

# Senate Journal

## First Regular Session of the Fifty-seventh Legislature of the State of Oklahoma

Thirty-eighth Legislative Day, Tuesday, April 9, 2019

The Senate was called to order by Senator Paxton.

Roll Call:

Present: Allen, Bergstrom, Bice, Boggs, Boren, Brooks, Bullard, Coleman, Dahm, Daniels, David, Dossett, Dugger, Floyd, Hall, Haste, Hicks, Howard, Ikley-Freeman, Jech, Kirt, Leewright, Matthews, McCortney, Montgomery, Murdock, Newhouse, Paxton, Pederson, Pemberton, Pugh, Quinn, Rader, Rosino, Scott, Sharp, Shaw, Silk, Simpson, Smalley, Standridge, Stanislawski, Stanley, Thompson, Treat and Young.—46.

Excused: Kidd and Weaver.—2.

Senator Paxton declared a quorum present.

The prayer was offered by Reverend Anthony Scott, First Baptist Church North Tulsa, Tulsa, the guest of Senator Matthews.

### REPORT OF ENGROSSED AND ENROLLED MEASURES

**SBs 3, 33, 36, 75, 76** and **94** were each correctly enrolled and after fourth reading, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

### CHANGE IN COMMITTEE ASSIGNMENTS

The following bills will be reassigned as follows:

**HB 2304** - Withdrawn from Retirement and Insurance and Appropriations and referred to Retirement and Insurance

**HB 2536** - Withdrawn from Finance and referred to Business Commerce and Tourism  
**HB 2591** - Withdrawn from Health and Human Services and Appropriations and referred to Health and Human Services  
**HB 2642** - Withdrawn from Health and Human Services and Appropriations and referred to Health and Human Services

### **MESSAGE FROM THE HOUSE**

Advising the Honorable Senate that the House of Representatives is ready to convene in Joint Session.

Senator David moved that the Senate meet with the House in Joint Session and that the Senate stand in recess until 1:30 p.m., which motion prevailed.

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### **JOINT SESSION**

The Fourth Joint Session of the First Regular Session of the Fifty-seventh Legislature was called to order by Speaker of the House, Representative McCall.

Senator David moved that the attendance roll call of the Senate be considered the attendance roll call of the Senate in Joint Session, which motion was declared adopted.

Representative Echols moved that the attendance roll call of the House of Representatives be considered the attendance roll call of the House in Joint Session, which motion was declared adopted.

Speaker McCall declared quorums of the Senate and House present and Joint Session duly assembled.

Posting of the Colors was presented by the Cadets of the Thunderbird Challenge Program.

The invocation was offered by Captain Danny Baker.

Speaker McCall recognized Brigadier General Louis Wilham, Oklahoma National Guard, to introduce Adjutant General, Major General Michael Thompson.

Major General Thompson addressed the Joint Session and conducted the program commemorating the 45<sup>th</sup> Infantry Division Appreciation Day.

Major General Thompson introduced Governor Kevin Stitt who addressed the Joint Session.

Governor Stitt and Major General Michael Thompson presented the inaugural Stanley F.H. Newman Award for Excellence to Major General Retired Stanley F.H. Newman.

Brigadier General Wilham announced a formal Proclamation from Governor Kevin Stitt recognizing 45<sup>th</sup> Infantry Appreciation Day and presented the Proclamation to Major General Michael Thompson.

Upon motion of Representative Echols, the Fourth Joint Session was ordered dissolved at the hour of 11:10 a.m.

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The Senate reconvened with Senator Paxton presiding.

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

#### **GENERAL ORDER**

**HB 1089** by McEntire et al. of the House and McCortney et al. of the Senate was called up for consideration.

Senator McCortney moved to amend **HB 1089**, Page 1, by restoring the title, which amendment was declared adopted.

The above amendment restores **HB 1089** to the engrossed version of the bill.

Senator McCortney moved that **HB 1089** be advanced, which motion was declared adopted.

#### **THIRD READING**

**HB 1089** 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, Boren, Brooks, Bullard, Coleman, Dahm, Daniels, David, Dossett, Dugger, Floyd, Hall, Haste, Hicks, Howard, Ikley-Freeman, Jech, Kirt, Leewright, Matthews, McCortney, Montgomery, Murdock, Newhouse, Paxton, Pederson, Pemberton, Pugh, Quinn, Rader, Rosino, Scott, Sharp, Shaw, Silk, Simpson, Smalley, Standridge, Stanislawski, Stanley, Treat and Young.--45.

Excused: Kidd, Thompson and Weaver.--3.

The bill passed.

**HB 1089** was properly signed and ordered returned to the Honorable House.

### **GENERAL ORDER**

**HB 1205** by Bush of the House and McCortney of the Senate was called up for consideration.

Senator McCortney moved to amend **HB 1205**, Page 1, by restoring the title, which amendment was declared adopted.

The above amendment restores **HB 1205** to the engrossed version of the bill.

Senator McCortney moved that **HB 1205** be advanced, which motion was declared adopted.

### **THIRD READING**

**HB 1205** 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, Boren, Brooks, Bullard, Coleman, Daniels, David, Dossett, Dugger, Floyd, Hall, Haste, Hicks, Howard, Ikley-Freeman, Jech, Kirt, Leewright, Matthews, McCortney, Murdock, Newhouse, Paxton, Pederson, Pemberton, Pugh, Quinn, Rader, Rosino, Scott, Sharp, Shaw, Simpson, Standridge, Stanislawski, Stanley, Treat and Young.--41.

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

Excused: Kidd, Thompson and Weaver.--3.

The bill passed.

**HB 1205** was properly signed and ordered returned to the Honorable House.

### **GENERAL ORDER**

**HB 1988** by Nollan of the House and Haste of the Senate was called up for consideration.

Senator Haste moved that **HB 1988** be advanced, which motion was declared adopted.

### **THIRD READING**

**HB 1988** 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, Boren, Brooks, Bullard, Coleman, Dahm, Daniels, David, Dossett, Dugger, Floyd, Hall, Haste, Hicks, Howard, Ikley-Freeman, Jech, Kirt, Leewright, Matthews, McCortney, Montgomery, Murdock, Newhouse, Paxton, Pederson, Pemberton, Pugh, Quinn, Rader, Rosino, Scott, Sharp, Shaw, Silk, Simpson, Smalley, Standridge, Stanislawski, Stanley, Treat and Young.--45.

Excused: Kidd, Thompson and Weaver.--3.

The bill passed.

**HB 1988** was properly signed and ordered returned to the Honorable House.

### **GENERAL ORDER**

**HB 1516** by Kiger of the House and Hall of the Senate was called up for consideration.

Senator Hall moved that **HB 1516** be advanced, which motion was declared adopted.

### **THIRD READING**

**HB 1516** 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, Bullard, Coleman, Daniels, David, Dugger, Floyd, Hall, Haste, Howard, Ikley-Freeman, Jech, Kirt, Leewright, McCortney, Montgomery, Murdock, Paxton, Pederson, Pemberton, Pugh, Quinn, Rader, Rosino, Scott, Sharp, Shaw, Silk, Simpson, Smalley, Standridge, Stanislawski and Stanley.--36.

Nay: Boren, Brooks, Dahm, Dossett, Hicks, Matthews, Newhouse and Young.--8.

Excused: Kidd, Thompson, Treat and Weaver.--4.

The bill passed.

**HB 1516** was properly signed and ordered returned to the Honorable House.

### **GENERAL ORDER**

**HB 2178** by Pfeiffer of the House and Hall of the Senate was called up for consideration.

Senator Hall moved that **HB 2178** be advanced, which motion was declared adopted.

### **THIRD READING**

**HB 2178** 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, Boren, Brooks, Bullard, Coleman, Daniels, David, Dossett, Dugger, Floyd, Hall, Haste, Hicks, Howard, Ikley-Freeman, Jech, Kirt, Leewright, Matthews, McCortney, Montgomery, Murdock, Newhouse, Paxton, Pederson, Pemberton, Pugh, Quinn, Rader, Rosino, Scott, Sharp, Shaw, Simpson, Smalley, Standridge, Stanislawski, Stanley and Young.--41.

Nay: Allen, Dahm and Silk.--3.

Excused: Kidd, Thompson, Treat and Weaver.--4.

The bill passed.

**HB 2178** was referred for engrossment.

**GENERAL ORDER**

**HB 1909** by Boles et al. of the House and Montgomery of the Senate was called up for consideration.

Senator Montgomery moved that **HB 1909** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 1909** 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, Boren, Brooks, Bullard, Coleman, Dahm, Daniels, David, Dossett, Dugger, Floyd, Hall, Haste, Hicks, Howard, Ikley-Freeman, Jech, Kirt, Leewright, Matthews, McCortney, Montgomery, Murdock, Newhouse, Paxton, Pederson, Pemberton, Pugh, Quinn, Rader, Rosino, Scott, Sharp, Shaw, Silk, Simpson, Standridge, Stanislawski, Stanley and Young.--43.

Excused: Kidd, Smalley, Thompson, Treat and Weaver.--5.

The bill passed.

**HB 1909** was properly signed and ordered returned to the Honorable House.

**GENERAL ORDER**

**HB 2088** by Hill and Fetgatter of the House and Montgomery of the Senate was called up for consideration.

Senator Montgomery moved that **HB 2088** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 2088** 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, Boren, Brooks, Bullard, Coleman, Dahm, Daniels, David, Dossett, Dugger, Floyd, Hall, Haste, Hicks, Howard, Ikley-Freeman, Jech, Kirt, Leewright, Matthews, McCortney, Montgomery, Murdock, Newhouse, Paxton, Pederson, Pemberton, Pugh, Quinn, Rader, Rosino, Scott, Sharp, Shaw, Silk, Simpson, Standridge, Stanislawski, Stanley and Young.--43.

Excused: Kidd, Smalley, Thompson, Treat and Weaver.--5.

The bill passed.

**HB 2088** was properly signed and ordered returned to the Honorable House.

### **MESSAGES FROM THE HOUSE**

Advising passage of and returning the following Engrossed bills:

**SB 24** - coauthored by Representative Roberts (Sean)

**SB 442** - coauthored by Representatives Humphrey and Roberts (Dustin)

**SB 536**

**SB 545**

**SB 547**

**SB 556**

**SB 558**

The above-numbered measures were referred for enrollment.

Advising fourth reading of and returning Enrolled **SBs 3, 33, 36, 75, 76** and **94**.

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

Advising fourth reading of and transmitting for signature Enrolled **HBs 1074, 1091, 1092, 1110, 1181, 1207, 1265, 1434, 2423, 2640** and **2664**.

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

Senator David moved that when the clerk's desk is clear, the Senate stand adjourned to convene Wednesday, April 10, 2019, 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 1036** – Judiciary

Ayes: Boren, Brooks, Dahm, Daniels, Floyd, Jech, Leewright, Murdock, Paxton, Sharp

**HB 1093** – Judiciary

Ayes: Boren, Brooks, Daniels, Floyd, Jech, Leewright, Paxton, Sharp

Nays: Dahm

**HB 1330** – Transportation

Ayes: Allen, Bergstrom, Boggs, Coleman, Hicks, Matthews, McCortney, Pugh, Silk, Standridge

**HB 1428** – Judiciary

Ayes: Dahm, Daniels, Floyd, Howard, Jech, Leewright, Paxton, Sharp

Nays: Boren, Brooks

**HB 2091** – Judiciary

Ayes: Boren, Brooks, Dahm, Daniels, Floyd, Jech, Leewright, Murdock, Paxton, Sharp

**HB 2336** – Education

Ayes: Bullard, Dossett, Dugger, Haste, Newhouse, Pederson, Pemberton, Quinn, Scott, Shaw, Stanislawski

Nays: Hicks, Ikley-Freeman, Smalley

**HB 2393** – Judiciary

Ayes: Boren, Brooks, Dahm, Daniels, Floyd, Jech, Leewright, Murdock, Paxton, Sharp

**HB 2399** – Judiciary

Ayes: Boren, Brooks, Dahm, Daniels, Floyd, Howard, Jech, Leewright, Murdock, Paxton, Sharp

**HB 2518** – Transportation

Ayes: Allen, Bergstrom, Boggs, Coleman, Hicks, McCortney, Standridge

DO PASS, As Amended:

**CS for HB 1014** – Judiciary

Ayes: Dahm, Daniels, Jech, Leewright, Murdock, Paxton, Sharp

Nays: Boren, Brooks, Floyd

**HB 1102** – Judiciary

Ayes: Boren, Brooks, Dahm, Daniels, Floyd, Howard, Jech, Leewright, Sharp

**HB 1162** – Judiciary

Ayes: Boren, Brooks, Daniels, Floyd, Jech, Leewright, Murdock, Paxton, Sharp

Nays: Dahm

**CS for HB 1230** – Education

Ayes: Bullard, Dossett, Dugger, Haste, Hicks, Ikley-Freeman, Newhouse, Pederson, Pemberton, Quinn, Scott, Shaw, Smalley, Stanislawski

**CS for HB 1262** – Finance

Ayes: Bice, Floyd, Hall, Kirt, Montgomery, Rader, Rosino, Stanley

**HB 1411** – Finance

Ayes: Bice, Floyd, Hall, Kirt, Montgomery, Rader, Rosino, Stanley

**HB 1884** – Finance

Ayes: Bice, Floyd, Hall, Kirt, Montgomery, Rader, Rosino, Simpson, Stanley

**CS for HB 1972** – Transportation

Ayes: Bergstrom, Coleman, Hicks, Matthews, McCortney, Pugh, Silk, Standridge

Nays: Allen, Boggs

**HB 1995** – Judiciary

Ayes: Boren, Brooks, Dahm, Daniels, Floyd, Jech, Leewright, Murdock, Paxton, Sharp

**HB 2150** – Judiciary

Ayes: Dahm, Daniels, David, Howard, Leewright, Murdock, Sharp

Nays: Boren, Brooks, Floyd, Jech, Paxton

**HB 2256** – Finance

Ayes: Bice, Floyd, Hall, Kirt, Montgomery, Rader, Rosino, Stanley

**HB 2289** – Judiciary

Ayes: Boren, Brooks, Dahm, Daniels, Floyd, Howard, Jech, Leewright, Sharp

**HB 2310** – Judiciary

Ayes: Boren, Brooks, Dahm, Daniels, Floyd, Howard, Jech, Leewright, Paxton, Sharp  
Nays: Murdock

**HB 2311** – Transportation

Ayes: Allen, Bergstrom, Boggs, Coleman, Hicks, Matthews, McCortney, Pugh, Silk, Standridge

**CS for HB 2362** – Judiciary

Ayes: Boren, Brooks, Dahm, Daniels, Floyd, Howard, Jech, Leewright, Murdock, Paxton, Sharp

**HB 2364** – Judiciary

Ayes: Boren, Brooks, Dahm, Daniels, Floyd, Howard, Jech, Leewright, Paxton, Sharp

**CS for HB 2367** – Judiciary

Ayes: Brooks, Dahm, Daniels, Floyd, Howard, Jech, Leewright, Paxton, Sharp  
Nays: Boren

**HB 2468** – Judiciary

Ayes: Boren, Brooks, Dahm, Daniels, Floyd, Howard, Jech, Leewright, Sharp

**HB 2477** – Finance

Ayes: Bice, Floyd, Hall, Kirt, Montgomery, Rader, Rosino, Simpson, Stanley

**HB 2478** – Finance

Ayes: Bice, Floyd, Hall, Kirt, Montgomery, Rader, Rosino, Simpson, Stanley

**HB 2530** – Finance

Ayes: Bice, Floyd, Hall, Kirt, Montgomery, Rader, Rosino, Simpson, Stanley

**HB 2734** – Finance

Ayes: Bice, Floyd, Hall, Kirt, Montgomery, Rader, Rosino, Simpson, Stanley

FAILED:

**HB 2394** – Judiciary

Ayes: Leewright, Murdock, Sharp  
Nays: Boren, Brooks, Dahm, Daniels, Floyd, Jech, Paxton

**HB 2472** – Transportation

Nays: Allen, Bergstrom, Boggs, Coleman, Hicks, McCortney, Pugh, Silk, Standridge

**COMMITTEE REPORTS**

The following were reported by the committees named and referred to a second committee:

DO PASS, As Amended:

**HB 1269** – Judiciary

Ayes: Boren, Brooks, Dahm, Daniels, Floyd, Jech, Leewright, Paxton, Sharp

Nays: Howard, Murdock

**HB 2218** – Judiciary

Ayes: Boren, Brooks, Dahm, Daniels, Floyd, Jech, Leewright, Murdock, Paxton, Sharp

**CS for HB 2511** – Finance

Ayes: Bice, Floyd, Hall, Kirt, Montgomery, Rader, Rosino, Simpson, Stanley

**HB 2521** – Education

Ayes: Bullard, Dossett, Dugger, Haste, Hicks, Ikley-Freeman, Newhouse, Pederson, Pemberton, Scott, Shaw

Nays: Quinn, Smalley, Stanislawski

FAILED:

**HB 2594** – Education

Ayes: Bullard, Dossett, Dugger, Haste, Hicks, Ikley-Freeman, Smalley

Nays: Newhouse, Pederson, Pemberton, Quinn, Scott, Shaw, Stanislawski

**CHANGE IN AUTHORS/COAUTHORS**

The following measures were authored/coauthored:

**HB 1216** - Coauthored by Senator Bice

**HB 1259** - Coauthored by Senator Dahm

**HB 2091** - Coauthored by Senator Floyd

**HB 2632** - Coauthored by Representative West (Tammy)

Pursuant to the David motion, the Senate adjourned at 2:50 p.m. to meet Wednesday, April 10, 2019, at 1:30 p.m.