

# Senate Journal

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

Fourteenth Legislative Day, Tuesday, February 23, 2016

The Senate was called to order by Senator David.

Roll Call:

Present: Allen, Anderson, Barrington, Bass, Bice, Bingman, Boggs, Brecheen, Brooks, Brown, Crain, Dahm, David, Dossett, Fields, Floyd, Ford, Garrison, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Matthews, Mazzei, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat, Wyrick and Yen.—46.

Excused: Fry and Newberry.—2.

Senator David declared a quorum present.

The prayer was offered by Pastor Alex Costea, Cheyenne United Methodist Church, Cheyenne, the guest of Senator Jech.

### REPORT OF ENGROSSED AND ENROLLED MEASURES

**SBs 998, 1033, 1069, 1186, 1196** and **1211** were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

### CHANGE IN COMMITTEE ASSIGNMENTS

**SB 1458** – Withdrawn from Public Safety and Appropriations and referred to Public Safety

**GENERAL ORDER**

**SB 922** by Simpson of the Senate and Roberts (Dustin) of the House was called up for consideration.

Senator Simpson moved that **SB 922** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 922** was read for the third time at length.

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

Aye: Allen, Anderson, Barrington, Bass, Bice, Bingman, Boggs, Brecheen, Brooks, Brown, Crain, Dahm, David, Dossett, Fields, Floyd, Ford, Garrison, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Matthews, Mazzei, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Silk, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat, Wyrick and Yen.--45.

Excused: Fry, Newberry and Shortey.--3.

The bill and emergency passed.

**SB 922** was referred for engrossment.

**GENERAL ORDER**

**SB 926** by Simpson of the Senate and Roberts (Dustin) of the House was called up for consideration.

Senator Simpson moved that **SB 926** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 926** was read for the third time at length.

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

Aye: Allen, Anderson, Barrington, Bass, Bice, Bingman, Boggs, Brecheen, Brooks, Brown, Crain, Dahm, David, Dossett, Fields, Floyd, Ford, Garrison, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Matthews, Mazzei, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Silk, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat, Wyrick and Yen.--45.

Excused: Fry, Newberry and Shortey.--3.

The bill and emergency passed.

**SB 926** was referred for engrossment.

### **GENERAL ORDER**

**SB 928** by Simpson of the Senate and Roberts (Dustin) of the House was called up for consideration.

Senator Simpson moved that **SB 928** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 928** was read for the third time at length.

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

Aye: Allen, Anderson, Barrington, Bass, Bice, Boggs, Brecheen, Brooks, Brown, Crain, Dahm, David, Dossett, Fields, Floyd, Ford, Garrison, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Matthews, Mazzei, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Silk, Simpson, Smalley, Sparks, Standridge, Stanislowski, Sykes, Thompson, Treat, Wyrick and Yen.--44.

Excused: Bingman, Fry, Newberry and Shortey.--4.

The bill and emergency passed.

**SB 928** was referred for engrossment.

### **GENERAL ORDER**

**SB 935** by Simpson of the Senate and Roberts (Dustin) of the House was called up for consideration.

Senator Simpson moved that **SB 935** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 935** was read for the third time at length.

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

Aye: Allen, Anderson, Barrington, Bass, Bice, Bingman, Boggs, Brecheen, Brooks, Brown, Crain, Dahm, David, Dossett, Fields, Floyd, Ford, Garrison, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Matthews, Mazzei, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat, Wyrick and Yen.--46.

Excused: Fry and Newberry.--2.

The bill and emergency passed.

**SB 935** was referred for engrossment.

**GENERAL ORDER**

**SB 949** by Simpson of the Senate and Roberts (Dustin) of the House was called up for consideration.

Senator Simpson moved that **SB 949** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 949** was read for the third time at length.

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

Aye: Allen, Anderson, Barrington, Bass, Bice, Bingman, Boggs, Brecheen, Brooks, Brown, Crain, Dahm, David, Dossett, Fields, Floyd, Ford, Garrison, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Matthews, Mazzei, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat, Wyrick and Yen.--46.

Excused: Fry and Newberry.--2.

The bill and emergency passed.

**SB 949** was referred for engrossment.

**GENERAL ORDER**

**SB 1020** by Barrington and Fields of the Senate and Wallace of the House was called up for consideration.

Senator Barrington moved that **SB 1020** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 1020** was read for the third time at length.

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

Aye: Allen, Anderson, Barrington, Bass, Bice, Bingman, Boggs, Brecheen, Brooks, Brown, Crain, Dahm, David, Dossett, Fields, Floyd, Ford, Garrison, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Matthews, Mazzei, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat, Wyrick and Yen.--46.

Excused: Fry and Newberry.--2.

The bill passed.

**SB 1020** was referred for engrossment.

**GENERAL ORDER**

**SB 1004** by Sharp of the Senate and Henke of the House was called up for consideration.

Senator Sharp moved that **SB 1004** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 1004** was read for the third time at length.

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

Aye: Anderson, Barrington, Bass, Bice, Bingman, Boggs, Brecheen, Brooks, Brown, Crain, Dahm, David, Dossett, Fields, Floyd, Ford, Garrison, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Matthews, Mazzei, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat, Wyrick and Yen.--45.

Excused: Allen, Fry and Newberry.--3.

The bill and emergency passed.

**SB 1004** was referred for engrossment.

### **GENERAL ORDER**

**SB 884** by Brooks of the Senate and Cox of the House was called up for consideration.

Senator Brooks moved that **SB 884** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 884** was read for the third time at length.

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

Aye: Allen, Anderson, Barrington, Bass, Bice, Bingman, Boggs, Brecheen, Brooks, Brown, Crain, Dahm, David, Dossett, Fields, Floyd, Ford, Garrison, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Matthews, Mazzei, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat, Wyrick and Yen.--46.

Excused: Fry and Newberry.--2.

The bill passed.

**SB 884** was referred for engrossment.

### **GENERAL ORDER**

**SB 1335** by Brooks of the Senate and Christian of the House was called up for consideration.

Senator Brooks moved that **SB 1335** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 1335** was read for the third time at length.

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

Aye: Anderson, Barrington, Boggs, Brecheen, Brooks, Crain, Ford, Griffin, Halligan, Holt, Jech, Justice, Quinn, Sharp, Shaw, Shortey, Silk, Standridge, Thompson and Yen.--20.

Nay: Allen, Bass, Bingman, Brown, Dahm, David, Dossett, Fields, Floyd, Garrison, Jolley, Loveless, Matthews, Mazzei, Paddack, Pittman, Schulz, Simpson, Smalley, Sparks, Stanislawski, Sykes, Treat and Wyrick.--24.

Excused: Bice, Fry, Marlatt and Newberry.--4.

The bill failed.

The Chair advised that Senator Bice, having been present in the Chamber during the vote on **SB 1335** would be shown voting Nay in compliance with Rule 8-31B. The vote thereby resulted as follows: Aye: 20; Nay: 25; Excused: 3.

Pursuant to Rule 8-32, Senator Brooks served notice that the vote be reconsidered whereby **SB 1335** failed.

**MESSAGE FROM THE HOUSE**

Advising passage of and transmitting for consideration Engrossed **HBs 2601** and **3128**.

**HB 2601** – By Ritze and Denney of the House and Brown of the Senate.

An Act relating to public health; requiring health care facilities to include certain breast density information in a mammography report; requiring notice under certain circumstances; providing that certain information may be provided to patient; providing that no duty of care exists; providing that notice shall not be inconsistent with federal law; providing for codification; and providing an effective date.

**HB 3128** – By Cockroft and Faught of the House and Treat of the Senate.

An Act relating to public health and safety; creating the Prenatal Nondiscrimination Act of 2016; defining certain terms; prohibiting performance of abortion due to diagnosis of Down syndrome or genetic abnormality of unborn child; providing certain penalties; excluding liability of certain woman; providing for construction; providing for severability; permitting certain individuals to intervene if constitutionality is challenged; providing for codification; and providing an effective date.

The above-numbered measures were read the first time.

Senator Schulz moved that when the clerk's desk is clear, the Senate stand adjourned to convene Wednesday, February 24, 2016, 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 1095** – Judiciary

Ayes: Brooks, Crain, Floyd, Griffin, Holt, Sparks, Standridge, Sykes, Thompson, Treat

**SB 1166** – Judiciary

Ayes: Brooks, Crain, Floyd, Griffin, Holt, Sparks, Standridge, Sykes, Thompson, Treat

**SB 1249** – Judiciary

Ayes: Brooks, Floyd, Griffin, Holt, Sparks, Standridge, Sykes, Thompson, Treat

**SB 1317** – Transportation

Ayes: Allen, Barrington, Bice, Loveless, Marlatt, Matthews, Paddack, Pittman, Silk, Smalley, Stanislawski

**SB 1318** – Transportation

Ayes: Allen, Barrington, Bice, Loveless, Matthews, Paddack, Pittman, Shortey, Silk, Smalley, Stanislawski

**SB 1378** – Transportation

Ayes: Allen, Barrington, Bice, Loveless, Marlatt, Matthews, Paddack, Pittman, Shortey, Silk, Smalley, Stanislawski

**SB 1515** – Judiciary

Ayes: Brooks, Crain, Floyd, Griffin, Holt, Sparks, Standridge, Sykes, Thompson, Treat

DO PASS, As Amended:

**CS for SB 58** – Judiciary

Ayes: Brooks, Floyd, Griffin, Holt, Sparks, Standridge, Sykes, Thompson, Treat  
Nays: Crain

**SB 441** – Judiciary

Ayes: Brooks, Crain, Floyd, Griffin, Holt, Sparks, Standridge, Sykes, Thompson, Treat



**SB 743** – Transportation

Ayes: Allen, Barrington, Bice, Marlatt, Matthews, Paddack, Pittman, Shortey, Silk, Smalley, Stanislawski

**SB 770** – Judiciary

Ayes: Brooks, Crain, Floyd, Griffin, Holt, Sparks, Standridge, Sykes, Thompson, Treat

**SB 791** – Judiciary

Ayes: Brooks, Crain, Floyd, Griffin, Holt, Sparks, Standridge, Sykes, Thompson, Treat

**SB 880** – Judiciary, coauthored by Osborn (principal House author)

Ayes: Brooks, Crain, Floyd, Griffin, Holt, Sparks, Standridge, Sykes, Thompson, Treat

**CS for SB 891** – Finance

Ayes: Dahm, David, Ford, Halligan, Jech, Mazzei, Paddack, Quinn, Simpson, Sparks, Wyrick, Yen

**CS for SB 892** – Finance

Ayes: Dahm, Ford, Halligan, Jech, Mazzei, Quinn, Wyrick, Yen

Nays: David, Jolley, Paddack, Simpson, Sparks

**SB 900** – Finance

Ayes: Dahm, Ford, Halligan, Jech, Paddack, Quinn, Simpson, Sparks, Wyrick, Yen

**CS for SB 916** – Finance

Ayes: Dahm, David, Ford, Halligan, Jech, Mazzei, Quinn, Simpson, Yen

Nays: Paddack, Sparks, Wyrick

**CS for SB 990** – Judiciary

Ayes: Brooks, Crain, Floyd, Griffin, Holt, Sparks, Standridge, Sykes, Thompson, Treat

**CS for SB 1073** – Finance

Ayes: Ford, Halligan, Jech, Mazzei, Paddack, Quinn, Simpson, Sparks, Wyrick, Yen

Nays: Dahm, David

**SB 1083** – Judiciary

Ayes: Brooks, Crain, Floyd, Griffin, Holt, Sparks, Standridge, Sykes, Thompson, Treat

**CS for SB 1091** – Judiciary

Ayes: Brooks, Crain, Floyd, Griffin, Holt, Sparks, Standridge, Sykes, Thompson, Treat

**SB 1113** – Judiciary

Ayes: Brooks, Crain, Floyd, Griffin, Holt, Sparks, Standridge, Sykes, Thompson, Treat

**SB 1126** – Judiciary

Ayes: Brooks, Crain, Floyd, Griffin, Holt, Sparks, Standridge, Sykes, Thompson, Treat

**SB 1129** – Finance

Ayes: Dahm, Ford, Halligan, Jech, Mazzei, Paddack, Quinn, Simpson, Sparks, Wyrick,  
Yen

**CS for SB 1142** – Tourism and Wildlife

Ayes: Boggs, Brecheen, Brown, Fields, Justice, Sharp, Shaw

Nays: Anderson, Bass, Garrison, Wyrick

**CS for SB 1177** – Transportation

Ayes: Allen, Barrington, Bice, Loveless, Marlatt, Matthews, Paddack, Shortey, Silk,  
Smalley, Stanislawski

**SB 1200** – Judiciary

Ayes: Brooks, Floyd, Griffin, Holt, Sparks, Standridge, Sykes, Thompson, Treat

**SB 1206** – Tourism and Wildlife

Ayes: Anderson, Bass, Boggs, Brown, Fields, Garrison, Justice, Shaw, Wyrick

Nays: Brecheen

**SB 1233** – Judiciary

Ayes: Brooks, Floyd, Griffin, Holt, Sparks, Standridge, Sykes, Thompson, Treat

**CS for SB 1240** – Finance

Ayes: Ford, Halligan, Jech, Mazzei, Paddack, Simpson, Sparks, Wyrick, Yen

Nays: Dahm, Quinn

**CS for SB 1251** – Finance

Ayes: David, Ford, Halligan, Jech, Mazzei, Paddack, Quinn, Simpson, Sparks, Wyrick,  
Yen

Nays: Dahm

**CS for SB 1252** – Finance

Ayes: Dahm, Ford, Halligan, Jech, Paddack, Quinn, Simpson, Sparks, Wyrick, Yen

**CS for SB 1301** – Finance

Ayes: David, Ford, Halligan, Jech, Mazzei, Paddack, Quinn, Sparks, Wyrick, Yen

Nays: Dahm

**SB 1338** – Finance

Ayes: Dahm, Ford, Halligan, Jech, Quinn, Simpson, Wyrick, Yen

Nays: Sparks

**CS for SB 1393** – Finance

Ayes: Dahm, David, Ford, Halligan, Jech, Jolley, Mazzei, Quinn, Simpson, Yen

Nays: Paddack, Sparks, Wyrick

**SB 1433** – Transportation

Ayes: Allen, Barrington, Bice, Loveless, Paddack, Pittman, Shortey, Silk, Stanislawski

Nays: Marlatt, Smalley

**SB 1443** – Finance

Ayes: Dahm, Ford, Halligan, Jech, Paddack, Quinn, Simpson, Wyrick, Yen

Nays: Sparks

**SB 1455** – Finance

Ayes: Dahm, Ford, Halligan, Jech, Paddack, Quinn, Simpson, Sparks, Wyrick, Yen

**SB 1459** – Finance

Ayes: Dahm, Ford, Halligan, Jech, Paddack, Quinn, Simpson, Sparks, Wyrick, Yen

**CS for SB 1484** – Finance

Ayes: Dahm, David, Ford, Halligan, Jech, Jolley, Mazzei, Paddack, Quinn, Simpson, Sparks, Wyrick, Yen

**SB 1495** – Judiciary

Ayes: Brooks, Floyd, Griffin, Holt, Sparks, Standridge, Sykes, Thompson, Treat

**SJR 62** – Finance

Ayes: David, Ford, Halligan, Jech, Paddack, Quinn, Simpson, Sparks, Yen

Nays: Dahm

FAILED:

**SB 1315** – Finance

Ayes: Dahm, Mazzei

Nays: David, Ford, Halligan, Jech, Jolley, Paddack, Quinn, Simpson, Sparks, Wyrick, Yen

**COMMITTEE REPORTS**

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

DO PASS:

**SB 1059** – Transportation

Ayes: Barrington, Bice, Loveless, Marlatt, Matthews, Paddack, Pittman, Smalley, Stanislawski

Nays: Allen, Silk

DO PASS, As Amended:

**SB 1400** – Transportation

Ayes: Allen, Bice, Loveless, Marlatt, Shortey, Silk, Smalley

Nays: Barrington, Matthews, Paddack, Pittman, Stanislawski

**FIRST READING**

The following was introduced and read the first time:

**SR 45** – By Anderson.

A Resolution recognizing the 4th Wednesday of February as Oklahoma Technology Directors' Day in Oklahoma; and directing distribution.

**CHANGE IN AUTHORS/COAUTHORS**

The following measures were authored/coauthored:

**SB 707** - Coauthored by Bennett

**SB 880** - Coauthored by Osborn (principal House author)

**SB 902** - Coauthored by Enns (principal House author)

**SB 983** - Coauthored by Martin (principal House author)

**SB 1020** - Coauthored by Fields

**SB 1060** - Coauthored by Faught (principal House author)

**SB 1170** - Coauthored by Bennett

**SB 1179** - Coauthored by Cox (principal House author)

**SB 1187** - Remove as coauthor Senator Brecheen

**SB 1217** - Coauthored by Grau (principal House author)

**SB 1252** - Coauthored by McDaniel (Jeannie) (principal House author)

**SB 1273** - Coauthored by Cockroft (principal House author)

Coauthored by David

**SB 1274** - Coauthored by Cockroft (principal House author)  
**SB 1297** - Coauthored by McCullough (principal House author)  
**SB 1329** - Coauthored by Dunlap (principal House author)  
**SB 1333** - Coauthored by Denney (principal House author)  
**SB 1363** - Remove as author Senator Loveless; authored by David  
**SB 1374** - Coauthored by Denney (principal House author)  
**SB 1389** - Coauthored by Jolley  
**SB 1395** - Coauthored by Hall (principal House author)  
**SB 1424** - Coauthored by Ownbey (principal House author)  
**SB 1446** - Coauthored by Wright (principal House author)  
**SB 1490** - Coauthored by Wright (principal House author)  
**SB 1503** - Coauthored by Peterson (principal House author)  
**SB 1538** - Coauthored by Peterson (principal House author)  
**HB 1697** - Coauthored by David

Pursuant to the Schulz motion, the Senate adjourned at 3:00 p.m. to meet Wednesday, February 24, 2016, at 1:30 p.m.