Oklahoma and encouraging citizens to celebrate the "International Year of Cooperatives".

Pursuant to the Schulz motion, the Senate adjourned at 3:55 p.m. to meet Tuesday, March 6, 2012, at 9:30 a.m.