

Senate Journal

Second Regular Session of the Fifty-third Legislature

of the State of Oklahoma

Forty-first Legislative Day, Wednesday, April 18, 2012

The Senate was called to order by Senator Ford.

Roll Call:

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

Excused: Adelson.—1.

Senator Ford declared a quorum present.

The prayer was offered by Executive Pastor Gary Hayes, Covenant Church, Noble, the guest of Senator Sparks.

REPORT OF ENGROSSED AND ENROLLED MEASURES

HBs 2273, 2446, 2578, 2579, 2647, 2751, 2941 and **3038** were each correctly engrossed and, together with engrossed **SAs**, properly signed and ordered returned to the Honorable House.

SBs 1031, 1119, 1450, 1640 and **1940** were each correctly enrolled, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

MOTION TO RECONSIDER VOTE

Senator Fields moved to reconsider the vote whereby **HB 3055** failed, which motion was declared adopted upon roll call as follows:

Aye: Aldridge, Anderson, Barrington, Bingman, Branan, Brinkley, Brown, Burrage, Childers, Coates, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (C), Jolley, Justice, Laster, Lerblance, Marlatt, McAffrey, Newberry, Nichols, Russell, Schulz, Simpson, Sparks, Stanislawski, Treat and Wilson.--36.

Nay: Allen, Crain and Wyrick.--3.

Excused: Adelson, Ballenger, Bass, Brecheen, Johnson (R), Mazzei, Paddack, Shortey and Sykes.--9.

THIRD READING

Senator Fields moved to reconsider the vote whereby **HB 3055** was advanced, which motion was declared adopted.

GENERAL ORDER

HB 3055 by Steele and Lockhart of the House and Fields of the Senate was called up for further consideration.

Senator Fields asked unanimous consent, which was granted, to suspend Senate Rule 12-4 as it pertains to **HB 3055**.

Senator Fields moved to amend **HB 3055**, by striking the title, the enacting clause and the entire body of the bill and substituting the floor substitute, which amendment was declared adopted. (Copies were provided for all Senators.)

Senator Fields moved to amend the floor substitute to **HB 3055**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Fields moved that **HB 3055** be advanced, which motion was declared adopted.

THIRD READING

HB 3055 was read for the third time at length.

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

Aye: Anderson, Barrington, Bingman, Brecheen, Brinkley, Brown, Burrage, Childers, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (R), Jolley,

Justice, Laster, Lerblance, Marlatt, McAffrey, Newberry, Nichols, Russell, Schulz, Simpson, Sparks, Treat and Wilson.--32.

Nay: Aldridge, Allen, Branan, Coates, Crain, Eason McIntyre, Johnson (C), Mazzei, Stanislawski and Wyrick.--10.

Excused: Adelson, Ballenger, Bass, Paddack, Shortey and Sykes.--6.

The bill passed.

HB 3055 was referred for engrossment.

MOTION TO RECONSIDER VOTE

Senator Holt moved to reconsider the vote whereby **HB 2646** failed, which motion was declared adopted upon roll call as follows:

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

Nay: Allen and Wyrick.--2.

Excused: Adelson, Ballenger, Bass, Paddack, Shortey and Sykes.--6.

THIRD READING

Senator Holt moved to reconsider the vote whereby **HB 2646** was advanced, which motion was declared adopted.

GENERAL ORDER

HB 2646 by Brumbaugh et al of the House and Holt of the Senate was called up for consideration.

Senator Holt moved to amend **HB 2646**, Page 1, by striking the title, which amendment was declared adopted.

Senator Holt moved that **HB 2646** be advanced, which motion was declared adopted.

THIRD READING

HB 2646 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, Burrage, Childers, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Griffin, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Laster, Lerblance, Marlatt, Mazzei, McAffrey, Newberry, Russell, Schulz, Simpson, Sparks, Stanislawski, Treat and Wilson.--39.

Nay: Garrison and Wyrick.--2.

Excused: Adelson, Ballenger, Bass, Nichols, Paddack, Shortey and Sykes.--7.

The bill passed.

HB 2646 was referred for engrossment.

GENERAL ORDER

HB 2254 by Sherrer et al of the House and Burrage of the Senate was called up for consideration.

Senator Ivester asked to coauthor **HB 2254**, which was the order.

Senator Burrage moved that **HB 2254** be advanced, which motion was declared adopted.

THIRD READING

HB 2254 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, Burrage, Childers, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Laster, Lerblance, Marlatt, Mazzei, McAffrey, Newberry, Nichols, Russell, Schulz, Simpson, Sparks, Stanislawski, Treat, Wilson and Wyrick.--42.

Excused: Adelson, Ballenger, Bass, Paddack, Shortey and Sykes.--6.

The bill passed.

HB 2254 was referred for engrossment.

GENERAL ORDER

HB 2255 by Sherrer et al of the House and Burrage et al of the Senate was called up for consideration.

Senator Burrage moved that **HB 2255** be advanced, which motion was declared adopted.

THIRD READING

HB 2255 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, Burrage, Childers, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Laster, Lerblance, Marlatt, Mazzei, McAffrey, Newberry, Nichols, Russell, Schulz, Simpson, Sparks, Stanislawski, Treat, Wilson and Wyrick.--42.

Excused: Adelson, Ballenger, Bass, Paddack, Shortey and Sykes.--6.

The bill passed.

HB 2255 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 2257 by Sherrer and McCullough of the House and Burrage of the Senate was called up for consideration.

Senator Ivester asked to coauthor **HB 2257**, which was the order.

Senator Burrage moved that **HB 2257** be advanced, which motion was declared adopted.

THIRD READING

HB 2257 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, Burrage, Childers, Coates, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Laster, Lerblance, Marlatt, Mazzei, McAffrey, Newberry, Nichols, Russell, Schulz, Simpson, Sparks, Stanislawski, Treat, Wilson and Wyrick.--41.

Excused: Adelson, Ballenger, Bass, Crain, Paddack, Shortey and Sykes.--7.

The bill passed.

HB 2257 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 2258 by Sherrer and Hoskin of the House and Burrage et al of the Senate was called up for consideration.

Senators Newberry and Ivester asked to coauthor **HB 2258**, which was the order.

Senator Burrage moved that **HB 2258** be advanced, which motion was declared adopted.

THIRD READING

HB 2258 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, Burrage, Childers, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Laster, Lerblance, Mazzei, McAffrey, Newberry, Nichols, Russell, Schulz, Simpson, Sparks, Stanislawski, Treat, Wilson and Wyrick.--41.

Excused: Adelson, Ballenger, Bass, Marlatt, Paddack, Shortey and Sykes.--7.

The bill passed.

HB 2258 was referred for engrossment.

GENERAL ORDER

HB 2902 by Morgan et al of the House and Burrage of the Senate was called up for consideration.

Senator Ivester asked to coauthor **HB 2902**, which was the order.

Senator Burrage moved that **HB 2902** be advanced, which motion was declared adopted.

THIRD READING

HB 2902 was read for the third time at length.

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

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

Excused: Adelson, Ballenger, Bass, Marlatt, Mazzei, Paddack, Shortey and Sykes.--8.

The bill and emergency passed.

HB 2902 was referred for engrossment.

UNANIMOUS CONSENT REQUEST DIRECT TO CALENDAR

Senator Laster asked unanimous consent to refer **SR 51** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

SR 51 by Laster was called up for consideration.

All other members of the Senate asked to coauthor **SR 51**, which was the order.

SR 51 was adopted upon motion of Senator Laster and referred for enrollment.

GENERAL ORDER

HB 2392 by Liebmann of the House and Mazzei of the Senate was called up for consideration.

Senator Mazzei moved that **HB 2392** be advanced, which motion was declared adopted.

THIRD READING

HB 2392 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, Branan, Brecheen, Brinkley, Brown, Burrage, Coates, Crain, David, Eason McIntyre, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Lerblance, Marlatt, Mazzei, McAffrey, Newberry, Nichols, Russell, Schulz, Simpson, Sparks, Stanislawski, Treat, Wilson and Wyrick.--38.

Excused: Adelson, Ballenger, Bass, Bingman, Childers, Ellis, Laster, Paddack, Shortey and Sykes.--10.

The bill passed.

HB 2392 was referred for engrossment.

GENERAL ORDER

HB 2576 by Ownbey of the House and Mazzei of the Senate was called up for consideration.

Senator Mazzei moved that **HB 2576** be advanced, which motion was declared adopted.

THIRD READING

HB 2576 was read for the third time at length.

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

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

Excused: Adelson, Ballenger, Bass, Bingman, Laster, Paddack, Shortey and Sykes.--8.

The bill and emergency passed.

HB 2576 was referred for engrossment.

GENERAL ORDER

HB 2577 by Ownbey of the House and Mazzei of the Senate was called up for consideration.

Senator Mazzei moved that **HB 2577** be advanced, which motion was declared adopted.

THIRD READING

HB 2577 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, Branan, Brinkley, Brown, Burrage, Childers, Coates, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Lerblance, Marlatt, Mazzei, McAffrey, Newberry, Nichols, Russell, Schulz, Simpson, Sparks, Stanislawski, Treat, Wilson and Wyrick.--38.

Excused: Adelson, Ballenger, Bass, Bingman, Brecheen, Crain, Laster, Paddack, Shortey and Sykes.--10.

The bill passed.

HB 2577 was referred for engrossment.

GENERAL ORDER

HB 2566 by Wright et al of the House and Ivester et al of the Senate was called up for consideration.

Senator Fields asked to coauthor **HB 2566**, which was the order.

Senator Ivester moved to amend **HB 2566**, Page 2, Line 19, by deleting the words “in accordance with a plan of accommodation”, which amendment was declared adopted.

Senator Ivester moved that **HB 2566** be advanced, which motion was declared adopted.

THIRD READING

HB 2566 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, Burrage, Childers, Coates, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Lerblance, Marlatt, Mazzei, McAffrey, Newberry, Nichols, Russell, Schulz, Simpson, Stanislawski, Treat, Wilson and Wyrick.--39.

Excused: Adelson, Ballenger, Bass, Crain, Laster, Paddack, Shortey, Sparks and Sykes.--9.

The bill passed.

HB 2566 was referred for engrossment.

GENERAL ORDER

HB 2995 by Newell of the House and Ivester of the Senate was called up for consideration.

Senator Ivester moved that **HB 2995** be advanced, which motion was declared adopted.

THIRD READING

HB 2995 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, Burrage, Childers, Coates, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Lerblance, Marlatt, Mazzei, McAffrey, Newberry, Nichols, Russell, Schulz, Simpson, Sparks, Stanislawski, Treat, Wilson and Wyrick.--40.

Excused: Adelson, Ballenger, Bass, Crain, Laster, Paddack, Shortey and Sykes.--8.

The bill passed.

HB 2995 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 2558 by Wesselhoft of the House and Stanislawski and Marlatt of the Senate was called up for consideration.

Senator Stanislawski moved to amend **HB 2558**, Page 1, by restoring the title, which amendment was declared adopted.

The above amendment restored **HB 2558** back to the engrossed version of the bill.

Senator Stanislawski moved that **HB 2558** be advanced, which motion was declared adopted.

THIRD READING

HB 2558 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, Burrage, Childers, Coates, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (C), Jolley, Justice, Lerblance, Marlatt, Mazzei, McAffrey, Newberry, Nichols, Russell, Schulz, Simpson, Sparks, Stanislawski, Treat, Wilson and Wyrick.--39.

Excused: Adelson, Ballenger, Bass, Crain, Johnson (R), Laster, Paddock, Shortey and Sykes.--9.

The bill passed.

HB 2558 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 3119 by Hickman of the House and Stanislawski of the Senate was called up for consideration.

Senator Stanislawski asked unanimous consent, which was granted, to suspend Senate Rule 12-4 as it pertains to **HB 3119**.

Senator Stanislawski moved to amend **HB 3119**, Page 1, by restoring the title, which amendment was declared adopted.

The above amendment restored **HB 3119** to the engrossed version of the bill.

Senator Stanislawski moved that **HB 3119** be advanced, which motion was declared adopted.

THIRD READING

HB 3119 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, Burrage, Childers, Crain, David, Ellis, Fields, Ford, Griffin, Halligan, Holt, Ivester, Johnson (R), Jolley, Justice, Marlatt, Newberry, Nichols, Russell, Schulz, Simpson, Sparks, Stanislawski, Sykes and Treat.--33.

Nay: Eason McIntyre, Garrison, Johnson (C), Laster, Lerblance, McAffrey, Wilson and Wyrick.--8.

Excused: Adelson, Ballenger, Bass, Coates, Mazzei, Paddack and Shortey.--7.

The bill passed.

HB 3119 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 2119 by Hickman of the House and Newberry of the Senate was called up for consideration.

Senator Newberry moved that **HB 2119** be advanced, which motion was declared adopted.

THIRD READING

HB 2119 was read for the third time at length.

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

Aye: Aldridge, Bingman, Branan, Brecheen, Brinkley, Ford, Johnson (R), Jolley, Marlatt, Newberry, Nichols, Schulz, Simpson, Stanislawski and Sykes.--15.

Nay: Allen, Anderson, Barrington, Brown, Burrage, Childers, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (C), Justice, Lerblance, Mazzei, McAffrey, Russell, Sparks, Treat, Wilson and Wyrick.--27.

Excused: Adelson, Ballenger, Bass, Laster, Paddack and Shortey.--6.

The bill failed.

Pursuant to Rule 12-21, Senator Newberry served notice that the vote be reconsidered whereby **HB 2119** failed.

GENERAL ORDER

HB 2524 by Martin (Steve) and Armes of the House and Newberry of the Senate was called up for consideration.

Senator Newberry moved to amend **HB 2524**, by striking the title, the enacting clause and the entire body of the bill and substituting the floor substitute, which amendment was declared adopted. (Copies were provided for all Senators.)

Senator Newberry moved that **HB 2524** be advanced, which motion was declared adopted.

Senator Newberry asked that **HB 2524** be laid over for this legislative day, which was the order.

HB 2524 remains on General Order.

GENERAL ORDER

HB 2686 by Banz of the House and Newberry of the Senate was called up for consideration.

Senator Newberry moved to amend **HB 2686**, Page 1, by restoring the title, which amendment was declared adopted.

The above amendment restored **HB 2686** to the engrossed version of the bill.

Senator Newberry moved that **HB 2686** be advanced, which motion was declared adopted.

THIRD READING

HB 2686 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, Eason McIntyre, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Lerblance, Marlatt, McAffrey, Newberry, Nichols, Russell, Schulz, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--39.

Excused: Adelson, Ballenger, Bass, Burrage, David, Laster, Mazzei, Paddack and Shortey.--9.

The bill passed.

HB 2686 was properly signed and ordered returned to the Honorable House.

MESSAGES FROM THE HOUSE

Advising the signing of and transmitting for signature Enrolled **HCR 1037**.

The above-numbered enrolled measure was properly signed and ordered returned to the Honorable House.

Advising fourth reading of and transmitting for signature Enrolled **HBs 2262, 2270, 2281, 2371, 2433, 2449, 2834** and **3009**.

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

MESSAGE FROM THE HOUSE HAS TO SENATE BILLS

Advising passage of and returning the following engrossed bills as amended:

SB 1019 - coauthored by Pittman of the House

SB 1182 - coauthored by Nollan and Walker of the House

SB 1398

SB 1448

SB 1644 - coauthored by Walker of the House

SB 1847 - coauthored by Roan of the House

House amendments were read on the above-numbered bills.

MESSAGES FROM THE HOUSE

Advising passage of and returning the following Engrossed bill:

SB 1012

The above-numbered measure was referred for enrollment.

Advising fourth reading of and returning Enrolled **SBs 1031, 1119, 1450, 1640** and **1940**.

The above-numbered enrolled measures were referred to the Governor.

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 Jolley presiding.

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

GENERAL ORDER

HB 2495 by Hardin and Roberts (Dustin) of the House and Brecheen of the Senate was called up for consideration.

Senator Brecheen asked unanimous consent, which was granted, to suspend Senate Rule 12-4 as it pertains to **HB 2495**.

Senator Brecheen moved to amend **HB 2495**, Page 1, by restoring the title, which amendment was declared adopted.

The above amendment restored **HB 2495** to the engrossed version of the bill.

Senator Brecheen moved that **HB 2495** be advanced, which motion was declared adopted.

THIRD READING

HB 2495 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, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Laster, Lerblance, Marlatt, McAffrey, Newberry, Nichols, Paddack, Schulz, Simpson, Sparks, Stanislawski, Sykes, Wilson and Wyrick.--41.

Excused: Adelson, Burrage, Childers, Mazzei, Russell, Shortey and Treat.--7.

The bill passed.

HB 2495 was properly signed and ordered returned to the Honorable House.

UNANIMOUS CONSENT REQUEST DIRECT TO CALENDAR

Senator Johnson (Constance) asked unanimous consent to refer **SR 53** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

SR 53 by Johnson (Constance) was called up for consideration.

All other members of the Senate asked to coauthor **SR 53**, which was the order.

SR 53 was adopted upon motion of Senator Johnson (Constance) and referred for enrollment.

GENERAL ORDER

HB 2155 by Steele of the House and Bingman and Brecheen of the Senate was called up for consideration.

Senators Bingman and Sykes moved to amend **HB 2155**, Page 12, Line 22, by inserting after the word “wage” and before the semi-colon “;”, the words “, and vocational rehabilitation services provided by a technology center school, a public or private vocational skills center or public secondary school offering vocational-technical education courses, or a member institution of The Oklahoma State System of Higher Education, which shall include retraining and job placement so as to restore the employee to gainful employment. Vocational rehabilitation services or training shall not extend for a period of more than fifty-two (52) weeks”; Page 13, Line 9, by inserting after the word “function” and before the comma “,”, the words “or impairment”; and Page 14, Line 10, by inserting after the word “weeks” and before the semi-colon “;”, the words “. A covered employee shall be entitled to benefits described in this paragraph for serious and permanent disfigurement without regard to satisfaction of the conditions in subparagraphs a and b of this paragraph. Such an award for disfigurement shall not be in excess of Fifty Thousand Dollars (\$50,000.00) and shall not be made for a part of the body for which another impairment benefit is granted; and”, and by amending the title to conform, which amendment was declared adopted.

Senator Sykes moved that **HB 2155** be advanced, which motion was declared adopted.

THIRD READING

HB 2155 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, Crain, David, Fields, Ford, Griffin, Halligan, Holt, Johnson (R), Jolley, Justice, Marlatt, Mazzei, Newberry, Nichols, Russell, Schulz, Simpson, Stanislawski, Sykes and Treat.--28.

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

Excused: Adelson, Aldridge and Burrage.--3.

The bill passed.

HB 2155 was referred for engrossment.

GENERAL ORDER

HB 2494 by Denney of the House and Halligan of the Senate was called up for consideration.

Senator Halligan asked unanimous consent, which was granted, to suspend Senate Rule 12-4 as it pertains to **HB 2494**.

Senator Halligan moved to amend **HB 2494**, Page 8, by deleting all language on Lines 1 through 7 and by amending the title to conform, which amendment was declared adopted.

Senator Halligan moved to amend **HB 2494**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Halligan moved that **HB 2494** be advanced, which motion was declared adopted.

THIRD READING

HB 2494 was read for the third time at length.

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

Aye: Allen, Anderson, Ballenger, Barrington, Bass, Branan, Brecheen, Brinkley, Brown, Childers, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Laster, Lerblance,

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

Excused: Adelson, Aldridge, Bingman, Burrage, Coates and Mazzei.--6.

The bill and emergency passed.

HB 2494 was referred for engrossment.

GENERAL ORDER

HB 3043 by Osborn and Faught of the House and Brown and Coates of the Senate was called up for consideration.

Senator Brown moved that **HB 3043** be advanced, which motion was declared adopted.

THIRD READING

HB 3043 was read for the third time at length.

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

Aye: Allen, Anderson, Ballenger, Barrington, Bass, Branan, Brecheen, Brinkley, Brown, Childers, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (R), Jolley, Justice, Laster, Lerblance, Marlatt, Newberry, Nichols, Paddack, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes and Treat.--38.

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

Excused: Adelson, Aldridge, Bingman, Burrage, Coates and Mazzei.--6.

The bill passed.

HB 3043 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 3053 by Steele and Murphey of the House and David of the Senate was called up for consideration.

Senator David moved to amend **HB 3053** on Page 3, Line 8, by striking the letter "B."; Page 3, Line 24, by restoring all language after the word "maintained." through Page 4, Line 2; Page 4, Line 3, by inserting after the stricken word "Finance" the words "Management and Enterprise Services" and by restoring the period "."; and Page 4, Line 4,

by inserting after the stricken letter “D.” and before the word “Upon” the letter “B.”, which amendment was declared adopted.

Senator David moved that **HB 3053** be advanced, which motion was declared adopted.

THIRD READING

HB 3053 was read for the third time at length.

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

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

Excused: Adelson, Aldridge, Burrage, Coates and Shortey.--5.

The bill and emergency passed.

HB 3053 was referred for engrossment.

GENERAL ORDER

HB 3079 by Murphey and Tibbs of the House and David of the Senate was called up for consideration.

Senator David asked that **HB 3079** be laid over for this legislative day, which was the order.

HB 3079 remains on General Order.

GENERAL ORDER

HB 2724 by Inman et al of the House and Childers of the Senate was called up for consideration.

Senator Shortey asked to coauthor **HB 2724**, which was the order.

Senator Childers moved to amend **HB 2724**, Page 1, by restoring the title, which amendment was declared adopted.

The above amendment restored **HB 2724** to the engrossed version of the bill.

Senator Childers moved that **HB 2724** be advanced, which motion was declared adopted.

THIRD READING

HB 2724 was read for the third time at length.

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

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

Excused: Adelson, Aldridge, Bingman, Burrage, Coates and Mazzei.--6.

The bill passed.

HB 2724 was referred for engrossment.

GENERAL ORDER

HB 2419 by Enns of the House and Johnson (Rob) and Shortey of the Senate was called up for consideration.

Senator Johnson (Rob) asked unanimous consent, which was granted, to suspend Senate Rule 12-4 as it pertains to **HB 2419**.

Senator Johnson (Rob) moved to amend **HB 2419**, by striking the title, the enacting clause and the entire body of the bill and substituting the floor substitute, which amendment was declared adopted. (Copies were provided for all Senators.)

Senator Johnson (Rob) moved that **HB 2419** be advanced, which motion was declared adopted.

THIRD READING

HB 2419 was read for the third time at length.

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

Aye: Allen, Anderson, Ballenger, Barrington, Bass, Branan, Brecheen, Brinkley, Brown, Childers, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Laster, Lerblance,

Marlatt, Mazzei, McAffrey, Nichols, Paddack, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--42.

Excused: Adelson, Aldridge, Bingman, Burrage, Coates and Newberry.--6.

Senator Newberry desired to vote Aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 43; Excused: 5.

The emergency passed.

HB 2419 was referred for engrossment.

GENERAL ORDER

HB 2476 by Scott and Sherrer of the House and Johnson (Rob) of the Senate was called up for consideration.

Senator Johnson (Rob) moved that **HB 2476** be advanced, which motion was declared adopted.

THIRD READING

HB 2476 was read for the third time at length.

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

Aye: Allen, Ballenger, Barrington, Bass, Branan, Brecheen, Brinkley, Brown, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Laster, Lerblance, Marlatt, McAffrey, Newberry, Nichols, Paddack, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--39.

Excused: Adelson, Aldridge, Anderson, Bingman, Burrage, Childers, Coates, Crain and Mazzei.--9.

The bill passed.

HB 2476 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 2738 by Peters of the House and Johnson (Rob) of the Senate was called up for consideration.

Senator Johnson (Rob) asked unanimous consent, which was granted, to suspend Senate Rule 12-4 as it pertains to **HB 2738**.

Senator Johnson (Rob) moved to amend **HB 2738**, Page 1, by restoring the title, which amendment was declared adopted.

The above amendment restored **HB 2738** to the engrossed version of the bill.

Senator Johnson (Rob) moved that **HB 2738** be advanced, which motion was declared adopted.

THIRD READING

HB 2738 was read for the third time at length.

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

Aye: Allen, Anderson, Ballenger, Barrington, Bass, Branan, Brecheen, Brinkley, Brown, Childers, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Laster, Lerblance, Marlatt, McAffrey, Newberry, Nichols, Paddack, Russell, Schulz, Simpson, Sparks, Stanislowski, Treat, Wilson and Wyrick.--38.

Nay: Shortey and Sykes.--2.

Excused: Adelson, Aldridge, Bingman, Burrage, Coates, Crain, Eason McIntyre and Mazzei.--8.

The bill passed.

HB 2738 was referred for engrossment.

GENERAL ORDER

HB 2748 by Kirby et al of the House and Johnson (Rob) and McAffrey of the Senate was called up for consideration.

Senator Johnson (Rob) moved that **HB 2748** be advanced, which motion was declared adopted.

THIRD READING

HB 2748 was read for the third time at length.

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

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

Excused: Adelson, Aldridge, Bingman, Burrage, Coates, Crain, Mazzei and Shortey.--8.

The bill passed.

HB 2748 was referred for engrossment.

GENERAL ORDER

HB 2750 by Kirby et al of the House and Johnson (Rob) of the Senate was called up for consideration.

Senator Johnson (Rob) moved that **HB 2750** be advanced, which motion was declared adopted.

THIRD READING

HB 2750 was read for the third time at length.

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

Aye: Allen, Anderson, Ballenger, Barrington, Bass, Branan, Brinkley, Brown, Childers, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (R), Jolley, Justice, Laster, Lerblance, Marlatt, McAffrey, Newberry, Nichols, Paddack, Russell, Schulz, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--37.

Nay: Eason McIntyre and Johnson (C).--2.

Excused: Adelson, Aldridge, Bingman, Brecheen, Burrage, Coates, Crain, Mazzei and Shortey.--9.

The bill passed.

HB 2750 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 3074 by Dorman of the House and Johnson (Rob) of the Senate was called up for consideration.

Senator Johnson (Rob) moved that **HB 3074** be advanced, which motion was declared adopted.

THIRD READING

HB 3074 was read for the third time at length.

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

Aye: Allen, Anderson, Ballenger, Barrington, Bass, Branan, Brecheen, Brinkley, Brown, Childers, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Laster, Lerblance, Marlatt, Newberry, Nichols, Paddack, Russell, Schulz, Simpson, Sparks, Stanislawski, Sykes, Treat and Wyrick.--38.

Nay: McAffrey and Wilson.--2.

Excused: Adelson, Aldridge, Bingman, Burrage, Coates, Crain, Mazzei and Shortey.--8.

The bill passed.

HB 3074 was referred for engrossment.

GENERAL ORDER

HB 3076 by Dorman of the House and Johnson (Rob) of the Senate was called up for consideration.

Senator Johnson (Rob) moved to amend **HB 3076**, Page 1, by restoring the title, which amendment was declared adopted.

The above amendment restored **HB 3076** to the engrossed version of the bill.

Senator Johnson (Rob) moved that **HB 3076** be advanced, which motion was declared adopted.

THIRD READING

HB 3076 was read for the third time at length.

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

Aye: Barrington, Brecheen, Childers, David, Eason McIntyre, Ellis, Ford, Griffin, Johnson (R), Jolley, Newberry, Schulz and Sparks.--13.

Nay: Allen, Anderson, Ballenger, Bass, Branan, Brinkley, Brown, Fields, Garrison, Halligan, Holt, Ivester, Johnson (C), Justice, Laster, Lerblance, Marlatt, McAffrey, Nichols, Paddack, Russell, Simpson, Stanislawski, Sykes, Treat, Wilson and Wyrick.--27.

Excused: Adelson, Aldridge, Bingman, Burrage, Coates, Crain, Mazzei and Shortey.--8.

The bill failed.

Pursuant to Rule 12-21, Senator Johnson (Rob) served notice that the vote be reconsidered whereby **HB 3076** failed.

**UNANIMOUS CONSENT REQUEST
DIRECT TO CALENDAR**

Senator Laster asked unanimous consent to refer **SR 52** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

SR 52 by Laster was called up for consideration.

SR 52 was adopted upon motion of Senator Laster and referred for enrollment.

REPORT OF ENGROSSED AND ENROLLED MEASURE

SR 52 was correctly enrolled, properly signed and ordered transmitted to the Secretary of State.

MESSAGES FROM THE HOUSE

Advising passage of and returning the following Engrossed bills:

SB 1152

SB 1371

SB 1475

SB 1621 - coauthored by Moore of the House

SB 1707

The above-numbered measures were referred for enrollment.

Senator Schulz moved that when the clerk's desk is clear, the Senate stand adjourned to convene Thursday, April 19, 2012, at 9:30 a.m., which motion prevailed.

FIRST READING

The following was introduced and read the first time:

SCR 38 – By Burrage of the Senate and Sherrer of the House.

A Concurrent Resolution thanking Sanders Mitchell for his 35 years of service to the State of Oklahoma; wishing him the best in his retirement; and directing distribution.

MESSAGE FROM THE GOVERNOR

Advising her approval April 18, 2012, of Enrolled **SBs 1000, 1354** and **1830**.

Pursuant to the Schulz motion, the Senate adjourned at 4:55 p.m. to meet Thursday, April 19, 2012, at 9:30 a.m.