

Senate Journal

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

Twentieth Legislative Day, Thursday, March 29, 2018

The Senate was called to order by Senator David.

Roll Call:

Present: Allen, Bass, Bergstrom, Bice, Boggs, Brecheen, Brooks, Dahm, Daniels, David, Dossett, Dugger, Fields, Floyd, Fry, Griffin, Holt, Ikley-Freeman, Jech, Kidd, Leewright, McCortney, Murdock, Paxton, Pederson, Pemberton, Pittman, Pugh, Quinn, Rader, Rosino, Schulz, Scott, Sharp, Shaw, Silk, Simpson, Smalley, Sparks, Stanislawski, Sykes, Thompson, Treat and Yen.—44.

Excused: Brown, Matthews, Newhouse and Standridge.—4.

Senator David declared a quorum present.

COMMUNICATION

The Executive Order issued by the Governor was read at length as follows:

EXECUTIVE DEPARTMENT FIFTH EXECUTIVE ORDER 2017-43

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 authority vested in me by the provisions of Section 7 of Article VI of the Oklahoma Constitution, hereby amend the call for the Second Extraordinary Session of the Fifty Sixth Legislature which convened at the State Capitol on Monday, December 18, 2017. I recommend the following amended subjects for the Legislature's consideration:

To provide for teacher salary increases.

The subjects recommended in this Fifth Amended Executive Order and the subjects previously recommended in the original Executive Order 2017-43 filed December 15, 2017, the Amended Executive Order 2017-43 filed December 18, 2017, the Second Amended Executive Order 2017-43 filed January 19, 2018, the Third Amended Executive Order 2017-43 filed February 15, 2018, and the Fourth Amended Executive Order 2017-43 filed March 26, 2018, shall be considered cumulative, and all the listed subjects contained within the original call and the amendments filed thereafter are subjects recommended for consideration during the Second Extraordinary Session of this Fifty-Sixth Legislature as provided by Article VI, Section 7 of the Oklahoma Constitution.

Copies of this Fifth Amended 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, 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 29 day of March, 2018.

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

Attest:
/s/ Dave Lopez, Secretary Of State

COMMUNICATION

The Executive Order issued by the Governor was read at length as follows:

EXECUTIVE DEPARTMENT SIXTH AMENDED EXECUTIVE ORDER 2017-43

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 authority vested in me by the provisions of Section 7 of Article VI of the Oklahoma Constitution, hereby amend the call for the Second Extraordinary Session of the Fifty Sixth Legislature which convened at the State Capitol on Monday, December 18, 2017. I recommend the following amended subjects for the Legislature's consideration:

The following engrossed House Bills of the Second Extraordinary Session of the 56th Oklahoma Legislature; HB 1012, HB 1014, HB 1015, HB 1016, HB 1018, HB 1024, and HB 1026.

The subjects recommended in this Sixth Amended Executive Order and the subjects previously recommended in the original Executive Order 2017-43 filed December 15, 2017, the Amended Executive Order 2017-43 filed December 18, 2017, the Second Amended Executive Order 2017-43 filed January 19, 2018, the Third Amended Executive Order 2017-43 filed February 15, 2018, the Fourth Amended Executive Order 2017-43 filed March 26, 2018, and the Fifth Amended Executive Order 2017-43 filed on March 29, 2018, shall be considered cumulative, and all the listed subjects contained within the original call and the amendments filed thereafter are subjects recommended for consideration during the Second Extraordinary Session of this Fifty-Sixth Legislature as provided by Article VI, Section 7 of the Oklahoma Constitution.

Copies of this Sixth Amended 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, 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 29th day of March, 2018.

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

Attest:
/s/ Dave Lopez, Secretary Of State

GENERAL ORDER

HB 1014 by Wallace et al. of the House and David and Fields of the Senate was called up for consideration.

Senator Bice moved to amend **HB 1014**, Page 13, Lines 12 and 13, after the word “State” on Line 12 and before the word “Fund” on Line 13, by restoring the stricken word “~~Transportation~~” and deleting the words “Highway Construction and Maintenance”; and Page 26, Line 22, by deleting Section 3; and Page 36, Line 7, by deleting Section 4; and Page 40, Line 17, by deleting Section 5; and Page 42, Line 22, by deleting Section 6; and Page 44, Line 15, by deleting Section 7; and by renumbering subsequent sections, which amendment was declared adopted.

Senator Bice moved that **HB 1014** be advanced, which motion was declared adopted.

THIRD READING

HB 1014 was read for the third time at length.

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

Aye: Allen, Bergstrom, Bice, Boggs, Brecheen, Brooks, Dahm, Daniels, David, Dossett, Dugger, Fields, Floyd, Fry, Griffin, Holt, Ikley-Freeman, Jech, Kidd, Leewright, McCortney, Murdock, Paxton, Pederson, Pemberton, Pittman, Pugh, Quinn, Rader, Rosino, Schulz, Scott, Sharp, Shaw, Simpson, Smalley, Sparks, Stanislawski, Sykes, Thompson, Treat and Yen.--42.

Excused: Bass, Brown, Matthews, Newhouse, Silk and Standridge.--6.

The bill passed.

HB 1014 was referred for engrossment.

GENERAL ORDER

HB 1015 by Wallace and Casey of the House and David and Fields of the Senate was called up for consideration.

Senator Bice moved that **HB 1015** be advanced, which motion was declared adopted.

THIRD READING

HB 1015 was read for the third time at length.

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

Aye: Allen, Bergstrom, Bice, Boggs, Brecheen, Brooks, Dahm, Daniels, David, Dossett, Dugger, Fields, Floyd, Fry, Griffin, Holt, Ikley-Freeman, Jech, Kidd, Leewright, McCortney, Murdock, Paxton, Pederson, Pemberton, Pittman, Pugh, Quinn, Rader, Rosino, Schulz, Scott, Sharp, Shaw, Simpson, Smalley, Sparks, Stanislawski, Sykes, Thompson, Treat and Yen.--42.

Excused: Bass, Brown, Matthews, Newhouse, Silk and Standridge.--6.

The bill passed.

HB 1015 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 1016 by Wallace and Casey of the House and David and Fields of the Senate was called up for consideration.

Senator Yen moved that **HB 1016** be advanced, which motion was declared adopted.

THIRD READING

HB 1016 was read for the third time at length.

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

Aye: Allen, Bergstrom, Bice, Boggs, Brooks, Daniels, David, Dossett, Dugger, Fields, Floyd, Fry, Griffin, Holt, Ikley-Freeman, Jech, Kidd, Leewright, McCortney, Murdock, Paxton, Pederson, Pemberton, Pittman, Pugh, Quinn, Rader, Rosino, Schulz, Scott, Sharp, Shaw, Simpson, Smalley, Sparks, Stanislawski, Thompson, Treat and Yen.--39.

Nay: Brecheen, Dahm and Sykes.--3.

Excused: Bass, Brown, Matthews, Newhouse, Silk and Standridge.--6.

The bill passed.

HB 1016 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 1018 by Wallace and Casey of the House and David and Fields of the Senate was called up for consideration.

Senator Thompson moved that **HB 1018** be advanced, which motion was declared adopted.

THIRD READING

HB 1018 was read for the third time at length.

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

Aye: Bergstrom, Bice, Boggs, Brooks, Daniels, David, Dossett, Dugger, Fields, Floyd, Fry, Griffin, Holt, Ikley-Freeman, Jech, Kidd, Leewright, McCortney, Murdock, Paxton, Pederson, Pemberton, Pittman, Pugh, Quinn, Rader, Rosino, Schulz, Scott, Sharp, Shaw, Simpson, Smalley, Sparks, Stanislawski, Thompson, Treat and Yen.--38.

Nay: Allen, Bass, Brecheen, Dahm and Sykes.--5.

Excused: Brown, Matthews, Newhouse, Silk and Standridge.--5.

The bill and emergency passed.

HB 1018 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 1024 by Wallace and Casey of the House and David and Fields of the Senate was called up for consideration.

Senator Bice moved that **HB 1024** be advanced, which motion was declared adopted.

THIRD READING

HB 1024 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, Boggs, Brooks, Daniels, David, Dossett, Dugger, Fields, Floyd, Fry, Griffin, Ikley-Freeman, Jech, Kidd, Leewright, McCortney, Murdock, Paxton, Pederson, Pemberton, Pittman, Pugh, Quinn, Rader, Rosino, Schulz, Scott, Sharp, Shaw, Simpson, Smalley, Sparks, Stanislawski, Thompson, Treat and Yen.--39.

Nay: Brecheen, Dahm and Sykes.--3.

Excused: Brown, Holt, Matthews, Newhouse, Silk and Standridge.--6.

The bill and emergency passed.

HB 1024 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 1026 by Wallace and Casey of the House and David and Fields of the Senate was called up for consideration.

Senator Smalley moved that **HB 1026** be advanced, which motion was declared adopted.

THIRD READING

HB 1026 was read for the third time at length.

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

Aye: Bass, Bergstrom, Bice, Boggs, Brooks, David, Dossett, Dugger, Fields, Floyd, Fry, Griffin, Holt, Ikley-Freeman, Jech, Kidd, Leewright, Murdock, Pederson, Pemberton, Pittman, Quinn, Rosino, Schulz, Scott, Sharp, Shaw, Simpson, Smalley, Sparks, Stanislawski, Thompson, Treat and Yen.--34.

Nay: Allen, Brecheen, Dahm, Daniels, McCortney, Paxton, Pugh, Rader and Sykes.--9.

Excused: Brown, Matthews, Newhouse, Silk and Standridge.--5.

The bill and emergency passed.

HB 1026 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 David presiding.

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

MOTION TO RECONSIDER VOTE

Senator Treat moved to reconsider the vote whereby **HB 1010** passed.

Senator Schulz moved to table the motion to reconsider **HB 1010**, which motion was declared adopted.

HB 1010 was properly signed and ordered returned to the Honorable House.

MOTION TO RECONSIDER VOTE

Senator Thompson moved to reconsider the vote whereby **HB 1011** passed.

Senator Schulz moved to table the motion to reconsider **HB 1011**, which motion was declared adopted.

HB 1011 was 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 at the Call of the Chair, which motion prevailed.

REPORT OF ENGROSSED AND ENROLLED MEASURE

HB 1023 was correctly engrossed and, together with engrossed **SAs**, properly signed and ordered returned to the Honorable House.

MESSAGES FROM THE HOUSE

Advising concurrence in **SAs** to and passage of Engrossed **HB 1023**.

Advising fourth reading of and transmitting for signature Enrolled **HBs 1010, 1011, 1015, 1016, 1018, 1023, 1024** and **1026**.

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

Advising passage of and transmitting for consideration Engrossed **HB 1012**.

HB 1012 – By Wallace and Casey of the House and David and Fields of the Senate.

An Act relating to revenue and taxation; repealing Sections 9, 10, 11, 12, 13, 14 and 15 of Enrolled House Bill No. 1010 of the 2nd Extraordinary Session of the 56th Oklahoma Legislature, which relate to the Oklahoma Occupancy Tax Act; and declaring an emergency.

The above-numbered measure was read the first time.

Pursuant to the Treat motion, the Senate adjourned at 3:35 p.m. to meet at the Call of the Chair.

JOURNAL CORRECTIONS

Monday, March 26, 2018, Seventeenth Legislative Day of the Second Extraordinary Session, Page 1413, Line 14, add the following:

COMMUNICATION

The Executive Order issued by the Governor was read at length as follows:

EXECUTIVE DEPARTMENT FOURTH AMENDED EXECUTIVE ORDER 2017-43

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 authority vested in me by the provisions of Section 7 of Article VI of the Oklahoma Constitution, hereby amend the call for the Second Extraordinary Session of the Fifty Sixth Legislature which convened at the State Capitol on Monday, December 18, 2017. I recommend the following amended subjects for the Legislature's consideration:

To provide additional revenue for state government.

The subjects recommended in this Fourth Amended Executive Order and the subjects previously recommended in the original Executive Order 2017-43 filed December 15, 2017, the Amended Executive Order 2017-43 filed December 18, 2017, the Second Amended Executive Order 2017-43 filed January 19, 2018, and the Third Amended Executive Order 2017-43 filed February 15, 2018, shall be considered cumulative, and all the listed subjects contained within the original call and the amendments filed thereafter are subjects recommended for consideration during the Second Extraordinary Session of this Fifty-Sixth Legislature as provided by Article VI, Section 7 of the Oklahoma Constitution.

Copies of this Fourth Amended 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, 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 26th day of March, 2018.

By the Governor of the State of Oklahoma

/s/ Mary Fallin

Attest:

/s/ Dave Lopez, Secretary Of State

Wednesday, March 28, 2018, Nineteenth Legislative Day of the Second Extraordinary Session, Page 1422, Line 11, remove “David” and replace with “Treat”.

Wednesday, March 28, 2018, Nineteenth Legislative Day of the Second Extraordinary Session, Page 1423, Line 25, replace with the following:

HB 1023 was referred for engrossment.