

Senate Journal

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

Sixty-fourth Legislative Day, Thursday, May 23, 2019

The Senate was called to order by Senator Stanislawski.

Roll Call:

Present: Allen, Bergstrom, Bice, Boggs, Boren, 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.

Excused: Brooks.—1.

Senator Stanislawski declared a quorum present.

The prayer was offered by Pastor Roger Valasquez, Shekinah Fellowship Church, Oklahoma City, the guest of Senator Dahm.

INTRODUCTION

Senator Boren introduced her son, Altus, to the Senate.

UNANIMOUS CONSENT REQUEST DIRECT TO CALENDAR

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

GENERAL ORDER

SCR 5 by Treat of the Senate and McCall of the House was called up for consideration.

SCR 5 was adopted upon motion of Senator David and referred for engrossment.

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 Stanislawski presiding.

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

REPORT OF ENGROSSED AND ENROLLED MEASURE

SCR 5 was correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 2477** was adopted upon motion of Senator Treat.

HB 2477, 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, Boren, Bullard, Coleman, Dahm, Daniels, David, Dossett, Dugger, Floyd, Hall, Haste, Hicks, Howard, Ikley-Freeman, Jech, Kidd, Leewright, McCortney, Montgomery, Murdock, Newhouse, Paxton, Pederson, Pemberton, Pugh, Quinn, Rader, Rosino, Scott, Sharp, Shaw, Simpson, Smalley, Standridge, Stanislawski, Stanley, Thompson, Treat, Weaver and Young.--44.

Excused: Brooks, Kirt, Matthews and Silk.--4.

The bill passed.

HB 2477, together with the conference committee report thereon, was ordered returned to the Honorable House.

PENDING CONSIDERATION OF JCR

The **JCR** on **HB 2773** was adopted upon motion of Senator Treat.

HB 2773 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, Bullard, Coleman, Dahm, Daniels, David, Dossett, Dugger, Floyd, Hall, Haste, Hicks, Howard, Ikley-Freeman, Jech, Kidd, Leewright, Matthews, McCortney, Montgomery, Murdock, Newhouse, Paxton, Pederson, Pemberton, Pugh, Quinn, Rader, Rosino, Scott, Sharp, Shaw, Simpson, Smalley, Standridge, Stanislawski, Stanley, Thompson, Treat, Weaver and Young.--45.

Excused: Brooks, Kirt and Silk.--3.

The bill and emergency passed.

HB 2773 together with the joint committee report thereon, was ordered returned to the Honorable House.

PENDING CONSIDERATION OF HAS

HAs to **SB 985** were concurred in upon motion of Senator David.

SB 985, 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: Bergstrom, Bice, Boggs, Boren, Bullard, Coleman, 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, Simpson, Smalley, Standridge, Stanislawski, Stanley, Thompson, Weaver and Young.--42.

Nay: Allen and Dahm.--2.

Excused: Brooks, Murdock, Silk and Treat.--4.

The bill and emergency passed.

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

PENDING CONSIDERATION OF JCR

The **JCR** on **HB 2751** was adopted upon motion of Senator Daniels.

HB 2751 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, Bullard, Coleman, Dahm, Daniels, David, Dossett, Dugger, Hall, Haste, Hicks, Howard, Ikley-Freeman, Jech, Kidd, Kirt, Leewright, Matthews, McCortney, Montgomery, Newhouse, Paxton, Pederson, Pemberton, Pugh, Quinn, Rader, Rosino, Scott, Sharp, Shaw, Simpson, Smalley, Standridge, Stanislawski, Stanley, Thompson, Weaver and Young.--43.

Excused: Brooks, Floyd, Murdock, Silk and Treat.--5.

The bill and emergency passed.

HB 2751 together with the joint committee report thereon, was ordered returned to the Honorable House.

PENDING CONSIDERATION OF JCR

The **JCR** on **HB 2759** was adopted upon motion of Senator Smalley.

HB 2759 was read at length.

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

Aye: Bergstrom, Bice, Boggs, Bullard, Coleman, Daniels, David, Dossett, Dugger, Floyd, Hall, Haste, Hicks, Ikley-Freeman, Jech, Kidd, Kirt, Leewright, Matthews, Montgomery, Paxton, Pederson, Pemberton, Quinn, Rader, Rosino, Sharp, Simpson, Smalley, Stanislawski, Stanley, Thompson, Weaver and Young.--34.

Nay: Allen, Boren, Dahm, Howard, McCortney, Newhouse, Pugh, Scott, Shaw and Standridge.--10.

Excused: Brooks, Murdock, Silk and Treat.--4.

The bill passed.

HB 2759 together with the joint committee report thereon, was ordered returned to the Honorable House.

Senator Bice presiding.

PENDING CONSIDERATION OF JCR

The **JCR** on **HB 2755** was adopted upon motion of Senator Stanislawski.

HB 2755 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, 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, Simpson, Smalley, Standridge, Stanislawski, Stanley, Thompson, Weaver and Young.--44.

Excused: Brooks, Murdock, Silk and Treat.--4.

The bill and emergency passed.

HB 2755 together with the joint committee report thereon, was ordered returned to the Honorable House.

Senator Stanislawski presiding.

PENDING CONSIDERATION OF JCR

The **JCR** on **HB 2758** was adopted upon motion of Senator Thompson.

HB 2758 was read at length.

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

Aye: Allen, Bergstrom, Bice, Boggs, Boren, 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, Simpson, Smalley, Standridge, Stanislawski, Stanley, Thompson, Weaver and Young.--44.

Excused: Brooks, Murdock, Silk and Treat.--4.

The bill passed.

HB 2758 together with the joint committee report thereon, was ordered returned to the Honorable House.

FIRST READING

The following was introduced and read the first time:

SR 8 – By Shaw.

A resolution condemning persecution of Christians around the world; and calling on the President and Congress to take action.

**UNANIMOUS CONSENT REQUEST
DIRECT TO CALENDAR**

Senator Shaw asked unanimous consent to refer **SR 8** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

SR 8 by Shaw was called up for consideration.

Senators Scott, Quinn, Newhouse, Weaver, Pemberton, Allen, Dugger, Rader, Leewright, Kidd, Montgomery, Standridge, Silk, Jech, Murdock, Howard, Thompson, Treat, Dahm, Bice, Pugh, Rosino, Stanislawski, Pederson, Bullard, Sharp, Simpson, David, Boggs, Haste, Daniels, McCortney, Bergstrom, Stanley, Smalley, Hall, Paxton and Coleman asked to coauthor **SR 8**, which was the order.

SR 8 was adopted upon motion of Senator Shaw 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 Stanislawski presiding.

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

UNANIMOUS CONSENT REQUEST DIRECT TO CALENDAR

Senator Treat asked unanimous consent to refer **SR 7** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

SR 7 by Treat was called up for consideration.

SR 7 was adopted upon motion of Senator Treat and referred for enrollment.

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 1269** was adopted upon motion of Senator Bice.

HB 1269, as amended in conference, was read at length.

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

Aye: Bergstrom, Bice, Boren, Coleman, Dahm, Daniels, David, Dossett, Dugger, Floyd, Hall, Haste, Hicks, Ikley-Freeman, Jech, Kidd, Kirt, Leewright, Matthews, McCortney, Newhouse, Paxton, Pemberton, Pugh, Rader, Rosino, Sharp, Simpson, Smalley, Stanley, Thompson, Treat, Weaver and Young.--34.

Nay: Allen, Boggs, Bullard, Howard, Montgomery, Murdock, Pederson, Quinn, Scott, Standridge and Stanislawski.--11.

Excused: Brooks, Shaw and Silk.--3.

The bill passed.

HB 1269, together with the conference committee report thereon, was ordered returned to the Honorable House.

MESSAGES FROM THE HOUSE

Advising passage of and returning the following Engrossed bills:

SB 1044

SB 1048 - coauthored by Senator Sharp

SB 1051 - coauthored by Representative Roe

SB 1055 - coauthored by Representative Roe

SB 1056

SB 1057

SB 1068

SB 1072

SB 1076

SCR 5

The above-numbered measures were referred for enrollment.

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

SB 1

SB 85 - coauthored by Senator Sharp

SB 544

SB 715

SB 998

SB 1030

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

REPORT OF ENGROSSED AND ENROLLED MEASURES

SBs 1, 85, 544, 715, 985, 998, 1030, 1044, 1048, 1051, 1055, 1056, 1057, 1068, 1072 and **1076** and **SCR 5** were each correctly enrolled and after fourth reading, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

SRs 7 and **8** were each correctly enrolled, properly signed and ordered transmitted to the Secretary of State.

MESSAGES FROM THE HOUSE

Advising fourth reading of and returning Enrolled **SBs 1, 85, 544, 715, 985, 998, 1030, 1044, 1048, 1051, 1055, 1056, 1057, 1068, 1072** and **1076**.

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

Advising the signing of and returning Enrolled **SCR 5**.

The above-numbered enrolled measure was transmitted to the Secretary of State.

Advising concurrence in **SAs** to and passage of Engrossed **HBs 2334** and **2339** and **HJR 1022**.

Advising fourth reading of and transmitting for signature Enrolled **HBs 1259, 1269, 2334, 2339, 2472, 2477, 2601, 2751, 2755, 2758, 2759** and **2773** and **HJR 1022**.

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

CHANGE IN AUTHORS/COAUTHORS

The following measures were authored/coauthored:

HB 1269 - Coauthored by Senator Matthews

HB 1403 - Coauthored by Senator Boggs

MESSAGES FROM THE GOVERNOR

Advising his approval May 23, 2019, of Enrolled **SBs 170, 532, 888 and 948**.

President Pro Tempore Treat moved that pursuant to the provisions of Senate Concurrent Resolution 5, and when the clerk's desk is clear, the Senate stand adjourned, which motion prevailed.

SCR 5 reads as follows:

Enrolled SCR 5 - By Treat of the Senate and McCall of the House

A Concurrent Resolution allowing the Senate or House of Representatives to reconvene prior to certain date and time; providing procedures; providing for sine die adjournment pursuant to Oklahoma Constitution.

WHEREAS, Section 26 of Article V of the Oklahoma Constitution establishes the first Monday in February as the day on which the regular legislative session commences, after an organizational day on the first Tuesday after the first Monday in odd-numbered years, and requires that the regular session be finally adjourned sine die not later than the last Friday in May; and

WHEREAS, based on these parameters, the legislative calendar for the 1st Session of the 57th Oklahoma Legislature began on February 4, 2019, after the organizational day on January 8, 2019, and will end not later than May 31, 2019; and

WHEREAS, the Oklahoma Legislature will complete its work for the regular legislative session in a timely manner on Thursday, May 23, 2019, prior to the date required to be finally adjourned sine die; and

WHEREAS, the Oklahoma Legislature recognizes that unforeseen circumstances may arise that require the Legislature's attention prior to sine die adjournment.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE 1ST SESSION OF THE 57TH OKLAHOMA LEGISLATURE, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

THAT following adjournment of each house on May 23, 2019, the Senate or the House of Representatives may reconvene at any time prior to 5:00 p.m. on Friday, May 31, 2019, upon the mutual agreement of the President Pro Tempore of the Senate and the Speaker of the House of Representatives; provided, that members of the respective house shall be provided at least twenty-four (24) hours' notice of the reconvening of said chamber.

THAT pursuant to the provisions of Section 30 of Article V of the Oklahoma Constitution, each house shall have the permission of the opposite house to adjourn for more than three days beginning Thursday, May 23, 2019, and ending not later than 5:00 p.m. on Friday, May 31, 2019.

THAT if the Senate or the House of Representatives reconvene pursuant to the provisions of this resolution, the respective chambers will adjourn sine die at such time as may be declared by the Presiding Officer of the respective chambers, but in no case later than 5:00 p.m. on Friday, May 31, 2019; provided, that in the event the Senate or the House of Representatives are not reconvened prior to or on Friday, May 31, 2019, then the respective chambers of the Oklahoma Legislature shall be deemed to stand adjourned sine die at 5:00 p.m. on Friday, May 31, 2019.

Pursuant to the Treat motion, the Senate adjourned at 12:40 p.m.

FINAL ACTION ON BILLS AFTER ADJOURNMENT

Advising his approval May 24, 2019, of Enrolled **SBs 1, 1045, 1047, 1068 and 1076.**

Advising his approval May 28, 2019, of Enrolled **SBs 70, 86, 193, 280, 441, 444, 876, 1042, 1043, 1049, 1052, 1059, 1060, 1061, 1064, 1065, 1070, 1080, and SJR 22.**

Advising his approval May 29, 2019, of Enrolled **SBs 85, 544, 715, 985, 998, 1030, 1044, 1048, 1051, 1057 and 1072.**

Advising that in accordance with Article 2, Section 11, of the Oklahoma Constitution, **Senate Bill 1066** has become law without the Governor's signature and has been filed with the Office of the Secretary of State.

Advising his veto May 29, 2019, of Enrolled **SBs 1055 and 1056.**

May 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 1055:

This is to advise you that on this date, pursuant to the authority vested in me by Section 12 of Article VI of the Oklahoma Constitution to approve or disapprove appropriation bills presented to me, I have line item vetoed all of Section 6 of Senate Bill 1055 appropriating the sum of Sixteen Million Dollars (\$16,000,000.00) to the Department of Human Service Infrastructure Revolving Fund. This line item is unnecessary because Senate Bill 1056, which created the aforementioned Revolving Fund, has been vetoed. By vetoing this item, the funds specified therein will remain in the budget of the Oklahoma Department of Human Services, and the Director will have the authority to further respond to the infrastructure needs of the agency.

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

May 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 1056:

This is to advise you that on this date, pursuant to the authority vested in me by Section 11 of Article VI of the Oklahoma Constitution to approve or object to legislation presented to me, I have vetoed Senate Bill 1056.

Senate Bill 1056 would create a revolving fund for the Department of Human Services to be designated the "Department of Human Services Infrastructure Revolving Fund". Pursuant to this legislation, this fund shall only be expended at the direction of the Oklahoma Legislature. Pursuant to Senate Bill 1055, the legislation directing the Department of Human Services budget limits, Sixteen Million Dollars (\$16,000,000.00) shall be deposited into this fund. This infrastructure fund is set aside for the maintenance and care of the Robert M. Greer Center within the Department of Human Services, a specialized facility for persons with dual diagnosis of developmental disabilities and mental illness. I share the legislature's desire to address this pressing need. However, by placing this money in a fund that can only be expended at the direction of the legislature, I fear this demanding need will be unduly deferred to a later date. Instead, I direct that this money be expended at the direction of the Department of Human Services in collaboration with the Legislature and my office. The purpose and intent of these funds is to address the needs of this population, some of Oklahoma's most vulnerable.

For the above reasons, I have vetoed Senate Bill 1056.

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

Pursuant to **SCR 5**, the First Regular Session of the Fifty-seventh Legislature adjourned sine die at 5:00 p.m., Friday, May 31, 2019.