Senate Journal

Second Regular Session of the Fifty-third Legislature
of the State of Oklahoma
Eighteenth Legislative Day, Tuesday, March 6, 2012

The Senate was called to order by Senator Ford.

Roll Call:

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

Vacancy: District 20.—1.

Senator Ford declared a quorum present.

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

REPORT OF ENGROSSED AND ENROLLED MEASURES

SBs 1012, 1102, 1108, 1162, 1185, 1187, 1188, 1198, 1199, 1201, 1215, 1231, 1232, 1360, 1406, 1412, 1430, 1493, 1508 and **1943** were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

GENERAL ORDER

SB 1588 by Barrington of the Senate and Armes of the House was called up for consideration.

Senator Barrington asked unanimous consent, which was granted, to suspend Senate Rule 12-4 as it pertains to **SB 1588**.

Senator Barrington moved to amend **SB 1588**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Barrington moved that **SB 1588** be advanced, which motion was declared adopted.

THIRD READING

SB 1588 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, Branan, Brecheen, Brinkley, Brown, Burrage, Childers, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Johnson (C), Jolley, Justice, Lerblance, Marlatt, McAffrey, Newberry, Nichols, Paddack, Russell, Schulz, Shortey, Simpson, Stanislawski, Sykes, Treat, Wilson and Wyrick.--40.

Excused: Ballenger, Bass, Ivester, Johnson (R), Laster, Mazzei and Sparks.--7.

Vacancy: District 20.--1.

The bill and emergency passed.

SB 1588 was referred for engrossment.

EXECUTIVE NOMINATIONS

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

Baxter, Leo J., Lawton, to the State Board of Education, to serve a four year term ending April 2, 2015, a new position. (Education Committee) Motion to confirm made by Senator Don Barrington.

Ford, Amy, Durant, to the State Board of Education, to serve a four year term ending April 2, 2015, a new position. (Education Committee) Motion to confirm made by Senator Josh Brecheen.

Hayden, S. Brian, Enid, to the State Board of Education, to serve a four year term ending April 2, 2015, a new position. (Education Committee) Motion to confirm made by Senator Patrick Anderson.

Hofmeister, Joy L., Tulsa, to the State Board of Education, to serve a four year term ending April 2, 2015, a new position. (Education Committee) Motion to confirm made by Senator Gary Stanislawski on behalf of Senate Mike Mazzei.

Lambert, Linda P., Oklahoma City, to the Oklahoma Water Resources Board, to serve a seven year term ending May 14, 2018, succeeding Joe Taron. (Energy Committee) Motion to confirm made by Senator Constance Johnson.

Price, William S. "Bill", Oklahoma City, to the State Board of Education, to serve a four year term ending April 2, 2015, a new position. (Education Committee) Motion to confirm made by Senator Cliff Branan.

Shdeed, William F. "Bill", Oklahoma City, to the State Board of Education, to serve a four year term ending April 2, 2015, a new position. (Education Committee) Motion to confirm made by Senator Cliff Branan.

Watkins, E. Lou, Stillwater, to the Board of Regents for the Oklahoma Agricultural and Mechanical Colleges, to serve an eight year term ending April 4, 2020, succeeding herself. (Education Committee) Motion to confirm made by Senator Jim Halligan.

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

Aye: Adelson, Aldridge, Allen, Anderson, Barrington, Bingman, Branan, Brecheen, Brinkley, Brown, Burrage, Childers, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Lerblance, Marlatt, McAffrey, Newberry, Nichols, Paddack, Russell, Schulz, Shortey, Simpson, Stanislawski, Sykes, Treat, Wilson and Wyrick.--41.

Excused: Ballenger, Bass, Justice, Laster, Mazzei and Sparks.--6.

Vacancy: District 20.--1.

UNANIMOUS CONSENT REQUEST
DIRECT TO CALENDAR

Senator Fields asked unanimous consent to refer **SR 38** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

SR 38 by Fields was called up for consideration.

All other members of the Senate asked to coauthor **SR 38**, which was the order.

SR 38 was adopted upon motion of Senator Fields and referred for enrollment.

GENERAL ORDER

SB 1083 by Barrington and Johnson (Constance) of the Senate and Nelson of the House was called up for consideration.

Senator Barrington moved that **SB 1083** be advanced, which motion was declared adopted.

THIRD READING

SB 1083 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, Barrington, Bingman, Branan, Brecheen, Brinkley, Brown, Burrage, Childers, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Lerblance, Marlatt, McAffrey, Newberry, Nichols, Paddack, Russell, Schulz, Shortey, Simpson, Sykes, Treat, Wilson and Wyrick.--41.

Excused: Ballenger, Bass, Laster, Mazzei, Sparks and Stanislawski.--6.

Vacancy: District 20.--1.

The bill passed.

SB 1083 was referred for engrossment.

GENERAL ORDER

SB 448 by Barrington of the Senate and Billy of the House was called up for consideration.

Pursuant to Senate Rule 5-7, President Pro Tempore Bingman approved **SB 448** to be heard, notwithstanding the action taken on HB 1797 on April 25, 2011.

Senator Barrington asked that **SB 448** be laid over for this legislative day, which was the order.

SB 448 remains on General Order.

GENERAL ORDER

SB 1059 by Brown of the Senate and Moore of the House was called up for consideration.

Representative Mulready asked to coauthor **SB 1059**, which was the order.

Senator Brown moved that **SB 1059** be advanced, which motion was declared adopted.

THIRD READING

SB 1059 was read for the third time at length.

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

Aye: Adelson, Aldridge, Barrington, Bingman, Branan, Brecheen, Brinkley, Brown, Burrage, Coates, Crain, David, Ellis, Fields, Ford, Halligan, Holt, Ivester, Johnson (R), Jolley, Lerblance, Marlatt, Newberry, Nichols, Paddack, Russell, Schulz, Simpson, Stanislawski and Treat.--30.

Nay: Allen, Anderson, Bass, Childers, Garrison, Justice, McAffrey, Shortey, Sykes and Wilson.--10.

Excused: Ballenger, Eason McIntyre, Johnson (C), Laster, Mazzei, Sparks and Wyrick.--7.

Vacancy: District 20.--1.

The bill passed.

SB 1059 was referred for engrossment.

GENERAL ORDER

SB 1617 by Brown of the Senate and Mulready of the House was called up for consideration.

Senator Brown moved that **SB 1617** be advanced, which motion was declared adopted.

THIRD READING

SB 1617 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, Bass, Branan, Brecheen, Brown, Burrage, Childers, Coates, Crain, David, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (R), Jolley, Justice, Lerblance, McAffrey, Newberry, Nichols, Paddack, Russell, Schulz, Shortey, Simpson, Stanislawski, Sykes, Wilson and Wyrick.--37.

Excused: Ballenger, Bingman, Brinkley, Eason McIntyre, Johnson (C), Laster, Marlatt, Mazzei, Sparks and Treat.--10.

Vacancy: District 20.--1.

The bill and emergency passed.

SB 1617 was referred for engrossment.

GENERAL ORDER

SB 1618 by Brown of the Senate and Mulready of the House was called up for consideration.

Senator Brown moved that **SB 1618** be advanced, which motion was declared adopted.

THIRD READING

SB 1618 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, Barrington, Bass, Bingman, Branan, Brecheen, Brinkley, Brown, Burrage, Childers, Coates, Crain, David, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (R), Jolley, Justice, Lerblance, McAffrey, Newberry, Nichols, Paddack, Russell, Schulz, Shortey, Simpson, Stanislawski, Sykes, Wilson and Wyrick.--39.

Excused: Ballenger, Eason McIntyre, Johnson (C), Laster, Marlatt, Mazzei, Sparks and Treat.--8.

Vacancy: District 20.--1.

The bill passed.

SB 1618 was referred for engrossment.

GENERAL ORDER

SB 1621 by Brown of the Senate and Mulready of the House was called up for consideration.

Senator Brown asked that **SB 1621** be laid over for this legislative day, which was the order.

SB 1621 remains on General Order.

GENERAL ORDER

SB 1300 by Crain of the Senate and Stiles of the House was called up for consideration.

Senator Crain moved that **SB 1300** be advanced, which motion was declared adopted.

THIRD READING

SB 1300 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, Bass, Bingman, Branan, Brecheen, Brinkley, Brown, Burrage, Childers, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Lerblance, McAffrey, Newberry, Nichols, Russell, Schulz, Simpson, Stanislawski, Wilson and Wyrick.--37.

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

Excused: Ballenger, Laster, Marlatt, Mazzei, Paddack, Sparks and Treat.--7.

Vacancy: District 20.--1.

The bill passed.

SB 1300 was referred for engrossment.

GENERAL ORDER

SB 1313 by Crain of the Senate and Grau of the House was called up for consideration.

Senator Crain moved to amend **SB 1313**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Crain moved that **SB 1313** be advanced, which motion was declared adopted.

THIRD READING

SB 1313 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, Barrington, Bass, Branan, Brecheen, Brinkley, Brown, Burrage, Childers, Coates, Crain, David, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Lerblance, McAffrey, Newberry, Nichols, Paddack, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--41.

Excused: Ballenger, Bingman, Eason McIntyre, Laster, Marlatt and Mazzei.--6.

Vacancy: District 20.--1.

The bill passed.

SB 1313 was referred for engrossment.

GENERAL ORDER

SB 1327 by Crain of the Senate and Richardson of the House was called up for consideration.

Senator Fields asked to coauthor **SB 1327**, which was the order.

Senator Crain moved that **SB 1327** be advanced, which motion was declared adopted.

THIRD READING

SB 1327 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, Bass, Branan, Brecheen, Brinkley, Brown, Burrage, Childers, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Justice, Lerblance, McAffrey, Newberry, Nichols, Paddack, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--41.

Excused: Ballenger, Bingman, Jolley, Laster, Marlatt and Mazzei.--6.

Vacancy: District 20.--1.

The bill and emergency passed.

SB 1327 was referred for engrossment.

GENERAL ORDER

SB 1425 by Brecheen of the Senate and Richardson of the House was called up for consideration.

Senators Allen and Simpson asked to coauthor **SB 1425**, which was the order.

Senator Brecheen moved that **SB 1425** be advanced, which motion was declared adopted.

THIRD READING

SB 1425 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, Branan, Brecheen, Brinkley, Brown, Burrage, Childers, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (R), Jolley, Justice, Lerblance, McAffrey, Newberry, Nichols, Paddack, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat and Wilson.--40.

Nay: Bass, Johnson (C), Laster and Wyrick.--4.

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

Vacancy: District 20.--1.

The bill and emergency passed.

SB 1425 was referred for engrossment.

GENERAL ORDER

SB 1874 by Crain and Marlatt of the Senate and Schwartz of the House was called up for consideration.

Senator Crain moved that **SB 1874** be advanced, which motion was declared adopted.

THIRD READING

SB 1874 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, Branan, 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, McAffrey, Newberry, Nichols, Paddack, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--44.

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

Vacancy: District 20.--1.

The bill passed.

SB 1874 was referred for engrossment.

GENERAL ORDER

SB 1000 by Stanislawski of the Senate and Johnson of the House was called up for consideration.

Senator Stanislawski moved that **SB 1000** be advanced, which motion was declared adopted.

THIRD READING

SB 1000 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, 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, McAffrey, Newberry, Paddack, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--41.

Excused: Adelson, Bingman, Branan, Marlatt, Mazzei and Nichols.--6.

Vacancy: District 20.--1.

The bill and emergency passed.

SB 1000 was referred for engrossment.

GENERAL ORDER

SB 1170 by Stanislawski of the Senate and Mulready of the House was called up for consideration.

Senator Stanislawski moved that **SB 1170** be advanced, which motion was declared adopted.

THIRD READING

SB 1170 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, 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, McAffrey, Newberry, Paddack, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat and Wilson.--40.

Excused: Adelson, Bingman, Branan, Marlatt, Mazzei, Nichols and Wyrick.--7.

Vacancy: District 20.--1.

The bill passed.

SB 1170 was referred for engrossment.

GENERAL ORDER

SB 1256 by Stanislawski of the Senate and Cockroft of the House was called up for consideration.

Senator Stanislawski moved that **SB 1256** be advanced, which motion was declared adopted.

THIRD READING

SB 1256 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, 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, McAffrey, Newberry, Nichols, Paddack, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--42.

Excused: Adelson, Bingman, Branan, Marlatt and Mazzei.--5.

Vacancy: District 20.--1.

The bill and emergency passed.

SB 1256 was referred for engrossment.

GENERAL ORDER

SB 1798 by Stanislawski of the Senate and Peterson of the House was called up for consideration.

Senator Stanislawski moved that **SB 1798** be advanced, which motion was declared adopted.

THIRD READING

SB 1798 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, 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, McAffrey, Newberry, Paddack, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--41.

Excused: Adelson, Bingman, Branan, Marlatt, Mazzei and Nichols.--6.

Vacancy: District 20.--1.

The bill passed.

SB 1798 was referred for engrossment.

GENERAL ORDER

SB 1071 by David of the Senate and Jackson of the House was called up for consideration.

Senator Johnson (Constance) asked to coauthor **SB 1071**, which was the order.

Senator David moved that **SB 1071** be advanced, which motion was declared adopted.

THIRD READING

SB 1071 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, Childers, Coates, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Laster, Lerblance, McAffrey, Newberry, Nichols, Paddack, Russell, Schulz, Shortey, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--42.

Excused: Adelson, Crain, Marlatt, Mazzei and Simpson.--5.

Vacancy: District 20.--1.

The bill passed.

SB 1071 was referred for engrossment.

MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed **HBs 1748, 2198, 2250, 2251, 2253, 2254, 2256, 2321, 2322, 2356, 2381, 2394, 2414, 2443, 2486, 2499, 2500, 2512, 2575, 2576, 2636, 2653, 2659, 2679, 2684, 2700, 2715, 2739, 2742, 2834, 2902, 2915, 2917, 2921, 2944, 2959, 3028** and **3044** and **HJR 1070** .

HB 1748 – By Nelson and Kern of the House and Russell of the Senate.
An Act relating to children; amending 10 O.S. 2011, Section 7505-3.2, which relates to adoption cost disclosure requirements; modifying requirements; requiring certain affidavit; specifying contents of affidavit; and providing an effective date.

HB 2198 – By Vaughan of the House and Wyrick of the Senate.
An Act relating to game and fish; amending 29 O.S. 2011, Section 6-303.1, which relates to possession of paddlefish eggs; adding penalty for taking, possessing or transporting certain paddlefish products with certain value; and clarifying language.

HB 2250 – By Shannon, McNiel and Walker of the House and Marlatt of the Senate.

An Act relating to motor vehicles; amending 47 O.S. 2011, Section 14-111, which relates to overweight vehicles; requiring consideration of weighing area levelness; providing an effective date; and declaring an emergency.

HB 2251 – By Peterson, Nollan, Kern and McDaniel (Jeannie) of the House and David of the Senate.

An Act relating to children; amending 10A O.S. 2011, Section 1-1-105, which relates to definitions; adding definition; amending 10A O.S. 2011, Section 1-2-102, which relates to child welfare assessments and investigations; requiring safety analysis after receipt of certain allegations; requiring investigations of drug-endangered-children allegations; and providing an effective date.

HB 2253 – By Sherrer, Roan, Shelton and McDaniel (Jeannie) of the House and Burrage of the Senate.

An Act relating to criminal procedure; amending 22 O.S. 2011, Section 988.8, which relates to the Oklahoma Community Sentencing Act; authorizing court to enter certain order regarding driving privileges; providing guidelines for entering order; construing provision; providing exceptions; requiring proof of insurance prior to issuance of certain order; directing the Department of Public Safety to make certain designation in driving records under certain circumstances; providing exceptions; requiring certain electronic notification to the Department of Public Safety; directing the Department of Public Safety to promulgate certain rules; providing for codification; and providing an effective date.

HB 2254 – By Sherrer, Hoskin and Roan of the House and Burrage of the Senate.

An Act relating to mental health; creating the Local Law Enforcement Mental Health Manpower Act; amending 43A O.S. 2011, Section 5-207, which relates to protective custody of certain individuals; authorizing officer to relinquish certain person to designated individuals until certain determination is made; providing for noncodification; and providing an effective date.

HB 2256 – By Sherrer of the House and Burrage of the Senate.

An Act relating to professions and occupations; amending 59 O.S. 2011, Section 1151.2, which relates to the Roofing Contractor Registration Act; modifying definition; and providing an effective date.

HB 2321 – By McDaniel (Randy), Pittman and Russ of the House and Anderson of the Senate.

An Act relating to public retirement systems; amending 74 O.S. 2011, Sections 913 and 913.4, which relate to the Oklahoma Public Employees Retirement System; modifying sick leave crediting provisions; modifying provisions related to rounding for purposes of benefit computation; modifying procedure for determining years of service for certain elected officials; and providing an effective date.

HB 2322 – By McDaniel (Randy) and Pittman of the House and Brown of the Senate.

An Act relating to public retirement systems; amending 74 O.S. 2011, Sections 909.1 and 913.4, which relate to the Oklahoma Public Employees Retirement System; modifying provisions related to investment of retirement system assets; modifying provisions related to certain actuarial assumption related to cost-of-living adjustment; modifying provisions related to computation of retirement benefits for elected officials; modifying provisions related to computation of early retirement benefits for elected officials; repealing 74 O.S. 2011, Section 922, which relates to reserves; providing an effective date; and declaring an emergency.

HB 2356 – By Kouplen, Vaughan, Shoemake and Hickman of the House and Fields of the Senate.

An Act relating to crimes and punishments; amending 21 O.S. 2011, Section 1835.2, which relates to property rights; requiring notification of county sheriff prior to retrieving loose animals; directing county sheriff to record notification; and providing an effective date.

HB 2381 – By Cockroft, Roberts (Sean), Ritze and Faught of the House and David of the Senate.

An Act relating to public health and safety; requiring physician who prescribes certain drug to be physically present when such drug is first provided to patient; providing for penalty; providing for damages; permitting certain individuals to maintain action for damages; providing for attorney fee; permitting certain individuals to maintain action for injunctive relief; providing certain fines for violation of terms of injunction; providing physician who violates certain act to have engaged in unprofessional conduct; requiring anonymity of woman bringing certain action unless consent is given; requiring court to issue orders, direct sealing of record, and exclude individuals from courtroom to safeguard identity; requiring certain individuals to bring action under a pseudonym; preventing certain individual from being subject to certain action; providing for interpretation; providing for severability; providing for codification; and providing an effective date.

HB 2394 – By Liebmann and Murphey of the House and Marlatt of the Senate.

An Act relating to motor vehicles; amending 47 O.S. 2011, Section 11-1401.2, which relates to toll collection; modifying penalty for toll evasion; and providing an effective date.

HB 2414 – By Grau of the House and Crain of the Senate.

An Act relating to contracts; amending 15 O.S. 2011, Section 765.6, which relates to the Notice of Opportunity to Repair Act; modifying definition; and providing an effective date.

HB 2443 – By DeWitt and Vaughan of the House and Fields of the Senate.

An Act relating to higher education; directing the Oklahoma State Regents for Higher Education to make educational resources available in Ponca City; naming the program the University Center at Ponca City; requiring the State Regents to set educational programs and standards; granting Northern Oklahoma College exclusive authority to offer certain courses and programs; providing for establishment of funds and accounts; requiring

physical plant to be provided locally; creating a board of trustees; stating authority of the board; providing for membership; providing for election of officers; authorizing the board to provide and pay the costs of certain employee benefits; authorizing the board to establish accounts with the State Treasurer; making accounts revolving funds; providing for investment of funds; and providing for codification.

HB 2486 – By Casey and Pittman of the House and Fields of the Senate.
(revenue and taxation - amending 68 O.S., Section 1364.2 - special event permits – definition - effective date)

HB 2499 – By Grau of the House and Treat of the Senate.
An Act relating to counties and county officers; creating the Oklahoma Regional Jail District Act; defining terms; authorizing creation of regional jail districts; providing for the exercise of certain powers; defining boundaries; providing guidelines for regional jail district agreements; establishing powers of regional jail district; providing for regional jail commissions; providing for commission members; stating tenure of commission members and terms of office; describing powers and duties of regional jail commissions; providing for the appointment of regional jail directors; providing for codification; and providing an effective date.

HB 2500 – By Peterson of the House and Crain of the Senate.
An Act relating to civil procedure; amending 12 O.S. 2011, Section 2803.1, which relates to hearsay; modifying certain age limitation; and providing an effective date.

HB 2512 – By Coody, McDaniel (Jeannie), Hickman, Cooksey and Shelton of the House and Fields of the Senate.
An Act relating to public finance; requiring Legislature to present legislation allocating funds to the State Board of Education each year; providing for codification; providing an effective date; and declaring an emergency.

HB 2575 – By Ownbey of the House and Holt of the Senate.
An Act relating to motor vehicles; amending 47 O.S. 2011, Section 1105, which relates to certificates of title; allowing transfer of certificate of title to be processed as one transaction under certain circumstances; providing fee; providing for deposit of portion of fee in certain fund; providing alternative method to obtain salvage title; providing procedures; amending 47 O.S. 2011, Section 1108, which relates to the procedure for replacement of lost certificates of title; providing exception under certain circumstances; amending 47 O.S. 2011, Section 1111, which relates to vehicle title; providing alternative method to obtain salvage title; amending 47 O.S. 2011, Section 1141.1, which relates to retention of fees by motor license agents; referencing alternative amount allowed to be retained pursuant to certain provision; providing an effective date; and declaring an emergency.

HB 2576 – By Ownbey of the House and Mazzei of the Senate.
An Act relating to tax provisions; amending 37 O.S. 2011, Sections 163.5 and 553, which relate to excise tax; modifying due date for tax; amending 63 O.S. 2011, Section

2418, which relates to telephone fees; modifying due date for fee; amending 68 O.S. 2011, Section 212, which relates to sales tax permits; expanding remedy options under certain circumstances; defining terms; prohibiting certain act relating to sales suppression devices; providing punishment; providing for administrative fine; providing for revocation of sales tax permit; amending 68 O.S. 2011, Sections 317.5 and 413, which relate to cigarette and tobacco taxes; modifying due date for reports; amending 68 O.S. 2011, Section 2385.3, which relates to income tax; modifying frequency of report filing; amending 68 O.S. 2011, Sections 2385.6, 2385.28 and 2385.31, which relate to the payment of tax; modifying timing of penalty for failure to pay; providing for codification; providing an effective date; and declaring an emergency.

HB 2636 – By Schwartz, McDaniel (Jeannie) and Shelton of the House and Crain of the Senate.

An Act relating to drug courts; amending 22 O.S. 2011, Section 471.6, which relates to the Oklahoma Drug Court Act; authorizing judge to enter certain order; construing provision; providing exceptions; requiring proof of insurance prior to issuance of certain order; amending 22 O.S. 2011, Section 988.8, which relates to community sentencing; providing procedure for staying court to enter certain written orders to restore Class D driving privileges; providing restrictions and exclusions; directing the Department of Public Safety to make certain designation in driving records under certain circumstances; providing exceptions; requiring certain electronic notification to the Department of Public Safety; directing the Department of Public Safety to promulgate certain rules; providing for codification; and providing an effective date.

HB 2653 – By Roberts (Dustin) of the House and Shortey of the Senate.

An Act relating to intoxicating liquors; requiring certain information be included on low-point beer retail dealer permits; requiring display of permit; providing punishment for failing to display permit; providing for codification; and providing an effective date.

HB 2659 – By Jordan of the House and Newberry of the Senate.

An Act relating to professions and occupations; amending 59 O.S. 2011, Sections 1000.23 and 1000.25, which relate to the Oklahoma Uniform Building Code Commission Act; prohibiting municipalities and other political subdivisions from requiring installation of automatic residential fire sprinkler systems in certain dwellings; requiring fees be remitted to the Commission within time prescribed; providing for late fee; requiring semiannual report; and providing an effective date.

HB 2679 – By Banz, Kern, Hickman and Coody of the House and Jolley of the Senate.

An Act relating to higher education; amending 70 O.S. 2011, Sections 2603 and 2604, which relate to the Oklahoma Higher Learning Access Act; deleting certain payment language; modifying amount of award an eligible Oklahoma Higher Learning Access Program student is entitled to; making modification apply to students enrolled in the program after a certain school year; basing the amount of award on the amount of income of the parent; establishing percentages; clarifying language; and providing an effective date.

HB 2684 – By Banz of the House and Ford of the Senate.

An Act relating to schools; amending 70 O.S. 2011, Section 26-103, which relates to the Larry Dickerson Education Flexible Benefits Allowance Act; modifying certain definition; providing an effective date; and declaring an emergency.

HB 2700 – By Fourkiller and Nollan of the House and Crain of the Senate.

An Act relating to schools; amending 70 O.S. 2011, Section 1-116.3, which relates to the self-administration of inhaled asthma or anaphylaxis medication; allowing school districts to amend certain policy; permitting physician to write certain prescription; allowing school districts to maintain a minimum number of Epinephrine injectors at each school; and providing an effective date.

HB 2715 – By Jackson and Sherrer of the House and Anderson of the Senate.

An Act relating to agriculture; amending 2 O.S. 2011, Section 3-86, which relates to pesticide applicator licenses; modifying prohibited acts; and providing an effective date.

HB 2739 – By Peters of the House and Anderson of the Senate.

An Act relating to criminal procedure; amending 22 O.S. 2011, Sections 60.1, 60.2, 60.3 and 60.4, which relate to the Protection From Domestic Abuse Act; modifying definition; providing time limitation for protective order hearing under certain circumstances; prohibiting the assessment of costs to plaintiff for failure to appear at hearings; prohibiting courts from making certain hearing requirement; directing courts to enter permanent order within certain time limitation; clarifying protective order terms and conditions; authorizing service of process by private investigators or private process servers; directing the Administrative Director of the Courts to provide domestic violence educational training for members of the judiciary; providing for codification; and providing an effective date.

HB 2742 – By Peters and Pittman of the House and Sykes of the Senate.

An Act relating to consumer credit; amending 14A O.S. 2011, Sections 2-104, 2-106, 3-102, 3-104, 3-310, 5-203 and 6-103, which relate to the Uniform Consumer Credit Code; modifying definitions; modifying applicability; modifying definition; providing exception for certain education loans; modifying disclosure procedure; requiring additional disclosure for certain extensions of credit; requiring additional statements if annual percentage rate changes; mandating receipt of disclosure prior to payment; permitting creditor to impose certain fees; allowing consumer to waive or modify timing requirements in certain instances; declaring inapplicability; modifying certain civil liability amounts; providing additional remedy; modifying definition; requiring creditor notify borrower of certain transfers; providing for codification; providing an effective date; and declaring an emergency.

HB 2834 – By Martin (Scott) of the House and Brinkley of the Senate.

An Act relating to state government; amending 74 O.S. 2011, Section 10.3, which relates to the Executive Branch Reform Act of 1986; modifying the cabinet system of the Governor; and providing an effective date.

HB 2902 – By Morgan, Pittman and Shumate of the House and Burrage of the Senate.

An Act relating to counties and county officers; amending 19 O.S. 2011, Section 321, which relates to county commissioner districts; requiring practicable division of districts; requiring resolution providing boundaries and effective date of reapportionment; providing effective date if none is specified; establishing a depository for certain maps and resolutions; providing an effective date; and declaring an emergency.

HB 2915 – By Richardson of the House and Justice of the Senate.

An Act relating to property; creating the Groundwater Severance Restriction Act; stating intent to restrict the permanent severing of groundwater from the land for certain purposes; limiting certain leasing arrangements; stating exception; defining term; restricting location of certain wells; providing for determination of distance; authorizing alternative setback provisions; specifying wells included in restrictions; defining terms; stating impact of certain agreement; stipulating that certain agreements shall run with the land until terminated; requiring certain instrument to be in writing and to be filed with a certain county clerk; specifying information to be included in the instrument; prohibiting severance of any resource associated with groundwater from the surface estate; providing for codification; and providing an effective date.

HB 2917 – By Richardson of the House and Justice of the Senate.

An Act relating to agriculture; amending 2 O.S. 2011, Sections 10-9.1 and 10-9.7, which relate to the Oklahoma Registered Poultry Feeding Operations Act; modifying definitions; requiring Nutrient Management Plan for poultry feeding operation; authorizing Oklahoma Department of Agriculture, Food, and Forestry to promulgate certain rules; and providing an effective date.

HB 2921 – By Richardson, Renegar and Denney of the House and Brecheen of the Senate.

An Act relating to pet breeders; creating the Commercial Pet Breeders Act administered by the State Board of Agriculture; defining terms; authorizing Board to adopt certain rules; requiring commercial pet breeder license; providing for initial and annual inspections; requiring inspection report; prohibiting inspections by certain group; establishing license requirements; requiring separate licenses; permitting denial, renewal or revocation of license for certain reasons; establishing license renewal procedure; requiring certain notice; setting out certain duties; requiring submission of annual report; mandating certain records be kept; providing for penalties; directing Board to maintain and post certain information on its website; transferring funds from the Board of Commercial Pet Breeders to the Oklahoma Department of Agriculture, Food, and Forestry; providing for promulgation of certain emergency rules; repealing 59 O.S. 2011, Sections 5001, 5002, 5003, 5004, 5005, 5006, 5007, 5008, 5009, 5010, 5011, 5012, 5013, 5014, 5015, 5016, 5017, 5018, 5019, 5020, 5021, 5022, 5023, 5024, 5025, 5026, 5027, 5028 and 5029, which relate to the Commercial Pet Breeders Act; providing for codification; providing for noncodification; providing an effective date; and declaring an emergency.

HB 2944 – By Derby, Sherrer and Jackson of the House and Johnson (Rob) of the Senate.

An Act relating to criminal procedure; amending 22 O.S. 2011, Section 471.1, which relates to the Oklahoma Drug Court Act; authorizing municipalities to establish misdemeanor drug courts; requiring alcohol and drug substance abuse evaluations and assessments for drug court participants; and providing an effective date.

HB 2959 – By Billy, Christian, Kirby, Denney and Roan of the House and Paddack of the Senate.

An Act relating to crimes and punishments; amending 21 O.S. 2011, Sections 99 and 99a, which relate to definition and powers of peace officers; modifying definition of peace officer; providing scope of powers for tribal law enforcement officers; and providing an effective date.

HB 3028 – By Coody, Russ and Pittman of the House and Barrington of the Senate.

(revenue and taxation - amending 68 O.S., Section 1356 – sales tax - exemption - effective date –emergency)

HB 3044 – By Osborn, Faught and Hall of the House and Sykes of the Senate.

(public finance - full-time-equivalent employees - entities)

HJR 1070 – By Glenn of the House and Wyrick of the Senate.

A Joint Resolution designating the Coleman Theatre Beautiful as the premiere vaudeville theatre in Oklahoma; directing distribution; providing for codification; and providing an effective date.

The above-numbered measures were read the first time.

EXECUTIVE NOMINATIONS

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

Caldwell, Tommy R., Shady Point, as a member of the Oklahoma Mining Commission - Energy

Caldwell, Tommy R., Shady Point, as a member of the Oklahoma Mining Commission - Energy

Pierce, William M., Edmond, as a member of the Oklahoma State Board of Examiners for Long Term Care Administrators - Health and Human Services

Weese, Larry D., Moore, as a member of the Oklahoma Liquefied Petroleum Gas Board - Energy

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

*

The Senate reconvened with Senator Stanislawski presiding.

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

UNANIMOUS CONSENT REQUEST
DIRECT TO CALENDAR

Senator Sykes asked unanimous consent to refer **SR 37** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

SR 37 by Sykes was called up for consideration.

All other members of the Senate asked to coauthor **SR 37**, which was the order.

SR 37 was adopted upon motion of Senator Sykes and referred for enrollment.

Senator Sykes presiding.

GENERAL ORDER

SB 1277 by David and Johnson (Constance) of the Senate and Mulready of the House was called up for consideration.

Senator Johnson (Constance) asked to be removed as coauthor on **SB 1277**, which was the order.

Senator David moved that **SB 1277** be advanced, which motion was declared adopted.

THIRD READING

SB 1277 was read for the third time at length.

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

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

Excused: Nichols.--1.

Vacancy: District 20.--1.

The bill passed.

SB 1277 was referred for engrossment.

GENERAL ORDER

SB 1279 by David of the Senate and Mulready of the House was called up for consideration.

Senator David moved that **SB 1279** be advanced, which motion was declared adopted.

THIRD READING

SB 1279 was read for the third time at length.

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

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

Excused: Mazzei.--1.

Vacancy: District 20.--1.

The bill passed.

SB 1279 was referred for engrossment.

GENERAL ORDER

SB 1580 by David and Johnson (Constance) of the Senate and Cox of the House was called up for consideration.

Senator David moved that **SB 1580** be advanced, which motion was declared adopted.

THIRD READING

SB 1580 was read for the third time at length.

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

Aye: Adelson, Aldridge, Allen, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brecheen, Brinkley, 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.--45.

Excused: Brown and Mazzei.--2.

Vacancy: District 20.--1.

The bill passed.

SB 1580 was referred for engrossment.

GENERAL ORDER

SB 1320 by Brinkley of the Senate and Derby of the House was called up for consideration.

Senator Brinkley asked unanimous consent, which was granted, to suspend Senate Rule 12-4 as it pertains to **SB 1320**.

Senator Brinkley moved to amend **SB 1320**, Page 1, Line 19, by striking the words "within the Tulsa municipal limits" and Page 2, Line 5, by striking the words "within the Tulsa municipal limits" and on Line 13, by striking the words "within the Tulsa municipal limits.", which amendment was declared adopted.

Senator Brinkley moved that **SB 1320** be advanced, which motion was declared adopted.

THIRD READING

SB 1320 was read for the third time at length.

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

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

Excused: Shortey.--1.

Vacancy: District 20.--1.

The bill and emergency passed.

SB 1320 was referred for engrossment.

GENERAL ORDER

SB 1401 by Brinkley of the Senate and McNiel of the House was called up for consideration.

Senator Brinkley moved that **SB 1401** be advanced, which motion was declared adopted.

THIRD READING

SB 1401 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, Branan, 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.--45.

Excused: Bingman and Mazzei.--2.

Vacancy: District 20.--1.

The bill passed.

SB 1401 was referred for engrossment.

GENERAL ORDER

SB 1448 by Brinkley of the Senate and Brumbaugh of the House was called up for consideration.

Senator Brinkley moved that **SB 1448** be advanced, which motion was declared adopted.

THIRD READING

SB 1448 was read for the third time at length.

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

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

Excused: Mazzei.--1.

Vacancy: District 20.--1.

The bill passed.

SB 1448 was referred for engrossment.

GENERAL ORDER

SB 1449 by Brinkley of the Senate and Derby of the House was called up for consideration.

Senator Brinkley moved that **SB 1449** be advanced, which motion was declared adopted.

THIRD READING

SB 1449 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, Bingman, Branan, Brecheen, Brinkley, Brown, Burrage, Childers, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Laster, Lerblance, Marlatt, McAffrey, Newberry, Nichols, Paddack, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--44.

Nay: Allen and Bass.--2.

Excused: Mazzei.--1.

Vacancy: District 20.--1.

The bill passed.

SB 1449 was referred for engrossment.

GENERAL ORDER

SB 1450 by Brinkley of the Senate and Jackson of the House was called up for consideration.

Senator Brinkley moved that **SB 1450** be advanced, which motion was declared adopted.

THIRD READING

SB 1450 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, Branan, Brecheen, Brinkley, Brown, Burrage, Childers, Coates, 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, Sykes, Treat, Wilson and Wyrick.--43.

Nay: Crain.--1.

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

Vacancy: District 20.--1.

The bill passed.

SB 1450 was referred for engrossment.

GENERAL ORDER

SB 1451 by Brinkley of the Senate and Ownbey of the House was called up for consideration.

Senator Brinkley moved that **SB 1451** be advanced, which motion was declared adopted.

THIRD READING

SB 1451 was read for the third time at length.

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

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

Nay: Sykes.--1.

Excused: Mazzei and Stanislawski.--2.

Vacancy: District 20.--1.

The bill passed.

SB 1451 was referred for engrossment.

GENERAL ORDER

SB 1497 by Brinkley of the Senate and Mulready of the House was called up for consideration.

Senator Brinkley moved that **SB 1497** be advanced, which motion was declared adopted.

THIRD READING

SB 1497 was read for the third time at length.

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

Aye: Adelson, Aldridge, Allen, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brecheen, Brinkley, Brown, Burrage, Childers, Coates, 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, Sykes, Treat, Wilson and Wyrick.--44.

Nay: Crain.--1.

Excused: Mazzei and Stanislawski.--2.

Vacancy: District 20.--1.

The bill and emergency passed.

SB 1497 was referred for engrossment.

GENERAL ORDER

SB 1443 by Ford of the Senate and Casey of the House was called up for consideration.

Senator Ford moved that **SB 1443** be advanced, which motion was declared adopted.

THIRD READING

SB 1443 was read for the third time at length.

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

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

Excused: Stanislawski.--1.

Vacancy: District 20.--1.

The bill and emergency passed.

SB 1443 was referred for engrossment.

GENERAL ORDER

SB 1865 by Ford of the Senate and Denney of the House was called up for consideration.

Senator Ford moved that **SB 1865** be advanced, which motion was declared adopted.

THIRD READING

SB 1865 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, Bingman, Branan, Brecheen, Brinkley, Brown, Burrage, Childers, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Laster, Lerblance, Marlatt, Mazzei, McAffrey, Newberry, Nichols, Paddack, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat and Wilson.--45.

Nay: Wyrick.--1.

Excused: Bass.--1.

Vacancy: District 20.--1.

The bill passed.

SB 1865 was referred for engrossment.

GENERAL ORDER

SB 1475 by Johnson (Rob) of the Senate and Jordan of the House was called up for consideration.

Senator Johnson (Rob) moved that **SB 1475** be advanced, which motion was declared adopted.

THIRD READING

SB 1475 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, Branan, Brecheen, Brinkley, Brown, Childers, Coates, Crain, David, Fields, Ford, Halligan, Holt, Johnson (R), Jolley,

Justice, Marlatt, Mazzei, Newberry, Nichols, Paddack, Schulz, Shortey, Simpson, Stanislawski, Sykes and Treat.--31.

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

Excused: Bass.--1.

Vacancy: District 20.--1.

The bill passed.

SB 1475 was referred for engrossment.

GENERAL ORDER

SB 1233 by Mazzei of the Senate and Dank of the House was called up for consideration.

Senator Mazzei moved that **SB 1233** be advanced, which motion was declared adopted.

THIRD READING

SB 1233 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, Branan, Brecheen, Brinkley, Brown, Burrage, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Justice, Laster, Lerblance, Mazzei, McAffrey, Newberry, Nichols, Paddack, Russell, Schulz, Simpson, Sparks, Stanislawski, Wilson and Wyrick.--36.

Nay: Childers, Shortey and Sykes.--3.

Excused: Bass, Bingman, Coates, Crain, David, Jolley, Marlatt and Treat.--8.

Vacancy: District 20.--1.

The bill passed.

SB 1233 was referred for engrossment.

GENERAL ORDER

SB 1235 by Mazzei of the Senate and Dank of the House was called up for consideration.

Senator Mazzei moved that **SB 1235** be advanced, which motion was declared adopted.

THIRD READING

SB 1235 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, Branan, Brecheen, Brinkley, Brown, Burrage, Childers, Coates, 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, Wilson and Wyrick.--42.

Excused: Bass, Bingman, Crain, David and Treat.--5.

Vacancy: District 20.--1.

The bill passed.

SB 1235 was referred for engrossment.

GENERAL ORDER

SB 1274 by Newberry of the Senate and Peterson of the House was called up for consideration.

Senator Shortey asked to coauthor **SB 1274**, which was the order.

Senator Johnson (Constance) moved to amend **SB 1274**, Page 11, Line 8 ½, by inserting a new SECTION 10 to read as follows;

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1-745.20 of Title 63, unless there is created a duplication in numbering, reads as follows:

A. The Legislature finds that:

1. Thousands of children are deprived of birth in this state every year because of the lack of state regulation over vasectomies;

2. There is substantial evidence that unregulated vasectomies result in fewer unwanted pregnancies and, by extension, fewer births;

3. It is patently unfair that men can avoid the rewards of unwanted fatherhood by presuming that their judgment over such matters is more valid than the judgment of the Legislature;

4. Fewer unwanted pregnancies result in fewer children living in poverty and a lower prison population, and this is job killing in a time when social workers, police officers, and prison guards need the employment to feed their families; and

5. It is the purpose of the Legislature to assert an invasive state interest in the reproductive habits of men in this state and substitute the will of the government over the will of adult men.

B. 1. As used in this section, the term "vasectomy" means a surgical procedure performed on males in which the vas deferens are cut, tied, cauterized, or otherwise interrupted in such a manner that the semen no longer contains sperm and conception cannot occur.

2. No vasectomy is authorized or shall be performed in violation of this section.

3. In determining whether a vasectomy is necessary, no regard shall be made to the desire of a man to father children, to his economic situation, to his age, to the number of children he is currently responsible for, or to any danger to his wife or partner in the event a child is conceived. A vasectomy may only be performed to avert the death of the man or avert serious risk of substantial and irreversible physical impairment of a major bodily function of the man. No such condition shall be deemed to exist if it is based on a diagnosis or claim of a mental or emotional condition of the man or that the man will purposefully engage in conduct which he intends to result in his death or in substantial and irreversible physical impairment of a major bodily function.

4. No vasectomy is authorized or shall be performed unless the vasectomy is performed in a licensed hospital, in a licensed ambulatory surgical center, or in a health facility licensed as a vasectomy facility by the State Department of Health.

5. A vasectomy shall only be performed by a licensed healthcare provider.

6. Any person who performs a vasectomy, and any person permitting a vasectomy to be performed on him, in violation of the provisions of this section shall be guilty of a felony and, upon conviction, shall be sentenced to community service of not fewer than one thousand forty (1,040) hours in the field of service to needy families, caring for or counseling abused and neglected children or wayward teens, or performing service to inmates in a jail or correctional institution.", and by renumbering subsequent section and by amending the title to conform.

Senator Newberry moved to table the Johnson (Constance) amendment, which tabling motion was declared adopted.

Senator Newberry moved to amend **SB 1274**, Page 6, Lines 11 through 13, by deleting all language after the word "shall" on Line 11 and before the period on Line 13 and by inserting the following language: "notify the pregnant woman orally and in a separate written notification in easily comprehensible language that the embryonic or fetal heartbeat of the unborn child can be made audible for the pregnant woman to hear. If the pregnant woman indicates that she wants to hear the heartbeat, the abortion provider shall, using a Doppler fetal heart rate monitor, make the heartbeat of the unborn child audible for the pregnant woman to hear. If the pregnant woman indicates she does not want to hear the

heartbeat, she shall sign a separate notification document acknowledging this fact and such acknowledgement shall be included in the medical file of the pregnant woman for a minimum of seven (7) years."

Senator Newberry moved to amend the above amendment to **SB 1274** by deleting all language and inserting the language "tell the woman that it may be possible to make the embryonic or fetal heartbeat of the unborn child audible for the pregnant woman to hear and ask the woman if she would like to hear the heartbeat. If the woman would like to hear the heartbeat, the abortion provider shall, using a Doppler fetal heart rate monitor, make the embryonic or fetal heartbeat of the unborn child audible for the pregnant woman to hear", which amendment was declared adopted upon roll call as follows:

Aye: Aldridge, Allen, Anderson, Ballenger, Barrington, Bingman, Branan, Brecheen, Brinkley, Brown, Childers, Crain, David, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (R), Jolley, Justice, Lerblance, Marlatt, Mazzei, Newberry, Nichols, Paddack, Russell, Schulz, Simpson, Stanislawski, Sykes, Treat and Wyrick.--36.

Nay: Adelson, Eason McIntyre, Johnson (C), McAffrey, Shortey, Sparks and Wilson.--7.

Excused: Bass, Burrage, Coates and Laster.--4.

Vacancy: District 20.--1.

Senator Newberry moved to advance his prior amendment, which motion was declared adopted upon roll call as follows:

Aye: Allen, Anderson, Ballenger, Barrington, Bingman, Branan, Brecheen, Brinkley, Brown, Burrage, Childers, Crain, David, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (R), Jolley, Justice, Mazzei, Newberry, Nichols, Russell, Schulz, Shortey, Simpson, Stanislawski, Sykes, Treat and Wyrick.--34.

Nay: Adelson, Eason McIntyre, Johnson (C), Lerblance, Marlatt, McAffrey, Sparks and Wilson.--8.

Excused: Aldridge, Bass, Coates, Laster and Paddack.--5.

Vacancy: District 20.--1.

Senator Newberry pressed adoption of his amendment as amended, which motion was declared adopted upon roll call as follows:

Aye: Aldridge, Anderson, Ballenger, Barrington, Bingman, Branan, Brinkley, Brown, Burrage, Crain, David, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (R), Jolley, Justice, Lerblance, Mazzei, Newberry, Nichols, Paddack, Russell, Schulz, Simpson, Stanislawski, Sykes, Treat and Wyrick.--33.

Nay: Adelson, Brecheen, Eason McIntyre, Johnson (C), Marlatt, McAffrey, Shortey, Sparks and Wilson.--9.

Excused: Allen, Bass, Childers, Coates and Laster.--5.

Vacancy: District 20.--1.

Senator Newberry moved that **SB 1274** be advanced, which motion was declared adopted upon roll call as follows:

Aye: Allen, Anderson, Barrington, Bingman, Branan, Brecheen, Brinkley, Brown, Childers, Crain, David, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (R), Jolley, Justice, Marlatt, Mazzei, Newberry, Nichols, Paddack, Russell, Schulz, Shortey, Simpson, Stanislawski, Sykes and Treat.--33.

Nay: Adelson, Ballenger, Burrage, Eason McIntyre, Johnson (C), Lerblance, McAffrey, Sparks, Wilson and Wyrick.--10.

Excused: Aldridge, Bass, Coates and Laster.--4.

Vacancy: District 20.--1.

THIRD READING

SB 1274 was read for the third time at length.

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

Aye: Allen, Anderson, Barrington, Bingman, Branan, Brecheen, Brinkley, Brown, Burrage, Childers, Crain, David, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (R), Jolley, Justice, Marlatt, Mazzei, Newberry, Nichols, Russell, Schulz, Shortey, Simpson, Stanislawski, Sykes, Treat and Wyrick.--34.

Nay: Adelson, Ballenger, Eason McIntyre, Johnson (C), Lerblance, McAffrey, Sparks and Wilson.--8.

Excused: Aldridge, Bass, Coates, Laster and Paddack.--5.

Vacancy: District 20.--1.

The bill passed.

SB 1274 was referred for engrossment.

GENERAL ORDER

SB 1882 by Treat et al of the Senate and Jordan of the House was called up for consideration.

Senator Treat moved that **SB 1882** be advanced, which motion was declared adopted.

THIRD READING

SB 1882 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, Barrington, Bingman, Branan, Brecheen, Brinkley, Brown, Burrage, Childers, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Lerblance, Marlatt, Mazzei, McAffrey, Newberry, Nichols, Russell, Schulz, Shortey, Simpson, Stanislawski, Sykes, Treat, Wilson and Wyrick.--40.

Excused: Aldridge, Ballenger, Bass, Coates, Laster, Paddack and Sparks.--7.

Vacancy: District 20.--1.

The bill passed.

SB 1882 was referred for engrossment.

Senator Schulz moved that when the clerk's desk is clear, the Senate stand adjourned to convene Wednesday, March 7, 2012, at 9:30 a.m., which motion prevailed.

FIRST READING

The following was introduced and read the first time:

SR 39 – By Eason McIntyre.
A Resolution recognizing David Amram, the 2011 recipient of the Oklahoma Jazz Hall of Fame's highest honor, the Jay McShann Lifetime Achievement Award; commending his career and many accomplishments; designating and proclaiming him an honorary Oklahoman; and directing distribution.

Pursuant to the Schulz motion, the Senate adjourned at 5:10 p.m. to meet Wednesday, March 7, 2012, at 9:30 a.m.