

Senate Journal

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

Twenty-seventh Legislative Day, Wednesday, March 21, 2012

The Senate was called to order by Senator Marlatt.

Roll Call:

Present: Aldridge, Allen, Anderson, Ballenger, Barrington, Bass, Bingman, Brecheen, Brinkley, Brown, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Lerblance, Marlatt, McAffrey, Nichols, Paddack, Schulz, Simpson, Stanislawski, Sykes, Treat, Wilson and Wyrick.—37.

Excused: Adelson, Branan, Burrage, Childers, Laster, Mazzei, Newberry, Russell, Shortey and Sparks.—10.

Vacancy: District 20. – 1.

Senator Marlatt declared a quorum present.

The prayer was offered by Reverend Eric Cox, Living Word Fellowship, Woodward, the guest of Senator Marlatt.

INTRODUCTIONS

Senator Marlatt introduced his children, Kade, Kole and Kloey; and Senator Anderson introduced his daughters, Lauren and Kate, to the Senate.

UNANIMOUS CONSENT REQUEST DIRECT TO CALENDAR

Senator Paddack asked unanimous consent to refer **SR 44** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

SR 44 by Paddack was called up for consideration.

All other members of the Senate asked to coauthor **SR 44**, which was the order.

SR 44 was adopted upon motion of Senator Paddack and referred for enrollment.

MESSAGE FROM THE HOUSE

Advising the Honorable Senate pursuant to Article V, Section 30 of the Oklahoma Constitution that the House grants the request of the Honorable Senate to the adjournment for more than three days beginning Thursday, March 22, 2012 until Monday, March 26, 2012.

EXECUTIVE NOMINATIONS

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

Barnes, Susan J., Marlow, to the Oklahoma State Board of Examiners for Long Term Care Administrators, to serve a two year term ending October 31, 2013, a new position. (Health and Human Services Committee) Motion to confirm made by Senator Don Barrington on behalf of Senator Greg Childers.

Blaney, Hilarie H., Nichols Hills, to the Oklahoma Student Loan Authority, to serve a five year term ending April 6, 2017, succeeding herself. (Education Committee) Motion to confirm made by Senator David Holt on behalf of Senator Cliff Branan.

Brown, Benjamin C., Warr Acres, to the Board of Juvenile Affairs, to serve an unexpired term ending July 1, 2013, succeeding Gary Taylor. (Health and Human Services Committee) Motion to confirm made by Senator David Holt on behalf of Senator Cliff Branan.

Chapman, Adisha T., Ardmore, to the Board of Regents of Murray State College, to serve a seven year term ending June 1, 2019, succeeding Barbara Sessions. (Education Committee) Motion to confirm made by Senator Frank Simpson.

Coble, W. Brett, Ardmore, to the Oklahoma State Board of Examiners for Long Term Care Administrators, to serve a three year term ending October 31, 2014, a new position. (Health and Human Services Committee) Motion to confirm made by Senator Frank Simpson.

Coles, Susan E., Edmond, to the Oklahoma Arts Council, to serve a three year term ending July 1, 2014, succeeding James R. Tolbert, III. (Education Committee) Motion to confirm made by Senator Greg Treat.

Coon, Beverly D., Arcadia, to the State Board of Licensed Social Workers, to serve a five year term ending June 1, 2016, succeeding Gwendolyn Gibson. (Health and Human Services Committee) Motion to confirm made by Senator Clark Jolley.

Cotten, M. Phil, Norman, to the Board of Dentistry, to serve an unexpired term ending July 1, 2012, succeeding Jeff Dorris. (Health and Human Services Committee) Motion to confirm made by Senator Gary Stanislawski on behalf of Senator Jonathan Nichols.

Cotten, M. Phil, Norman, to the Board of Dentistry, to serve a three year term ending July 1, 2015, succeeding himself. (Health and Human Services Committee) Motion to confirm made by Senator Gary Stanislawski on behalf of Senator Jonathan Nichols.

Hargis, Ann W., Nichols Hills, to the Oklahoma Arts Council, to serve a three year term ending July 1, 2014, succeeding Kym Koch Thompson. (Education Committee) Motion to confirm made by Senator Jim Halligan on behalf of Senator Cliff Branam.

Harrel, Marilyn, Weatherford, to the State Board of Career and Technology Education, to serve a six year term ending April 1, 2018, succeeding herself. (Education Committee) Motion to confirm made by Senator Mike Schulz.

Haws, Susan C., Glenpool, to the Oklahoma State Board of Examiners for Long Term Care Administrators, to serve a two year term ending October 31, 2013, a new position. (Health and Human Services Committee) Motion to confirm made by Senator Clark Jolley on behalf of Senator Brian Bingman.

Helms, Kay K., D.V.M., Coalgate, to the Board of Regents of Murray State College, to serve a seven year term ending June 1, 2018, succeeding herself. (Education Committee) Motion to confirm made by Senator Josh Brecheen.

Keating, Daniel G., Tulsa, to the Board of Regents of the Tulsa Community College, to serve an unexpired term ending June 30, 2013, succeeding Robert Burton, Sr. (Education Committee) Motion to confirm made by Senator Gary Stanislawski.

Kiersch, George K., Oklahoma City, to the Oklahoma Educational Television Authority, to serve a seven year term ending June 30, 2018, succeeding Jean Hendrickson. (Education Committee) Motion to confirm made by Senator David Holt on behalf of Senator Cliff Branam.

Leonard, Nancy, Oklahoma City, to the Oklahoma Arts Council, to serve a three year term ending July 1, 2014, succeeding Sandra K. Evans. (Education Committee) Motion to confirm made by Senator Constance Johnson.

Lott, Brian D., McAlester, to the Board of Regents of Eastern Oklahoma State College, to serve a seven year term ending June 1, 2018, succeeding Mike L. Bailey. (Education Committee) Motion to confirm made by Senator Richard Lerblance.

Pickel, James, Oklahoma City, to the Oklahoma Arts Council, to serve a three year term ending July 1, 2015, succeeding himself. (Education Committee) Motion to confirm made by Senator Constance Johnson.

Pierce, William M., Edmond, to the Oklahoma State Board of Examiners for Long Term Care Administrators, to serve a two year term ending October 31, 2013, a new position. (Health and Human Services Committee) Motion to confirm made by Senator Clark Jolley.

Pugliese, Michael A., Oklahoma City, to the Oklahoma Board of Private Vocational Schools, to serve an unexpired term ending July 1, 2016, a vacant position. (Education Committee) Motion to confirm made by Senator Greg Treat.

Richard, Joseph P. "J.P.", Lawton, to the Oklahoma Arts Council, to serve a three year term ending July 1, 2014, succeeding Nance Diamond. (Education Committee) Motion to confirm made by Senator Earl Garrison on behalf of Senator Randy Bass.

Robson, Hannah D., Tulsa, to the Oklahoma Arts Council, to serve a three year term ending July 1, 2014, succeeding Mary Jane Wade. (Education Committee) Motion to confirm made by Senator Gary Stanislawski.

Ruhl, Richard A., Kingfisher, to the Board of Regents for Redlands Community College, to serve a seven year term ending April 23, 2019, succeeding Roger Pryor. (Education Committee) Motion to confirm made by Senator Tom Ivester.

Sheffield, Paige, Wewoka, to the Organ Donor Education and Awareness Program Advisory Council, to serve a four year term ending November 1, 2015, succeeding herself. (Health and Human Services Committee) Motion to confirm made by Senator Harry Coates.

Weaver, Billy R., Oklahoma City, to the Oklahoma State Board of Examiners for Long Term Care Administrators, to serve a three year term ending October 31, 2014, a new position. (Health and Human Services Committee) Motion to confirm made by Senator Greg Treat.

Wilson, Denise M., Langley, to the Oklahoma State Board of Examiners for Long Term Care Administrators, to serve a three year term ending October 31, 2014, a new position. (Health and Human Services Committee) Motion to confirm made by Senator Charles Wyrick.

Wright, Betty J. C., Oklahoma City, to the Board of Regents for Rose State College, to serve a seven year term ending July 1, 2019, succeeding herself. (Education Committee)
Motion to confirm made by Senator David Holt.

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

Aye: Aldridge, Allen, Anderson, Ballenger, Barrington, Bingman, Brecheen, Brinkley, Brown, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Lerblance, Marlatt, McAffrey, Nichols, Paddack, Schulz, Simpson, Stanislawski, Sykes, Treat, Wilson and Wyrick.--36.

Excused: Adelson, Bass, Branan, Burrage, Childers, Laster, Mazzei, Newberry, Russell, Shortey and Sparks.--11.

Vacancy: District 20.--1.

Senator Schulz moved that when the clerk's desk is clear, the Senate stand adjourned to convene Monday, March 26, 2012, at 1:30 p.m., which motion prevailed.

COMMITTEE REPORTS

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

DO PASS, As Amended:

HB 2242 – Finance

Ayes: Aldridge, Ballenger, Brinkley, Childers, David, Ford, Halligan, Ivester, Mazzei, Russell, Simpson, Treat, Wilson

HB 2392 – Finance

Ayes: Aldridge, Ballenger, Brinkley, Childers, David, Ford, Halligan, Ivester, Mazzei, Russell, Simpson, Treat

Nays: Wilson

HB 2575 – Finance

Ayes: Aldridge, Ballenger, Brinkley, Childers, David, Ford, Halligan, Ivester, Mazzei, Russell, Simpson, Treat, Wilson

HB 2576 – Finance

Ayes: Aldridge, Ballenger, Brinkley, Childers, David, Ford, Halligan, Ivester, Mazzei, Russell, Simpson, Treat, Wilson

HB 2577 – Finance

Ayes: Aldridge, Ballenger, Brinkley, Childers, David, Ford, Halligan, Ivester, Mazzei, Russell, Simpson, Treat, Wilson

HB 2648 – Finance

Ayes: Aldridge, Ballenger, Brinkley, Childers, David, Ford, Halligan, Ivester, Mazzei, Russell, Simpson, Treat, Wilson

CS for HJR 1001 – Finance, remove Reynolds and substitute Mazzei as principal Senate author and coauthored by Tibbs of the House and Holt of the Senate

Ayes: Aldridge, Brinkley, Childers, David, Ford, Ivester, Mazzei, Russell, Simpson, Treat

Nays: Ballenger, Wilson

SECOND READING

The following were read for the second time and referred to committee as indicated:

HB 1357 – Energy

HB 1485 – Public Safety

HB 1551 – Education

HB 1562 – Judiciary

HB 1577 – General Government

HB 1952 – Transportation then to Appropriations

HB 1985 – General Government then to Appropriations

HB 2002 – Health and Human Services then to Appropriations

HB 2155 – Judiciary

HB 2258 – Business and Commerce

HB 2270 – Health and Human Services then to Appropriations

HB 2288 – Retirement

HB 2296 – Judiciary

HB 2328 – Rules

HB 2381 – Health and Human Services then to Appropriations

HB 2421 – Health and Human Services then to Appropriations

HB 2453 – Retirement and Insurance

HB 2458 – Retirement and Insurance

HB 2476 – General Government

HB 2478 – Health and Human Services

HB 2496 – Energy then to Appropriations

HB 2509 – Judiciary then to Appropriations

HB 2525 – Public Safety

HB 2530 – Energy then to Appropriations

HB 2534 – Judiciary

HB 2535 – Judiciary

- HB 2558** – Appropriations
- HB 2563** – General Government then to Appropriations
- HB 2561** – Judiciary
- HB 2564** – Transportation
- HB 2606** – Retirement and Insurance
- HB 2616** – Finance
- HB 2621** – Finance
- HB 2640** – Health and Human Services
- HB 2643** – Transportation
- HB 2654** – Judiciary
- HB 2676** – Education then to Appropriations
- HB 2682** – Public Safety then to Appropriations
- HB 2695** – Agriculture and Rural Development then to Finance
- HB 2715** – Agriculture and Rural Development
- HB 2740** – Judiciary then to Appropriations
- HB 2741** – Judiciary then to Appropriations
- HB 2751** – Retirement and Insurance then to Appropriations
- HB 2777** – Finance
- HB 2806** – Rules
- HB 2839** – Judiciary
- HB 2840** – Health and Human Services
- HB 2864** – Retirement and Insurance
- HB 2904** – Judiciary
- HB 2924** – Energy
- HB 2928** – Finance
- HB 2941** – Appropriations
- HB 2945** – General Government
- HB 2967** – Judiciary
- HB 2970** – Education
- HB 2974** – Rules
- HB 2978** – Finance
- HB 2980** – Finance
- HB 3038** – Finance
- HB 3043** – Business and Commerce
- HB 3049** – Public Safety
- HB 3056** – Appropriations
- HB 3061** – Finance
- HB 3076** – Education then to Appropriations
- HB 3079** – Appropriations
- HB 3090** – Education
- HB 3091** – Judiciary
- HB 3093** – Finance
- HB 3119** – Education then to Appropriations
- HB 3130** – Education then to Appropriations

HB 3133 – Health and Human Services then to Appropriations

HB 3134 – Health and Human Services

HB 3135 – Judiciary

HB 3136 – Health and Human Services then to Appropriations

HB 3137 – Rules

HJR 1015 – Rules

HJR 1085 – Rules

HJR 1089 – Rules

HJR 1092 – Rules

Pursuant to the Schulz motion, the Senate adjourned at 10:35 a.m. to meet Monday, March 26, 2012, at 1:30 p.m.