

Senate Journal

Second Regular Session of the Fifty-third Legislature

of the State of Oklahoma

Sixth Legislative Day, Tuesday, February 14, 2012

The Senate was called to order by Senator Marlatt.

Roll Call:

Present: Adelson, Aldridge, Allen, Anderson, Ballenger, Barrington, Bass, Bingman, Branam, 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, Newberry, Nichols, Paddack, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.—45.

Excused: Russell. — 1

Vacancy: Districts 20; 46. — 2.

Senator Marlatt declared a quorum present.

The prayer was offered by Reverend Jennittie Marshall, Living Sanctuary Evangelistic Ministry, Tulsa, the guest of Senator Eason McIntyre.

CHANGE IN COMMITTEE ASSIGNMENTS

The following bills will be reassigned as follows:

SB 221 – Withdrawn from Rules and referred to General Government

SB 222 – Withdrawn from Rules and referred to General Government

SB 1040 – Withdrawn from Rules and referred to Energy

SB 1043 – Withdrawn from Rules and referred to Energy

SB 1168 – Withdrawn from Judiciary and referred to Retirement and Insurance

SB 1300 – Withdrawn from Judiciary and referred to Health and Human Services

SB 1404 – Withdrawn from Health and Human Services and referred to Business and Commerce

SB 1564 – Withdrawn from Education and Appropriations and referred to Education

SB 1610 – Withdrawn from Health and Human Services and referred to Agriculture and Rural Development

SB 1638 – Withdrawn from Rules and referred to Transportation

SB 1639 – Withdrawn from Rules and referred to Transportation

MESSAGES FROM THE HOUSE

Advising passage of and returning the following Engrossed bill:

SJR 25 - Remove Representative Faught as Principal House Author and substitute with Representative Kris Steele, coauthored by Faught, Pittman, Condit and Shelton of the House.

The above-numbered measure was referred for enrollment.

Advising passage of and transmitting for consideration Engrossed **HBs 2188, 2189, 2244, 2325, 2353, 2365, 2566 and 2768 and HCR 1022** .

HB 2188 – By DeWitt, Renegar, Enns and Hoskin of the House and Schulz of the Senate.

An Act relating to agriculture; prohibiting the transport of castor beans in quantities of more than fifty pounds; providing for penalties; providing for enforcement; providing for codification; and declaring an emergency.

HB 2189 – By DeWitt, Renegar, Enns and Hoskin of the House and Schulz of the Senate.

An Act relating to agriculture; prohibiting production of castor beans; providing for penalties; providing for enforcement; providing for codification; and declaring an emergency.

HB 2244 – By Denney, Kern, Pittman and Cooksey of the House and Halligan of the Senate.

An Act relating to schools; amending 70 O.S. 2011, Section 6-122.3, which relates to alternative placement teaching certification; modifying eligibility criteria for certification; and providing an effective date.

HB 2325 – By DeWitt and Walker of the House and Justice of the Senate.

An Act relating to motor vehicles; amending 47 O.S. 2011, Section 14-118, which relates to oversize loads; providing annual permit for certain conservation equipment; and providing an effective date.

HB 2353 – By Kouplen of the House and Justice of the Senate.

An Act relating to agriculture; amending 2 O.S. 2011, Section 20-7, which relates to the Oklahoma Swine Feeding Operations Act; modifying frequency of educational training requirements for certain employees; requiring licensed managed feeding operation to develop and submit continuing education curricula; and providing an effective date.

HB 2365 – By Billy of the House and Crain of the Senate.

An Act relating to environment and natural resources; amending 27A O.S. 2011, Section 1-3-101, which relates to state agency jurisdictional areas of environmental responsibility; modifying exception to the jurisdictional responsibility of the Department of Environmental Quality over radiation sources; amending 27A O.S. 2011, Section 2-9-104, which relates to radiation management rules; modifying exception to the rules for certain sources of radiation; and providing an effective date.

HB 2566 – By Wright, Sanders, Derby, Russ, Kern and Walker of the House and Ivester of the Senate.

An Act relating to public health and safety; amending 63 O.S. 2011, Section 1-890.3, which relates to the promulgation of rules by the State Board of Health; providing residents with freedom of choice without financial penalty charged by assisted living center; and providing an effective date.

HB 2768 – By Pruett of the House and Fields of the Senate.

An Act relating to agriculture; amending 2 O.S. 2011, Section 2-2, which relates to compensation and meetings of the State Board of Agriculture; changing number of required meetings; clarifying language; and declaring an emergency.

HCR 1022 – By Richardson of the House and Crain of the Senate.

A Concurrent Resolution designating February 13, 2012, Water Appreciation Day at the State Capitol; encouraging recognition of the value and significance of water resources; and directing distribution.

The above-numbered measures were read the first time.

Senator Schulz moved that when the clerk's desk is clear, the Senate stand adjourned to convene Wednesday February 15, 2012, at 1:30 p.m., which motion prevailed.

COMMITTEE REPORTS

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

DO PASS:

SB 1042 – Energy, coauthored by Wright (principal House author)

Ayes: Allen, Branan, Fields, Ivester, Johnson (Rob), Lerblance, Marlatt, Simpson

SB 1050 – Energy, coauthored by Osborn (principal House author)

Ayes: Allen, Branan, Fields, Ivester, Johnson (Rob), Lerblance, Marlatt, Paddack, Simpson

SB 1188 – Public Safety, coauthored by Thomsen (principal House author)

Ayes: Ballenger, Barrington, David, Garrison, Johnson (Constance), Justice, Russell, Shortey, Sykes

SB 1196 – Judiciary, coauthored by Sherrer (principal House author)

Ayes: Brecheen, Crain, Eason McIntyre, Johnson (Rob), Laster, Lerblance, Nichols, Shortey

SB 1287 – General Government, coauthored by Denney (principal House author)

Ayes: Adelson, Aldridge, Ballenger, Brown, Coates

SB 1316 – Judiciary, coauthored by Jordan (principal House author)

DO PASS, As Amended:

CS for SB 1012 – Retirement and Insurance, coauthored by Ownbey (principal House author)

Ayes: Adelson, Anderson, Brown, Stanislawski, Treat, Wilson

Nays: Aldridge

CS for SB 1016 – Public Safety, coauthored by Nelson (principal House author)

Ayes: Barrington, David, Russell, Shortey, Sykes

SB 1075 – General Government, coauthored by Dorman (principal House author)

Ayes: Adelson, Aldridge, Ballenger, Brown, Coates, Marlatt

SB 1180 – Public Safety, coauthored by Ritze (principal House author)

Ayes: Ballenger, Barrington, David, Garrison, Johnson (Constance), Justice, Russell, Shortey, Sykes

SB 1183 – Health and Human Services, coauthored by Nollan (principal House author)
Ayes: Brinkley, Crain, Johnson (Constance), Johnson (Rob), Newberry, Russell,
Wilson

SB 1406 – Judiciary, coauthored by Thomsen (principal House author)
Ayes: Brecheen, Crain, Eason McIntyre, Johnson (Rob), Laster, Lerblance, Nichols,
Shortey

FAILED:

SB 1007 – General Government
Ayes: Brown, Coates
Nays: Adelson, Aldridge, Ballenger

Pursuant to the Schulz motion, the Senate adjourned at 2:00 p.m. to meet Wednesday
February 15, 2012, at 1:30 p.m.