

Senate Journal

Second Regular Session of the Fifty-fifth Legislature of the State of Oklahoma

Fourteenth Legislative Day, Tuesday, February 23, 2016

The Senate was called to order by Senator David.

Roll Call:

Present: Allen, Anderson, Barrington, Bass, Bice, Bingman, Boggs, Brecheen, Brooks, Brown, Crain, Dahm, David, Dossett, Fields, Floyd, Ford, Garrison, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Matthews, Mazzei, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat, Wyrick and Yen.—46.

Excused: Fry and Newberry.—2.

Senator David declared a quorum present.

The prayer was offered by Pastor Alex Costea, Cheyenne United Methodist Church, Cheyenne, the guest of Senator Jech.

REPORT OF ENGROSSED AND ENROLLED MEASURES

SBs 998, 1033, 1069, 1186, 1196 and **1211** were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

CHANGE IN COMMITTEE ASSIGNMENTS

SB 1458 – Withdrawn from Public Safety and Appropriations and referred to Public Safety

GENERAL ORDER

SB 922 by Simpson of the Senate and Roberts (Dustin) of the House was called up for consideration.

Senator Simpson moved that **SB 922** be advanced, which motion was declared adopted.

THIRD READING

SB 922 was read for the third time at length.

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

Aye: Allen, Anderson, Barrington, Bass, Bice, Bingman, Boggs, Brecheen, Brooks, Brown, Crain, Dahm, David, Dossett, Fields, Floyd, Ford, Garrison, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Matthews, Mazzei, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Silk, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat, Wyrick and Yen.--45.

Excused: Fry, Newberry and Shortey.--3.

The bill and emergency passed.

SB 922 was referred for engrossment.

GENERAL ORDER

SB 926 by Simpson of the Senate and Roberts (Dustin) of the House was called up for consideration.

Senator Simpson moved that **SB 926** be advanced, which motion was declared adopted.

THIRD READING

SB 926 was read for the third time at length.

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

Aye: Allen, Anderson, Barrington, Bass, Bice, Bingman, Boggs, Brecheen, Brooks, Brown, Crain, Dahm, David, Dossett, Fields, Floyd, Ford, Garrison, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Matthews, Mazzei, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Silk, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat, Wyrick and Yen.--45.

Excused: Fry, Newberry and Shortey.--3.

The bill and emergency passed.

SB 926 was referred for engrossment.

GENERAL ORDER

SB 928 by Simpson of the Senate and Roberts (Dustin) of the House was called up for consideration.

Senator Simpson moved that **SB 928** be advanced, which motion was declared adopted.

THIRD READING

SB 928 was read for the third time at length.

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

Aye: Allen, Anderson, Barrington, Bass, Bice, Boggs, Brecheen, Brooks, Brown, Crain, Dahm, David, Dossett, Fields, Floyd, Ford, Garrison, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Matthews, Mazzei, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Silk, Simpson, Smalley, Sparks, Standridge, Stanislowski, Sykes, Thompson, Treat, Wyrick and Yen.--44.

Excused: Bingman, Fry, Newberry and Shortey.--4.

The bill and emergency passed.

SB 928 was referred for engrossment.

GENERAL ORDER

SB 935 by Simpson of the Senate and Roberts (Dustin) of the House was called up for consideration.

Senator Simpson moved that **SB 935** be advanced, which motion was declared adopted.

THIRD READING

SB 935 was read for the third time at length.

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

Aye: Allen, Anderson, Barrington, Bass, Bice, Bingman, Boggs, Brecheen, Brooks, Brown, Crain, Dahm, David, Dossett, Fields, Floyd, Ford, Garrison, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Matthews, Mazzei, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat, Wyrick and Yen.--46.

Excused: Fry and Newberry.--2.

The bill and emergency passed.

SB 935 was referred for engrossment.

GENERAL ORDER

SB 949 by Simpson of the Senate and Roberts (Dustin) of the House was called up for consideration.

Senator Simpson moved that **SB 949** be advanced, which motion was declared adopted.

THIRD READING

SB 949 was read for the third time at length.

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

Aye: Allen, Anderson, Barrington, Bass, Bice, Bingman, Boggs, Brecheen, Brooks, Brown, Crain, Dahm, David, Dossett, Fields, Floyd, Ford, Garrison, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Matthews, Mazzei, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat, Wyrick and Yen.--46.

Excused: Fry and Newberry.--2.

The bill and emergency passed.

SB 949 was referred for engrossment.

GENERAL ORDER

SB 1020 by Barrington and Fields of the Senate and Wallace of the House was called up for consideration.

Senator Barrington moved that **SB 1020** be advanced, which motion was declared adopted.

THIRD READING

SB 1020 was read for the third time at length.

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

Aye: Allen, Anderson, Barrington, Bass, Bice, Bingman, Boggs, Brecheen, Brooks, Brown, Crain, Dahm, David, Dossett, Fields, Floyd, Ford, Garrison, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Matthews, Mazzei, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat, Wyrick and Yen.--46.

Excused: Fry and Newberry.--2.

The bill passed.

SB 1020 was referred for engrossment.

GENERAL ORDER

SB 1004 by Sharp of the Senate and Henke of the House was called up for consideration.

Senator Sharp moved that **SB 1004** be advanced, which motion was declared adopted.

THIRD READING

SB 1004 was read for the third time at length.

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

Aye: Anderson, Barrington, Bass, Bice, Bingman, Boggs, Brecheen, Brooks, Brown, Crain, Dahm, David, Dossett, Fields, Floyd, Ford, Garrison, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Matthews, Mazzei, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat, Wyrick and Yen.--45.

Excused: Allen, Fry and Newberry.--3.

The bill and emergency passed.

SB 1004 was referred for engrossment.

GENERAL ORDER

SB 884 by Brooks of the Senate and Cox of the House was called up for consideration.

Senator Brooks moved that **SB 884** be advanced, which motion was declared adopted.

THIRD READING

SB 884 was read for the third time at length.

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

Aye: Allen, Anderson, Barrington, Bass, Bice, Bingman, Boggs, Brecheen, Brooks, Brown, Crain, Dahm, David, Dossett, Fields, Floyd, Ford, Garrison, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Matthews, Mazzei, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat, Wyrick and Yen.--46.

Excused: Fry and Newberry.--2.

The bill passed.

SB 884 was referred for engrossment.

GENERAL ORDER

SB 1335 by Brooks of the Senate and Christian of the House was called up for consideration.

Senator Brooks moved that **SB 1335** be advanced, which motion was declared adopted.

THIRD READING

SB 1335 was read for the third time at length.

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

Aye: Anderson, Barrington, Boggs, Brecheen, Brooks, Crain, Ford, Griffin, Halligan, Holt, Jech, Justice, Quinn, Sharp, Shaw, Shortey, Silk, Standridge, Thompson and Yen.--20.

Nay: Allen, Bass, Bingman, Brown, Dahm, David, Dossett, Fields, Floyd, Garrison, Jolley, Loveless, Matthews, Mazzei, Paddack, Pittman, Schulz, Simpson, Smalley, Sparks, Stanislawski, Sykes, Treat and Wyrick.--24.

Excused: Bice, Fry, Marlatt and Newberry.--4.

The bill failed.

The Chair advised that Senator Bice, having been present in the Chamber during the vote on **SB 1335** would be shown voting Nay in compliance with Rule 8-31B. The vote thereby resulted as follows: Aye: 20; Nay: 25; Excused: 3.

Pursuant to Rule 8-32, Senator Brooks served notice that the vote be reconsidered whereby **SB 1335** failed.

MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed **HBs 2601** and **3128**.

HB 2601 – By Ritze and Denney of the House and Brown of the Senate.

An Act relating to public health; requiring health care facilities to include certain breast density information in a mammography report; requiring notice under certain circumstances; providing that certain information may be provided to patient; providing that no duty of care exists; providing that notice shall not be inconsistent with federal law; providing for codification; and providing an effective date.

HB 3128 – By Cockroft and Faught of the House and Treat of the Senate.

An Act relating to public health and safety; creating the Prenatal Nondiscrimination Act of 2016; defining certain terms; prohibiting performance of abortion due to diagnosis of Down syndrome or genetic abnormality of unborn child; providing certain penalties; excluding liability of certain woman; providing for construction; providing for severability; permitting certain individuals to intervene if constitutionality is challenged; providing for codification; and providing an effective date.

The above-numbered measures were read the first time.

Senator Schulz moved that when the clerk's desk is clear, the Senate stand adjourned to convene Wednesday, February 24, 2016, 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:

SB 1095 – Judiciary

Ayes: Brooks, Crain, Floyd, Griffin, Holt, Sparks, Standridge, Sykes, Thompson, Treat

SB 1166 – Judiciary

Ayes: Brooks, Crain, Floyd, Griffin, Holt, Sparks, Standridge, Sykes, Thompson, Treat

SB 1249 – Judiciary

Ayes: Brooks, Floyd, Griffin, Holt, Sparks, Standridge, Sykes, Thompson, Treat

SB 1317 – Transportation

Ayes: Allen, Barrington, Bice, Loveless, Marlatt, Matthews, Paddack, Pittman, Silk, Smalley, Stanislawski

SB 1318 – Transportation

Ayes: Allen, Barrington, Bice, Loveless, Matthews, Paddack, Pittman, Shortey, Silk, Smalley, Stanislawski

SB 1378 – Transportation

Ayes: Allen, Barrington, Bice, Loveless, Marlatt, Matthews, Paddack, Pittman, Shortey, Silk, Smalley, Stanislawski

SB 1515 – Judiciary

Ayes: Brooks, Crain, Floyd, Griffin, Holt, Sparks, Standridge, Sykes, Thompson, Treat

DO PASS, As Amended:

CS for SB 58 – Judiciary

Ayes: Brooks, Floyd, Griffin, Holt, Sparks, Standridge, Sykes, Thompson, Treat
Nays: Crain

SB 441 – Judiciary

Ayes: Brooks, Crain, Floyd, Griffin, Holt, Sparks, Standridge, Sykes, Thompson, Treat

SB 743 – Transportation

Ayes: Allen, Barrington, Bice, Marlatt, Matthews, Paddack, Pittman, Shortey, Silk, Smalley, Stanislawski

SB 770 – Judiciary

Ayes: Brooks, Crain, Floyd, Griffin, Holt, Sparks, Standridge, Sykes, Thompson, Treat

SB 791 – Judiciary

Ayes: Brooks, Crain, Floyd, Griffin, Holt, Sparks, Standridge, Sykes, Thompson, Treat

SB 880 – Judiciary, coauthored by Osborn (principal House author)

Ayes: Brooks, Crain, Floyd, Griffin, Holt, Sparks, Standridge, Sykes, Thompson, Treat

CS for SB 891 – Finance

Ayes: Dahm, David, Ford, Halligan, Jech, Mazzei, Paddack, Quinn, Simpson, Sparks, Wyrick, Yen

CS for SB 892 – Finance

Ayes: Dahm, Ford, Halligan, Jech, Mazzei, Quinn, Wyrick, Yen

Nays: David, Jolley, Paddack, Simpson, Sparks

SB 900 – Finance

Ayes: Dahm, Ford, Halligan, Jech, Paddack, Quinn, Simpson, Sparks, Wyrick, Yen

CS for SB 916 – Finance

Ayes: Dahm, David, Ford, Halligan, Jech, Mazzei, Quinn, Simpson, Yen

Nays: Paddack, Sparks, Wyrick

CS for SB 990 – Judiciary

Ayes: Brooks, Crain, Floyd, Griffin, Holt, Sparks, Standridge, Sykes, Thompson, Treat

CS for SB 1073 – Finance

Ayes: Ford, Halligan, Jech, Mazzei, Paddack, Quinn, Simpson, Sparks, Wyrick, Yen

Nays: Dahm, David

SB 1083 – Judiciary

Ayes: Brooks, Crain, Floyd, Griffin, Holt, Sparks, Standridge, Sykes, Thompson, Treat

CS for SB 1091 – Judiciary

Ayes: Brooks, Crain, Floyd, Griffin, Holt, Sparks, Standridge, Sykes, Thompson, Treat

SB 1113 – Judiciary

Ayes: Brooks, Crain, Floyd, Griffin, Holt, Sparks, Standridge, Sykes, Thompson, Treat

SB 1126 – Judiciary

Ayes: Brooks, Crain, Floyd, Griffin, Holt, Sparks, Standridge, Sykes, Thompson, Treat

SB 1129 – Finance

Ayes: Dahm, Ford, Halligan, Jech, Mazzei, Paddack, Quinn, Simpson, Sparks, Wyrick,
Yen

CS for SB 1142 – Tourism and Wildlife

Ayes: Boggs, Brecheen, Brown, Fields, Justice, Sharp, Shaw

Nays: Anderson, Bass, Garrison, Wyrick

CS for SB 1177 – Transportation

Ayes: Allen, Barrington, Bice, Loveless, Marlatt, Matthews, Paddack, Shortey, Silk,
Smalley, Stanislawski

SB 1200 – Judiciary

Ayes: Brooks, Floyd, Griffin, Holt, Sparks, Standridge, Sykes, Thompson, Treat

SB 1206 – Tourism and Wildlife

Ayes: Anderson, Bass, Boggs, Brown, Fields, Garrison, Justice, Shaw, Wyrick

Nays: Brecheen

SB 1233 – Judiciary

Ayes: Brooks, Floyd, Griffin, Holt, Sparks, Standridge, Sykes, Thompson, Treat

CS for SB 1240 – Finance

Ayes: Ford, Halligan, Jech, Mazzei, Paddack, Simpson, Sparks, Wyrick, Yen

Nays: Dahm, Quinn

CS for SB 1251 – Finance

Ayes: David, Ford, Halligan, Jech, Mazzei, Paddack, Quinn, Simpson, Sparks, Wyrick,
Yen

Nays: Dahm

CS for SB 1252 – Finance

Ayes: Dahm, Ford, Halligan, Jech, Paddack, Quinn, Simpson, Sparks, Wyrick, Yen

CS for SB 1301 – Finance

Ayes: David, Ford, Halligan, Jech, Mazzei, Paddack, Quinn, Sparks, Wyrick, Yen

Nays: Dahm

SB 1338 – Finance

Ayes: Dahm, Ford, Halligan, Jech, Quinn, Simpson, Wyrick, Yen

Nays: Sparks

CS for SB 1393 – Finance

Ayes: Dahm, David, Ford, Halligan, Jech, Jolley, Mazzei, Quinn, Simpson, Yen

Nays: Paddack, Sparks, Wyrick

SB 1433 – Transportation

Ayes: Allen, Barrington, Bice, Loveless, Paddack, Pittman, Shortey, Silk, Stanislawski

Nays: Marlatt, Smalley

SB 1443 – Finance

Ayes: Dahm, Ford, Halligan, Jech, Paddack, Quinn, Simpson, Wyrick, Yen

Nays: Sparks

SB 1455 – Finance

Ayes: Dahm, Ford, Halligan, Jech, Paddack, Quinn, Simpson, Sparks, Wyrick, Yen

SB 1459 – Finance

Ayes: Dahm, Ford, Halligan, Jech, Paddack, Quinn, Simpson, Sparks, Wyrick, Yen

CS for SB 1484 – Finance

Ayes: Dahm, David, Ford, Halligan, Jech, Jolley, Mazzei, Paddack, Quinn, Simpson, Sparks, Wyrick, Yen

SB 1495 – Judiciary

Ayes: Brooks, Floyd, Griffin, Holt, Sparks, Standridge, Sykes, Thompson, Treat

SJR 62 – Finance

Ayes: David, Ford, Halligan, Jech, Paddack, Quinn, Simpson, Sparks, Yen

Nays: Dahm

FAILED:

SB 1315 – Finance

Ayes: Dahm, Mazzei

Nays: David, Ford, Halligan, Jech, Jolley, Paddack, Quinn, Simpson, Sparks, Wyrick, Yen

COMMITTEE REPORTS

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

DO PASS:

SB 1059 – Transportation

Ayes: Barrington, Bice, Loveless, Marlatt, Matthews, Paddack, Pittman, Smalley, Stanislawski

Nays: Allen, Silk

DO PASS, As Amended:

SB 1400 – Transportation

Ayes: Allen, Bice, Loveless, Marlatt, Shortey, Silk, Smalley

Nays: Barrington, Matthews, Paddack, Pittman, Stanislawski

FIRST READING

The following was introduced and read the first time:

SR 45 – By Anderson.

A Resolution recognizing the 4th Wednesday of February as Oklahoma Technology Directors' Day in Oklahoma; and directing distribution.

CHANGE IN AUTHORS/COAUTHORS

The following measures were authored/coauthored:

SB 707 - Coauthored by Bennett

SB 880 - Coauthored by Osborn (principal House author)

SB 902 - Coauthored by Enns (principal House author)

SB 983 - Coauthored by Martin (principal House author)

SB 1020 - Coauthored by Fields

SB 1060 - Coauthored by Faught (principal House author)

SB 1170 - Coauthored by Bennett

SB 1179 - Coauthored by Cox (principal House author)

SB 1187 - Remove as coauthor Senator Brecheen

SB 1217 - Coauthored by Grau (principal House author)

SB 1252 - Coauthored by McDaniel (Jeannie) (principal House author)

SB 1273 - Coauthored by Cockroft (principal House author)

Coauthored by David

SB 1274 - Coauthored by Cockroft (principal House author)
SB 1297 - Coauthored by McCullough (principal House author)
SB 1329 - Coauthored by Dunlap (principal House author)
SB 1333 - Coauthored by Denney (principal House author)
SB 1363 - Remove as author Senator Loveless; authored by David
SB 1374 - Coauthored by Denney (principal House author)
SB 1389 - Coauthored by Jolley
SB 1395 - Coauthored by Hall (principal House author)
SB 1424 - Coauthored by Ownbey (principal House author)
SB 1446 - Coauthored by Wright (principal House author)
SB 1490 - Coauthored by Wright (principal House author)
SB 1503 - Coauthored by Peterson (principal House author)
SB 1538 - Coauthored by Peterson (principal House author)
HB 1697 - Coauthored by David

Pursuant to the Schulz motion, the Senate adjourned at 3:00 p.m. to meet Wednesday, February 24, 2016, at 1:30 p.m.