

Senate Journal

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

Sixty-sixth Legislative Day, Thursday, May 25, 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, Fry, Griffin, Holt, Jech, Kidd, Leewright, Marlatt, Matthews, McCortney, Newberry, Newhouse, Paxton, Pederson, Pemberton, Pittman, Pugh, Quinn, Rader, Schulz, Scott, Sharp, Shaw, Silk, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat and Yen.—45.

Excused: Simpson.—1.

Vacancy: Districts 44 and 45.—2.

Senator Sykes declared a quorum present.

The prayer was offered by Associate Pastor Jimmy Hunt, Muldrow First Assembly of God, Muldrow, the guest of Senator Allen.

INTRODUCTIONS

Senator Newhouse introduced his wife, Laura, and their children, Rose, Will, Claire and Luke; Senator Treat introduced his daughter, Olivia, to the Senate.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 207** was adopted upon motion of Senator Bice.

SB 207, 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, Floyd, Fry, Griffin, Holt, Jech, Kidd, Leewright, Marlatt, Matthews, McCortney, Newberry, Newhouse, Paxton, Pederson, Pemberton, Pittman, Pugh, Quinn, Rader, Schulz, Scott, Sharp, Shaw, Silk, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat and Yen.--43.

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

Vacancy: Districts 44 and 45.--2.

The bill passed.

SB 207, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

INTRODUCTIONS

President Pro Tempore Schulz introduced his wife, Reenie, and their daughter, Abby, to the Senate.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 297** was adopted upon motion of Senator Bice.

SB 297, 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, Boggs, Daniels, Dossett, Dugger, Floyd, Griffin, Holt, Jech, Kidd, Marlatt, Matthews, McCortney, Newberry, Paxton, Pederson, Pemberton, Pittman, Pugh, Scott, Sharp, Silk, Smalley, Sparks, Stanislawski, Thompson, Treat and Yen.--30.

Nay: Allen, Brecheen, Brown, Dahm, Fry, Leewright, Newhouse, Quinn, Rader, Shaw, Standridge and Sykes.--12.

Excused: David, Fields, Schulz and Simpson.--4.

Vacancy: Districts 44 and 45.--2.

The bill passed.

SB 297, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 646** was adopted upon motion of Senator Bice.

SB 646, 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, Daniels, David, Dossett, Dugger, Fields, Floyd, Griffin, Holt, Jech, Kidd, Leewright, Marlatt, Matthews, McCortney, Newberry, Newhouse, Paxton, Pemberton, Pittman, Pugh, Rader, Sharp, Smalley, Sparks, Stanislawski, Thompson, Treat and Yen.--31.

Nay: Allen, Boggs, Brecheen, Brown, Dahm, Fry, Pederson, Quinn, Scott, Shaw, Silk, Standridge and Sykes.--13.

Excused: Schulz and Simpson.--2.

Vacancy: Districts 44 and 45.--2.

The bill passed.

SB 646, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 292** was adopted upon motion of Senator Thompson.

SB 292, 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, David, Dossett, Dugger, Fields, Floyd, Fry, Griffin, Holt, Jech, Kidd, Leewright, Marlatt, Matthews, McCortney, Newberry, Paxton, Pederson, Pemberton, Pittman, Pugh, Quinn, Rader, Scott, Sharp, Shaw, Silk, Smalley, Sparks, Standridge, Stanislawski, Thompson, Treat and Yen.--42.

Nay: Newhouse and Sykes.--2.

Excused: Schulz and Simpson.--2.

Vacancy: Districts 44 and 45.--2.

The bill passed.

SB 292, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF JCR

The **JCR** on **HB 2429** was adopted upon motion of Senator Thompson.

HB 2429 was read at length.

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

Aye: Bass, Bergstrom, Bice, Boggs, Daniels, David, Dugger, Fields, Floyd, Fry, Griffin, Holt, Jech, Kidd, Leewright, Marlatt, McCortney, Newberry, Newhouse, Paxton, Pederson, Pemberton, Pittman, Pugh, Quinn, Rader, Schulz, Scott, Sharp, Shaw, Silk, Smalley, Standridge, Stanislawski, Thompson, Treat and Yen.--37.

Nay: Allen, Brecheen, Brown, Dahm, Dossett, Matthews and Sykes.--7.

Excused: Simpson and Sparks.--2.

Vacancy: Districts 44 and 45.--2.

The bill and emergency passed.

HB 2429, together with the conference committee report thereon, was ordered returned to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 353** was adopted upon motion of Senator David.

SB 353, 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, Dahm, Daniels, David, Dossett, Dugger, Fields, Floyd, Fry, Griffin, Holt, Jech, Kidd, Leewright, Matthews, McCortney, Newberry, Paxton, Pederson, Pemberton, Pittman, Pugh, Sharp, Shaw, Silk, Smalley, Standridge, Stanislawski, Thompson, Treat and Yen.--37.

Nay: Newhouse, Quinn, Rader, Scott and Sykes.--5.

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

Vacancy: Districts 44 and 45.--2.

The bill and emergency passed.

SB 353, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 774** was adopted upon motion of Senator David.

SB 774, 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, Boggs, Brecheen, Brown, Dahm, Daniels, David, Dossett, Dugger, Fields, Floyd, Fry, Griffin, Holt, Kidd, Leewright, Marlatt, Matthews, McCortney, Newberry, Newhouse, Paxton, Pederson, Pemberton, Pittman, Pugh, Quinn, Rader, Scott, Sharp, Shaw, Silk, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat and Yen.--42.

Nay: Allen and Jech.--2.

Excused: Schulz and Simpson.--2.

Vacancy: Districts 44 and 45.--2.

The bill passed.

SB 774, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

CONFERENCE COMMITTEE REPORT SUBMITTED

Conference committee report was read on the following bill:

SB 214

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 2360** was adopted upon motion of Senator David.

HB 2360, 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, 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, Smalley, Standridge, Stanislawski, Thompson, Treat and Yen.--38.

Nay: Brecheen, Brown, Dahm, Daniels, Silk and Sykes.--6.

Excused: Simpson and Sparks.--2.

Vacancy: Districts 44 and 45.--2.

The bill and emergency passed.

HB 2360, together with the conference committee report thereon, was ordered returned to the Honorable House.

CHANGE IN CONFEREES

Advising change in Senate conferees as follows:

HB 1465 - withdraw from GCCA and name Dahm, Treat, Schulz, David, Fields, Sparks and Floyd.

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 Sykes presiding.

Senator Sykes 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 105

SB 661

SB 799

UNANIMOUS CONSENT REQUEST DIRECT TO CALENDAR

Senator Brecheen asked unanimous consent to refer **HCR 1007** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

HCR 1007 by Lepak and Lawson of the House and Brecheen et al of the Senate was called up for consideration.

HCR 1007 was adopted upon roll call as follows:

Aye: Bergstrom, Bice, Boggs, Brecheen, Brown, Daniels, David, Dugger, Fields, Fry, Griffin, Jech, Kidd, Leewright, Marlatt, McCortney, Newberry, Newhouse, Paxton, Pederson, Pemberton, Pugh, Quinn, Rader, Scott, Shaw, Silk, Smalley, Standridge, Stanislawski, Thompson, Treat and Yen.--33.

Nay: Allen, Dahm, Dossett, Floyd, Holt, Matthews, Sharp and Sykes.--8.

Excused: Bass, Pittman, Schulz, Simpson and Sparks.--5.

Vacancy: Districts 44 and 45.--2.

HCR 1007 was properly signed and ordered returned to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 105** was adopted upon motion of Senator Thompson.

SB 105, 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, 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, Pugh, Quinn, Rader, Schulz, Scott, Sharp, Shaw, Silk, Smalley, Standridge, Stanislawski, Sykes, Thompson, Treat and Yen.--42.

Excused: Bass, Pittman, Simpson and Sparks.--4.

Vacancy: Districts 44 and 45.--2.

The bill and emergency passed.

SB 105, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 214** was adopted upon motion of Senator Griffin.

SB 214, as amended in conference, was read at length.

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

Aye: Bergstrom, Bice, Boggs, Daniels, Dossett, Dugger, Fields, Floyd, Fry, Griffin, Holt, Jech, Kidd, Leewright, Marlatt, Matthews, McCortney, Newhouse, Paxton, Pederson, Pemberton, Pugh, Quinn, Rader, Sharp, Shaw, Smalley, Standridge, Stanislawski, Thompson, Treat and Yen.--32.

Nay: Allen, Brecheen, Brown, Dahm, Newberry, Scott, Silk and Sykes.--8.

Excused: Bass, David, Pittman, Schulz, Simpson and Sparks.--6.

Vacancy: Districts 44 and 45.--2.

The bill passed.

SB 214, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 1449** was adopted upon motion of Senator Bice.

HB 1449, 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, Daniels, Fields, Fry, Griffin, Holt, Jech, Kidd, Leewright, Marlatt, McCortney, Newberry, Newhouse, Paxton, Pederson, Pugh, Quinn, Rader, Scott, Sharp, Shaw, Standridge, Stanislawski, Thompson, Treat and Yen.--29.

Nay: Brecheen, Brown, Dahm, Dossett, Dugger, Floyd, Matthews, Pemberton, Silk, Smalley and Sykes.--11.

Excused: Bass, David, Pittman, Schulz, Simpson and Sparks.--6.

Vacancy: Districts 44 and 45.--2.

The bill passed.

HB 1449, together with the conference committee report thereon, was ordered returned to the Honorable House.

EXECUTIVE NOMINATIONS

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

Benge, G. Chris, Tulsa, to the Cabinet Secretary of Native American Affairs, to serve a coterminous term with the Governor, succeeding a new position. (General Government Committee) Motion to confirm made by Senator Dan Newberry.

Bryant, G. Keith, Oklahoma City, to the State Fire Marshal Commission, to serve a five-year term ending July 1, 2021, succeeding himself. (General Government Committee) Motion to confirm made by Senator Lonnie Paxton.

Clay, Cecil W., Oklahoma City, to the State Fire Marshal Commission, to serve a five-year term ending November 1, 2022, succeeding himself. (General Government Committee) Motion to confirm made by Senator Nathan Dahm on behalf of Senator Anthony Sykes.

Cornett, Terri, Oklahoma City, to the Oklahoma Educational Television Authority, to serve a seven-year term ending June 30, 2024, succeeding Elaine Hobson. (Education Committee) Motion to confirm made by Senator Kay Floyd on behalf of Senator Anastasia Pittman.

Huddleston, Kevin J., Lexington, to the Oklahoma Liquefied Petroleum Gas Board, to serve a four-year term ending June 30, 2019, succeeding himself. (Energy Committee) Motion to confirm made by Senator J.J. Dossett on behalf of Senator John Sparks.

Lopez, Dave R., Oklahoma City, to the Secretary of State, to serve a coterminous term with the Governor, succeeding Michael Hunter. (General Government Committee) Motion to confirm made by Senator Stephanie Bice.

Lopez, Dave R., Oklahoma City, to the Cabinet Secretary of State, to serve at the pleasure of the Governor, succeeding Michael Hunter. (General Government Committee) Motion to confirm made by Senator Stephanie Bice.

Meshri, Dr. Dayal T., Tulsa, to the Oklahoma Science and Technology Research and Development Board, to serve a four-year term ending June 30, 2021, succeeding himself. (Energy Committee) Motion to confirm made by Senator Gary Stanislawski.

Williamson, Cary L., Ardmore, to the State Fire Marshall Commission, to serve a five-year term ending November 1, 2022, succeeding himself. (General Government Committee) Motion to confirm made by Senator Greg Treat on behalf of Senator Frank Simpson.

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

Aye: Bergstrom, Bice, Boggs, Brecheen, Brown, Daniels, Dossett, Dugger, Fields, Floyd, Fry, Griffin, Holt, Jech, Kidd, Leewright, Marlatt, Matthews, McCortney, Newberry, Newhouse, Paxton, Pederson, Pemberton, Pugh, Quinn, Rader, Schulz, Scott, Sharp, Shaw, Silk, Smalley, Standridge, Stanislawski, Sykes, Thompson, Treat and Yen.--39.

Nay: Allen and Dahm.--2.

Excused: Bass, David, Pittman, Simpson and Sparks.--5.

Vacancy: Districts 44 and 45.--2.

Senator Dahm presiding

INTRODUCTION

Senator Daniels introduced her husband, Charlie, to the Senate.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 661** was adopted upon motion of Senator Sykes.

SB 661, 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, Brecheen, Brown, Dahm, Daniels, 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, Smalley, Standridge, Stanislawski, Sykes, Thompson, Treat and Yen.--42.

Excused: Bass, David, Simpson and Sparks.--4.

Vacancy: Districts 44 and 45.--2.

The bill passed.

SB 661, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 799** was adopted upon motion of Senator Sykes.

SB 799, as amended in conference, was read at length.

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

Aye: Boggs, Brown, Dahm, Daniels, Dossett, Dugger, Fields, Floyd, Fry, Griffin, Holt, Matthews, Newberry, Pemberton, Pittman, Pugh, Rader, Schulz, Sharp, Shaw, Silk, Smalley, Stanislawski, Sykes and Yen.--25.

Nay: Allen, Bass, Bergstrom, Bice, Brecheen, Jech, Kidd, Leewright, Marlatt, McCortney, Newhouse, Paxton, Pederson, Quinn, Scott, Standridge, Thompson and Treat.--18.

Excused: David, Simpson and Sparks.--3.

Vacancy: Districts 44 and 45.--2.

The bill passed.

SB 799, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 1680** was adopted upon motion of Senator Sykes.

HB 1680, 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, Fry, Griffin, Holt, Jech, Kidd, Leewright, Marlatt, Matthews, McCortney, Newberry, Newhouse, Paxton, Pederson, Pemberton, Pittman, Pugh, Quinn, Rader, Schulz, Scott, Sharp, Shaw, Silk, Smalley, Standridge, Stanislawski, Sykes, Thompson, Treat and Yen.--43.

Excused: David, Simpson and Sparks.--3.

Vacancy: Districts 44 and 45.--2.

The bill passed.

HB 1680, together with the conference committee report thereon, was ordered returned to the Honorable House.

Senator Marlatt presiding

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 1570** was adopted upon motion of Senator Holt.

HB 1570, 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, Boggs, Brown, Daniels, 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, Smalley, Standridge, Stanislawski, Sykes, Thompson, Treat and Yen.--39.

Nay: Allen, Brecheen, Dahm and Silk.--4.

Excused: David, Simpson and Sparks.--3.

Vacancy: Districts 44 and 45.--2.

The bill passed.

HB 1570, together with the conference committee report thereon, was ordered returned to the Honorable House.

MESSAGE FROM THE HOUSE

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

SB 46 - coauthored by Senator Pittman
SB 207 - coauthored by Representative McDaniel
SB 292
SB 297
SB 326
SB 353
SB 603
SB 643
SB 646
SB 692
SB 712
SB 770
SB 774

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

REPORT OF ENGROSSED AND ENROLLED MEASURES

SBs 46, 297, 326, 646, 692, 712 and **774** were each correctly enrolled and after fourth reading, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

MESSAGES FROM THE HOUSE

Advising fourth reading of and returning Enrolled **SBs 46, 297, 326, 646, 692, 712** and **774**.

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

Advising conferees unable to agree on the following:

HB 1572

HB 2306

Advising fourth reading of and transmitting for signature Enrolled **HBs 2234, 2360, 2377, 2429 and 2395.**

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 1335

HB 1465

HB 1491 - (2nd CCR)

HB 1578

HB 1826

HB 1868

HB 2360

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

CONFERENCE COMMITTEE REPORTS SUBMITTED

Conference committee reports were read on the following bills:

SB 6 - conferees unable to agree

SB 185 - conferees unable to agree

SB 456

SB 570 - conferees unable to agree

CHANGE IN CONFEREES

Advising change in Senate conferees as follows:

SB 298 - withdraw from GCCA and name Thompson, Griffin, Bice, McCortney, Paxton, Floyd and Dossett.

Senator Treat moved that when the clerk's desk is clear, the Senate stand adjourned to convene Friday, May 25, 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:

HB 2386 – Direct To Calendar

HB 2406 – Direct To Calendar

HB 2433 – Direct To Calendar

CHANGE IN AUTHORS/COAUTHORS

The following measures were authored/coauthored:

SB 610 - Remove as principal author Representative Martin and substitute with Representative McCall

Coauthored by Representative Martin

SB 615 - Remove as coauthor Senator Pittman

SJR 35 - Remove as principal author Representative Martin and substitute with Representative McCall

Coauthored by Representative Martin

HB 1570 - Coauthored by Senator Floyd

Coauthored by Senator Sparks

HB 1680 - Coauthored by Senator Pittman

MESSAGES FROM THE GOVERNOR

Advising her approval May 25, 2017, of Enrolled **SBs 55, 211, 342, 727, 840** and **870**.

Pursuant to the Treat motion, the Senate adjourned at 6:15 p.m. to meet Friday, May 25, 2017, at 9:30 a.m.