

Senate Journal

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

Fifteenth Legislative Day, Monday, November 13, 2017

The Senate was called to order by Senator Stanislawski.

Roll Call:

Present: Allen, Bass, Bergstrom, Bice, Boggs, Brecheen, Brooks, Daniels, David, Dugger, Fields, Fry, Holt, Jech, Kidd, Leewright, Matthews, McCortney, Paxton, Pemberton, Pittman, Pugh, Quinn, Rader, Schulz, Scott, Sharp, Simpson, Smalley, Standridge, Stanislawski, Sykes, Thompson and Treat.—34.

Excused: Brown, Dahm, Dossett, Floyd, Griffin, Newberry, Newhouse, Pederson, Shaw, Silk, Sparks and Yen—12.

Vacancy: Districts 27 and 45.—2.

Senator Stanislawski declared a quorum present.

The prayer was offered by Associate Pastor Dan Boone, Church of the Harvest, Oklahoma City, the guest of President Pro Tempore Schulz.

Senator Treat moved that when the clerk's desk is clear, the Senate stand adjourned to convene Tuesday, November 14, 2017, at 9:30 a.m., which motion prevailed.

SECOND READING

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

HB 1058 – Direct To Calendar

MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed **HB 1054**.

HB 1054 – By Wallace and Casey of the House and David and Fields of the Senate.

An Act relating to revenue and taxation; stating purpose; imposing additional tax levy upon cigarettes; specifying amount of additional levy; providing for apportionment of revenues; exempting levy from inclusion in determination of certain amounts; requiring certain collections and administration of levy; prohibiting sale of cigarette excise tax stamps to wholesalers in excess of certain amount; providing exception; creating the State Health Care Enhancement Fund; exempting fund from fiscal year limitations; identifying funding source; authorizing appropriations from fund for certain purpose; amending 68 O.S. 2011, Sections 402, 402-1 and 402-3, which relate to tax levies on tobacco products; providing that little cigars be taxed in the same rate and manner as cigarettes; clarifying language; imposing additional tax levy upon chewing tobacco; specifying amount of additional levy; providing for apportionment of revenues; prohibiting certain acts; declaring levy as a tax on the consumer; stating purpose; imposing tax on gasoline and diesel fuel; establishing amount of tax per gallon; requiring deposit of certain revenue, penalties and interest in certain fund; amending 68 O.S. 2011, Section 500.10, which relates to exemption from motor fuels tax; extending exemptions to additional tax levy; amending 69 O.S. 2011, Section 1521, as last amended by Section 93, Chapter 15, O.S.L. 2013 (69 O.S. Supp. 2017, Section 1521), which relates to the Rebuilding Oklahoma Access and Driver Safety Fund; modifying calculation of certain annual apportionments; amending 37 O.S. 2011, Section 576, as last amended by Section 18, Chapter 298, O.S.L. 2014 (37 O.S. Supp. 2017, Section 576), which relates to gross receipts taxes on products sold by certain licensees; making applicable to low-point beer; defining term; providing that tax be in addition to other taxes; 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 tax; limiting period where certain reduced rates are applicable; implementing an additional reduced rate for certain periods; repealing 37 O.S. 2011, Section 576, as last amended by Section 11 of this act, which relates to gross receipts taxes on products sold by certain licensees; repealing 68 O.S. 2011, Section 402-2, which relates to additional tax on tobacco products; ordering a legislative referendum pursuant to the Oklahoma Constitution; providing for codification; providing for noncodification; and providing effective dates.

The above-numbered measure was read the first time.

Pursuant to the Treat motion, the Senate adjourned at 1:40 p.m. to meet Tuesday, November 14, 2017, at 9:30 a.m.