

Senate Journal

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

Sixty-seventh Legislative Day, Friday, May 26, 2017

The Senate was called to order by Senator Fields.

Roll Call:

Present: Allen, Bass, Bergstrom, Bice, Boggs, Brecheen, Dahm, Daniels, David, Dossett, 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, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat, Yen.—44.

Excused: Brown and Matthews.—2.

Vacancy: Districts 44 and 45.—2.

Senator Dahm declared a quorum present.

The prayer was offered by Pastor Rodney Fouts, North Church, Oklahoma City, the guest of Senator Allen.

PENDING CONSIDERATION OF JCR

The **JCR** on **HB 2386** was adopted upon motion of Senator Smalley.

HB 2386 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, Dahm, Daniels, David, Dossett, 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, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat and Yen.--43.

Excused: Bass, Brown and Matthews.--3.

Vacancy: Districts 44 and 45.--2.

The bill and emergency passed.

HB 2386, together with the conference committee report thereon, was ordered returned to the Honorable House.

PENDING CONSIDERATION OF JCR

The **JCR** on **HB 2406** was adopted upon motion of Senator Stanislawski.

HB 2406 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, Dugger, Fields, Griffin, Holt, Jech, Kidd, Leewright, Marlatt, McCortney, Newberry, Newhouse, Paxton, Pederson, Pemberton, Pugh, Quinn, Rader, Schulz, Scott, Shaw, Simpson, Smalley, Standridge, Stanislawski, Thompson, Treat and Yen.--32.

Nay: Allen, Brecheen, Dahm, Dossett, Floyd, Fry, Pittman, Sharp, Silk, Sparks and Sykes.--11.

Excused: Bass, Brown and Matthews.--3.

Vacancy: Districts 44 and 45.--2.

The bill and emergency passed.

HB 2406, together with the conference committee report thereon, was ordered returned to the Honorable House.

PENDING CONSIDERATION OF JCR

The **JCR** on **HB 2433** was adopted upon motion of Senator Thompson.

HB 2433 was read at length.

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

Aye: Allen, Bice, Boggs, David, Dugger, Fields, Griffin, Holt, Kidd, Marlatt, McCortney, Newberry, Newhouse, Pemberton, Rader, Schulz, Sharp, Shaw, Silk, Simpson, Standridge, Stanislawski, Thompson, Treat and Yen.--25.

Nay: Bergstrom, Brecheen, Dahm, Daniels, Dossett, Floyd, Fry, Jech, Leewright, Paxton, Pederson, Pittman, Pugh, Quinn, Scott, Smalley, Sparks and Sykes.--18.

Excused: Bass, Brown and Matthews.--3.

Vacancy: Districts 44 and 45.--2.

The bill passed.

Senators Dahm, Bergstrom, Pederson, Pugh, Scott, Daniels, Fry and Paxton desired to vote Aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 33; Nay: 10; Excused: 3; Vacancy: Districts 44 and 45: 2.

The emergency passed.

HB 2433, together with the conference committee report thereon, was ordered returned to the Honorable House.

**PENDING SENATE ACTION -
VETO OVERRIDE OF SB 637**

Senator Dahm moved that **SB 637** become law notwithstanding the veto of the Governor, which motion was declared adopted upon roll call as follows:

Aye: Allen, Bergstrom, Bice, Boggs, Brecheen, Dahm, Daniels, David, Dossett, Dugger, Fields, Floyd, Fry, Griffin, Holt, Jech, Kidd, Leewright, Marlatt, McCortney, Newberry, Newhouse, Paxton, Pederson, Pemberton, Pittman, Pugh, Quinn, Rader, Schulz, Scott, Shaw, Silk, Simpson, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat and Yen.--41.

Nay: Sharp and Smalley.--2.

Excused: Bass, Brown and Matthews.--3.

Vacancy: Districts 44 and 45.--2.

In accordance with Article VI, Section 11, Oklahoma Constitution, **SB 637**, together with the Governor's veto message thereon, was transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 456** was adopted upon motion of Senator Newhouse.

SB 456, 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, Dahm, Daniels, David, Dossett, 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, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat and Yen.--43.

Excused: Bass, Brown and Matthews.--3.

Vacancy: Districts 44 and 45.--2.

The bill passed.

SB 456, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 1465** was adopted upon motion of Senator Dahm.

HB 1465, as amended in conference, was read at length.

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

Aye: Allen, Boggs, Brecheen, Daniels, David, Dugger, Fields, Floyd, Fry, Griffin, Jech, Kidd, Leewright, Marlatt, Newberry, Newhouse, Pederson, Pemberton, Pittman, Quinn, Rader, Schulz, Scott, Sharp, Shaw, Silk, Simpson, Standridge, Stanislawski, Thompson and Treat.--31.

Nay: Bergstrom, Bice, Dahm, Dossett, Holt, McCortney, Paxton, Pugh, Smalley, Sparks and Yen.--11.

Excused: Bass, Brown, Matthews and Sykes.--4.

Vacancy: Districts 44 and 45.--2.

The bill passed.

Senators Dahm and Bergstrom 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 1465, together with the conference committee report thereon, was ordered returned to the Honorable House.

PENDING CONSIDERATION OF CCR

The 2nd CCR on **HB 1491** was adopted upon motion of Senator Marlatt.

HB 1491, as amended in conference, was read at length.

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

Aye: Allen, Bergstrom, Boggs, Brecheen, Dahm, Daniels, David, Dugger, Fields, Fry, Jech, Kidd, Marlatt, McCortney, Paxton, Pederson, Pemberton, Rader, Schulz, Sharp, Shaw, Silk, Simpson, Standridge and Sykes.--25.

Nay: Bice, Dossett, Floyd, Griffin, Holt, Leewright, Newberry, Newhouse, Pittman, Pugh, Quinn, Scott, Smalley, Sparks, Stanislawski, Thompson, Treat and Yen.--18.

Excused: Bass, Brown and Matthews.--3.

Vacancy: Districts 44 and 45.--2.

The bill passed.

Senators Holt, Newberry, Stanislawski, Newhouse, Yen, Griffin, Scott, Thompson and Bice desired to vote Aye on the emergency.

Senator Dahm desired to vote Nay on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 33; Nay: 10; Excused: 3; Vacancy: Districts 44 and 45: 2.

The emergency passed.

HB 1491, together with the conference committee report thereon, was ordered returned to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 1578** was adopted upon motion of Senator Stanislawski.

HB 1578, 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, Dahm, Daniels, David, Dugger, Fields, Floyd, Fry, Griffin, Holt, Jech, Kidd, Leewright, Marlatt, McCortney, Newberry, Newhouse, Paxton, Pemberton, Pittman, Pugh, Quinn, Rader, Schulz, Scott, Shaw, Silk, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat and Yen.--41.

Nay: Dossett, Pederson and Sharp.--3.

Excused: Brown and Matthews.--2.

Vacancy: Districts 44 and 45.--2.

The bill and emergency passed.

HB 1578, together with the conference committee report thereon, was ordered returned to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 2186** was adopted upon motion of Senator Holt.

HB 2186, as amended in conference, was read at length.

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

Aye: Bass, Bergstrom, Dahm, Daniels, David, Dossett, Dugger, Fields, Floyd, Fry, Griffin, Holt, Jech, Kidd, Newhouse, Paxton, Pemberton, Pittman, Pugh, Sharp, Silk, Smalley, Sparks, Thompson, Treat and Yen.--26.

Nay: Allen, Bice, Boggs, Brecheen, Leewright, McCortney, Newberry, Pederson, Quinn, Rader, Schulz, Scott, Shaw, Simpson, Standridge, Stanislawski and Sykes.--17.

Excused: Brown, Marlatt and Matthews.--3.

Vacancy: Districts 44 and 45.--2.

The bill passed.

HB 2186, together with the conference committee report thereon, was ordered returned to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 1335** was adopted upon motion of Senator Sparks.

HB 1335, 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, Dahm, Daniels, David, Dossett, 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, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat and Yen.--44.

Excused: Brown and Matthews.--2.

Vacancy: District 44 and 45.--2.

The bill passed.

HB 1335, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

MESSAGES FROM THE HOUSE

Advising passage of and returning the following Engrossed bills:

SB 844

SB 845 - (Emergency Failed)

SB 852

SB 860

SB 867 - (Emergency Failed)

The above-numbered measures were referred for enrollment.

REPORT OF ENGROSSED AND ENROLLED MEASURES

SBs 207, 292, 353, 603, 643, 770 and 860 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 transmitting for signature Enrolled **HBs 1335, 1449, 1465, 1491, 1570, 1578, 1680, 2186, 2386, 2406 and 2433.**

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

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

SB 105
SB 456
SB 661
SB 799

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

Advising the signing of and transmitting for signature Enrolled **HCR 1007.**

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

Advising conferees unable to agree on the following:

HB 2286

Advising fourth reading of and returning Enrolled **SBs 207, 292, 353, 603, 643, 770 and 860.**

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

CONFERENCE COMMITTEE REPORTS SUBMITTED

Conference committee reports were read on the following bills:

SB 649 - conferees unable to agree

SB 650 - conferees unable to agree

SB 689 - conferees unable to agree

SB 786 - conferees unable to agree

SB 793 - conferees unable to agree

REPORT OF ENGROSSED AND ENROLLED MEASURES

SBs 105, 456, 661, 799, 844, 845, 852 and **867** 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 **SBs 105, 456, 661, 799, 844, 845, 852** and **867**.

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

CHANGE IN AUTHOR/COAUTHOR

The following measure was authored/coauthored:

HB 1465 - Remove as author Senator Dahm; authored by Senator Schulz

Senator Sykes moved that pursuant to Article V, Section 26 of the Oklahoma Constitution, that the First Regular Session of the 56th Legislature adjourn sine die.

Pursuant to the Sykes motion, the First Session of the Fifty-sixth Legislature adjourned sine die at 11:50 a.m., Friday, May 26, 2017.

FINAL ACTION ON BILLS AFTER SINE DIE ADJOURNMENT

Advising her approval May 31, 2017, of Enrolled **SBs 94, 288, 292, 297, 326, 478, 493, 646, 692, 712, 774, 844, 845, 852, 860, 867** and **872**.

Advising her approval June 6, 2017, of Enrolled **SBs 105, 207, 353, 456, 603, 661 and 770.**

Advising her veto June 6, 2017, of Enrolled **SBs 46 and 799.**

The veto messages read as follows:

June 6, 2017

To the Honorable President Pro Tempore
and Members of the Oklahoma Senate
First Session of the
Fifty Sixth Oklahoma Legislature

ENROLLED SENATE BILL NO. 46

This is to advise you that on this date, pursuant to the authority vested in me by Section 11 of Article VI of the Oklahoma Constitution to approve or object to legislation presented to me, I have VETOED Senate Bill 46.

By the Governor of the State of Oklahoma
/s/ Mary Fallin

June 6, 2017

To the Honorable President Pro Tempore
and Members of the Oklahoma Senate
First Session of the
Fifty Sixth Oklahoma Legislature

ENROLLED SENATE BILL NO. 799

This is to advise you that on this date, pursuant to the authority vested in me by Section 11 of Article VI of the Oklahoma Constitution to approve or object to legislation presented to me, I have VETOED Senate Bill 799.

By the Governor of the State of Oklahoma
/s/ Mary Fallin

Advising her approval June 8, 2017, of Enrolled **SB 643.**