

Senate Journal

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

Thirty-sixth Legislative Day, Tuesday, April 5, 2016

The Senate was called to order by Senator Stanislawski.

Roll Call:

Present: Allen, Anderson, Barrington, Bass, Bice, Bingman, Boggs, Brecheen, Brooks, Brown, Crain, Dahm, David, Dossett, Fields, Floyd, Ford, Fry, Garrison, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Matthews, Mazzei, Newberry, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat, Wyrick and Yen.—48.

Senator Stanislawski declared a quorum present.

The prayer was offered by Father Ken Harder, St. Francis Xavier, Stillwater, the guest of Senator Halligan.

REPORT OF ENGROSSED AND ENROLLED MEASURES

HB 2621 was correctly engrossed and, together with engrossed **SAs**, properly signed and ordered returned to the Honorable House.

SBs 877, 880, 1004, 1021, 1022, 1127, 1148, 1172, 1268, 1342 and 1515 were each correctly enrolled and after fourth reading, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

SR 54 was correctly enrolled, properly signed and ordered transmitted to the Secretary of State.

CHANGE IN COMMITTEE ASSIGNMENT

HB 2821 – Withdrawn from Rules and assigned to Appropriations

GENERAL ORDER

HB 2720 by Virgin and Denney of the House and Jolley of the Senate was called up for consideration.

Senator Jolley moved that **HB 2720** be advanced, which motion was declared adopted.

THIRD READING

HB 2720 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, Barrington, Bass, Bice, Bingman, Boggs, Brecheen, Brooks, Brown, Dahm, David, Dossett, Fields, Floyd, Ford, Fry, Garrison, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Matthews, Mazzei, Newberry, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Simpson, Smalley, Standridge, Stanislawski, Sykes, Thompson, Wyrick and Yen.--44.

Excused: Anderson, Crain, Sparks and Treat.--4.

The bill and emergency passed.

HB 2720 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 2358 by Watson of the House and Holt of the Senate was called up for consideration.

Senator Holt moved that **HB 2358** be advanced, which motion was declared adopted.

THIRD READING

HB 2358 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, Barrington, Bass, Bice, Bingman, Boggs, Brecheen, Brooks, Brown, David, Dossett, Fields, Floyd, Ford, Fry, Garrison, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Matthews, Mazzei, Newberry, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Simpson, Smalley, Standridge, Stanislawski, Thompson, Wyrick and Yen.--42.

Nay: Dahm and Sykes.--2.

Excused: Anderson, Crain, Sparks and Treat.--4.

The bill and emergency passed.

HB 2358 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 2432 by Kern and Ritze of the House and Shaw of the Senate was called up for consideration.

Senator Shaw moved that **HB 2432** be advanced, which motion was declared adopted.

THIRD READING

HB 2432 was read for the third time at length.

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

Aye: Barrington, Bass, Bice, Bingman, Boggs, Brecheen, Brooks, Dossett, Fields, Floyd, Ford, Fry, Garrison, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Matthews, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Simpson, Stanislawski, Thompson, Wyrick and Yen.--33.

Nay: Allen, Brown, Dahm, David, Mazzei, Newberry, Shortey, Silk, Smalley, Standridge and Sykes.--11.

Excused: Anderson, Crain, Sparks and Treat.--4.

The bill passed.

Senators Shortey and Standridge desired to vote Aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 35; Nay: 9; Excused: 4.

The emergency passed.

HB 2432 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 1036 by Faught of the House and Smalley of the Senate was called up for consideration.

Senator Smalley moved that **HB 1036** be advanced, which motion was declared adopted.

THIRD READING

HB 1036 was read for the third time at length.

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

Aye: Barrington, Bass, Bice, Bingman, Brooks, David, Dossett, Fields, Floyd, Ford, Fry, Garrison, Griffin, Halligan, Jech, Justice, Loveless, Marlatt, Matthews, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Simpson, Smalley, Standridge, Stanislawski, Thompson, Wyrick and Yen.--33.

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

Excused: Anderson, Crain, Sparks and Treat.--4.

The bill passed.

HB 1036 was referred for engrossment.

GENERAL ORDER

HB 2535 by Montgomery of the House and Smalley and Loveless of the Senate was called up for consideration.

Senator Smalley moved that **HB 2535** be advanced, which motion was declared adopted.

THIRD READING

HB 2535 was read for the third time at length.

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

Aye: Barrington, Bass, Bice, Bingman, Boggs, Brecheen, Brooks, Brown, Dahm, David, Dossett, Fields, Floyd, Ford, Fry, Garrison, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Matthews, Mazzei, Newberry, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Silk, Simpson, Smalley, Standridge, Stanislawski, Sykes, Thompson, Wyrick and Yen.--42.

Nay: Allen.--1.

Excused: Anderson, Crain, Shortey, Sparks and Treat.--5.

The bill passed.

HB 2535 was referred for engrossment.

GENERAL ORDER

HB 2775 by McCall of the House and Smalley of the Senate was called up for consideration.

Senator Smalley moved to amend **HB 2775**, Page 1, by restoring the title and emergency clause, which amendment was declared adopted.

The above amendment restores **HB 2775** to the engrossed version of the bill.

Senator Smalley moved that **HB 2775** be advanced, which motion was declared adopted.

THIRD READING

HB 2775 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, Barrington, Bass, Bice, Bingman, Boggs, Brooks, Brown, Dahm, David, Dossett, Fields, Floyd, Ford, Fry, Garrison, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Matthews, Mazzei, Newberry, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Simpson, Smalley, Standridge, Stanislawski, Thompson, Wyrick and Yen.--42.

Nay: Brecheen and Sykes.--2.

Excused: Anderson, Crain, Sparks and Treat.--4.

The bill and emergency passed.

HB 2775 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 2776 by McCall of the House and Smalley of the Senate was called up for consideration.

Senator Smalley moved to amend **HB 2776**, Page 1, by restoring the title, which amendment was declared adopted.

The above amendment restores **HB 2776** to the engrossed version of the bill.

Senator Smalley moved that **HB 2776** be advanced, which motion was declared adopted.

THIRD READING

HB 2776 was read for the third time at length.

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

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

Excused: Anderson, Crain, Sparks and Treat.--4.

The bill passed.

HB 2776 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 2946 by Henke and Cockroft of the House and Smalley of the Senate was called up for consideration.

Senator Smalley moved that **HB 2946** be advanced, which motion was declared adopted.

THIRD READING

HB 2946 was read for the third time at length.

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

Aye: Barrington, Bass, Bice, Bingman, Brooks, David, Dossett, Fields, Floyd, Ford, Fry, Garrison, Griffin, Halligan, Holt, Jech, Justice, Loveless, Marlatt, Matthews, Mazzei, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Simpson, Smalley, Standridge, Stanislawski, Thompson, Wyrick and Yen.--34.

Nay: Allen, Boggs, Brecheen, Brown, Dahm, Jolley, Newberry, Silk and Sykes.--9.

Excused: Anderson, Crain, Shortey, Sparks and Treat.--5.

The bill and emergency passed.

HB 2946 was referred for engrossment.

GENERAL ORDER

HB 3102 by Caldwell and Kern of the House and Smalley of the Senate was called up for consideration.

Senator Smalley moved that **HB 3102** be advanced, which motion was declared adopted.

THIRD READING

HB 3102 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, Barrington, Bice, Bingman, Boggs, Brecheen, Brooks, Brown, Dahm, David, Fields, Ford, Fry, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Mazzei, Newberry, Quinn, Schulz, Shaw, Silk, Simpson, Smalley, Standridge, Stanislawski, Sykes, Thompson and Yen.--34.

Nay: Bass, Dossett, Floyd, Garrison, Matthews, Paddack, Pittman, Sharp and Wyrick.--9.

Excused: Anderson, Crain, Shortey, Sparks and Treat.--5.

The bill and emergency passed.

HB 3102 was properly signed and ordered returned to the Honorable House.

MESSAGES FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled **HBs 2315, 2492 and 2720**.

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

Advising passage of and returning the following Engrossed bills:

SB 941 - coauthored by Biggs of the House

SB 1017 - coauthored by Wood of the House

SB 1108 - (Emergency Failed)

The above-numbered measures were referred for enrollment.

Advising fourth reading of and returning Enrolled **SBs 877, 880, 1004, 1021, 1022, 1127, 1148, 1172, 1268, 1342 and 1515**.

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 bills as amended:

SB 912

SB 1036 - coauthored by Kern of the House

SB 1069

SB 1369

House amendments were read on the above-numbered bills.

MESSAGE FROM THE HOUSE

Advising the Honorable Senate the appointment of the following House Members as conferees on the General Conference Committee on Appropriations. Speaker Hickman and Speaker Pro Tempore Denney are ex officio voting Members of the General Conference Committee on Appropriations.

Sears, Chair

Casey, Vice-Chair

Bennett	McPeak
Billy	Morrisette
Brown	Nelson
Coody (Ann)	Ortego
Cox	Osborn
Hoskin	Ownbey
Inman	Peterson
Johnson	Rousselot
Martin	Russ
McCall	Sanders
McCullough	Sherrer
McDaniel (Jeannie)	Wesselhoft
McDaniel (Randy)	Wright

Senator Schulz moved that when the clerk's desk is clear, the Senate stand adjourned to convene Wednesday, April 6, 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:

HB 2399 – Judiciary

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

HB 2553 – Transportation

Ayes: Allen, Barrington, Fry, Loveless, Marlatt, Matthews, Paddock, Silk, Stanislawski

HB 2642 – Tourism and Wildlife

Ayes: Bass, Boggs, Brecheen, Brown, Fields, Garrison, Sharp, Shaw, Wyrick

HB 2844 – Judiciary, coauthored by Brooks

Ayes: Brooks, Crain, Floyd, Standridge, Sykes, Thompson, Treat

DO PASS, As Amended:

HB 1553 – Finance

Ayes: David, Ford, Halligan, Jolley, Mazzei, Paddack, Yen

Nays: Dahm, Jech, Quinn, Simpson, Wyrick

CS for HB 1654 – Tourism and Wildlife

Ayes: Bass, Boggs, Brecheen, Brown, Fields, Garrison, Justice, Sharp, Shaw, Wyrick

HB 2042 – Judiciary, coauthored by Brooks

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

CS for HB 2205 – Judiciary

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

HB 2259 – Judiciary

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

CS for HB 2268 – Transportation

Ayes: Allen, Barrington, Fry, Loveless, Marlatt, Matthews, Paddack, Silk, Stanislawski

HB 2293 – Finance

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

HB 2397 – Judiciary

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

HB 2531 – Finance

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

Nays: Dahm

HB 2623 – Finance

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

Nays: Dahm

HB 2624 – Finance

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

HB 2637 – Tourism and Wildlife

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

Nays: Bass, Boggs, Garrison, Wyrick

HB 2658 – Finance

Ayes: David, Ford, Jech, Mazzei, Quinn, Simpson, Wyrick

Nays: Dahm, Halligan, Paddack, Yen

CS for HB 2691 – Finance

Ayes: Dahm, David, Ford, Jech, Mazzei, Simpson

Nays: Halligan, Quinn, Wyrick, Yen

CS for HB 2763 – Finance

Ayes: Dahm, David, Jech, Mazzei, Quinn, Yen

Nays: Ford, Halligan, Paddack, Simpson, Wyrick

HB 2774 – Finance

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

CS for HB 2936 – Judiciary

Ayes: Brooks, Crain, Floyd, Standridge, Sykes, Thompson, Treat

CS for HB 3024 – Judiciary

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

HB 3104 – Judiciary

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

Nays: Crain, Treat

CS for HB 3126 – Finance

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

Nays: Dahm

HB 3192 – Finance

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

COMMITTEE REPORTS

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

DO PASS:

HB 2898 – Transportation

Ayes: Allen, Barrington, Fry, Loveless, Marlatt, Matthews, Paddack, Silk, Stanislawski

DO PASS, As Amended:

CS for HB 2641 – Tourism and Wildlife

Ayes: Bass, Boggs, Brecheen, Brown, Fields, Garrison, Justice, Sharp, Shaw, Wyrick

FIRST READING

The following were introduced and read the first time:

SCR 36 – By Mazzei of the Senate and Peterson of the House.

A Concurrent Resolution congratulating the 2016 Class A Academic Bowl State Champions, the Regent Preparatory team; applauding them for their 2nd consecutive state title; and directing distribution.

SR 55 – By Dahm.

A Resolution declaring April 11th - 15th, 2016, as "County Government Week" in Oklahoma.

SR 56 – By Fields.

A Resolution proclaiming April 6, 2016 to be the 20th Annual 4-H Day at the State Capitol.

CHANGE IN AUTHORS/COAUTHORS

The following measures were authored/coauthored:

HB 2042 - Coauthored by Brooks

HB 2595 - Coauthored by Roberts (Dustin)

HB 2637 - Coauthored by Dahm

Remove as author Senator Dahm; authored by Silk

HB 2801 - Remove as author Senator Brecheen; authored by Boggs

HB 2844 - Coauthored by Brooks

HB 2957 - Coauthored by Sykes

HJR 1009 - Coauthored by Loveless

MESSAGE FROM THE GOVERNOR

Advising her approval April 5, 2016, of Enrolled **SBs 1040, 1175, 1194** and **1341**.

Pursuant to the Schulz motion, the Senate adjourned at 2:40 p.m. to meet Wednesday, April 6, 2016, at 1:30 p.m.

JOURNAL CORRECTION

Monday, April 4, 2016, 35th Legislative Day, Page 661, Line 22, insert the following:

HB 2797 – Withdrawn from Rules and Appropriations and referred to Health and Human Resources and Appropriations