

# Senate Journal

## First Regular Session of the Fifty-eighth Legislature of the State of Oklahoma

Sixty-fourth Legislative Day, Tuesday, May 25, 2021

The Senate was called to order by Senator Coleman.

Roll Call:

Present: Allen, Bergstrom, Boren, Brooks, Bullard, Burns, Coleman, Dahm, Daniels, David, Dossett (J.A.), Dossett (J.J.), Dugger, Floyd, Garvin, Hall, Hamilton, Haste, Hicks, Howard, Jech, Jett, Kidd, Kirt, Leewright, McCortney, Merrick, Montgomery, Murdock, Newhouse, Paxton, Pederson, Pemberton, Pugh, Quinn, Rader, Rogers, Rosino, Simpson, Standridge, Stanley, Stephens, Taylor, Thompson, Treat, Weaver and Young.—47.

Excused: Matthews.—1.

Senator Coleman declared a quorum present.

The prayer was offered by Senator Chris Kidd.

### INTRODUCTIONS

Senator Simpson introduced his wife, Karen; and Senator Montgomery introduced his wife, Kylee, and their daughter, Elizabeth, to the Senate.

### REPORT OF ENGROSSED AND ENROLLED MEASURES

**SBs 229, 422 and 893** were each correctly enrolled and after fourth reading, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

### PENDING CONSIDERATION OF CCR

The **CCR** on **SB 959** was adopted upon motion of Senator Paxton.

**SB 959**, as amended in conference, was read at length.

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

Aye: Allen, Bergstrom, Bullard, Burns, Coleman, David, Dugger, Garvin, Hamilton, Haste, Howard, Jech, Jett, Kidd, Leewright, McCortney, Montgomery, Murdock, Newhouse, Paxton, Pederson, Pemberton, Pugh, Quinn, Rader, Rogers, Rosino, Simpson, Standridge, Stanley, Stephens, Taylor, Thompson, Treat and Weaver.--35.

Nay: Boren, Brooks, Dahm, Dossett (J.A.), Dossett (J.J.), Floyd, Hicks, Kirt, Merrick and Young.--10.

Excused: Daniels, Hall and Matthews.--3.

The bill and emergency passed.

**SB 959**, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

#### **PENDING CONSIDERATION OF CCR**

The **CCR** on **SB 345** was adopted upon motion of Senator Garvin.

**SB 345**, as amended in conference, was read at length.

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

Aye: Allen, Bergstrom, Boren, Brooks, Bullard, Burns, Coleman, Dahm, David, Dossett (J.A.), Dossett (J.J.), Dugger, Floyd, Garvin, Hamilton, Haste, Hicks, Howard, Jech, Jett, Kidd, Kirt, Leewright, McCortney, Merrick, Montgomery, Murdock, Newhouse, Paxton, Pederson, Pemberton, Pugh, Quinn, Rader, Rogers, Simpson, Standridge, Stanley, Stephens, Taylor, Thompson, Treat, Weaver and Young.--44.

Excused: Daniels, Hall, Matthews and Rosino.--4.

The bill passed.

**SB 345**, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

#### **PENDING CONSIDERATION OF CCR**

The **CCR** on **SB 270** was adopted upon motion of Senator Murdock.

**SB 270**, as amended in conference, was read at length.

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

Aye: Allen, Bergstrom, Boren, Brooks, Bullard, Burns, Coleman, Daniels, David, Dossett (J.A.), Dossett (J.J.), Dugger, Floyd, Garvin, Hamilton, Haste, Hicks, Howard, Jech, Jett, Kidd, Kirt, Leewright, McCortney, Merrick, Montgomery, Murdock, Newhouse, Paxton, Pederson, Pemberton, Pugh, Quinn, Rader, Rogers, Simpson, Standridge, Stanley, Stephens, Taylor, Thompson, Treat and Weaver.--43.

Nay: Dahm and Young.--2.

Excused: Hall, Matthews and Rosino.--3.

The bill passed.

**SB 270**, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

#### **PENDING CONSIDERATION OF CCR**

The **CCR** on **SB 689** was adopted upon motion of Senator Pugh.

**SB 689**, as amended in conference, was read at length.

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

Aye: Bergstrom, Bullard, Burns, Coleman, David, Dugger, Garvin, Hamilton, Haste, Howard, Jech, Jett, Kidd, Kirt, Leewright, McCortney, Merrick, Montgomery, Murdock, Newhouse, Paxton, Pederson, Pemberton, Pugh, Quinn, Rader, Rogers, Simpson, Standridge, Stanley, Stephens, Taylor, Thompson, Treat and Weaver.--35.

Nay: Allen, Boren, Brooks, Dahm, Dossett (J.A.), Dossett (J.J.), Floyd, Hicks and Young.--9.

Excused: Daniels, Hall, Matthews and Rosino.--4.

The bill passed.

**SB 689**, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

**PENDING CONSIDERATION OF CCR**

The 2<sup>nd</sup> CCR on **SB 658** was adopted upon motion of Senator Standridge.

**SB 658**, as amended in conference, was read at length.

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

Aye: Allen, Bergstrom, Bullard, Burns, Coleman, Dahm, Daniels, David, Dugger, Garvin, Hall, Hamilton, Haste, Howard, Jech, Jett, Kidd, Leewright, McCortney, Merrick, Montgomery, Murdock, Newhouse, Paxton, Pederson, Pemberton, Pugh, Quinn, Rader, Rogers, Simpson, Standridge, Stanley, Stephens, Taylor, Thompson, Treat and Weaver.--38.

Nay: Boren, Brooks, Dossett (J.A.), Dossett (J.J.), Floyd, Hicks, Kirt and Young.--8.

Excused: Matthews and Rosino.--2.

The bill and emergency passed.

**SB 658**, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

**PENDING CONSIDERATION OF CCR**

The CCR on **HB 1044** was adopted upon motion of Senator Standridge.

**HB 1044**, as amended in conference, was read at length.

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

Aye: Allen, Bergstrom, Boren, Bullard, Burns, Coleman, Dahm, Daniels, David, Dossett (J.A.), Dossett (J.J.), Dugger, Floyd, Garvin, Hall, Hamilton, Haste, Howard, Jech, Jett, Kidd, Leewright, McCortney, Merrick, Montgomery, Murdock, Newhouse, Paxton, Pederson, Pemberton, Pugh, Quinn, Rader, Rogers, Simpson, Standridge, Stanley, Stephens, Taylor and Weaver.--40.

Nay: Brooks, Hicks, Kirt, Treat and Young.--5.

Excused: Matthews, Rosino and Thompson.--3.

The bill and emergency passed.

Pursuant to Rule 8-32, Senator David served notice that the vote be reconsidered whereby **HB 1044** passed.

**PENDING CONSIDERATION OF CCR**

The **CCR** on **HB 2546** was adopted upon motion of Senator Floyd.

**HB 2546**, as amended in conference, was read at length.

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

Aye: Allen, Bergstrom, Boren, Brooks, Bullard, Burns, Coleman, Dahm, Daniels, David, Dossett (J.A.), Dossett (J.J.), Dugger, Floyd, Garvin, Hall, Hamilton, Haste, Hicks, Howard, Jech, Jett, Kidd, Kirt, Leewright, McCortney, Merrick, Montgomery, Murdock, Newhouse, Paxton, Pederson, Pemberton, Pugh, Quinn, Rader, Rogers, Simpson, Standridge, Stanley, Stephens, Taylor, Treat, Weaver and Young.--45.

Excused: Matthews, Rosino and Thompson.--3.

The bill passed.

**HB 2546**, together with the conference committee report thereon, was ordered returned to the Honorable House.

**PENDING CONSIDERATION OF CCR**

The **CCR** on **HB 2646** was adopted upon motion of Senator Taylor.

**HB 2646**, as amended in conference, was read at length.

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

Aye: Boren, Coleman, Daniels, David, Dossett (J.A.), Dugger, Floyd, Garvin, Hall, Hamilton, Haste, Hicks, Howard, Jech, Jett, Kidd, Kirt, Leewright, McCortney, Montgomery, Murdock, Newhouse, Paxton, Pederson, Pemberton, Pugh, Quinn, Rader, Rogers, Rosino, Simpson, Standridge, Stanley, Stephens, Taylor, Treat, Weaver and Young.--38.

Nay: Allen, Bergstrom, Brooks, Bullard, Burns, Dahm, Dossett (J.J.) and Merrick.--8.

Excused: Matthews and Thompson.--2.

The bill passed.

**HB 2646**, together with the conference committee report thereon, was ordered returned to the Honorable House.

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

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The Senate reconvened with Senator Howard presiding.

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

#### **FIRST READING**

The following were introduced and read the first time:

**SR 23** – By Treat.

A Resolution honoring the life and career of former Senate President Pro Tempore Robert V. Cullison; mourning his loss; and directing distribution.

#### **UNANIMOUS CONSENT REQUEST DIRECT TO CALENDAR**

Senator Treat asked unanimous consent to refer **SR 23** direct to the Calendar for consideration, which was the order.

#### **GENERAL ORDER**

**SR 23** by Treat was called up for consideration.

All other members of the Senate asked to coauthor **SR 23**, which was the order.

**SR 23** was adopted upon motion of Senator Treat and referred for enrollment.

**UNANIMOUS CONSENT REQUEST  
DIRECT TO CALENDAR**

Senator Taylor asked unanimous consent to refer **HCR 1011** direct to the Calendar for consideration, which was the order.

**GENERAL ORDER**

**HCR 1011** by McBride and West (Kevin) of the House and Taylor of the Senate was called up for consideration.

**HCR 1011** was adopted upon motion of Senator Taylor and properly signed and ordered returned to the Honorable House.

**PENDING CONSIDERATION OF CCR**

The **CCR** on **HB 2040** was adopted upon motion of Senator Leewright.

**HB 2040**, as amended in conference, was read at length.

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

Aye: Allen, Bergstrom, Boren, Brooks, Bullard, Burns, Coleman, Daniels, David, Dossett (J.A.), Dossett (J.J.), Dugger, Floyd, Garvin, Hall, Haste, Hicks, Howard, Jech, Jett, Kidd, Kirt, Leewright, McCortney, Montgomery, Murdock, Paxton, Pederson, Pemberton, Pugh, Quinn, Rader, Rosino, Simpson, Standridge, Stanley, Stephens, Taylor, Thompson, Treat, Weaver and Young.--42.

Nay: Dahm, Hamilton and Merrick.--3.

Excused: Matthews, Newhouse and Rogers.--3.

The bill and emergency passed.

**HB 2040**, together with the conference committee report thereon, was ordered returned to the Honorable House.

**MOTION TO RECONSIDER VOTE**

Senator Garvin moved to reconsider the vote whereby **HB 1007** failed, which motion was declared adopted upon roll call as follows:

Aye: Allen, Bergstrom, Boren, Brooks, Bullard, Coleman, Daniels, David, Dossett (J.A.), Dossett (J.J.), Dugger, Floyd, Garvin, Hall, Haste, Hicks, Howard, Jech, Kidd, Kirt, Leewright, McCortney, Montgomery, Murdock, Paxton, Pederson, Pemberton, Pugh, Rader, Rosino, Simpson, Standridge, Stanley, Stephens, Taylor, Thompson, Treat, Weaver and Young.--39.

Nay: Burns, Dahm, Hamilton, Jett, Merrick and Quinn.--6.

Excused: Matthews, Newhouse and Rogers.--3.

#### **FOURTH READING**

Senator Garvin asked that **HB 1007** be laid over for this legislative day, which was the order.

**HB 1007** remains on Fourth Reading.

#### **MESSAGE FROM THE HOUSE**

Returning following bills, together with conference committee reports thereon, advising adoption of conference committee reports and passage of measures as amended.

**SB 48** - coauthored by Representatives Caldwell (Trey) and Pittman

**SB 54**

**SB 66**

**SB 207**

**SB 236**

**SB 408**

**SB 434** - coauthored by Representative Fugate

**SB 463** - coauthored by Representative Steagall

**SB 472**

**SB 609**

**SB 624**

**SB 639** - coauthored by Senator Jech

**SB 650**

**SB 778** - coauthored by Representatives Patzkowsky, Russ and Roberts (Sean)

**SB 779** - coauthored by Representatives Patzkowsky and Roberts (Sean)

**SB 909**

**SB 915**

**SB 1013**

The above-numbered measures, as amended in conference, were referred for enrollment.



**REPORT OF ENGROSSED AND ENROLLED MEASURES**

**SBs 48, 54, 66, 207, 236, 408, 434, 463, 472, 609, 624, 639, 650, 778, 779, 909, 915** and **1013** were each correctly enrolled and after fourth reading, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

**SR 23** was correctly enrolled, properly signed and ordered transmitted to the Secretary of State.

**MESSAGES FROM THE HOUSE**

Advising fourth reading of and returning Enrolled **SBs 48, 54, 66, 207, 229, 236, 408, 422, 434, 463, 472, 609, 624, 639, 650, 778, 779, 893, 909, 915** and **1013**.

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

Advising passage of and transmitting for consideration Engrossed **HB 2964**.

**HB 2964** – By McCall and Russ of the House and Treat of the Senate.

An Act relating to excise tax; amending 68 O.S. 2011, Section 2103, as amended by Section 4, Chapter 316, O.S.L. 2012 (68 O.S. Supp. 2020, Section 2103), which relates to taxation on the sale of motor vehicles; adding types of vehicles for which excise tax payment is in lieu of all sales and use taxes; and providing an effective date.

The above-numbered measure was read the first time.

Advising concurrence in **SAs** to and passage of Engrossed **HB 1759**.

Advising conferees unable to agree on the following:

**HB 2776**

Advising fourth reading of and transmitting for signature Enrolled **HBs 1010, 1752, 1759, 1794, 1797, 2214, 2293** and **2546**.

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

Senator David moved that when the clerk's desk is clear, the Senate stand adjourned to convene Wednesday, May 26, 2021, at 9:30 a.m., which motion prevailed.

### **CONFERENCE COMMITTEE REPORT SUBMITTED**

Conference committee report was read on the following bill:

**SB 1033**

### **SECOND READING**

The following were read for the second time and referred as indicated:

**HB 2965** – Direct To Calendar

**HJR 1046** – Direct To Calendar

### **FIRST READING**

The following were introduced and read the first time:

**SR 24** – By Treat.

A Resolution recognizing the centennial of the 1921 Tulsa Race Massacre; applauding the Commission; encouraging Oklahomans; and directing distribution.

**SR 25** – By Treat.

A Resolution relating to the protection of the property and supplies of the Senate and duties of the President Pro Tempore during the 2021 legislative interim; authorizing employment of necessary personnel; restricting use of Senate offices and Senate Chamber during the interim except with the consent of the President Pro Tempore; authorizing repairs to the Senate Chamber, Senate offices and furnishings and purchase of needed furnishings and equipment therefor; authorizing President Pro Tempore to appoint members of the Senate to interim committees; authorizing President Pro Tempore to approve claims for reimbursement incurred by members and employees of the Senate during the interim; and providing for cumulative powers.

### **CHANGE IN AUTHORS/COAUTHORS**

The following measures were authored/coauthored:

**SB 270** - Coauthored by Senator Stephens

**SB 408** - Coauthored by Representative Virgin

**SB 624** - Coauthored by Representative Roberts (Sean)

**SB 658** - Coauthored by Representative Kendrix  
Coauthored by Representative Crosswhite Hader  
Coauthored by Senator Stephens

**SB 821** - Coauthored by Senator Quinn

**HB 2964** - Coauthored by Representative Caldwell (Chad)

**HCR 1011** - Coauthored by Senator Allen

#### **MOTION EXPIRED**

Time expired for consideration of the motion to reconsider whereby **HB 1044** passed.

**HB 1044**, together with the conference committee report thereon, was ordered returned to the Honorable House.

#### **MESSAGE FROM THE GOVERNOR**

Advising his approval May 25, 2021, of Enrolled **SB 905**.

Pursuant to the David motion, the Senate adjourned at 2:10 p.m. to meet Wednesday, May 26, 2021, at 9:30 a.m.