

Senate Journal

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

Fifty-sixth Legislative Day, Wednesday, May 18, 2011

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, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Laster, Lerblance, Marlatt, Mazzei, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.—48.

Senator Sykes declared a quorum present.

The prayer was offered by Associate Minister Kristi Harrington, Henderson Hills Baptist Church, Edmond, the guest of Senator Jolley.

REPORT OF ENGROSSED AND ENROLLED MEASURES

SB 435 and **SCR 18** were each correctly enrolled, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 1202** was adopted upon motion of Senator Aldridge.

HB 1202, as amended in conference, was read at length.

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

Aye: Adelson, Aldridge, Allen, Anderson, Barrington, Bass, Branan, Brecheen, Brinkley, Brown, Burrage, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (C), Jolley, Justice, Lerblance, Marlatt, Mazzei,

Myers, Newberry, Nichols, Rice, Russell, Schulz, Simpson, Sparks, Stanislawski, Sykes, Treat and Wilson.--40.

Nay: Wyrick.--1.

Excused: Ballenger, Bingman, Johnson (R), Laster, Paddack, Reynolds and Shortey.--7.

The bill passed.

HB 1202, together with the conference committee report thereon, was ordered returned to the Honorable House.

Senator Jolley presiding.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 201** was called up for consideration upon motion of Senator Aldridge.

Senator Aldridge asked unanimous consent **SB 201** be laid over this legislative day, which was the order.

SB 201 was laid over pending consideration of the **CCR**.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 878** was adopted upon motion of Senator Sykes.

Senator Branam asked to coauthor **SB 878**, which was the order.

SB 878, as amended in conference, was read at length.

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

Aye: Adelson, Aldridge, Allen, Anderson, Ballenger, Barrington, Bass, Bingman, Branam, Brecheen, Brinkley, Brown, Burrage, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Laster, Lerblance, Marlatt, Mazzei, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--48.

The bill passed.

SB 878, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

SCs NAMED

Upon motion of Senator Schulz, Senate conferees were appointed as follows:

SB 286 – GCCA

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 272** was adopted upon motion of Senator Aldridge.

SB 272, as amended in conference, was read at length.

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

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

Nay: Adelson, Allen, Ballenger, Bass, Burrage, Eason McIntyre, Ellis, Garrison, Ivester, Johnson (C), Laster, Lerblance, Mazzei, Paddack, Rice, Russell, Shortey, Sparks, Wilson and Wyrick.--20.

The bill passed.

SB 272, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

MESSAGES FROM THE HOUSE

Advising the signing of and transmitting for signature Enrolled **HCR 1013**.

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

Advising fourth reading of and transmitting for signature Enrolled **HBs 1002, 1079, 1086, 1243, 1271, 1285, 1363, 1473, 1507, 2170, 2173, 2176, 2177, 2178 and 2179**.

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

Advising the signing of and returning Enrolled **SCR 18**.

The above-numbered enrolled measure was transmitted to the Secretary of State.

Advising fourth reading of and returning Enrolled **SB 435**.

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

MOTION TO RECONSIDER VOTE

Senator Myers moved to reconsider the vote whereby **HB 2171** failed, which motion was declared adopted upon roll call as follows:

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

Nay: Adelson, Anderson, Ballenger, Bass, Burrage, Eason McIntyre, Ellis, Garrison, Ivester, Johnson (C), Lerblance, Rice, Russell, Shortey, Sparks, Sykes, Wilson and Wyrick.--18.

Excused: Laster.--1.

THIRD READING

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

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

Nay: Adelson, Allen, Anderson, Ballenger, Bass, Burrage, Eason McIntyre, Ellis, Garrison, Ivester, Johnson (C), Lerblance, Rice, Russell, Sparks, Sykes, Wilson and Wyrick.--18.

Excused: Laster.--1.

The bill passed.

HB 2171, together with the joint committee report thereon, was ordered returned to the Honorable House.

CHANGE IN CONFEREES

Advising change in Senate conferees as follows:

SB 709 – remove GCCA and add Sykes, Schulz, Bingman, Jolley, Ivester, Burrage

SB 750 – remove GCCA and add Marlatt, Mazzei, Brinkley, Brecheen, Rice, Ivester

SB 949 – remove GCCA and add Nichols, Myers, Mazzei, Jolley, Burrage, Sparks

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 1304 - (emergency failed)

HB 1343 - coauthored by Dorman, Roan, Walker, Shumate and Sherrer

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

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

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The Senate reconvened with Senator 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 398** was adopted upon motion of Senator Stanislawski.

SB 398, 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, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Laster, Lerblance, Marlatt, Mazzei, Myers, Newberry, Nichols, Reynolds, Rice, Russell, Schulz, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--45.

Excused: Adelson, Paddack and Shortey.--3.

The bill and emergency passed.

SB 398, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

MESSAGE FROM THE HOUSE CONFERENCE COMMITTEE REPORT

Transmitting the following bill, together with conference committee report thereon, advising adoption of conference committee report and passage of measure as amended:

HB 1226 - coauthored by Kern

Conference committee report was read on the above-numbered bill.

MESSAGES FROM THE HOUSE

Returning following bill, together with conference committee report thereon, advising adoption of conference committee report and passage of measure as amended:

SB 250 - coauthored by Roberts (Dustin) and Sanders

The above-numbered measure, as amended in conference, was referred for enrollment.

Advising passage of and returning the following Engrossed bills:

SB 972

SB 973

SB 974

SB 975

SB 977

SB 981

The above-numbered measures were referred for enrollment.

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 1953** was adopted upon motion of Senator Mazzei.

Senators Sparks and Rice asked to coauthor **HB 1953**, which was the order.

HB 1953, 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, Bingman, Branan, Brecheen, Brinkley, Brown, Burrage, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Lerblance, Marlatt, Mazzei, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Simpson, Sparks, Stanislawski and Sykes.--42.

Nay: Treat, Wilson and Wyrick.--3.

Excused: Adelson, Laster and Shortey.--3.

The bill passed.

HB 1953, together with the conference committee report thereon, was ordered returned to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 123** was adopted upon motion of Senator Mazzei.

SB 123, 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, Branan, Brecheen, Brinkley, Brown, Burrage, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Justice, Lerblance, Marlatt, Mazzei, Myers, Newberry, Nichols, Paddack, Reynolds, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--43.

Excused: Adelson, Bingman, Jolley, Laster and Rice.--5.

The bill and emergency passed.

SB 123, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 154** was adopted upon motion of Senator Mazzei.

SB 154, 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, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Lerblance, Marlatt, Mazzei, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--45.

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

The bill passed.

SB 154, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 729** was adopted upon motion of Senator Mazzei.

SB 729, 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, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Lerblance, Marlatt, Mazzei, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--46.

Excused: Adelson and Laster.--2.

The bill and emergency passed.

SB 729, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

SCs NAMED

Upon motion of Senator Schulz, Senate conferees were appointed as follows:

SB 952 – Nichols, Barrington, Newberry, David, Burrage, Garrison

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 782** was adopted upon motion of Senator Mazzei.

SB 782, 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, Bingman, Branan, Brecheen, Brinkley, Brown, Burrage, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Lerblance, Marlatt, Mazzei, Myers, Newberry, Nichols, Paddack, Rice, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat and Wilson.--44.

Excused: Adelson, Laster, Reynolds and Wyrick.--4.

The bill passed.

SB 782, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 1304** was adopted upon motion of Senator Jolley.

HB 1304, as amended in conference, was read at length.

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

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

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

Excused: Adelson, Laster and Reynolds.--3.

The bill passed.

HB 1304, together with the conference committee report thereon, was ordered returned 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 1488 - coauthored by Derby and Moore

HB 1601 - (emergency failed)

HB 1954

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

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 2156** was adopted upon motion of Senator Jolley.

HB 2156, 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, Bingman, Branan, Brecheen, Brinkley, Brown, Burrage, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Rice, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--44.

Excused: Adelson, Laster, Mazzei and Reynolds.--4.

The bill passed.

HB 2156, together with the conference committee report thereon, was ordered returned to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 772** was adopted upon motion of Senator Jolley.

SB 772, 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, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice,

Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Rice, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--44.

Excused: Adelson, Laster, Mazzei and Reynolds.--4.

The bill and emergency passed.

SB 772, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 798** was adopted upon motion of Senator Jolley.

SB 798, 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, Bingman, Branan, Brecheen, Brinkley, Brown, Burrage, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Rice, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--44.

Excused: Adelson, Laster, Mazzei and Reynolds.--4.

The bill passed.

SB 798, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 267** was adopted upon motion of Senator Holt.

SB 267, as amended in conference, was read at length.

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

Aye: Brecheen, Brinkley, Brown, Crain, David, Ford, Holt, Johnson (R), Justice, Mazzei, Shortey, Simpson and Stanislawski.--13.

Nay: Allen, Anderson, Ballenger, Barrington, Bass, Branan, Burrage, Coates, Ellis, Fields, Garrison, Halligan, Ivester, Johnson (C), Jolley, Lerblance, Myers, Newberry, Nichols, Paddack, Rice, Russell, Schulz, Sparks, Sykes, Treat, Wilson and Wyrick.--28.

Excused: Adelson, Aldridge, Bingman, Eason McIntyre, Laster, Marlatt and Reynolds.--7.

The bill failed.

MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed **HB 2184**.

HB 2184 – By Sears of the House and Myers and Jolley of the Senate.

An Act relating to poor persons; requiring Department of Human Services to develop certain plan; providing requirements of plan; requiring submission of plan; authorizing Legislature to disapprove plan; repealing 56 O.S. 2001, Section 3050, which relates to the closure of state-administered resource centers; providing for codification; and providing an effective date.

The above-numbered measure were read the first time.

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

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The Senate reconvened with Senator 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 487** was adopted upon motion of Senator Rice.

Senator Shortey asked to coauthor **SB 487**, which was the order.

SB 487, 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, Bingman, Branan, Brecheen, Brinkley, Brown, Burrage, Coates, Crain, David, Eason McIntyre, Ellis, Fields,

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

Nay: Johnson (C).--1.

Excused: Adelson, Laster, Mazzei and Reynolds.--4.

The bill passed.

SB 487, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 597** was adopted upon motion of Senator Bingman.

SB 597, 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, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Rice, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--44.

Excused: Adelson, Laster, Mazzei and Reynolds.--4.

The bill and emergency passed.

SB 597, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 935** was adopted upon motion of Senator Bingman.

SB 935, as amended in conference, was read at length.

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

Aye: Allen, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brecheen, Brinkley, Brown, Burrage, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford,

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

Excused: Adelson, Aldridge, Laster and Reynolds.--4.

The bill passed.

SB 935, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 247** was adopted upon motion of Senator David.

SB 247, 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, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Justice, Lerblance, Marlatt, Mazzei, Myers, Nichols, Paddack, Rice, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--43.

Excused: Adelson, Jolley, Laster, Newberry and Reynolds.--5.

The bill and emergency passed.

SB 247, 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 1207

HB 1231 - (emergency failed)

HB 1284 - coauthored by Hoskin, Sherrer, Lockhart, Hilliard and Tibbs

HB 1475 - (emergency failed)

HB 1903

HB 1990

HB 2140

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

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 91** was adopted upon motion of Senator Brinkley.

SB 91, 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, Bingman, Branan, Brecheen, Brinkley, Brown, Burrage, Coates, Crain, David, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (R), Jolley, Justice, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Rice, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat and Wyrick.--41.

Nay: Eason McIntyre, Johnson (C) and Wilson.--3.

Excused: Adelson, Laster, Mazzei and Reynolds.--4.

The bill passed.

SB 91, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 339** was adopted upon motion of Senator Branan.

SB 339, 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, Bingman, Branan, Brecheen, Brinkley, Brown, Burrage, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Lerblance, Myers, Newberry, Nichols, Paddack, Rice, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--43.

Excused: Adelson, Laster, Marlatt, Mazzei and Reynolds.--5.

The bill passed.

SB 339, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 96** was adopted upon motion of Senator Coates.

SB 96, 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, Bingman, Branan, Brecheen, Brinkley, Brown, Burrage, Coates, Crain, David, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Lerblance, Myers, Newberry, Paddack, Rice, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--41.

Excused: Adelson, Eason McIntyre, Laster, Marlatt, Mazzei, Nichols and Reynolds.--7.

The bill passed.

SB 96, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 492** was adopted upon motion of Senator Burrage.

SB 492, 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, Bingman, Branan, Brecheen, Brinkley, Brown, Burrage, Coates, Crain, David, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Rice, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--43.

Excused: Adelson, Eason McIntyre, Laster, Mazzei and Reynolds.--5.

The bill passed.

SB 492, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 115** was adopted upon motion of Senator Ivester.

Senators Sykes and Russell asked to coauthor **SB 115**, which was the order.

SB 115, 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, Bingman, Branan, Brecheen, Brinkley, Brown, Burrage, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Lerblance, Marlatt, Newberry, Nichols, Paddack, Rice, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--43.

Excused: Adelson, Laster, Mazzei, Myers and Reynolds.--5.

The bill passed.

SB 115, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The following **CCR** was rejected upon motion of Senator Schulz, further conference requested, and same Senate conferees appointed as follows:

SB 264 – Jolley, Ford, Halligan, Stanislawski, Rice, Burrage

PENDING CONSIDERATION OF CCR

The following **CCR** was rejected upon motion of Senator Schulz, further conference requested, and Senate conferees appointed as follows:

SB 201 – remove GCCA and add Aldridge, Mazzei, Holt, Brown, Sparks, Burrage

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 175** was adopted upon motion of Senator Anderson.

Senator Simpson asked to coauthor **SB 175**, which was the order.

SB 175, 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, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Lerblance, Marlatt, Newberry, Nichols, Paddack, Rice, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--42.

Excused: Adelson, Eason McIntyre, Laster, Mazzei, Myers and Reynolds.--6.

The bill and emergency passed.

SB 175, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

EXECUTIVE NOMINATIONS

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

Adams, Gregory W., Clinton, to the Board of Pharmacy, to serve a five year term ending June 30, 2016, succeeding Jim Spoon. (Health and Human Services Committee) Motion to confirm made by Senator Mike Schulz.

Bruner, Steve, Tulsa, to the Oklahoma Human Rights Commission, to serve an unexpired term ending July 15, 2011, succeeding Rita Maxwell. (Health and Human Services Committee) Motion to confirm made by Senator Gary Stanislawski.

Buchanan, Hal Tom, Altus, to the Oklahoma Water Resources Board, to serve a seven year term ending May 14, 2018, succeeding Mark Nichols. (Energy Committee) Motion to confirm made by Senator Mike Schulz.

Carter, Pam, Tulsa, to the Oklahoma Centennial Botanical Garden Authority, to serve a five year term ending January 7, 2016, succeeding a new position. (General Government Committee) Motion to confirm made by Senator Andrew Rice on behalf of Senator Tom Adelson.

Daniels, Julie Anne Jacobs, Bartlesville, to the Oklahoma Tourism and Recreation Commission, to serve an unexpired term ending July 1, 2015, succeeding Amy Regan. (Tourism and Wildlife Committee) Motion to confirm made by Senator John Ford.

Davis, Richard Glenn, D.D.S., Shawnee, to the State Board of Health, to serve an unexpired term ending June 30, 2018, succeeding Michael Morgan. (Health and Human

Services Committee) Motion to confirm made by Senator Andrew Rice on behalf of Senator Charlie Laster.

Gerard, Terry, Durant, to the State Board of Health, to serve a nine year term ending June 30, 2020, succeeding Kenneth Miller. (Health and Human Services Committee) Motion to confirm made by Senator Josh Brecheen.

Henry, Richard G., Altus, to the Oklahoma Tourism and Recreation Commission, to serve an unexpired term ending July 1, 2014, succeeding Jason Glidewell. (Tourism and Wildlife Committee) Motion to confirm made by Senator Mike Schulz.

Holmes, Burt, Tulsa, to the Oklahoma Centennial Botanical Garden Authority, to serve a three year term ending January 7, 2014, succeeding a new position. (General Government Committee) Motion to confirm made by Senator Gary Stanislawski.

Jett, Karl R., Laverne, to the Oklahoma Conservation Commission, to serve a five year term expiring June 30, 2016, succeeding Matt Gard. (Energy Committee) Motion to confirm made by Senator Bryce Marlatt.

Kliwer, Phil, Cordell, to the Oklahoma Space Industry Development Authority, to serve an unexpired term ending June 30, 2011, succeeding Ken McGill. (Energy Committee) Motion to confirm made by Senator Tom Ivester

Mather, Timothy, Oklahoma City, to the Oklahoma Science and Technology Research and Development Board, to serve an unexpired term ending June 30, 2011, succeeding John Harley. (Energy Committee) Motion to confirm made by Senator Cliff Branam.

McAbee, Mitch, Weatherford, to the Commission on Marginally Producing Oil & Gas Wells, to serve a three year term ending December 31, 2013, succeeding Charles Davis. (Energy Committee) Motion to confirm made by Senator Mike Schulz.

McGraw, Joe, Tulsa, to the Oklahoma Centennial Botanical Garden Authority, to serve a two year term ending January 7, 2013, succeeding a new position. (General Government Committee) Motion to confirm made by Senator Gary Stanislawski.

Neira, A. Xavier, Norman, to the Oklahoma Tourism and Recreation Commission, to serve an unexpired term ending July 1, 2011, succeeding Rebecca Switzer. (Tourism and Wildlife Committee) Motion to confirm made by Senator Jonathan Nichols.

Neira, A. Xavier, Norman, to the Oklahoma Tourism and Recreation Commission, to serve a six year term ending July 1, 2017, succeeding himself. (Tourism and Wildlife Committee) Motion to confirm made by Senator Jonathan Nichols.

Perry, Charles H., Grove, to the Oklahoma Tourism and Recreation Commission, to serve an unexpired term ending July 1, 2013, succeeding Frank Sims. (Tourism and Wildlife Committee) Motion to confirm made by Senator Charles Wyrick.

Roush, Ronda R., Tulsa, to the Oklahoma Tourism and Recreation Commission, to serve an unexpired term ending July 1, 2014, succeeding Tony Benson. (Tourism and Wildlife Committee) Motion to confirm made by Senator Gary Stanislawski.

Samis, Mike, Oklahoma City, to the University Hospitals Authority, to serve a three year term ending June 1, 2014, succeeding himself. (Health and Human Services Committee) Motion to confirm made by Senator Cliff Branam.

Thornbrugh, C. Michael, Broken Arrow, to the Oklahoma Centennial Botanical Garden Authority, to serve a term coterminous with the Governor, succeeding a new position. (General Government Committee) Motion to confirm made by Senator Mike Mazzei.

Tyler, Tony J., Norman, to the Board of Regents for Oklahoma City Community College, to serve a seven year term ending April 22, 2018, succeeding Robert Jenkins. (Education Committee) Motion to confirm made by Senator Jonathan Nichols.

Walker, T. L., Ponca City, to the Oklahoma Tourism and Recreation Commission, to serve an unexpired term ending July 1, 2012, succeeding herself. (Tourism and Wildlife Committee) Motion to confirm made by Senator Mike Schulz on behalf of David Myers.

Woodrum, Pat, Tulsa, to the Oklahoma Centennial Botanical Garden Authority, to serve a four year term ending January 7, 2015, succeeding a new position. (General Government Committee) Motion to confirm made by Senator Gary Stanislawski.

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

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

Excused: Adelson, Laster, Marlatt and Reynolds.--4.

PENDING CONSIDERATION OF CCR

The **2ND CCR** on **HB 1211** was adopted upon motion of Senator Newberry.

HB 1211, 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, Bingman, Branam, Brecheen, Brinkley, Brown, Burrage, Coates, Crain, David, Eason McIntyre, Ellis, Fields,

Ford, Garrison, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Lerblance, Marlatt, Mazzei, Myers, Newberry, Nichols, Paddack, Rice, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--45.

Excused: Adelson, Laster and Reynolds.--3.

The bill passed.

HB 1211, together with the conference committee report thereon, was ordered returned to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 2032** was adopted upon motion of Senator Newberry.

HB 2032, 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, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Rice, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--44.

Excused: Adelson, Laster, Mazzei and Reynolds.--4.

The bill and emergency passed.

HB 2032, together with the conference committee report thereon, was ordered returned to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 1229** was adopted upon motion of Senator Simpson.

HB 1229, 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, Bingman, Branan, Brecheen, Brinkley, Brown, Burrage, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Rice, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--44.

Excused: Adelson, Laster, Mazzei and Reynolds.--4.

The bill passed.

HB 1229, together with the conference committee report thereon, was ordered returned to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 1676** was adopted upon motion of Senator Nichols.

HB 1676, 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, Bingman, Branan, Brecheen, Brinkley, Brown, Burrage, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Rice, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--44.

Excused: Adelson, Laster, Mazzei and Reynolds.--4.

The bill passed.

HB 1676, together with the conference committee report thereon, was ordered returned to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 1655** was adopted upon motion of Senator Johnson (Rob).

Representative Dorman asked to coauthor **HB 1655**, which was the order.

HB 1655, 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, Bingman, Branan, Brecheen, Brinkley, Brown, Burrage, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Rice, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--44.

Excused: Adelson, Laster, Mazzei and Reynolds.--4.

The bill passed.

HB 1655, together with the conference committee report thereon, was ordered returned 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 1603 - coauthored by Hoskin, Sherrer and Shelton

HB 1995

HB 2072 - (Emergency Failed)

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

CONFERENCE COMMITTEE REPORTS SUBMITTED

Conference committee reports were read on the following bills:

SB 110

SB 132

SB 510

SB 671

SB 673

SB 728

SJR 16

MESSAGE FROM THE HOUSE

Advising further conference granted and naming same House conferees on Engrossed

SB 201 - Conference Committee on Public Safety, Judiciary and Military Affairs

SB 264 - Conference Committee on Government Modernization and Rules

**MESSAGE FROM THE HOUSE
CONFERENCE COMMITTEE REPORT**

Transmitting the following bill, together with conference committee report thereon, advising adoption of conference committee report and passage of measure as amended:

HB 1418 - coauthored by Kern

Conference committee report was read on the above-numbered bill.

EXECUTIVE NOMINATIONS

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

Bollenbach, Melvin W., Oklahoma City, as a member of the Oklahoma Horse Racing Commission - Finance

Kirk, Phillip J., Tulsa, as a member of the Oklahoma Horse Racing Commission - Finance

Leonard, Ran M., Oklahoma City, as a member of the Oklahoma Horse Racing Commission - Finance

Lucas, Joe, Goldsby, as a member of the Oklahoma Horse Racing Commission - Finance

Senator Schulz moved that when the clerk's desk is clear, the Senate stand adjourned to convene Thursday, May 19, 2011, at 9:30 a.m., which motion prevailed.

SECOND READING

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

HB 2180 – Direct To Calendar

HB 2182 – Direct To Calendar

HB 2183 – Direct To Calendar

MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed **HB 2172**.

HB 2172 – By Sears and Martin (Scott) of the House and Myers and Jolley of the Senate.

An Act relating to state-tribal relations; providing for the transfer of all powers, duties, function and responsibilities of the Oklahoma Indian Affairs Commission to the Oklahoma Native American Liaison; describing what is included in the transfer; defining the Oklahoma Indian Affairs Commission; requiring execution of certain conveyances and documents by a certain date; providing for the transfer of certain monies and funds; providing for the succession of certain rights and responsibilities; recognizing the importance of cooperation between the state and Indian tribes; creating the position of Oklahoma Native American Liaison; providing for appointment by the Governor; providing for service as a certain cabinet position; requiring the first appointment by a certain date; requiring the Liaison to have certain percentage of American Indian blood; providing for budgeting of salary and expenses; requiring the Governor to provide certain support; establishing the powers, duties and responsibilities of the Liaison; amending 74 O.S. 2001, Section 1221, as last amended by Section 164, Chapter 234, O.S.L. 2009 (74 O.S. Supp. 2010, Section 1221), which relates to cooperation and cooperative agreements with Indian tribes; authorizing the Governor to name the Oklahoma Native American Liaison as designee for certain purposes; requiring the filing of copies of certain agreements with the Office of Tribal Relations; amending 74 O.S. 2001, Section 1226.2, as last amended by Section 2, Chapter 146, O.S.L. 2005 (74 O.S. Supp. 2010, Section 1226.2), which relates to the Native American Cultural and Educational Authority; modifying ex officio membership; repealing 74 O.S. 2001, Section 840-5.22, which relates to offices, positions and personnel of the Oklahoma Indian Affairs Commission; repealing 74 O.S. 2001, Sections 1201, 1202, 1203 and 1205, which relate to the Oklahoma Indian Affairs Commission; and providing for codification.

The above-numbered measure was read the first time.

MESSAGE FROM THE GOVERNOR

Advising her approval May 18, 2011, of Enrolled **SBs 248, 571, 574, 593, 629, 658, 674, 722, 731, 763, 837, 891 and 902**.

Pursuant to the Schulz motion, the Senate adjourned at 5:30 p.m. to meet Thursday, May 19, 2011, at 9:30 a.m.

JOURNAL CORRECTION

Page 1172, Line 4, insert the follows:

“MESSAGE FROM THE HOUSE

Advising passage of and returning the following Engrossed measure:

SCR 18 - coauthored by all other Representatives

The above-numbered measure was referred for enrollment.”