

# Senate Journal

**Second Regular Session of the Fifty-fifth Legislature**

**of the State of Oklahoma**

**Thirty-ninth Legislative Day, Monday, April 11, 2016**

The Senate was called to order by Senator Griffin.

Roll Call:

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

Excused: Garrison and Simpson.—2.

Senator Griffin declared a quorum present.

The prayer was offered by Pastor Bill Ledbetter, Fairview Baptist Church, Fairview, the guest of Senator Brecheen.

## **REPORT OF ENGROSSED AND ENROLLED MEASURES**

**SBs 14, 823, 1317, 1370 and 1371** were each correctly enrolled and after fourth reading, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

**SCR 36** was correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

**GENERAL ORDER**

**HB 2676** by Williams et al of the House and Brooks of the Senate was called up for consideration.

Senator Brooks moved to amend **HB 2676**, Page 1, by restoring the title, effective date and emergency clause, which amendment was declared adopted.

Senator Brooks moved that **HB 2676** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 2676** 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, Bice, Bingman, Boggs, Brooks, Crain, David, Dossett, Fields, Floyd, Ford, Fry, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Matthews, Newberry, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Smalley, Sparks, Stanislawski, Thompson, Treat and Yen.--36.

Nay: Brecheen, Brown, Dahm, Mazzei, Silk and Sykes.--6.

Excused: Bass, Garrison, Shortey, Simpson, Standridge and Wyrick.--6.

The bill and emergency passed.

**HB 2676** was referred for engrossment.

**GENERAL ORDER**

**HB 2423** by Cleveland of the House and Holt of the Senate was called up for consideration.

Senator Holt moved that **HB 2423** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 2423** 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, Bice, Boggs, Brecheen, Brooks, Brown, Crain, Dahm, David, Dossett, Fields, Floyd, Ford, Fry, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Matthews, Mazzei, Newberry, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Silk, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson and Yen.--41.

Excused: Bass, Bingman, Garrison, Shortey, Simpson, Treat and Wyrick.--7.

The bill passed.

**HB 2423** was properly signed and ordered returned to the Honorable House.

**GENERAL ORDER**

**HB 2586** by Perryman of the House and Jech and Pittman of the Senate was called up for consideration.

Senator Jech moved to amend **HB 2586**, Page 1, by restoring the title and enacting clause, which amendment was declared adopted.

The above amendment restores **HB 2586** to the engrossed version of the bill.

Senator Jech moved that **HB 2586** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 2586** 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, Bice, Boggs, Brecheen, Brooks, Brown, Crain, Dahm, David, Dossett, Fields, Floyd, Ford, Fry, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Matthews, Mazzei, Newberry, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Silk, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson and Yen.--41.

Excused: Bass, Bingman, Garrison, Shortey, Simpson, Treat and Wyrick.--7.

The bill passed.

**HB 2586** was properly signed and ordered returned to the Honorable House.

### **GENERAL ORDER**

**HB 2097** by Mulready and Moore of the House and Brown of the Senate was called up for consideration.

Senator Brown moved that **HB 2097** be advanced, which motion was declared adopted.

### **THIRD READING**

**HB 2097** 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, Bice, Boggs, Brecheen, Brooks, Brown, Crain, Dahm, David, Dossett, Fields, Floyd, Ford, Fry, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Matthews, Mazzei, Newberry, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Silk, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson and Yen.--41.

Excused: Bass, Bingman, Garrison, Shortey, Simpson, Treat and Wyrick.--7.

The bill passed.

**HB 2097** was properly signed and ordered returned to the Honorable House.

### **GENERAL ORDER**

**HB 2761** by Kirby of the House and Brown of the Senate was called up for consideration.

Senator Brown moved that **HB 2761** be advanced, which motion was declared adopted.

### **THIRD READING**

**HB 2761** was read for the third time at length.

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

Aye: Anderson, Barrington, Bice, Boggs, Brooks, Brown, Crain, David, Dossett, Fields, Floyd, Ford, Fry, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Matthews, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Smalley, Sparks, Standridge, Stanislawski, Thompson and Yen.--34.

Nay: Allen, Brecheen, Dahm, Griffin, Mazzei, Newberry, Silk and Sykes.--8.

Excused: Bass, Bingman, Garrison, Simpson, Treat and Wyrick.--6.

The bill passed.

**HB 2761** was properly signed and ordered returned to the Honorable House.

### **GENERAL ORDER**

**HB 2996** by Moore of the House and Brown of the Senate was called up for consideration.

Senator Brown moved that **HB 2996** be advanced, which motion was declared adopted.

### **THIRD READING**

**HB 2996** 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, Bice, Boggs, Brecheen, Brooks, Brown, Crain, Dahm, David, Dossett, Fields, Floyd, Ford, Fry, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Matthews, Mazzei, Newberry, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson and Yen.--42.

Excused: Bass, Bingman, Garrison, Simpson, Treat and Wyrick.--6.

The bill passed.

**HB 2996** was referred for engrossment.

### **GENERAL ORDER**

**HB 3158** by Hickman et al of the House and Justice of the Senate was called up for consideration.

Senator Justice moved that **HB 3158** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 3158** 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, Bice, Boggs, Brecheen, Brooks, Brown, Crain, Dahm, David, Dossett, Fields, Floyd, Ford, Fry, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Matthews, Mazzei, Newberry, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson and Yen.--42.

Excused: Bass, Bingman, Garrison, Simpson, Treat and Wyrick.--6.

The bill and emergency passed.

**HB 3158** was properly signed and ordered returned to the Honorable House.

**GENERAL ORDER**

**HB 3167** by Hickman et al of the House and Stanislawski of the Senate was called up for consideration.

Senator Stanislawski moved to amend **HB 3167**, Page 4, Lines 11 through 14, by restoring all of the stricken language, which amendment was declared adopted..

Senator Stanislawski moved that **HB 3167** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 3167** 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, Bice, Boggs, Brecheen, Brown, Crain, David, Ford, Fry, Halligan, Holt, Jech, Justice, Loveless, Quinn, Schulz, Sharp, Shaw, Silk, Standridge, Stanislawski, Thompson and Yen.--25.

Nay: Bingman, Brooks, Dahm, Dossett, Fields, Floyd, Griffin, Jolley, Marlatt, Matthews, Mazzei, Newberry, Paddack, Pittman, Shortey, Smalley, Sparks, Sykes and Treat.--19.

Excused: Bass, Garrison, Simpson and Wyrick.--4.

The bill passed.

**HB 3167** was referred for engrossment.

### **GENERAL ORDER**

**HB 1293** by Mulready of the House and Jolley and Brown of the Senate was called up for consideration.

Senator Jolley moved to amend **HB 1293**, by striking the title, the enacting clause and the entire body of the bill and substituting the floor substitute, which amendment was declared adopted. (Copies were provided for all Senators.)

Senator Jolley asked that **HB 1293** be laid over for this legislative day, which was the order.

**HB 1293** remains on General Order.

### **GENERAL ORDER**

**HB 2155** by Echols and McCullough of the House and Jolley of the Senate was called up for consideration.

Senator Jolley moved that **HB 2155** be advanced, which motion was declared adopted.

### **THIRD READING**

**HB 2155** 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, Bice, Bingman, Boggs, Brecheen, Brooks, Brown, Crain, Dahm, David, Dossett, Fields, Floyd, Fry, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Matthews, Mazzei, Newberry, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat and Yen.--43.

Excused: Bass, Ford, Garrison, Simpson and Wyrick.--5.

The bill passed.

**HB 2155** was referred for engrossment.

**GENERAL ORDER**

**HB 2694** by Sears of the House and Jolley of the Senate was called up for consideration.

Senator Jolley moved to amend **HB 2694**, Page 1, by restoring the title, which amendment was declared adopted.

The above amendment restores **HB 2694** to the engrossed version of the bill.

Senator Jolley moved that **HB 2694** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 2694** 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, Bice, Bingman, Boggs, Brecheen, Brooks, Brown, Crain, David, Fields, Fry, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Mazzei, Newberry, Quinn, Schulz, Sharp, Shaw, Shortey, Smalley, Sparks, Standridge, Stanislawski, Thompson, Treat and Yen.--35.

Nay: Dahm, Dossett, Floyd, Matthews, Paddack, Pittman, Silk and Sykes.--8.

Excused: Bass, Ford, Garrison, Simpson and Wyrick.--5.

The bill passed.

**HB 2694** was properly signed and ordered returned to the Honorable House.

**GENERAL ORDER**

**HB 3120** by Martin of the House and Jolley of the Senate was called up for consideration.

Senator Jolley moved to amend **HB 3120**, Page 1, by restoring the title and emergency clause, which amendment was declared adopted.

The above amendment restores **HB 3120** to the engrossed version of the bill.

Senator Jolley moved that **HB 3120** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 3120** 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, Bice, Bingman, Brooks, Crain, David, Dossett, Fields, Floyd, Fry, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Matthews, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Smalley, Sparks, Standridge, Stanislawski, Thompson, Treat and Yen.--32.

Nay: Allen, Boggs, Brecheen, Brown, Dahm, Marlatt, Mazzei, Newberry, Shortey, Silk and Sykes.--11.

Excused: Bass, Ford, Garrison, Simpson and Wyrick.--5.

The bill and emergency passed.

**HB 3120** was properly signed and ordered returned to the Honorable House.

**GENERAL ORDER**

**HB 2963** by Nelson and Rousselot of the House and Treat of the Senate was called up for consideration.

Senator Treat moved that **HB 2963** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 2963** 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, Bice, Bingman, Boggs, Brecheen, Brooks, Brown, Crain, Dahm, David, Dossett, Fields, Floyd, Ford, Fry, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Matthews, Mazzei, Newberry, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat and Yen.--44.

Excused: Bass, Garrison, Simpson and Wyrick.--4.

The bill passed.

**HB 2963** was properly signed and ordered returned to the Honorable House.

**GENERAL ORDER**

**HB 3058** by Newell of the House and Treat of the Senate was called up for consideration.

Senator Treat moved that **HB 3058** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 3058** 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, Bice, Bingman, Boggs, Brecheen, Brooks, Crain, Dahm, David, Dossett, Fields, Floyd, Ford, Fry, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Matthews, Mazzei, Newberry, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat and Yen.--43.

Excused: Bass, Brown, Garrison, Simpson and Wyrick.--5.

The bill passed.

**HB 3058** was referred for engrossment.

**GENERAL ORDER**

**HB 2715** by Ortega and McDaniel (Randy) of the House and Quinn of the Senate was called up for consideration.

Senator Quinn moved that **HB 2715** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 2715** 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, Bingman, Boggs, Brooks, Brown, Crain, David, Dossett, Fields, Floyd, Ford, Fry, Griffin, Halligan, Holt, Jech, Justice, Loveless, Marlatt, Matthews, Mazzei, Newberry, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Smalley, Sparks, Standridge, Stanislawski, Thompson, Treat and Yen.--39.

Nay: Brecheen, Dahm and Sykes.--3.

Excused: Bass, Bice, Garrison, Jolley, Simpson and Wyrick.--6.

The bill passed.

**HB 2715** was properly signed and ordered returned to the Honorable House.

### **GENERAL ORDER**

**HB 3025** by Jordan of the House and Smalley of the Senate was called up for consideration.

Senator Smalley moved that **HB 3025** be advanced, which motion was declared adopted.

### **THIRD READING**

**HB 3025** 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, Bingman, Boggs, Brecheen, Brooks, Brown, Crain, Dahm, David, Dossett, Fields, Floyd, Ford, Fry, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Matthews, Mazzei, Newberry, Pittman, Quinn, Schulz, Shaw, Shortey, Silk, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat and Yen.--41.

Nay: Paddack and Sharp.--2.

Excused: Bass, Bice, Garrison, Simpson and Wyrick.--5.

The bill passed.

**HB 3025** was referred for engrossment.

### **GENERAL ORDER**

**HB 3115** by Martin of the House and Smalley of the Senate was called up for consideration.

Senator Smalley moved that **HB 3115** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 3115** 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, Bingman, Boggs, Brecheen, Brooks, Brown, Crain, Dahm, David, Dossett, Fields, Floyd, Ford, Fry, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Matthews, Mazzei, Newberry, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat and Yen.--43.

Excused: Bass, Bice, Garrison, Simpson and Wyrick.--5.

The bill and emergency passed.

**HB 3115** was properly signed and ordered returned to the Honorable House.

**GENERAL ORDER**

**HB 2603** by Ritze of the House and Standridge of the Senate was called up for consideration.

Senator Standridge moved to amend **HB 2603**, Page 4, Line 1, by deleting Section 2 in its entirety and inserting the following:

SECTION 2. This act shall become effective July 1, 2016.

SECTION 3. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval; and by amending the title to conform, which amendment was declared adopted.

Senator Standridge moved that **HB 2603** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 2603** 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, Bice, Bingman, Boggs, Brecheen, Brooks, Brown, Crain, Dahm, David, Dossett, Fields, Floyd, Fry, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Matthews, Mazzei, Newberry, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat and Yen.--43.

Excused: Bass, Ford, Garrison, Simpson and Wyrick.--5.

The bill and emergency passed.

**HB 2603** was referred for engrossment.

## **GENERAL ORDER**

**HB 2742** by Cox of the House and Standridge of the Senate was called up for consideration.

Senator Standridge moved that **HB 2742** be advanced, which motion was declared adopted.

## **THIRD READING**

**HB 2742** 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, Bice, Bingman, Boggs, Brecheen, Brooks, Brown, Crain, Dahm, David, Dossett, Fields, Floyd, Fry, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Matthews, Mazzei, Newberry, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat and Yen.--43.

Excused: Bass, Ford, Garrison, Simpson and Wyrick.--5.

The bill passed.

**HB 2742** was referred for engrossment.

## **MESSAGES FROM THE HOUSE**

Advising passage of and returning the following Engrossed bills:

**SB 16**

**SB 1056**

**SB 1097**

**SB 1134** - coauthored by Sherrer, Bennett and Hoskin of the House

**SB 1198**

**SB 1209**

The above-numbered measures were referred for enrollment.

Advising fourth reading of and transmitting for signature Enrolled **HBs 2281, 2288, 2349, 2378, 2401, 2403, 2426, 2484 and 2965.**

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

Advising fourth reading of and returning Enrolled **SBs 14, 823, 1317, 1370 and 1371.**

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

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

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

#### **SB 1016**

House amendments were read on the above-numbered bill.

#### **PENDING SENATE ACTION HOUSE REQUEST FOR CONFERENCE**

Upon motion of Senator Schulz, the request of the Honorable House for conference on **HB 1016** was ordered granted and Senate conferees to be named later.

Senator Schulz moved that when the clerk's desk is clear, the Senate stand adjourned to convene Tuesday, April 12, 2016, at 9:00 a.m., which motion prevailed.

#### **FIRST READING**

The following was introduced and read the first time:

#### **SR 57 – By Yen.**

A Resolution to raise awareness of the importance of vaccinations in preventing meningococcal disease; and to encourage high school and college age students and their parents to educate themselves about the devastating illness.

**CHANGE IN AUTHORS/COAUTHORS**

The following measures were authored/coauthored:

- HB 1549** - Remove as coauthor Representative(s) Perryman
- HB 2280** - Coauthored by Pittman
- HB 2282** - Coauthored by Pittman
- HB 2348** - Coauthored by Brooks
- HB 2547** - Coauthored by Pittman
- HB 2586** - Coauthored by Pittman
- HB 2616** - Coauthored by Brooks
- HB 2703** - Coauthored by Pittman
- HB 2797** - Coauthored by Brooks
- HB 2799** - Coauthored by Pittman
- HB 2820** - Coauthored by Pittman
- HB 2823** - Coauthored by Brooks
- HB 3023** - Coauthored by Loveless
- HB 3039** - Coauthored by Matthews

**MESSAGES FROM THE GOVERNOR**

Advising her approval April 11, 2016, of Enrolled **SBs 877, 880, 941, 1004, 1017, 1021, 1022, 1108, 1127, 1148, 1172, 1268, 1342, and 1515.**

Pursuant to the Schulz motion, the Senate adjourned at 3:30 p.m. to meet Tuesday, April 12, 2016, at 9:00 a.m.