

# Senate Journal

## Second Regular Session of the Fifty-seventh Legislature of the State of Oklahoma

Twenty-eighth Legislative Day, Tuesday, May 5, 2020

The Senate was called to order by Senator Bice.

Roll Call:

Present: Allen, Bergstrom, Bice, Boggs, Boren, Brooks, Bullard, Coleman, Dahm, Daniels, David, Dossett, Dugger, Floyd, Hall, Haste, Hicks, Howard, Ikley-Freeman, Jech, Kidd, Kirt, Leewright, Matthews, McCortney, Montgomery, Murdock, Newhouse, Paxton, Pederson, Pemberton, Pugh, Quinn, Rader, Rosino, Scott, Sharp, Shaw, Silk, Simpson, Standridge, Stanislawski, Stanley, Thompson, Treat, Weaver and Young.—47.

Vacancy: District 28.—1.

Senator Bice declared a quorum present.

### REPORT OF ENGROSSED AND ENROLLED MEASURES

**SB 801** was correctly enrolled and after fourth reading, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

**SCR 10** was correctly enrolled, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

### CHANGE IN COMMITTEE ASSIGNMENTS

The following bills will be reassigned as follows:

**HB 3612** - Withdrawn from Judiciary and referred Direct to Calendar

**HB 3616** - Withdrawn from Public Safety and referred Direct to Calendar

**PENDING CONSIDERATION OF JCR**

The **JCR** on **SB 1921** was adopted upon motion of Senator Pemberton.

**SB 1921** was read at length.

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

Aye: Allen, Bergstrom, Bice, Boggs, Boren, Brooks, Bullard, Coleman, Daniels, David, Dossett, Dugger, Floyd, Hall, Haste, Hicks, Howard, Ikley-Freeman, Jech, Kidd, Kirt, Leewright, Matthews, McCortney, Montgomery, Murdock, Newhouse, Paxton, Pederson, Pemberton, Pugh, Quinn, Rader, Rosino, Scott, Sharp, Shaw, Simpson, Standridge, Stanislawski, Stanley, Thompson, Treat, Weaver and Young.--45.

Nay: Dahm and Silk.--2.

Vacancy: District 28.--1.

The bill and emergency passed.

**SB 1921** was referred for engrossment.

**PENDING CONSIDERATION OF JCR**

The **JCR** on **SB 1937** was adopted upon motion of Senator Simpson.

**SB 1937** was read at length.

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

Aye: Allen, Bergstrom, Bice, Boggs, Boren, Brooks, Bullard, Coleman, Daniels, David, Dossett, Dugger, Floyd, Hall, Haste, Hicks, Howard, Ikley-Freeman, Jech, Kidd, Kirt, Leewright, Matthews, McCortney, Montgomery, Murdock, Newhouse, Paxton, Pederson, Pemberton, Pugh, Quinn, Rader, Rosino, Scott, Sharp, Shaw, Silk, Simpson, Standridge, Stanislawski, Stanley, Thompson, Treat, Weaver and Young.--46.

Nay: Dahm.--1.

Vacancy: District 28.--1.

The bill passed.

**SB 1937** was referred for engrossment.

**PENDING CONSIDERATION OF JCR**

The **JCR** on **SB 1073** was adopted upon motion of Senator Simpson.

**SB 1073** was read at length.

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

Aye: Allen, Bergstrom, Bice, Boggs, Boren, Brooks, Bullard, Coleman, David, Dossett, Dugger, Floyd, Hall, Haste, Hicks, Howard, Ikley-Freeman, Jech, Kidd, Kirt, Matthews, McCortney, Montgomery, Murdock, Paxton, Pederson, Pemberton, Pugh, Rader, Rosino, Scott, Sharp, Shaw, Simpson, Standridge, Stanley, Thompson, Treat and Weaver.--39.

Nay: Dahm, Daniels, Leewright, Newhouse, Quinn, Silk, Stanislawski and Young.--8.

Vacancy: District 28.--1.

The bill and emergency passed.

**SB 1073** was referred for engrossment.

**PENDING CONSIDERATION OF JCR**

The **JCR** on **SB 1944** was adopted upon motion of Senator Stanislawski.

**SB 1944** was read at length.

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

Aye: Allen, Bergstrom, Bice, Boggs, Boren, Brooks, Bullard, Coleman, Dahm, Daniels, David, Dossett, Dugger, Floyd, Hall, Haste, Hicks, Howard, Ikley-Freeman, Jech, Kidd, Kirt, Leewright, Matthews, McCortney, Montgomery, Murdock, Newhouse, Paxton, Pederson, Pemberton, Pugh, Quinn, Rader, Rosino, Scott, Sharp, Shaw, Silk, Simpson, Standridge, Stanislawski, Stanley, Thompson, Treat, Weaver and Young.--47.

Vacancy: District 28.--1.

The bill and emergency passed.

**SB 1944** was referred for engrossment.

**PENDING CONSIDERATION OF JCR**

The **JCR** on **SB 1922** was adopted upon motion of Senator Thompson.

**SB 1922** was read at length.

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

Aye: Allen, Bergstrom, Bice, Boggs, Bullard, Coleman, Daniels, David, Dugger, Hall, Haste, Howard, Jech, Kidd, Leewright, McCortney, Montgomery, Murdock, Newhouse, Paxton, Pederson, Pemberton, Pugh, Quinn, Rader, Rosino, Scott, Sharp, Shaw, Simpson, Standridge, Stanislawski, Stanley, Thompson, Treat and Weaver.--36.

Nay: Boren, Brooks, Dahm, Dossett, Floyd, Hicks, Ikley-Freeman, Kirt, Matthews, Silk and Young.--11.

Vacancy: District 28.--1.

The bill passed.

**SB 1922** was referred for engrossment.

**REPORT OF ENGROSSED AND ENROLLED MEASURES**

**SBs 1073, 1921, 1922, 1937** and **1944** were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

**MESSAGES FROM THE HOUSE**

Advising passage of and transmitting for consideration Engrossed **HBs 2741, 2742, 2743** and **2744**.

**HB 2741** – By Wallace and Hilbert of the House and Thompson and Rader of the Senate.

An Act relating to revenue and taxation; amending 68 O.S. 2011, Section 1353, as last amended by Section 1, Chapter 446, O.S.L. 2019 (68 O.S. Supp. 2019, Section 1353), which relates to apportionment of sales tax collections; increasing certain apportionments for certain fiscal years; decreasing certain apportionments for certain fiscal years; eliminating provisions requiring certain baseline apportionment amounts; clarifying language; amending 68 O.S. 2011, Section 1403, as last amended by Section 9, Chapter 17, 2nd Extraordinary Session, O.S.L. 2018 (68 O.S. Supp. 2019, Section 1403), which relates to apportionment of use tax collections; increasing certain apportionments for certain fiscal years; decreasing certain apportionments for certain fiscal years; eliminating provisions requiring certain baseline apportionment amounts; clarifying language; amending 68 O.S.

2011, Section 2352, as last amended by Section 5, Chapter 337, O.S.L. 2016 (68 O.S. Supp. 2019, Section 2352), which relates to apportionment of income tax collections; increasing certain apportionments for certain fiscal years; decreasing certain apportionments for certain fiscal years; eliminating provisions requiring certain baseline apportionment amounts; clarifying language; and providing an effective date.

**HB 2742** – By Wallace and Hilbert of the House and Thompson and Rader of the Senate.

An Act relating to insurance premium tax; amending 36 O.S. 2011, Section 312.1, as amended by Section 5, Chapter 165, O.S.L. 2013 (36 O.S. Supp. 2019, Section 312.1), which relates to the apportionment of collections; clarifying reference; modifying apportionment amounts to certain pension systems in certain fiscal years; providing apportionment to certain fund; prohibiting certain reductions of certain apportionments; and providing an effective date.

**HB 2743** – By Wallace and Hilbert of the House and Thompson and Rader of the Senate.

An Act relating to apportionments; amending 69 O.S. 2011, Section 1521, as last amended by Section 1, Chapter 18, 2nd Extraordinary Session, O.S.L. 2018 (69 O.S. Supp. 2019, Section 1521), which relates to the Rebuilding Oklahoma Access and Driver Safety Fund; reducing certain apportionment to the Rebuilding Oklahoma Access and Driver Safety Fund in certain years; providing apportionment to the Education Reform Revolving Fund in certain years; limiting amount of total apportionments; exempting amounts related to certain debt obligation from certain allocation reductions; and authorizing and requiring the use of certain funds for certain debt obligation.

**HB 2744** – By Wallace and Hilbert of the House and Thompson and Rader of the Senate.

An Act relating to transportation finance; authorizing issuance of certain obligations by the Oklahoma Capitol Improvement Authority; stating amount of net proceeds; imposing certain restrictions related to timing of issuance; requiring certain deposit of proceeds; providing for use of net proceeds; specifying authorized use of proceeds; incorporating content of Construction Work Plan; providing for priority of expenditures; providing for disposition of certain earnings; authorizing agreements between the Oklahoma Capitol Improvement Authority and the Department of Transportation; specifying content of agreements; providing for effect of redemption or defeasance; authorizing borrowing of monies and issuance of negotiable obligations; stating legislative intent with respect to appropriations to the Department of Transportation; authorizing payment of certain fees and costs; authorizing issuance in series; authorizing the hiring of professionals to perform certain services; authorizing utilization of proceeds portion for certain purpose; providing obligations not general obligations of the State of Oklahoma; providing full faith and credit not pledged to repayment; requiring certain statement be contained on the obligations face; prescribing procedures for sale of obligations; authorizing credit enhancement and liquidity agreements; requiring final maturation within certain period; providing for disposition of interest earnings; providing exemption from taxation; providing for investment of proceeds; providing for applicability of certain statutory provisions; authorizing Oklahoma Capitol

Improvement Authority to initiate certain judicial proceedings; and providing for codification.

The above-numbered measures were read the first time.

Advising fourth reading of and returning Enrolled **SB 801**.

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

Advising the signing of and returning Enrolled **SCR 10**.

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

Senator David moved that when the clerk's desk is clear, the Senate stand adjourned to convene Wednesday, May 6, 2020, at 9:30 a.m., which motion prevailed.

#### **CHANGE IN AUTHOR/COAUTHOR**

The following measure was authored/coauthored:

**HB 3094** - Coauthored by Representative McDugle

Pursuant to the David motion, the Senate adjourned at 11:50 a.m. to meet Wednesday, May 6, 2020, at 9:30 a.m.