

# Senate Journal

## Second Extraordinary Session of the Fifty-ninth Legislature of the State of Oklahoma

First Legislative Day, Tuesday, October 3, 2023

### COMMUNICATION

July 10, 2023

Dear Governor Stitt,

Over the last nearly nine years, it has been a true honor and humbling to have been allowed to serve and represent both the people of Senate District 32 and House District 62. I have endeavored to be a good steward and representative of the people of Lawton, Cache, Elgin, Fletcher, Indianola, Medicine Park, and greater northwest Comanche County.

Planting trees whose shade I may never see has remained top of mind during my time in the legislature. The beginning of my tenure saw some of the most significant revenue shortfalls in recent years, from which one of my earliest acts, the Revenue Stabilization Act was born. Ensuring access to vital services during revenue shortfalls will enable the state to not take a step backward at a time when services may be most necessary. In terms of steps forward, I have now been party to Oklahoma's two largest teacher pay raises and targeted investments in public education, not just making Oklahoma competitive regionally, but nationally.

Moreover, I have sought and supported the ability of Oklahoma families to have the same opportunity that mine had growing up in this state. Targeted tax incentives and regulatory burden easement I have authored for various innovative industries will propel new growth of quality jobs and investment. Various laws I have authored in the last few years pursue better access to mental and behavioral health services and seek to break a cycle of drug addiction.

On August 1, 2023, I begin a new endeavor to continue to promote economic vitality and success in my hometown. As such, pursuant to 26 O.S. § 12-119, I hereby irrevocably tender my resignation from the elected position of State Senator for District 32. Such resignation shall not become effective immediately, but shall become effective at 11:59 p.m. on August 1st, 2023.

Thank you for your service to our state and for the service of your family.

Very Respectfully and With Best Wishes,

/s/ John Michael Montgomery

Pursuant to Executive Order 2023-23, issued by the Governor of the State of Oklahoma, the Honorable J. Kevin Stitt, on the 11<sup>th</sup> day of September, 2023, the Senate was called to order by Senator Jech.

Roll Call:

Present: Alvord, Bergstrom, Boren, Bullard, Coleman, Dahm, Daniels, Dossett, Dugger, Floyd, Garvin, Gollihare, Green, Hall, Hamilton, Haste, Hicks, Howard, Jech, Jett, Kidd, Kirt, Matthews, McCortney, Paxton, Pederson, Pemberton, Prieto, Pugh, Rader, Rogers, Rosino, Seifried, Stanley, Stephens, Stewart, Thompson (Kristen), Thompson (Roger), Treat, Weaver and Young.—41.

Excused: Brooks, Burns, Murdock, Newhouse, Standridge and Woods.—6.

Vacancy: District 32.—1.

Senator Jech declared a quorum present.

The prayer was offered by Senator John Haste.

## **COMMUNICATION**

The Executive Order issued by the Governor was read at length as follows:

### **EXECUTIVE DEPARTMENT EXECUTIVE ORDER 2023-23**

To the Honorable Members of the Oklahoma House of Representatives and the Honorable Members of the Oklahoma State Senate:

I, J. Kevin Stitt, Governor of the State of Oklahoma, pursuant to the authority vested in me by Art. VI, § 7 of the Oklahoma Constitution, hereby convoke an Extraordinary Session of the Fifty-Ninth Legislature to convene at the State Capitol on October 3, 2023. The Legislature shall only act:

1. To create a statutory trigger which automatically eliminates any tax assessed by the state or its political subdivisions if that same tax is found by a state or federal court to be inapplicable to any individual by virtue of their race, heritage, or political classification.

2. To deliver Oklahomans a personal state income tax cut--one that puts the state on a pathway to zero personal state income taxes.
3. To increase transparency in the legislative budget making process. This shall include, without limitation, the following:
  - a. a requirement that no General Appropriations Bill or spending limits bill shall be acted upon by the legislature, or any committee thereof, without first being made publicly available for consideration in its final form for at least three legislative days;
  - b. provide statutory definitions for recurring revenue, non-recurring revenue, recurring expense, and non-recurring expense;
  - c. require the designation of expenditure type and revenue source as recurring or non-recurring in any proposed legislation that involves the expenditure of any revenue, regardless of source;
  - d. require any legislatively directed spending be explicitly included in any General Appropriations Bill or spending limits bill; and
  - e. prohibit any member or employee of the Legislature from directly or indirectly attempting to influence agency expenditures outside of the legislative process.

Copies of this Executive Order shall be distributed to every member of the Oklahoma House of Representatives, every member of the Oklahoma State Senate, the Clerk of the House of Representatives, the Secretary of the Senate, and the Director of the Office of Management and Enterprise Services.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Oklahoma to be affixed at Oklahoma City, Oklahoma, this 11<sup>th</sup> day of September, 2023.

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

Attest:  
/s/ Brian Bingman, Secretary of State

Senator McCortney advised that pursuant to the provisions of Senate Rules 1-1 and 11-1, the mileage report, selection of Officers and the Rules of the Senate approved for the Fifty-ninth Oklahoma Legislature shall continue for the Second Extraordinary Session of the Fifty-ninth Oklahoma Legislature.

Senator McCortney moved that pursuant to President Pro Tempore Greg Treat's appointment of Senator Dewayne Pemberton to the Senate Retirement and Insurance Committee to serve as Chair, as announced on September 12, 2023, and the provisions of Senate Rules 1-1 and 7-2, that the Standing Committees and the members thereof appointed

for the Fifty-ninth Oklahoma Legislature shall continue for the Second Extraordinary Session of the Fifty-ninth Oklahoma Legislature, which motion was declared adopted.

Senator McCortney asked unanimous consent, which was the order, that the Joint Rules of the Fifty-ninth Oklahoma Legislature continue for the Second Extraordinary Session of the Fifty-ninth Oklahoma Legislature.

### **FIRST READING**

The following was introduced and read the first time:

**SCR 1XX** – By McCortney of the Senate and Echols of the House.

A Concurrent Resolution relating to adjournment of the Legislature for a period in excess of three days; and providing reciprocal consent of the Senate and the House of Representatives to adjourn for a period of time in excess of three days for the duration of the 2nd Extraordinary Session of the 59th Oklahoma Legislature.

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

Senator McCortney asked unanimous consent to refer **SCR 1XX** direct to the Calendar for consideration, which was the order.

### **GENERAL ORDER**

**SCR 1XX** by McCortney of the Senate and Echols of the House was called up for consideration.

**SCR 1XX** was adopted upon motion of Senator McCortney and referred for engrossment.

### **REPORT OF ENGROSSED AND ENROLLED MEASURE**

**SCR 1XX** was correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

Senator McCortney moved that the Senate recess to the Call of the Chair, which motion was declared adopted.

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The Senate reconvened with Senator Jech presiding.

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

**MESSAGE FROM THE HOUSE**

Advising passage of and returning the following Engrossed bill:

**SCR 1XX**

The above-numbered measure was referred for enrollment.

**REPORT OF ENGROSSED AND ENROLLED MEASURE**

**SCR 1XX** was correctly enrolled, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

**MESSAGE FROM THE HOUSE**

Advising the signing of and returning Enrolled **SCR 1XX**.

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

President Pro Tempore Treat moved that pursuant to Article V, Section 26 of the Oklahoma Constitution, that the Second Extraordinary Session of the Fifty-ninth Legislature adjourn sine die.

Pursuant to the Treat motion, the Second Extraordinary Session of the Fifty-ninth Legislature adjourned sine die at 2:27 p.m., Tuesday, October 3, 2023.