

Senate Journal

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

Fifty-fourth Legislative Day, Wednesday, May 10, 2017

The Senate was called to order by Senator Griffin.

Roll Call:

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

Vacancy: Districts 44 and 45.—2.

Senator Griffin declared a quorum present.

The prayer was offered by Pastor Keith Thompson, Sand Springs Church of Christ, Sand Springs, the guest of Senator Thompson.

REPORT OF ENGROSSED AND ENROLLED MEASURES

SBs 27, 235, 408, 423, 426, 431, 445, 529 and 631 were each correctly enrolled and after fourth reading, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

SCR 6 was correctly enrolled, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

PENDING CONSIDERATION OF JCR

The **JCR** on **SB 840** was adopted upon motion of Senator McCortney.

SB 840 was read at length.

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

Aye: Bergstrom, Bice, Boggs, Daniels, David, Dossett, Dugger, Fields, Floyd, Griffin, Holt, Jech, Kidd, Leewright, Marlatt, Matthews, McCortney, Paxton, Pederson, Pemberton, Pittman, Pugh, Rader, Schulz, Scott, Sharp, Shaw, Simpson, Sparks, Standridge, Stanislawski, Thompson, Treat and Yen.--34.

Nay: Allen, Bass, Brecheen, Brown, Dahm, Fry, Newberry, Newhouse, Quinn, Silk and Sykes.--11.

Excused: Smalley.--1.

Vacancy: Districts 44 and 45.--2.

The bill and emergency passed.

SB 840 was referred for engrossment.

PENDING CONSIDERATION OF JCR

The **JCR** on **SB 841** was adopted upon motion of Senator David.

SB 841 was read at length.

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

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

Nay: Allen.--1.

Vacancy: Districts 44 and 45.--2.

The bill and emergency passed.

SB 841 was referred for engrossment.

INTRODUCTIONS

Senator Newberry introduced his daughter, Paige; and Senator Marlatt introduced his son, Kole, to the Senate.

PENDING CONSIDERATION OF HAS

HAs to SB 35 were concurred in upon motion of Senator David.

SB 35, as amended by the Honorable House, was read 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, Fry, Griffin, Holt, Jech, Kidd, Leewright, Marlatt, Matthews, McCortney, Newberry, Newhouse, Paxton, Pederson, Pemberton, Pittman, Pugh, Quinn, Rader, Schulz, Scott, Sharp, Shaw, Silk, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat and Yen.--46.

Vacancy: Districts 44 and 45.--2.

The bill passed.

House amendments were properly signed and the above-numbered bill was referred for enrollment.

PENDING CONSIDERATION OF HAS

HAs to SB 293 were concurred in upon motion of Senator David.

SB 293, as amended by the Honorable House, was read at length.

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

Aye: Bass, Bergstrom, Bice, Brown, Daniels, David, Dossett, Dugger, Fields, Floyd, Griffin, Holt, Jech, Kidd, Leewright, Matthews, McCortney, Newberry, Newhouse, Paxton, Pederson, Pemberton, Pittman, Pugh, Rader, Scott, Sharp, Shaw, Silk, Simpson, Smalley, Sparks, Standridge, Stanislawski, Thompson and Yen.--36.

Nay: Allen, Boggs, Brecheen, Dahm, Fry, Marlatt, Quinn and Treat.--8.

Excused: Schulz and Sykes.--2.

Vacancy: Districts 44 and 45.--2.

The bill passed.

House amendments were properly signed and the above-numbered bill was referred for enrollment.

PENDING CONSIDERATION OF HAS

HAs to SB 811 were concurred in upon motion of Senator David.

SB 811, as amended by the Honorable House, was read 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, Fry, Griffin, Holt, Jech, Kidd, Leewright, Marlatt, Matthews, McCortney, Newberry, Newhouse, Paxton, Pederson, Pemberton, Pittman, Pugh, Quinn, Rader, Schulz, Scott, Sharp, Shaw, Silk, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat and Yen.--46.

Vacancy: Districts 44 and 45.--2.

The bill passed.

House amendments were properly signed and the above-numbered bill was referred for enrollment.

PENDING CONSIDERATION OF HAS

HAs to SB 816 were concurred in upon motion of Senator David.

SB 816, as amended by the Honorable House, was read 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, Fry, Griffin, Holt, Jech, Kidd, Leewright, Marlatt, Matthews, McCortney, Newberry, Newhouse, Paxton, Pederson, Pemberton, Pittman, Pugh, Quinn, Rader, Schulz, Scott, Sharp, Shaw, Silk, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat and Yen.--46.

Vacancy: Districts 44 and 45.--2.

The bill passed.

House amendments were properly signed and the above-numbered bill was referred for enrollment.

PENDING CONSIDERATION OF HAS

HAs to SB 635 were concurred in upon motion of Senator Brecheen.

SB 635, as amended by the Honorable House, was read at length.

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

Aye: Bass, Bergstrom, Bice, Boggs, Brecheen, Brown, Daniels, Dossett, Dugger, Floyd, Fry, Griffin, Holt, Jech, Kidd, Leewright, Marlatt, Matthews, McCortney, Newberry, Newhouse, Paxton, Pederson, Pemberton, Pittman, Pugh, Quinn, Rader, Scott, Sharp, Shaw, Simpson, Smalley, Sparks, Standridge, Stanislawski, Thompson and Yen.--38.

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

Excused: David, Fields and Schulz.--3.

Vacancy: Districts 44 and 45.--2.

The bill passed.

House amendments were properly signed and the above-numbered bill was referred for enrollment.

PENDING CONSIDERATION OF HAS

HAs to SB 715 were concurred in upon motion of Senator McCortney.

SB 715, as amended by the Honorable House, was read at length.

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

Aye: Allen, Bass, Bergstrom, Bice, Boggs, Brown, Daniels, Dossett, Dugger, Floyd, Fry, Griffin, Holt, Jech, Kidd, Leewright, Marlatt, Matthews, McCortney, Newberry, Newhouse, Paxton, Pederson, Pemberton, Pittman, Pugh, Quinn, Rader, Scott, Sharp, Shaw, Silk, Simpson, Smalley, Sparks, Standridge, Stanislawski, Thompson, Treat and Yen.--40.

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

Excused: David, Fields and Schulz.--3.

Vacancy: Districts 44 and 45.--2.

The bill passed.

House amendments were properly signed and the above-numbered bill was referred for enrollment.

PENDING CONSIDERATION OF HAS

HAs to SB 642 were concurred in upon motion of Senator Sykes.

SB 642, as amended by the Honorable House, was read 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, Floyd, Fry, Griffin, Holt, Jech, Kidd, Leewright, Marlatt, Matthews, McCortney, Newberry, Newhouse, Paxton, Pederson, Pemberton, Pittman, Pugh, Quinn, Rader, Scott, Sharp, Shaw, Silk, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat and Yen.--43.

Excused: David, Fields and Schulz.--3.

Vacancy: Districts 44 and 45.--2.

The bill passed.

House amendments were properly signed and the above-numbered bill was referred for enrollment.

PENDING CONSIDERATION OF HAS

HAs to SB 697 were concurred in upon motion of Senator Sykes.

SB 697, as amended by the Honorable House, was read at length.

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

Aye: Allen, Bergstrom, Boggs, Brecheen, Brown, Dahm, Daniels, David, Dugger, Fields, Fry, Griffin, Holt, Jech, Kidd, Leewright, Marlatt, Newberry, Newhouse, Pemberton, Quinn, Rader, Schulz, Scott, Shaw, Silk, Simpson, Standridge, Stanislawski, Sykes, Treat and Yen.--32.

Nay: Bass, Bice, Dossett, Floyd, Matthews, McCortney, Paxton, Pederson, Pittman, Pugh, Sharp, Smalley, Sparks and Thompson.--14.

Vacancy: Districts 44 and 45.--2.

The bill passed.

House amendments were properly signed and the above-numbered bill was referred for enrollment.

PENDING CONSIDERATION OF HAS

HAs to SB 787 were concurred in upon motion of Senator Sykes.

SB 787, as amended by the Honorable House, was read 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, Dahm, Daniels, David, Dossett, Dugger, Fields, Floyd, Fry, Griffin, Holt, Jech, Kidd, Leewright, Marlatt, Matthews, McCortney, Newberry, Newhouse, Paxton, Pederson, Pemberton, Pittman, Pugh, Quinn, Rader, Schulz, Scott, Sharp, Shaw, Silk, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat and Yen.--46.

Vacancy: Districts 44 and 45.--2.

The bill and emergency passed.

House amendments were properly signed and the above-numbered bill was referred for enrollment.

Senator Dahm presiding

EXECUTIVE NOMINATIONS

The following executive nominations have been approved by the committees named:

Barwick, James V., Edmond, to the Oklahoma Wildlife Conservation Commission, to serve an eight-year term ending July 1, 2025, succeeding Ed Able. (Agriculture and Wildlife Committee) Motion to confirm made by Senator Adam Pugh.

Clayton, Kyle, Chester, to the Oklahoma Liquefied Petroleum Gas Board, to serve a four-year term ending June 30, 2020, succeeding S. Lance Stevens. (Energy Committee) Motion to confirm made by Senator Bryce Marlatt.

Collins, Gary L., Claremore, to the Air Quality Advisory Council, to serve a seven-year term ending June 15, 2024, succeeding himself. (Energy Committee) Motion to confirm made by Senator Marty Quinn.

Dodson, Karen S., Hydro, to the State Board of Agriculture, to serve a four-year term ending April 26, 2021, succeeding herself. (Agriculture and Wildlife Committee) Motion to confirm made by Senator Darcy Jech.

Justice, Ronald G., Chickasha, to the Oklahoma Liquefied Petroleum Gas Board, to serve a four-year term ending June 30, 2019, succeeding Sherian C. Hilbertson. (Energy Committee) Motion to confirm made by Senator Lonnie Paxton.

McTague, Dr. Lawrence F., Ardmore, to the State Board of Veterinary Medical Examiners, to serve a five-year term ending May 9, 2022, succeeding himself. (Agriculture and Wildlife Committee) Motion to confirm made by Senator Frank Simpson.

Taylor, Jeffrey P., Guthrie, to the Air Quality Advisory Council, to serve a seven-year term ending June 15, 2022, succeeding J. Kelly Dunkerley. (Energy Committee) Motion to confirm made by Senator A. J. Griffin.

Motions to confirm the above-named executive nominations were declared adopted upon roll call as follows:

Aye: Allen, Bass, Bergstrom, Bice, Boggs, Brecheen, Brown, Daniels, David, Dossett, Dugger, Floyd, Fry, Griffin, Holt, Jech, Kidd, Leewright, Marlatt, Matthews, McCortney, Newberry, Newhouse, Paxton, Pederson, Pemberton, Pittman, Pugh, Quinn, Rader, Schulz, Scott, Sharp, Shaw, Silk, Simpson, Smalley, Sparks, Standridge, Stanislawski, Thompson, Treat and Yen.--43.

Nay: Dahm and Sykes.--2.

Excused: Fields.--1.

Vacancy: Districts 44 and 45.--2.

PENDING CONSIDERATION OF HAS

HAs to SBs 737 and 799 were rejected upon motion of Senator Treat, conference requested, and Senate conferees to be named later.

CHANGE IN CONFEREES

Advising change in Senate conferees as follows:

HB 2186 – remove Treat, Paxton, Scott, Pittman, Sparks and name Dahm, Brecheen, Sykes, Dossett, Matthews and retain Newberry

HB 2237 – add Smalley

REPORT OF ENGROSSED AND ENROLLED MEASURES

SBs 840 and **841** were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

MESSAGES FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled **HBs 1302, 1388, 1392, 1533, 1607, 1694, 1708** and **1886**.

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

Advising concurrence in **SAs** to and passage of Engrossed **HBs 1952, 1991, 1992, 1993, 1995, 1996** and **1998**.

Advising the signing of and returning Enrolled **SCR 6**.

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

Advising fourth reading of and returning Enrolled **SBs 27, 235, 408, 423, 426, 431, 445, 529** and **631**.

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

Advising conference granted on Engrossed **SBs** and naming House conferees as follows:

SB 6 - Conference Committee on General Government Oversight and Accountability

SB 146 - Conference Committee on Elections and Ethics

SB 185 - Conference Committee on Judiciary – Criminal Justice and Corrections

SB 207 - Conference Committee on Public Health

- SB 211** - Conference Committee on Business, Commerce and Tourism
- SB 213** - Conference Committee on Judiciary – Civil and Environmental
- SB 214** - Conference Committee on GCCA
- SB 252** - Conference Committee on Judiciary – Criminal Justice and Corrections
- SB 292** - Conference Committee on GCCA
- SB 297** - Conference Committee on Business, Commerce and Tourism
- SB 314** - Conference Committee on Elections and Ethics
- SB 319** - Conference Committee on GCCA
- SB 326** - Conference Committee on GCCA
- SB 342** - Conference Committee on GCCA
- SB 377** - Conference Committee on Judiciary – Criminal Justice and Corrections
- SB 456** - Conference Committee on GCCA
- SB 477** - Conference Committee on Transportation
- SB 478** - Conference Committee on Insurance
- SB 493** - Conference Committee on Agriculture and Rural Development
- SB 546** - Conference Committee on Business, Commerce and Tourism
- SB 570** - Conference Committee on Administrative Rules
- SB 588** - Conference Committee on GCCA
- SB 591** - Conference Committee on GCCA
- SB 603** - Conference Committee on Judiciary – Criminal Justice and Corrections
- SB 615** - Conference Committee on General Government Oversight and

Accountability

- SB 646** - Conference Committee on Business, Commerce and Tourism
- SB 649** - Conference Committee on Judiciary – Criminal Justice and Corrections
- SB 650** - Conference Committee on Judiciary – Criminal Justice and Corrections
- SB 657** - Conference Committee on Public Health
- SB 689** - Conference Committee on Judiciary – Criminal Justice and Corrections
- SB 692** - Conference Committee on Judiciary – Criminal Justice and Corrections
- SB 712** - Conference Committee on Business, Commerce and Tourism
- SB 727** - Conference Committee on Children, Youth and Family Services
- SB 770** - Conference Committee on Health Services and Long-Term Care
- SB 786** - Conference Committee on Judiciary – Criminal Justice and Corrections
- SB 793** - Conference Committee on Public Safety
- SB 827** - Conference Committee on Public Health

EXECUTIVE NOMINATION

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

Garrett, Rickey S., Oklahoma City, as a member of the Oklahoma State Athletic Commission - Business, Commerce and Tourism

Senator Treat moved that when the clerk's desk is clear, the Senate stand adjourned to convene Thursday, May 11, 2017, at 9:30 a.m., which motion prevailed.

SECOND READING

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

SB 870 – Joint Committee on Appropriations and Budget

SB 871 – Joint Committee on Appropriations and Budget

COMMITTEE REPORTS

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

DO PASS:

SB 870 – Joint Committee on Appropriations and Budget

Senate:

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

House:

Ayes: Bennett (J), Caldwell, Calvey, Casey, Cockroft, Dunnington, Henke, Inman, Kouplén, Loring, Martin, Murphey, O'Donnell, Ortega, Osborn (L), Ownbey, Pfeiffer, Proctor, Roberts (D), Russ, Sanders, Sears, Stone, Virgin, Wallace

SB 871 – Joint Committee on Appropriations and Budget

Senate:

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

House:

Ayes: Bennett (J), Caldwell, Calvey, Casey, Cockroft, Henke, Loring, Martin, Murphey, O'Donnell, Ortega, Osborn (L), Ownbey, Pfeiffer, Roberts (D), Russ, Sanders, Sears, Wallace

Nays: Dunnington, Inman, Kouplén, Proctor, Stone, Virgin

DO PASS, As Amended:

CS for SB 869 – Joint Committee on Appropriations and Budget

Senate:

Ayes: Allen, Bergstrom, Bice, Boggs, Brecheen, Brown, Dahm, Daniels, David, Dossett, Dugger, Fields, Floyd, Fry, Griffin, Jech, Kidd, Leewright, Matthews, McCortney, Newberry, Paxton, Pederson, Pemberton, Pittman, Scott, Sharp, Silk, Simpson, Smalley, Sparks, Stanislawski, Thompson, Yen

Nays: Holt, Pugh, Rader, Shaw

House:

Ayes: Caldwell, Casey, Cockroft, Dunnington, Henke, Martin, O'Donnell, Ortega, Osborn (L), Ownbey, Pfeiffer, Roberts (D), Russ, Sanders, Sears, Wallace

Nays: Bennett (J), Calvey, Inman, Kouplen, Loring, Murphey, Proctor, Stone, Virgin

FIRST READING

The following was introduced and read the first time:

SCR 14 – By Yen of the Senate and Martin of the House.

A Concurrent Resolution prohibiting the awarding of certain request for proposal and contracts; requiring review and approval by the Oklahoma Legislature; providing time period for approval; and directing distribution.

CHANGE IN AUTHORS/COAUTHORS

The following measures were authored/coauthored:

SB 166 - Coauthored by Senator Griffin

SB 326 - Remove as author Senator Smalley; authored by Senator Fields

SB 642 - Coauthored by Senator Stanislawski

SCR 14 - Coauthored by Senator Bergstrom

Coauthored by Senator Dugger

Coauthored by Senator Pemberton

Coauthored by Senator Quinn

Coauthored by Senator Silk

Coauthored by Senator Brecheen

Coauthored by Senator Fry

Coauthored by Senator Daniels

Coauthored by Senator Paxton

Coauthored by Senator Sharp

Coauthored by Senator Standridge

Coauthored by Senator Bass

Coauthored by Senator Boggs

Coauthored by Senator Rader

Coauthored by Senator Scott
Coauthored by Senator Brown
Coauthored by Senator Pederson

MESSAGES FROM THE GOVERNOR

Advising her approval May 10, 2017, of Enrolled **SBs 217, 228, 514, 543** and **726**.

Pursuant to the Treat motion, the Senate adjourned at 2:55 p.m. to meet Thursday, May 11, 2017, at 9:30 a.m.