

# Senate Journal

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

**Forty-second Legislative Day, Thursday, April 14, 2016**

The Senate was called to order by Senator David.

Roll Call:

Present: Allen, Barrington, Bass, Bice, Bingman, Boggs, Brecheen, Brooks, Brown, Crain, Dahm, David, Dossett, Fields, Floyd, Ford, Fry, Griffin, Halligan, Holt, Jech, Justice, Loveless, Marlatt, Matthews, Mazzei, Newberry, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat, Wyrick and Yen.—43.

Excused: Anderson, Garrison, Jolley, Paddack and Simpson.—5.

Senator David declared a quorum present.

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

### REPORT OF ENGROSSED AND ENROLLED MEASURES

**HBs 2254, 2264, 2280, 2282, 2289, 2360, 2523, 2549, 2646, 2651, 2729, 2898, 3104, 3109 and 3126** were each correctly engrossed and, together with engrossed **SAs**, properly signed and ordered returned to the Honorable House.

**SBs 361, 481, 922, 923, 982, 1102, 1112, 1122, 1335, 1377, 1430 and 1491** were each correctly enrolled and after fourth reading, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

### INTRODUCTION

Senator Newberry introduced his son, Alex, to the Senate, and asked that he be named Honorary Floor Leader for this legislative day, which was the order.

**GENERAL ORDER**

**HB 2553** by Wright of the House and Barrington of the Senate was called up for consideration.

Senator Barrington moved to amend **HB 2553**, Page 1, by striking the enacting clause, which amendment was declared adopted.

Senator Barrington moved that **HB 2553** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 2553** 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, Crain, David, Dossett, Fields, Floyd, Ford, Fry, Griffin, Halligan, Holt, Jech, Justice, Loveless, Matthews, Newberry, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Smalley, Standridge, Stanislawski, Thompson, Treat, Wyrick and Yen.--35.

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

Excused: Anderson, Garrison, Jolley, Marlatt, Paddack, Simpson and Sparks.--7.

The bill passed.

**HB 2553** was referred for engrossment.

**GENERAL ORDER**

**HB 2263** by McDaniel (Randy) of the House and Smalley of the Senate was called up for consideration.

Senator Smalley moved to amend **HB 2263**, Page 1, by restoring the title, which amendment was declared adopted.

The above amendment restores **HB 2263** to the engrossed version of the bill.

Senator Smalley moved that **HB 2263** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 2263** 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, Boggs, Brecheen, Brooks, Brown, Crain, Dahm, David, Dossett, Fields, Floyd, Ford, Fry, Griffin, Halligan, Holt, Jech, Justice, Loveless, Marlatt, Matthews, Mazzei, Newberry, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Smalley, Standridge, Stanislawski, Sykes, Thompson, Treat, Wyrick and Yen.--41.

Excused: Anderson, Bingman, Garrison, Jolley, Paddack, Simpson and Sparks.--7.

The bill passed.

**HB 2263** was properly signed and ordered returned to the Honorable House.

**GENERAL ORDER**

**HB 2601** by Ritze and Denney of the House and Brown of the Senate was called up for consideration.

Senator Brown moved to amend **HB 2601**, Page 1, by restoring the title and enacting clause, which amendment was declared adopted.

The above amendment restores **HB 2601** to the engrossed version of the bill.

Senator Brown moved that **HB 2601** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 2601** 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, Brooks, Brown, Crain, David, Dossett, Fields, Floyd, Fry, Griffin, Halligan, Holt, Jech, Justice, Loveless, Matthews, Pittman, Quinn, Schulz, Sharp, Shaw, Silk, Smalley, Standridge, Stanislawski, Thompson, Treat and Wyrick.--32.

Nay: Allen, Brecheen, Dahm, Ford, Mazzei, Newberry, Sykes and Yen.--8.

Excused: Anderson, Garrison, Jolley, Marlatt, Paddack, Shortey, Simpson and Sparks.--8.

The bill passed.

**HB 2601** was properly signed and ordered returned to the Honorable House.

### **GENERAL ORDER**

**HB 2268** by Sanders et al of the House and Justice and Bingman of the Senate was called up for consideration.

Senator Justice moved that **HB 2268** be advanced, which motion was declared adopted.

### **THIRD READING**

**HB 2268** 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, Crain, Dahm, David, Dossett, Fields, Floyd, Ford, Fry, Griffin, Halligan, Holt, Jech, Justice, Loveless, Mazzei, Newberry, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Smalley, Standridge, Stanislawski, Sykes, Thompson, Treat, Wyrick and Yen.--40.

Excused: Anderson, Garrison, Jolley, Marlatt, Matthews, Paddack, Simpson and Sparks.--8.

The bill passed.

**HB 2268** was referred for engrossment.

### **GENERAL ORDER**

**HB 2622** by Osborn and Scott of the House and Justice of the Senate was called up for consideration.

Senator Justice moved that **HB 2622** be advanced, which motion was declared adopted.

### **THIRD READING**

**HB 2622** 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, Boggs, Brecheen, Brooks, Brown, Crain, David, Dossett, Fields, Floyd, Ford, Fry, Griffin, Halligan, Holt, Jech, Justice, Loveless,

Matthews, Mazzei, Newberry, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Smalley, Sparks, Standridge, Thompson, Wyrick and Yen.--37.

Nay: Allen, Dahm, Stanislawski, Sykes and Treat.--5.

Excused: Anderson, Garrison, Jolley, Marlatt, Paddack and Simpson.--6.

The bill and emergency passed.

**HB 2622** was properly signed and ordered returned to the Honorable House.

### **GENERAL ORDER**

**HB 2624** by Osborn of the House and Justice of the Senate was called up for consideration.

Senator Justice moved to amend **HB 2624**, Page 1, by restoring the title, which amendment was declared adopted.

The above amendment restores **HB 2624** to the engrossed version of the bill.

Senator Justice moved that **HB 2624** be advanced, which motion was declared adopted.

### **THIRD READING**

**HB 2624** 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, Crain, Dahm, David, Dossett, Fields, Floyd, Ford, Fry, Griffin, Halligan, Holt, Jech, Justice, Loveless, Matthews, Mazzei, Newberry, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Smalley, Standridge, Stanislawski, Sykes, Thompson, Treat, Wyrick and Yen.--40.

Excused: Anderson, Garrison, Jolley, Marlatt, Paddack, Pittman, Simpson and Sparks.-  
-8.

The bill passed.

**HB 2624** was properly signed and ordered returned to the Honorable House.

**GENERAL ORDER**

**HB 1654** by Wallace of the House and Sharp of the Senate was called up for consideration.

Senator Sharp moved that **HB 1654** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 1654** was read for the third time at length.

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

Aye: Barrington, Boggs, Brecheen, Crain, Fields, Sharp, Shortey, Wyrick and Yen.--9.

Nay: Allen, Bass, Bice, Bingman, Brooks, Brown, Dahm, David, Dossett, Floyd, Ford, Fry, Griffin, Halligan, Holt, Jech, Justice, Loveless, Marlatt, Matthews, Mazzei, Newberry, Quinn, Schulz, Shaw, Silk, Smalley, Standridge, Stanislawski, Sykes, Thompson and Treat.--32.

Excused: Anderson, Garrison, Jolley, Paddack, Pittman, Simpson and Sparks.--7.

The bill failed.

Pursuant to Rule 12-21, Senator Sharp served notice that the vote be reconsidered whereby **HB 1654** failed.

**GENERAL ORDER**

**HB 2503** by Pfeiffer of the House and Dahm of the Senate was called up for consideration.

Senator Dahm moved to amend **HB 2503**, Page 33, Lines 9 through 11, by striking all language and renumbering subsequent paragraphs, which amendment was declared adopted.

Senator Dahm moved that **HB 2503** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 2503** was read for the third time at length.

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

Aye: Allen, Barrington, Bice, Bingman, Boggs, Brecheen, Brooks, Brown, Crain, Dahm, David, Dossett, Fields, Floyd, Ford, Fry, Griffin, Halligan, Holt, Jech, Justice,

Loveless, Marlatt, Matthews, Mazzei, Newberry, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Smalley, Standridge, Stanislawski, Sykes, Thompson, Treat, Wyrick and Yen.--40.

Excused: Anderson, Bass, Garrison, Jolley, Paddack, Pittman, Simpson and Sparks.--8.

The bill passed.

**HB 2503** was referred for engrossment.

### **GENERAL ORDER**

**HB 3142** by Cockroft of the House and Dahm of the Senate was called up for consideration.

Senator Dahm moved to amend **HB 3142**, Page 1, by restoring the title and enacting clause, which amendment was declared adopted.

Senator Dahm moved that **HB 3142** be advanced, which motion was declared adopted.

### **THIRD READING**

**HB 3142** was read for the third time at length.

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

Aye: Allen, Barrington, Bice, Bingman, Boggs, Brecheen, Brooks, Brown, Dahm, David, Floyd, Ford, Fry, Halligan, Holt, Jech, Justice, Loveless, Marlatt, Mazzei, Newberry, Schulz, Shortey, Silk, Standridge, Stanislawski, Sykes, Thompson, Treat and Yen.--30.

Nay: Bass, Dossett, Fields, Griffin, Matthews, Pittman, Quinn, Sharp, Shaw, Smalley and Wyrick.--11.

Excused: Anderson, Crain, Garrison, Jolley, Paddack, Simpson and Sparks.--7.

The bill passed.

**HB 3142** was referred for engrossment.

**GENERAL ORDER**

**HB 2777** by McCall of the House and Brecheen of the Senate was called up for consideration.

Senator Brecheen moved that **HB 2777** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 2777** 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, David, Dossett, Fields, Floyd, Ford, Fry, Griffin, Halligan, Holt, Jech, Justice, Loveless, Marlatt, Matthews, Mazzei, Newberry, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Smalley, Sparks, Standridge, Stanislawski, Thompson, Treat, Wyrick and Yen.--40.

Nay: Dahm and Sykes.--2.

Excused: Anderson, Crain, Garrison, Jolley, Paddack and Simpson.--6.

The bill passed.

**HB 2777** was referred for engrossment.

**GENERAL ORDER**

**HB 2967** by Nelson of the House and Holt of the Senate was called up for consideration.

Senator Holt moved to amend **HB 2967**, Page 1, by restoring the title, enacting clause, effective date and emergency clause, which amendment was declared adopted.

Senator Holt moved that **HB 2967** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 2967** 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, Holt, Jech, Justice, Loveless, Mazzei, Pittman, Quinn, Schulz, Shortey, Silk, Smalley, Standridge, Stanislawski, Sykes, Thompson, Treat and Yen.--31.

Nay: Bass, Dossett, Floyd, Halligan, Marlatt, Matthews, Newberry, Sharp, Shaw and Wyrick.--10.

Excused: Anderson, Crain, Garrison, Jolley, Paddack, Simpson and Sparks.--7.

The bill passed.

Senator Newberry desired to vote aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 32; Nay: 9; Excused: 7.

The emergency passed.

**HB 2967** was referred for engrossment.

**GENERAL ORDER**

**HB 2840** by Echols of the House and Treat of the Senate was called up for consideration.

Senator Treat moved that **HB 2840** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 2840** 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, Griffin, Halligan, Holt, Jech, Justice, Loveless, Marlatt, Matthews, Mazzei, Newberry, Pittman, Quinn, Schulz, Sharp, Shortey, Silk, Smalley, Stanislawski, Sykes, Thompson, Treat, Wyrick and Yen.--39.

Nay: Shaw.--1.

Excused: Anderson, Crain, Garrison, Jolley, Paddack, Simpson, Sparks and Standridge.--8.

The bill passed.

**HB 2840** was properly signed and ordered returned to the Honorable House.

### **GENERAL ORDER**

**HB 2971** by Nelson and Nollan of the House and Treat of the Senate was called up for consideration.

Senator Treat moved that **HB 2971** be advanced, which motion was declared adopted.

### **THIRD READING**

**HB 2971** 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, Griffin, Halligan, Holt, Jech, Justice, Loveless, Marlatt, Matthews, Mazzei, Newberry, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Smalley, Stanislawski, Sykes, Thompson, Treat, Wyrick and Yen.--40.

Excused: Anderson, Crain, Garrison, Jolley, Paddack, Simpson, Sparks and Standridge.--8.

The bill and emergency passed.

**HB 2971** was properly signed and ordered returned to the Honorable House.

### **GENERAL ORDER**

**HB 2962** by Nelson et al of the House and Griffin et al of the Senate was called up for consideration.

Senator Griffin moved to amend **HB 2962**, 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 Griffin moved to amend the floor substitute to **HB 2962**, Page 1, by restoring the title and enacting clause, which amendment was declared adopted.

Senator Griffin moved that **HB 2962** be advanced, which motion was declared adopted.

### **THIRD READING**

**HB 2962** 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, Brooks, David, Dossett, Fields, Floyd, Ford, Fry, Griffin, Halligan, Holt, Jech, Justice, Loveless, Marlatt, Matthews, Mazzei, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Smalley, Sparks, Stanislawski, Thompson, Treat, Wyrick and Yen.--36.

Nay: Brecheen, Brown, Dahm, Newberry and Sykes.--5.

Excused: Anderson, Crain, Garrison, Jolley, Paddack, Simpson and Standridge.--7.

The bill passed.

**HB 2962** was referred for engrossment.

### **GENERAL ORDER**

**HB 2491** by Coody (Ann) of the House and Fields of the Senate was called up for consideration.

Senator Fields moved to amend **HB 2491**, Page 1, by restoring the title and enacting clause, which amendment was declared adopted.

The above amendment restores **HB 2491** to the engrossed version of the bill.

Senator Fields moved that **HB 2491** be advanced, which motion was declared adopted.

### **THIRD READING**

**HB 2491** 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, Griffin, Halligan, Holt, Jech, Justice,

Loveless, Marlatt, Matthews, Mazzei, Newberry, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Smalley, Sparks, Stanislawski, Sykes, Thompson, Treat, Wyrick and Yen.--41.

Excused: Anderson, Crain, Garrison, Jolley, Paddack, Simpson and Standridge.--7.

The bill passed.

**HB 2491** was properly signed and ordered returned to the Honorable House.

### **GENERAL ORDER**

**HB 2642** by Vaughan of the House and Fields of the Senate was called up for consideration.

Senator Fields moved that **HB 2642** be advanced, which motion was declared adopted.

### **THIRD READING**

**HB 2642** 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, Griffin, Halligan, Holt, Jech, Justice, Loveless, Marlatt, Matthews, Mazzei, Newberry, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Smalley, Stanislawski, Sykes, Thompson, Treat, Wyrick and Yen.--40.

Excused: Anderson, Crain, Garrison, Jolley, Paddack, Simpson, Sparks and Standridge.--8.

The bill and emergency passed.

**HB 2642** was properly signed and ordered returned to the Honorable House.

### **GENERAL ORDER**

**HB 2649** by Thomsen of the House and Fields of the Senate was called up for consideration.

Senator Fields moved that **HB 2649** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 2649** 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, Dahm, David, Dossett, Fields, Floyd, Ford, Fry, Griffin, Halligan, Holt, Jech, Justice, Loveless, Marlatt, Matthews, Mazzei, Newberry, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Smalley, Stanislawski, Sykes, Thompson, Treat, Wyrick and Yen.--39.

Excused: Anderson, Brown, Crain, Garrison, Jolley, Paddack, Simpson, Sparks and Standridge.--9.

The bill and emergency passed.

**HB 2649** was properly signed and ordered returned to the Honorable House.

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

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

**SB 796**  
**SB 944**  
**SB 1059**  
**SB 1239**  
**SB 1318**  
**SB 1489**

House amendments were read on the above-numbered bills.

**MESSAGES FROM THE HOUSE**

Advising fourth reading of and transmitting for signature Enrolled **HBs 2351, 2352, 2371, 2452, 2536, 2602, 2619, 2627, 2774, 2801 and 2844.**

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 361, 481, 922, 923, 982, 1102, 1112, 1122, 1335, 1377, 1430 and 1491.

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

Advising passage of and returning the following Engrossed bills:

**SB 952**

**SB 954**

**SB 955**

**SB 997**

**SB 1011**

**SB 1027**

**SB 1085**

**SB 1219** - remove Representative Osborn as principal author and substitute with Representative Pfeiffer. Coauthored by Osborn of the House.

**SB 1221**

**SB 1245**

**SB 1327**

**SB 1431**

**SB 1493** - remove Representative Biggs as principal House author and substitute with Representative Park. Coauthored by Biggs, Sanders and Sherrer of the House.

The above-numbered measures were referred for enrollment.

Senator Schulz moved that when the clerk's desk is clear, the Senate stand adjourned to convene Monday, April 18, 2016, at 1:30 p.m., which motion prevailed.

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

The following measures were authored/coauthored:

**HB 2491** - Coauthored by Pittman

**HB 2929** - Coauthored by Henke

**HB 2962** - Coauthored by Pittman

**HB 2967** - Coauthored by Pittman

**HB 2969** - Coauthored by Pittman

**HB 2982** - Coauthored by Pittman

**HB 2997** - Coauthored by Pittman

**HB 3098** - Coauthored by Shortey

**MESSAGES FROM THE GOVERNOR**

Advising her approval April 14, 2016, of Enrolled **SBs 14, 823, 1317, 1370 and 1371.**

Pursuant to the Schulz motion, the Senate adjourned at 12:10 p.m. to meet Monday, April 18, 2016, at 1:30 p.m.