

Senate Journal

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

Forty-eighth Legislative Day, Monday, May 1, 2023

The Senate was called to order by Senator Daniels.

Roll Call:

Present: Alvord, Bergstrom, Boren, Brooks, Bullard, Burns, Coleman, Dahm, Daniels, Dossett, Dugger, Floyd, Garvin, Gollihare, Green, Hall, Hamilton, Haste, Hicks, Howard, Jech, Jett, Kidd, Kirt, Matthews, McCortney, Montgomery, Murdock, Newhouse, Paxton, Pederson, Pemberton, Prieto, Pugh, Rader, Rogers, Rosino, Seifried, Stephens, Stewart, Thompson (Kristen), Thompson (Roger), Treat, Weaver, Woods, and Young.—46.

Excused: Standridge and Stanley.—2.

Senator Daniels declared a quorum present.

The prayer was offered by Senator Brent Howard.

REPORT OF ENGROSSED AND ENROLLED MEASURES

SCR 10 was correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

SBs 235, 297, 557, 613, 715, 922, 930 and 1091 were each correctly enrolled and after fourth reading, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

HBs 1774, 1792, 1934, 1936, 2153, 2180, 2236, 2398, 2422, 2456, 2459, 2663, 2672, 2679 and 2794 were each correctly engrossed and, together with engrossed **SAs**, properly signed and ordered returned to the Honorable House.

MESSAGES FROM THE HOUSE

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

SB 26

SB 27

SB 97

SB 112 - coauthored by Representative Schreiber

SB 126 - (Emergency failed)

SB 141 - coauthored by Representatives Munson and Dobrinski

SB 194

SB 225

SB 261

SB 266

SB 302

SB 368 - coauthored by Representatives Schreiber, Martinez, Fugate, Provenzano, Menz, Deck, Roe, West (Tammy), Baker, and Swope

SB 397 - coauthored by Representatives Hardin, Olsen, Gann, Humphrey, West (Rick), Maynard, Kane, Banning, and Crosswhite Hader

SB 422

SB 437

SB 482 - coauthored by Representatives Provenzano, Bennett, Lowe (Dick), and Conley

SB 484 - Remove Representative Boles as principal House author and substitute with Representative McDugle; coauthored by Representatives Boles, Deck, and Conley and Senator Garvin

SB 486

SB 516

SB 600

SB 654 - coauthored by Representative Menz

SB 677

SB 706 - coauthored by Representatives Lawson, Caldwell (Chad), Hill, Dobrinski, Cantrell, Townley, Tedford, Stark, and Hilbert

SB 724

SB 747 - coauthored by Representative Boles

SB 750 - Remove Representative Fetgatter as principal House author and substitute with Representative Martinez; coauthored by Representative Fetgatter

SB 758

SB 760

SB 796

SB 852

SB 871

SB 942

SB 952 - coauthored by Representative Cantrell

SB 993 - coauthored by Representatives Swope and Munson

- SB 1010** - Remove Representative Pfeiffer as principal House author and substitute with Representative Blancett
- SB 1057** - coauthored by Representative Hill
- SB 1063** - coauthored by Representatives Boles, Schreiber, Pae, Baker, and Hill
- SB 1068** - Remove Representative Boles as principal House author and substitute with Representative Fetgatter; coauthored by Representative Boles
- SB 1071** - coauthored by Representative Boles

House amendments were read on the above-numbered bills.

Advising fourth reading of and returning Enrolled **SBs 235, 297, 557, 613, 715, 922, 930 and 1091.**

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

PENDING CONSIDERATION OF HAS

HAs to SBs 100, 101, 261, 266, 397, 406, 576, 600, 604, 632, 654, 706, 742, 758, 852 and 1057 were rejected upon motion of Senator McCortney, conference requested, and Senate conferees to be named later.

MESSAGES TO THE GOVERNOR

The following enrolled measures were referred to the Governor:

SBs 68, 93, 230, 297, 354, 497, 535, 537, 544, 605, 619, 638, 650, 710, 754, 939, 1040 and 1046.

Senator McCortney moved that when the clerk's desk is clear, the Senate stand adjourned to convene Tuesday, May 2, 2023, at 9:30 a.m., which motion prevailed.

FIRST READING

The following was introduced and read the first time:

SR 16 – By Jett.

A Resolution recognizing May 15 as Hmong Special Guerilla Unit (SGU) Veterans Recognition Day; and directing distribution.

CHANGE IN AUTHORS/COAUTHORS

The following measures were authored/coauthored:

SB 27 - Coauthored by Representative Wolfley

SB 368 - Coauthored by Representative Pae

SB 397 - Coauthored by Representative Stark

SB 482 - Coauthored by Representative Deck

Coauthored by Representative Wolfley

SB 613 - Coauthored by Representative Stark

SB 993 - Coauthored by Representative Deck

SB 1010 - Coauthored by Representative Pittman

SB 1063 - Coauthored by Representative Deck

SB 1196 - Coauthored by Representative Kannady (principal House author)

MESSAGES FROM THE GOVERNOR

Advising his approval April 28, 2023, of Enrolled **SBs 286, 292, 293, 330, 420, 452, 460, 550, 575, 607, 745, 782, 798, 811, 981, 1000** and **1035**.

Advising his veto April 28, 2023, of Enrolled **SB 563**.

The veto message reads as follows:

April 28, 2023

The Honorable President Pro Tempore
And Members of the Oklahoma Senate
First Regular Session of the
Fifty-ninth Oklahoma Legislature

ENROLLED SENATE BILL NO. 563:

Pursuant to the authority vested in me by Section 11 of Article VI of the Oklahoma Constitution, I have vetoed Enrolled Senate Bill 563.

Enrolled Senate Bill 563 would ensure anesthesia providers continue to be reimbursed in amounts equal to or greater than the fee schedule established by the Oklahoma Health Care Authority as of January 1, 2021. The bill also authorizes anesthesia providers to enter into value-based or alternative payment arrangements for services furnished to Medicaid members.

Essentially, this bill would return anesthesia providers to a fee-for-service model, thereby undoing the progress we've made ushering in managed care. Moreover, I cannot, in good conscience, sign a bill that arbitrarily preferences anesthesia providers over others.

For these reasons, I have vetoed Enrolled Senate Bill 563.

By the Governor of the State of Oklahoma
/s/ Kevin Stitt

Advising his approval May 1, 2023, of Enrolled SBs **234, 317, 446, 481, 540, 553, 613, 630, 682, 804** and **1094**.

Advising his veto May 1, 2023, of Enrolled SBs **429** and **748**.

The veto messages read as follows:

May 1, 2023

The Honorable President Pro Tempore
And Members of the Oklahoma Senate
First Regular Session of the
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ENROLLED SENATE BILL NO. 429:

Pursuant to the authority vested in me by Section 11 of Article VI of the Oklahoma Constitution, I have vetoed Enrolled Senate Bill 429.

Enrolled Senate Bill 429 would require public school districts, public charter schools, technology center schools, and institutions within the Oklahoma State System of Higher Education to allow enrolled students to wear tribal regalia during the school's official graduation ceremonies.

School districts or institutions should be able to set the dress code at their institutions' official graduation ceremonies. In other words, if schools want to allow their students to wear tribal regalia at graduation, good on them; but if schools prefer for their students to wear only traditional cap and gown, the Legislature shouldn't stand in their way.

Moreover, pursuant to Article V, Section 46 of the Oklahoma Constitution, the Legislature cannot pass special laws regulating school districts applicable to one person or class of persons. Should this bill become law, the proverbial Pandora's box will be opened for other groups to go over the heads of local superintendents and demand special favor to wear whatever they please at a formal ceremony. Simply put, this decision rests with local school districts, not state government.

Lastly, as a point of clarification, nothing in current state law prevents a school from allowing students to wear tribal regalia at their graduation ceremonies.

For these reasons, I have vetoed Enrolled Senate Bill 429.

By the Governor of the State of Oklahoma
/s/ Kevin Stitt

May 1, 2023

The Honorable President Pro Tempore
And Members of the Oklahoma Senate
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ENROLLED SENATE BILL NO. 748:

Pursuant to the authority vested in me by Section 11 of Article VI of the Oklahoma Constitution, I have vetoed Enrolled Senate Bill 748.

As I understand it, the U.S. Food and Drug Administration (“FDA”) recently approved Narcan, 4 milligram (mg) naloxone hydrochloride nasal spray for over-the-counter (“OTC”), nonprescription use—the first opioid antagonist product approved for use without a prescription. Since the standing order this bill would have authorized was statutorily set to expire upon FDA approval of at least one opioid antagonist as an OTC drug, this bill is unnecessary.

For this reason, I have vetoed Enrolled Senate Bill 748.

By the Governor of the State of Oklahoma
/s/ Kevin Stitt

Pursuant to the McCortney motion, the Senate adjourned at 2:15 p.m. to meet Tuesday, May 2, 2023, at 9:30 a.m.