

Senate Journal

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

Seventh Legislative Day, Tuesday, February 12, 2013

The Senate was called to order by Senator Ford.

Roll Call:

Present: Aldridge, Allen, Anderson, Ballenger, Barrington, Bass, Bingman, Boggs, Branan, Brecheen, Brinkley, Brooks, Brown, Burrage, Coates, Crain, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Loveless, Marlatt, Mazzei, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Shortey, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes, Treat and Wyrick.—
48.

Senator Ford declared a quorum present.

The prayer was offered by Father Ken Harder, St. Francis Xavier Catholic Church, Stillwater, the guest of Senator Halligan.

REPORT OF ENGROSSED AND ENROLLED MEASURE

SCR 6 was correctly enrolled, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

CHANGE IN COMMITTEE ASSIGNMENTS

SB 25 – Withdrawn from Rules and referred to Energy

SB 178 – Withdrawn from Tourism and Wildlife and referred to Agriculture

SB 559 – Withdrawn from Rules and referred to Education

SB 697 – Withdrawn from Rules and referred to Insurance

SB 698 – Withdrawn from Rules and referred to Insurance

SB 862 – Withdrawn from Rules and referred to Finance

GENERAL ORDER

SB 40 by Ivester of the Senate and Dorman of the House was called up for consideration.

Senator Ivester moved that **SB 40** be advanced, which motion was declared adopted.

THIRD READING

SB 40 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, Boggs, Branan, Brecheen, Brinkley, Brooks, Brown, Burrage, Coates, Crain, Dahm, David, Ellis, Ford, Griffin, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Loveless, Marlatt, McAffrey, Newberry, Paddack, Schulz, Sharp, Shaw, Shumate, Simpson, Sparks, Standridge, Stanislawski, Sykes, Treat and Wyrick.--40.

Nay: Aldridge, Bass, Fields and Garrison.--4.

Excused: Anderson, Bingman, Mazzei and Shortey.--4.

The bill passed.

SB 40 was referred for engrossment.

MESSAGES FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed **HBs 1117** and **2170**.

HB 1117 – By Rousselot and Pittman of the House and Garrison of the Senate.

An Act relating to schools; amending 70 O.S. 2011, Section 1210.284, which relates to vision screening of students; adding public school nurse to vision screening advisory committee; and providing an effective date.

HB 2170 – By Echols, Fisher, Ritze and Pittman of the House and Dahm of the Senate.

An Act relating to crimes and punishments; amending 21 O.S. 2011, Section 1272, as amended by Section 1, Chapter 259, O.S.L. 2012 (21 O.S. Supp. 2012, Section 1272), which relates to the unlawful carry of certain weapons; deleting certain knife from list of prohibited weapons; and providing an effective date.

The above-numbered measures were read the first time.

Advising the signing of and returning Enrolled **SCR 6**.

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

EXECUTIVE NOMINATIONS

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

Green, Gary L., Tishomingo, as a member of the Board of Trustees for the University Center of Southern Oklahoma - Education

Krehbiel, Karen S., Hydro, as a member of the State Board of Agriculture - Agriculture and Rural Development

Newcomb, Robert L., Elk City, as a member of the State Banking Board - Finance

Ponder-Parker, Rita G., Ardmore, as a member of the Board of Trustees for the University Center of Southern Oklahoma - Education

Worsham, Thomas H., Healdton, as a member of the Board of Trustees for the University Center of Southern Oklahoma - Education

Senator Schulz moved that when the clerk's desk is clear, the Senate stand adjourned to convene Wednesday, February 13, 2013, 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 12 – Transportation

Ayes: Barrington, Bass, Branan, Brooks, Loveless, Marlatt, McAffrey, Newberry, Paddack, Shaw, Standridge, Stanislawski

SB 50 – Tourism and Wildlife

Ayes: Boggs, Brecheen, Brown, Coates, Ellis, Fields, Garrison, Justice, Sharp, Wyrick

SB 52 – Transportation

Ayes: Barrington, Bass, Branan, Brooks, Loveless, Marlatt, McAffrey, Newberry, Paddack, Shaw, Standridge, Stanislawski

SB 70 – Transportation

Ayes: Barrington, Bass, Branan, Brooks, Loveless, Marlatt, McAffrey, Newberry, Paddack, Shaw, Shortey, Standridge, Stanislawski

SB 88 – Tourism and Wildlife

Ayes: Boggs, Brecheen, Brown, Coates, Ellis, Fields, Garrison, Justice, Sharp, Wyrick

SB 196 – Tourism and Wildlife

Ayes: Boggs, Brecheen, Brown, Coates, Ellis, Fields, Garrison, Justice, Sharp, Wyrick

SB 250 – Judiciary

Ayes: Allen, Anderson, Crain, Griffin, Holt, Ivester, Johnson (Rob), Shumate, Sykes

SB 285 – Judiciary

Ayes: Allen, Anderson, Crain, Griffin, Holt, Ivester, Johnson (Rob), Shumate, Sykes

SB 355 – Judiciary

Ayes: Allen, Anderson, Griffin, Holt, Ivester, Johnson (Rob), Shumate, Sykes

SB 369 – Judiciary

Ayes: Allen, Anderson, Crain, Griffin, Holt, Ivester, Johnson (Rob), Shumate, Sykes

SB 418 – Transportation

Ayes: Barrington, Bass, Branan, Brooks, Loveless, Marlatt, McAffrey, Newberry, Paddack, Shaw, Shortey, Standridge, Stanislawski

SB 440 – Judiciary

Ayes: Allen, Anderson, Crain, Griffin, Ivester, Johnson (Rob), Shumate, Sykes

SB 450 – Judiciary

Ayes: Allen, Anderson, Crain, Griffin, Holt, Ivester, Johnson (Rob), Shumate, Sykes

SB 454 – Judiciary

Ayes: Allen, Anderson, Crain, Griffin, Holt, Ivester, Johnson (Rob), Shumate, Sykes

SB 455 – Judiciary

Ayes: Allen, Anderson, Crain, Griffin, Holt, Ivester, Johnson (Rob), Shumate, Sykes

SB 580 – Judiciary

Ayes: Allen, Crain, Griffin, Ivester, Johnson (Rob), Shumate, Sykes

SB 581 – Judiciary

Ayes: Allen, Anderson, Crain, Griffin, Holt, Ivester, Johnson (Rob), Shumate, Sykes

SB 755 – Judiciary

Ayes: Allen, Anderson, Crain, Griffin, Holt, Ivester, Johnson (Rob), Shumate, Sykes

SB 780 – Tourism and Wildlife

Ayes: Boggs, Brecheen, Brown, Coates, Ellis, Fields, Garrison, Justice, Sharp, Wyrick

SB 986 – Judiciary

Ayes: Allen, Anderson, Crain, Griffin, Holt, Ivester, Johnson (Rob), Shumate, Sykes

SB 1036 – Judiciary

Ayes: Allen, Anderson, Crain, Griffin, Holt, Ivester, Johnson (Rob), Shumate, Sykes

SB 1080 – Judiciary

Ayes: Allen, Anderson, Crain, Griffin, Ivester, Johnson (Rob), Shumate, Sykes

DO PASS, As Amended:

CS for SB 26 – Transportation

Ayes: Barrington, Bass, Branan, Brooks, Loveless, Marlatt, McAffrey, Newberry, Paddack, Shaw, Shortey, Standridge, Stanislawski

CS for SB 216 – Tourism and Wildlife

Ayes: Boggs, Brecheen, Brown, Coates, Ellis, Fields, Garrison, Justice, Sharp, Wyrick

SB 294 – Judiciary

Ayes: Allen, Anderson, Crain, Griffin, Holt, Ivester, Johnson (Rob), Shumate, Sykes

CS for SB 320 – Transportation

Ayes: Barrington, Bass, Branan, Brooks, Loveless, Marlatt, McAffrey, Newberry, Paddack, Shaw, Standridge, Stanislawski

SB 322 – Finance

Ayes: Aldridge, Brinkley, Dahm, David, Ford, Halligan, Johnson (Constance), Jolley, Mazzei, McAffrey, Sparks, Treat

SB 323 – Finance

Ayes: Aldridge, Brinkley, Dahm, David, Ford, Halligan, Johnson (Constance), Jolley, Mazzei, McAffrey, Sparks, Treat

SB 324 – Tourism and Wildlife

Ayes: Boggs, Brecheen, Brown, Coates, Ellis, Fields, Garrison, Justice, Sharp, Wyrick

SB 330 – Finance

Ayes: Brinkley, Dahm, David, Ford, Halligan, Johnson (Constance), Jolley, Mazzei, McAffrey, Sparks, Treat

SB 331 – Finance

Ayes: Aldridge, Brinkley, Dahm, David, Ford, Halligan, Johnson (Constance), Jolley, Mazzei, McAffrey, Sparks, Treat

SB 374 – Tourism and Wildlife

Ayes: Boggs, Brecheen, Brown, Coates, Ellis, Fields, Garrison, Justice, Sharp

Nays: Wyrick

CS for SB 613 – Finance

Ayes: Aldridge, Brinkley, Dahm, David, Ford, Halligan, Johnson (Constance), Jolley, Mazzei, McAffrey, Treat

SB 619 – Finance

Ayes: Aldridge, Brinkley, Dahm, Ford, Halligan, Johnson (Constance), Jolley, Mazzei, McAffrey, Sparks, Treat

SB 659 – Finance

Ayes: Aldridge, Brinkley, Dahm, Ford, Halligan, Johnson (Constance), Jolley, Mazzei, McAffrey, Sparks, Treat

SB 770 – Tourism and Wildlife

Ayes: Boggs, Brecheen, Brown, Coates, Ellis, Fields, Garrison, Justice, Sharp, Wyrick

SB 819 – Tourism and Wildlife

Ayes: Boggs, Brecheen, Brown, Coates, Ellis, Fields, Garrison, Justice, Sharp

Nays: Wyrick

SB 844 – Finance

Ayes: Aldridge, Brinkley, Dahm, David, Ford, Halligan, Johnson (Constance), Jolley, Mazzei, McAffrey, Sparks, Treat

SB 889 – Judiciary

Ayes: Allen, Anderson, Griffin, Holt, Ivester, Johnson (Rob), Shumate, Sykes

SB 891 – Judiciary

Ayes: Allen, Anderson, Crain, Griffin, Holt, Ivester, Johnson (Rob), Shumate, Sykes

SB 931 – Judiciary

Ayes: Allen, Anderson, Crain, Griffin, Holt, Ivester, Johnson (Rob), Shumate, Sykes

CS for SB 945 – Finance, coauthored by Martin (Scott) (principal House author)

Ayes: Aldridge, Brinkley, Dahm, David, Ford, Halligan, Johnson (Constance), Jolley, Mazzei, McAffrey, Sparks, Treat

SB 951 – Judiciary

Ayes: Allen, Anderson, Crain, Griffin, Holt, Ivester, Johnson (Rob), Sykes

Nays: Shumate

SB 968 – Judiciary, coauthored by Trebilcock (principal House author), and Remove as author Senator Branam; authored by Senator Johnson (Rob)

Ayes: Allen, Anderson, Crain, Griffin, Johnson (Rob), Sykes

Nays: Ivester, Shumate

SB 1015 – Judiciary

Ayes: Allen, Anderson, Crain, Griffin, Holt, Ivester, Johnson (Rob), Shumate, Sykes

SB 1030 – Judiciary

Ayes: Allen, Anderson, Crain, Griffin, Holt, Ivester, Johnson (Rob), Shumate, Sykes

SB 1041 – Judiciary

Ayes: Allen, Anderson, Griffin, Holt, Ivester, Johnson (Rob), Shumate, Sykes

Nays: Crain

SJR 8 – Finance, coauthored by Treat

Ayes: Aldridge, Brinkley, Dahm, David, Ford, Halligan, Jolley, Mazzei, Treat

Nays: Johnson (Constance), McAffrey

SJR 13 – Transportation

Ayes: Barrington, Bass, Brooks, Loveless, McAffrey, Paddack, Shaw, Standridge, Stanislawski

COMMITTEE REPORT

The following were reported by the committee named and referred to a second committee:

DO PASS, As Amended:

SB 676 – Transportation

Ayes: Barrington, Bass, Branam, Brooks, Loveless, Marlatt, Newberry, Paddack, Shaw, Shortey, Standridge, Stanislawski

Nays: McAffrey

CHANGE IN AUTHORS/COAUTHORS

The following measures were authored/coauthored:

SB 25 - Coauthored by Hickman (principal House author)

SB 76 - Coauthored by Russ (principal House author)
SB 80 - Coauthored by Dorman (principal House author)
SB 171 - Coauthored by Denney (principal House author)
SB 207 - Coauthored by Coody (principal House author)
SB 233 - Coauthored by Watson (principal House author)
SB 237 - Coauthored by Hardin (principal House author)
SB 267 - Coauthored by Quinn (principal House author)
SB 270 - Coauthored by McCullough (principal House author)
SB 272 - Coauthored by Cox (principal House author)
SB 280 - Coauthored by Casey (principal House author)
SB 282 - Coauthored by Quinn (principal House author)
SB 316 - Coauthored by Sears (principal House author)
SB 320 - Coauthored by Matthews (principal House author)
SB 330 - Coauthored by Johnson (Constance) and Ford
SB 349 - Coauthored by Wesselhoft (principal House author)
SB 371 - Coauthored by Russ (principal House author)
SB 385 - Coauthored by Nelson (principal House author)
SB 419 - Coauthored by Quinn (principal House author)
SB 426 - Coauthored by Sears (principal House author)
SB 428 - Coauthored by Hulbert (principal House author)
SB 535 - Coauthored by Denney (principal House author)
SB 536 - Coauthored by Denney (principal House author)
SB 537 - Coauthored by Williams (principal House author)
SB 559 - Coauthored by Casey (principal House author)
SB 613 - Coauthored by McNiel (principal House author)
SB 644 - Coauthored by Jordan (principal House author)
SB 660 - Coauthored by Paddack
SB 668 - Coauthored by Watson (principal House author)
SB 678 - Coauthored by Cleveland (principal House author)
SB 683 - Coauthored by Denney (principal House author)
SB 770 - Coauthored by Armes (principal House author)
SB 819 - Coauthored by Bennett (principal House author)
SB 933 - Coauthored by Osborn (principal House author)
SB 945 - Coauthored by Martin (Scott) (principal House author)
SB 951 - Coauthored by Blackwell (principal House author)
SB 968 - Remove as author Senator Branan; authored by Senator Johnson (Rob);
Coauthored by Trebilcock (principal House author)
SB 979 - Remove as author Senator Newberry; authored by Senator Sykes
SB 981 - Coauthored by Joyner (principal House author)
SB 985 - Coauthored by Jordan (principal House author)
SB 1002 - Coauthored by Henke (principal House author)
SB 1080 - Coauthored by Trebilcock (principal House author)
SCR 3 - Coauthored by Martin (Scott) (principal House author)
SJR 8 - Coauthored by Treat, Dahm and David
SJR 14 - Coauthored by Williams (principal House author)
HB 1117 - Coauthored by Pittman

HB 2170 - Coauthored by Pittman

Pursuant to the Schulz motion, the Senate adjourned at 1:55 p.m. to meet Wednesday, February 13, 2013, at 1:30 p.m.

JOURNAL CORRECTION

Page 309, third line from bottom of page, insert the following:

“COMMITTEE REPORT

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

DO PASS, As Amended:

SB 1016 – Judiciary, coauthored by Osborn (principal House author)
Ayes: Allen, Crain, Griffin, Holt, Johnson (Rob), Sykes
Nays: Anderson, Ivester”