

# Senate Journal

## First Regular Session of the Fifty-seventh Legislature of the State of Oklahoma Fifty-eighth Legislative Day, Wednesday, May 15, 2019

The Senate was called to order by Senator Stanislawski.

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, Simpson, Smalley, Standridge, Stanislawski, Stanley, Thompson, Treat, Weaver and Young.—48.

Senator Stanislawski declared a quorum present.

The prayer was offered by Reverend Josh Attaway, St. Luke's United Methodist Church, Edmond, the guest of Senator Pugh.

### INTRODUCTIONS

Senator Howard introduced his wife, Jennifer, his parents, Bob and Renee, his sister, Chrystle and his nieces, Emma and Elliott; and Senator Pederson introduced his wife, Terry, to the Senate.

### REPORT OF ENGROSSED AND ENROLLED MEASURES

**SBs 336, 804 and 936** were each correctly enrolled and after fourth reading, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

**PENDING CONSIDERATION OF CCR**

The **CCR** on **SB 170** was adopted upon motion of Senator Standridge.

**SB 170**, as amended in conference, 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, Bullard, Coleman, Dahm, Daniels, David, Dossett, Dugger, Floyd, Hall, Haste, Hicks, Howard, Ikley-Freeman, Jech, Kidd, Kirt, Leewright, Matthews, McCortney, Montgomery, Newhouse, Paxton, Pederson, Pemberton, Pugh, Quinn, Rader, Rosino, Scott, Sharp, Shaw, Silk, Simpson, Smalley, Standridge, Stanislawski, Stanley, Thompson, Treat, Weaver and Young.--47.

Excused: Murdock.--1.

The bill and emergency passed.

**SB 170**, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

**PENDING CONSIDERATION OF HAS**

**HAs** to **SB 1026** were concurred in upon motion of Senator Dahm.

**SB 1026**, 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, Bullard, Coleman, Dahm, Daniels, David, Dugger, Haste, Howard, Jech, Kidd, Leewright, Montgomery, Murdock, Newhouse, Paxton, Pederson, Pemberton, Pugh, Quinn, Rader, Rosino, Scott, Sharp, Shaw, Silk, Simpson, Standridge, Stanislawski, Stanley, Thompson, Treat, Weaver and Young.--37.

Nay: Boren, Brooks, Dossett, Floyd, Hall, Hicks, Ikley-Freeman, Kirt, Matthews, McCortney and Smalley.--11.

The bill passed.

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

**PENDING CONSIDERATION OF HAS**

**HAs to SB 1027** were concurred in upon motion of Senator Dahm.

**SB 1027**, 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, Bullard, Coleman, Dahm, Daniels, David, Dugger, Howard, Jech, Kidd, Leewright, Montgomery, Newhouse, Paxton, Pederson, Pemberton, Pugh, Quinn, Rader, Rosino, Scott, Sharp, Shaw, Silk, Simpson, Standridge, Stanislawski, Stanley, Thompson, Treat, Weaver and Young.--35.

Nay: Boren, Brooks, Dossett, Floyd, Hall, Haste, Hicks, Ikley-Freeman, Kirt, Matthews, McCortney and Smalley.--12.

Excused: Murdock.--1.

The bill passed.

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

**EXECUTIVE NOMINATIONS**

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

Mazzei, Michael P., Tulsa, as the Cabinet Secretary of Budget, to serve at the pleasure of the Governor, succeeding a new position. (Appropriations Committee) Motion to confirm made by Senator Joe Newhouse.

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

Aye: Allen, Bergstrom, Bice, Boggs, 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, Simpson, Smalley, Standridge, Stanislawski, Stanley, Thompson, Treat, Weaver and Young.--47.

Nay: Boren.--1.

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

Bobek, Brian, Oklahoma City, to the State Board of Education, to serve a four-year term ending April 2, 2023, succeeding Lee Baxter. (Education Committee) Motion to confirm made by Senator Paul Rosino.

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

Aye: 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, Simpson, Smalley, Standridge, Stanislawski, Stanley, Thompson, Treat, Weaver and Young.--48.

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

Bollenbach, Barry "Kurt", Kingfisher, to the State Board of Education, to serve a four-year term ending April 2, 2023, succeeding Cathryn Franks. (Education Committee) Motion to confirm made by Senator Darcy Jech.

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

Aye: 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, Simpson, Smalley, Standridge, Stanislawski, Stanley, Thompson, Treat, Weaver and Young.--48.

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

Gatz, Timothy, El Reno, as the Director of the Department of Transportation, to serve at the pleasure of the Governor, succeeding a new position. (Transportation Committee) Motion to confirm made by Senator Lonnie Paxton.

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

Aye: 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, Simpson, Smalley, Standridge, Stanislawski, Stanley, Thompson, Treat, Weaver and Young.--48.

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

Hernandez, Estela L., Oklahoma City, to the State Board of Education, to serve a four-year term ending April 2, 2023, succeeding Bob Ross. (Education Committee) Motion to confirm made by Senator Greg Treat.

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

Aye: Allen, Bergstrom, Bice, Boggs, Brooks, Bullard, 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, Thompson, Treat and Weaver.--40.

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

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

Monies, Jennifer, Oklahoma City, to the State Board of Education, to serve a four-year term ending April 2, 2023, succeeding Bill Price. (Education Committee) Motion to confirm made by Senator Greg Treat.

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

Aye: Allen, Bergstrom, Bice, Boggs, Bullard, 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, Thompson, Treat and Weaver.--39.

Nay: Boren, Brooks, Dossett, Floyd, Hicks, Ikley-Freeman, Kirt, Matthews and Young.--9.

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

Lein, Dr. Joanna M., Tulsa, to the Commission for Educational Quality and Accountability, to serve a four-year term ending June 30, 2023, succeeding Derek "Bo" Hannaford. (Education Committee) Motion to confirm made by Senator Kevin Matthews.

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

Aye: Allen, Bergstrom, Bice, Boggs, Boren, Brooks, Bullard, Coleman, Dahm, Daniels, David, Dossett, Dugger, Hall, Haste, 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, Treat, Weaver and Young.--46.

Nay: Floyd and Hicks.--2.

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

Boatright, April, Daisy, to the State Textbook Committee, to serve a three-year term ending March 1, 2022, succeeding Wendy J. Jones. (Education Committee) Motion to confirm made by Senator Joseph Silk.

Brewer, Nancy J., Piedmont, to the State Textbook Committee, to serve a three-year term ending March 1, 2022, succeeding Shurlyn Maltz. (Education Committee) Motion to confirm made by Senator Stephanie Bice.

Brown, Douglas E., Idabel, to the Board of Trustees for Southeastern Oklahoma State University-McCurtain County Campus, to serve a nine-year term ending June 30, 2027, succeeding Jimmy Tucker. (Education Committee) Motion to confirm made by Senator Joseph Silk.

Buergler, Kristie L., Nichols Hills, to the Oklahoma Arts Council, to serve a three-year term ending July 1, 2022, succeeding William Beckman. (Education Committee) Motion to confirm made by Senator Carri Hicks.

Curry, Tina L., Choctaw, to the State Textbook Committee, to serve a three-year term ending March 1, 2022, succeeding Melissa Beale. (Education Committee) Motion to confirm made by Senator Brenda Stanley.

Daniel, John Allen, Coalgate, to the Commission for Educational Quality and Accountability, to serve an unexpired term ending June 30, 2019, succeeding Dr. Mylo Miller. (Education Committee) Motion to confirm made by Senator David Bullard.

Daniel, John Allen, Coalgate, to the Commission for Educational Quality and Accountability, to serve a four-year term ending June 30, 2023, succeeding himself. (Education Committee) Motion to confirm made by Senator David Bullard.

Lewis, Zena W., Owasso, to the State Textbook Committee, to serve an unexpired term ending March 1, 2020, succeeding Heather D. Weilacher. (Education Committee) Motion to confirm made by Senator J. J. Dossett.

Luck, Adam, Oklahoma City, to the Oklahoma State Council for Interstate Adult Offender Supervision, to serve an unexpired term ending June 30, 2020, succeeding Tom Gilbert. (Judiciary Committee) Motion to confirm made by Senator Kay Floyd.

MacArthur, Brett, Edmond, to the Commission for Educational Quality and Accountability, to serve a four-year term ending June 30, 2023, succeeding Amy Bixler. (Education Committee) Motion to confirm made by Senator Stephanie Bice.

Mull, Erin M., Lawton, to the State Textbook Committee, to serve an unexpired term ending March 1, 2020, succeeding Leticia Kennedy. (Education Committee) Motion to confirm made by Senator Chris Kidd.

Nations, Katherine M., Oklahoma City, to the Commission for Educational Quality and Accountability, to serve a four-year term ending June 30, 2023, succeeding Douglas Brown. (Education Committee) Motion to confirm made by Senator Kay Floyd.

Parker, Kenneth L., Noble, to the Commission for Educational Quality and Accountability, to serve a four-year term ending June 30, 2023, succeeding Bruce Day. (Education Committee) Motion to confirm made by Senator Mary Boren.

Phillips, Michelle "Shelley", Tulsa, to the Oklahoma Arts Council, to serve a three-year term ending July 1, 2022, succeeding Adrienne Barnett. (Education Committee) Motion to confirm made by Senator James Leewright.

Rainbolt, Dana Kim, Oklahoma City, to the Oklahoma Arts Council, to serve a three-year term ending July 1, 2022, succeeding herself. (Education Committee) Motion to confirm made by Senator Carri Hicks.

Rawlings, Christy E., Tulsa, to the Oklahoma Lottery Commission-Board of Trustees, to serve a five-year term ending January 1, 2024, succeeding George Charlton. (Education Committee) Motion to confirm made by Senator Dave Rader on behalf of Senator Gary Stanislawski.

Walters, Ryan M., McAlester, to the Commission for Educational Quality and Accountability, to serve a four-year term ending June 30, 2023, succeeding Phredd Evans. (Education Committee) Motion to confirm made by Senator Larry Boggs.

Webb, Harley L., Yukon, to the State Textbook Committee, to serve a three-year term ending March 1, 2022, succeeding Traci Hanna. (Education Committee) Motion to confirm made by Senator Paul Rosino.

White, James R., Oklahoma City, to the Board of Regents for Oklahoma City Community College, to serve a seven-year term ending April 22, 2026, succeeding himself. (Education Committee) Motion to confirm made by Senator Michael Brooks.

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

Aye: 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, Simpson, Smalley, Standridge, Stanislawski, Stanley, Treat, Weaver and Young.--47.

Excused: Thompson.--1.

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

**HAs** to **SBs 441** and **1030** 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 336, 804** and **936**.

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

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

**SB 441** - Conference Committee on Rules

**SB 609** - Conference Committee on Public Safety



**SB 879** - Conference Committee on Rules

**SB 998** - Conference Committee on Energy and Natural Resources

**SB 1030** - Conference Committee on Rules

Returning following bills, together with conference committee reports thereon, advising adoption of conference committee reports and passage of measures as amended.

**SB 100**

**SB 848** - coauthored by Senator Sharp

The above-numbered measures, as amended in conference, were referred for enrollment.

Advising conferees unable to agree on the following:

**HB 2216**

Advising fourth reading of and transmitting for signature Enrolled **HB 1364**.

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

Advising concurrence in **SAs** to and passage of Engrossed **HB 1214**.

#### **MESSAGE FROM THE HOUSE CONFERENCE COMMITTEE REPORTS**

Transmitting the following bills, together with conference committee reports thereon, advising adoption of conference committee reports and passage of measures as amended.

**HB 1114**

**HB 1341**

**HB 1442** - coauthored by Representative Crosswhite Hader

**HB 1444** - coauthored by Representative Crosswhite Hader

**HB 1445** - coauthored by Representative Crosswhite Hader

**HB 1446** - coauthored by Representative Crosswhite Hader

**HB 2330** - remove as author Senator Simpson and substitute with Senator Standridge, coauthored by Senator Simpson

**HB 2468**

**HB 2628** - coauthored by Representative Grego

Conference committee reports were read on the above-numbered bills.

Senator David moved that when the clerk's desk is clear, the Senate stand adjourned to convene Thursday, May 16, 2019, at 9:30 a.m., which motion prevailed.

### **SCs NAMED**

Upon motion of Senator David, Senate conferees were appointed as follows:

**SB 280** – Simpson, Smalley, Rosino, Pugh, Ikley-Freeman, Young

**SB 441** – Quinn, Treat, David, Thompson, Smalley, Floyd, Brooks

**SB 508** – Newhouse, Quinn, Montgomery, Stanley, Brooks, Matthews

**SB 510** – Bice, Hall, Rader, Simpson, Floyd, Kirt

**SB 511** – Bice, Hall, Rader, Simpson, Floyd, Kirt

**SB 701** – Daniels, Jech, Paxton, Leewright, Brooks, Floyd

**SB 1030** – Paxton, Smalley, Daniels, Simpson, Ikley-Freeman, Young

### **CHANGE IN CONFEREE**

Advising change in Senate conferee as follows:

**SB 879** - remove Allen and replace with Dahm

### **CONFERENCE COMMITTEE REPORTS SUBMITTED**

Conference committee reports were read on the following bills:

**SB 101**

**SB 372**

**SB 444**

**SB 715**

**SB 888**

**FIRST READING**

The following were introduced and read the first time:

**SB 1080** – By Treat of the Senate and McCall of the House.

An Act relating to mining; amending Section 3 of Enrolled House Bill No. 2471 of the 1st Session of the 57th Oklahoma Legislature; clarifying certain Oklahoma Water Resources Board requirement; and providing an effective date.

**SJR 22** – By Treat of the Senate and McCall of the House.

A Joint Resolution disapproving certain proposed amendments to Rules of the Ethics Commission as submitted to the Legislature on February 4, 2019.

**CHANGE IN AUTHORS/COAUTHORS**

The following measures were authored/coauthored:

**SB 252** - Coauthored by Senator Kidd

**SB 948** - Coauthored by Senator David

**MESSAGES FROM THE GOVERNOR**

Advising his approval May 15, 2019, of Enrolled **SBs 135, 156, 220, 378, 603, 629, 641, 712 and 977.**

Pursuant to the David motion, the Senate adjourned at 3:30 p.m. to meet Thursday, May 16, 2019, at 9:30 a.m.