

# Senate Journal

**Second Regular Session of the Fifty-sixth Legislature**

**of the State of Oklahoma**

**Thirty-eighth Legislative Day, Tuesday, April 10, 2018**

The Senate was called to order by Senator Stanislawski.

Roll Call:

Present: Allen, Bass, Bergstrom, Bice, Boggs, Brecheen, Brooks, Brown, Dahm, Daniels, David, Dossett, Dugger, Fields, Floyd, Griffin, Ikley-Freeman, Jech, Kidd, Leewright, Matthews, McCortney, Murdock, Paxton, Pederson, Pemberton, Pittman, Pugh, Quinn, Rader, Rosino, Schulz, Scott, Sharp, Shaw, Silk, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat and Yen.—45.

Excused: Fry and Newhouse.—2.

Vacancy: District 30.—1.

Senator Stanislawski declared a quorum present.

The prayer was offered by Senior Pastor Rick Burke, Cedar Point Church, Claremore, the guest of Senator Quinn.

## **REPORT OF ENGROSSED AND ENROLLED MEASURES**

**HB 3336** was correctly engrossed and, together with engrossed **SAs**, properly signed and ordered returned to the Honorable House.

**SBs 830, 880, 972, 1091, 1492 and 1503** were each correctly enrolled and after fourth reading, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

**GENERAL ORDER**

**HB 1124** by Hilbert and Lawson of the House and Leewright of the Senate was called up for consideration.

Senator Leewright moved that **HB 1124** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 1124** was read for the third time at length.

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

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

Excused: Fry, Matthews and Newhouse.--3.

Vacancy: District 30.--1.

The bill passed.

**HB 1124** was properly signed and ordered returned to the Honorable House.

**INTRODUCTION**

Senator Griffin introduced her niece, Peytyn Engles, to the Senate.

**GENERAL ORDER**

**HB 2552** by Ownbey and Nollan of the House and Griffin of the Senate was called up for consideration.

Senator Griffin moved that **HB 2552** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 2552** was read for the third time at length.

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

Aye: Allen, Bass, Bergstrom, Bice, Boggs, Brecheen, Brooks, Brown, Dahm, Daniels, David, Dossett, Dugger, Fields, Floyd, Griffin, Ikley-Freeman, Jech, Kidd, Leewright, Matthews, McCortney, Murdock, Paxton, Pederson, Pemberton, Pittman, Pugh, Quinn, Rader, Rosino, Schulz, Scott, Sharp, Shaw, Silk, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat and Yen.--45.

Excused: Fry and Newhouse.--2.

Vacancy: District 30.--1.

The bill passed.

**HB 2552** was properly signed and ordered returned to the Honorable House.

**GENERAL ORDER**

**HB 2917** by Coody of the House and Boggs of the Senate was called up for consideration.

Senator Boggs moved that **HB 2917** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 2917** was read for the third time at length.

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

Aye: Allen, Bass, Bergstrom, Bice, Boggs, Brecheen, Brooks, Brown, Dahm, Daniels, David, Dossett, Dugger, Fields, Floyd, Griffin, Ikley-Freeman, Jech, Kidd, Leewright, Matthews, McCortney, Murdock, Paxton, Pederson, Pemberton, Pittman, Pugh, Quinn, Rader, Rosino, Schulz, Scott, Sharp, Shaw, Silk, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat and Yen.--45.

Excused: Fry and Newhouse.--2.

Vacancy: District 30.--1.

The bill passed.

**HB 2917** was properly signed and ordered returned to the Honorable House.

### **GENERAL ORDER**

**HB 3416** by Pfeiffer of the House and Boggs of the Senate was called up for consideration.

Senator Boggs moved that **HB 3416** be advanced, which motion was declared adopted.

### **THIRD READING**

**HB 3416** was read for the third time at length.

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

Aye: Allen, Bass, Bergstrom, Bice, Boggs, Brecheen, Brooks, Brown, Dahm, Daniels, David, Dossett, Dugger, Fields, Floyd, Griffin, Ikley-Freeman, Jech, Kidd, Leewright, Matthews, McCortney, Murdock, Paxton, Pederson, Pemberton, Pittman, Pugh, Quinn, Rader, Rosino, Schulz, Scott, Sharp, Shaw, Silk, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat and Yen.--45.

Excused: Fry and Newhouse.--2.

Vacancy: District 30.--1.

The bill passed.

**HB 3416** was properly signed and ordered returned to the Honorable House.

### **GENERAL ORDER**

**HB 3417** by Pfeiffer of the House and Boggs of the Senate was called up for consideration.

Senator Boggs moved that **HB 3417** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 3417** was read for the third time at length.

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

Aye: Allen, Bass, Bergstrom, Bice, Boggs, Brecheen, Brooks, Brown, Daniels, David, Dossett, Dugger, Fields, Floyd, Griffin, Ikley-Freeman, Jech, Kidd, Leewright, Matthews, McCortney, Murdock, Paxton, Pederson, Pemberton, Pittman, Pugh, Quinn, Rader, Rosino, Schulz, Scott, Sharp, Shaw, Simpson, Sparks, Standridge, Stanislawski, Thompson, Treat and Yen.--41.

Nay: Dahm, Silk, Smalley and Sykes.--4.

Excused: Fry and Newhouse.--2.

Vacancy: District 30.--1.

The bill passed.

**HB 3417** was properly signed and ordered returned to the Honorable House.

**PENDING CONSIDERATION OF CCR**

The **CCR** on **SB 615** was adopted upon motion of Senator Dahm.

**SB 615**, 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, Brooks, Brown, Dahm, Daniels, David, Dossett, Griffin, Jech, Kidd, Leewright, McCortney, Murdock, Paxton, Pederson, Pugh, Quinn, Rader, Rosino, Scott, Sharp, Shaw, Silk, Simpson, Smalley, Standridge, Stanislawski, Sykes, Treat and Yen.--34.

Nay: Bass, Dugger, Fields, Floyd, Ikley-Freeman, Matthews, Pemberton and Thompson.--8.

Excused: Fry, Newhouse, Pittman, Schulz and Sparks.--5.

Vacancy: District 30.--1.

The bill passed.

**SB 615**, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

**Senator Griffin presiding.**

### **GENERAL ORDER**

**HB 2522** by McDaniel of the House and Stanislawski of the Senate was called up for consideration.

Senator Stanislawski moved to amend **HB 2522**, Page 1, by restoring the title, which amendment was declared adopted.

The above amendment restores **HB 2522** to the engrossed version of the bill.

Senator Stanislawski moved that **HB 2522** be advanced, which motion was declared adopted.

### **THIRD READING**

**HB 2522** was read for the third time at length.

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

Aye: Bergstrom, Bice, Boggs, Brooks, Daniels, David, Dossett, Dugger, Fields, Floyd, Griffin, Ikley-Freeman, Jech, Kidd, Leewright, Matthews, McCortney, Pederson, Pemberton, Pugh, Quinn, Rader, Rosino, Sharp, Shaw, Simpson, Standridge, Stanislawski, Thompson, Treat and Yen.--31.

Nay: Allen, Bass, Brecheen, Brown, Dahm, Murdock, Paxton, Scott, Silk, Smalley and Sykes.--11.

Excused: Fry, Newhouse, Pittman, Schulz and Sparks.--5.

Vacancy: District 30.--1.

The bill passed.

**HB 2522** was properly signed and ordered returned to the Honorable House.

**PENDING CONSIDERATION OF HAS**

**HAs to SB 527** were concurred in upon motion of Senator Stanislawski.

**SB 527**, as amended by the Honorable House, was read at length.

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

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

Excused: Fry, Newhouse, Pittman, Schulz and Sparks.--5.

Vacancy: District 30.--1.

The bill passed.

House amendments were properly signed and the above-numbered bill was referred for enrollment.

**EXECUTIVE NOMINATIONS**

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

Barton, Perry Mark, Collinsville, to the Environmental Quality Board, to serve a five-year term ending January 31, 2023, succeeding John Wendling. (Energy Committee) Motion to confirm made by Senator Marty Quinn.

Cain, Bryan D., Wewoka, to the Board of Regents of Seminole State College, to serve a seven-year term ending July 1, 2025, succeeding himself. (Education Committee) Motion to confirm made by Senator Jason Smalley.

Clancy, Dr. Gerard P., Tulsa, to the Oklahoma Science and Technology Research and Development Board, to serve a four-year term ending June 30, 2022, succeeding himself. (Energy Committee) Motion to confirm made by Senator Gary Stanislawski.

Cline, Jodi R., Ponca City, to the Board of Regents for the Northern Oklahoma College, to serve a five-year term ending June 30, 2023, succeeding Linda J. Brown. (Education Committee) Motion to confirm made by Senator Eddie Fields.

Combs III, Samuel, Bixby, to the Board of Regents of the Tulsa Community College, to serve a seven-year term ending June 30, 2025, succeeding himself. (Education Committee) Motion to confirm made by Senator Dave Rader on behalf of Senator Joe Newhouse.

Humphrey, David, Tulsa, to the Oklahoma Science and Technology Research and Development Board, to serve a four-year term ending June 30, 2022, succeeding himself. (Energy Committee) Motion to confirm made by Senator Dave Rader on behalf of Senator Joe Newhouse.

Krittenbrink, Juanita, Okarche, to the Board of Regents for Redlands Community College, to serve a seven-year term ending April 22, 2025, succeeding herself. (Education Committee) Motion to confirm made by Senator Darcy Jech.

Moore, Rick J., Oklahoma City, to the Board of Regents for Oklahoma City Community College, to serve a seven-year term ending April 22, 2025, succeeding himself. (Education Committee) Motion to confirm made by Senator Anthony Sykes.

Munson, Tim, Oklahoma City, to the Environmental Quality Board, to serve a five-year term ending January 31, 2023, succeeding himself. (Energy Committee) Motion to confirm made by Senator Greg Treat.

Newman, Matthew, Tulsa, to the Oklahoma Science and Technology Research and Development Board, to serve a four-year term ending June 30, 2022, succeeding himself. (Energy Committee) Motion to confirm made by Senator Gary Stanislawski.

Owens, Dianne, Lawton, to the State Board of Corrections, to serve an unexpired term ending March 15, 2021, succeeding Irma Newburn. (Public Safety Committee) Motion to confirm made by Senator Randy Bass.

Thompson, Scott, Oklahoma City, to the Arkansas-Oklahoma Arkansas River Compact Commission, to serve a four-year term ending January 1, 2022, succeeding himself. (Energy Committee) Motion to confirm made by Senator Adam Pugh.

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

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



Nay: Dahm and Silk.--2.

Excused: Fry, Newhouse and Pittman.--3.

Vacancy: District 30.--1.

**Senator Stanislawski presiding.**

The following executive nomination has been approved by the committee named:

Turpen, Michael C., Oklahoma City, to the Oklahoma State Regents for Higher Education, to serve a nine-year term ending May 16, 2027, succeeding himself. (Education Committee) Motion to confirm made by Senator Kay Floyd.

Motion to confirm the above named executive nomination was declared adopted upon roll call as follows:

Aye: Bass, Bergstrom, Bice, Boggs, Brooks, David, Dossett, Dugger, Fields, Floyd, Griffin, Ikley-Freeman, Jech, Kidd, Leewright, Matthews, McCortney, Murdock, Paxton, Pederson, Pemberton, Pugh, Quinn, Rader, Rosino, Schulz, Scott, Sharp, Shaw, Smalley, Sparks, Standridge, Stanislawski, Thompson, Treat and Yen.--36.

Nay: Allen, Brecheen, Brown, Dahm, Daniels, Silk, Simpson and Sykes.--8.

Excused: Fry, Newhouse and Pittman.--3.

Vacancy: District 30.--1.

**MESSAGES FROM THE HOUSE**

Advising fourth reading of and transmitting for signature Enrolled **HBs 2515, 2517, 3037, 3234, 3430 and 3581.**

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

Advising fourth reading of and returning Enrolled **SBs 830, 880, 972, 1091, 1492 and 1503.**

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

Advising passage of and returning the following Engrossed bills:

**SB 1042** - add as coauthor Senator Pittman; remove as author Senator Holt and substitute with Senator Treat

**SB 1529**

The above-numbered measures were referred for enrollment.

#### **MESSAGE FROM THE HOUSE HAS TO SENATE BILL**

Advising passage of and returning the following engrossed bill as amended:

**SB 894** - coauthored by Senator Pittman

House amendments were read on the above-numbered bill.

#### **EXECUTIVE NOMINATIONS**

The following executive nominations were read and referred to the committee indicated:

Brewster, Mary, Marietta, as a member of the Board of Regents of Murray State College - Education

Gragg, Michael Joe, Edmond, as a member of the Alarm and Locksmith Industry Committee - Business, Commerce and Tourism

Lovelace, Dr. Larry T., Oklahoma City, as a member of the Oklahoma State Athletic Commission - Business, Commerce and Tourism

Page, Jr., David L., Durant, as a member of the State Board of Licensure for Professional Engineers and Land Surveyors - Business, Commerce and Tourism

Sanders, Leah R., Broken Bow, as a member of the Board of Trustees for Southeastern Oklahoma State University-McCurtain County Campus - Education

Shiple, Dennis R., Tecumseh, as a member of the Oklahoma Development Finance Authority - Appropriations

Shipley, Dennis R., Tecumseh, as a member of the Oklahoma Industrial Finance Authority - Appropriations

Thomas, J. Charles, Yukon, as a member of the Oklahoma Abstractors Board - Business, Commerce and Tourism

Senator Treat moved that when the clerk's desk is clear, the Senate stand adjourned to convene Wednesday, April 11, 2018, at 1:30 p.m., which motion prevailed.

### **COMMITTEE REPORTS**

The following were reported by the committees named, ordered printed and placed on the Calendar:

DO PASS:

**HB 2626** – Judiciary

Ayes: Dahm, Daniels, David, Smalley, Standridge, Sykes

Nays: Brooks, Floyd

**HB 2722** – Judiciary

Ayes: Brooks, Dahm, Daniels, David, Floyd, Sykes

**HB 2885** – Agriculture and Wildlife

Ayes: Bass, Boggs, Brecheen, Dossett, Jech, Kidd, Murdock, Pederson, Pemberton, Scott, Shaw, Simpson

**HB 2952** – Agriculture and Wildlife

Ayes: Bass, Boggs, Brecheen, Dossett, Kidd, Murdock, Pederson, Pemberton, Scott, Shaw, Simpson

Nays: Jech

**HB 3284** – Judiciary

Ayes: Brooks, Dahm, Daniels, David, Floyd, Smalley, Standridge, Sykes

DO PASS, As Amended:

**HB 1234** – Judiciary

Ayes: Brooks, Dahm, Daniels, David, Floyd, Sykes

**HB 3282** – Judiciary

Ayes: Brooks, Dahm, Daniels, David, Floyd, Sykes

**CHANGE IN AUTHORS/COAUTHORS**

The following measures were authored/coauthored:

- SB 615** - Coauthored by Senator Pittman
- HB 2281** - Coauthored by Senator Rader
- HB 2931** - Coauthored by Senator Standridge
- HB 3329** - Coauthored by Senator Sharp

**MESSAGE FROM THE GOVERNOR**

Advising her approval April 10, 2018, of Enrolled **SB 1186**.

Pursuant to the Treat motion, the Senate adjourned at 2:50 p.m. to meet Wednesday, April 11, 2018, at 1:30 p.m.

**JOURNAL CORRECTION**

Friday, April 6, 2018, Thirty-sixth Legislative Day, Page 747, Lines 19-21, delete the following:

**CHANGE IN AUTHORS/COAUTHOR**

The following measure was authored/coauthored:

- HB 2281** - coauthored by Senator Rader