Senate Journal

Second Regular Session of the Fifty-third Legislature
of the State of Oklahoma
Twenty-second Legislative Day, Tuesday, March 13, 2012

The Senate was called to order by Senator Stanislawski.

Roll Call:

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

Excused: Branan.—1.

Vacancy: District 20.—1.

Senator Stanislawski declared a quorum present.

The prayer was offered by Reverend Shawn Fowler, Del City Church of Christ, Del City, the guest of Senator Aldridge.

REPORT OF ENGROSSED AND ENROLLED MEASURES

SBs 1052, 1053, 1056, 1096, 1144, 1336, 1340, 1352, 1420, 1532, 1535, 1541, 1544, 1546, 1551, 1554, 1571, 1578, 1592, 1627, 1628, 1640, 1641, 1649, 1686, 1799, 1800, 1827, 1828 and **1887** were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

SRs 40, 41 and **42** were each correctly enrolled, properly signed and ordered transmitted to the Secretary of State.

GENERAL ORDER

SB 1041 by Justice of the Senate and Osborn of the House was called up for consideration.

Senator Justice moved that **SB 1041** be advanced, which motion was declared adopted.

THIRD READING

SB 1041 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, Barrington, Bingman, Brecheen, Brinkley, Brown, Childers, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (C), Justice, Lerblance, McAffrey, Newberry, Paddack, Russell, Schulz, Simpson, Stanislawski, Sykes, Treat, Wilson and Wyrick.--33.

Excused: Anderson, Ballenger, Bass, Branan, Burrage, Coates, Johnson (R), Jolley, Laster, Marlatt, Mazzei, Nichols, Shortey and Sparks.--14.

Vacancy: District 20.--1.

The bill and emergency passed.

SB 1041 was referred for engrossment.

GENERAL ORDER

SB 1127 by Justice of the Senate and Kirby of the House was called up for consideration.

Senator Justice moved to amend **SB 1127**, Page 5, Line 12 1/2, by adding a new Section 3 as follows:

SECTION 3. AMENDATORY 59 O.S. 2011, Section 1315, is amended to read as follows:

A. The following persons or classes shall not be bail bondsmen and shall not directly or indirectly receive any benefits from the execution of any bail bond:

1. Persons convicted of, or who have pled guilty or nolo contendere to, ~~a~~ <u>any</u> felony or <u>to</u> a misdemeanor involving dishonesty or moral turpitude;
2. Jailers;
3. Police officers;
4. Committing judges;
5. Municipal or district court judges;

6. Prisoners;

7. Sheriffs, deputy sheriffs and any person having the power to arrest or having anything to do with the control of federal, state, county or municipal prisoners;

8. Any person who possesses a permit pursuant to the provisions of Section 163.11 of Title 37 of the Oklahoma Statutes or is an officer, director or stockholder of any corporation holding such a permit;

9. Any person who is an agent or owner of any establishment at which low-point beer as defined by Section 163.2 of Title 37 of the Oklahoma Statutes is sold for on-premises consumption;

10. Any person who holds any license provided for in Section 518 of Title 37 of the Oklahoma Statutes or is an agent or officer of any such licensee, except for an individual holding an employee license pursuant to paragraph 20 of subsection A of Section 518 of Title 37 of the Oklahoma Statutes;

11. Any person who holds any license or permit from any city, town, county, or other governmental subdivision for the operation of any private club at which alcoholic beverages are consumed or provided; and

12. Any person or agent of a retail liquor package store.

B. This section shall not apply to a sheriff, deputy sheriff, police officer, or officer of the law who is not on duty and who assists in the apprehension of a defendant.

C. The provisions of this section shall not apply to persons possessing permits or licenses pertaining to low-point beer or alcoholic beverages, as defined in Sections 163.2 and 506 of Title 37 of the Oklahoma Statutes, which were issued prior to May 23, 1984. No one shall be permitted to maintain an office for conducting bail bonds business where low-point beer or alcoholic beverages are sold for on-premises consumption" and by renumbering subsequent section and amending the title to conform, which amendment was declared adopted.

Senator Justice moved that **SB 1127** be advanced, which motion was declared adopted.

THIRD READING

SB 1127 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, Barrington, Bingman, Brecheen, Brinkley, Brown, Childers, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (C), Jolley, Justice, Lerblance, Marlatt, McAffrey, Newberry, Paddack, Russell, Schulz, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--36.

Excused: Anderson, Ballenger, Bass, Branan, Burrage, Coates, Johnson (R), Laster, Mazzei, Nichols and Shortey.--11.

Vacancy: District 20.--1.

The bill passed.

SB 1127 was referred for engrossment.

GENERAL ORDER

SB 1511 by Justice of the Senate and Russ of the House was called up for consideration.

Senator Justice moved that **SB 1511** be advanced, which motion was declared adopted.

THIRD READING

SB 1511 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, Brecheen, Brown, Childers, Coates, Crain, Fields, Ford, Halligan, Holt, Johnson (R), Jolley, Justice, Marlatt, Mazzei, Newberry, Nichols, Russell, Schulz, Shortey, Simpson and Stanislawski.--26.

Nay: Adelson, Brinkley, Burrage, David, Eason McIntyre, Ellis, Garrison, Ivester, Johnson (C), Lerblance, McAffrey, Paddack, Sparks, Sykes, Treat, Wilson and Wyrick.--17.

Excused: Ballenger, Bass, Branan and Laster.--4.

Vacancy: District 20.--1.

The bill passed.

Senators Brinkley and Treat desired to vote Aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 28; Nay: 15; Excused: 4, Vacancy: 1.

The emergency failed.

SB 1511 was referred for engrossment.

UNANIMOUS CONSENT REQUEST
MOTION TO RECONSIDER VOTES

Senator Schulz asked unanimous consent, which was granted, to invoke the provisions of Rule 12-21A to allow all motions to reconsider votes be disposed of on the same day such notice is served.

GENERAL ORDER

SB 1506 by Fields of the Senate and Watson of the House was called up for consideration.

Senator Fields moved to amend **SB 1506**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Fields moved that **SB 1506** be advanced, which motion was declared adopted.

THIRD READING

SB 1506 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, Brecheen, Brinkley, Brown, Burrage, Childers, Coates, Crain, David, Ellis, Fields, 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.--40.

Nay: Ford.--1.

Excused: Ballenger, Bass, Branan, Eason McIntyre, Laster and Mazzei.--6.

Vacancy: District 20.--1.

The bill and emergency passed.

SB 1506 was referred for engrossment.

GENERAL ORDER

SB 1603 by Fields of the Senate and Richardson of the House was called up for consideration.

Senator Fields moved that **SB 1603** be advanced, which motion was declared adopted.

THIRD READING

SB 1603 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, Brecheen, Brinkley, Crain, Fields, Ford, Halligan, Jolley, Justice, Shortey, Simpson and Sparks.--15.

Nay: Adelson, Brown, Burrage, Childers, Coates, David, Ellis, Garrison, Holt, Ivester, Johnson (C), Johnson (R), Lerblance, Marlatt, McAffrey, Newberry, Nichols, Paddack, Russell, Schulz, Stanislawski, Sykes, Treat, Wilson and Wyrick.--25.

Excused: Ballenger, Bass, Bingman, Branan, Eason McIntyre, Laster and Mazzei.--7.

Vacancy: District 20.--1.

The bill and emergency failed.

Pursuant to Rule 12-21, Senator Fields served notice that the vote be reconsidered whereby **SB 1603** failed.

GENERAL ORDER

SB 1919 by Fields of the Senate and Armes of the House was called up for consideration.

Senator Fields moved that **SB 1919** be advanced, which motion was declared adopted.

THIRD READING

SB 1919 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, Barrington, Bingman, Brinkley, Brown, Burrage, Childers, Coates, Crain, David, Fields, Ford, Garrison, Halligan, Holt, Johnson (R), Jolley, Justice, Lerblance, Marlatt, Newberry, Nichols, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat and Wyrick.--33.

Nay: Allen, Brecheen, Eason McIntyre, Ellis, Ivester, Johnson (C), McAffrey, Paddack and Wilson.--9.

Excused: Ballenger, Bass, Branan, Laster and Mazzei.--5.

Vacancy: District 20.--1.

The bill passed.

SB 1919 was referred for engrossment.

GENERAL ORDER

SB 1229 by Ford of the Senate and Denney of the House was called up for consideration.

Senator Ford moved that **SB 1229** be advanced, which motion was declared adopted.

THIRD READING

SB 1229 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, 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.--42.

Excused: Ballenger, Bass, Branan, Laster and Mazzei.--5.

Vacancy: District 20.--1.

The bill and emergency passed.

SB 1229 was referred for engrossment.

GENERAL ORDER

SB 1409 by Ford of the Senate and Denney of the House was called up for consideration.

Senator Ivester moved to amend **SB 1409**, Page 5, Line 18, by inserting after the period the following language:

"The report shall:

a. identify the entity providing the virtual education
b. identify the number of students enrolled with each virtual education provider
c. identify the amount of state aid received by each virtual education provider
d. provide a detailed accounting of the expenditure of state funds on a per pupil basis
e. provide the test results of each student enrolled and the graduation rate of each student enrolled in virtual education,

The State Department of Education shall not disclose the identity of individual students when reporting information related to virtual schools.", which amendment was declared adopted.

Senator Ford moved that **SB 1409** be advanced, which motion was declared adopted.

THIRD READING

SB 1409 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, Barrington, Bingman, Brecheen, Brinkley, Brown, Childers, Coates, Crain, David, Eason McIntyre, Fields, Ford, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Marlatt, Mazzei, McAffrey, Newberry, Nichols, Paddack, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes and Treat.--35.

Nay: Allen, Burrage, Ellis, Garrison, Lerblance, Wilson and Wyrick.--7.

Excused: Anderson, Ballenger, Bass, Branan and Laster.--5.

Vacancy: District 20.--1.

The bill and emergency passed.

SB 1409 was referred for engrossment.

PENDING CONSIDERATION OF HAs

HAs to **SB 194** were rejected upon motion of Senator Schulz, conference requested, and Senate conferees to be named later. (Senator Myers was removed and Senator Anderson was named as principal Senate author, May 19, 2011.)

GENERAL ORDER

SB 1530 by Ford of the Senate and Holland of the House was called up for consideration.

Representative Holland asked to be removed and Representative Denney asked to be named principal House author on **SB 1530** and Representative Nelson asked to coauthor, which was the order.

Senator Ford moved that **SB 1530** be advanced, which motion was declared adopted.

THIRD READING

SB 1530 was read for the third time at length.

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

Aye: Aldridge, Anderson, Barrington, Bingman, Brecheen, Brinkley, Brown, Crain, David, Fields, Ford, Halligan, Holt, Johnson (R), Jolley, Justice, Mazzei, Newberry, Nichols, Russell, Schulz, Shortey, Simpson, Stanislawski and Treat.--25.

Nay: Allen, Burrage, Childers, Coates, Eason McIntyre, Ellis, Garrison, Ivester, Johnson (C), Lerblance, Marlatt, McAffrey, Paddack, Sparks, Sykes, Wilson and Wyrick.--17.

Excused: Adelson, Ballenger, Bass, Branan and Laster.--5.

Vacancy: District 20.--1.

The bill passed.

Senator Marlatt desired to vote Aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 26; Nay: 16; Excused: 5, Vacancy: 1.

The emergency failed.

SB 1530 was referred for engrossment.

GENERAL ORDER

SB 1879 by Ford of the Senate and Coody of the House was called up for consideration.

Senator Ford moved that **SB 1879** be advanced, which motion was declared adopted.

THIRD READING

SB 1879 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, Childers, Coates, Crain, David, Eason McIntyre, Fields, Ford, Halligan, Holt, Johnson (R), Jolley, Justice, Marlatt, Mazzei, Newberry, Nichols, Russell, Schulz, Shortey, Simpson, Stanislawski, Sykes and Treat.--31.

Nay: Burrage, Ellis, Garrison, Ivester, McAffrey, Paddack, Sparks, Wilson and Wyrick.--9.

Excused: Adelson, Ballenger, Bass, Branan, Johnson (C), Laster and Lerblance.--7.

Vacancy: District 20.--1.

The bill passed and the emergency failed.

SB 1879 was referred for engrossment.

INTRODUCTION

Senator Marlatt introduced his son, Kade, to the Senate.

GENERAL ORDER

SB 1483 by Jolley of the Senate and Sears of the House was called up for consideration.

Senator Jolley moved that **SB 1483** be advanced, which motion was declared adopted.

THIRD READING

SB 1483 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, Childers, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (R), Jolley, Justice, Newberry, Nichols, Paddack, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--37.

Excused: Adelson, Ballenger, Bass, Branan, Johnson (C), Laster, Lerblance, Marlatt, Mazzei and McAffrey.--10.

Vacancy: District 20.--1.

The bill and emergency passed.

SB 1483 was referred for engrossment.

GENERAL ORDER

SB 1525 by Jolley of the Senate and Armes of the House was called up for consideration.

Senator Schulz asked to coauthor **SB 1525**, which was the order.

Senator Jolley moved that **SB 1525** be advanced, which motion was declared adopted.

THIRD READING

SB 1525 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, Brecheen, Brinkley, Brown, Burrage, Childers, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (R), Jolley, Justice, Marlatt, Newberry, Nichols, Paddack, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat and Wyrick.--37.

Nay: McAffrey and Wilson.--2.

Excused: Adelson, Ballenger, Bass, Branan, Johnson (C), Laster, Lerblance and Mazzei.--8.

Vacancy: District 20.--1.

The bill passed.

SB 1525 was referred for engrossment.

GENERAL ORDER

SB 1533 by Jolley and Ivester of the Senate and Newell of the House was called up for consideration.

Senator Ivester asked to be removed as coauthor to **SB 1533**, which was the order.

Senator Jolley moved that **SB 1533** be advanced, which motion was declared adopted.

THIRD READING

SB 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: Aldridge, Allen, Anderson, Barrington, Bingman, Brecheen, Brinkley, Brown, Burrage, Childers, Coates, Crain, David, Ellis, Fields, Ford, Halligan, Holt, Johnson (R), Jolley, Justice, Marlatt, Newberry, Nichols, Paddack, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes and Treat.--33.

Nay: Eason McIntyre, Garrison, Ivester, Johnson (C), McAffrey, Wilson and Wyrick.--7.

Excused: Adelson, Ballenger, Bass, Branan, Laster, Lerblance and Mazzei.--7.

Vacancy: District 20.--1.

The bill and emergency passed.

SB 1533 was referred for engrossment.

GENERAL ORDER

SB 1792 by Jolley of the Senate and Jordan of the House was called up for consideration.

Senator Jolley moved that **SB 1792** be advanced, which motion was declared adopted.

THIRD READING

SB 1792 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, Brecheen, Brinkley, Brown, Childers, Coates, Crain, David, Fields, Ford, Halligan, Holt, Johnson (R), Jolley, Justice, Newberry, Nichols, Russell, Schulz, Shortey, Simpson, Stanislawski, Sykes and Treat.--28.

Nay: Burrage, Eason McIntyre, Ellis, Garrison, Ivester, McAffrey, Paddack, Sparks, Wilson and Wyrick.--10.

Excused: Adelson, Ballenger, Bass, Branan, Johnson (C), Laster, Lerblance, Marlatt and Mazzei.--9.

Vacancy: District 20.--1.

The bill passed.

SB 1792 was referred for engrossment.

GENERAL ORDER

SB 1793 by Jolley of the Senate and Murphey of the House was called up for consideration.

Senator Jolley moved that **SB 1793** be advanced, which motion was declared adopted.

THIRD READING

SB 1793 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, Brecheen, Brinkley, Brown, Burrage, Childers, Coates, Crain, David, Ellis, Fields, Ford, Halligan, Holt, Ivester, Johnson (R), Jolley, Justice, Marlatt, Newberry, Nichols, Paddack, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes and Treat.--34.

Nay: Eason McIntyre, Garrison, McAffrey, Wilson and Wyrick.--5.

Excused: Adelson, Ballenger, Bass, Branan, Johnson (C), Laster, Lerblance and Mazzei.--8.

Vacancy: District 20.--1.

The bill passed.

SB 1793 was referred for engrossment.

GENERAL ORDER

SB 1796 by Jolley of the Senate and Sears of the House was called up for consideration.

Senator Jolley moved that **SB 1796** be advanced, which motion was declared adopted.

THIRD READING

SB 1796 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, Brecheen, Brinkley, Brown, Burrage, Childers, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (R), Jolley, Justice, Marlatt, McAffrey, Newberry, Nichols,

Paddack, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--39.

Excused: Adelson, Ballenger, Bass, Branan, Johnson (C), Laster, Lerblance and Mazzei.--8.

Vacancy: District 20.--1.

The bill passed.

SB 1796 was referred for engrossment.

GENERAL ORDER

SB 1797 by Jolley of the Senate and Denney of the House was called up for consideration.

Senator Jolley moved that **SB 1797** be advanced, which motion was declared adopted.

THIRD READING

SB 1797 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, Brecheen, Brinkley, Brown, Burrage, Childers, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (R), Jolley, Justice, Marlatt, McAffrey, Newberry, Nichols, Paddack, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--39.

Excused: Adelson, Ballenger, Bass, Branan, Johnson (C), Laster, Lerblance and Mazzei.--8.

Vacancy: District 20.--1.

The bill passed.

SB 1797 was referred for engrossment.

GENERAL ORDER

SB 1830 by Jolley of the Senate and Schwartz of the House was called up for consideration.

Senator Jolley moved that **SB 1830** be advanced, which motion was declared adopted.

THIRD READING

SB 1830 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, Brecheen, Brinkley, Brown, Childers, Coates, Crain, David, Fields, Ford, Halligan, Holt, Johnson (R), Jolley, Justice, Marlatt, Mazzei, McAffrey, Newberry, Nichols, Paddack, Russell, Schulz, Shortey, Simpson, Stanislawski, Sykes and Treat.--32.

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

Excused: Adelson, Ballenger, Bass, Branan, Laster, Lerblance and Sparks.--7.

Vacancy: District 20.--1.

The bill passed.

SB 1830 was referred for engrossment.

Senator Schulz moved that the Senate recess until 1:00 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

SB 544 by Sykes and Johnson (Constance) of the Senate and Blackwell of the House was called up for consideration.

Representative Blackwell asked to be removed and Representative Holland asked to be named principal House author on **SB 544**, which was the order.

Senator Sykes moved that **SB 544** be advanced, which motion was declared adopted.

THIRD READING

SB 544 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, Bass, Burrage, Coates, Eason McIntyre, Ellis, Ivester, Johnson (C), Marlatt, Nichols, Schulz, Shortey, Simpson, Sparks, Sykes, Wilson and Wyrick.--19.

Nay: Aldridge, Anderson, Barrington, Bingman, Brecheen, Brown, Crain, David, Ford, Garrison, Halligan, Holt, Johnson (R), Jolley, Newberry, Paddack, Russell, Stanislawski and Treat.--19.

Excused: Branan, Brinkley, Childers, Fields, Justice, Laster, Lerblance, Mazzei and McAffrey.--9.

Vacancy: District 20.--1.

The bill failed.

Pursuant to Rule 12-21, Senator Sykes served notice that the vote be reconsidered whereby **SB 544** failed.

Senator Jolley presiding.

GENERAL ORDER

SB 1694 by Sykes and Shortey of the Senate and Derby of the House was called up for consideration.

Senator Sykes moved that **SB 1694** be advanced, which motion was declared adopted.

THIRD READING

SB 1694 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, Brecheen, Brown, Burrage, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (R), Jolley, Justice, Laster, Marlatt, Newberry, Nichols, Paddack, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--39.

Excused: Bingman, Branan, Brinkley, Childers, Johnson (C), Lerblance, Mazzei and McAffrey.--8.

Vacancy: District 20.--1.

The bill passed.

SB 1694 was referred for engrossment.

GENERAL ORDER

SB 1696 by Sykes of the Senate and McCullough of the House was called up for consideration.

Senator Sykes moved that **SB 1696** be advanced, which motion was declared adopted.

THIRD READING

SB 1696 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, Brecheen, Brinkley, Brown, Burrage, Childers, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (R), Jolley, Justice, Laster, Marlatt, Mazzei, Newberry, Nichols, Paddack, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat and Wilson.--41.

Excused: Bingman, Branan, Johnson (C), Lerblance, McAffrey and Wyrick.--6.

Vacancy: District 20.--1.

The bill passed.

SB 1696 was referred for engrossment.

GENERAL ORDER

SB 1761 by Sykes of the Senate and Wright of the House was called up for consideration.

Senator Sykes moved that **SB 1761** be advanced, which motion was declared adopted.

THIRD READING

SB 1761 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, Brecheen, Brinkley, Brown, Burrage, Childers, Coates, Crain, David, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (R), Jolley, Justice, Laster, Lerblance, Marlatt, Newberry, Nichols, Paddack, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat and Wyrick.--40.

Nay: Eason McIntyre and Wilson.--2.

Excused: Bingman, Branan, Johnson (C), Mazzei and McAffrey.--5.

Vacancy: District 20.--1.

The bill passed.

SB 1761 was referred for engrossment.

INTRODUCTION

Senator Nichols introduced his daughter, Jessica, to the Senate.

GENERAL ORDER

SB 178 by Crain of the Senate and Cox of the House was called up for consideration.

Senator Crain moved that **SB 178** be advanced, which motion was declared adopted.

THIRD READING

SB 178 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, Brecheen, Brinkley, Brown, Burrage, Childers, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (R), Jolley, Justice, Laster, Lerblance, Marlatt, Newberry, Nichols, Paddack, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--42.

Excused: Bingman, Branan, Johnson (C), Mazzei and McAffrey.--5.

Vacancy: District 20.--1.

The bill and emergency passed.

SB 178 was referred for engrossment.

GENERAL ORDER

SB 182 by Crain of the Senate and Morgan of the House was called up for consideration.

Senator Crain moved that **SB 182** be advanced, which motion was declared adopted.

THIRD READING

SB 182 was read for the third time at length.

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

Aye: Aldridge, Anderson, Barrington, Bass, Brecheen, Brinkley, Burrage, Coates, Crain, Eason McIntyre, Fields, Ford, Halligan, Holt, Justice, Laster, Newberry, Paddack, Schulz, Simpson, Stanislawski and Wilson.--22.

Nay: Adelson, Allen, Ballenger, Brown, Childers, David, Ellis, Garrison, Ivester, Johnson (R), Jolley, Lerblance, Marlatt, Nichols, Russell, Shortey, Sparks, Sykes, Treat and Wyrick.--20.

Excused: Bingman, Branan, Johnson (C), Mazzei and McAffrey.--5.

Vacancy: District 20.--1.

The bill failed.

GENERAL ORDER

SB 1780 by Crain of the Senate and McDaniel (Randy) of the House was called up for consideration.

Senator Crain moved to amend **SB 1780**, Page 1, by striking the title, which amendment was declared adopted.

Senator Crain moved that **SB 1780** be advanced, which motion was declared adopted.

THIRD READING

SB 1780 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, Brecheen, Brinkley, Brown, Childers, Coates, Crain, David, Ford, Halligan, Holt, Johnson (R), Jolley, Justice, Marlatt, Newberry, Nichols, Russell, Schulz, Shortey, Simpson, Stanislawski, Sykes and Treat.--26.

Nay: Adelson, Anderson, Ballenger, Bass, Burrage, Eason McIntyre, Ellis, Fields, Garrison, Ivester, Johnson (C), Laster, Lerblance, McAffrey, Paddack, Sparks, Wilson and Wyrick.--18.

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

Vacancy: District 20.--1.

The bill passed.

SB 1780 was referred for engrossment.

GENERAL ORDER

SB 1156 by Aldridge of the Senate and Faught of the House was called up for consideration.

Senator Aldridge moved to amend **SB 1156**, Page 1, Line 14 1/2, by adding a new Section 2 to read as follows:

"SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 6093 of Title 36, unless there is created a duplication in numbering, reads as follows:

A. Except as provided in subsection B of this section, every policy providing personal injury protection coverage is subject to the following:

1. That where the insured under the policy is or would be held legally liable for the personal injuries sustained by any person to whom benefits required under personal injury protection have been paid by another insurer, including workers' compensation, the insurer of the person who would be held legally liable shall reimburse the other insurer for the payment, but not in excess of the amount of damages recoverable; and

2. That the issue of liability for that reimbursement and its amount shall be decided by mandatory, binding arbitration between the insurers.

B. There shall be no right of reimbursement between insurers under subsection A of this section if the insurer of the person who would be held legally liable for the personal

injuries sustained has tendered its policy limit." and renumbering subsequent section, which amendment was declared adopted.

Senator Aldridge moved to amend **SB 1156**, Page 1, by striking the title, which amendment was declared adopted.

Senator Aldridge moved that **SB 1156** be advanced, which motion was declared adopted.

THIRD READING

SB 1156 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, Brecheen, Brinkley, Brown, Childers, Coates, Crain, David, Fields, Ford, Halligan, Holt, Johnson (R), Jolley, Justice, Marlatt, Newberry, Nichols, Russell, Schulz, Shortey, Simpson, Stanislawski, Sykes and Treat.--27.

Nay: Adelson, Anderson, Ballenger, Bass, Burrage, Eason McIntyre, Ellis, Garrison, Ivester, Johnson (C), Laster, Lerblance, McAffrey, Paddack, Sparks, Wilson and Wyrick.--17.

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

Vacancy: District 20.--1.

The bill passed.

SB 1156 was referred for engrossment.

GENERAL ORDER

SB 1001 by Stanislawski of the Senate and Quinn of the House was called up for consideration.

Senator Stanislawski moved to amend **SB 1001**, 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 Stanislawski asked unanimous consent, which was granted, to suspend Senate Rule 12-4 as it pertains to **SB 1001**.

Senator Stanislawski moved to amend the floor substitute to **SB 1001**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Stanislawski moved that **SB 1001** be advanced, which motion was declared adopted.

THIRD READING

SB 1001 was read for the third time at length.

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

Aye: Allen, Barrington, Brecheen, Coates, Eason McIntyre, Ford, Halligan, Ivester, Justice, Schulz, Shortey, Simpson, Sparks and Stanislawski.--14.

Nay: Adelson, Aldridge, Anderson, Ballenger, Bass, Brinkley, Brown, Burrage, Childers, Crain, David, Ellis, Fields, Garrison, Holt, Johnson (C), Johnson (R), Jolley, Laster, Lerblance, Marlatt, McAffrey, Newberry, Nichols, Paddack, Russell, Sykes, Treat, Wilson and Wyrick.--30.

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

Vacancy: District 20.--1.

The bill failed.

Pursuant to Rule 12-21, Senator Stanislawski served notice that the vote be reconsidered whereby **SB 1001** failed.

GENERAL ORDER

SB 1321 by Brinkley and Shortey of the Senate and Derby of the House was called up for consideration.

Senator Brinkley moved that **SB 1321** be advanced, which motion was declared adopted.

THIRD READING

SB 1321 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, Brecheen, Brinkley, Brown, Burrage, Childers, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Laster, Lerblance, Marlatt, McAffrey, Newberry, Nichols, Paddack, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--43.

Excused: Aldridge, Bingman, Branan and Mazzei.--4.

Vacancy: District 20.--1.

The bill passed.

SB 1321 was referred for engrossment.

GENERAL ORDER

SB 1634 by Brinkley of the Senate and Derby of the House was called up for consideration.

Senator Brinkley moved that **SB 1634** be advanced, which motion was declared adopted.

THIRD READING

SB 1634 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, Brecheen, Brinkley, Brown, Burrage, Childers, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Laster, Lerblance, Marlatt, Mazzei, McAffrey, Newberry, Nichols, Paddack, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--45.

Nay: Russell.--1.

Excused: Branan.--1.

Vacancy: District 20.--1.

The bill passed.

SB 1634 was referred for engrossment.

GENERAL ORDER

SB 1877 by Brinkley of the Senate and Martin (Scott) of the House was called up for consideration.

Senator Brinkley moved to amend **SB 1877**, Page 1, line 24 through page 2, line 6, by restoring all stricken language; and Page 2, lines 15 through 24, by restoring all stricken language before the number "2" on line 24; Page 2, line 24, by restoring the stricken period "."; Page 2, line 24, by inserting after the stricken word "act" and before the period "." the words "34.11.1 of Title 62 of the Oklahoma Statutes", which amendment was declared adopted.

Senator Brinkley moved that **SB 1877** be advanced, which motion was declared adopted.

THIRD READING

SB 1877 was read for the third time at length.

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

Aye: Adelson, Anderson, Ballenger, Barrington, Bass, Brecheen, Brinkley, Brown, Burrage, Childers, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Laster, Lerblance, Marlatt, McAffrey, Newberry, Nichols, Paddack, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--42.

Excused: Aldridge, Allen, Bingman, Branan and Mazzei.--5.

Vacancy: District 20.--1.

The bill passed.

SB 1877 was referred for engrossment.

GENERAL ORDER

SB 1638 by Marlatt of the Senate and Liebmann of the House was called up for consideration.

Senator Marlatt moved that **SB 1638** be advanced, which motion was declared adopted.

THIRD READING

SB 1638 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, Anderson, Ballenger, Barrington, Bass, Brecheen, Brinkley, Brown, Burrage, Childers, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford,

Garrison, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Laster, Lerblance, Marlatt, McAffrey, Newberry, Nichols, Paddack, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--43.

Excused: Aldridge, Bingman, Branan and Mazzei.--4.

Vacancy: District 20.--1.

The bill and emergency passed.

SB 1638 was referred for engrossment.

GENERAL ORDER

SB 1642 by Marlatt and Ivester of the Senate and Shannon of the House was called up for consideration.

Senator Marlatt moved that **SB 1642** be advanced, which motion was declared adopted.

THIRD READING

SB 1642 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, Anderson, Ballenger, Barrington, Bass, Brecheen, Brinkley, Brown, Burrage, Childers, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Laster, Lerblance, Marlatt, McAffrey, Newberry, Nichols, Paddack, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--43.

Excused: Aldridge, Bingman, Branan and Mazzei.--4.

Vacancy: District 20.--1.

The bill and emergency passed.

SB 1642 was referred for engrossment.

GENERAL ORDER

SB 1643 by Marlatt and Ivester of the Senate and Shannon of the House was called up for consideration.

Senator Marlatt moved that **SB 1643** be advanced, which motion was declared adopted.

THIRD READING

SB 1643 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, Anderson, Ballenger, Barrington, Bass, Brecheen, Brinkley, Brown, Burrage, Childers, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Laster, Lerblance, Marlatt, McAffrey, Newberry, Nichols, Paddack, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--43.

Excused: Aldridge, Bingman, Branan and Mazzei.--4.

Vacancy: District 20.--1.

The bill and emergency passed.

SB 1643 was referred for engrossment.

GENERAL ORDER

SB 1889 by Marlatt of the Senate and Jackson of the House was called up for consideration.

Senator Marlatt moved that **SB 1889** be advanced, which motion was declared adopted.

THIRD READING

SB 1889 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, Brecheen, Brinkley, Brown, Burrage, Childers, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Laster, Lerblance, Marlatt, McAffrey, Newberry, Nichols, Paddack, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--43.

Excused: Aldridge, Bingman, Branan and Mazzei.--4.

Vacancy: District 20.--1.

The bill passed.

SB 1889 was referred for engrossment.

GENERAL ORDER

SB 1264 by Newberry et al of the Senate and McDaniel (Randy) of the House was called up for consideration.

Senator Ford moved to amend **SB 1264**, Page 2, Line 3, by inserting after the period "." the following:

"The remaining seventy percent (70%), if subsequently appropriated by the Legislature, shall only be appropriated for one-time or nonrecurring expenditures", which amendment was declared adopted.

Senator Newberry moved that **SB 1264** be advanced, which motion was declared adopted.

THIRD READING

SB 1264 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, Anderson, Ballenger, Barrington, Bass, Brecheen, Brinkley, Brown, Burrage, Childers, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Laster, Lerblance, Marlatt, McAffrey, Newberry, Nichols, Paddack, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--43.

Excused: Aldridge, Bingman, Branan and Mazzei.--4.

Vacancy: District 20.--1.

The bill and emergency passed.

SB 1264 was referred for engrossment.

GENERAL ORDER

SB 1866 by Newberry of the Senate and McDaniel (Randy) of the House was called up for consideration.

Senator Newberry moved that **SB 1866** be advanced, which motion was declared adopted.

THIRD READING

SB 1866 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, Brecheen, Brinkley, Brown, Burrage, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (R), Jolley, Justice, Laster, Lerblance, Marlatt, Newberry, Nichols, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat and Wyrick.--38.

Nay: Johnson (C), McAffrey, Paddack and Wilson.--4.

Excused: Aldridge, Bingman, Branan, Childers and Mazzei.--5.

Vacancy: District 20.--1.

The bill passed.

SB 1866 was referred for engrossment.

GENERAL ORDER

SB 1868 by Newberry of the Senate and Newell of the House was called up for consideration.

Senator Newberry moved to amend **SB 1868**, Page 7, Line 2 ½ , by adding a new paragraph 2 to read as follows:

"2. Two members shall be commercial roofing contractors each with a minimum of five (5) years' business experience in commercial roofing in this state and who are registered pursuant to the Oklahoma Roofing Contractor Act;"; and renumbering subsequent paragraphs., which amendment was declared adopted.

Senator Newberry moved that **SB 1868** be advanced, which motion was declared adopted.

THIRD READING

SB 1868 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, Barrington, Brecheen, Brinkley, Brown, Burrage, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Halligan, Holt, Ivester, Johnson (R), Jolley, Justice, Laster, Marlatt, McAffrey, Newberry, Nichols, Paddack, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski and Sykes.--34.

Nay: Allen, Ballenger, Bass, Garrison, Johnson (C), Lerblance, Treat, Wilson and Wyrick.--9.

Excused: Bingman, Branan, Childers and Mazzei.--4.

Vacancy: District 20.--1.

The bill passed.

SB 1868 was referred for engrossment.

GENERAL ORDER

SB 1951 by Russell and Simpson of the Senate and Jordan of the House was called up for consideration.

Senators Ivester, Garrison, Coates, Anderson, Treat, Ellis, Laster, Eason McIntyre, Shortey and Jolley asked to coauthor **SB 1951**, which was the order.

Senator Russell moved that **SB 1951** be advanced, which motion was declared adopted.

THIRD READING

SB 1951 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, Brecheen, Brinkley, Brown, Burrage, Childers, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Laster, Lerblance, Marlatt, McAffrey, Newberry, Nichols, Paddack, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--44.

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

Vacancy: District 20.--1.

The bill passed.

SB 1951 was referred for engrossment.

GENERAL ORDER

SB 1055 by Russell and Simpson of the Senate and Enns of the House was called up for consideration.

Senator Russell moved to amend **SB 1055**, 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 Russell moved to amend the floor substitute to **SB 1055**, Page 1, by striking the title, which amendment was declared adopted.

Senator Russell moved that **SB 1055** be advanced, which motion was declared adopted.

THIRD READING

SB 1055 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, Brecheen, Brinkley, Brown, Burrage, Childers, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Laster, Lerblance, Marlatt, McAffrey, Newberry, Nichols, Paddack, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--44.

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

Vacancy: District 20.--1.

The bill passed.

SB 1055 was referred for engrossment.

GENERAL ORDER

SB 1908 by Russell of the Senate and Reynolds of the House was called up for consideration.

Representative Reynolds asked to be removed and Representative Martin (Scott) asked to be named principal House author and Representative Reynolds asked to remain as coauthor on **SB 1908**, which was the order.

Senator Russell moved to amend **SB 1908**, Page 2, Line 8, by inserting after the word "state" and before the word "that" the words "set forth in this act"; Page 6, Line 13, through Page 7, Line 18, by deleting Section 3; and by amending the title to conform, which amendment was declared adopted.

Senator Brecheen moved to amend **SB 1908**, Page 6, Line 12 1/2, by inserting new SECTIONS 3 and 4 to read as follows;

"SECTION 3. AMENDATORY 27A O.S. 2011, Section 2-2-101, is amended to read as follows:

A. There is hereby created the Environmental Quality Board to represent the interests of the State of Oklahoma which shall consist of thirteen (13) members appointed by the Governor with the advice and consent of the Senate.

B. To be eligible for appointment to the Board a person shall:

1. Be a citizen of the United States;

2. Be a resident of this state;

3. Be a qualified elector of this state; and

4. Not have been convicted of a felony pursuant to the laws of this state, the laws of any other state or the laws of the United States.

C. The Board shall be composed of:

1. One member who shall be a certified or registered environmental professional. Such member shall be an environmental professional experienced in matters of pollution control, who shall not be an employee of any unit of government;

2. One member who shall be selected from industry in general. Such member shall be employed as a manufacturing executive carrying on a manufacturing business within the state;

3. One member who shall be selected from the hazardous waste industry within the state;

4. One member who shall be selected from the solid waste industry within this state;

5. One member who shall be well versed in recreational, irrigational, municipal or residential water usage;

6. One member who shall be selected from the petroleum industries being regulated by the Department of Environmental Quality;

7. One member who shall be selected from the agriculture industries regulated by the Department of Environmental Quality;

8. One member who shall be selected from the conservation districts of the state;

9. Three members who shall be citizen members of any statewide nonprofit environmental organization;

10. One member who shall be a member of the local governing body of a city or town; and

11. One member who shall be from a rural water district organized pursuant to the laws of this state.

D. The term of office of a member of the Board shall be for five (5) years and until a successor is appointed and qualified.

E. 1. An appointment shall be made by the Governor within ninety (90) days after a vacancy has occurred due to resignation, death, or any cause resulting in an unexpired term.

In the event of a vacancy on the Board due to resignation, death, or for any cause resulting in an unexpired term, if not filled within ninety (90) days following such vacancy, the Board may appoint a provisional member to serve in the interim until the Governor acts.

2. A member may be reappointed.

3. In making appointments to the Environmental Quality Board, the Governor shall recognize the geographic diversity of the state and endeavor to appoint members representing each quadrant of the state.

F. 1. The Board shall hold meetings as necessary at a place and time to be fixed by the Board. The Board shall select, at its first meeting, one of its members to serve as chair and another of its members to serve as vice-chair. At the first meeting in each calendar year thereafter, the chair and vice-chair for the ensuing year shall be elected. Special meetings may be called by the chair or by five members of the Board by delivery of written notice to each member of the Board. A majority of the Board present at the meeting shall constitute a quorum of the Board.

2. Members of the Board shall receive necessary travel expenses according to the provisions of the State Travel Reimbursement Act.

G. The Board shall:

1. Appoint and fix Fix the compensation of the Executive Director of the Department of Environmental Quality;

2. Be the rulemaking body for the Department of Environmental Quality;

3. Review and approve the budget request of the Department to the Governor;

4. Assist the Department in conducting periodic reviews and planning activities related to the goals, objectives, priorities and policies of the Department;

5. In conjunction with each regular meeting of the Board pursuant to subsection F and at such other times as the Board may determine to be necessary and appropriate, provide a public forum for receiving comments and disseminating information to the public and the regulated community regarding goals, objectives, priorities, and policies of the Department. The Board shall have the authority to adopt nonbinding resolutions requesting action by the Department in response to comments received or upon the Board's own initiative; and

6. Review and evaluate the need for amendments or additions to the Oklahoma Statutes regarding the programs and functions of the Department and make legislative recommendations to the Legislature.

H. As the rulemaking body for the Department of Environmental Quality, the Board is specifically charged with the duty of promulgating rules which will implement the duties and responsibilities of the Department pursuant to this Code. Except as provided in this subsection, rules within the jurisdiction of a Council provided for by this act shall be promulgated with the advice of such Council. Proposed permanent rules within the jurisdiction of a Council shall not be considered by the Board for promulgation until receipt of the appropriate Council's recommendation on such promulgation; however, the Board may promulgate emergency rules without the advice of the appropriate Council when the time constraints of the emergency, as determined by the Board, do not permit the timely development of recommendations by the Council. All actions of the Councils with regard to rulemaking shall be deemed actions of the Board for the purposes of complying with the Administrative Procedures Act.

SECTION 4. AMENDATORY 27A O.S. 2011, Section 2-3-201, is amended to read as follows:

A. The Environmental Quality Board Governor shall appoint the Executive Director of the Department of Environmental Quality. The Executive Director shall serve at the pleasure of the Board Governor.

B. The Executive Director shall have experience in industry, conservation, environmental sciences or such other areas as may be required by the Environmental Quality Board.

C. The Executive Director shall provide for the administration of the Department and shall:

1. Be the executive officer and supervise the activities of the Department of Environmental Quality;

2. Employ, discharge, appoint or contract with, and fix the duties and compensation of such assistants, attorneys, chemists, geologists, environmental professionals, medical professionals, engineers, sanitarians, administrative, clerical and technical, investigators, aides and such other personnel, either on a full-time, part-time, fee or contractual basis, as in his judgment and discretion shall be deemed necessary, expedient, convenient or appropriate to the performance or carrying out of any of the purposes, objectives, responsibilities or statutory provisions relating to the Department of Environmental Quality, or to assist the Executive Director in the performance of his official duties and functions;

3. Establish internal policies and procedures for the proper and efficient administration of the Department; and

4. Exercise all incidental powers which are necessary and proper to implement the purposes of the Department pursuant to this Code.

D. The Executive Director shall not be an owner, stockholder, employee or officer of, nor have any other business relationship with or receive compensation from, any corporation, partnership, or other business or entity which is subject to regulation by the Department of Environmental Quality and, with regard to the exercise of powers and duties associated with the Oklahoma Pollutant Discharge Elimination System Act, shall meet all requirements of Section 304 of the Clean Water Act and applicable federal regulations promulgated thereunder by the United States Environmental Protection Agency regarding conflict of interest.

E. 1. In addition to the powers and duties specified in subsection D of this section, the Executive Director shall have the power and duty to:

a. issue, deny, modify, amend, renew, refuse to renew, suspend, reinstate or revoke licenses or permits pursuant to the provisions of this Code, and rules promulgated by the Board, and

b. issue final orders and assess administrative penalties according to the Administrative Procedures Act, this Code and rules promulgated by the Board.

2. The powers and duties specified in paragraph 1 of this subsection shall be exercised exclusively by the Executive Director and may not be delegated to other employees of the Department except as specifically provided in this Code.

3. In the event of the Executive Director's temporary absence, the Executive Director may delegate the exercise of such powers and duties to an acting director during the Executive Director's absence subject to an organizational structure approved by the Board. In the event of a vacancy in the position of Executive Director, the Board may designate an

interim or acting Executive Director who is authorized to exercise such powers and duties until a permanent Executive Director is employed.

4. Any designee exercising such powers and duties of the Executive Director as authorized or on a temporary, acting or interim basis shall meet the requirements of subsection D of this section for the Executive Director.

5. All references in this Code to the Department with respect to the exercise of the powers and duties specified in paragraph 1 of this subsection shall mean the exercise of such powers and duties by the Executive Director or his authorized designee.", and by amending the title to conform, which amendment was declared adopted.

Senator Russell moved to amend **SB 1908**, Page 1, by striking the title, which amendment was declared adopted.

Senator Russell moved that **SB 1908** be advanced, which motion was declared adopted.

THIRD READING

SB 1908 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, Brecheen, Brinkley, Brown, Coates, Crain, Fields, Ford, Halligan, Holt, Johnson (R), Jolley, Justice, Marlatt, Mazzei, Newberry, Nichols, Russell, Schulz, Simpson, Sparks, Stanislawski, Sykes and Treat.--27.

Nay: Adelson, Ballenger, Bass, Burrage, Childers, David, Eason McIntyre, Ellis, Garrison, Ivester, Johnson (C), Laster, Lerblance, McAffrey, Paddack, Shortey, Wilson and Wyrick.--18.

Excused: Bingman and Branan.--2.

Vacancy: District 20.--1.

The bill passed.

SB 1908 was referred for engrossment.

GENERAL ORDER

SB 1760 by Sykes et al of the Senate and Shannon of the House was called up for consideration.

Senators Simpson and Jolley asked to coauthor **SB 1760**, which was the order.

Senator Sykes moved to amend **SB 1760**, Page 3, Line 6, by deleting the word "registration", which amendment was declared adopted.

Senator Sykes moved that **SB 1760** be advanced, which motion was declared adopted.

THIRD READING

SB 1760 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, Brecheen, Brinkley, Brown, Burrage, Childers, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Laster, Lerblance, Marlatt, Mazzei, McAffrey, Newberry, Nichols, Paddack, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--46.

Excused: Branan.--1.

Vacancy: District 20.--1.

The bill passed.

SB 1760 was referred for engrossment.

GENERAL ORDER

SB 963 by Brown of the Senate and Brumbaugh of the House was called up for consideration.

Senator Brown moved to amend **SB 963**, Page 1, Line 22, by inserting between the words “individual” and “that” the following: “who has been convicted of or who has entered a plea other than not guilty to a nonviolent offense as defined pursuant to Section 571 of Title 57 of the Oklahoma Statutes and” and Page 2, Line 1 by deleting the word “return” and inserting in lieu thereof the word “refund”, which amendment was declared adopted.

Senator Brown moved to amend **SB 963**, Page 1 by restoring the title, which amendment was declared adopted.

Senator Brown moved to amend **SB 963**, Page 1, by striking the title, which amendment was declared adopted.

Senator Brown asked that **SB 963** be laid over for this legislative day which was the order.

SB 963 remains on General Order.

GENERAL ORDER

SB 1060 by Brown of the Senate and Grau of the House was called up for consideration.

Senator Shortey moved to amend **SB 1060**, Page 1, Line 14, by deleting Section 1and inserting a new Section 1 as follows:

"SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 364 of Title 36, unless there is created a duplication in numbering, reads as follows:

A. The Insurance Commissioner is authorized to appoint an attorney who is an employee of the Insurance Department to prosecute all crimes that are in violation of the provisions of the Insurance Code and other insurance related crimes.

B. If the Insurance Commissioner has reason to believe as a result of inquiry or complaint that a person has engaged in or is engaging in an act or practice that violates any administrative rule or statutes that pertains to the Insurance code, the attorney authorized in subsection A of this section shall have all of the powers of a district attorney.

B. Records, documents, reports and evidence obtained or created by the attorney authorized in subsection A of this section shall be confidential and shall not be subject to the Oklahoma Open Records Act or to outside review or release by any individual except when authorized by the Insurance Commissioner or the attorney authorized in subsection A of this section or when required by an administrative or judicial proceeding."

Senator Burrage moved to table the Shortey amendment, which tabling motion was declared adopted.

Senator Shortey moved to amend **SB 1060**, Page 2, Line 9, by adding a new Section 2 as follows:

"SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 364 of Title 36, unless there is created a duplication in numbering, reads as follows:

A. The Insurance Commissioner is authorized to appoint an attorney who is an employee of the Insurance Department to prosecute all crimes that are in violation of the provisions of the Insurance Code and other insurance related crimes.

B. If the Insurance Commissioner has reason to believe as a result of inquiry or complaint that a person has engaged in or is engaging in an act or practice that violates any administrative rule or statutes that pertains to the Insurance code, the attorney authorized in subsection A of this section shall have all of the powers of a district attorney.

B. Records, documents, reports and evidence obtained or created by the attorney authorized in subsection A of this section shall be confidential and shall not be subject to

the Oklahoma Open Records Act or to outside review or release by any individual except when authorized by the Insurance Commissioner or the attorney authorized in subsection A of this section or when required by an administrative or judicial proceeding." and renumbering the subsequent section.

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

Aye: Adelson, Aldridge, Ballenger, Barrington, Bass, Bingman, Brinkley, Burrage, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (C), Jolley, Justice, Laster, Lerblance, Marlatt, McAffrey, Newberry, Nichols, Paddack, Schulz, Sparks, Sykes, Treat, Wilson and Wyrick.--35.

Nay: Allen, Anderson, Brecheen, Brown, Childers, Johnson (R), Russell, Shortey, Simpson and Stanislawski.--10.

Excused: Branan and Mazzei.--2.

Vacancy: District 20.--1.

Senator Brown moved that **SB 1060** be advanced, which motion was declared adopted.

THIRD READING

SB 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: Adelson, Anderson, Ballenger, Barrington, Bingman, Brinkley, Brown, Burrage, Crain, David, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (R), Lerblance, McAffrey, Newberry, Nichols, Paddack, Schulz, Sparks, Treat and Wyrick.--27.

Nay: Allen, Bass, Brecheen, Childers, Coates, Eason McIntyre, Johnson (C), Justice, Laster, Marlatt, Mazzei, Russell, Shortey, Simpson, Stanislawski, Sykes and Wilson.--17.

Excused: Aldridge, Branan and Jolley.--3.

Vacancy: District 20.--1.

The bill passed.

Senators Simpson, Brecheen, Allen, Stanislawski and Marlatt desired to vote Aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 32; Nay: 12; Excused: 2, Vacancy: 1.

The emergency passed.

SB 1060 was referred for engrossment.

Senator Marlatt presiding.

GENERAL ORDER

SJR 52 by Mazzei of the Senate and Dank of the House was called up for consideration.

Senators Brinkley and Jolley asked to coauthor **SJR 52**, which was the order.

Senator Mazzei moved that **SJR 52** be advanced, which motion was declared adopted.

THIRD READING

SJR 52 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, Brecheen, Brinkley, Brown, Burrage, Childers, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (R), Justice, Laster, Lerblance, Marlatt, Mazzei, McAffrey, Newberry, Nichols, Paddack, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--44.

Nay: Johnson (C).--1.

Excused: Branan and Jolley.--2.

Vacancy: District 20.--1.

The bill passed.

SJR 52 was referred for engrossment.

GENERAL ORDER

SB 1616 by Coates of the Senate and Quinn of the House was called up for consideration.

Senator Coates moved to amend **SB 1616**, Page 1, by striking the title, which amendment was declared adopted.

Senator Coates moved that **SB 1616** be advanced, which motion was declared adopted.

THIRD READING

SB 1616 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, Brecheen, Brinkley, Brown, Burrage, Childers, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Justice, Laster, Lerblance, Marlatt, Mazzei, McAffrey, Newberry, Nichols, Paddack, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--45.

Excused: Branan and Jolley.--2.

Vacancy: District 20.--1.

The bill and emergency passed.

SB 1616 was referred for engrossment.

GENERAL ORDER

SB 1795 by David of the Senate and Cox of the House was called up for consideration.

Senator David asked unanimous consent, which was granted, to suspend Senate Rule 12-4 as it pertains to **SB 1795**.

Senator David moved to amend **SB 1795**, Page 3, Line 17, after the letter "E." and before the word "shall", by deleting all language and inserting "The following"; Line 19 after the word "organization" and before the period, by inserting:

"1. Hospitals licensed by the State Department of Health; and

2. Individual persons in private practice as licensed physicians, licensed psychologists, licensed social workers, registered nurses, licensed professional counselors, licensed marriage and family therapists, licensed behavioral practitioners, individual members of the clergy, and certified alcohol or drug abuse counselors. The exemption provided for under this paragraph shall apply only to individual professional persons in their private practice and not to any treatment facility operated by the person", which amendment was declared adopted.

Senator David asked that **SB 1795** be laid over for this legislative day, which was the order.

SB 1795 remains on General Order.

GENERAL ORDER

SB 1818 by Halligan and Sparks of the Senate and Denney of the House was called up for consideration.

Senator Halligan moved that **SB 1818** be advanced, which motion was declared adopted.

THIRD READING

SB 1818 was read for the third time at length.

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

Aye: Allen, Anderson, Bingman, Burrage, Crain, Eason McIntyre, Fields, Ford, Halligan, Holt, Ivester, Johnson (R), Laster, Marlatt, Mazzei, Newberry, Paddack, Simpson, Sparks and Stanislawski.--20.

Nay: Adelson, Aldridge, Ballenger, Barrington, Bass, Brecheen, Brinkley, Brown, Childers, Coates, David, Ellis, Garrison, Johnson (C), Justice, Lerblance, McAffrey, Russell, Schulz, Shortey, Sykes, Treat, Wilson and Wyrick.--24.

Excused: Branan, Jolley and Nichols.--3.

Vacancy: District 20.--1.

The bill failed.

GENERAL ORDER

SB 1714 by Ford of the Senate and Denney of the House was called up for consideration.

Senator Ford moved that **SB 1714** be advanced, which motion was declared adopted.

THIRD READING

SB 1714 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, Brecheen, Brinkley, Brown, Childers, Coates, Crain, David, Eason McIntyre, Fields, Ford, Halligan, Holt, Johnson (R), Justice, Laster, Marlatt, McAffrey, Newberry, Russell, Schulz, Shortey, Simpson, Stanislawski, Sykes, Treat and Wilson.--31.

Nay: Adelson, Ballenger, Bass, Burrage, Ellis, Garrison, Ivester, Johnson (C), Lerblance, Paddack, Sparks and Wyrick.--12.

Excused: Branan, Jolley, Mazzei and Nichols.--4.

Vacancy: District 20.--1.

The bill passed.

SB 1714 was referred for engrossment.

MOTION TO RECONSIDER VOTE

Senator Stanislawski moved to reconsider the vote whereby **SB 1001** failed, which motion was declared adopted upon roll call as follows:

Aye: Adelson, Aldridge, Allen, Anderson, Ballenger, Barrington, Bingman, Brecheen, Brinkley, Brown, Burrage, Childers, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Halligan, Holt, Ivester, Johnson (R), Justice, Laster, Marlatt, McAffrey, Newberry, Nichols, Paddack, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat and Wyrick.--39.

Nay: Bass, Garrison, Johnson (C), Lerblance and Wilson.--5.

Excused: Branan, Jolley and Mazzei.--3.

Vacancy: District 20.--1.

THIRD READING

Senator Stanislawski moved to reconsider the vote whereby **SB 1001** was advanced, which motion was declared adopted.

GENERAL ORDER

SB 1001 by Stanislawski of the Senate and Quinn of the House was called up for further consideration.

Senator Stanislawski asked unanimous consent, which was granted, to suspend Senate Rule 12-4 as it pertains to **SB 1001**.

Senator Stanislawski moved to amend the floor substitute to **SB 1001**, Page 3, Line 16, through Page 4, Line 4, by deleting all language, which amendment was declared adopted.

Senator Stanislawski moved that **SB 1001** be advanced, which motion was declared adopted.

THIRD READING

SB 1001 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, Brecheen, Brinkley, Brown, Burrage, Childers, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Justice, Laster, Lerblance, Marlatt, McAffrey, Newberry, Paddack, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--43.

Excused: Branan, Jolley, Mazzei and Nichols.--4.

Vacancy: District 20.--1.

The bill and emergency passed.

SB 1001 was referred for engrossment.

GENERAL ORDER

SB 1179 by Stanislawski and Ivester of the Senate and Derby of the House was called up for consideration.

Senator Stanislawski moved to amend **SB 1179**, Page 9 , Line 2 1/2, by inserting a new Section 3 as follows:

"SECTION 3. AMENDATORY 63 O.S. 2011, Section 2-329, is amended to read as follows:

Section 2-329. A. In addition to any fine or imprisonment imposed under Section 10 of this act Section 2-328 of this title, the following drug cleanup fine shall may be imposed:

1. Up to Ten Thousand Dollars ($10,000.00) for violations described in subsection A of ~~Section 10 of this act~~ Section 2-328 of this title or Section 2-401 of this title; and

2. Up to One Hundred Thousand Dollars ($100,000.00) for violations described in subsections C, D or E of ~~Section 10 of this act~~ Section 2-328 of this title.

B. All fines collected under this section shall be transferred to the ~~OSBI Revolving Fund~~ Bureau of Narcotics Revolving Fund, pursuant to ~~Section 150.19a of Title 74 of the Oklahoma Statutes~~ Section 2-107 of this title." and by renumbering the subsequent section and by amending the title to conform, which amendment was declared adopted.

Senator Stanislawski moved to amend **SB 1179**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Stanislawski moved that **SB 1179** be advanced, which motion was declared adopted.

THIRD READING

SB 1179 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, Brecheen, Brinkley, Brown, Burrage, Childers, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Justice, Laster, Lerblance, Marlatt, McAffrey, Newberry, Nichols, Paddack, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat and Wyrick.--43.

Nay: Wilson.--1.

Excused: Branan, Jolley and Mazzei.--3.

Vacancy: District 20.--1.

The bill passed.

SB 1179 was referred for engrossment.

INTRODUCTION

Senator Garrison introduced former Senator Ben Robinson, and Senator Burrage introduced Congressman Dan Boren, to the Senate

GENERAL ORDER

SB 1816 by Stanislawski of the Senate and Kern of the House was called up for consideration.

Senator Stanislawski moved to amend **SB 1816**, 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 Ivester moved to amend the floor substitute to **SB 1816,** Page 8, Line 6, by inserting after the period the following language:

"The report shall:
a. identify the entity providing the virtual education
b. identify the number of students enrolled with each virtual education provider
c. identify the amount of state aid received by each virtual education provider
d. provide a detailed accounting of the expenditure of state funds on a per pupil basis
e. provide the test results of each student enrolled and the graduation rate of each student enrolled in virtual education.

The State Department of Education shall not disclose the identity of individual students when reporting information related to virtual schools.", which amendment was declared adopted.

Senator Stanislawski moved to amend **SB 1816**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Stanislawski moved that **SB 1816** be advanced, which motion was declared adopted.

THIRD READING

SB 1816 was read for the third time at length.

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

Aye: Adelson, Anderson, Barrington, Bingman, Brecheen, Brinkley, Brown, Childers, Coates, Crain, David, Eason McIntyre, Fields, Ford, Halligan, Holt, Ivester, Johnson (R), Justice, Marlatt, McAffrey, Newberry, Nichols, Paddack, Russell, Schulz, Shortey, Simpson, Stanislawski, Sykes and Treat.--31.

Nay: Allen, Ballenger, Bass, Burrage, Ellis, Garrison, Johnson (C), Laster, Lerblance, Sparks, Wilson and Wyrick.--12.

Excused: Aldridge, Branan, Jolley and Mazzei.--4.

Vacancy: District 20.--1.

The bill passed.

Senator Allen desired to vote Aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 32; Nay: 11; Excused: 4, Vacancy: 1.

The emergency passed.

SB 1816 was referred for engrossment.

Senator Sykes presiding.

GENERAL ORDER

SB 1665 by Johnson (Rob) of the Senate and Jordan of the House was called up for consideration.

Senator Shortey asked to coauthor **SB 1665**, which was the order.

Senator Johnson (Rob) moved to amend **SB 1665**, 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 Johnson (Rob) moved that **SB 1665** be advanced, which motion was declared adopted.

THIRD READING

SB 1665 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, Barrington, Bass, Bingman, Brecheen, Brinkley, Brown, Burrage, Childers, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Johnson (R), Justice, Lerblance, Marlatt, Mazzei, McAffrey, Newberry, Nichols, Paddack, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes and Treat.--38.

Nay: Ballenger, Ivester, Johnson (C), Laster, Wilson and Wyrick.--6.

Excused: Anderson, Branan and Jolley.--3.

Vacancy: District 20.--1.

The bill passed.

SB 1665 was referred for engrossment.

GENERAL ORDER

SB 1667 by Johnson (Rob) of the Senate and Jackson of the House was called up for consideration.

Senator Johnson (Rob) moved that **SB 1667** be advanced, which motion was declared adopted.

THIRD READING

SB 1667 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, Brecheen, Brinkley, Brown, Burrage, Childers, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Justice, Laster, Lerblance, Marlatt, McAffrey, Newberry, Nichols, Paddack, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--44.

Excused: Branan, Jolley and Mazzei.--3.

Vacancy: District 20.--1.

The bill and emergency passed.

SB 1667 was referred for engrossment.

GENERAL ORDER

SB 1771 by Johnson (Rob) of the Senate and Schwartz of the House was called up for consideration.

Senator Johnson (Rob) moved that **SB 1771** be advanced, which motion was declared adopted.

THIRD READING

SB 1771 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, Brecheen, Brinkley, Brown, Burrage, Childers, Coates, Crain, David, Fields, Ford, Halligan, Holt, Johnson (R), Justice, Marlatt, Newberry, Nichols, Paddack, Russell, Schulz, Shortey, Simpson, Stanislawski, Sykes and Treat.--30.

Nay: Adelson, Ballenger, Bass, Eason McIntyre, Ellis, Garrison, Ivester, Johnson (C), Laster, Lerblance, McAffrey, Sparks, Wilson and Wyrick.--14.

Excused: Branan, Jolley and Mazzei.--3.

Vacancy: District 20.--1.

The bill passed.

SB 1771 was referred for engrossment.

GENERAL ORDER

SB 1913 by Simpson of the Senate and Ownbey and Hardin of the House was called up for consideration.

Senator Simpson moved that **SB 1913** be advanced, which motion was declared adopted.

THIRD READING

SB 1913 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, Ballenger, Barrington, Bingman, Brecheen, Brinkley, Burrage, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Johnson (C), Johnson (R), Justice, Laster, Lerblance, Marlatt, McAffrey, Newberry, Nichols, Paddack, Schulz, Simpson, Sparks, Stanislawski, Wilson and Wyrick.--33.

Nay: Aldridge, Allen, Bass, Brown, Childers, Ivester, Russell, Shortey, Sykes and Treat.--10.

Excused: Anderson, Branan, Jolley and Mazzei.--4.

Vacancy: District 20.--1.

The bill and emergency passed.

SB 1913 was referred for engrossment.

GENERAL ORDER

SB 1222 by Simpson et al of the Senate and Hardin of the House was called up for consideration.

Senator Nichols asked unanimous consent, which was granted, to suspend Senate Rule 12-4 as it pertains to **SB 1222**.

Senator Nichols moved to amend **SB 1222** Page 4, Line 13, before the word "is", by deleting all language, which amendment was declared adopted.

Senator Simpson moved that **SB 1222** be advanced, which motion was declared adopted.

THIRD READING

SB 1222 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, Brecheen, Brinkley, Brown, Childers, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Justice, Lerblance, Marlatt, Mazzei, McAffrey, Newberry, Nichols, Paddack, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--41.

Excused: Aldridge, Anderson, Branan, Burrage, Jolley and Laster.--6.

Vacancy: District 20.--1.

The bill and emergency passed.

SB 1222 was referred for engrossment.

GENERAL ORDER

SB 1623 by Mazzei of the Senate and Dank of the House was called up for consideration.

Senator Newberry asked to coauthor **SB 1623**, which was the order.

Senator Mazzei moved that **SB 1623** be advanced, which motion was declared adopted upon roll call as follows:

Aye: Allen, Barrington, Bingman, Brecheen, Brinkley, Brown, Childers, Coates, Crain, David, Fields, Ford, Halligan, Holt, Johnson (R), Jolley, Justice, Marlatt, Mazzei, Newberry, Nichols, Russell, Schulz, Shortey, Simpson, Stanislawski, Sykes and Treat.--28.

Nay: Adelson, Ballenger, Bass, Burrage, Eason McIntyre, Ellis, Garrison, Ivester, Johnson (C), Lerblance, McAffrey, Paddack, Sparks, Wilson and Wyrick.--15.

Excused: Aldridge, Anderson, Branan and Laster.--4.

Vacancy: District 20.--1.

THIRD READING

SB 1623 was read for the third time at length.

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

Aye: Barrington, Bingman, Brecheen, Brinkley, Brown, Childers, Coates, Crain, David, Fields, Ford, Halligan, Holt, Johnson (R), Jolley, Justice, Marlatt, Mazzei, Newberry, Nichols, Russell, Schulz, Shortey, Simpson, Stanislawski, Sykes and Treat.--27.

Nay: Adelson, Allen, Ballenger, Bass, Burrage, Eason McIntyre, Ellis, Garrison, Ivester, Johnson (C), Lerblance, McAffrey, Paddack, Sparks, Wilson and Wyrick.--16.

Excused: Aldridge, Anderson, Branan and Laster.--4.

Vacancy: District 20.--1.

The bill passed.

Senator Allen desired to vote Aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 28; Nay: 15; Excused: 4, Vacancy: 1.

The emergency failed.

SB 1623 was referred for engrossment.

MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed **HBs 1605, 2266, 2304, 2329, 2388, 2393, 2521, 2578, 2605, 2618, 2634, 2686, 2724, 2736, 2790, 2835, 2836, 2914, 2920, 2929, 2942, 2943, 2946, 2988, 3009, 3055, 3058, 3074** and **3113** and **HJR 1085**.

HB 1605 – By Stiles of the House and Shortey of the Senate.

An Act relating to marriage and family; amending 43 O.S. 2011, Section 110, which relates to orders in dissolution of marriage proceedings; prohibiting certain discovery; providing exceptions; creating the Post-Divorce Protection Act; specifying procedure for certain post-decree motions; providing for applications for contempt; authorizing court to award certain fees; authorizing certain discovery requests; specifying injunction shall be restored after ruling; providing for codification; and providing an effective date.

HB 2266 – By Cox of the House and David of the Senate.

An Act relating to public health and safety; creating the Public Health Delivery Act; defining certain terms; authorizing registered nurses to use certain protocols when performing duties on behalf of certain entities; requiring State Department of Health to have designated Medical Director responsible for protocols; providing requirements for protocols; requiring Department to promulgate certain policies and procedures; permitting medical algorithms to be utilized; permitting registered nurse to dispense and recommend nonprescription medications; permitting registered nurse to orally submit prescription prescribed by advanced practice registered nurse; providing for codification; and declaring an emergency.

HB 2304 – By Hilliard and Murphey of the House and Anderson of the Senate.

An Act relating to public finance; creating the Recovery Audits for Government Overpayments of Tax Dollars Act; declaring intent; defining terms; authorizing contracts for recovery audits; providing for confidential information; making state agencies subject to recovery audits; providing for payment to consultants; providing for recovery audit reports; authorizing the adoption of certain rules; providing for codification; and providing an effective date.

HB 2329 – By Lockhart and Dorman of the House and Ellis of the Senate.

An Act relating to crimes and punishments; prohibiting convicted arsonist from working or volunteering as a firefighter; defining terms; providing for codification; and providing an effective date.

HB 2388 – By Liebmann, Bennett, Billy, Roberts (Sean), Vaughan, Russ, Johnson, Denney, Roberts (Dustin), Martin (Steve), Faught, Nelson and Ownbey of the House and Holt and Allen of the Senate.

An Act relating to drug testing; requiring drug testing for state and local candidates for elected office; requiring candidates to file certificate; providing for contents of certificate; requiring testing to be done during certain time; providing that testing is expense of the candidate; requiring drug testing for applicants for Temporary Assistance for Needy

Families benefits; specifying cost of testing shall be paid by applicant; specifying individuals subject to testing requirement; providing that applicants testing positive for controlled substances shall be ineligible for benefits; specifying duration of ineligibility; directing the Department of Human Services to provide notice of drug-testing requirements; specifying required contents of notice; authorizing applicants to inform Department of medications applicant utilizes; requiring certain acknowledgment be signed by applicants; specifying drug-testing procedure; providing for additional testing of certain applicants; specifying reapplication procedure for certain applicants; requiring Department to provide list of substance abuse treatment providers; specifying state shall not pay for treatment; allowing applicants to reapply after treatment; specifying requirements; providing that certain benefits shall not be affected by the failure of a parent to pass the drug test; providing for the designation of an individual to receive benefits on behalf of a child; specifying requirements; directing Department to adopt rules; providing for codification; and providing an effective date.

HB 2393 – By Liebmann of the House and Burrage of the Senate.
(brine recovery - amending 7 sections in Title 17 - brine production - effective date)

HB 2521 – By Kern of the House and Paddack of the Senate.
An Act relating to torts; amending 76 O.S. 2011, Section 32, which relates to the Volunteer Professional Services Immunity Act; defining certain term; and providing an effective date.

HB 2578 – By Mulready of the House and Brinkley of the Senate.
An Act relating to counties and county officers; authorizing the board to contract with a collection agency; providing for collection of fees; providing for codification; and providing an effective date.

HB 2605 – By Blackwell of the House and Marlatt of the Senate.
(counties and county officers - amending 19 O.S., Section 245 - county clerks - authorizing fee –

HB 2618 – By Johnson and Walker of the House and Crain of the Senate.
An Act relating to counties and county officers; amending 19 O.S. 2011, Section 339, which relates to county commissioners; modifying general powers of the board; and providing an effective date.

HB 2634 – By Sherrer, Walker, Hoskin and McDaniel (Jeannie) of the House and Burrage of the Senate.
An Act relating to birth and adoption records; creating the Oklahoma Truth in Adoption Act; amending 63 O.S. 2011, Section 1-323, which relates to the confidentiality of vital records; requiring the issuance of certain birth certificates; specifying requirements; providing for filing of contact preference forms; specifying contents of contact preference form; specifying requirements; directing Registrar to match contact preference form to original birth certificates of adopted persons; directing Registrar to make social and medical

histories available to certain persons; providing for noncodification; and providing an effective date.

HB 2686 – By Banz of the House and Newberry of the Senate.

An Act relating to professions and occupations; amending 59 O.S. 2011, Sections 475.2, 475.8, 475.9, 475.12, 475.14, 475.15, 475.18 and 475.21, which relate to professional engineers and land surveyors; modifying definition; modifying powers and duties of Board; modifying type of funds payable to General Revenue Fund; requiring certain Board-approved examination; deleting set hours for written examination; authorizing waiver of certain examination; modifying examination procedure; requiring certain technical information to be retained for certain period; modifying disciplinary authority; including retired licensees under disciplinary authority; deleting nonpayment of fees as condition for certain disciplinary action; and authorizing out-of-state firms to perform engineering services.

HB 2724 – By Inman, Pittman and Condit of the House and Childers of the Senate.

An Act relating to public finance; requiring notice regarding furlough; prescribing content of notice; and providing for codification.

HB 2736 – By Peters and Blackwell of the House and Brinkley of the Senate.

An Act relating to children; amending 10A O.S. 2011, Sections 1-6-102 and 1-6-103, which relate to children's records in child welfare cases; authorizing the release of certain records to Indian tribes; specifying confidentiality shall be maintained; authorizing the inspection of certain records by tribes; specifying confidentiality shall be maintained; directing the Department of Human Services to outsource certain social services; specifying the Department shall retain certain responsibilities; defining term; providing for the selection of certain agencies; providing the Department authority to establish certain requirements; providing for the transfer or termination of certain employees; providing for the creation of a Steering Committee; providing for the appointment of Steering Committee members; providing for the selection of cochairs; directing certain Steering Committee members to make available certain resources; requiring certain staff to provide support to the Steering Committee; specifying requirements; providing for the submission of certain advisory plan; specifying required contents of plan; specifying the plan outcomes shall be based upon certain federal act; specifying plan shall be consistent with certain settlement agreement; directing Department to establish a quality assurance program; specifying requirements; requiring participating agencies to have certain accreditation; limiting services of unaccredited agencies; and providing for codification.

HB 2790 – By Ortega and Denney of the House and Ford of the Senate.

An Act relating to schools; amending 70 O.S. 2011, Section 6-189, which relates to the licensure and certification system; and modifying certification requirements for a superintendent of schools.

HB 2835 – By Martin (Scott) of the House and Marlatt of the Senate.

An Act relating to environment and natural resources; allowing the use of a certain amount of gray water for certain purposes without a permit; listing certain conditions;

providing for definition of certain term; requiring promulgation of certain rules; specifying requirements for rules; requiring workgroup; specifying composition; stating purpose; providing for codification; and providing an effective date.

HB 2836 – By Martin (Scott) of the House and David of the Senate.
(waters and water rights - amending 82 O.S., Section 1610 - Oklahoma Floodplain Management Act – codification - effective date - emergency)

HB 2914 – By Richardson and Hickman of the House and Crain of the Senate.
(waters and water rights - Regional Water Planning Act - Oklahoma Water Resources Board - codification - effective date -emergency)

HB 2920 – By Martin (Steve) of the House and Coates of the Senate.
An Act relating to game and fish; amending 29 O.S. 2011, Section 5-502, which relates to trapping devices; allowing certain traps; and providing an effective date.

HB 2929 – By Armes and Hickman of the House and Marlatt of the Senate.
An Act relating to waters and water rights; amending 82 O.S. 2011, Section 1085.7A, which relates to the Community Water Infrastructure Development Revolving Fund; changing expenditure purpose; amending 82 O.S. 2011, Section 1085.40, which relates to the Statewide Water Development Revolving Fund; providing for transfers to the fund; providing an effective date; and declaring an emergency.

HB 2942 – By Derby and Ritze of the House and Anderson of the Senate.
An Act relating to public health and safety; amending 63 O.S. 2011, Section 2-101, which relates to definitions of the Uniform Controlled Dangerous Substances Act; modifying certain definition; amending 63 O.S. 2011, Sections 2-204, 2-208 and 2-210, which relate to the Uniform Controlled Dangerous Substances Act; adding certain substances to Schedule I, Schedule III and Schedule IV; amending 63 O.S. 2011, Section 2-309, which relates to prescriptions; authorizing use of electronic prescribing methods; amending 63 O.S. 2011, Section 2-309C, which relates to the Anti-Drug Diversion Act; deleting exception to transmission requirement for nonresident drug outlets; amending 63 O.S. 2011, Section 2-329, which relates to drug cleanup fines; making the imposition of cleanup fines discretionary; modifying fine amounts; providing and updating statutory references; and providing an effective date.

HB 2943 – By Derby of the House and Johnson (Rob) of the Senate.
An Act relating to workers' compensation; amending 85 O.S. 2011, Section 327, which relates to provider reimbursement rates; and modifying reimbursement requirements for magnetic resonance imaging procedures.

HB 2946 – By Derby and Ritze of the House and Anderson of the Senate.
An Act relating to professions and occupations; amending 59 O.S. 2011, Section 353.24, which relates to the Oklahoma Pharmacy Act; modifying unlawful acts; permitting pharmacist exercising professional judgment with documented patient request to dispense

certain additional quantities of maintenance medications; requiring prescriber to be notified under certain circumstance; defining term; and providing an effective date.

HB 2988 – By Ritze, Reynolds, Newell, Vaughan, Bennett, Faught, Brumbaugh, McCullough and Cockroft of the House and Russell of the Senate.

An Act relating to crimes and punishments; amending 21 O.S. 2011, Section 1289.25, which relates to the use of deadly force; expanding right to use deadly force; and providing an effective date.

HB 3009 – By Terrill, Roan and Condit of the House and Johnson (Rob) of the Senate.

An Act relating to crimes and punishments; amending 21 O.S. 2011, Section 701.7, which relates to the crime of murder in the first degree; expanding scope of crime; and providing an effective date.

HB 3055 – By Steele and Lockhart of the House and Fields of the Senate.

An Act relating to waters and water rights; creating the Water for 2060 Act; stating finding; declaring state policy; limiting application of the act; amending 82 O.S. 2011, Section 1088.1, which relates to the Oklahoma Water Conservation Grant Program Act; modifying title; adding entities eligible to be considered communities; expanding pilot projects; creating the Water for 2060 Advisory Council; establishing membership of the Advisory Council; providing for officers, meetings, quorum and vacancies; providing for staff support; listing duties and responsibilities of the Advisory Council; requiring the Advisory Council to submit a final report by a certain date; providing for recodification; and providing for codification.

HB 3058 – By Steele, Dorman, Hickman, Walker, Jackson, Cannaday and Sherrer of the House and Bingman of the Senate.

(Physician Manpower Training Commission - Oklahoma Hospital Residency Training Program Act - provide certain funding - reporting mechanisms – advisory board - effective date – emergency)

HB 3074 – By Dorman of the House and Johnson (Rob) of the Senate.

An Act relating to liens; amending 42 O.S. 2011, Section 43, which relates to hospital liens; providing for lien when injured party asserts claim against insurer; and providing an effective date.

HB 3113 – By Hickman and Walker of the House and Anderson of the Senate.

An Act relating to technology center school districts; amending 70 O.S. 2011, Section 1-118.1, which relates to building fund of technology center school districts; allowing additional uses of certain funds; providing an effective date; and declaring an emergency.

HJR 1085 – By Richardson, Hickman and Roan of the House and Crain of the Senate.

A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection a proposed amendment to the Constitution of the State of Oklahoma by adding a new Section 39A to Article X; creating the Water Infrastructure Credit

Enhancement Reserve Fund; specifying use of the credit enhancement reserve fund; requiring use of certain other monies, funds and sources for repayment prior to issuance of bonds; authorizing the Oklahoma Water Resources Board to issue general obligation bonds for a credit enhancement reserve fund; stating purpose; limiting the amount of bonds issued; directing certain appropriations; providing for establishment of method for issuance of bonds; providing for administration of reserve fund; providing ballot title; and directing filing.

The above-numbered measures were read the first time.

Senator Schulz moved that when the clerk's desk is clear, the Senate stand adjourned to convene Wednesday, March 14, 2012, at 9:00 a.m., which motion prevailed.

FIRST READING

The following was introduced and read the first time:

SCR 31 – By Anderson.
A Concurrent Resolution relating to the master lease program; disapproving one capital project submitted by the Oklahoma State Regents for Higher Education for legislative review; and directing distribution.

BILL RELEASED
TIME EXPIRED TO RECONSIDER

SB 1239 was referred for engrossment.

MOTIONS EXPIRED

Time expired for consideration of the motion to reconsider whereby **SBs 544, 1323 and 1603** failed.

Pursuant to the Schulz motion, the Senate adjourned at 6:10 p.m. to meet Wednesday, March 14, 2012, at 9:00 a.m.