

# Senate Journal

## First Extraordinary Session of the Fifty-sixth Legislature of the State of Oklahoma

Ninth Legislative Day, Wednesday, November 1, 2017

The Senate was called to order by Senator Sykes.

Roll Call:

Present: Allen, Bass, Bergstrom, Bice, Brecheen, Brooks, Dahm, Daniels, David, Dossett Fields, Floyd, Fry, Griffin, Jech, Kidd, Leewright, Matthews, McCortney, Newberry, Paxton, Pederson, Pemberton, Pittman, Pugh, Quinn, Rader, Schulz, Scott, Sharp, Shaw, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat and Yen.—40.

Excused: Boggs, Brown, Dugger, Holt, Newhouse and Silk.—6.

Vacancy: Districts 27 and 45.—2.

Senator Sykes declared a quorum present.

The prayer was offered by Pastor Marvin Kehl, First Baptist Church, Washington, the guest of President Pro Tempore Schulz.

### COMMUNICATION

The following was ordered printed regarding the passage on November 1, 2017 of **HB 1081**.

November 24, 2017

EXECUTIVE DEPARTMENT  
EXECUTIVE ORDER 2017-32

To the Honorable Members of the Oklahoma House of Representatives and the Honorable Members of the Oklahoma State Senate:

I, Mary Fallin, Governor of the State of Oklahoma, pursuant to the provisions of Section 23 of Article X of the Oklahoma Constitution, hereby declare that an emergency exists in the State of Oklahoma by reason of a lack of adequate funding for programs vital to the continued economic, educational, and social development of Oklahomans, and for health and safety issues.

Having declared that emergency conditions exist, I request the Senate and House of Representatives to concur in this declaration of emergency and to appropriate Twenty-three Million, Three Hundred Thirty-eight Thousand, One Hundred Sixty-nine Dollars and 50/100 (\$23,338,169.50) from the Constitutional Reserve for the following purposes:

Providing revenues to partially offset the loss of revenue to the FY18 budget resulting from the decision by the Oklahoma Supreme Court.

Copies of this Executive Order shall be distributed to every member of the Oklahoma House of Representatives, every member of the Oklahoma State Senate, the Clerk of the House of Representatives, the Secretary of the Senate, the Director of State Finance, and the Director of the Office of Management and Enterprise Services.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Oklahoma to be affixed at Oklahoma City, Oklahoma, this 24th day of October, 2017.

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

Attest:  
/s/ Dave Lopez, Secretary of State

### **GENERAL ORDER**

**HB 1081** by Wallace and Casey of the House and David and Fields of the Senate was called up for consideration.

Senator David moved that **HB 1081** be advanced, which motion was declared adopted.

### **THIRD READING**

**HB 1081** was read for the third time at length.

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

Aye: Allen, Bass, Bergstrom, Bice, Brecheen, Brooks, Dahm, Daniels, David, Dossett, Fields, Floyd, Fry, Griffin, Jech, Kidd, Leewright, Matthews, McCortney, Paxton, Pederson, Pemberton, Pittman, Pugh, Quinn, Schulz, Scott, Sharp, Shaw, Simpson, Smalley, Sparks, Standridge, Stanislawski, Thompson and Treat.--36.

Nay: Sykes.--1.

Excused: Boggs, Brown, Dugger, Holt, Newberry, Newhouse, Rader, Silk and Yen.--9.

Vacancy: Districts 27 and 45.--2.

The bill and emergency passed.

**HB 1081** was properly signed and 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 Sykes presiding.

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

## **MESSAGES FROM THE HOUSE**

Advising passage of and transmitting for consideration Engrossed **HB 1085**.

**HB 1085** – An Act relating to revenue and taxation; amending 68 O.S. 2011, Section 1001, as last amended by Section 1, Chapter 355, O.S.L. 2017 (68 O.S. Supp. 2017, Section 1001), which relates to gross production taxes; clarifying reference; limiting period where certain reduced rates apply; and declaring an emergency.

The above-numbered measure was read the first time.

Advising fourth reading of and transmitting for signature Enrolled **HB 1081**.

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

Senator Treat moved that when the clerk's desk is clear, the Senate stand adjourned to convene Thursday, November 2, 2017, at 9:30 a.m., which motion prevailed.

#### **CHANGE IN COMMITTEE ASSIGNMENT**

The following bills will be reassigned as follows:

**SB 12X** – Withdrawn from Joint Committee on Appropriations and Budget and referred to Rules

**SB 13X** – Withdrawn from Joint Committee on Appropriations and Budget and referred to Rules

**SB 14X** – Withdrawn from Joint Committee on Appropriations and Budget and referred to Rules

**SB 17X** – Withdrawn from Joint Committee on Appropriations and Budget and referred to Rules

#### **CHANGE IN AUTHOR/COAUTHOR**

The following measure was authored/coauthored:

**SB 17X** - Remove as coauthor Senator Fields

Pursuant to the Treat motion, the Senate adjourned at 3:20 p.m. to meet Thursday, November 2, 2017, at 9:30 a.m.