

# Senate Journal

## Second Regular Session of the Fifty-fifth Legislature of the State of Oklahoma Sixty-seventh Legislative Day, Thursday, May 26, 2016

The Senate was called to order by Senator David.

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, Stanislawski, Sykes, Thompson, Treat, Wyrick and Yen.—47.

Excused: Garrison.—1.

Senator David declared a quorum present.

The prayer was offered by Pastor Dwayne Case, Northeast Church of Christ, Oklahoma City, the guest of Senator Pittman.

### **PENDING CONSIDERATION OF CCR**

The **CCR** on **SB 383** was adopted upon motion of Senator Bice.

**SB 383**, as amended in conference, was read at length.

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

Aye: Anderson, Bice, Bingman, Boggs, Brooks, Crain, David, Dossett, Fields, Ford, Fry, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Matthews, Mazzei, Newberry, Paddack, Pittman, Quinn, Sharp, Shortey, Silk, Simpson, Stanislawski, Thompson, Treat and Yen.--33.

Nay: Allen, Bass, Brecheen, Brown, Dahm, Floyd, Schulz, Shaw, Sparks, Standridge, Sykes and Wyrick.--12.

Excused: Barrington and Garrison.--2.

\*Not Voting: Smalley.—1.

The bill passed.

\*Senator Smalley asked to be shown not voting on **SB 383** for reason of personal interest, as provided in Article V, Section 24, Oklahoma Constitution.

**SB 383**, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

#### **PENDING CONSIDERATION OF CCR**

The **CCR** on **SB 359** was adopted upon motion of Senator Brooks.

**SB 359**, as amended in conference, was read at length.

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

Aye: Anderson, Bass, Bice, Bingman, Boggs, Brooks, Crain, David, Dossett, Fields, Floyd, Ford, Fry, Griffin, Halligan, Holt, Jech, Jolley, Justice, Mazzei, Newberry, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Simpson, Smalley, Sparks, Standridge, Stanislawski, Thompson and Yen.--34.

Nay: Allen, Brecheen, Brown, Dahm, Loveless, Marlatt, Matthews, Silk, Sykes and Treat.--10.

Excused: Barrington, Garrison, Shortey and Wyrick.--4.

The bill and emergency passed.

**SB 359**, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

#### **PENDING CONSIDERATION OF CCR**

The **CCR** on **SB 1001** was adopted upon motion of Senator Smalley.

**SB 1001**, as amended in conference, was read at length.

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

Aye: Allen, Anderson, 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, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Treat and Yen.--43.

Excused: Barrington, Garrison, Jolley, Thompson and Wyrick.--5.

The bill and emergency passed.

**SB 1001**, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

### **PENDING CONSIDERATION OF CCR**

The **CCR** on **HB 2267** was adopted upon motion of Senator Justice.

**HB 2267**, as amended in conference, was read at length.

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

Aye: Allen, Anderson, Bass, Bice, Bingman, Boggs, Brooks, Crain, David, Dossett, Fields, Floyd, Ford, Fry, Griffin, Halligan, Holt, Jech, Justice, Loveless, Marlatt, Matthews, Newberry, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Silk, Simpson, Smalley, Sparks, Standridge, Stanislawski, Thompson, Wyrick and Yen.--38.

Nay: Brecheen, Brown, Dahm, Jolley, Mazzei, Shortey, Sykes and Treat.--8.

Excused: Barrington and Garrison.--2.

The bill passed.

**HB 2267**, together with the conference committee report thereon, was ordered returned to the Honorable House.

### **GENERAL ORDER**

**HB 3168** by Hickman of the House and Bingman of the Senate was called up for consideration.

Senator Bingman moved that **HB 3168** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 3168** was read for the third time at length.

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

Aye: Bice, Bingman, Crain, David, Fields, Floyd, Ford, Fry, Griffin, Halligan, Holt, Jech, Jolley, Justice, Marlatt, Mazzei, Newberry, Paddock, Pittman, Quinn, Schulz, Sharp, Shaw, Simpson, Smalley, Sparks, Thompson, Treat, Wyrick and Yen.--30.

Nay: Allen, Anderson, Bass, Boggs, Brecheen, Brooks, Brown, Dahm, Dossett, Loveless, Matthews, Shortey, Silk, Standridge, Stanislawski and Sykes.--16.

Excused: Barrington and Garrison.--2.

The bill passed.

**HB 3168** was properly signed and ordered returned to the Honorable House.

**FIRST READING**

The following was introduced and read the first time:

**SR 87** – By Bingman.

A Resolution commending Senator Jim Halligan for his years of service to the Oklahoma State Senate; wishing him well in the future; and directing distribution.

Senator Schulz moved that the Senate recess to the Call of the Chair, which motion was declared adopted.

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The Senate reconvened with Senator Jolley presiding.

Senator Jolley questioned the presence of a quorum and ordered the roll called, following which a quorum was declared present.

**PENDING CONSIDERATION OF CCR**

The **CCR** on **HB 2397** was adopted upon motion of Senator Sykes.

**HB 2397**, as amended in conference, 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, Dahm, Dossett, Fields, Floyd, Ford, Fry, Halligan, Jech, Jolley, Justice, Marlatt, Matthews, Mazzei, Newberry, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat, Wyrick and Yen.--42.

Excused: Brecheen, David, Garrison, Griffin, Holt and Loveless.--6.

The bill passed.

**HB 2397**, together with the conference committee report thereon, was ordered returned to the Honorable House.

**UNANIMOUS CONSENT REQUEST  
DIRECT TO CALENDAR**

Senator Schulz asked unanimous consent to refer **SRs 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83** and **87** direct to the Calendar for consideration, which was the order.

**GENERAL ORDER**

**SR 75** by Schulz was called up for consideration.

All other members of the Senate asked to coauthor **SR 75**, except Senator Bingman, which was the order.

**SR 75** was adopted upon motion of Senator Schulz and referred for enrollment.

**GENERAL ORDER**

**SR 73** by Bingman and Schulz was called up for consideration.

All other members of the Senate asked to coauthor **SR 73**, except Senator Anderson, which was the order.

**SR 73** was adopted upon motion of Senator Bingman and referred for enrollment.

**GENERAL ORDER**

**SR 74** by Bingman and Schulz was called up for consideration.

All other members of the Senate asked to coauthor **SR 74**, except Senator Barrington, which was the order.

**SR 74** was adopted upon motion of Senator Bingman and referred for enrollment.

**GENERAL ORDER**

**SR 76** by Bingman and Schulz was called up for consideration.

All other members of the Senate asked to coauthor **SR 76**, except Senator Crain, which was the order.

**SR 76** was adopted upon motion of Senator Bingman and referred for enrollment.

**GENERAL ORDER**

**SR 77** by Bingman and Schulz was called up for consideration.

All other members of the Senate asked to coauthor **SR 77**, except Senator Ford, which was the order.

**SR 77** was adopted upon motion of Senator Bingman and referred for enrollment.

**GENERAL ORDER**

**SR 80** by Bingman and Schulz was called up for consideration.

All other members of the Senate asked to coauthor **SR 80**, except Senator Garrison, which was the order.

**SR 80** was adopted upon motion of Senator Bingman and referred for enrollment.

**GENERAL ORDER**

**SR 79** by Bingman and Schulz was called up for consideration.

All other members of the Senate asked to coauthor **SR 79**, except Senator Jolley, which was the order.

**SR 79** was adopted upon motion of Senator Bingman and referred for enrollment.

**GENERAL ORDER**

**SR 78** by Bingman and Schulz was called up for consideration.

All other members of the Senate asked to coauthor **SR 78**, except Senator Justice, which was the order.

**SR 78** was adopted upon motion of Senator Bingman and referred for enrollment.

**GENERAL ORDER**

**SR 81** by Bingman and Schulz was called up for consideration.

All other members of the Senate asked to coauthor **SR 81**, except Senator Mazzei, which was the order.

**SR 81** was adopted upon motion of Senator Bingman and referred for enrollment.

**GENERAL ORDER**

**SR 82** by Bingman and Schulz was called up for consideration.

All other members of the Senate asked to coauthor **SR 82**, except Senator Paddack, which was the order.

**SR 82** was adopted upon motion of Senator Bingman and referred for enrollment.

**GENERAL ORDER**

**SR 83** by Bingman and Schulz was called up for consideration.

All other members of the Senate asked to coauthor **SR 83**, except Senator Wyrick, which was the order.

**SR 83** was adopted upon motion of Senator Bingman and referred for enrollment.

**GENERAL ORDER**

**SR 87** by Bingman was called up for consideration.

All other members of the Senate asked to coauthor **SR 87**, except Senator Halligan, which was the order.

**SR 87** was adopted upon motion of Senator Bingman and referred for enrollment.

**Senator David presiding.**

**PENDING CONSIDERATION OF HAS**

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

**SB 419** – Justice, Fields, Allen, Schulz, Smalley, Wyrick, Garrison

**PENDING CONSIDERATION OF CCR**

The **CCR** on **SB 1059** was adopted upon motion of Senator Stanislawski.

**SB 1059**, as amended in conference, was read at length.

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

Aye: Anderson, Bice, Bingman, Brecheen, Dahm, David, Fields, Ford, Fry, Griffin, Holt, Jech, Jolley, Justice, Loveless, Mazzei, Newberry, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Simpson, Smalley, Stanislawski, Sykes, Treat and Yen.--29.

Nay: Allen, Barrington, Bass, Boggs, Brooks, Crain, Dossett, Floyd, Halligan, Marlatt, Matthews, Paddack, Pittman, Sparks, Standridge, Thompson and Wyrick.--17.

Excused: Brown and Garrison.--2.

The bill passed.

Senators Standridge, Marlatt and Brooks desired to vote Aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 32; Nay: 14; Excused: 2.

The emergency passed.

**SB 1059**, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

### **CONFERENCE COMMITTEE REPORTS SUBMITTED**

Conference committee reports were read on the following bills:

**SB 526** (2nd CCR)

**SB 694**

**SB 1144**

**SB 1490**

### **PENDING CONSIDERATION OF CCR**

The CCR on **SB 694** was adopted upon motion of Senator Griffin.

**SB 694**, as amended in conference, 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, 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, Simpson, Smalley, Sparks, Standridge, Stanislawski, Sykes, Thompson, Treat, Wyrick and Yen.--46.

Excused: Brown and Garrison.--2.

The bill and emergency passed.

**SB 694**, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

### **MESSAGES FROM THE HOUSE**

Advising passage of and transmitting for consideration Engrossed **HCR 1021**.

**HCR 1021** – By Bennett, Coody (Ann), Fisher, Kern, Roberts (Sean), Faught, Strohm, Vaughan, Brumbaugh, Wesselhoft, Moore, Johnson, Wood, Dunlap, Nollan, Calvey, Ritze, Russ and Rogers of the House and Stanislawski, Brecheen, Dahm, Treat and Sykes of the Senate.

A Concurrent Resolution supporting the Attorney General to take certain actions regarding the application of Title IX to transgender students and gender identity and federal

government overreach; calling on the Superintendent of Public Instruction and the State Board of Education to instruct school districts to disregard certain guidance and adopt certain policies; recognizing and supporting certain authority of boards of education of school districts; and directing distribution.

The above-numbered measure was read the first time.

Advising fourth reading of and transmitting for signature Enrolled **HBs 1654, 2267, 2319, 2397, 3017, 3119 and 3168.**

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

Returning following bills, together with conference committee reports thereon, advising adoption of conference committee reports and passage of measures as amended:

**SB 424** - (2nd CCR) (Emergency Failed)

**SB 929** - (Emergency Failed)

**SB 1001** - (Emergency Failed)

**SB 1202**

**SB 1211** - remove Representative Cockroft as principal House author and substitute with

Representative Roberts (Sean), add as coauthor Representative Cockroft

**SB 1380**

**SB 1499**

The above-numbered measures, as amended in conference, were referred for enrollment.

Advising passage of and returning the following Engrossed measure:

**SCR 44**

The above-numbered measure was referred for enrollment.

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

**SB 424** was correctly enrolled and after fourth reading, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

**SCR 44** was correctly enrolled, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

**SRs 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83** and **87** were each correctly enrolled, properly signed and ordered transmitted to the Secretary of State.

#### **MESSAGES FROM THE HOUSE**

Advising the signing of and returning Enrolled **SCR 44**.

The above-numbered enrolled measure was transmitted to the Secretary of State.

Advising fourth reading of and returning Enrolled **SB 424**.

The above-numbered enrolled measure was referred to the Governor.

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

**SB 419** - Conference Committee on GCCA

#### **CONFERENCE COMMITTEE REPORTS**

Transmitting the following bills, together with conference committee reports thereon, advising adoption of conference committee reports and passage of measures as amended:

**HB 2703**

**HB 2773** - (2nd CCR)

**HB 2929** - coauthored by Representatives Proctor and Inman

Conference committee reports were read on the above-numbered bills.

Senator Schulz moved that when the clerk's desk is clear, the Senate stand adjourned to convene Friday, May 27, 2016, at 9:30 a.m., which motion prevailed.

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

The following measures were authored/coauthored:

**SB 419** - Coauthored by Standridge

**SB 526** - Coauthored by Walker

**SR 73** - Remove as author Senator Schulz; authored by Senator Bingman  
Coauthored by Schulz

**SR 74** - Coauthored by Schulz

**SR 78** - Remove as author Senator Schulz; authored by Senator Bingman  
Coauthored by Schulz

**SR 79** - Remove as author Senator Schulz; authored by Senator Bingman  
Coauthored by Schulz

**SR 81** - Remove as author Senator Schulz; authored by Senator Bingman  
Coauthored by Schulz

**SR 82** - Remove as author Senator Schulz; authored by Senator Bingman  
Coauthored by Schulz

**SR 83** - Remove as author Senator Schulz; authored by Senator Bingman  
Coauthored by Schulz

**SR 87** - Authored by Senator Bingman

**HB 3220** - Coauthored by Pittman

**HCR 1021** - Coauthored by Mazzei

Coauthored by Sykes

Coauthored by Dahm

Coauthored by Treat

Pursuant to the Schulz motion, the Senate adjourned at 5:15 p.m. to meet Friday, May 27, 2016, at 9:30 a.m.