

# Senate Journal

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

**Fourteenth Legislative Day, Monday, February 27, 2017**

The Senate was called to order by Senator Marlatt.

Roll Call:

Present: Allen, Bass, Bergstrom, Bice, Boggs, Brecheen, Brown, Dahm, Daniels, David, Dossett, Dugger, Fields, Floyd, Griffin, Holt, Jech, Kidd, Leewright, Loveless, Marlatt, Matthews, McCortney, Newhouse, Paxton, Pederson, Pemberton, Pittman, Pugh, Quinn, Rader, Schulz, Scott, Sharp, Shaw, Shortey, Silk, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat, Yen.—46.

Excused: Fry and Newberry.—2.

Senator Marlatt declared a quorum present.

The prayer was offered by Pastor Eli Gardner, First Baptist Church, Comanche, the guest of Senator Scott.

### **REPORT OF ENGROSSED AND ENROLLED MEASURES**

**SBs 595, 813 and 819** were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

### **CHANGE IN COMMITTEE ASSIGNMENT**

**SB 591** – Withdrawn from Transportation and referred to Appropriations

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

Senator Boggs asked unanimous consent to refer **SR 3** direct to the Calendar for consideration, which was the order.

**GENERAL ORDER**

**SR 3** by Boggs was called up for consideration.

All other members of the Senate asked to coauthor **SR 3**, which was the order.

**SR 3** was adopted upon motion of Senator Boggs and referred for enrollment.

**GENERAL ORDER**

**SB 88** by McCortney of the Senate and Thomsen of the House was called up for consideration.

Senator McCortney moved that **SB 88** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 88** was read for the third time at length.

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

Aye: Allen, Bass, Bergstrom, Bice, Boggs, Brecheen, Brown, Dahm, Daniels, Dossett, Dugger, Fields, Floyd, Griffin, Holt, Jech, Kidd, Leewright, Loveless, Marlatt, Matthews, McCortney, Newhouse, Paxton, Pederson, Pemberton, Pittman, Pugh, Quinn, Rader, Schulz, Scott, Sharp, Shaw, Shortey, Silk, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson and Treat.--44.

Excused: David, Fry, Newberry and Yen.--4.

The bill passed.

**SB 88** was referred for engrossment.

**GENERAL ORDER**

**SB 90** by McCortney and Matthews of the Senate and Thomsen of the House was called up for consideration.

Senator McCortney moved that **SB 90** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 90** was read for the third time at length.

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

Aye: Allen, Bass, Bergstrom, Bice, Boggs, Brecheen, Brown, Dahm, Daniels, Dossett, Dugger, Fields, Floyd, Griffin, Holt, Jech, Kidd, Leewright, Loveless, Marlatt, Matthews, McCortney, Newhouse, Paxton, Pederson, Pemberton, Pittman, Pugh, Quinn, Rader, Schulz, Scott, Sharp, Shaw, Shortey, Silk, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson and Treat.--44.

Excused: David, Fry, Newberry and Yen.--4.

The bill passed.

**SB 90** was referred for engrossment.

**INTRODUCTION**

Senator Shortey introduced his daughter, Evelyn, to the Senate.

**GENERAL ORDER**

**SB 242** by Pugh of the Senate and Sears of the House was called up for consideration.

Senator Pugh moved that **SB 242** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 242** was read for the third time at length.

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

Aye: Allen, Bass, Bergstrom, Bice, Boggs, Brecheen, Brown, Dahm, Daniels, David, Dossett, Dugger, Fields, Floyd, Griffin, Holt, Jech, Kidd, Leewright, Loveless, Marlatt, Matthews, McCortney, Newhouse, Paxton, Pederson, Pemberton, Pittman, Pugh, Quinn, Rader, Schulz, Scott, Sharp, Shaw, Shortey, Silk, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson and Treat.--45.

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

The bill passed.

**SB 242** was referred for engrossment.

### **GENERAL ORDER**

**SB 477** by Newhouse and Standridge of the Senate and Ortega of the House was called up for consideration.

Senator Newhouse moved that **SB 477** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 477** was read for the third time at length.

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

Aye: Bass, Bergstrom, Bice, Boggs, Brown, Daniels, David, Dossett, Dugger, Fields, Floyd, Griffin, Holt, Jech, Kidd, Leewright, Loveless, Marlatt, Matthews, McCortney, Newhouse, Paxton, Pederson, Pemberton, Pittman, Pugh, Quinn, Rader, Schulz, Scott, Sharp, Shaw, Shortey, Simpson, Smalley, Sparks, Standridge, Stanislawski, Thompson, Treat and Yen.--41.

Nay: Allen, Brecheen, Dahm, Silk and Sykes.--5.

Excused: Fry and Newberry.--2.

The bill passed.

**SB 477** was referred for engrossment.

### **GENERAL ORDER**

**SB 692** by Griffin et al of the Senate and Osborn (Leslie) of the House was called up for consideration.

Senator Griffin moved to amend **SB 692**, Page 1, by restoring the title and emergency clause, which amendment was declared adopted.

Senator Griffin moved that **SB 692** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 692** 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, Bass, Bergstrom, Bice, Boggs, Brecheen, Brown, Daniels, David, Dossett, Dugger, Fields, Floyd, Griffin, Holt, Jech, Kidd, Leewright, Loveless, Marlatt, Matthews, McCortney, Newhouse, Paxton, Pederson, Pemberton, Pittman, Pugh, Quinn, Rader, Schulz, Scott, Sharp, Shaw, Shortey, Silk, Simpson, Smalley, Sparks, Standridge, Stanislawski, Thompson, Treat and Yen.--44.

Nay: Dahm and Sykes.--2.

Excused: Fry and Newberry.--2.

The bill and emergency passed.

**SB 692** was referred for engrossment.

#### **MESSAGES FROM THE HOUSE**

Advising passage of and transmitting for consideration Engrossed **HJR 1028**.

**HJR 1028** – By Rogers of the House and Stanislawski of the Senate.

A Joint Resolution approving certain assessment requirements adopted by the State Board of Education; and directing distribution.

The above-numbered measure was read the first time.

Advising the signing of and returning Enrolled **SCR 4**.

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

#### **EXECUTIVE NOMINATION**

The following executive nomination was read and referred to the committee indicated:

Campbell, Phil E., Luther, as a member of the Oklahoma Conservation Commission - Agriculture and Wildlife

Senator Treat moved that when the clerk's desk is clear, the Senate stand adjourned to convene Tuesday, February 28, 2017, 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 180** – Health and Human Services

Ayes: David, Floyd, Griffin, Jech, McCortney, Pugh, Rader, Silk, Simpson, Standridge, Yen

**SB 245** – Education

Ayes: Allen, Bergstrom, Dugger, Fields, Loveless, Pemberton, Scott, Sharp, Smalley, Stanislawski, Thompson  
Nays: Dossett

**SB 266** – General Government

Ayes: Bice, Boggs, Daniels, Floyd, Holt, Kidd, Newhouse, Pittman  
Nays: Dahm

**SB 321** – General Government

Ayes: Bice, Boggs, Dahm, Daniels, Floyd, Holt, Kidd, Newhouse

**SB 372** – Retirement and Insurance

Ayes: Brown, Leewright, Marlatt, Matthews, Paxton, Pederson, Quinn, Shortey, Sparks

**SB 389** – Education

Ayes: Bergstrom, Brecheen, Dossett, Dugger, Fields, Loveless, Pemberton, Pittman, Scott, Sharp, Smalley, Stanislawski, Thompson

**SB 444** – General Government

Ayes: Bice, Boggs, Dahm, Daniels, Holt, Kidd, Newhouse  
Nays: Floyd, Pittman

**SB 532** – General Government

Ayes: Bice, Boggs, Dahm, Daniels, Floyd, Holt, Kidd, Newhouse

**SB 549** – General Government

Ayes: Bice, Boggs, Daniels, Floyd, Holt, Kidd, Newhouse, Pittman  
Nays: Dahm

**SB 550** – General Government

Ayes: Bice, Boggs, Dahm, Daniels, Floyd, Holt, Kidd, Newhouse, Pittman

**SB 584** – General Government

Ayes: Bice, Boggs, Dahm, Daniels, Floyd, Kidd, Newhouse, Pittman

Nays: Holt

**SB 751** – General Government

Ayes: Bice, Boggs, Dahm, Daniels, Floyd, Holt, Kidd, Newhouse, Pittman

**SB 797** – Health and Human Services

Ayes: David, Floyd, Griffin, Jech, McCortney, Rader, Silk, Simpson, Standridge, Yen

**SB 827** – Health and Human Services

Ayes: David, Griffin, Jech, McCortney, Pittman, Pugh, Rader, Silk, Simpson, Standridge, Yen

DO PASS, As Amended:

**CS for SB 83** – Health and Human Services

Ayes: Floyd, Jech, McCortney, Pittman, Rader, Standridge, Yen

Nays: David, Griffin, Pugh, Simpson

**SB 144** – Health and Human Services

Ayes: David, Griffin, Jech, McCortney, Pittman, Pugh, Rader, Silk, Simpson, Standridge, Yen

**SB 181** – Education

Ayes: Allen, Bergstrom, Brecheen, Dugger, Loveless, Pemberton, Scott, Stanislawski

Nays: Dossett, Fields, Pittman, Sharp, Smalley, Thompson

**CS for SB 206** – General Government

Ayes: Bice, Boggs, Dahm, Daniels, Floyd, Holt, Kidd, Newhouse, Pittman

**CS for SB 207** – Health and Human Services

Ayes: David, Griffin, Jech, McCortney, Pittman, Pugh, Rader, Silk, Standridge, Yen

**SB 210** – Education

Ayes: Allen, Bergstrom, Brecheen, Dossett, Dugger, Fields, Loveless, Pemberton, Pittman, Scott, Sharp, Smalley, Stanislawski, Thompson

**CS for SB 244** – Education

Ayes: Bergstrom, Brecheen, Dossett, Dugger, Fields, Loveless, Pemberton, Pittman, Scott, Sharp, Smalley, Stanislawski, Thompson

**SB 320** – General Government

Ayes: Bice, Boggs, Dahm, Daniels, Floyd, Holt, Kidd, Newhouse

**SB 371** – Retirement and Insurance

Ayes: Brown, Leewright, Marlatt, Matthews, Paxton, Pederson, Quinn, Shortey, Sparks

**SB 393** – Education

Ayes: Allen, Bergstrom, Brecheen, Dugger, Fields, Loveless, Pemberton, Pittman, Scott, Sharp, Smalley, Stanislawski, Thompson

Nays: Dossett

**SB 423** – Retirement and Insurance

Ayes: Brown, Leewright, Marlatt, Matthews, Paxton, Pederson, Quinn, Shortey, Sparks

**CS for SB 514** – Education

Ayes: Brecheen, Dossett, Dugger, Fields, Loveless, Pemberton, Pittman, Scott, Smalley, Stanislawski, Thompson

Nays: Bergstrom, Sharp

**SB 515** – Education

Ayes: Bergstrom, Brecheen, Dossett, Dugger, Fields, Loveless, Pemberton, Scott, Sharp, Smalley, Stanislawski, Thompson

**SB 516** – Education

Ayes: Allen, Bergstrom, Brecheen, Dossett, Dugger, Fields, Pemberton, Scott, Sharp, Smalley, Stanislawski, Thompson

**CS for SB 563** – General Government

Ayes: Bice, Boggs, Dahm, Daniels, Floyd, Holt, Kidd, Newhouse, Pittman

**CS for SB 582** – Retirement and Insurance

Ayes: Leewright, Marlatt, Matthews, Paxton, Pederson, Sparks

Nays: Brown, Quinn, Shortey

**SB 600** – Education

Ayes: Bergstrom, Brecheen, Dossett, Dugger, Fields, Loveless, Pemberton, Pittman, Scott, Sharp, Smalley, Stanislawski, Thompson

**SB 606** – Retirement and Insurance

Ayes: Brown, Leewright, Marlatt, Matthews, Paxton, Pederson, Quinn, Shortey, Sparks

**SB 613** – General Government

Ayes: Bice, Boggs, Dahm, Daniels, Holt, Kidd, Newhouse

Nays: Floyd, Pittman

**SB 693** – Health and Human Services

Ayes: David, Floyd, Griffin, Jech, McCortney, Pittman, Rader, Simpson, Standridge, Yen



**SB 709** – Health and Human Services

Ayes: David, Griffin, Jech, McCortney, Pittman, Pugh, Rader, Silk, Simpson, Standridge, Yen

**CS for SB 723** – Health and Human Services

Ayes: David, Floyd, Griffin, Jech, McCortney, Pittman, Rader, Simpson, Yen

**SB 735** – Health and Human Services

Ayes: David, Floyd, Griffin, Jech, McCortney, Pittman, Rader, Simpson, Yen

**SB 772** – Retirement and Insurance

Ayes: Brown, Leewright, Marlatt, Matthews, Paxton, Pederson, Quinn, Shortey, Sparks

**CS for SJR 9** – Education

Ayes: Allen, Bergstrom, Brecheen, Dugger, Loveless, Smalley, Stanislawski, Thompson

Nays: Dossett, Fields, Pemberton, Scott, Sharp

FAILED:

**SB 219** – General Government

Ayes: Dahm, Daniels, Newhouse

Nays: Bice, Boggs, Floyd, Holt, Kidd, Pittman

**SB 597** – Education

Ayes: Bergstrom, Dugger, Fields, Loveless, Stanislawski

Nays: Allen, Dossett, Pemberton, Scott, Sharp, Smalley, Thompson

**SB 611** – Education

Ayes: Brecheen, Stanislawski, Thompson

Nays: Bergstrom, Dossett, Dugger, Fields, Pemberton, Scott, Sharp, Smalley

**SB 627** – Education

Ayes: Brecheen, Fields, Stanislawski, Thompson

Nays: Bergstrom, Dossett, Dugger, Pemberton, Scott, Sharp, Smalley

**SB 824** – Education

Ayes: Brecheen, Stanislawski

Nays: Allen, Bergstrom, Dossett, Dugger, Pemberton, Scott, Sharp, Smalley, Thompson

**COMMITTEE REPORTS**

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

DO PASS:

**SB 415** – Education

Ayes: Allen, Bergstrom, Brecheen, Dossett, Dugger, Fields, Loveless, Pemberton, Pittman, Scott, Sharp, Smalley, Stanislawski, Thompson

DO PASS, As Amended:

**CS for SB 359** – Education

Ayes: Bergstrom, Brecheen, Dugger, Fields, Loveless, Pemberton, Pittman, Scott, Smalley, Stanislawski, Thompson

Nays: Dossett, Sharp

**CS for SB 529** – Education

Ayes: Brecheen, Dossett, Dugger, Fields, Loveless, Pemberton, Pittman, Scott, Sharp, Smalley, Stanislawski, Thompson

Nays: Bergstrom

**CS for SB 548** – General Government

Ayes: Bice, Dahm, Daniels, Holt, Newhouse

Nays: Boggs, Floyd, Kidd, Pittman

**SB 736** – Retirement and Insurance

Ayes: Brown, Leewright, Marlatt, Matthews, Paxton, Pederson, Quinn, Shortey, Sparks

**SECOND READING**

The following was read for the second time and referred to committee as indicated:

**SB 832** – Rules

**CHANGE IN AUTHORS/COAUTHORS**

The following measures were authored/coauthored:

**SB 11** - Coauthored by Representative Gann

**SB 43** - Coauthored by Representative Gann

**SB 65** - Coauthored by Representative Gann

**SB 66** - Coauthored by Representative Gann

**SB 147** - Coauthored by Representative Murdock (principal House author)  
**SB 166** - Remove as author Senator Allen; authored by Senator Marlatt  
**SB 246** - Coauthored by Representative Munson (principal House author)  
**SB 275** - Coauthored by Representative Gann  
**SB 276** - Coauthored by Representative Gann  
**SB 288** - Coauthored by Representative Gann  
**SB 320** - Coauthored by Representative Frix (principal House author)  
**SB 321** - Coauthored by Representative Frix (principal House author)  
**SB 324** - Coauthored by Representative Sanders (principal House author)  
**SB 397** - Coauthored by Representative Gann  
**SB 423** - Coauthored by Representative McDaniel (principal House author)  
**SB 433** - Coauthored by Senator Pederson  
**SB 442** - Coauthored by Senator Pederson  
**SB 497** - Coauthored by Representative Gann  
**SB 560** - Coauthored by Senator Daniels  
**SB 587** - Coauthored by Representative Newton (principal House author)  
**SB 596** - Coauthored by Representative Newton (principal House author)  
**SB 606** - Coauthored by Representative Mulready (principal House author)  
**SB 608** - Coauthored by Representative ODonnell (principal House author)  
**SB 692** - Coauthored by Senator Newhouse  
**SB 705** - Coauthored by Senator Pederson  
**SB 752** - Coauthored by Representative ODonnell (principal House author)  
**SB 832** - Coauthored by Representative Calvey (principal House author)  
**HB 1005** - Coauthored by Representative Sanders  
**HB 1006** - Coauthored by Representative Ritze  
**HB 1116** - Coauthored by Representative Munson  
**HB 1466** - Coauthored by Representative Baker  
Coauthored by Representative Munson  
**HB 1552** - Coauthored by Representative Gann  
**HB 1679** - Coauthored by Representative Jordan  
**HB 1757** - Coauthored by Representative Cleveland  
**HB 1845** - Coauthored by Senator Holt  
Coauthored by Representative Cockroft  
**HB 1875** - Coauthored by Representative Walke  
Coauthored by Representative Munson  
**HJR 1002** - Coauthored by Representative Tadlock  
Coauthored by Representative Munson

Pursuant to the Treat motion, the Senate adjourned at 2:20 p.m. to meet Tuesday, February 28, 2017, at 1:30 p.m.