

Senate Journal

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

Forty-eighth Legislative Day, Monday, April 29, 2019

The Senate was called to order by Senator McCortney.

Roll Call:

Present: Allen, Bergstrom, Bice, Boggs, Boren, Brooks, Bullard, Coleman, Dahm, Daniels, David, Dossett, Dugger, Floyd, Hall, Haste, Hicks, Howard, Ikley-Freeman, Jech, Kidd, Kirt, Leewright, Matthews, McCortney, Montgomery, Murdock, Newhouse, Paxton, Pederson, Pemberton, Pugh, Quinn, Rader, Rosino, Scott, Sharp, Shaw, Silk, Smalley, Standridge, Stanislawski, Stanley, Thompson, Treat, Weaver and Young.—47.

Excused: Simpson.—1.

Senator McCortney declared a quorum present.

The prayer was offered by Pastor Bret McGuire, Claremore First Baptist Church, Claremore, the guest of Senator Quinn.

REPORT OF ENGROSSED AND ENROLLED MEASURES

SBs 21, 48, 61, 71, 83, 95, 198, 204, 243, 275, 291, 382, 475, 489, 601, 709, 814, 958, 962 and 1010 were each correctly enrolled and after fourth reading, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

HBs 1018, 1030, 1032, 1053, 1100, 1269, 1315, 1316, 1341, 1373, 1439, 1641, 1927, 2009, 2218, 2256, 2273, 2307, 2310, 2330, 2355, 2362, 2363, 2369, 2472, 2477, 2478, 2601, 2613, 2614, 2628, 2641 and 2667 were each correctly engrossed and, together with engrossed **SAs**, properly signed and ordered returned to the Honorable House.

PENDING CONSIDERATION OF HAS

HAs to SB 446 were concurred in upon motion of Senator Haste.

SB 446, as amended by the Honorable House, was read at length.

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

Aye: Allen, Bergstrom, Boggs, Boren, Brooks, Bullard, Coleman, Dahm, Daniels, David, Dossett, Dugger, Floyd, Hall, Haste, Hicks, Howard, Ikley-Freeman, Jech, Kidd, Kirt, Leewright, Matthews, McCortney, Montgomery, Murdock, Newhouse, Paxton, Pederson, Pemberton, Pugh, Quinn, Rader, Rosino, Scott, Sharp, Shaw, Standridge, Stanislawski, Stanley, Thompson, Treat, Weaver and Young.--44.

Excused: Bice, Silk, Simpson and Smalley.--4.

The bill and emergency passed.

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

EXECUTIVE NOMINATION

The following executive nomination was read and referred to the committee indicated:

Cox, Debbie J., Altus, as a member of the Board of Regents of Western Oklahoma State College - Education

MESSAGES FROM THE HOUSE

Advising fourth reading of and returning Enrolled **SBs 21, 48, 61, 71, 83, 95, 198, 204, 243, 275, 291, 382, 475, 489, 601, 709, 814, 958, 962** and **1010**.

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

Advising fourth reading of and transmitting for signature Enrolled **HBs 1107, 1218, 1395, 1781** and **2734**.

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

Advising rejection of **SAs** to the following bills, requesting conference and naming House Conference Committee on:

- HB 1114** - Conference Committee on Government Efficiency
- HB 1437** - Conference Committee on Administrative Rules
- HB 1440** - Conference Committee on Administrative Rules
- HB 1441** - Conference Committee on Administrative Rules
- HB 1442** - Conference Committee on Administrative Rules
- HB 1444** - Conference Committee on Administrative Rules
- HB 1445** - Conference Committee on Administrative Rules
- HB 1446** - Conference Committee on Administrative Rules
- HB 1995** - Conference Committee on County and Municipal Government
- HB 2622** - GCCA
- HB 2632** - Conference Committee on Business and Commerce

**MESSAGE FROM THE HOUSE
HAS TO SENATE BILLS**

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

- SB 1** - coauthored by Gann of the House
- SB 70**
- SB 73**
- SB 86**
- SB 170** - remove Fugate as principal House author and substitute with Frix of the House; coauthored by Fugate and Rosecrants of the House; coauthored by Sharp of the Senate
- SB 186**
- SB 193** - coauthored by Hasenbeck of the House
- SB 200** - coauthored by Fetgatter and Mize of the House
- SB 201** - coauthored by Lawson, Manger, and Roe of the House
- SB 252** - coauthored by Dunnington and Munson of the House
- SB 372**
- SB 400**
- SB 499**
- SB 519**
- SB 543**
- SB 575**
- SB 576** - coauthored by Branham of the House
- SB 603** - coauthored by Roberts (Dustin) of the House
- SB 616** - coauthored by Standridge of the Senate
- SB 641** - coauthored by Conley, Fetgatter, and Hill of the House; coauthored by Weaver and Boggs of the Senate

SB 694

SB 701

SB 746 - coauthored by Phillips and Boatman of the House

SB 870

SB 879

SB 971

SB 985 - coauthored by Bergstrom of the Senate

SB 998

SB 1030

House amendments were read on the above-numbered bills.

Senator David moved that when the clerk's desk is clear, the Senate stand adjourned to convene Tuesday, April 30, 2019, at 1:30, which motion prevailed.

FIRST READING

The following were introduced and read the first time:

SCR 4 – By Standridge of the Senate and ODonnell of the House.

A Concurrent Resolution observing May 2, 2019, as the National Day of Prayer.

SR 4 – By Brooks.

A Resolution declaring May 1, 2019, as the 3rd Annual Hispanic Cultural Day in Oklahoma; and recognizing the heritage, culture and contributions of Hispanics to the State of Oklahoma.

CHANGE IN AUTHOR/COAUTHOR

The following measure was authored/coauthored:

SB 280 - Coauthored by Senator Scott

MESSAGES FROM THE GOVERNOR

Advising his approval April 26, 2019, of Enrolled **SBs 392, 419, 430, 435, 448, 813** and **961**.

Advising his approval April 29, 2019, of Enrolled **SBs 81, 122, 163, 164, 166, 194, 236, 271, 333, 361, 387, 388, 473, 496, 551, 664, 679, 711, 716, 737, 798, 806, 816, 819, 858, 981, 1003** and **1005**.

Advising his veto April 29, 2019, of Enrolled **SBs 44** and **566**.

The veto messages read as follows:

April 29, 2019

To the Honorable President Pro Tempore
And Members of the Oklahoma Senate
First Session of the
Fifty Seventh Oklahoma Legislature

ENROLLED SENATE BILL NO. 44:

This is to advise you that on this date, pursuant to the authority vested in me by Section 11 of Article IV of the Oklahoma Constitution to approve or object to legislation presented to me, I have vetoed Senate Bill 44.

Senate Bill 44 would define the term “instructional expenditure” to mean expenditures for instruction and instructional staff support services, including those that directly relate to providing instruction and for activities that assist with classroom instruction. The definition proposed does not align our state with the federal definition of instructional expenditure, which will not allow Oklahoma to measure our instructional expenditures across state lines.

For the aforementioned reasons, I have vetoed Senate Bill 44.

By the Governor of the State of Oklahoma
/s/ Kevin Stitt

April 29, 2019

To the Honorable President Pro Tempore
And Members of the Oklahoma Senate
First Session of the
Fifty Seventh Oklahoma Legislature

ENROLLED SENATE BILL NO. 566:

This is to advise you that on this date, pursuant to the authority vested in me by Section 11 of Article IV of the Oklahoma Constitution to approve or object to legislation presented to me, I have vetoed Senate Bill 566.

Senate Bill 566 would allow private commercial hunting guides to operate on lands managed or owned by the Oklahoma Department of Wildlife Conservation (the “Department”). The Oklahoma Constitution limits the use of Department fees, monies, or funds to the “control, management, restoration, conservation, and regulation of the bird,

fish, and game and wildlife resources of the State...and for the administration of the laws pertaining thereto and for no other purpose.” (Okla. Const., Art. 26, § 4). The use of Department lands, paid for with fees, monies, or funds, for the monetary gain of private companies is not permitted pursuant to the Oklahoma Constitution. This prohibition is recognized in the Department’s administrative rules, which include a general prohibition on the operation of private or non-Departmental business on any Department managed lands.

In addition, significant portions of Department managed lands are not Department owned and are subject to specific terms of the applicable agreements between the Department and the land owners. Senate Bill 566’s mandate to allow private commercial hunting guides to operate on Department lands may force the Department to violate these agreements, which could result in the elimination of an unknown amount of acreage currently available Oklahomans.

For the aforementioned reasons, I have vetoed Senate Bill 566.

By the Governor of the State of Oklahoma
/s/ Kevin Stitt

Pursuant to the David motion, the Senate adjourned at 2:25 p.m. to meet Tuesday, April 30, 2019, at 1:30