

# Senate Journal

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

**Fiftieth Legislative Day, Thursday, April 28, 2016**

The Senate was called to order by Senator Stanislawski.

Roll Call:

Present: Allen, Anderson, Barrington, Bass, Bice, Boggs, Brecheen, Brooks, Dahm, David, Dossett, Fields, Floyd, Ford, Fry, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Matthews, Mazzei, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat, Wyrick and Yen.—42.

Excused: Bingman, Brown, Crain, Garrison, Newberry and Silk.—6.

Senator Stanislawski declared a quorum present.

The prayer was offered by Scott Meier, Director of Student Ministries, McFarlin United Methodist Church, Norman, the guest of Senator Sparks.

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

**SBs 1036, 1069, 1149, 1200 and 1318** 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 HAS**

**HAs** to **SB 1218** were concurred in upon motion of Senator Jolley.

**SB 1218**, 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, Anderson, Barrington, Bice, Boggs, Brecheen, Brooks, Dahm, David, Fields, Ford, Fry, Griffin, Halligan, Holt, Jech, Jolley, Loveless, Mazzei, Paddack, Quinn, Schulz, Sharp, Shaw, Shortey, Simpson, Smalley, Standridge, Stanislawski, Sykes, Thompson, Treat and Yen.--33.

Nay: Bass, Dossett, Floyd, Matthews and Sparks.--5.

Excused: Bingman, Brown, Crain, Garrison, Justice, Marlatt, Newberry, Pittman, Silk and Wyrick.--10.

The bill passed.

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

**PENDING CONSIDERATION OF HAS**

**HAs** to **SB 1227** were concurred in upon motion of Senator Jolley.

**SB 1227**, as amended by the Honorable House, was read at length.

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

Aye: Barrington, Bice, Boggs, Brooks, David, Fields, Ford, Fry, Griffin, Halligan, Holt, Jolley, Justice, Schulz, Sharp, Simpson, Stanislawski, Thompson, Treat and Yen.--20.

Nay: Allen, Anderson, Bass, Brecheen, Dahm, Dossett, Floyd, Jech, Loveless, Matthews, Mazzei, Paddack, Pittman, Quinn, Shaw, Shortey, Smalley, Sparks, Standridge and Sykes.--20.

Excused: Bingman, Brown, Crain, Garrison, Marlatt, Newberry, Silk and Wyrick.--8.

The bill failed.

Pursuant to Rule 8-32, Senator Jolley served notice that the vote be reconsidered whereby **SB 1227** failed.

**PENDING CONSIDERATION OF HAS**

**HAs to SB 1237** were concurred in upon motion of Senator Jolley.

**SB 1237**, 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, Anderson, Barrington, Bice, Boggs, Brooks, David, Fields, Ford, Fry, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Paddack, Schulz, Sharp, Shaw, Shortey, Simpson, Standridge, Stanislawski, Thompson, Treat and Yen.--28.

Nay: Bass, Brecheen, Dahm, Dossett, Floyd, Matthews, Mazzei, Pittman, Quinn, Smalley, Sparks and Sykes.--12.

Excused: Bingman, Brown, Crain, Garrison, Marlatt, Newberry, Silk and Wyrick.--8.

The bill passed.

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

**PENDING CONSIDERATION OF JCR**

The **JCR** on **HB 3202** was adopted upon motion of Senator Treat.

**HB 3202** was read 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, Dahm, David, Dossett, Fields, Floyd, Ford, Fry, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Matthews, Mazzei, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat and Yen.--40.

Excused: Bingman, Brown, Crain, Garrison, Marlatt, Newberry, Silk and Wyrick.--8.

The bill and emergency passed.

**HB 3202**, together with the conference committee report thereon, was ordered returned to the Honorable House.

**PENDING CONSIDERATION OF JCR**

The **JCR** on **SB 1573** was adopted upon motion of Senator Jolley.

**SB 1573** was read 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, Dahm, David, Dossett, Fields, Floyd, Ford, Fry, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Matthews, Mazzei, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat and Yen.--40.

Excused: Bingman, Brown, Crain, Garrison, Marlatt, Newberry, Silk and Wyrick.--8.

The bill and emergency passed.

**SB 1573** was referred for engrossment.

**PENDING CONSIDERATION OF HAs**

**HAs** to **SB 896** were concurred in upon motion of Senator Loveless.

**SB 896**, as amended by the Honorable House, was read at length.

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

Aye: Anderson, Barrington, Bass, Bice, Brecheen, Dahm, David, Dossett, Fields, Floyd, Fry, Griffin, Halligan, Holt, Jech, Jolley, Loveless, Paddack, Pittman, Quinn, Shortey, Simpson, Sparks, Stanislawski, Sykes and Yen.--26.

Nay: Allen, Boggs, Brooks, Ford, Justice, Matthews, Mazzei, Schulz, Sharp, Shaw, Smalley, Standridge, Thompson and Treat.--14.

Excused: Bingman, Brown, Crain, Garrison, Marlatt, Newberry, Silk and Wyrick.--8.

The bill passed.

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

**PENDING CONSIDERATION OF HAS**

**HAs to SB 912** were concurred in upon motion of Senator Loveless.

**SB 912**, 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, Anderson, Barrington, Bass, Boggs, Brecheen, Brooks, Dahm, David, Dossett, Fields, Floyd, Ford, Fry, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Matthews, Mazzei, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat and Yen.--38.

Nay: Shortey.--1.

Excused: Bice, Bingman, Brown, Crain, Garrison, Marlatt, Newberry, Silk and Wyrick.--9.

The bill passed.

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

**PENDING CONSIDERATION OF HAS**

**HAs to SB 1257** were concurred in upon motion of Senator Holt.

**SB 1257**, 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, Anderson, Barrington, Bass, Boggs, Brecheen, Brooks, Dahm, David, Dossett, Fields, Floyd, Ford, Fry, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Matthews, Mazzei, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat and Yen.--39.

Excused: Bice, Bingman, Brown, Crain, Garrison, Marlatt, Newberry, Silk and Wyrick.--9.

The bill passed.

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

**PENDING CONSIDERATION OF HAS**

**HAs to SB 874** were concurred in upon motion of Senator Anderson.

**SB 874**, 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, Anderson, Barrington, Bass, Boggs, Brecheen, Brooks, Dahm, David, Dossett, Fields, Floyd, Ford, Fry, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Matthews, Mazzei, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat and Yen.--39.

Excused: Bice, Bingman, Brown, Crain, Garrison, Marlatt, Newberry, Silk and Wyrick.--9.

The bill passed.

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

**PENDING CONSIDERATION OF HAS**

**HAs to SB 949** were concurred in upon motion of Senator Simpson.

**SB 949**, 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, Anderson, Barrington, Bass, Boggs, Brecheen, Brooks, Dahm, David, Dossett, Fields, Floyd, Ford, Fry, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Matthews, Mazzei, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat and Yen.--39.

Excused: Bice, Bingman, Brown, Crain, Garrison, Marlatt, Newberry, Silk and Wyrick.--9.

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 1239** were concurred in upon motion of Senator Mazzei.

**SB 1239**, 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, Anderson, Barrington, Bass, Boggs, Brecheen, Brooks, Dahm, David, Dossett, Fields, Floyd, Ford, Fry, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Matthews, Mazzei, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat and Yen.--39.

Excused: Bice, Bingman, Brown, Crain, Garrison, Marlatt, Newberry, Silk and Wyrick.--9.

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 1269** were concurred in upon motion of Senator Yen.

**SB 1269**, 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, Anderson, Barrington, Bass, Brooks, David, Dossett, Fields, Ford, Fry, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Paddack, Quinn, Sharp, Shaw, Shortey, Simpson, Smalley, Sparks, Standridge, Stanislawski, Thompson and Yen.--29.

Nay: Boggs, Brecheen, Dahm, Floyd, Matthews, Mazzei, Pittman, Schulz, Sykes and Treat.--10.

Excused: Bice, Bingman, Brown, Crain, Garrison, Marlatt, Newberry, Silk and Wyrick.--9.

The bill passed.

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

**PENDING CONSIDERATION OF HAS**

**HAs to SB 1374** were concurred in upon motion of Senator Treat.

**SB 1374**, 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, Anderson, Barrington, Bass, Boggs, Brecheen, Brooks, Dahm, David, Dossett, Fields, Floyd, Ford, Fry, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Matthews, Mazzei, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat and Yen.--39.

Excused: Bice, Bingman, Brown, Crain, Garrison, Marlatt, Newberry, Silk and Wyrick.--9.

The bill passed.

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

**PENDING CONSIDERATION OF HAS**

**HAs to SB 1395** were concurred in upon motion of Senator Treat.

**SB 1395**, 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, Anderson, Barrington, Bass, Boggs, Brecheen, Brooks, Dahm, David, Dossett, Fields, Floyd, Ford, Fry, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Matthews, Mazzei, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat and Yen.--40.

Excused: Bice, Bingman, Brown, Crain, Garrison, Newberry, Silk and Wyrick.--8.

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 933** were concurred in upon motion of Senator Thompson.

**SB 933**, 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, Anderson, Barrington, Bass, Boggs, Brecheen, Brooks, Dahm, David, Dossett, Fields, Floyd, Ford, Fry, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Matthews, Mazzei, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat and Yen.--40.

Excused: Bice, Bingman, Brown, Crain, Garrison, Newberry, Silk and Wyrick.--8.

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 936** were concurred in upon motion of Senator Thompson.

**SB 936**, 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, Anderson, Barrington, Bass, Boggs, Brecheen, Brooks, Dahm, David, Dossett, Fields, Floyd, Ford, Fry, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Matthews, Mazzei, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat and Yen.--40.

Excused: Bice, Bingman, Brown, Crain, Garrison, Newberry, Silk and Wyrick.--8.

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 983** were concurred in upon motion of Senator Thompson.

**SB 983**, 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, Anderson, Barrington, Boggs, Brooks, Dossett, Fields, Floyd, Ford, Fry, Griffin, Halligan, Jech, Justice, Loveless, Marlatt, Matthews, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Simpson, Smalley, Sparks, Standridge, Thompson, Treat and Yen.--30.

Nay: Brecheen, Dahm, David, Holt, Jolley, Mazzei, Shortey, Stanislawski and Sykes.--9.

Excused: Bass, Bice, Bingman, Brown, Crain, Garrison, Newberry, Silk and Wyrick.--9.

The bill passed.

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

**PENDING CONSIDERATION OF HAS**

**HAs to SB 959** were concurred in upon motion of Senator Paddack.

**SB 959**, 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, Anderson, Barrington, Boggs, Brecheen, Brooks, Dahm, David, Dossett, Fields, Floyd, Ford, Fry, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Mazzei, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat and Yen.--38.

Excused: Bass, Bice, Bingman, Brown, Crain, Garrison, Matthews, Newberry, Silk and Wyrick.--10.

The bill passed.

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

**PENDING CONSIDERATION OF HAS**

**HAs to SB 965** were concurred in upon motion of Senator Paddack.

**SB 965**, 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, Anderson, Barrington, Boggs, Brecheen, Brooks, Dahm, David, Dossett, Fields, Floyd, Ford, Fry, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Matthews, Mazzei, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat and Yen.--38.

Excused: Bass, Bice, Bingman, Brown, Crain, Garrison, Newberry, Shortey, Silk and Wyrick.--10.

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 SBs 1070 and 1329** were rejected upon motion of Senator Schulz, conference requested, and Senate conferees to be named later.

**MESSAGES FROM THE HOUSE**

Advising fourth reading of and transmitting for signature Enrolled **HBs 2603 and 2962**.

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 1036, 1069, 1149, 1200 and 1318**.

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

Advising concurrence in **SAs** to and passage of Engrossed **HBs 1036, 1302, 2042, 2268, 2280, 2282, 2431, 2483, 2535, 2621, 2742, 2996 and 3104**.

Advising rejection of **SAs** to the following bill, requesting conference and naming House Conference Committee on:

**HB 2821** - GCCA

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

**SB 359** - GCCA

**SB 683** - Conference Committee on Rules

**SB 902** - Conference Committee on Children, Youth and Family Services

**SB 1123** - Conference Committee on Economic Development, Commerce and Real

Estate

**SB 1135** - GCCA

**SB 1144** - GCCA

**SB 1156** - Conference Committee on County and Municipal Government

**SB 1164** - Conference Committee on Public Health

**SB 1211** - Conference Committee on Children, Youth and Family Services

**SB 1250** - Conference Committee on Judiciary and Civil Procedure

**SB 1287** - Conference Committee on Long-term Care and Senior Services

**SB 1336** - GCCA

**SB 1489** - Conference Committee on Business, Labor and Retirement Laws

Senator Schulz moved that when the clerk's desk is clear, the Senate stand adjourned to convene Monday, May 2, 2016, at 1:30 p.m., which motion prevailed.

#### **CHANGE IN AUTHORS/COAUTHORS**

The following measures were authored/coauthored:

**SB 959** - Coauthored by Pittman

**SB 1552** - Remove as coauthor Senator Sharp

#### **MESSAGE FROM THE GOVERNOR**

Advising her approval April 28, 2016, of Enrolled **SBs 44, 1113, 1283, 1369 and 1446**.

Pursuant to the Schulz motion, the Senate adjourned at 11:15 a.m. to meet Monday, May 2, 2016, at 1:30 p.m.