Senate Journal

Second Regular Session of the Fifty-third Legislature
of the State of Oklahoma
Fifty-sixth Legislative Day, Wednesday, May 16, 2012

The Senate was called to order by Senator Sykes.

Roll Call:

Present: Adelson, Aldridge, Allen, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brecheen, Brinkley, Brown, Burrage, Childers, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Laster, Lerblance, Marlatt, Mazzei, McAffrey, Newberry, Nichols, Paddack, Russell, Schulz, Shortey, Simpson, Stanislawski, Sykes, Treat, Wilson and Wyrick.—47.

Excused: Sparks.—1.

Senator Sykes declared a quorum present.

The prayer was offered by Reverend Brent Gifford, The Link Church, Elk City, the guest of Senator Ivester.

REPORT OF ENGROSSED AND ENROLLED MEASURES

SCR 40 was correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

SB 1196 was correctly enrolled, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

SRs 59, 61 and **63** were each correctly enrolled, properly signed and ordered transmitted to the Secretary of State.

MESSAGES FROM THE HOUSE

Advising conference granted on Engrossed **SB 1847** and naming House conferees as follows: Conference Committee on Public Safety, Judiciary and Military Affairs.

Advising fourth reading of and transmitting for signature Enrolled **HB 2192** and **HJR 1101**.

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

UNANIMOUS CONSENT REQUEST
DIRECT TO CALENDAR

Senator Halligan asked unanimous consent to refer **HCR 1040** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

HCR 1040 by Denney of the House and Halligan of the Senate was called up for consideration.

Senator Fields asked to coauthor **HCR 1040**, which was the order.

HCR 1040 was adopted upon motion of Senator Halligan, properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HJR 1107 by Vaughan of the House and Simpson of the Senate was called up for consideration.

Senator Simpson moved that **HJR 1107** be advanced, which motion was declared adopted.

THIRD READING

HJR 1107 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Branan, Brecheen, Brinkley, Brown, Burrage, Childers, Crain, David, Eason McIntyre, Ellis, Fields, Ford,

Garrison, Griffin, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Lerblance, Marlatt, Nichols, Schulz, Simpson, Stanislawski, Treat, Wilson and Wyrick.--35.

Nay: Allen, Mazzei and Sykes.--3.

Excused: Bass, Bingman, Coates, Laster, McAffrey, Newberry, Paddack, Russell, Shortey and Sparks.--10.

The bill passed.

HJR 1107 was properly signed and ordered returned to the Honorable House.

UNANIMOUS CONSENT REQUEST
DIRECT TO CALENDAR

Senator Burrage asked unanimous consent to refer **SR 64** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

SR 64 by Burrage and Bingman was called up for consideration.

All other members of the Senate asked to coauthor **SR 64**, which was the order.

SR 64 was adopted upon motion of Senator Burrage and referred for enrollment.

MESSAGES FROM THE HOUSE
CONFERENCE COMMITTEE REPORTS

Transmitting the following bills, together with conference committee reports thereon, advising adoption of conference committee reports and passage of measures as amended:

HB 2319
HB 2367
HB 2390

Conference committee reports were read on the above-numbered bills.

MESSAGE FROM THE HOUSE

Advising fourth reading of and returning Enrolled **SB 1196**.

The above-numbered enrolled measure was referred to the Governor.

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

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The Senate reconvened with Senator Sykes presiding.

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

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 1887** was rejected upon motion of Senator Schulz, further conference requested, and same Senate conferees appointed as follows: Russell, Sykes, Simpson, Treat, Ivester, Laster.

PENDING CONSIDERATION OF HAs

HAs to **SB 929** were rejected upon motion of Senator Schulz, conference requested, and Senate conferees to be named later.

DEDICATION

Former Senator Charles Ford presented the portrait "Frank Phillips", an Oklahoma Oil Entrepreneur. Senator Ford introduced the artist, Wayne Cooper, who addressed the Senate.

Senator John Ford, Representatives Earl Sears and Steve Martin, ConocoPhillips and Phillips 66 presented the painting to the Senate as a gift.

Senator Stanislawski presiding.

PENDING CONSIDERATION OF HAs

HAs to **SB 1247** were concurred in upon motion of Senator Nichols.

SB 1247, as amended by the Honorable House, was read at length.

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

Aye: Aldridge, Allen, Anderson, Ballenger, Barrington, Branan, Brecheen, Brinkley, Brown, Burrage, Coates, Crain, Eason McIntyre, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Laster, Lerblance, Marlatt, McAffrey, Newberry, Nichols, Paddack, Russell, Schulz, Simpson, Stanislawski, Wilson and Wyrick.--38.

Excused: Adelson, Bass, Bingman, Childers, David, Mazzei, Shortey, Sparks, Sykes and Treat.--10.

The bill and emergency passed.

House amendments were properly signed and the above-numbered bill was referred for enrollment.

EXECUTIVE NOMINATIONS

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

Anderson, Imozelle F. "Mo", Oklahoma City, to the Board of Regents of the University of Science and Arts of Oklahoma, to serve a seven year term ending June 30, 2019, succeeding Neal McCaleb. (Education Committee) Motion to confirm made by Senator Clark Jolley.

Atkinson, Gean B., Edmond, to the Oklahoma Tourism and Recreation Commission, to serve an unexpired term ending July 1, 2016, succeeding Melvin Moran. (Tourism and Wildlife Committee) Motion to confirm made by Senator Clark Jolley.

Berry, D. Gayle, Oklahoma City, to the Board of Trustees for Langston University - Oklahoma City and Langston University - Tulsa, to serve a seven year term ending June 30, 2018, succeeding Orhan Kucukosman. (Education Committee) Motion to confirm made by Senator Sean Burrage on behalf of Senator Constance Johnson.

Boettcher, Fred L., Ponca City, to the Crime Victims Compensation Board, to serve a four year term ending September 30, 2016, succeeding David Hartwell. (Public Safety Committee) Motion to confirm made by Senator Eddie Fields.

Bomhoff, Margaret A., Edmond, to the Oklahoma Workers' Compensation Court, Position 9 Judge, to serve an eight year term ending July 1, 2020, succeeding Cherri Farrar. (Judiciary Committee) Motion to confirm made by Senator Clark Jolley.

Bonny, Jackie L. "Jack", Elk City, to the Oklahoma Space Industry Development Authority, to serve a four year term ending June 30, 2016, succeeding himself. (Energy Committee) Motion to confirm made by Senator Tom Ivester.

Buchanan, Gerald D. "Jerry", Tulsa, to the State Election Board, to serve a four year term ending March 15, 2015, succeeding a new position. (Rules Committee) Motion to confirm made by Senator Mike Mazzei.

Burrage, Bobby Steve, Antlers, to the State Board of Corrections, to serve a six year term ending March 15,2017, succeeding Ted Logan. (Public Safety Committee) Motion to confirm made by Senator Jerry Ellis.

Caldwell, Tommy R., Shady Point, to the Oklahoma Mining Commission, to serve an unexpired term ending January 1, 2012, succeeding Janet Kunze. (Energy Committee) Motion to confirm made by Senator Mark Allen.

Caldwell, Tommy R., Shady Point, to the Oklahoma Mining Commission, to serve a seven year term ending January 1, 2019, succeeding himself. (Energy Committee) Motion to confirm made by Senator Mark Allen.

Conner, Robert J. "Bob", Edmond, to the Oklahoma Space Industry Development Authority, to serve a four year term ending June 30, 2015, succeeding Phil Kliewer. (Energy Committee) Motion to confirm made by Senator Clark Jolley.

Cornell, Paul H., Tulsa, to the Board of Regents for Tulsa Community College, to serve a seven year term ending June 30, 2019, succeeding Jana L. Shoulders. (Education Committee) Motion to confirm made by Senator Mike Mazzei.

Coursey, Danny A., Idabel, to the Board of Trustees for the McCurtain County Higher Education Program, to serve a nine year term ending June 30, 2020, succeeding Robert Bryan Stauter. (Education Committee) Motion to confirm made by Senator Jerry Ellis.

Cox, Robert C., Altus, to the Oklahoma Space Industry Development Authority, to serve a four year term ending June 30, 2015, succeeding Louis Sims. (Energy Committee) Motion to confirm made by Senator Mike Schulz.

Cunningham, James E., Lawton, to the Oklahoma Space Industry Development Authority, to serve a four year term ending June 30, 2015, succeeding Joseph S. King. (Energy Committee) Motion to confirm made by Senator Randy Bass.

Curry, W. Stephen, Oklahoma City, to the State Election Board, to serve a four year term ening March 15, 2015, succeeding Ramon Watkins. (Rules Committee) Motion to confirm made by Senator John Ford on behalf of Senator Greg Treat.

Drake, J. Bob, Davis, to the Oklahoma Water Resources Board, to serve an unexpired term ending May 14, 2014, succeeding Linda Lambert. (Energy Committee) Motion to confirm made by Senator Frank Simpson.

Dugger, Richard L., Hammon, to the Oklahoma State Council for Interstate Adult Offender Supervision, to serve a three year term ending June 30, 2014, succeeding Clinton E. Johnson. (Judiciary Committee) Motion to confirm made by Senator Tom Ivester.

Edwards, Jay T., Oklahoma City, to the Oklahoma Space Industry Development Authority, to serve a four year term ending June 30, 2016, succeeding Daryl Murray. (Energy Committee) Motion to confirm made by Senator Cliff Branan.

Fisher, Bruce T., Oklahoma City, to the Board of Mental Health and Substance Abuse Services, to serve a seven year term ending December 31, 2018, succeeding himself. (Health and Human Services Committee) Motion to confirm made by Senator Sean Burrage on behalf of Senator Constance Johnson.

Gamble, Jane J., Oklahoma City, to the Oklahoma Arts Council, to serve a three year term ending July 1, 2015, succeeding Bill Andoe. (Education Committee) Motion to confirm made by Senator Cliff Branan.

Gamble, David H., Ponca City, to the Air Quality Advisory Council, to serve a seven year term ending June 15, 2019, succeeding himself. (Energy Committee) Motion to confirm made by Senator Eddie Fields.

Giddens, Cheryl L., Moore, to the Board of Examiners for Speech-Language Pathology and Audiology, to serve a three year term ending August 17, 2014, succeeding Lycynda Olberding. (Health and Human Services Committee) Motion to confirm made by Senator Frank Simpson on behalf of Senator Anthony Sykes.

Goodbary, R. Allan, Edmond, to the Oklahoma Space Industry Development Authority, to serve a four year term ending June 30,2015, succeeding Gilmer Capps. (Energy Committee) Motion to confirm made by Senator Clark Jolley.

Graumann, A. Dean, Granite, to the Board of Regents of Western Oklahoma State College, to serve a seven year term ending March 24, 2018, succeeding himself. (Education Committee) Motion to confirm made by Senator Mike Schulz.

Graves, Devin S., Altus, to the Alcoholic Beverage Laws Enforcement Commission, to serve a five year term ending June 23, 2017, succeeding Desmond Sides. (Judiciary Committee) Motion to confirm made by Senator Mike Schulz.

Groendyke, John D., Enid, to the Oklahoma Wildlife Conservation Commission, to serve an eight year term ending July 1, 2020, succeeding himself. (Tourism and Wildlife Committee) Motion to confirm made by Senator Patrick Anderson.

Gross, Kevin J., Tulsa, to the State Board of Corrections, to serve a six year term ending March 15, 2017, succeeding Robert Rainey. (Public Safety Committee) Motion to confirm made by Senator Gary Stanislawski.

Guest, David A., Edmond, to the Commission on Marginally Producing Oil and Gas Wells, to serve a three year term ending December 31, 2014, succeeding himself. (Energy Committee) Motion to confirm made by Senator Clark Jolley.

Hammon, Tracy L., Bartlesville, to the Environmental Quality Board, to serve an unexpired term ending January 31, 2014, succeeding Jennifer Galvin. (Energy Committee) Motion to confirm made by Senator John Ford.

Harrison, Ralph E., Kingfisher, to the Oklahoma Abstractors Board, to serve a four year term ending July 1, 2016, succeeding Linda Carpenter. (Business and Commerce Committee) Motion to confirm made by Senator Tom Ivester.

Heidebrecht, Geraldine L., Edmond, to the Oklahoma Abstractors Board, to serve a four year term ending July 1, 2016, succeeding Monica Wittrock. (Business and Commerce Committee) Motion to confirm made by Senator Clark Jolley.

Hetherington, Jerry T., Sallisaw, to the Board of Regents for Carl Albert State College, to serve a seven year term ending July 1, 2019, succeeding himself. (Education Committee) Motion to confirm made by Senator Mark Allen.

Hitch, Jason W., Guymon, to the Oklahoma Water Resources Board, to serve a seven year term ending May 14, 2019, succeeding Kenneth Knowles. (Energy Committee) Motion to confirm made by Senator Bryce Marlatt.

Holman, James H., Oklahoma City, to the Oklahoma Used Motor Vehicle and Parts Commission, to serve an unexpired term ending June 30, 2014, succeeding Dan Mullins. (Business and Commerce Committee) Motion to confirm made by Senator Al McAffrey.

Horning, Rex E., Stillwater, to the Board of Regents for the Northern Oklahoma College, to serve a five year term ending June 30, 2017, succeeding Jesse Mendez. (Education Committee) Motion to confirm made by Senator Jim Halligan.

Huddleston, Kevin J., Lexington, to the Oklahoma Liquefied Petroleum Gas Board, to serve a four year term ending September 30, 2015, succeeding himself. (Energy Committee) Motion to confirm made by Senator Sean Burrage on behalf of Senator John Sparks.

Jakubovitz, James M., Tulsa, to the Oklahoma State Board of Examiners for Long Term Care Administrators, to serve a three year term ending October 31, 2014, succeeding a new position. (Health and Human Services Committee) Motion to confirm made by Senator Gary Stanislawski.

Krempl, Greg A., Oklahoma City, to the Board of Examiners for Speech-Language Pathology and Audiology, to serve an unexpired term ending August 17, 2012, succeeding Mark Wood. (Health and Human Services Committee) Motion to confirm made by Senator Al McAffrey.

Krempl, Greg A., Oklahoma City, to the Board of Examiners for Speech-Language Pathology and Audiology, to serve a three year term ending August 17, 2015, succeeding himself. (Health and Human Services Committee) Motion to confirm made by Senator Al McAffrey.

Ley, Barbara A., Oklahoma City, to the Oklahoma Accountancy Board, to serve a five year term ending June 30, 2017, succeeding herself. (Business and Commerce Committee) Motion to confirm made by Senator John Ford on behalf of Senator Greg Treat.

Love, Glenda F., Tulsa, to the Board of Trustees for Oklahoma State University/Tulsa, to serve a seven year term ending June 30, 2019, succeeding herself. (Education Committee) Motion to confirm made by Senator Brian Crain.

Lynch, Robert A., Oklahoma City, to the Air Quality Advisory Council, to serve a seven year term ending June 15, 2018, succeeding himself. (Energy Committee) Motion to confirm made by Senator Cliff Branan.

Manning, Jody M., Tulsa, to the Oklahoma Accountancy Board, to serve an unexpired term ending June 30, 2016, succeeding E. B. St.John. (Business and Commerce Committee) Motion to confirm made by Senator Clark Jolley on behalf of Senator Mike Mazzei.

Mauldin, Thomas W. Jr., Norman, to the State Election Board, to serve a four year term ending March 15, 2015, succeeding a new position. (Rules Committee) Motion to confirm made by Senator Jonathan Nichols.

McCarty, Curtis A., Norman, to the Uniform Building Code Commission, to serve a four year term ending July 1, 2015, succeeding himself. (Business and Commerce Committee) Motion to confirm made by Senator Jonathan Nichols.

McGivern, Michael W., Tulsa, to the Oklahoma Workers' Compensation Court, Position 5, Judge, to serve an eight year term ending July 1, 2020, succeeding John M. McCormick. (Judiciary Committee) Motion to confirm made by Senator Gary Stanislawski.

McTague, Lawrence F., Ardmore, to the State Board of Veterinary Medical Examiners, to serve a five year term ending May 9, 2017, succeeding Jeff Tidwell. (Agriculture and Rural Development Committee) Motion to confirm made by Senator Frank Simpson.

Montgomery, Thomas M. III, Muskogee, to the State Election Board, to serve an unexpired term ending March 15, 2015, succeeding Tom Prince. (Rules Committee) Motion to confirm made by Senator Earl Garrison.

Mosley, Christopher K., Chickasha, to the Board of Regents of the University of Science and Arts of Oklahoma, to serve a seven year term ending June 30, 2018, succeeding Teresa Adwan. (Education Committee) Motion to confirm made by Senator Ron Justice.

Newsome, P. David, Jr., Tulsa, to the Oklahoma Securities Commission, to serve a six year term ending July 27, 2017, succeeding Armand Paliotta. (Finance Committee) Motion to confirm made by Senator Gary Stanislawski.

Pfeifer, Nancy J., Tulsa, to the Oklahoma State Board of Examiners for Long Term Care Administrators, to serve a three year term ending October 31, 2014, succeeding a new position. (Health and Human Services Committee) Motion to confirm made by Senator Gary Stanislawski.

Rangel, Ramiro F., Edmond, to the Commission on Marginally Producing Oil and Gas Wells, to serve a three year term ending December 31, 2014, succeeding Bill Gifford. (Energy Committee) Motion to confirm made by Senator Clark Jolley.

Roach, Michael W., El Reno, to the State Board of Corrections, to serve a six year term ending March 15, 2017, succeeding David Henneke. (Public Safety Committee) Motion to confirm made by Senator Ron Justice.

Rooker, Michael D., Shawnee, to the Oklahoma Conservation Commission, to serve a five year term ending June 30, 2017, succeeding himself. (Energy Committee) Motion to confirm made by Senator Charlie Laster.

Rosell, Armando J., Oklahoma City, to the Commission on Consumer Credit, to serve a five year term ending January 1, 2017, succeeding himself. (Business and Commerce Committee) Motion to confirm made by Senator Cliff Branan.

Sharp, Billy J., Jr., Oklahoma City, to the Oklahoma Board of Licensed Alcohol and Drug Counselors, to serve a five year term ending July 1, 2017, succeeding Jane Lepak. (Health and Human Services Committee) Motion to confirm made by Senator Steve Russell.

Sherrer, Gary L., Stillwater, to the Arkansas-Oklahoma Arkansas River Compact Commission, to serve a four year term ending September 1, 2016, succeeding Miles Tolbert. (Energy Committee) Motion to confirm made by Senator Jim Halligan.

Shipley, Dennis R., Tecumseh, to the Oklahoma Development Finance Authority, to serve a six year term ending October 11, 2018, succeeding himself. (Finance Committee) Motion to confirm made by Senator Harry Coates.

Shipley, Dennis R., Tecumseh, to the Oklahoma Industrial Finance Authority, to serve a six year term ending October 11, 2018, succeeding himself. (Finance Committee) Motion to confirm made by Senator Harry Coates.

Snipes, Carla J., Oklahoma City, to the Oklahoma Workers' Compensation Court, Position 8, Judge, to serve an eight year term ending July 1, 2020, succeeding Gene Prigmore. (Judiciary Committee) Motion to confirm made by Senator David Holt.

Stephens, Rickey L., Pryor, to the Oklahoma State Bureau of Investigation Commission, to serve a seven year term ending July 1, 2019, succeeding Owen "Mike" Wilkerson. (Judiciary Committee) Motion to confirm made by Senator Sean Burrage.

Taylor, Kristin C., Oklahoma City, to the Board of Examiners for Speech-Language Pathology and Audiology, to serve a three year term ending August 17, 2014, succeeding Nancy Landrum. (Health and Human Services Committee) Motion to confirm made by Senator John Ford on behalf of Senator Greg Treat.

Taylor, L. Bradley, Tulsa, to the Oklahoma Workers' Compensation Court, Position 4, Judge, to serve an eight year term ending July 1, 2020, succeeding C. Kent Eldridge. (Judiciary Committee) Motion to confirm made by Senator Brian Crain.

Thornberry, Gary D., Okarche, to the Polygraph Examiners Board, to serve a six year term ending May 17, 2017, succeeding Rickey A. Thornburg. (Judiciary Committee) Motion to confirm made by Senator Eddie Fields on behalf of Senator Rob Johnson.

Timberlake, David B., Edmond, to the Uniform Building Code Commission, to serve a four year term ending July 1, 2016, succeeding himself. (Business and Commerce Committee) Motion to confirm made by Senator Clark Jolley.

Vanderslice, Ronna, Weatherford, to the Board of Mental Health and Substance Abuse Services, to serve a seven year term ending December 31, 2018, succeeding herself. (Health and Human Services Committee) Motion to confirm made by Senator Mike Schulz.

Walker, T. L., Ponca City, to the Oklahoma Tourism and Recreation Commission, to serve a six year term ending July 1, 2018, succeeding herself. (Tourism and Wildlife Committee) Motion to confirm made by Senator Eddie Fields.

Weese, Larry D., Moore, to the Oklahoma Liquefied Petroleum Gas Board, to serve a four year term ending June 30, 2015, succeeding Dave Baltes. (Energy Committee) Motion to confirm made by Senator Jonathan Nichols on behalf of Senator Greg Childers.

Wetekam, Donald J., Oklahoma City, to the Oklahoma Space Industry Development Authority, to serve a four year term ending June 30, 2016, succeeding Cal Hobson. (Energy Committee) Motion to confirm made by Senator John Ford on behalf of Senator Greg Treat.

Williams, Avilla T., Edmond, to the Board of Trustees for Langston University, Oklahoma City and Langston University, Tulsa, to serve a seven year term ending June 30, 2019, succeeding Melvin Todd. (Education Committee) Motion to confirm made by Senator Clark Jolley.

Witherington, Holli R., Ada, to the Oklahoma Board of Licensed Alcohol and Drug Counselors, to serve an unexpired term ending July 1, 2013, succeeding Kyle McGraw. (Health and Human Services Committee) Motion to confirm made by Senator Susan Paddack.

Wymer, R. Deane, Fairview, to the Oklahoma Lottery Commission Board of Trustees, to serve a five year term ending January 1, 2017, succeeding Jerry Eden. (Finance Committee) Motion to confirm made by Senator Clark Jolley on behalf of Senator Bryce Marlatt.

Zahl, Robert C., Oklahoma City, to the State Board of Licensure for Professional Engineers and Land Surveyors, to serve a six year term ending June 28, 2017, succeeding himself. (Business and Commerce Committee) Motion to confirm made by Senator Steve Russell.

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

Aye: Aldridge, Allen, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brecheen, Brinkley, Brown, Burrage, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Laster, Lerblance, Marlatt, Mazzei, McAffrey, Newberry, Nichols, Paddack, Russell, Schulz, Simpson, Stanislawski, Treat, Wilson and Wyrick.--43.

Excused: Adelson, Childers, Shortey, Sparks and Sykes.--5.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 1055** was adopted upon motion of Senator Russell.

SB 1055, as amended in conference, was read at length.

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

Aye: Aldridge, Allen, Anderson, Ballenger, Barrington, Bass, Branan, Brecheen, Brinkley, Brown, Burrage, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (R), Jolley, Justice, Laster, Lerblance, Marlatt, Mazzei, McAffrey, Newberry, Nichols, Paddack, Russell, Schulz, Simpson, Stanislawski, Treat and Wyrick.--40.

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

Excused: Adelson, Bingman, Childers, Shortey, Sparks and Sykes.--6.

The bill passed.

SB 1055, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

UNANIMOUS CONSENT REQUEST
DIRECT TO CALENDAR

Senator Marlatt asked unanimous consent to refer **SCR 23** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

SCR 23 by Marlatt of the Senate was called up for consideration.

Representative Blackwell asked to be made principal House author of **SCR 23**, which was the order.

SCR 23 was adopted upon motion of Senator Marlatt and referred for engrossment.

UNANIMOUS CONSENT REQUEST
DIRECT TO CALENDAR

Senator Allen asked unanimous consent to refer **SCR 28** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

SCR 28 by Allen of the Senate was called up for consideration.

Representative Ritze asked to be made principal House author of **SCR 28**, which was the order.

SCR 28 was adopted upon motion of Senator Allen and referred for engrossment.

GENERAL ORDER

HJR 1111 by Dank of the House and Treat of the Senate was called up for consideration.

Senator Treat moved that **HJR 1111** be advanced, which motion was declared adopted.

THIRD READING

HJR 1111 was read for the third time at length.

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

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

Excused: Adelson, Childers, Mazzei, Shortey, Sparks and Sykes.--6.

The bill passed.

HJR 1111 was properly signed and ordered returned to the Honorable House.

Senator Marlatt presiding.

UNANIMOUS CONSENT REQUEST
DIRECT TO CALENDAR

Senator Fields asked unanimous consent to refer **SCR 42** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

SCR 42 by Fields and Garrison of the Senate and DeWitt et al of the House was called up for consideration.

SCR 42 was adopted upon motion of Senator Fields and referred for engrossment.

ELECTRONIC DISTRIBUTION

Pursuant to the provisions of Senate Rule 5-6 and Joint Rule 6, copies of **SBs 259, 1001, 1588, 1743** and **1617** and **HB 2319**, have been made available electronically, via e-mail to all Senators and Executive Assistants.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 1192** was adopted upon motion of Senator Schulz.

Senator Ivester asked to coauthor **SB 1192**, which was the order.

SB 1192, as amended in conference, was read at length.

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

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

Excused: Adelson, Childers, Mazzei, Shortey, Sparks and Sykes.--6.

The bill and emergency passed.

SB 1192, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

MESSAGE FROM THE HOUSE
CONFERENCE COMMITTEE REPORTS

Transmitting the following bills, together with conference committee reports thereon, advising adoption of conference committee reports and passage of measures as amended:

HB 2247
HB 2391
HB 2684

Conference committee reports were read on the above-numbered bills.

MESSAGE FROM THE HOUSE

Advising rejection of **CCR** to **SB 671**, requesting further conference and House conferees to be named later.

EXECUTIVE NOMINATIONS

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

Adams, Judith K., Ph.D., Tulsa, as a member of the Oklahoma Board of Licensed Alcohol and Drug Counselors - Health and Human Services

Davies, Shannon F., Edmond, as a member of the Oklahoma Employment Security Commission - Business and Commerce

Gandara, Teresa A., Muskogee, as a member of the State Textbook Committee - Education

Gibson, Aulena S., Oklahoma City, as a member of the Quartz Mountain Arts and Conference Center and Nature Park – Education

Harrold, Patricia A., Edmond, as a member of the State Textbook Committee - Education

Kitch, James R., Yukon, as a member of the Board of Regents for Redlands Community College - Education

Spradling, Michael L., Sand Springs, as a member of the State Banking Board - Finance

Senator Schulz moved that when the clerk's desk is clear, the Senate stand adjourned to convene Thursday, May 17, 2012, at 10:00 a.m., which motion prevailed.

CONFERENCE COMMITTEE REPORTS SUBMITTED

Conference committee reports were read on the following bills:

SB 110 - remove as author Senator Myers; authored by Senator Coates
SB 1001
SB 1588
SB 1617

COMMITTEE REPORT

The following was reported by the committee named, ordered printed and placed on the Calendar:

DO PASS:

HJR 1116 – Transportation
Ayes: Allen, Branan, Holt, Marlatt, Paddack, Stanislawski

SECOND READING

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

HB 3148 – Direct To Calendar

FIRST READING

The following was introduced and read the first time:

SR 66 – By Anderson and Paddack.
A Resolution expressing the desire that the Oklahoma Department of Human Services adopt a plan to continue the operation of a state-administered resource center or resource centers; and directing distribution.

MESSAGES FROM THE GOVERNOR

Advising her approval May 16, 2012, of Enrolled **SBs 1189, 1401, 1449, 1551, 1554, 1678, 1690, 1760** and **1814**.

Advising her veto May 16, 2012, of Enrolled **SB 1701**.

The veto message reads as follows:

May 16, 2012

To the Honorable President Pro Tempore
and Members of the Oklahoma Senate
Second Session of the
Fifty-third Legislature

Enrolled Senate Bill No. 1701:

This is to advise you that on this date, pursuant to the authority vested in me by Section 11 of Article VI of the Oklahoma Constitution to approve or object to legislation presented to me, I have VETOED Senate Bill 1701.

Senate Bill 1701 removes the safeguards of the Central Purchasing Act by exempting the Oklahoma Military Department (OMD) from all mandatory statewide contracts. These contracts are beneficial to the State because the more agencies that participate, the lower the rates the State receives for purchases. Exempting the OMD will diminish the important cost savings currently realized by the State. Senate Bill 1701 also names the Adjutant General as my chief military advisor. While I affirm the intent of this provision and the Adjutant General's role as my chief military advisor, the Adjutant General currently serves as and will continue to serve as my chief military advisor. This important and essential role presently exists and will continue to exist notwithstanding this legislation.

Senate Bill 1701 is not consistent with my commitment to reducing wasteful spending and creating a more efficient and accountable administration.

By the Governor of the State of Oklahoma
/s/ Mary Fallin

Pursuant to the Schulz motion, the Senate adjourned at 3:15 p.m. to meet Thursday, May 17, 2012, at 10:00 a.m.