

# Senate Journal

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

**Twenty-ninth Legislative Day, Monday, March 27, 2017**

The Senate was called to order by Senator Dahm.

Roll Call:

Present: Allen, Bass, Bergstrom, Bice, Boggs, Brecheen, 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, Silk, Simpson, Smalley, Sparks, Standridge, Stanislawski, Thompson, Treat, Yen.—43.

Excused: Brown, Fry, Newberry and Sykes.—4.

Vacancy: District 44.—1.

Senator Dahm declared a quorum present.

The prayer was offered by Pastor Matthew Brown, Bethel Baptist Church, Norman, the guest of Senator Standridge.

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

**SBs 46, 252, 301, 314, 371, 397, 475, 478, 615, 718, 726, 734, 737 and 743** were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

### **MESSAGE FROM THE HOUSE**

Advising the Honorable Senate that the House of Representatives is ready to convene in Joint Session.

Senator Treat moved that when the clerk's desk is clear, the Senate meet with the House in Joint Session and that the Senate stand adjourned to convene Tuesday, March 28, 2017, at 1:30 p.m., which motion prevailed.

## **JOINT SESSION**

The Third Joint Session of the First Regular Session of the Fifty-sixth Legislature was called to order by the President of the Senate, Lieutenant Governor Todd Lamb.

Senator Treat moved that the attendance roll call of the Senate be considered the attendance roll call of the Senate in Joint Session, which motion was declared adopted.

Representative Echols moved that the attendance roll call of the House of Representatives be considered the attendance roll call of the Joint Session, which motion was declared adopted.

President Lamb declared quorums of the Senate and House present and Joint Session duly assembled.

The invocation was offered by Tommy Howell, Chaplain of the Oklahoma Veterans Council.

The Pledge of Allegiance was led by Linda Miller, State Commander, The Disabled American Veterans.

Speaker McCall, President Pro Tempore Schulz and Lieutenant Governor Todd Lamb addressed the Joint Session.

Pete Peterson, Chairman of the Oklahoma Veterans Council, addressed the Joint Session.

Pete Peterson introduced Major General Myles Deering, Secretary of Veterans Affairs, who addressed the Joint Session.

Representative Roberts (Dustin) introduced the members of the House Veterans and Military Affairs committee.

Senator Simpson introduced the members of the Senate Veterans and Military Affairs committee.

The benediction was offered by Tommy Howell.

Upon motion of Representative Echols, the Joint Session was ordered dissolved at the hour of 2:50 p.m.

## **MESSAGE FROM THE HOUSE**

Advising passage of and transmitting for consideration Engrossed **HBs 1270, 1436, 1537, 1823, 2001** and **2301**.

**HB 1270** – By Hall of the House and Leewright of the Senate.  
[ welfare — Act to Restore Hope, Opportunity and Prosperity for Everyone or the HOPE Act – effective date ]

**HB 1436** – By Teague of the House and Yen of the Senate.  
An Act relating to county clerks; amending 19 O.S. 2011, Section 527, which relates to employment of general counsel; authorizing county clerks to employ a general counsel; amending 28 O.S. 2011, Section 32, which relates to county clerk fees; adding county clerk fees for counties with certain population; and providing an effective date.

**HB 1537** – By Dunnington of the House and Dossett of the Senate.  
An Act relating to waters and water rights; making legislative findings; imposing requirement on municipalities with respect to inclined block rate structures for water usage; providing for excessive water usage surcharge; authorizing surcharge revenues to be used for municipal water systems; excluding certain waters; providing for codification; providing for noncodification; and providing an effective date.

**HB 1823** – By Kannady and Jordan of the House and Paxton of the Senate.  
An Act relating to courts; amending 20 O.S. 2011, Sections 92.25 and 92.27, which relate to district judges; and modifying composition of judicial districts 24 and 26 on a certain date.

**HB 2001** – By West (Rick) and Bennett (John) of the House and Allen of the Senate.  
[ game and fish – prohibiting the requirement of certain persons to tag or to purchase a tag for bears – effective date ]

**HB 2301** – By McCall and Ritze of the House and Simpson of the Senate.  
[ revenue and taxation – adjustment to taxable income – practice of medicine – effective date ]

The above-numbered measures were read the first time.

## **EXECUTIVE NOMINATIONS**

The following executive nominations were read and referred to the committee indicated:

Clancy, Dr. Gerard P., Tulsa, as a member of the Oklahoma Science and Technology Research and Development Board - Energy

Droegemeier, Dr. Kelvin K., Norman, as a member of the Secretary of Science and Technology – Energy

Sharp, Jr., Billy J., Oklahoma City, as a member of the Oklahoma Board of Licensed Alcohol and Drug Counselors - Health and Human Services

Stewart, David R., Afton, as a member of the State Board of Career and Technology Education - Education

## **SECOND READING**

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

- HB 1010** – Appropriations
- HB 1104** – Public Safety
- HB 1108** – General Government
- HB 1119** – Retirement and Insurance
- HB 1122** – Public Safety
- HB 1127** – Judiciary
- HB 1149** – Rules
- HB 1162** – Retirement and Insurance
- HB 1163** – Retirement and Insurance
- HB 1168** – Business, Commerce and Tourism then to Appropriations
- HB 1198** – Veterans and Military Affairs then to Appropriations
- HB 1201** – Education
- HB 1206** – Education
- HB 1216** – General Government
- HB 1224** – Judiciary
- HB 1233** – Business, Commerce and Tourism
- HB 1243** – Judiciary
- HB 1249** – Appropriations
- HB 1263** – Public Safety
- HB 1281** – Business, Commerce and Tourism then to Appropriations
- HB 1283** – Business, Commerce and Tourism
- HB 1288** – General Government
- HB 1304** – Agriculture and Wildlife
- HB 1306** – Public Safety then to Appropriations
- HB 1312** – Appropriations
- HB 1326** – Agriculture and Wildlife
- HB 1334** – Education
- HB 1338** – Public Safety then to Appropriations
- HB 1341** – General Government
- HB 1346** – Agriculture and Wildlife

- HB 1366** – Judiciary
- HB 1371** – Rules
- HB 1372** – Appropriations
- HB 1376** – Energy
- HB 1381** – General Government
- HB 1384** – Appropriations
- HB 1388** – Agriculture and Wildlife
- HB 1392** – Appropriations
- HB 1406** – Judiciary then to Appropriations
- HB 1425** – Appropriations
- HB 1427** – Appropriations
- HB 1433** – Health and Human Services
- HB 1444** – Appropriations
- HB 1448** – Health and Human Services
- HB 1449** – Appropriations
- HB 1459** – Education then to Appropriations
- HB 1462** – Judiciary
- HB 1465** – Appropriations
- HB 1468** – Judiciary
- HB 1470** – Judiciary
- HB 1478** – Judiciary
- HB 1482** – Public Safety then to Appropriations
- HB 1485** – Energy
- HB 1491** – Health and Human Services
- HB 1505** – Business, Commerce and Tourism
- HB 1506** – Education
- HB 1531** – Appropriations
- HB 1532** – Appropriations
- HB 1533** – Appropriations
- HB 1540** – Business, Commerce and Tourism
- HB 1549** – Health and Human Services
- HB 1551** – Health and Human Services
- HB 1555** – Appropriations
- HB 1559** – Health and Human Services
- HB 1572** – Appropriations
- HB 1574** – Judiciary
- HB 1577** – Education
- HB 1578** – Appropriations
- HB 1579** – Health and Human Services
- HB 1583** – Appropriations
- HB 1597** – Business, Commerce and Tourism
- HB 1622** – Education
- HB 1636** – Transportation
- HB 1667** – Education

- HB 1668** – Education
- HB 1669** – Health and Human Services
- HB 1670** – Appropriations
- HB 1684** – Education
- HB 1693** – Education then to Appropriations
- HB 1694** – Education then to Appropriations
- HB 1696** – Appropriations
- HB 1703** – Health and Human Services then to Appropriations
- HB 1704** – Retirement and Insurance
- HB 1705** – Retirement and Insurance
- HB 1706** – Retirement and Insurance
- HB 1707** – Judiciary
- HB 1715** – Education
- HB 1720** – Retirement and Insurance
- HB 1721** – Public Safety
- HB 1725** – Transportation
- HB 1759** – General Government
- HB 1760** – Education
- HB 1789** – Education
- HB 1795** – Appropriations
- HB 1810** – General Government
- HB 1820** – Veterans and Military Affairs
- HB 1824** – Retirement and Insurance
- HB 1827** – Energy
- HB 1836** – Appropriations
- HB 1839** – Appropriations
- HB 1846** – Appropriations
- HB 1858** – Appropriations
- HB 1888** – Health and Human Services
- HB 1889** – Appropriations
- HB 1893** – Retirement and Insurance
- HB 1894** – Judiciary
- HB 1912** – Health and Human Services
- HB 1913** – Business, Commerce and Tourism
- HB 1921** – Judiciary
- HB 1922** – Judiciary
- HB 1925** – Judiciary
- HB 1942** – Appropriations
- HB 1944** – General Government
- HB 1948** – Transportation
- HB 1957** – Education
- HB 1968** – Health and Human Services
- HB 1980** – Judiciary
- HB 1987** – Judiciary

**HB 1994** – Agriculture and Wildlife  
**HB 1999** – General Government  
**HB 2034** – Retirement and Insurance  
**HB 2039** – Health and Human Services  
**HB 2131** – Appropriations  
**HB 2155** – Education then to Appropriations  
**HB 2157** – Appropriations  
**HB 2177** – Judiciary then to Appropriations  
**HB 2179** – Transportation  
**HB 2186** – Business, Commerce and Tourism  
**HB 2191** – Public Safety  
**HB 2209** – Appropriations  
**HB 2211** – General Government  
**HB 2231** – General Government  
**HB 2232** – General Government  
**HB 2234** – Retirement and Insurance  
**HB 2245** – Appropriations  
**HB 2252** – Appropriations  
**HB 2273** – Health and Human Services  
**HB 2277** – Education  
**HB 2284** – Public Safety then to Appropriations  
**HB 2286** – Public Safety then to Appropriations  
**HB 2290** – Public Safety  
**HB 2298** – Appropriations  
**HB 2306** – Appropriations  
**HB 2310** – General Government  
**HB 2311** – Appropriations  
**HB 2316** – Rules  
**HB 2322** – Judiciary  
**HB 2324** – Agriculture and Wildlife  
**HB 2339** – Health and Human Services then to Appropriations  
**HJR 1002** – Rules  
**SB 834** – Joint Committee on Appropriations and Budget  
**SB 835** – Joint Committee on Appropriations and Budget

## **COMMITTEE REPORTS**

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

## DO PASS:

**SB 835** – Joint Committee on Appropriations and Budget

Senate:

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

House:

Ayes: Brumbaugh, Caldwell, Casey, Cockroft, Dunnington, Henke, Jordan, Kouplen, Loring, Martin, Murphey, Ortega, Osborn (L), Ownbey, Pfeiffer, Proctor, Roberts (D), Sears, Stone, Wallace.--20

Nays: Bennett (J).--1

**HB 1003** – General Government

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

**HB 1219** – Education

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

**HB 1394** – General Government

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

**HB 1464** – General Government

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

**HB 1576** – Education

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

**HB 1819** – Health and Human Services

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

**HB 1843** – Health and Human Services

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

**HB 1875** – Education

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

**HB 1887** – Health and Human Services

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



**HB 2008** – Education

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

**HB 2181** – General Government

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

DO PASS, As Amended:

**CS for SB 834** – Joint Committee on Appropriations and Budget

Senate:

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

House:

Ayes: Bennett (J), Brumbaugh, Caldwell, Casey, Cockroft, Dunnington, Henke, Jordan, Kouplun, Loring, Martin, Murphey, Ortega, Osborn (L), Ownbey, Pfeiffer, Proctor, Roberts (D), Sears, Stone, Wallace.--21

**HB 1991** – General Government

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

**HB 1992** – General Government

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

**HB 1993** – General Government

Ayes: Bice, Daniels, Kidd, Newhouse, Pittman

Nays: Boggs, Dahm, Floyd, Shaw

**HB 1995** – General Government

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

**HB 1996** – General Government

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

**HB 1998** – General Government

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

Nays: Dahm

**COMMITTEE REPORTS**

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

DO PASS:

**HB 1188** – Education

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

**HB 1228** – Health and Human Services

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

**FIRST READING**

The following was introduced and read the first time:

**SR 8** – By Bice.

A Resolution recognizing April 6, 2017, as "Tartan Day" in the State of Oklahoma; and directing distribution.

**CHANGE IN AUTHORS/COAUTHORS**

The following measures were authored/coauthored:

**HB 1357** - Coauthored by Senator Pittman

**HB 1362** - Coauthored by Senator Pittman

**HB 1478** - Coauthored by Senator Pittman

**HB 1703** - Coauthored by Senator Marlatt

Pursuant to the Treat motion, the Senate adjourned at 1:55 p.m. to meet Tuesday, March 28, 2017, at 1:30 p.m.

**JOURNAL CORRECTION**

Tuesday, March 14, 23<sup>rd</sup> Legislative Day, Page 550, Line 7, replace all Second Readings with the following:

**HB 1003** – General Government

**HB 1005** – Public Safety then to Appropriations

**HB 1006** – Health and Human Services

- HB 1008** – Judiciary
- HB 1013** – Health and Human Services
- HB 1110** – Business, Commerce and Tourism
- HB 1114** – Appropriations
- HB 1116** – Judiciary
- HB 1121** – Judiciary then to Appropriations
- HB 1123** – Public Safety then to Appropriations
- HB 1169** – Business, Commerce and Tourism
- HB 1173** – Public Safety
- HB 1187** – Appropriations
- HB 1188** – Education then to Appropriations
- HB 1189** – General Government
- HB 1191** – Judiciary
- HB 1193** – Agriculture and Wildlife then to Appropriations
- HB 1394** – General Government
- HB 1552** – General Government
- HB 1553** – General Government
- HB 1562** – Rules
- HB 1607** – Public Safety
- HB 1757** – Health and Human Services
- HB 1825** – Judiciary
- HB 1832** – Judiciary
- HB 1991** – General Government
- HB 1992** – General Government
- HB 1993** – General Government
- HB 1995** – General Government
- HB 1996** – General Government
- HB 1997** – General Government
- HB 1998** – General Government
- HB 2251** – General Government
- HB 2275** – Judiciary
- HB 2314** – Judiciary
- HB 2332** – Retirement and Insurance then to Appropriations