

Senate Journal

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

Thirty-sixth Legislative Day, Friday, May 22, 2020

The Senate was called to order by Senator Stanislawski.

Roll Call:

Present: Allen, Bergstrom, Bice, Boggs, Boren, Brooks, Bullard, Coleman, Dahm, Daniels, David, Dossett, Dugger, Floyd, Hall, Haste, Hicks, Howard, Jech, Kidd, Kirt, Leewright, Matthews, McCortney, Montgomery, Murdock, Newhouse, Paxton, Pederson, Pemberton, Pugh, Quinn, Rader, Rosino, Scott, Sharp, Shaw, Simpson, Standridge, Stanislawski, Stanley, Thompson, Treat, Weaver and Young.—45.

Excused: Ikley-Freeman and Silk.—2.

Vacancy: District 28.—1.

Senator Stanislawski declared a quorum present.

The prayer was offered by Senator George Young.

Advising his veto May 19, 2020, of Enrolled **SB 1002**.

May 19, 2020

To the Honorable President Pro Tempore
And Members of the Oklahoma Senate
Second Regular Session of the
Fifty Seventh Oklahoma Legislature

ENROLLED SENATE BILL NO 1002:

This is to advise you that on this date pursuant to the authority vested in me by Section 11 of Article VI of the Oklahoma Constitution to approve or object to legislation presented to me, I have vetoed Senate Bill 1002.

SB 1002 is a companion bill, seeking to add an additional 2 members to the Rural Broadband Expansion Council proposed in HB 4018.

In order to prevent a duplication of work, expertise and expense, I vetoed HB 4018. As a result, the need for changes in the Council has become obsolete.

For the aforementioned reasons, I have vetoed Senate Bill 1002.

By the Governor of the State of Oklahoma,
/s/ Kevin Stitt

**PENDING SENATE ACTION -
VETO OVERRIDE OF SB 1002**

Senator Leewright moved that **SB 1002** become law notwithstanding the veto of the Governor, which motion was declared adopted upon roll call as follows:

Aye: Allen, Bergstrom, Bice, Boggs, Boren, Brooks, Bullard, Coleman, Daniels, David, Dossett, Dugger, Floyd, Hall, Haste, Hicks, Howard, Jech, Kidd, Kirt, Leewright, Matthews, McCortney, Montgomery, Murdock, Newhouse, Paxton, Pederson, Pemberton, Pugh, Quinn, Rader, Rosino, Scott, Sharp, Shaw, Simpson, Standridge, Stanislawski, Stanley, Thompson, Treat, Weaver and Young.--44.

Nay: Dahm.--1.

Excused: Ikley-Freeman and Silk.--2.

Vacancy: District 28.--1.

In accordance with Article V, Section 58, Oklahoma Constitution, **SB 1002**, together with the Governor's veto message thereon, was transmitted to the Honorable House.

**MESSAGE FROM THE HOUSE
VETO OVERRIDE OF HB 3819**

Transmitting herewith Enrolled **HB 3819** together with the Governor's veto message thereon, and advising that under the provisions of Article VI, Section 11, of the Constitution of the State of Oklahoma the House of Representatives has reconsidered and passed said measure, over the Governor's veto, by a two-thirds vote of all members elected to and constituting the House, said vote being as follows - Ayes 94, Nays 3.

**PENDING SENATE ACTION -
VETO OVERRIDE OF HB 3819**

Senator Treat moved that **HB 3819** become law notwithstanding the veto of the Governor, which motion was declared adopted upon roll call as follows:

Aye: Allen, Bergstrom, Bice, Boggs, Boren, Brooks, Bullard, Coleman, Dahm, Daniels, David, Dossett, Dugger, Floyd, Hall, Haste, Hicks, Howard, Jech, Kidd, Kirt, Leewright, Matthews, McCortney, Montgomery, Murdock, Newhouse, Paxton, Pederson, Pemberton, Pugh, Quinn, Rader, Rosino, Scott, Sharp, Shaw, Simpson, Standridge, Stanislawski, Stanley, Thompson, Treat, Weaver and Young.--45.

Excused: Ikley-Freeman and Silk.--2.

Vacancy: District 28.--1.

In accordance with Article VI, Section 11, Oklahoma Constitution, **HB 3819**, together with the Governor's veto message thereon, was returned to the Honorable House.

**MESSAGE FROM THE HOUSE
VETO OVERRIDE OF HB 4049**

Transmitting herewith Enrolled **HB 4049** together with the Governor's veto message thereon, and advising that under the provisions of Article VI, Section 11, of the Constitution of the State of Oklahoma the House of Representatives has reconsidered and passed said measure, over the Governor's veto, by a two-thirds vote of all members elected to and constituting the House, said vote being as follows - Ayes 89, Nays 7.

**PENDING SENATE ACTION -
VETO OVERRIDE OF HB 4049**

Senator Bullard moved that **HB 4049** become law notwithstanding the veto of the Governor, which motion was declared adopted upon roll call as follows:

Aye: Allen, Bergstrom, Bice, Boggs, Boren, Brooks, Bullard, Coleman, Daniels, David, Dossett, Dugger, Floyd, Hall, Haste, Hicks, Howard, Jech, Kidd, Kirt, Leewright, Matthews, McCortney, Montgomery, Murdock, Newhouse, Paxton, Pederson, Pemberton, Pugh, Quinn, Rader, Rosino, Scott, Sharp, Shaw, Simpson, Standridge, Stanislawski, Stanley, Thompson, Treat, Weaver and Young.--44.

Nay: Dahm.--1.

Excused: Ikley-Freeman and Silk.--2.

Vacancy: District 28.--1.

In accordance with Article VI, Section 11, Oklahoma Constitution, **HB 4049**, together with the Governor's veto message thereon, was returned to the Honorable House.

Senator David 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 Howard presiding.

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

MESSAGE FROM THE HOUSE VETO OVERRIDE OF HB 4018

Transmitting herewith Enrolled **HB 4018** together with the Governor's veto message thereon, and advising that under the provisions of Article V, Section 58, of the Constitution of the State of Oklahoma the House of Representatives has reconsidered and passed said measure, over the Governor's veto, by a three-fourths vote of all members elected to and constituting the House, said vote being as follows - Ayes 90, Nays 6.

PENDING SENATE ACTION - VETO OVERRIDE OF HB 4018

Senator Leewright moved that **HB 4018** become law notwithstanding the veto of the Governor, which motion was declared adopted upon roll call as follows:

Aye: Allen, Bergstrom, Bice, Boggs, Boren, Brooks, Bullard, Coleman, Daniels, David, Dossett, Dugger, Floyd, Hall, Haste, Hicks, Howard, Jech, Kidd, Kirt, Leewright, Matthews, McCortney, Montgomery, Murdock, Paxton, Pederson, Pemberton, Pugh, Quinn, Rader, Rosino, Scott, Sharp, Shaw, Simpson, Standridge, Stanislawski, Stanley, Thompson, Treat, Weaver and Young.--43.

Nay: Dahm.--1.

Excused: Ikley-Freeman, Newhouse and Silk.--3.

Vacancy: District 28.--1.

In accordance with Article V, Section 58, Oklahoma Constitution, **HB 4018**, together with the Governor's veto message thereon, was returned to the Honorable House.

**MESSAGE FROM THE HOUSE
VETO OVERRIDE OF HB 2749**

Transmitting herewith Enrolled **HB 2749** together with the Governor's veto message thereon, and advising that under the provisions of Article VI, Section 11, of the constitution of the State of Oklahoma the House of Representatives has reconsidered and passed said measure, over the Governor's veto, by a two-thirds vote of all members elected to and constituting the House, said vote being as follows - Ayes 94, Nays 3.

**PENDING SENATE ACTION -
VETO OVERRIDE OF HB 2749**

Senator Thompson moved that **HB 2749** become law notwithstanding the veto of the Governor, which motion was declared adopted upon roll call as follows:

Aye: Allen, Bergstrom, Bice, Boggs, Boren, Brooks, Bullard, Coleman, Daniels, David, Dossett, Dugger, Floyd, Hall, Haste, Hicks, Howard, Jech, Kidd, Kirt, Leewright, Matthews, McCortney, Montgomery, Murdock, Newhouse, Paxton, Pederson, Pemberton, Pugh, Quinn, Rader, Rosino, Scott, Sharp, Shaw, Simpson, Standridge, Stanislawski, Stanley, Thompson, Treat, Weaver and Young.--44.

Nay: Dahm.--1.

Excused: Ikley-Freeman and Silk.--2.

Vacancy: District 28.--1.

In accordance with Article VI, Section 11, Oklahoma Constitution, **HB 2749**, together with the Governor's veto message thereon, was returned to the Honorable House.

**MESSAGE FROM THE HOUSE
VETO OVERRIDE OF HB 2750**

Transmitting herewith Enrolled **HB 2750** together with the Governor's veto message thereon, and advising that under the provisions of Article VI, Section 11, of the Constitution of the State of Oklahoma the House of Representatives has reconsidered and passed said measure, over the Governor's veto, by a two-thirds vote of all members elected to and constituting the House, said vote being as follows - Ayes 92, Nays 6.

**PENDING SENATE ACTION -
VETO OVERRIDE OF HB 2750**

Senator Thompson moved that **HB 2750** become law notwithstanding the veto of the Governor, which motion was declared adopted upon roll call as follows:

Aye: Allen, Bergstrom, Bice, Boggs, Boren, Brooks, Bullard, Coleman, Daniels, David, Dossett, Dugger, Floyd, Hall, Haste, Hicks, Howard, Jech, Kidd, Kirt, Leewright, Matthews, McCortney, Montgomery, Murdock, Newhouse, Paxton, Pederson, Pemberton, Pugh, Quinn, Rader, Rosino, Scott, Sharp, Shaw, Simpson, Standridge, Stanislawski, Stanley, Thompson, Treat, Weaver and Young.--44.

Nay: Dahm.--1.

Excused: Ikley-Freeman and Silk.--2.

Vacancy: District 28.--1.

In accordance with Article VI, Section 11, Oklahoma Constitution, **HB 2750**, together with the Governor's veto message thereon, was returned to the Honorable House.

**MESSAGE FROM THE HOUSE
VETO OVERRIDE OF SB 1002**

Returning herewith Enrolled **SB 1002** together with the Governor's veto message thereon, and advising that under the provisions of Article V, Section 58, of the Constitution of the State of Oklahoma the House of Representatives has reconsidered and passed said measure, over the Governor's veto, by a three-fourths vote of all members elected to and constituting the House, said vote being as follows - Ayes 91, Nays 7.

Enrolled **SB 1002** was ordered filed with the Secretary of State.

Senator Stanislawski moved that pursuant to the provisions of **SCR 12**, and when the clerk's desk is clear, the Senate stand adjourned, which motion prevailed.

SCR 12 reads as follows:

A Concurrent Resolution allowing the Senate or House of Representatives to reconvene prior to certain date and time; providing procedures; providing for sine die adjournment pursuant to Oklahoma Constitution.

WHEREAS, Section 26 of Article V of the Oklahoma Constitution establishes the first Monday in February as the day on which the regular legislative session commences, after an organizational day on the first Tuesday after the first Monday in odd-numbered years, and requires that the regular session be finally adjourned sine die not later than the last Friday in May; and

WHEREAS, based on these parameters, the legislative calendar for the 2nd Session of the 57th Oklahoma Legislature began on February 3, 2020, and will end not later than May 29, 2020; and

WHEREAS, the Oklahoma Legislature will complete its work for the regular legislative session in a timely manner on Friday, May 15, 2020, prior to the date required to be finally adjourned sine die; and

WHEREAS, the Oklahoma Legislature recognizes that unforeseen circumstances may arise that require the Legislature's attention prior to sine die adjournment.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE 2ND SESSION OF THE 57TH OKLAHOMA LEGISLATURE, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

THAT following adjournment of each house on May 15, 2020, the Senate or the House of Representatives may reconvene at any time prior to 5:00 p.m. on Friday, May 29, 2020.

THAT pursuant to the provisions of Section 30 of Article V of the Oklahoma Constitution and Enrolled House Concurrent Resolution No. 1017 of the 2nd Session of the 57th Oklahoma Legislature, each house shall have the permission of the opposite house to adjourn for more than three days until 5:00 p.m. on Friday, May 29, 2020.

THAT if the Senate or the House of Representatives reconvene pursuant to the provisions of this resolution, the respective chambers will adjourn sine die at such time as

may be declared by the Presiding Officer of the respective chambers, but in no case later than 5:00 p.m. on Friday, May 29, 2020; provided, that in the event the Senate or the House of Representatives are not reconvened prior to or on Friday, May 29, 2020, then the respective chambers of the Oklahoma Legislature shall be deemed to stand adjourned sine die at 5:00 p.m. on Friday, May 29, 2020.

Pursuant to the Stanislawski motion, the Senate adjourned at 12:30 p.m.

FINAL ACTION ON BILLS AFTER ADJOURNMENT

Advising his approval May 18, 2020, of Enrolled **SBs 1125, 1204, 1269, 1375, 1462, 1555, 1642, 1665, 1739, 1823, 1835, 1837** and **1905**.

Advising his veto May 18, 2020, of Enrolled **SB 1703**.

May 18, 2020

To the Honorable President Pro Tempore
And Members of the Oklahoma Senate
Second Regular Session of the
Fifty Seventh Oklahoma Legislature

ENROLLED SENATE BILL NO 1703:

This is to advise you that on this date, pursuant to the authority vest in me by Section 11 of Article VI of the Oklahoma Constitution to approve or object to legislation presented to me, I have vetoed Senate Bill 1703.

Senate Bill 1703 adds the University Hospital Trust (UHT) to a list of public entities that are eligible for sales tax exemptions. The measure also allows the UHT the ability to extend their exemption to a contractor with whom they have a public contract. Though I am supportive of the great hospitals in our state that care for Oklahomans every day, this is not the right time to grow the list of tax exemptions that will end up causing tough budget times to be more difficult over the next few years. The cost to the state for such an exemption would be an estimated decrease in state sales tax collections of \$11,125,421 and would make next year's projected one billion dollar revenue shortfall even larger. This change would also negatively impact sales tax collections by millions of dollars at the local level. Further, there is no language in the current bill that specifies how this money is to be spent by the UHT.

For the aforementioned reasons, I have vetoed Senate Bill 1703.

By the Governor of the State of Oklahoma,
/s/ Kevin Stitt

Advising his approval May 19, 2020, of Enrolled SBs **212, 285, 1081, 1138, 1225, 1262, 1276, 1290, 1362, 1423, 1424, 1516, 1542, 1688, 1718, 1825, 1875, 1877, 1933 and 1938.**

Advising his veto May 19, 2020, of Enrolled **SB 1805.**

May 19, 2020

To the Honorable President Pro Tempore
And Members of the Oklahoma Senate
Second Regular Session of the
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ENROLLED SENATE BILL NO 1805:

This is to advise you that on this date, pursuant to the authority vested in me by Section 11 of Article VI of the Oklahoma Constitution to approve or object to legislation presented to me, I have vetoed Senate Bill 1805.

Senate Bill 1805 increases the base fees that private vocational schools must pay to the Oklahoma Board of Private Vocational Schools by 15% over the next 3 years. Our private businesses in the state do a great job of training Oklahomans and preparing our workforce for the jobs of tomorrow. While I agree proper oversight is important to ensure consumers are protected in the state, it is crucial that we do not grow bureaucracy for private institutions looking to train individuals in the labor market. I remain committed to working with our state's private sector to make Oklahoma the most business friendly state in the nation.

For the aforementioned reasons, I have vetoed Senate Bill 1805.

By the Governor of the State of Oklahoma,
/s/ Kevin Stitt

Advising his approval May 20, 2020, of Enrolled SBs **187, 1058, 1322, 1349, 1385, 1422, 1528, 1592, 1783, 1785, 1925, 1930, 1936, 1939, 1940, 1942 and 1943.**

Advising his approval May 21, 2020, of Enrolled **SBs 408, 1075, 1115, 1149, 1198, 1361, 1403, 1436, 1525, 1529, 1682, 1713, 1728, 1748, 1779, 1803, 1888, 1915, 1928, 1932, 1935, 1941, 1946, 1947 and 1948.**

Advising his veto May 21, 2020, of Enrolled **SBs 1046 and 1595.**

May 21, 2020

To the Honorable President Pro Tempore
And Members of the Oklahoma Senate
Second Regular Session of the
Fifty Seventh Oklahoma Legislature

ENROLLED SENATE BILL NO 1046:

This is to advise you that on this date pursuant to the authority vested in me by Section 11 of Article VI of the Oklahoma Constitution to approve or object to legislation presented to me, I have vetoed Senate Bill 1046.

I appreciate the willingness of the legislature to craft a proposal to fund SoonerCare 2.0. When I announced SoonerCare 2.0, unemployment rates were at 3.2%. Due to the current COVID-19 pandemic and uncertainty within energy markets and commodity prices, unemployment rates are predicted to be as high as 14%. This will not only increase the number of individuals currently enrolled in Medicaid, but will also increase the number of potential enrollees in the expanded population.

Furthermore, Senate Bill 1046 does not fully fund SoonerCare 2.0 in year one, and it does not consider funding for year two.

We must work together to design a healthcare system that is both affordable and sustainable, and that addresses the unique needs of Oklahoma while improving health outcomes.

For the aforementioned reasons, I have vetoed House Bill 1046.

By the Governor of the State of Oklahoma,
/s/ Kevin Stitt

May 21, 2020

To the Honorable President Pro Tempore
And Members of the Oklahoma Senate
Second Regular Session of the
Fifty Seventh Oklahoma Legislature

ENROLLED SENATE BILL NO 1595:

This is to advise you that on this date pursuant to the authority vested in me by Section 11 of Article VI of the Oklahoma Constitution to approve or object to legislation presented to me, I have vetoed Senate Bill 1595.

Senate Bill 1595 created new language in Section 1 to prevent companies from losing the constitutionally created manufacturing ad valorem tax exemption due to job loss from COVID-19. However, Section 2 repealed the entire statutory framework for the exemption including the new language.

Since this bill was passed with little discussion or debate late Friday night, my office has heard from stakeholders that have invested hundreds of millions of dollars in Oklahoma with concerns about how Senate Bill 1595 could prevent them from receiving this exemption. Further, my office has also heard from countless legislators that have expressed their regrets of voting for this measure as they weren't fully aware of what Section 2 did to this exemption.

This exemption is a critical tool in attracting new business to Oklahoma. According to the Oklahoma Tax Commission, the exemptions claimed are estimated to be associated with at least \$13.43 billion in qualifying capital investment activities and more than 75,000 jobs in Oklahoma over the past five years. Furthermore, this exemption is offered by the majority of states, including all states surrounding Oklahoma.

I do have concerns that this exemption has grown from its original intent and reforms are needed so that the State is not obligated to pay for projects that aren't bringing with them a positive benefit for the State. However, I do not feel comfortable changing the rules for businesses without robust conversations in which businesses can come to the table and be a part of the solution. I now call on the business community, the legislature and my office to work together to make sure that this exemption works for all of Oklahoma. To companies across the state and the world, Oklahoma is open for business.

For the aforementioned reasons, I have vetoed Senate Bill 1595.

By the Governor of the State of Oklahoma,
/s/ Kevin Stitt