

Senate Journal

Second Regular Session of the Fifty-fifth Legislature

of the State of Oklahoma

Fifty-first Legislative Day, Monday, May 2, 2016

The Senate was called to order by Senator Fields.

Roll Call:

Present: Allen, Anderson, Barrington, Bass, Bice, Bingman, Boggs, Brecheen, Brooks, Brown, Crain, Dahm, David, Dossett, Fields, Floyd, Ford, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Matthews, Mazzei, Newberry, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat, Wyrick and Yen.—44.

Excused: Fry, Garrison, Paddack and Simpson.—4.

Senator Fields declared a quorum present.

The prayer was offered by Pastor Danny Hester, Church of Sunday, Grove, the guest of Senator Shaw.

REPORT OF ENGROSSED AND ENROLLED MEASURES

SBs 874, 896, 912, 933, 936, 949, 959, 965, 983, 1218, 1237, 1239, 1257, 1269, 1374 and **1395** were each correctly enrolled and after fourth reading, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

SB 1573 was correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

PENDING CONSIDERATION OF HAS

HAs to SB 944 were concurred in upon motion of Senator Thompson.

SB 944, 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, Bice, Bingman, Boggs, Brooks, Brown, Crain, David, Dossett, Fields, Floyd, Ford, Griffin, Halligan, Holt, Jech, Justice, Loveless, Matthews, Mazzei, Newberry, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Smalley, Sparks, Standridge, Stanislawski, Thompson, Treat, Wyrick and Yen.--39.

Nay: Brecheen, Dahm, Jolley and Sykes.--4.

Excused: Fry, Garrison, Marlatt, Paddack and Simpson.--5.

The bill passed.

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

PENDING CONSIDERATION OF HAS

HAs to SB 1360 were concurred in upon motion of Senator Treat.

SB 1360, 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, Bice, Bingman, Boggs, Brecheen, Brown, Crain, Dahm, David, Dossett, Fields, Floyd, Ford, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Matthews, Mazzei, Newberry, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat, Wyrick and Yen.--42.

Excused: Brooks, Fry, Garrison, Marlatt, Paddack and Simpson.--6.

The bill passed.

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

PENDING CONSIDERATION OF HAS

HAs to SB 1249 were concurred in upon motion of Senator Floyd.

SB 1249, 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, Bice, Bingman, Boggs, Brecheen, Brooks, Brown, Crain, Dahm, David, Dossett, Fields, Floyd, Ford, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Matthews, Mazzei, Newberry, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat, Wyrick and Yen.--44.

Excused: Fry, Garrison, Paddack and Simpson.--4.

The bill passed.

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

PENDING CONSIDERATION OF HAS

HAs to SB 1273 were concurred in upon motion of Senator Floyd.

SB 1273, 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: Anderson, Barrington, Bass, Bice, Bingman, Boggs, Brooks, Crain, David, Dossett, Fields, Floyd, Ford, Griffin, Halligan, Holt, Jech, Justice, Loveless, Matthews, Mazzei, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Smalley, Sparks, Standridge, Stanislawski, Thompson, Treat, Wyrick and Yen.--36.

Nay: Allen, Brecheen, Brown, Dahm, Jolley, Newberry and Sykes.--7.

Excused: Fry, Garrison, Marlatt, Paddack and Simpson.--5.

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 1274 were concurred in upon motion of Senator Floyd.

SB 1274, 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: Anderson, Barrington, Bass, Bice, Brooks, Brown, Crain, David, Dossett, Fields, Floyd, Ford, Griffin, Halligan, Holt, Jech, Justice, Loveless, Marlatt, Matthews, Mazzei, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Smalley, Sparks, Standridge, Stanislawski, Thompson, Treat, Wyrick and Yen.--35.

Nay: Allen, Boggs, Brecheen, Dahm, Jolley, Newberry and Sykes.--7.

Excused: Bingman, Fry, Garrison, Paddack, Silk and Simpson.--6.

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 911 were concurred in upon motion of Senator Sharp.

SB 911, 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, Bingman, Boggs, Brecheen, Brooks, Brown, Crain, Dahm, David, Dossett, Fields, Floyd, Ford, Griffin, Halligan, Holt, Jech, Justice, Loveless, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Sparks, Standridge, Stanislawski, Treat, Wyrick and Yen.--35.

Nay: Allen, Jolley, Marlatt, Matthews, Mazzei, Newberry, Smalley, Sykes and Thompson.--9.

Excused: Fry, Garrison, Paddack and Simpson.--4.

The bill passed.

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

PENDING CONSIDERATION OF HAS

HAs to SB 929 were concurred in upon motion of Senator Sharp.

SB 929, 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, Boggs, Brooks, Crain, Dossett, Fields, Floyd, Ford, Halligan, Holt, Loveless, Matthews, Mazzei, Pittman, Schulz, Sharp, Shaw, Sparks, Standridge, Stanislawski and Yen.--22.

Nay: Allen, Bass, Bice, Bingman, Brecheen, Brown, Dahm, David, Griffin, Jech, Jolley, Justice, Marlatt, Newberry, Quinn, Shortey, Silk, Smalley, Sykes, Thompson, Treat and Wyrick.--22.

Excused: Fry, Garrison, Paddack and Simpson.--4.

The bill failed.

Pursuant to Rule 8-32, Senator Sharp served notice that the vote be reconsidered whereby **SB 929** failed.

PENDING CONSIDERATION OF HAS

HAs to SB 1217 were concurred in upon motion of Senator Sharp.

SB 1217, 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, Bice, Bingman, Boggs, Brecheen, Brooks, Brown, Crain, Dahm, David, Dossett, Fields, Floyd, Ford, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Matthews, Mazzei, Newberry, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat, Wyrick and Yen.--44.

Excused: Fry, Garrison, Paddack and Simpson.--4.

The bill passed.

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

PENDING CONSIDERATION OF HAS

HAs to SB 1316 were rejected upon motion of Senator Schulz, conference requested, and Senate conferees appointed as follows:

SB 1316 – Sparks, Dahm, Treat, Smalley, Marlatt, Floyd, Wyrick

MESSAGES FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled **HBs 1036, 1302, 2042, 2268, 2280, 2282, 2431, 2483, 2535, 2621, 2742, 2996, 3104** and **3202**.

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 874, 896, 912, 933, 936, 949, 959, 965, 983, 1218, 1237, 1239, 1257, 1269, 1374** and **1395**.

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

Advising the Honorable Senate that the House has rescinded the rejection of the Engrossed **SAs** and request for conference on **HB 2549**.

Advising rejection of **SAs** to the following bills, requesting conference and naming House conferees as follows:

HB 1654 – Conference Committee on Wildlife

HB 2205 – Conference Committee on Insurance

HB 2436 – Conference Committee on Business, Labor and Retirement Laws

HB 2527 – GCCA

HB 2551 – Conference Committee on Higher Education and Career Tech

HB 2626 – Conference Committee on Economic Development, Commerce and **Real**

Estate

HB 3028 – Conference Committee on Higher Education and Career Tech

HJR 1062 – Conference Committee on Rules

Advising concurrence in **SAs** to and passage of Engrossed **HBs 1717, 2264, 2348, 2503, 2616, 2902, 3025, 3039** and **3114**.

EXECUTIVE NOMINATION

The following executive nomination was read and referred to the committee indicated:

Wilmes, Jeffrey, Altus, as a member of the Board of Trustees for the Quartz Mountain Arts and Conference Center and Nature Park - Education

SCs NAMED

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

SB 683 – Dahm, Barrington, Holt, Brooks, Schulz, Floyd, Matthews

SB 1185 – David, Barrington, Brooks, Dahm, Fields, Bass, Wyrick

SB 1211 – Griffin, Simpson, Pittman, Standridge, Treat, Loveless, Floyd

SB 1287 – Griffin, Standridge, David, Holt, Thompson, Floyd, Pittman

SB 1336 – Crain, Standridge, Justice, David, Griffin, Bass, Sparks

PENDING SENATE ACTION

HOUSE REQUEST FOR CONFERENCE

Upon motion of Senator Schulz, the request of the Honorable House for conference on the following bills was ordered granted and Senate conferees appointed as follows:

HB 1512 – Sharp, Ford, Jolley, Shaw, Smalley, Paddack, Dossett

HB 1526 – Standridge, Yen, Crain, Simpson, Griffin, Paddack, Bass

HB 2249 – Dossett, Barrington, Brooks, David, Marlatt, Stanislawski, Wyrick

HB 2259 – Sparks, Sykes, Holt, Crain, Loveless, Newberry, Paddack

HB 2261 – Sparks, Newberry, Marlatt, Shortey, Dahm, Treat, Floyd

HB 2273 – Smalley, Jech, Brown, Quinn, Anderson, Floyd, Bass

HB 2319 – Shaw, Barrington, David, Brooks, Treat, Matthews, Pittman

HB 2509 – David, Barrington, Holt, Ford, Fields, Matthews, Pittman

HB 2553 – Barrington, Stanislawski, Brecheen, Boggs, Standridge, Wyrick, Bass

HB 2651 – Griffin, Marlatt, Fields, Allen, Justice, Sparks, Wyrick

HB 2703 – Holt, Standridge, Bice, Loveless, Shaw, Wyrick, Paddack

HB 2756 – David, Justice, Bice, Jolley, Loveless, Floyd, Dossett

HB 2757 – Shortey, Sykes, Holt, Griffin, Crain, Floyd, Wyrick

HB 2758 – David, Newberry, Dahm, Halligan, Thompson, Wyrick, Bass

HB 2763 – Holt, Mazzei, Marlatt, Treat, Griffin, Wyrick, Pittman

HB 3098 – Dahm, Justice, Sykes, Jolley, Griffin, Sparks, Floyd

HJR 1009 – Sykes, Justice, Jolley, Dahm, Griffin, Sparks, Floyd

Upon motion of Senator Schulz, the request of the Honorable House for conference on **HBs 2134, 2155, 2314, 2387, 2398, 2797, 2803, 2821, 2823, 2836, 2951, 3020, and 3058** was ordered granted and bills referred to GCCA.

Upon motion of Senator Schulz, the request of the Honorable House for further conference was ordered granted and Senate conferees appointed as follows:

HB 1714 – Shaw, Sykes, Brown, Crain, Loveless, Floyd, Bass

Upon motion of Senator Schulz, the request of the Honorable House for further conference was ordered granted and same Senate conferees appointed as follows:

HB 1321 – Ford, Halligan, Stanislawski, Smalley, Treat, Paddack, Garrison

Senator Schulz moved that when the clerk's desk is clear, the Senate stand adjourned to convene Tuesday, May 3, 2016, at 9:30 a.m., which motion prevailed.

FIRST READING

The following were introduced and read the first time:

SB 1577 – By Bingman of the Senate and Hickman of the House.

An Act relating to gross production tax exemption; amending 68 O.S. 2011, Section 1001.3a, as amended by Section 2, Chapter 346, O.S.L. 2014 (68 O.S. Supp. 2015, Section 1001.3a), which relates to exemption for economically at-risk oil or gas leases; limiting production eligible for exemption; clarifying time period during which refund may be paid; providing an effective date; and declaring an emergency.

SR 62 – By Fields.

A Resolution congratulating Bethany Wagener, the 2015-2016 Oklahoma Department of Corrections Employee of the Year; thanking her for her dedication to healthcare, health education and the Oklahoma Department of Corrections; and directing distribution.

SR 63 – By Boggs.

A Resolution recognizing Correctional Officers' Week and commending Oklahoma correctional officers.

CHANGE IN AUTHORS/COAUTHORS

The following measures were authored/coauthored:

SB 929 - Coauthored by Pittman

SB 1273 - Coauthored by Pittman

Coauthored by Bice

SB 1274 - Coauthored by Pittman

Coauthored by Bice

Pursuant to the Schulz motion, the Senate adjourned at 2:35 p.m. to meet Tuesday, May 3, 2016, at 9:30 a.m.