

Senate Journal

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

Sixteenth Legislative Day, Wednesday, March 1, 2017

The Senate was called to order by Senator Stanislawski.

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 Stanislawski declared a quorum present.

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

Senator Bice presiding.

REPORT OF ENGROSSED AND ENROLLED MEASURE

SB 670 was correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

CHANGE IN COMMITTEE ASSIGNMENT

SB 811 - Withdrawn from Health and Human Services and referred to Appropriations

EXECUTIVE NOMINATION

The following executive nomination has been approved by the committee named:

Regan, Peter J., Tulsa, to the Transportation Commission, to serve an eight-year term ending February 15, 2025, succeeding himself. (Transportation Committee) Motion to confirm made by Senator Gary Stanislawski.

Motion to confirm the above named executive nomination was declared adopted upon roll call as follows:

Aye: Allen, Bass, Bergstrom, Bice, Boggs, Brecheen, Brown, Daniels, Dugger, Fields, Floyd, Griffin, Holt, Jech, Kidd, Leewright, Loveless, Marlatt, Matthews, McCortney, Newhouse, Paxton, Pederson, Pemberton, Pittman, Pugh, Quinn, Rader, Schulz, Scott, Shaw, Simpson, Standridge, Stanislawski, Thompson, Treat and Yen.--37.

Nay: Dahm, Dossett, Shortey and Silk.--4.

Excused: David, Fry, Newberry, Sharp, Smalley, Sparks and Sykes.--7.

Senator Treat moved that when the clerk's desk is clear, the Senate stand adjourned to convene Thursday, March 2, 2017, at 9:30 a.m., which motion prevailed.

MESSAGES FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed **HBs 1123, 1407, 1423** and **1826**.

HB 1123 – By Biggs of the House and Marlatt of the Senate.

An Act relating to crimes and punishments; making certain acts unlawful; providing penalties; defining term; providing for codification; and declaring an emergency.

HB 1407 – By Dollens of the House and Bass of the Senate.

An Act relating to schools; permitting school district to offer construction education course to students in grade nine or above; providing for codification; and providing an effective date.

HB 1423 – By Lepak of the House and Fry of the Senate.

An Act relating to revenue and taxation; amending 68 O.S. 2011, Section 2368.2, which relates to income tax donation standards; providing exemption from certain standard for donations to certain fund; amending 68 O.S. 2011, Section 2368.19, as amended by Section 559, Chapter 304, O.S.L. 2012 (68 O.S. Supp. 2016, Section 2368.19), which relates to income tax donations to the Folds of Honor Scholarship Program; reauthorizing such donations; and providing an effective date.

HB 1826 – By Kannady and Cleveland of the House and Treat of the Senate.
An Act relating to property; amending 60 O.S. 2011, Section 857, which relates to covenants; requiring copies be provided; changing fee; and providing an effective date.

The above-numbered measures were read the first time.

Advising fourth reading of and transmitting for signature Enrolled **HB 1845**.

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

EXECUTIVE NOMINATION

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

Scott, Mary J., Mangum, as a member of the Board of Trustees for the Quartz Mountain Arts and Conference Center and Nature Park - Education

COMMITTEE REPORTS

The following were reported by the committees named, ordered printed and placed on the Calendar:

DO PASS:

SB 350 – Rules

Ayes: Allen, Bice, Dahm, David, Fields, Griffin, Marlatt, Simpson, Stanislawski, Thompson

Nays: Floyd

SB 360 – Rules

Ayes: Allen, Bice, Dahm, David, Fields, Floyd, Griffin, Marlatt, Simpson, Stanislawski, Thompson

DO PASS, As Amended:

CS for SB 118 – Appropriations

Ayes: Allen, Bergstrom, Bice, Boggs, Brown, Dahm, Daniels, David, Dossett, Dugger, Fields, Floyd, Griffin, Jech, Kidd, Leewright, Loveless, Matthews, McCortney, Newhouse, Paxton, Pemberton, Pugh, Quinn, Rader, Scott, Sharp, Shaw, Shortey, Silk, Simpson, Smalley, Standridge, Stanislawski, Sykes, Thompson, Yen

Nays: Pederson

CS for SB 146 – Appropriations

Ayes: Allen, Bergstrom, Bice, Boggs, Brecheen, Brown, Dahm, Daniels, David, Dossett, Dugger, Fields, Floyd, Griffin, Jech, Kidd, Leewright, Loveless, Matthews, McCortney, Newhouse, Paxton, Pederson, Pemberton, Pugh, Quinn, Rader, Scott, Sharp, Shaw, Silk, Simpson, Smalley, Stanislawski, Sykes, Yen

SB 171 – Appropriations

Ayes: Allen, Bergstrom, Bice, Boggs, Brown, David, Dossett, Dugger, Fields, Floyd, Griffin, Jech, Kidd, Leewright, Loveless, Matthews, Paxton, Pederson, Pemberton, Pugh, Rader, Scott, Sharp, Shaw, Shortey, Simpson, Stanislawski, Thompson, Yen

Nays: Brecheen, Dahm, Daniels, Newhouse, Quinn, Silk, Smalley, Standridge, Sykes

SB 189 – Appropriations

Ayes: Allen, Bergstrom, Bice, Boggs, Brecheen, Brown, Dahm, David, Dossett, Dugger, Fields, Floyd, Griffin, Jech, Kidd, Leewright, Loveless, Matthews, McCortney, Newhouse, Paxton, Pederson, Pemberton, Pugh, Quinn, Rader, Sharp, Shaw, Shortey, Silk, Simpson, Smalley, Stanislawski, Sykes, Thompson, Yen

Nays: Daniels, Scott, Standridge

SB 234 – Appropriations

Ayes: Allen, Bergstrom, Bice, Boggs, Brecheen, Brown, Dahm, Daniels, David, Dossett, Dugger, Fields, Floyd, Griffin, Jech, Kidd, Leewright, Loveless, Matthews, McCortney, Newhouse, Paxton, Pederson, Pemberton, Pittman, Pugh, Quinn, Rader, Scott, Sharp, Shaw, Shortey, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Yen

SB 291 – Appropriations

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

SB 293 – Appropriations

Ayes: Allen, Bergstrom, Bice, Boggs, Brecheen, Dahm, Daniels, David, Dossett, Dugger, Fields, Floyd, Griffin, Jech, Kidd, Marlatt, Matthews, McCortney, Newhouse, Paxton, Pederson, Pemberton, Pittman, Pugh, Quinn, Rader, Scott, Shaw, Shortey, Silk, Simpson, Smalley, Stanislawski, Thompson, Yen

CS for SB 323 – Appropriations

Ayes: Allen, Bergstrom, Bice, Boggs, Brown, Dahm, David, Dugger, Fields, Griffin, Jech, Kidd, Leewright, McCortney, Newhouse, Paxton, Pederson, Pemberton, Pugh, Rader, Scott, Sharp, Shaw, Shortey, Simpson, Standridge, Stanislawski, Sykes, Yen

Nays: Brecheen, Daniels, Dossett, Floyd, Loveless, Matthews, Pittman, Quinn, Silk, Smalley, Sparks, Thompson

SB 325 – Appropriations

Ayes: Allen, Bergstrom, Bice, Boggs, Brecheen, Dahm, Daniels, David, Dossett, Dugger, Fields, Griffin, Jech, Kidd, Leewright, Marlatt, McCortney, Newhouse, Paxton, Pederson, Pemberton, Pugh, Quinn, Rader, Scott, Shaw, Shortey, Silk, Simpson, Smalley, Stanislawski, Thompson, Yen

Nays: Floyd, Matthews, Pittman

CS for SB 359 – Appropriations

Ayes: Allen, Bergstrom, Bice, Brecheen, Brown, Dahm, Daniels, David, Dugger, Fields, Griffin, Holt, Kidd, Leewright, Loveless, McCortney, Newhouse, Paxton, Pemberton, Pugh, Quinn, Rader, Shaw, Shortey, Silk, Simpson, Smalley, Stanislawski, Sykes, Thompson, Yen

Nays: Boggs, Dossett, Floyd, Jech, Matthews, Pederson, Pittman, Sharp, Sparks

CS for SB 377 – Appropriations

Ayes: Allen, Bergstrom, Bice, Boggs, Brecheen, Dahm, Daniels, David, Dossett, Dugger, Fields, Floyd, Griffin, Jech, Kidd, Leewright, Marlatt, Matthews, McCortney, Newhouse, Paxton, Pederson, Pemberton, Pittman, Pugh, Quinn, Rader, Scott, Shaw, Shortey, Silk, Simpson, Smalley, Stanislawski, Thompson, Yen

CS for SB 410 – Rules

Ayes: Allen, Bice, Dahm, David, Fields, Floyd, Griffin, Marlatt, Simpson, Stanislawski, Thompson

SB 415 – Appropriations

Ayes: Allen, Bergstrom, Bice, Boggs, Brecheen, Brown, Dahm, Daniels, David, Dossett, Dugger, Fields, Floyd, Griffin, Jech, Kidd, Leewright, Matthews, McCortney, Newhouse, Pederson, Pemberton, Pugh, Quinn, Rader, Sharp, Shortey, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Yen

SB 445 – Appropriations

Ayes: Allen, Bergstrom, Bice, Boggs, Brecheen, Brown, Dahm, Daniels, David, Dugger, Fields, Griffin, Jech, Kidd, Leewright, McCortney, Newhouse, Paxton, Pederson, Pemberton, Pugh, Quinn, Rader, Scott, Sharp, Shaw, Shortey, Simpson, Smalley, Standridge, Stanislawski, Sykes, Thompson, Yen

Nays: Dossett, Floyd, Matthews, Pittman, Sparks

CS for SB 456 – Appropriations

Ayes: Allen, Bergstrom, Bice, Boggs, Brecheen, Brown, Dahm, Daniels, David, Dossett, Dugger, Fields, Floyd, Griffin, Jech, Kidd, Leewright, Matthews, McCortney, Newhouse, Paxton, Pederson, Pemberton, Pittman, Pugh, Quinn, Rader, Scott, Sharp, Shaw, Shortey, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Yen

CS for SB 458 – Appropriations

Ayes: Allen, Bergstrom, Bice, Boggs, Brecheen, Brown, Dahm, Daniels, David, Dossett, Dugger, Fields, Floyd, Griffin, Jech, Kidd, Leewright, Marlatt, Matthews, Newhouse, Paxton, Pederson, Pemberton, Pittman, Pugh, Quinn, Rader, Scott, Sharp, Shaw, Shortey, Silk, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Yen

SB 466 – Appropriations

Ayes: Allen, Bergstrom, Bice, Boggs, Brecheen, Brown, Dahm, Daniels, David, Dossett, Dugger, Fields, Floyd, Griffin, Jech, Kidd, Leewright, Marlatt, Matthews, McCortney, Newhouse, Paxton, Pederson, Pemberton, Pittman, Pugh, Quinn, Rader, Scott, Sharp, Shaw, Shortey, Silk, Simpson, Smalley, Standridge, Stanislawski, Sykes, Thompson, Yen

CS for SB 468 – Appropriations

Ayes: Bergstrom, Bice, Brecheen, Brown, Dahm, Daniels, David, Dossett, Dugger, Fields, Floyd, Griffin, Jech, Kidd, Leewright, Marlatt, McCortney, Newhouse, Paxton, Pederson, Pugh, Quinn, Scott, Sharp, Shaw, Shortey, Silk, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Yen

Nays: Allen, Boggs, Matthews, Pemberton, Pittman, Rader

SB 475 – Appropriations

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

CS for SB 506 – Appropriations

Ayes: Bice, Boggs, David, Dossett, Dugger, Fields, Floyd, Griffin, Jech, Kidd, Leewright, Matthews, McCortney, Paxton, Pederson, Pemberton, Pittman, Pugh, Scott, Sharp, Smalley, Sparks, Stanislawski, Thompson, Yen

Nays: Allen, Bergstrom, Brecheen, Brown, Dahm, Daniels, Rader, Shaw, Shortey, Silk, Simpson, Standridge, Sykes

CS for SB 529 – Appropriations

Ayes: Allen, Bice, Boggs, Brecheen, Brown, Dahm, Daniels, David, Dossett, Dugger, Fields, Floyd, Griffin, Jech, Kidd, Leewright, Matthews, McCortney, Paxton, Pemberton, Pittman, Pugh, Quinn, Rader, Scott, Sharp, Shaw, Shortey, Silk, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Yen

Nays: Bergstrom

CS for SB 579 – Rules

Ayes: Allen, Bice, Dahm, David, Fields, Griffin, Marlatt, Simpson, Stanislawski, Thompson

Nays: Floyd

CS for SB 591 – Appropriations

Ayes: Allen, Bergstrom, Bice, Boggs, Brecheen, Brown, Dahm, Daniels, David, Dossett, Dugger, Fields, Floyd, Griffin, Jech, Kidd, Leewright, Marlatt, Matthews, McCortney, Paxton, Pederson, Pemberton, Pittman, Pugh, Quinn, Rader, Scott, Sharp, Shaw, Shortey, Silk, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Yen

CS for SB 592 – Appropriations

Ayes: Allen, Bergstrom, Boggs, Brecheen, Dahm, Daniels, David, Dugger, Fields, Jech, Kidd, McCortney, Newhouse, Pederson, Pemberton, Pugh, Quinn, Rader, Scott, Sharp, Shaw, Shortey, Silk, Simpson, Standridge, Sykes, Thompson

Nays: Bice, Dossett, Floyd, Griffin, Marlatt, Matthews, Paxton, Pittman, Smalley, Sparks, Stanislawski, Yen

SB 643 – Appropriations

Ayes: Allen, Bergstrom, Bice, Boggs, Brecheen, Daniels, David, Dossett, Dugger, Fields, Floyd, Griffin, Jech, Kidd, Leewright, Marlatt, Matthews, McCortney, Newhouse, Paxton, Pederson, Pemberton, Pittman, Pugh, Rader, Scott, Shaw, Shortey, Simpson, Smalley, Stanislawski, Thompson, Yen

Nays: Dahm, Quinn, Silk

CS for SB 657 – Appropriations

Ayes: Allen, Bergstrom, Bice, Boggs, Brecheen, Dahm, Daniels, David, Dossett, Dugger, Fields, Floyd, Griffin, Jech, Kidd, Leewright, Marlatt, Matthews, McCortney, Newhouse, Paxton, Pederson, Pemberton, Pittman, Pugh, Quinn, Rader, Scott, Shaw, Shortey, Silk, Simpson, Smalley, Standridge, Stanislawski, Sykes, Thompson, Yen

CS for SB 705 – Appropriations

Ayes: Allen, Bergstrom, Boggs, Brecheen, Dahm, David, Dossett, Dugger, Fields, Floyd, Jech, Kidd, Marlatt, McCortney, Newhouse, Paxton, Pederson, Pemberton, Pugh, Quinn, Rader, Scott, Shortey, Silk, Simpson, Standridge, Stanislawski

Nays: Bice, Griffin, Matthews, Smalley, Thompson, Yen

SB 756 – Appropriations

Ayes: Bice, Daniels, David, Dugger, Fields, Griffin, Jech, Kidd, Leewright, Marlatt, McCortney, Paxton, Pederson, Pemberton, Pugh, Rader, Scott, Shaw, Simpson, Standridge, Stanislawski, Yen

Nays: Allen, Bergstrom, Boggs, Brecheen, Dahm, Dossett, Floyd, Matthews, Newhouse, Pittman, Quinn, Shortey, Silk, Smalley, Thompson

CS for SB 773 – Appropriations

Ayes: Allen, Bergstrom, Bice, Boggs, Daniels, David, Dossett, Dugger, Fields, Floyd, Griffin, Jech, Kidd, Leewright, Marlatt, Matthews, McCortney, Newhouse, Paxton, Pederson, Pemberton, Pittman, Pugh, Quinn, Rader, Scott, Shaw, Shortey, Simpson, Smalley, Stanislawski, Thompson, Yen

Nays: Brecheen, Dahm, Silk

SB 811 – Appropriations

Ayes: Allen, Bergstrom, Bice, Boggs, Brecheen, Dahm, Daniels, David, Dossett, Dugger, Fields, Floyd, Griffin, Jech, Kidd, Leewright, Marlatt, McCortney, Newhouse, Paxton, Pederson, Pemberton, Pittman, Pugh, Quinn, Rader, Scott, Shaw, Shortey, Silk, Simpson, Smalley, Stanislawski, Thompson, Yen

FAILED:

SB 63 – Appropriations

Ayes: David, Dossett, Fields, Floyd, Newhouse, Paxton, Pederson, Quinn, Rader, Scott, Sharp, Shaw, Silk, Sykes, Thompson

Nays: Allen, Bergstrom, Bice, Boggs, Brown, Dahm, Daniels, Dugger, Griffin, Jech, Kidd, Leewright, Loveless, Matthews, McCortney, Pemberton, Pugh, Shortey, Simpson, Smalley, Stanislawski, Yen

SB 349 – Rules

Ayes: Bice, Fields, Floyd, Griffin, Thompson

Nays: Allen, Dahm, David, Marlatt, Simpson, Stanislawski

SB 636 – Rules

Ayes: Allen, Dahm, Fields, Marlatt

Nays: Bice, David, Floyd, Griffin, Simpson, Thompson

CHANGE IN AUTHORS/COAUTHORS

The following measures were authored/coauthored:

SB 35 - Coauthored by Senator Brecheen

SB 36 - Coauthored by Senator Brecheen

Coauthored by Representative Cleveland (principal House author)

SB 40 - Coauthored by Senator Brecheen

Coauthored by Representative Cleveland (principal House author)

SB 43 - Coauthored by Senator Brecheen

SB 65 - Coauthored by Senator Brecheen

SB 66 - Coauthored by Senator Brecheen

SB 180 - Coauthored by Representative Caldwell (principal House author)

SB 214 - Coauthored by Representative Pfeiffer (principal House author)

SB 225 - Coauthored by Representative Wright (principal House author)

SB 226 - Coauthored by Representative Biggs (principal House author)
SB 250 - Coauthored by Representative Cleveland (principal House author)
SB 275 - Coauthored by Senator Brecheen
SB 276 - Coauthored by Senator Brecheen
SB 287 - Coauthored by Representative Watson (principal House author)
SB 288 - Coauthored by Senator Brecheen
SB 301 - Coauthored by Representative Echols (principal House author)
SB 385 - Coauthored by Senator Brecheen
SB 386 - Coauthored by Senator Brecheen
SB 397 - Coauthored by Senator Brecheen
SB 425 - Coauthored by Representative Kannady (principal House author)
SB 428 - Coauthored by Representative Henke (principal House author)
SB 466 - Coauthored by Representative O'Donnell (principal House author)
SB 506 - Coauthored by Senator Matthews
SB 518 - Coauthored by Representative Rogers (principal House author)
SB 529 - Coauthored by Representative Henke (principal House author)
SB 560 - Coauthored by Senator Brecheen
SB 615 - Coauthored by Senator Brecheen
SB 682 - Coauthored by Representative McDugle (principal House author)
SB 726 - Coauthored by Representative Mulready (principal House author)
SB 734 - Coauthored by Representative Lawson (principal House author)
SB 748 - Coauthored by Representative Baker (principal House author)
SB 753 - Coauthored by Representative Faught (principal House author)
SB 763 - Coauthored by Representative Faught (principal House author)
SB 769 - Coauthored by Representative Montgomery (principal House author)
HB 1428 - Coauthored by Senator Brecheen
HB 1550 - Coauthored by Senator Brecheen

Pursuant to the Treat motion, the Senate adjourned at 1:40 p.m. to meet Thursday, March 2, 2017, at 9:30 a.m.