

Senate Journal

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

Sixty-fourth Legislative Day, Tuesday, May 23, 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, 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, Yen.—46.

Vacancy: Districts 44 and 45.—2.

Senator Marlatt declared a quorum present.

The prayer was offered by Administrative Pastor Aaron Williams, Covenant Church, Poteau, the guest of Senator Allen.

INTRODUCTIONS

Senator Kidd introduced his parents, Billy and Sue Ann Kidd; Senator Silk introduced his children, Jude, Sophia and Josie; and Senator Pugh introduced Senator Paxton's wife, Misti, to the Senate.

PENDING CONSIDERATION OF JCR

The **JCR** on **HB 2423** was adopted upon motion of Senator Fields.

HB 2423 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, Dossett, Dugger, Fields, Floyd, Fry, Griffin, Holt, Jech, Kidd, Leewright, Marlatt, Matthews, McCortney, 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, Newberry and Schulz.--3.

Vacancy: Districts 44 and 45.--2.

The bill and emergency passed.

HB 2423, together with the conference committee report thereon, was ordered returned to the Honorable House.

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 Senator Marlatt presiding.

Senator Marlatt questioned the presence of a quorum and ordered the roll called, following which a quorum was declared present.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 692** was adopted upon motion of Senator Griffin.

SB 692, as amended in conference, 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, Fields, Floyd, 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, Fry and Schulz.--3.

Vacancy: Districts 44 and 45.--2.

The bill passed.

SB 692, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

Senator Fields moved to suspend Rule 8-27A as it pertains to the germaneness of the conference committee report on **SB 326**, which motion was declared adopted upon roll call as follows:

Aye: Allen, Bass, Bergstrom, Bice, Boggs, Brecheen, Brown, Dahm, Daniels, Dossett, Dugger, Fields, Floyd, 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.--42.

Excused: David, Fry, Griffin and Schulz.--4.

Vacancy: Districts 44 and 45.--2.

The **CCR** on **SB 326** was adopted upon motion of Senator Fields.

SB 326, as amended in conference, 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, Daniels, Dossett, Dugger, Fields, Floyd, Holt, Jech, Kidd, Leewright, Marlatt, Matthews, McCortney, Newberry, Newhouse, Paxton, Pederson, Pemberton, Pittman, Pugh, Quinn, Rader, Scott, Sharp, Shaw, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat and Yen.--40.

Nay: Dahm and Silk.--2.

Excused: David, Fry, Griffin and Schulz.--4.

Vacancy: Districts 44 and 45.--2.

The bill and emergency passed.

SB 326, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 1583** was adopted upon motion of Senator Fields.

HB 1583, as amended in conference, 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, Fields, Floyd, 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.--43.

Excused: David, Fry and Griffin.--3.

Vacancy: Districts 44 and 45.--2.

The bill passed.

HB 1583, together with the conference committee report thereon, was ordered returned to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 712** was adopted upon motion of Senator Bice.

SB 712, as amended in conference, was read at length.

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

Aye: Bass, Bergstrom, Bice, Dahm, Daniels, Dugger, Floyd, Holt, Kidd, Marlatt, Matthews, McCortney, Paxton, Pemberton, Pittman, Pugh, Schulz, Scott, Sharp, Silk, Smalley, Sparks, Stanislawski, Thompson, Treat and Yen.--26.

Nay: Allen, Boggs, Brecheen, Brown, Dossett, Jech, Leewright, Newberry, Newhouse, Pederson, Quinn, Rader, Shaw, Simpson, Standridge and Sykes.--16.

Excused: David, Fields, Fry and Griffin.--4.

Vacancy: Districts 44 and 45.--2.

The bill passed.

SB 712, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF HAS

HAs to **SB 94** were concurred in upon motion of Senator Bass.

SB 94, 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, 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.--42.

Excused: David, Fields, Fry and Griffin.--4.

Vacancy: Districts 44 and 45.--2.

The bill passed.

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

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 Senator Marlatt presiding.

Senator Marlatt questioned the presence of a quorum and ordered the roll called, following which a quorum was declared present.

CONFERENCE COMMITTEE REPORTS SUBMITTED

Conference committee reports were read on the following bills:

SB 46

SB 146 - conferees unable to agree

SB 297

SB 477 - conferees unable to agree

SB 603

MESSAGES FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed **HB 2429**.

HB 2429 – By Osborn (Leslie) and Wallace of the House and David and Fields of the Senate.

An Act relating to revenue and taxation; amending 68 O.S. 2011, Section 1001, as last amended by Section 1, Chapter 346, O.S.L. 2014 (68 O.S. Supp. 2016, Section 1001), which relates to gross production taxes; providing certain reduced rate; clarifying references; amending 68 O.S. 2011, Section 1004, as last amended by Section 4, Chapter 337, O.S.L. 2016 (68 O.S. Supp. 2016, Section 1004), which relates to apportionment of gross production taxes; making certain apportionment applicable to certain rate; providing an effective date; and declaring an emergency.

The above-numbered measure was read the first time.

Advising conferees unable to agree on the following:

HB 2301

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

SB 478

SB 493

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

Advising rejection of **CCR** to the following bill, requesting further conference and naming same House conferees as follows:

HB 1491 - Conference Committee on Children, Youth and Family Services

Advising passage of and returning the following Engrossed bill:

SB 872 - coauthored by Senator Sparks

The above-numbered measure was referred for enrollment.

Advising fourth reading of and transmitting for signature Enrolled **HB 2423**.

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

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

SB 661 - Conference Committee on GCCA

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 1110

HB 1338 - coauthored by Representatives Lowe and Virgin

HB 1680

HB 1707

HB 1720 - coauthored by Senator Brown

HB 1853

HB 1862

HB 2234

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

SECOND READING

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

SJR 47 - Joint Committee on Appropriations and Budget

REPORT OF ENGROSSED AND ENROLLED MEASURES

SBs 94, 478, 493 and 872 were each correctly enrolled and after fourth reading, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

MESSAGE FROM THE HOUSE

Advising fourth reading of and returning Enrolled **SB 872**.

The above-numbered enrolled measure was referred to the Governor.

Senator Treat moved that when the clerk's desk is clear, the Senate stand adjourned to convene Wednesday, May 24, 2017, at 10:30 a.m., which motion prevailed.

COMMITTEE REPORTS

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

DO PASS:

SJR 47 – Joint Committee on Appropriations and Budget

Senate:

Ayes: 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, Pemberton, Pittman, Pugh, Quinn, Rader, Scott, Sharp, Shaw, Silk, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Yen

House:

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

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

DO PASS, As Amended:

CS for SB 844 – Joint Committee on Appropriations and Budget

Senate:

Ayes: Allen, Bergstrom, Bice, Boggs, Brecheen, Brown, Dahm, Daniels, David, Dugger, Fields, Griffin, Holt, Jech, Kidd, Leewright, McCortney, Newberry, Newhouse,

Paxton, Pederson, Pemberton, Pugh, Quinn, Rader, Schulz, Scott, Sharp, Shaw, Silk, Simpson, Smalley, Standridge, Stanislawski, Sykes, Thompson, Treat, Yen

Nays: Dossett, Floyd, Matthews, Pittman, Sparks

House:

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

Nays: Dunnington, Inman, Kouplen, Loring, Proctor, Stone, Virgin

CS for SB 845 – Joint Committee on Appropriations and Budget

Senate:

Ayes: Allen, Bergstrom, Bice, Boggs, Brown, Daniels, David, Dugger, Fields, Griffin, Holt, Jech, Kidd, McCortney, Newberry, Newhouse, Paxton, Pederson, Pemberton, Rader, Scott, Sharp, Shaw, Silk, Simpson, Standridge, Stanislawski, Thompson, Treat, Yen

Nays: Brecheen, Dahm, Dossett, Floyd, Leewright, Matthews, Pittman, Pugh, Quinn, Smalley, Sparks, Sykes

House:

Ayes: Biggs, Caldwell, Casey, Cockroft, Echols, Henke, Jordan, Martin, O'Donnell, Ortega, Osborn (L), Ownbey, Pfeiffer, Russ, Sanders, Sears, Wallace

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

CS for SB 852 – Joint Committee on Appropriations and Budget

Senate:

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

Nays: Dossett, Floyd, Matthews, Pittman, Sparks

House:

Ayes: Bennett (J), Biggs, Caldwell, Calvey, Casey, Cockroft, Echols, Henke, Inman, Jordan, Kouplen, Martin, O'Donnell, Ortega, Osborn (L), Ownbey, Pfeiffer, Roberts (D), Russ, Sanders, Sears, Virgin, Wallace

Nays: Dunnington, Loring, Proctor, Stone

CS for SB 860 – Joint Committee on Appropriations and Budget

Senate:

Ayes: Allen, Bergstrom, Bice, Boggs, Daniels, David, Dugger, Fields, Griffin, Jech, Kidd, Leewright, Marlatt, McCortney, Newberry, Newhouse, Paxton, Pederson, Pemberton, Quinn, Rader, Schulz, Scott, Shaw, Silk, Simpson, Smalley, Standridge, Stanislawski, Thompson, Treat, Yen

Nays: Brecheen, Dahm, Dossett, Floyd, Holt, Matthews, Pittman, Pugh, Sparks, Sykes

House:

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

Nays: Dunnington, Inman, Kouplen, Loring, Murphey, Proctor, Stone, Virgin

CS for SB 873 – Joint Committee on Appropriations and Budget

Senate:

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

Nays: Bass, Dossett, Floyd, Matthews, Pittman, Pugh, Quinn, Standridge

House:

Ayes: Bennett (J), Biggs, Caldwell, Calvey, Casey, Cockroft, Echols, Jordan, Loring, O'Donnell, Ortega, Osborn (L), Ownbey, Pfeiffer, Roberts (D), Sanders, Stone, Wallace

Nays: Dunnington, Inman, Kouplen, Martin, Murphey, Proctor, Russ, Sears, Virgin

SECOND READING

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

HB 2403 – Direct To Calendar

CHANGE IN AUTHORS/COAUTHORS

The following measures were authored/coauthored:

SB 46 - Coauthored by Representative(s)Ford

Remove as coauthor Representative(s) Ford

SB 353 - Coauthored by Representative Bennett (John)

SB 610 - Coauthored by Representative Martin (principal House author)

SB 615 - Coauthored by Senator Pittman

SJR 35 - Coauthored by Representative Martin (principal House author)

Pursuant to the Treat motion, the Senate adjourned at 10:00 p.m. to meet Wednesday, May 24, 2017, at 10:30 a.m.