

Senate Journal

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

Sixty-second Legislative Day, Saturday, May 20, 2017

The Senate was called to order by Senator Sykes.

Roll Call:

Present: Allen, Bass, Bergstrom, Bice, Boggs, Brecheen, Brown, Dahm, Daniels, David, Dossett, Dugger, Fields, Floyd, 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, Yen.—45.

Excused: Fry.—1.

Vacancy: Districts 44 and 45.—2.

Senator Sykes declared a quorum present.

PENDING CONSIDERATION OF JCR

The **JCR** on **HB 2356** was adopted upon motion of Senator Thompson.

HB 2356 was read at length.

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

Aye: Bergstrom, Bice, Daniels, David, Dugger, Fields, Griffin, Holt, Kidd, Leewright, Marlatt, McCortney, Newberry, Paxton, Pederson, Pemberton, Pugh, Rader, Schulz, Scott, Sharp, Shaw, Simpson, Smalley, Standridge, Thompson, Treat and Yen.--28.

Nay: Allen, Bass, Boggs, Brecheen, Brown, Dahm, Dossett, Floyd, Jech, Matthews, Quinn, Silk, Sparks, Stanislawski and Sykes.--15.

Excused: Fry, Newhouse and Pittman.--3.

Vacancy: Districts 44 and 45.--2.

The bill passed.

HB 2356, together with the conference committee report thereon, was ordered returned to the Honorable House.

PENDING CONSIDERATION OF JCR

The **JCR** on **SB 867** was adopted upon motion of Senator Marlatt.

SB 867 was read at length.

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

Aye: Allen, Bice, Boggs, Brown, Dahm, Daniels, David, Dugger, Fields, Griffin, Holt, Kidd, Marlatt, Newberry, Newhouse, Paxton, Pederson, Pugh, Rader, Schulz, Sharp, Shaw, Stanislawski, Sykes, Thompson and Treat.--26.

Nay: Bass, Bergstrom, Brecheen, Dossett, Floyd, Jech, Leewright, Matthews, McCortney, Pemberton, Pittman, Quinn, Scott, Silk, Simpson, Smalley, Sparks, Standridge and Yen.--19.

Excused: Fry.--1.

Vacancy: Districts 44 and 45.--2.

The bill passed.

Senators Quinn, Simpson, Leewright, Yen, Bergstrom, Silk, Standridge, McCortney, Pemberton and Jech desired to vote Aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 36; Nay: 9; Excused: 1; Vacancy: Districts 44 and 45: 2.

The emergency passed.

SB 867 was referred for engrossment.

Senator Dahm presiding

PENDING CONSIDERATION OF HAS

HAs to SB 288 were concurred in upon motion of Senator Dossett.

SB 288, 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, Griffin, Holt, Jech, Kidd, Leewright, Marlatt, 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.--44.

Excused: Fry and Matthews.--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 JCR

The **JCR** on **SB 872** was adopted upon motion of Senator Holt.

SB 872 was read at length.

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

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

Nay: Allen, Brecheen, Brown, Dahm, Daniels, Newhouse, Silk and Sykes.--8.

Excused: Fry and Schulz.--2.

Vacancy: Districts 44 and 45.--2.

The bill and emergency passed.

SB 872 was referred for engrossment.

PENDING CONSIDERATION OF JCR

The **JCR** on **HB 2387** was adopted upon motion of Senator Griffin.

HB 2387 was read at length.

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

Aye: Bergstrom, Bice, Boggs, Brown, Daniels, David, Dossett, Dugger, Fields, Floyd, Griffin, Holt, Jech, Matthews, McCortney, Newhouse, Pederson, Pemberton, Pittman, Pugh, Quinn, Sharp, Shaw, Simpson, Smalley, Stanislawski, Thompson, Treat and Yen.--29.

Nay: Allen, Bass, Brecheen, Dahm, Kidd, Leewright, Newberry, Paxton, Rader, Scott, Silk, Standridge and Sykes.--13.

Excused: Fry, Marlatt, Schulz and Sparks.--4.

Vacancy: Districts 44 and 45.--2.

The bill passed.

Senators Rader, Newberry and Paxton desired to vote Aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 32; Nay: 10; Excused: 4; Vacancy: Districts 44 and 45: 2.

The emergency passed.

HB 2387, together with the conference committee report thereon, was ordered returned to the Honorable House.

PENDING CONSIDERATION OF JCR

The **JCR** on **HB 2389** was adopted upon motion of Senator David.

HB 2389 was read at length.

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

Aye: Bergstrom, Bice, Boggs, David, Dossett, Dugger, Fields, Floyd, Griffin, Holt, Kidd, Matthews, McCortney, Paxton, Pederson, Pemberton, Pittman, Pugh, Rader, Scott, Sharp, Shaw, Simpson, Stanislawski, Thompson, Treat and Yen.--27.

Nay: Allen, Bass, Brecheen, Brown, Dahm, Daniels, Jech, Leewright, Newberry, Newhouse, Quinn, Silk, Smalley, Standridge and Sykes.--15.

Excused: Fry, Marlatt, Schulz and Sparks.--4.

Vacancy: Districts 44 and 45.--2.

The bill passed.

Senators Newberry, Allen, Leewright, Jech, Newhouse and Standridge desired to vote Aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 33; Nay: 9; Excused: 4; Vacancy: Districts 44 and 45: 2.

The emergency passed.

HB 2389, together with the conference committee report thereon, was ordered returned to the Honorable House.

Senator Sykes presiding

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 643** was adopted upon motion of Senator David.

SB 643, as amended in conference, was read at length.

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

Aye: Allen, Bergstrom, Bice, Boggs, Brown, David, Dugger, Fields, Griffin, Holt, Jech, Kidd, Leewright, Marlatt, Matthews, McCortney, Newberry, Newhouse, Paxton, Pederson, Pemberton, Pugh, Rader, Scott, Sharp, Shaw, Simpson, Smalley, Standridge, Stanislawski, Thompson, Treat and Yen.--33.

Nay: Bass, Dahm, Daniels, Dossett, Floyd, Pittman, Quinn, Silk and Sykes.--9.

Excused: Brecheen, Fry, Schulz and Sparks.--4.

Vacancy: Districts 44 and 45.--2.

The bill passed.

SB 643, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

EXECUTIVE NOMINATIONS

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

Bloye, Dennis J., Norman, to the Alarm and Locksmith Industry Committee, to serve a four-year term ending June 30, 2021, succeeding himself. (Business, Commerce and Tourism Committee) Motion to confirm made by Senator Rob Standridge.

Burris, Steven H., Yukon, to the Oklahoma Real Estate Commission, to serve a four-year term ending July 1, 2021, succeeding Mike Cassidy. (Business, Commerce and Tourism Committee) Motion to confirm made by Senator Stephanie Bice.

Erker, Sr., Rodger P., Tulsa, to the Oklahoma Real Estate Commission, to serve a four-year term ending July 1, 2021, succeeding himself. (Business, Commerce and Tourism Committee) Motion to confirm made by Senator Gary Stanislawski.

Foss, Janet A., Norman, to the Board of Juvenile Affairs, to serve a four-year term ending July 1, 2021, succeeding Kristin Jarman. (Health and Human Services Committee) Motion to confirm made by Senator Rob Standridge.

Garrett, Rickey S., Oklahoma City, to the Oklahoma State Athletic Commission, to serve a three-year term ending June 30, 2020, succeeding Danny Hodge. (Business, Commerce and Tourism Committee) Motion to confirm made by Senator Lonnie Paxton.

Gilstrap, William (Hays), Eucha, to the J.M. Davis Memorial Commission, to serve a four-year term ending August 1, 2021, succeeding Christopher Sutherland. (Business, Commerce and Tourism Committee) Motion to confirm made by Senator Micheal Bergstrom.

Gooding, Odis Clifton, Oklahoma City, to the Board of Mental Health and Substance Abuse Services, to serve a seven-year term ending December 31, 2024, succeeding Joel Carson. (Health and Human Services Committee) Motion to confirm made by Senator David Holt.

Haddox, Elton Denny, Claremore, to the J.M. Davis Memorial Commission, to serve a four-year term ending August 1, 2021, succeeding himself. (Business, Commerce and Tourism Committee) Motion to confirm made by Senator Julie Daniels.

Higgins, William R., Claremore, to the J.M. Davis Memorial Commission, to serve a four-year term ending August 1, 2021, succeeding himself. (Business, Commerce and Tourism Committee) Motion to confirm made by Senator Marty Quinn.

Ivey, Patrick Ryan Davis, Oklahoma City, to the Alarm and Locksmith Industry Committee, to serve a four-year term ending June 30, 2021, succeeding James R. Perry. (Business, Commerce and Tourism Committee) Motion to confirm made by Senator Ervin Yen.

Vance Ochs, Megan, Edmond, to the Oklahoma Motor Vehicle Commission, to serve a six-year term ending June 30, 2023, succeeding Leonard C. Northcutt. (Business, Commerce & Tourism Committee) Motion to confirm made by Senator A. J. Griffin.

Von Hemel, Donnie K., Piedmont, to the Oklahoma Horse Racing Commission, to serve a six-year term ending June 30, 2023, succeeding Ran Leonard. (Appropriations Committee) Motion to confirm made by Senator Stephanie Bice.

Wright, Douglas E., Edmond, to the Oklahoma Horse Racing Commission, to serve an unexpired term ending June 30, 2021, succeeding Kinsey Westwood-Money. (Appropriations Committee) Motion to confirm made by Senator Adam Pugh.

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, Fields, Floyd, Griffin, Holt, Jech, Kidd, Leewright, Matthews, McCortney, Newberry, Newhouse, Paxton, Pederson, Pemberton, Pittman, Pugh, Quinn, Rader, Scott, Sharp, Shaw, Simpson, Smalley, Standridge, Stanislawski, Thompson, Treat and Yen.--39.

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

Excused: Fry, Marlatt, Schulz and Sparks.--4.

Vacancy: Districts 44 and 45.--2.

Senator Treat moved that the Senate recess to the Call of The Chair, which motion was declared adopted.

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The Senate reconvened with President Pro Tempore Schulz presiding.

President Pro Tempore Schulz questioned the presence of a quorum and declared a quorum was not present.

Senator Treat moved pursuant to Senate Rule 8-4 on behalf of the President Pro Tempore, that when the clerk's desk is clear, the Senate stand adjourned to convene Monday, May 22, 2017, at 1:30 p.m., which motion prevailed.

MESSAGES FROM THE HOUSE

Advising concurrence in **SAs** to and passage of Engrossed **HB 1210**.

Returning following bills, together with conference committee reports thereon, advising adoption of conference committee reports and passage of measures as amended.

SB 342

SB 727

The above-numbered measures, as amended in conference, were referred for enrollment.

Advising fourth reading of and transmitting for signature Enrolled **HBs 1210, 1510 and 1534**.

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

CONFERENCE COMMITTEE REPORTS

Transmitting the following bills, together with conference committee reports thereon, advising adoption of conference committee reports and passage of measures as amended.

HB 1283

HB 1326

HB 1583 - Remove as author Senator Loveless and substitute with Senator Fields

HB 2157

Conference committee reports were read on the above-numbered bills.

REPORT OF ENGROSSED AND ENROLLED MEASURES

SBs 867 and 872 were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

SECOND READING

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

HB 2377 – Direct To Calendar

HB 2414 – Direct To Calendar

HJR 1029 – Direct To Calendar

HJR 1030 – Direct To Calendar

SB 873 – Joint Committee on Appropriations and Budget

SB 874 – Joint Committee on Appropriations and Budget

CHANGE IN AUTHORS/COAUTHORS

The following measures were authored/coauthored:

SB 288 - Coauthored by Senator Pittman

HB 2389 - Coauthored by Senator Pittman

MESSAGES FROM THE GOVERNOR

Advising her approval April 20, 2017, of Enrolled **SBs 467** and **495**.

Pursuant to the Treat motion, the Senate adjourned at 5:10 p.m. to meet Monday, May 22, 2017, at 1:30 p.m.

JOURNAL CORRECTION

Friday, May 19, 61st Legislative Day, Page 1197, Line 15, delete language and insert the following:

Time expired for consideration of the motion to reconsider the vote whereby the suspension of Senate Rule 8-27A as it pertains to **SB 326** failed.