

Senate Journal

Second Regular Session of the Fifty-fifth Legislature

of the State of Oklahoma

Thirty-ninth Legislative Day, Monday, April 11, 2016

The Senate was called to order by Senator Griffin.

Roll Call:

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

Excused: Garrison and Simpson.—2.

Senator Griffin declared a quorum present.

The prayer was offered by Pastor Bill Ledbetter, Fairview Baptist Church, Fairview, the guest of Senator Brecheen.

REPORT OF ENGROSSED AND ENROLLED MEASURES

SBs 14, 823, 1317, 1370 and 1371 were each correctly enrolled and after fourth reading, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

SCR 36 was correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

GENERAL ORDER

HB 2676 by Williams et al of the House and Brooks of the Senate was called up for consideration.

Senator Brooks moved to amend **HB 2676**, Page 1, by restoring the title, effective date and emergency clause, which amendment was declared adopted.

Senator Brooks moved that **HB 2676** be advanced, which motion was declared adopted.

THIRD READING

HB 2676 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, Bice, Bingman, Boggs, Brooks, Crain, David, Dossett, Fields, Floyd, Ford, Fry, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Matthews, Newberry, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Smalley, Sparks, Stanislawski, Thompson, Treat and Yen.--36.

Nay: Brecheen, Brown, Dahm, Mazzei, Silk and Sykes.--6.

Excused: Bass, Garrison, Shortey, Simpson, Standridge and Wyrick.--6.

The bill and emergency passed.

HB 2676 was referred for engrossment.

GENERAL ORDER

HB 2423 by Cleveland of the House and Holt of the Senate was called up for consideration.

Senator Holt moved that **HB 2423** be advanced, which motion was declared adopted.

THIRD READING

HB 2423 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, Bice, Boggs, Brecheen, Brooks, Brown, Crain, Dahm, David, Dossett, Fields, Floyd, Ford, Fry, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Matthews, Mazzei, Newberry, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Silk, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson and Yen.--41.

Excused: Bass, Bingman, Garrison, Shortey, Simpson, Treat and Wyrick.--7.

The bill passed.

HB 2423 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 2586 by Perryman of the House and Jech and Pittman of the Senate was called up for consideration.

Senator Jech moved to amend **HB 2586**, Page 1, by restoring the title and enacting clause, which amendment was declared adopted.

The above amendment restores **HB 2586** to the engrossed version of the bill.

Senator Jech moved that **HB 2586** be advanced, which motion was declared adopted.

THIRD READING

HB 2586 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, Bice, Boggs, Brecheen, Brooks, Brown, Crain, Dahm, David, Dossett, Fields, Floyd, Ford, Fry, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Matthews, Mazzei, Newberry, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Silk, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson and Yen.--41.

Excused: Bass, Bingman, Garrison, Shortey, Simpson, Treat and Wyrick.--7.

The bill passed.

HB 2586 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 2097 by Mulready and Moore of the House and Brown of the Senate was called up for consideration.

Senator Brown moved that **HB 2097** be advanced, which motion was declared adopted.

THIRD READING

HB 2097 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, Bice, Boggs, Brecheen, Brooks, Brown, Crain, Dahm, David, Dossett, Fields, Floyd, Ford, Fry, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Matthews, Mazzei, Newberry, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Silk, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson and Yen.--41.

Excused: Bass, Bingman, Garrison, Shortey, Simpson, Treat and Wyrick.--7.

The bill passed.

HB 2097 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 2761 by Kirby of the House and Brown of the Senate was called up for consideration.

Senator Brown moved that **HB 2761** be advanced, which motion was declared adopted.

THIRD READING

HB 2761 was read for the third time at length.

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

Aye: Anderson, Barrington, Bice, Boggs, Brooks, Brown, Crain, David, Dossett, Fields, Floyd, Ford, Fry, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Matthews, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Smalley, Sparks, Standridge, Stanislawski, Thompson and Yen.--34.

Nay: Allen, Brecheen, Dahm, Griffin, Mazzei, Newberry, Silk and Sykes.--8.

Excused: Bass, Bingman, Garrison, Simpson, Treat and Wyrick.--6.

The bill passed.

HB 2761 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 2996 by Moore of the House and Brown of the Senate was called up for consideration.

Senator Brown moved that **HB 2996** be advanced, which motion was declared adopted.

THIRD READING

HB 2996 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, Bice, Boggs, Brecheen, Brooks, Brown, Crain, Dahm, David, Dossett, Fields, Floyd, Ford, Fry, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Matthews, Mazzei, Newberry, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson and Yen.--42.

Excused: Bass, Bingman, Garrison, Simpson, Treat and Wyrick.--6.

The bill passed.

HB 2996 was referred for engrossment.

GENERAL ORDER

HB 3158 by Hickman et al of the House and Justice of the Senate was called up for consideration.

Senator Justice moved that **HB 3158** be advanced, which motion was declared adopted.

THIRD READING

HB 3158 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, Bice, Boggs, Brecheen, Brooks, Brown, Crain, Dahm, David, Dossett, Fields, Floyd, Ford, Fry, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Matthews, Mazzei, Newberry, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson and Yen.--42.

Excused: Bass, Bingman, Garrison, Simpson, Treat and Wyrick.--6.

The bill and emergency passed.

HB 3158 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 3167 by Hickman et al of the House and Stanislawski of the Senate was called up for consideration.

Senator Stanislawski moved to amend **HB 3167**, Page 4, Lines 11 through 14, by restoring all of the stricken language, which amendment was declared adopted..

Senator Stanislawski moved that **HB 3167** be advanced, which motion was declared adopted.

THIRD READING

HB 3167 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, Bice, Boggs, Brecheen, Brown, Crain, David, Ford, Fry, Halligan, Holt, Jech, Justice, Loveless, Quinn, Schulz, Sharp, Shaw, Silk, Standridge, Stanislawski, Thompson and Yen.--25.

Nay: Bingman, Brooks, Dahm, Dossett, Fields, Floyd, Griffin, Jolley, Marlatt, Matthews, Mazzei, Newberry, Paddack, Pittman, Shortey, Smalley, Sparks, Sykes and Treat.--19.

Excused: Bass, Garrison, Simpson and Wyrick.--4.

The bill passed.

HB 3167 was referred for engrossment.

GENERAL ORDER

HB 1293 by Mulready of the House and Jolley and Brown of the Senate was called up for consideration.

Senator Jolley moved to amend **HB 1293**, by striking the title, the enacting clause and the entire body of the bill and substituting the floor substitute, which amendment was declared adopted. (Copies were provided for all Senators.)

Senator Jolley asked that **HB 1293** be laid over for this legislative day, which was the order.

HB 1293 remains on General Order.

GENERAL ORDER

HB 2155 by Echols and McCullough of the House and Jolley of the Senate was called up for consideration.

Senator Jolley moved that **HB 2155** be advanced, which motion was declared adopted.

THIRD READING

HB 2155 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, Bice, Bingman, Boggs, Brecheen, Brooks, Brown, Crain, Dahm, David, Dossett, Fields, Floyd, Fry, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Matthews, Mazzei, Newberry, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat and Yen.--43.

Excused: Bass, Ford, Garrison, Simpson and Wyrick.--5.

The bill passed.

HB 2155 was referred for engrossment.

GENERAL ORDER

HB 2694 by Sears of the House and Jolley of the Senate was called up for consideration.

Senator Jolley moved to amend **HB 2694**, Page 1, by restoring the title, which amendment was declared adopted.

The above amendment restores **HB 2694** to the engrossed version of the bill.

Senator Jolley moved that **HB 2694** be advanced, which motion was declared adopted.

THIRD READING

HB 2694 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, Bice, Bingman, Boggs, Brecheen, Brooks, Brown, Crain, David, Fields, Fry, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Mazzei, Newberry, Quinn, Schulz, Sharp, Shaw, Shortey, Smalley, Sparks, Standridge, Stanislawski, Thompson, Treat and Yen.--35.

Nay: Dahm, Dossett, Floyd, Matthews, Paddack, Pittman, Silk and Sykes.--8.

Excused: Bass, Ford, Garrison, Simpson and Wyrick.--5.

The bill passed.

HB 2694 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 3120 by Martin of the House and Jolley of the Senate was called up for consideration.

Senator Jolley moved to amend **HB 3120**, Page 1, by restoring the title and emergency clause, which amendment was declared adopted.

The above amendment restores **HB 3120** to the engrossed version of the bill.

Senator Jolley moved that **HB 3120** be advanced, which motion was declared adopted.

THIRD READING

HB 3120 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, Bice, Bingman, Brooks, Crain, David, Dossett, Fields, Floyd, Fry, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Matthews, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Smalley, Sparks, Standridge, Stanislawski, Thompson, Treat and Yen.--32.

Nay: Allen, Boggs, Brecheen, Brown, Dahm, Marlatt, Mazzei, Newberry, Shortey, Silk and Sykes.--11.

Excused: Bass, Ford, Garrison, Simpson and Wyrick.--5.

The bill and emergency passed.

HB 3120 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 2963 by Nelson and Rousselot of the House and Treat of the Senate was called up for consideration.

Senator Treat moved that **HB 2963** be advanced, which motion was declared adopted.

THIRD READING

HB 2963 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, Bice, Bingman, Boggs, Brecheen, Brooks, Brown, Crain, Dahm, David, Dossett, Fields, Floyd, Ford, Fry, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Matthews, Mazzei, Newberry, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat and Yen.--44.

Excused: Bass, Garrison, Simpson and Wyrick.--4.

The bill passed.

HB 2963 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 3058 by Newell of the House and Treat of the Senate was called up for consideration.

Senator Treat moved that **HB 3058** be advanced, which motion was declared adopted.

THIRD READING

HB 3058 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, Bice, Bingman, Boggs, Brecheen, Brooks, Crain, Dahm, David, Dossett, Fields, Floyd, Ford, Fry, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Matthews, Mazzei, Newberry, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat and Yen.--43.

Excused: Bass, Brown, Garrison, Simpson and Wyrick.--5.

The bill passed.

HB 3058 was referred for engrossment.

GENERAL ORDER

HB 2715 by Ortega and McDaniel (Randy) of the House and Quinn of the Senate was called up for consideration.

Senator Quinn moved that **HB 2715** be advanced, which motion was declared adopted.

THIRD READING

HB 2715 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, Bingman, Boggs, Brooks, Brown, Crain, David, Dossett, Fields, Floyd, Ford, Fry, Griffin, Halligan, Holt, Jech, Justice, Loveless, Marlatt, Matthews, Mazzei, Newberry, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Smalley, Sparks, Standridge, Stanislawski, Thompson, Treat and Yen.--39.

Nay: Brecheen, Dahm and Sykes.--3.

Excused: Bass, Bice, Garrison, Jolley, Simpson and Wyrick.--6.

The bill passed.

HB 2715 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 3025 by Jordan of the House and Smalley of the Senate was called up for consideration.

Senator Smalley moved that **HB 3025** be advanced, which motion was declared adopted.

THIRD READING

HB 3025 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, Bingman, Boggs, Brecheen, Brooks, Brown, Crain, Dahm, David, Dossett, Fields, Floyd, Ford, Fry, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Matthews, Mazzei, Newberry, Pittman, Quinn, Schulz, Shaw, Shortey, Silk, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat and Yen.--41.

Nay: Paddack and Sharp.--2.

Excused: Bass, Bice, Garrison, Simpson and Wyrick.--5.

The bill passed.

HB 3025 was referred for engrossment.

GENERAL ORDER

HB 3115 by Martin of the House and Smalley of the Senate was called up for consideration.

Senator Smalley moved that **HB 3115** be advanced, which motion was declared adopted.

THIRD READING

HB 3115 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, Bingman, Boggs, Brecheen, Brooks, Brown, Crain, Dahm, David, Dossett, Fields, Floyd, Ford, Fry, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Matthews, Mazzei, Newberry, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat and Yen.--43.

Excused: Bass, Bice, Garrison, Simpson and Wyrick.--5.

The bill and emergency passed.

HB 3115 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 2603 by Ritze of the House and Standridge of the Senate was called up for consideration.

Senator Standridge moved to amend **HB 2603**, Page 4, Line 1, by deleting Section 2 in its entirety and inserting the following:

SECTION 2. This act shall become effective July 1, 2016.

SECTION 3. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval; and by amending the title to conform, which amendment was declared adopted.

Senator Standridge moved that **HB 2603** be advanced, which motion was declared adopted.

THIRD READING

HB 2603 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, Bice, Bingman, Boggs, Brecheen, Brooks, Brown, Crain, Dahm, David, Dossett, Fields, Floyd, Fry, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Matthews, Mazzei, Newberry, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat and Yen.--43.

Excused: Bass, Ford, Garrison, Simpson and Wyrick.--5.

The bill and emergency passed.

HB 2603 was referred for engrossment.

GENERAL ORDER

HB 2742 by Cox of the House and Standridge of the Senate was called up for consideration.

Senator Standridge moved that **HB 2742** be advanced, which motion was declared adopted.

THIRD READING

HB 2742 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, Bice, Bingman, Boggs, Brecheen, Brooks, Brown, Crain, Dahm, David, Dossett, Fields, Floyd, Fry, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Matthews, Mazzei, Newberry, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat and Yen.--43.

Excused: Bass, Ford, Garrison, Simpson and Wyrick.--5.

The bill passed.

HB 2742 was referred for engrossment.

MESSAGES FROM THE HOUSE

Advising passage of and returning the following Engrossed bills:

SB 16

SB 1056

SB 1097

SB 1134 - coauthored by Sherrer, Bennett and Hoskin of the House

SB 1198

SB 1209

The above-numbered measures were referred for enrollment.

Advising fourth reading of and transmitting for signature Enrolled **HBs 2281, 2288, 2349, 2378, 2401, 2403, 2426, 2484 and 2965.**

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

Advising fourth reading of and returning Enrolled **SBs 14, 823, 1317, 1370 and 1371.**

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

MESSAGE FROM THE HOUSE HAS TO SENATE BILLS

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

SB 1016

House amendments were read on the above-numbered bill.

PENDING SENATE ACTION HOUSE REQUEST FOR CONFERENCE

Upon motion of Senator Schulz, the request of the Honorable House for conference on **HB 1016** was ordered granted and Senate conferees to be named later.

Senator Schulz moved that when the clerk's desk is clear, the Senate stand adjourned to convene Tuesday, April 12, 2016, at 9:00 a.m., which motion prevailed.

FIRST READING

The following was introduced and read the first time:

SR 57 – By Yen.

A Resolution to raise awareness of the importance of vaccinations in preventing meningococcal disease; and to encourage high school and college age students and their parents to educate themselves about the devastating illness.

CHANGE IN AUTHORS/COAUTHORS

The following measures were authored/coauthored:

- HB 1549** - Remove as coauthor Representative(s) Perryman
- HB 2280** - Coauthored by Pittman
- HB 2282** - Coauthored by Pittman
- HB 2348** - Coauthored by Brooks
- HB 2547** - Coauthored by Pittman
- HB 2586** - Coauthored by Pittman
- HB 2616** - Coauthored by Brooks
- HB 2703** - Coauthored by Pittman
- HB 2797** - Coauthored by Brooks
- HB 2799** - Coauthored by Pittman
- HB 2820** - Coauthored by Pittman
- HB 2823** - Coauthored by Brooks
- HB 3023** - Coauthored by Loveless
- HB 3039** - Coauthored by Matthews

MESSAGES FROM THE GOVERNOR

Advising her approval April 11, 2016, of Enrolled **SBs 877, 880, 941, 1004, 1017, 1021, 1022, 1108, 1127, 1148, 1172, 1268, 1342, and 1515.**

Pursuant to the Schulz motion, the Senate adjourned at 3:30 p.m. to meet Tuesday, April 12, 2016, at 9:00 a.m.