

# Senate Journal

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

**Fifty-second Legislative Day, Monday, May 6, 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, McCortney, Montgomery, Murdock, Newhouse, Paxton, Pederson, Pemberton, Pugh, Quinn, Rader, Rosino, Scott, Sharp, Shaw, Silk, Simpson, Smalley, Standridge, Stanislawski, Stanley, Thompson, Treat, Weaver and Young.—47.

Excused: Matthews.—1.

Senator McCortney declared a quorum present.

The prayer was offered by Pastor Ronald Boyd, Antioch Baptist Church, Duncan, the guest of Senator Scott.

### INTRODUCTION

Senator Floyd introduced the parents of Chief Operating Officer, Caroline Dennis, Dr. Richard and Maurine Wells and the youngest daughter of Caroline Dennis, Hannah, to the Senate.

### REPORT OF ENGROSSED AND ENROLLED MEASURES

**SBs 186, 422, 449, 575, 583, 584, 590, 593, 636, 658, 690, 878, 882, 915 and 971** were each correctly enrolled and after fourth reading, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

**FIRST READING**

The following were introduced and read the first time:

**SR 5** – By Treat, Floyd, Allen, Bergstrom, Bice, Boggs, Boren, Brooks, Bullard, Coleman, Dahm, Daniels, David, Dossett, Dugger, 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, Simpson, Smalley, Standridge, Stanislawski, Stanley, Thompson, Weaver and Young.

A Resolution honoring Chief Operating Officer Caroline Dennis for her 37 years of service to the State Senate; congratulating her on her upcoming retirement; and directing distribution.

**UNANIMOUS CONSENT REQUEST  
DIRECT TO CALENDAR**

Senator Treat asked unanimous consent to refer **SR 5** direct to the Calendar for consideration, which was the order.

**GENERAL ORDER**

**SR 5** by Treat et al. was called up for consideration.

**SR 5** was adopted upon motion of Senator Treat and referred for enrollment.

Senator David 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 McCortney presiding.

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

**PENDING CONSIDERATION OF HAS**

**HAs to SB 238** were concurred in upon motion of Senator Standridge.

**SB 238**, 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, Bergstrom, Bice, Boggs, Boren, Brooks, Coleman, Daniels, David, Dossett, Dugger, Floyd, Hall, Haste, Hicks, Howard, Ikley-Freeman, Jech, Kidd, Kirt, Leewright, McCortney, Montgomery, Murdock, Newhouse, Paxton, Pederson, Pemberton, Pugh, Quinn, Rader, Scott, Sharp, Shaw, Silk, Simpson, Smalley, Standridge, Stanislawski, Stanley, Thompson, Treat, Weaver and Young.--44.

Nay: Dahm.--1.

Excused: Bullard, Matthews and Rosino.--3.

The bill passed.

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

#### **PENDING CONSIDERATION OF HAS**

**HAs to SB 870** were concurred in upon motion of Senator Murdock.

**SB 870**, 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, Bergstrom, Bice, Boggs, Boren, Coleman, Dahm, Daniels, David, Dossett, Dugger, Floyd, Hall, Haste, Hicks, Howard, Ikley-Freeman, Jech, Kidd, Kirt, Leewright, McCortney, Montgomery, Murdock, Newhouse, Pederson, Pemberton, Pugh, Quinn, Rader, Rosino, Scott, Sharp, Shaw, Silk, Simpson, Standridge, Stanislawski, Stanley, Thompson, Treat, Weaver and Young.--43.

Nay: Paxton and Smalley.--2.

Excused: Brooks, Bullard and Matthews.--3.

The bill passed.

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

**PENDING CONSIDERATION OF HAS**

**HAs to SB 608** were concurred in upon motion of Senator David.

**SB 608**, 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, Bergstrom, Boren, Brooks, Coleman, Daniels, David, Dossett, Dugger, Hall, Haste, Howard, Ikley-Freeman, Jech, Kidd, Leewright, McCortney, Montgomery, Murdock, Newhouse, Paxton, Pederson, Pemberton, Pugh, Quinn, Rader, Rosino, Scott, Shaw, Standridge, Stanislawski, Treat, Weaver and Young.--34.

Nay: Bice, Boggs, Dahm, Floyd, Hicks, Kirt, Sharp, Silk, Smalley, Stanley and Thompson.--11.

Excused: Bullard, Matthews and Simpson.--3.

The bill passed.

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

**PENDING CONSIDERATION OF HAS**

**HAs to SB 708** were concurred in upon motion of Senator David.

**SB 708**, 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, Bergstrom, Bice, Boggs, Coleman, Dahm, Daniels, David, Dossett, Dugger, Hall, Haste, Hicks, Howard, Ikley-Freeman, Jech, Kidd, Leewright, McCortney, Montgomery, Murdock, Newhouse, Paxton, Pederson, Pemberton, Pugh, Quinn, Rader, Scott, Sharp, Shaw, Silk, Simpson, Smalley, Standridge, Stanislawski, Stanley, Thompson, Treat and Weaver.--40.

Nay: Boren, Brooks, Floyd, Kirt and Young.--5.

Excused: Bullard, Matthews and Rosino.--3.

The bill passed.

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

**PENDING CONSIDERATION OF HAS**

**HAs to SB 201** were concurred in upon motion of Senator Thompson.

**SB 201**, 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, Bergstrom, Bice, Boggs, Boren, Brooks, Coleman, Dahm, Daniels, David, Dossett, Dugger, Floyd, Hall, Haste, Hicks, Howard, Ikley-Freeman, Jech, Kidd, Kirt, Leewright, McCortney, Montgomery, Murdock, Newhouse, Paxton, Pederson, Pemberton, Pugh, Quinn, Rader, Scott, Sharp, Shaw, Smalley, Standridge, Stanislawski, Stanley, Thompson, Treat, Weaver and Young.--43.

Excused: Bullard, Matthews, Rosino, Silk and Simpson.--5.

The bill passed.

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

**PENDING CONSIDERATION OF HAS**

**HAs to SB 694** were concurred in upon motion of Senator Thompson.

**SB 694**, 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, Bice, Boggs, Boren, Brooks, Coleman, Dahm, Daniels, David, Dossett, Dugger, Floyd, Hall, Haste, Hicks, Howard, Ikley-Freeman, Jech, Kidd, Kirt, Leewright, McCortney, Montgomery, Murdock, Newhouse, Pederson, Pemberton, Pugh, Rader, Scott, Sharp, Shaw, Silk, Simpson, Standridge, Stanislawski, Stanley, Thompson, Weaver and Young.--41.

Nay: Paxton, Quinn, Smalley and Treat.--4.

Excused: Bullard, Matthews and Rosino.--3.

The bill and emergency passed.

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

#### **PENDING CONSIDERATION OF HAS**

**HAs to SB 217** were concurred in upon motion of Senator Thompson.

**SB 217**, 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, Bergstrom, Bice, Boggs, Boren, Brooks, Coleman, Dahm, Daniels, David, Dossett, Dugger, Floyd, Hall, Haste, Hicks, Howard, Ikley-Freeman, Jech, Kidd, Kirt, Leewright, McCortney, Montgomery, Murdock, Newhouse, Paxton, Pederson, Pemberton, Pugh, Quinn, Rader, Scott, Sharp, Shaw, Silk, Simpson, Smalley, Standridge, Stanislawski, Stanley, Thompson, Treat and Weaver.--44.

Nay: Young.--1.

Excused: Bullard, Matthews and Rosino.--3.

The bill passed.

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

#### **PENDING CONSIDERATION OF HAS**

**HAs to SB 733** were concurred in upon motion of Senator Rader.

**SB 733**, 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, Bergstrom, Bice, Boggs, Coleman, Dahm, Daniels, David, Dossett, Dugger, Hall, Haste, Howard, Ikley-Freeman, Jech, Kidd, Kirt, Leewright, McCortney, Montgomery, Murdock, Newhouse, Paxton, Pederson, Pemberton, Pugh, Quinn, Rader, Scott, Sharp, Shaw, Silk, Simpson, Smalley, Standridge, Stanislawski, Stanley and Weaver.--38.

Nay: Boren, Brooks, Floyd, Hicks and Young.--5.

Excused: Bullard, Matthews, Rosino, Thompson and Treat.--5.

The bill passed.

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

#### **PENDING CONSIDERATION OF HAS**

**HAs to SB 752** were concurred in upon motion of Senator Leewright.

**SB 752**, 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, Bergstrom, Bice, Boggs, Coleman, Dahm, Daniels, David, Dugger, Hall, Haste, Howard, Jech, Kidd, Leewright, McCortney, Montgomery, Murdock, Newhouse, Paxton, Pederson, Pemberton, Pugh, Quinn, Rader, Rosino, Scott, Sharp, Shaw, Silk, Simpson, Smalley, Standridge, Stanislawski, Stanley and Weaver.--36.

Nay: Boren, Brooks, Dossett, Floyd, Hicks, Ikley-Freeman, Kirt and Young.--8.

Excused: Bullard, Matthews, Thompson and Treat.--4.

The bill passed.

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

#### **PENDING CONSIDERATION OF HAS**

**HAs to SB 1000** were concurred in upon motion of Senator Leewright.

**SB 1000**, 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, Bergstrom, Bice, Boggs, Boren, Brooks, Coleman, Daniels, David, Dossett, Dugger, Floyd, Hall, Haste, Hicks, Howard, Ikley-Freeman, Jech, Kidd, Kirt, Leewright, McCortney, Montgomery, Murdock, Newhouse, Paxton, Pederson, Pemberton, Pugh, Quinn, Rader, Rosino, Scott, Sharp, Shaw, Simpson, Smalley, Standridge, Stanislawski, Stanley, Weaver and Young.--42.

Nay: Silk.--1.

Excused: Bullard, Dahm, Matthews, Thompson and Treat.--5.

The Presiding Officer recognized Senator Dahm who advised the Chair of an apparent malfunction in his voting machine. Senator Dahm asked that the record reflect a vote of Aye on **SB 1000**, as provided in Rule 8-31E. The Chair directed the clerk to correct the roll call vote on **SB 1000** as Aye: 43; Nay: 1; Excused: 4.

The bill passed.

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

#### **PENDING CONSIDERATION OF HAS**

**HAs to SBs 1, 193, 310, 372, 544, 616 and 888** were rejected upon motion of Senator David, conference requested, and Senate conferees to be named later.

#### **MESSAGES FROM THE HOUSE**

Advising fourth reading of and returning Enrolled **SBs 186, 422, 449, 575, 583, 584, 590, 593, 636, 658, 690, 878, 882, 915 and 971**.

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

Advising passage of and transmitting for consideration Engrossed **HCR 1006**.

**HCR 1006** – By Virgin of the House and Dugger of the Senate.

A Concurrent Resolution celebrating the twenty-fifth anniversary of the Oklahoma Mesonet; recognizing the importance and necessity of the services provided by the Oklahoma Mesonet.

The above-numbered measure was read the first time.



Advising conference granted on Engrossed **SBs** and naming House conferees as follows:

**SB 85** - GCCA

**SB 100** - Conference Committee on Business and Commerce

**SB 499** - Conference Committee on Rules

**SB 532** - Conference Committee on Rules

**SB 715** - Conference Committee on Judiciary

Advising concurrence in **SAs** to and passage of Engrossed **HBs 1030, 1070, 1095, 1373, 1911, 2037, 2191, 2269, 2289, 2380, 2471** and **2453**.

Advising fourth reading of and transmitting for signature Enrolled **HBs 2126, 2263** and **2516**.

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

Advising the Honorable Senate that the House is changing conferees on Engrossed:

**HB 2468** - Conference Committee on Rules

**HB 2632** - Conference Committee on Rules

## **EXECUTIVE NOMINATIONS**

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

Brown, Douglas E., Idabel, as a member of the Board of Trustees for Southeastern Oklahoma State University-McCurtain County Campus - Education

Boatright, April, Daisy, as a member of the State Textbook Committee - Education

Jett, Alan V., Laverne, as a member of the State Board of Veterinary Medical Examiners - Agriculture and Wildlife

Lewis, Zena W., Owasso, as a member of the State Textbook Commission - Education

Neville, Robert M. "Bob", Oklahoma City, as a member of the Oklahoma Securities Commission - Business, Commerce and Tourism

Rainbolt, Dana Kim, Oklahoma City, as a member of the Oklahoma Arts Council - Education

White, James R., Oklahoma City, as a member of the Board of Regents for Oklahoma City Community College - Education

Senator David moved that when the clerk's desk is clear, the Senate stand adjourned to convene Tuesday, May 7, 2019, at 1:30 p.m., which motion prevailed.

### **REPORT OF ENGROSSED AND ENROLLED MEASURE**

**SR 5** was correctly enrolled, properly signed and ordered transmitted to the Secretary of State.

### **CHANGE IN AUTHORS/COAUTHOR**

The following measure was authored/coauthored:

**SB 170** - Coauthored by Representative Conley

### **MESSAGES FROM THE GOVERNOR**

Advising his approval May 3, 2019, of Enrolled **SB 198**.

Advising his approval May 6, 2019, of Enrolled **SBs 7, 19, 58, 73, 108, 113 and 115**.

Pursuant to the David motion, the Senate adjourned at 3:30 p.m. to meet Tuesday, May 7, 2019, at 1:30 p.m.

### **JOURNAL CORRECTIONS**

Thursday, May 2, 2019, 51<sup>st</sup> Legislative Day, Page 1287, Line 27, remove "Stanislowski" and replace with "Standridge".

Tuesday, March 12, 23<sup>rd</sup> Legislative Day, Page 797, Lines 23-25, replace with the following:

**SB 456** - coauthored by Representatives West (Tammy), Roberts (Sean), Wright, and Ford and Senator David

**SB 457** - coauthored by Representatives West (Tammy), Roberts (Sean), Wright, and Ford

Monday, April 1, 33<sup>rd</sup> Legislative Day, Page 958, Lines 15 and 16, replace with the following:

**SB 4** - coauthored by Representative Crosswhite Hader

**SB 931** - coauthored by Senator Weaver

Wednesday, April 3, 35<sup>th</sup> Legislative Day, Page 983, Lines 16 and 17, replace with the following:

**SB 144** - coauthored by Representative Crosswhite Hader

**SB 1026** - coauthored by Representative Crosswhite Hader

Thursday, April 4, 36<sup>th</sup> Legislative Day:

Page 990, Lines 22 and 23, replace with the following:

**SB 116** - coauthored by Representative Hill

**SB 240** - remove Representative Echols as principal House author and substitute with Representative Kiger; coauthored by Representative Echols

Page 991, Line 3, replace with the following:

**SB 728** - coauthored by Senator Bergstrom

Page 991, Line 20, replace with the following:

**SB 1027** - coauthored by Representative Crosswhite Hader

Tuesday, April 9, 38<sup>th</sup> Legislative Day, Page 1026, Lines 11 and 12, replace with the following:

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

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

Wednesday, April 10, 39<sup>th</sup> Legislative Day, Page 1036, under MESSAGES FROM THE HOUSE, replace the first message with the following:

**SB 29**

**SB 59**

**SB 104** - coauthored by Representative Davis

**SB 294** – coauthored by Representative Roberts (Sean)

**SB 509** - coauthored by Representatives Dunnington, Roberts (Dustin), Mize, Bush, McEntire, Wallace, Echols, Blancett, Hilbert, Davis, Kannady, Conley, Miller, Caldwell (Trey), Dollens, Perryman, Bennett, Fetgatter, Frix, Dills, Lawson, Moore and Hasenbeck

**SB 722** - coauthored by Representatives Hasenbeck, Bush, West (Josh), Hilbert, Echols, McBride, West (Tammy), Newton and Sims

**SB 853** – coauthored by Senator Weaver

**SB 923** - coauthored by Senator Murdock and Representatives McDugle, Tadlock, West (Josh), Burns, and Roberts (Dustin)

Thursday, April 11, 40<sup>th</sup> Legislative Day, Page 1052, Line 9, replace with the following:

**SB 868** - coauthored by Representatives Patzkowsky and Fetgatter and Senator Dahm

Monday, April 15, 41<sup>st</sup> Legislative Day, Page 1058, Lines 18-20, replace with the following:

**SB 232** - coauthored by Representative West (Josh)

**SB 642**

**SB 967** - coauthored by Representatives Lawson and Nollan

Tuesday, April 16, 42<sup>nd</sup> Legislative Day, Page 1091, Lines 20, 21 and 24, replace with the following:

**SB 881** - coauthored by Representative Hill

**SB 926** - coauthored by Representatives Bell and Branham

**SB 1001** - (Emergency Failed) remove Representative Kerbs as principal House author and substitute with Representative Roberts (Dustin)

Wednesday, April 17, 43<sup>rd</sup> Legislative Day, Page 1116, Line 12, replace with the following:

**SB 446** - remove Representative Bush as principal House author and substitute with Representative Dills; coauthored by Representatives Talley, Conley, and Provenzano

Thursday, April 25, 47<sup>th</sup> Legislative Day, Page 1242, Line 14, replace with the following:

**SB 844** - coauthored by Representatives Bush, May, Sims, Nollan and Boatman