

Senate Journal

First Regular Session of the Fifty-second Legislature of the State of Oklahoma

Seventeenth Legislative Day, Thursday, February 26, 2009

The Senate was called to order by Senator Brogdon.

Roll Call:

Present: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.—45.

Excused: Ivester, Mazzei and Reynolds.—3.

Senator Brogdon declared a quorum present.

The prayer was offered by Pastor Tony "Mac" McMullen, Free in Christ Ministries, Coweta, the guest of Senator Brown.

REPORT OF ENGROSSED AND ENROLLED MEASURES

SB 260, 286, 300, 309, 310, 390, 421, 469, 487, 497, 511, 576, 676, 684, 697, 823, 871, 967, 1157, 1181 and 1205 were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

GENERAL ORDER

SB 595 by Anderson of the Senate and Johnson of the House was called up for consideration.

Senator Anderson moved that **SB 595** be advanced, which motion was declared adopted.

THIRD READING

SB 595 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Paddack, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--43.

Excused: Coffee, Ivester, Mazzei, Nichols and Reynolds.--5.

The bill passed.

SB 595 was referred for engrossment.

GENERAL ORDER

SB 1129 by Anderson of the Senate and Cox of the House was called up for consideration.

Senator Anderson moved that **SB 1129** be advanced, which motion was declared adopted.

THIRD READING

SB 1129 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Paddack, Rice, Russell, Schulz, Sparks, Stanislawski, Sykes, Wilson and Wyrick.--42.

Excused: Coffee, Ivester, Mazzei, Nichols, Reynolds and Sweeden.--6.

The bill passed.

SB 1129 was referred for engrossment.

GENERAL ORDER

SB 482 by Coates of the Senate and Liebmann of the House was called up for consideration.

Senators Sweeden and Leftwich asked to coauthor **SB 482**, which was the order.

Senator Coates moved that **SB 482** be advanced, which motion was declared adopted.

THIRD READING

SB 482 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Halligan, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Paddack, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--42.

Nay: Gumm.--1.

Excused: Coffee, Ivester, Mazzei, Nichols and Reynolds.--5.

The bill and emergency passed.

SB 482 was referred for engrossment.

GENERAL ORDER

SB 1012 by Coates of the Senate and Sullivan of the House was called up for consideration.

Senator Coates moved that **SB 1012** be advanced, which motion was declared adopted.

THIRD READING

SB 1012 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Paddack, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--43.

Excused: Coffee, Ivester, Mazzei, Nichols and Reynolds.--5.

The bill passed.

SB 1012 was referred for engrossment.

GENERAL ORDER

SB 355 by Adelson of the Senate and Peters of the House was called up for consideration.

Senator Adelson moved to suspend Senate Rules to allow an amendment to **SB 355**, which motion was declared adopted.

Senator Adelson moved to amend **SB 355**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Adelson moved that **SB 355** be advanced, which motion was declared adopted.

THIRD READING

SB 355 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Paddack, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--43.

Excused: Coffee, Ivester, Mazzei, Nichols and Reynolds.--5.

The bill passed.

SB 355 was referred for engrossment.

GENERAL ORDER

SB 608 by Anderson of the Senate and Jackson of the House was called up for consideration.

Senator Anderson moved that **SB 608** be advanced, which motion was declared adopted.

THIRD READING

SB 608 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Gumm, Halligan, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Paddack, Rice, Russell, Schulz, Sparks, Stanislawski, Sykes, Wilson and Wyrick.--41.

Nay: Garrison and Sweeden.--2.

Excused: Coffee, Ivester, Mazzei, Nichols and Reynolds.--5.

The bill and emergency passed.

SB 608 was referred for engrossment.

GENERAL ORDER

SB 418 by Bass of the Senate and Armes of the House was called up for consideration.

Senator Bass moved that **SB 418** be advanced, which motion was declared adopted.

THIRD READING

SB 418 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster,

Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--44.

Excused: Coffee, Ivester, Mazzei and Reynolds.--4.

The bill passed.

SB 418 was referred for engrossment.

GENERAL ORDER

SB 301 by Bingman of the Senate and Thompson of the House was called up for consideration.

Senator Bingman moved to amend **SB 301**, Page 19, Line 2 ½, by inserting a new Section 7 to read as follows:

“SECTION 7. AMENDATORY 47 O.S. 2001, Section 562, as last amended by Section 2, Chapter 315, O.S.L. 2008 (47 O.S. Supp. 2008, Section 562), is amended to read as follows: Section 562 The following words, terms and phrases, when used in Sections 561 through 567, 572, 578.1, 579 and 579.1 of this title, shall have the meanings respectively ascribed to them in this section, except where the context clearly indicates a different meaning:

1. "Motor vehicle" means any motor-driven vehicle required to be registered under the Oklahoma Vehicle License and Registration Act except all-terrain vehicles, utility vehicles, and motorcycles used exclusively for off-road use;

2. "New motor vehicle dealer" means any person, firm, association, corporation or trust not excluded by this paragraph who sells, offers for sale, advertises to sell, leases or displays new motor vehicles and holds a bona fide contract or franchise in effect with a manufacturer or distributor authorized by the manufacturer to make predelivery preparation of such vehicles sold to purchasers and to perform post-sale work pursuant to the manufacturer's or distributor's warranty. As used herein, "authorized predelivery preparation" means the rendition by the dealer of services and safety adjustments on each new motor vehicle in accordance with the procedure and safety standards required by the manufacturer of the vehicle to be made before its delivery to the purchaser. "Performance of authorized post-sale work pursuant to the warranty", as used herein, means the rendition of services which are required by the terms of the warranty that stands extended to the vehicle at the time of its sale and are to be made in accordance with the safety standards prescribed by the manufacturer. The term includes premises or facilities at which a person engages only in the repair of motor vehicles if repairs are performed pursuant to the terms of a franchise and motor vehicle manufacturer's warranty. However, the term shall not include premises or facilities at which a new motor vehicle dealer or dealers within the area of responsibility of such dealer or dealers as defined in the manufacturer's franchise agreement of such dealer or dealers performs motor vehicle repairs pursuant to the terms of a franchise and motor vehicle manufacturer's warranty. For the purpose of Sections 561

through 567, 572, 578.1, 579 and 579.1 of this title, the terms "new motor vehicle dealer" and "new motor vehicle dealership" shall be synonymous. The term "new motor vehicle dealer" does not include:

- a. receivers, trustees, administrators, executors, guardians or other persons appointed by or acting under judgment or order of any court,
 - b. public officers while performing or in operation of their duties, or
 - c. employees of persons, corporations or associations enumerated in subparagraph a of this paragraph when engaged in the specific performance of their duties as such employees;
3. "Motor vehicle salesperson" means any person who, for gain or compensation of any kind, either directly or indirectly, regularly or occasionally, by any form of agreement or arrangement, sells or negotiates for the sale of any new motor vehicle for any new motor vehicle dealer to any one or more third parties;
4. "Commission" means the Oklahoma Motor Vehicle Commission;
5. "Manufacturer" means any person, firm, association, corporation or trust, resident or nonresident, who manufactures or assembles new and unused motor vehicles or who engages in the fabrication or assembly of motorized vehicles of a type required to be registered in the State of Oklahoma;
6. "Distributor" means any person, firm, association, corporation or trust, resident or nonresident, who, being authorized by the original manufacturer, in whole or in part sells or distributes new and unused motor vehicles to motor vehicle dealers, or who maintains distributor representatives;
7. "Factory branch" means any branch office maintained by a person, firm, association, corporation or trust who manufactures or assembles motor vehicles for the sale of motor vehicles to distributors, or for the sale of motor vehicles to motor vehicle dealers, or for directing or supervising, in whole or in part, its representatives;
8. "Distributor branch" means any branch office similarly maintained by a distributor for the same purposes a factory branch is maintained;
9. "Factory representative" means any officer or agent engaged as a representative of a manufacturer of motor vehicles or by a factory branch, for the purpose of making or promoting the sale of its motor vehicles, or for supervising or contacting its dealers or prospective dealers;
10. "Distributor representative" means any person, firm, association, corporation or trust and each officer and employee thereof engaged as a representative of a distributor or distributor branch of motor vehicles, for the purpose of making or promoting the sale of its motor vehicles, or for supervising or contacting its dealers or prospective dealers;
11. "Franchise" means any contract or agreement between a motor vehicle dealer and a manufacturer of a new motor vehicle or its distributor or factory branch by which the dealer is authorized to engage in the business of selling any specified make or makes of new motor vehicles;
12. "New or unused motor vehicle" means a vehicle which is in the possession of the manufacturer or distributor or has been sold only to the holder of a valid selling agreement, franchise or contract, granted by the manufacturer or distributor for the sale of that make of new vehicle so long as the manufacturer's statement of origin has not been assigned to anyone other than a licensed franchised new motor vehicle dealer of the same line-make;

13. "Area of responsibility" means the geographical area, as designated by the manufacturer, factory branch, factory representative, distributor, distributor branch or distributor representative, in which the new motor vehicle dealer is held responsible for the promotion and development of sales and rendering of service for the make of motor vehicle for which the motor vehicle dealer holds a franchise or selling agreement;

14. "Off premises" means at a location other than the address designated on the new motor vehicle dealer's license;

15. "Sponsoring entity" means any person, firm, association, corporation or trust which has control, either permanently or temporarily, over the real property upon which the off-premise sale or display is conducted;

16. "Product" means new motor vehicles and new motor vehicle parts;

17. "Service" means motor vehicle warranty repairs including both parts and labor;

18. "Lead" means a consumer contact in response to a factory program designed to generate interest in purchasing or leasing a new motor vehicle;

19. "Sell or sale" means to sell or lease; and

20. "Factory" means a manufacturer, distributor, factory branch, distributor branch, factory representative or distributor representative, which manufactures or distributes vehicle products.", and by renumbering subsequent section, which amendment was declared adopted.

Senator Bingman moved that **SB 301** be advanced, which motion was declared adopted.

THIRD READING

SB 301 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--43.

Excused: Coffee, Ivester, Laster, Mazzei and Reynolds.--5.

The bill passed.

The Chair advised that Senator Laster, having been present in the Chamber during the vote on **SB 301** would be shown voting Nay in compliance with Rule 14-1B. The vote thereby resulted as follows: Aye: 43; Nay: 1; Excused: 4.

SB 301 was referred for engrossment.

GENERAL ORDER

SB 1172 by Leftwich of the Senate and Morgan of the House was called up for consideration.

Senator Leftwich moved that **SB 1172** be advanced, which motion was declared adopted.

THIRD READING

SB 1172 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--44.

Excused: Coffee, Ivester, Mazzei and Reynolds.--4.

The bill passed.

SB 1172 was referred for engrossment.

GENERAL ORDER

SB 598 by Anderson and Crain of the Senate and Martin (Scott) of the House was called up for consideration.

Senator Anderson moved that **SB 598** be advanced, which motion was declared adopted.

THIRD READING

SB 598 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Johnson (C), Jolley, Justice, Lamb, Laster, Leftwich,

Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--43.

Excused: Coffee, Ivester, Johnson (M), Mazzei and Reynolds.--5.

The bill passed.

SB 598 was referred for engrossment.

GENERAL ORDER

SB 887 by Anderson of the Senate and Carey of the House was called up for consideration.

Senator Anderson moved that **SB 887** be advanced, which motion was declared adopted.

THIRD READING

SB 887 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--44.

Excused: Coffee, Ivester, Mazzei and Reynolds.--4.

The bill passed.

SB 887 was referred for engrossment.

GENERAL ORDER

SB 446 by Bingman of the Senate and Richardson of the House was called up for consideration.

Senator Bingman moved that **SB 446** be advanced, which motion was declared adopted.

THIRD READING

SB 446 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--44.

Excused: Coffee, Ivester, Mazzei and Reynolds.--4.

The bill and emergency passed.

SB 446 was referred for engrossment.

Senator Bingman presiding.

GENERAL ORDER

SB 348 by Myers of the Senate and DeWitt of the House was called up for consideration.

Representative Sanders asked to coauthor **SB 348**, which was the order.

Senator Myers moved that **SB 348** be advanced, which motion was declared adopted.

THIRD READING

SB 348 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--44.

Excused: Coffee, Ivester, Mazzei and Reynolds.--4.

The bill and emergency passed.

SB 348 was referred for engrossment.

GENERAL ORDER

SB 349 by Myers of the Senate and Richardson of the House was called up for consideration.

Senator Myers moved that **SB 349** be advanced, which motion was declared adopted.

THIRD READING

SB 349 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--44.

Excused: Coffee, Ivester, Mazzei and Reynolds.--4.

The bill and emergency passed.

SB 349 was referred for engrossment.

GENERAL ORDER

SB 1169 by Anderson of the Senate and Denney of the House was called up for consideration.

Senator Anderson moved that **SB 1169** be advanced, which motion was declared adopted.

THIRD READING

SB 1169 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--44.

Excused: Coffee, Ivester, Mazzei and Reynolds.--4.

The bill and emergency passed.

SB 1169 was referred for engrossment.

GENERAL ORDER

SB 383 by Myers of the Senate and Hickman of the House was called up for consideration.

Senator Myers moved that **SB 383** be advanced, which motion was declared adopted.

THIRD READING

SB 383 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--43.

Nay: Brogdon.--1.

Excused: Coffee, Ivester, Mazzei and Reynolds.--4.

The bill passed.

SB 383 was referred for engrossment.

GENERAL ORDER

SB 354 by Myers of the Senate and DeWitt of the House was called up for consideration.

Senator Easley asked to coauthor **SB 354**, which was the order.

Senator Myers moved that **SB 354** be advanced, which motion was declared adopted.

THIRD READING

SB 354 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--44.

Excused: Coffee, Ivester, Mazzei and Reynolds.--4.

The bill and emergency passed.

SB 354 was referred for engrossment.

GENERAL ORDER

SB 432 by Justice of the Senate and Armes of the House was called up for consideration.

Senator Justice moved that **SB 432** be advanced, which motion was declared adopted.

THIRD READING

SB 432 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--43.

Nay: Brogdon.--1.

Excused: Coffee, Ivester, Mazzei and Reynolds.--4.

The bill passed.

SB 432 was referred for engrossment.

GENERAL ORDER

SB 635 by Justice of the Senate and DeWitt of the House was called up for consideration.

Senator Justice moved that **SB 635** be advanced, which motion was declared adopted.

THIRD READING

SB 635 was read for the third time at length.

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

Aye: Anderson, Barrington, Bingman, Burrage, Coates, Crain, Ford, Halligan, Johnson (M), Justice, Lamb, Marlatt, Russell and Schulz.--14.

Nay: Adelson, Aldridge, Ballenger, Bass, Branan, Brogdon, Brown, Corn, Crutchfield, Easley, Eason McIntyre, Ellis, Garrison, Gumm, Johnson (C), Jolley, Laster, Leftwich, Lerblance, Myers, Newberry, Nichols, Paddack, Rice, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--30.

Excused: Coffee, Ivester, Mazzei and Reynolds.--4.

The bill failed.

Pursuant to Rule 12-21, Senator Justice served notice that the vote be reconsidered whereby **SB 635** failed.

GENERAL ORDER

SB 614 by Anderson of the Senate and Duncan of the House was called up for consideration.

Senator Anderson moved that **SB 614** be advanced, which motion was declared adopted.

THIRD READING

SB 614 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Johnson (M), Jolley, Justice, Lamb, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--41.

Nay: Easley, Johnson (C) and Laster.--3.

Excused: Coffee, Ivester, Mazzei and Reynolds.--4.

The bill and emergency passed.

SB 614 was referred for engrossment.

MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed **HBs 1035, 1595, 1756, 1800, 2030 and 2087** and **HCR 1011**.

HB 1035 – By Jordan of the House and Newberry of the Senate.

An Act relating to arbitration; amending Section 20, Chapter 364, O.S.L. 2005 (12 O.S. Supp. 2008, Section 1870), which relates to the record, notice and timing of an award; deleting requirement that arbitrator support decision by rendering certain findings; and providing an effective date.

HB 1595 – By Sullivan, Peterson, Denney, Terrill, Ritze, Ownbey, Billy, Osborn, Faught, Reynolds, Thompson, Cooksey, Kern, Dank, Wright (Harold), Ortega, Enns, Sanders, Liebmann, Derby and Nelson of the House and Lamb, Brown and Mazzei of the Senate.

(public health and safety – amending 63 O.S., Section 1-730 – abortion – Statistical Reporting of Abortion Act – codification – noncodification – effective date)

HB 1756 – By Martin (Scott), Kern, Nelson, Wright (John), Cooksey, Faught, Sullivan and Terrill of the House and Jolley of the Senate.

An Act relating to schools; amending Section 4, Chapter 197, O.S.L. 2004 (70 O.S. Supp. 2008, Section 24-106.1), which relates to classroom displays of the United States of America motto; allowing principals and teachers to utilize certain documents and material in public schools and at events; listing certain documents and material; prohibiting school

districts from limiting certain instruction because of religious references; limiting use of materials to educational purposes; providing an effective date; and declaring an emergency.

HB 1800 – By Cooksey of the House and Aldridge of the Senate.

(municipal courts – amending 11 O.S., Section 27-126 - Oklahoma Municipal Code – amending 68 O.S., Section 205.2 - Uniform Tax Procedure – emergency)

HB 2030 – By Steele, Ritze, Sears, Kern, Cooksey, Kiesel and Faught of the House and Coffee of the Senate.

An Act relating to public safety; creating the Silver Alert Act; defining terms; requiring the Department of Public Safety to develop and implement a statewide silver alert system; providing for administration of the system; providing duties of the Commissioner of Public Safety; requiring rules and directives to include certain information; providing criteria for activation of silver alert; providing requirements for local law enforcement agencies; providing information to be included in the silver alert; providing for termination of a silver alert; requiring certain notification; providing for codification; and providing an effective date.

HB 2087 – By Joyner, Schwartz and Cox of the House and Barrington of the Senate.

An Act relating to cities and towns; authorizing a national criminal history records check prior to the appointment of certain persons; specifying payment; requiring submission of fingerprints to the Federal Bureau of Investigation; providing for codification; and providing an effective date.

HCR 1011 – By McDaniel (Randy), Sanders, Nelson, Thompson and Enns of the House and Branam of the Senate.

A Concurrent Resolution declaring February 25, 2009, “Ronald Reagan Day” in the State of Oklahoma; urging all citizens to take cognizance of this event and participate in its observance; and directing distribution.

The above-numbered measures were read the first time.

GENERAL ORDER

SB 830 by Brown of the Senate and Kirby of the House was called up for consideration.

Senator Brown moved that **SB 830** be advanced, which motion was declared adopted.

THIRD READING

SB 830 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--44.

Excused: Coffee, Ivester, Mazzei and Reynolds.--4.

The bill and emergency passed.

SB 830 was referred for engrossment.

INTRODUCTION

Senator Paddack introduced former Senator Billie Floyd to the Senate.

GENERAL ORDER

SB 700 by Brown of the Senate and Sullivan of the House was called up for consideration.

Senator Brown moved that **SB 700** be advanced, which motion was declared adopted.

THIRD READING

SB 700 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--44.

Excused: Coffee, Ivester, Mazzei and Reynolds.--4.

The bill passed.

SB 700 was referred for engrossment.

GENERAL ORDER

SB 257 by Corn of the Senate and Denney of the House was called up for consideration.

Senator Corn moved that **SB 257** be advanced, which motion was declared adopted.

THIRD READING

SB 257 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--44.

Excused: Coffee, Ivester, Mazzei and Reynolds.--4.

The bill and emergency passed.

SB 257 was referred for engrossment.

GENERAL ORDER

SB 698 by Anderson of the Senate and Armes of the House was called up for consideration.

Senator Anderson moved that **SB 698** be advanced, which motion was declared adopted.

THIRD READING

SB 698 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Halligan, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster,

Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--43.

Excused: Coffee, Gumm, Ivester, Mazzei and Reynolds.--5.

The bill passed.

SB 698 was referred for engrossment.

GENERAL ORDER

SB 1066 by Marlatt of the Senate and Sanders of the House was called up for consideration.

Senator Marlatt moved that **SB 1066** be advanced, which motion was declared adopted.

THIRD READING

SB 1066 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Halligan, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--43.

Excused: Coffee, Gumm, Ivester, Mazzei and Reynolds.--5.

The bill passed.

SB 1066 was referred for engrossment.

GENERAL ORDER

SB 659 by Justice of the Senate and Steele of the House was called up for consideration.

Senator Justice moved that **SB 659** be advanced, which motion was declared adopted.

THIRD READING

SB 659 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--44.

Excused: Coffee, Ivester, Mazzei and Reynolds.--4.

The bill passed.

SB 659 was referred for engrossment.

GENERAL ORDER

SB 1013 by Newberry of the Senate and Sullivan of the House was called up for consideration.

Senator Newberry moved that **SB 1013** be advanced, which motion was declared adopted.

THIRD READING

SB 1013 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--44.

Excused: Coffee, Ivester, Mazzei and Reynolds.--4.

The bill passed.

SB 1013 was referred for engrossment.

MOTION TO RECONSIDER VOTE

Senator Crain moved to reconsider the vote whereby **SB 490** failed, which motion was declared adopted upon roll call as follows:

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Marlatt, Myers, Newberry, Nichols, Paddack, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes and Wyrick.--42.

Nay: Lerblance and Wilson.--2.

Excused: Coffee, Ivester, Mazzei and Reynolds.--4.

THIRD READING

Senator Crain moved to reconsider the vote whereby **SB 490** was advanced, which motion was declared adopted.

GENERAL ORDER

SB 490 by Crain of the Senate and Sullivan of the House was called up for further consideration.

Senator Crain moved that **SB 490** be advanced, which motion was declared adopted.

THIRD READING

SB 490 was read for the third time at length.

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

Aye: Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Marlatt, Myers, Newberry, Paddack, Russell, Schulz, Sparks, Stanislawski, Sweeden and Wyrick.--38.

Nay: Adelson, Lerblance, Nichols, Rice, Sykes and Wilson.--6.

Excused: Coffee, Ivester, Mazzei and Reynolds.--4.

The bill passed.

SB 490 was referred for engrossment.

GENERAL ORDER

SB 880 by Ford of the Senate and Sears of the House was called up for consideration.

Senator Ford moved that **SB 880** be advanced, which motion was declared adopted.

THIRD READING

SB 880 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--44.

Excused: Coffee, Ivester, Mazzei and Reynolds.--4.

The bill passed.

SB 880 was referred for engrossment.

GENERAL ORDER

SB 812 by Stanislawski of the Senate and Liebmann of the House was called up for consideration.

Senator Stanislawski moved that **SB 812** be advanced, which motion was declared adopted.

THIRD READING

SB 812 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--44.

Excused: Coffee, Ivester, Mazzei and Reynolds.--4.

The bill passed.

SB 812 was referred for engrossment.

GENERAL ORDER

SB 745 by Jolley of the Senate and Sullivan of the House was called up for consideration.

Senator Jolley asked unanimous consent, which was granted, to amend **SB 745**, Page 1, by restoring the title.

Senator Jolley moved that **SB 745** be advanced, which motion was declared adopted.

THIRD READING

SB 745 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--44.

Excused: Coffee, Ivester, Mazzei and Reynolds.--4.

The bill passed.

SB 745 was referred for engrossment.

GENERAL ORDER

SB 562 by Anderson of the Senate and Jackson of the House was called up for consideration.

Senator Anderson moved that **SB 562** be advanced, which motion was declared adopted.

THIRD READING

SB 562 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Wilson and Wyrick.--43.

Excused: Coffee, Ivester, Mazzei and Reynolds.--4.

Not Voting: Sykes.—1.

The bill and emergency passed.

*Senator Sykes asked to be shown not voting on **SB 562** for reason of personal interest, as provided in Article V, Section 24, Oklahoma Constitution.

SB 562 was referred for engrossment.

GENERAL ORDER

SB 521 by Halligan of the Senate and Peters of the House was called up for consideration.

Senators Easley and Eason McIntyre asked to coauthor **SB 521**, which was the order.

Senator Halligan moved that **SB 521** be advanced, which motion was declared adopted.

THIRD READING

SB 521 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Wilson and Wyrick.--43.

Nay: Brogdon and Sykes.--2.

Excused: Ivester, Mazzei and Reynolds.--3.

The bill and emergency passed.

SB 521 was referred for engrossment.

GENERAL ORDER

SB 603 by Ford of the Senate and Coody of the House was called up for consideration.

Senator Ford moved that **SB 603** be advanced, which motion was declared adopted.

THIRD READING

SB 603 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--45.

Excused: Ivester, Mazzei and Reynolds.--3.

The bill and emergency passed.

SB 603 was referred for engrossment.

GENERAL ORDER

SB 290 by Corn of the Senate and Sears of the House was called up for consideration.

Senator Corn moved to amend **SB 290**, 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 Corn moved that **SB 290** be advanced, which motion was declared adopted.

THIRD READING

SB 290 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Eason McIntyre, Ellis, Ford, Gumm, Halligan, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddock, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes and Wilson.--41.

Nay: Branan, Easley, Garrison and Wyrick.--4.

Excused: Ivester, Mazzei and Reynolds.--3.

The bill and emergency passed.

SB 290 was referred for engrossment.

GENERAL ORDER

SB 714 by Aldridge of the Senate and Banz of the House was called up for consideration.

Senator Aldridge moved that **SB 714** be advanced, which motion was declared adopted.

THIRD READING

SB 714 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Johnson (C), Johnson (M), Jolley,

Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Paddack, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--44.

Excused: Ivester, Mazzei, Nichols and Reynolds.--4.

The bill and emergency passed.

SB 714 was referred for engrossment.

GENERAL ORDER

SB 1029 by Russell et al of the Senate and Nelson of the House was called up for consideration.

Senator Russell moved that **SB 1029** be advanced, which motion was declared adopted.

THIRD READING

SB 1029 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Paddack, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--44.

Excused: Ivester, Mazzei, Nichols and Reynolds.--4.

The bill passed.

SB 1029 was referred for engrossment.

GENERAL ORDER

SB 881 by Russell of the Senate and Banz of the House was called up for consideration.

Senators Barrington, Garrison, Bass and Easley asked to coauthor **SB 881**, which was the order.

Senator Russell moved that **SB 881** be advanced, which motion was declared adopted.

THIRD READING

SB 881 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Paddack, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--42.

Excused: Burrage, Ivester, Johnson (C), Mazzei, Nichols and Reynolds.--6.

The bill passed.

SB 881 was referred for engrossment.

Senator Lamb moved that when the clerk's desk is clear, the Senate stand adjourned to convene Monday, March 2, 2009, at 9:30 a.m., which motion prevailed.

Pursuant to the Lamb motion, the Senate adjourned at 12:00 p.m. to meet Monday, March 2, 2009, at 9:30 a.m.

COMMUNICATION

The following report was received from the State Board of Equalization and ordered printed in the Journal.

STATE OF OKLAHOMA
OFFICE OF STATE FINANCE
February 17, 2009

State Board of Equalization
State Capitol Building
Oklahoma City, OK 73105

Members of the Board:

The Constitution of the State of Oklahoma, Article X, Section 23, as last amended November 2, 2004, provides in pertinent part:

...Legislative appropriations for any fiscal year...shall be limited to a sum not to exceed the total amount appropriated from all funds in the preceding fiscal year plus twelve percent (12%), adjusted for inflation for the previous calendar year... The limit on the growth of appropriations shall be certified to by the State Board of Equalization.

...The State Board of Equalization shall meet within five (5) days after the monthly apportionment in February of each year, and at that time may adjust the certification, based upon the most current information available, and determine the amount of funds available for appropriation for that legislative session. At said meeting, the Board shall determine the limit on the growth of appropriations as provided for in this section.

The following report has been prepared in accordance with the procedures set forth above, and is respectfully submitted for your consideration.

Very truly yours,

/s/Michael Clingman
Director of State Finance

APPROPRIATION LIMITATION

Schedule 1

Section 23, paragraph 1 of Article X, Constitution of Oklahoma, provides for a limitation on appropriations, except for appropriations from the Constitutional Reserve Fund. Pursuant to said limitation, appropriations for the fiscal year ending June 30, 2010, shall not exceed the amount appropriated for the current fiscal year, 2009, plus 12 percent (12%) adjusted for inflation as measured at the close of the calendar year. The amount appropriated from each fund by the Second Regular Session of the Fifty-first Legislature and acted upon by the Governor was \$8,038,142,122. The limit on appropriations for the First Regular Session of the Fifty-second Legislature is \$8,928,541,051 if the fiscal year ending June 30, 2010.

Column 1	Column 2
FUND NAME	AMOUNT
FY-2009 General Revenue Fund	5,648,952,133
FY-2008 General Revenue Fund	1,068,283
FY-2007 General Revenue Fund	195,897,061
FY-2009 Mineral Leasing Fund	4,085,000
FY-2007 Mineral Leasing Fund	782,228
FY-2009 Land Office Fund	4,810,193
FY-2006 Land Office Fund	54,688
FY-2009 Public Building Fund	1,479,332
FY-2007 Public Building Fund	1,681,961
Special Cash	103,926,978
FY-2009 OHSA Fund	1,615,000
FY-2007 OHSA Fund	727,626
FY-2009 CLEET Fund	3,277,844
FY-2007 CLEET Fund	320,069
Gen'l Obligation Bonds Series A	170,379
Gen'l Obligation Bonds Series B	68,947
Education Lottery Trust Fund	69,228,500
TOTAL	<u>\$8,038,142,122</u>

The appropriation growth limitation is calculated by multiplying the preceding years' total appropriation by the sum of 100% plus 12% adjusted for inflation [(100% plus 12%) times 102.452%(adjustment for inflation)]=114.75%

Total Appropriation FY-2009	\$8,038,142,122
Factor	<u>114.75%</u>
Limit on Appropriation FY-2010	<u>\$8,928,541,051</u>

LEGISLATED REVENUE ADJUSTMENTS			
INCOME TAX REDUCTION FINDING			
Schedule 2			
<p>Title 68, Section 2355.1A of the Oklahoma Statutes requires the State Board of Equalization to make a finding in February for the purpose of determining if revenue growth is sufficient to reduce the income tax rate for Tax Year 2010 from 5.50% to 5.25%. To make the finding the Board will determine growth revenue in the General Revenue Fund from FY-2009 to FY-2010 and compare that amount with the anticipated reduction of tax year 2010 income tax revenue from the standard deduction increase plus 4% of the FY-2009 General Revenue Fund estimate.</p>			
Column 1	Column 2	Column 3	Column 4
	FY-2009 ESTIMATE 11-Jun-08	FY-2010 ESTIMATE 17-Feb-09	INCREASE OR (DECREASE)
TITLE 68, SECTION 2355.1A, Paragraph 1:			
Finding 1 - General Revenue Fund Growth			
Total General Revenue Fund	\$5,046,384,601	\$5,356,567,395	(\$589,827,206)
FINDING 1: Growth revenue in the General Revenue Fund			(\$589,827,206)
TITLE 68, SECTION 2355.1A, Paragraph 2:			
Finding 2 - Tax Year 2010 Fiscal Impact of Standard Deduction Increase plus 4% of FY-2009 Total General Revenue Estimate			
Fiscal Impact of Standard Deduction Increase - Tax Year 2010		76,411,000	
FY-2009 General Revenue Estimate	\$5,046,384,601		
-4% of General Revenue Estimate		<u>\$207,855,384</u>	
TOTAL - FINDING 2:		314,266,384	
<p>*The finding shows the amount of Finding 1, growth in the General Revenue Fund, is less than the amount in Finding 2, the Fiscal Impact of the Standard Deduction Increase plus 4% of the FY-2009 General Revenue Fund Estimate. As a result, the finding does not authorize the reduction of the Income Tax Rate for Tax Year 2010 from 5.50% to 5.25%.</p>			

FUNDS TO BE CERTIFIED

Schedule 3

The summation of the itemized estimates of revenue, Schedule 5, and the amounts available for appropriation are proposed as the amounts to be certified by the State Board of Equalization in accordance with Section 23, Article X, Constitution of Oklahoma. The amounts proposed as available for appropriation are calculated as 95 percent (95%) of the summation of the itemized estimate of revenue for the respective funds, except for appropriated federal funds which shall be certified for the full amount of the estimate.

Column 1	Column 2	Column 3
	TOTAL ESTIMATED COLLECTIONS	APPROPRIATIONS AUTHORITY
	Proposed FY-2010 Estimates	
GENERAL REVENUE	\$5,356,557,395	\$5,088,729,525
C.L.E.E.T.	\$3,488,471	\$3,314,047
COMMISSIONERS OF THE LAND OFFICE	\$6,888,545	\$6,544,118
MINERAL LEASING	\$4,300,000	\$4,085,000
SPECIAL OCCUPATIONAL HEALTH & SAFETY	\$1,630,000	\$1,548,500
PUBLIC BUILDING	\$1,619,420	\$1,538,449
OK EDUCATION LOTTERY TRUST FUND	\$66,710,000	\$63,374,500
TOTALS	<u>\$5,441,193,831</u>	<u>\$5,169,134,139</u>

**LEGISLATED REVENUE ADJUSTMENTS
ROADS FUND APPORTIONMENT SUMMARY
Schedule 4**

Column 1

Column 2

Column 3

Column 4

Column 5

Legislated Adjustments for FY-2010:

House Bill 2272, passed in the 2008 Legislative Session, amends Title 69, Section 1521 of the Oklahoma Highway Code. Effective July 1, 2009 for FY-2010, the Transportation Department will receive the total amount apportioned to the ROADS fund for the preceding fiscal year plus an additional \$30 million each year until a cap of \$370 million is reached.

Legislated Apportionment Comparison:

	FY-2009 ESTIMATE 19-Feb-08	FY-2010 ESTIMATE 22-Dec-08
Apportionment to ROADS Fund	\$137,500,000	\$155,000,000
Additional ROADS Fund	17,500,000	30,000,000
OK Tourism & Passenger Rail Rev. Fund	2,000,000	2,000,000
Public Transit Rev. Fund	3,000,000	3,000,000
Total Apportionment from Individual Income Tax	\$180,000,000	\$190,000,000

Pursuant to Title 69, Section 1521 of the Oklahoma Statutes, a finding must be made to determine whether "expenditures from the ROADS Fund were used to enhance or supplant State funding for the Dept. of Transportation (ODOT)." Effective July 1, 2006, the State Transportation Fund, ODOT's primary source of state funding, became a revolving fund. ODOT did not receive any additional appropriated funding for FY-2008, but received an additional \$100,000 from the General Revenue Fund for FY-2009. As shown above, the ROADS Fund provided an additional \$22.5 million for FY-2009 and, therefore, enhanced transportation funding.

**OKLAHOMA EDUCATION LOTTERY TRUST FUND
FEBRUARY APPROPRIATIONS ANALYSIS
Schedule 5**

Article X, Section 41 of the Oklahoma Constitution and Title 3A, Section 713 of the Oklahoma Statutes require the State Board of Equalization to determine if appropriations from the Oklahoma Education Lottery Trust Fund were used to enhance or supplant education funding.

Column 1	Column 2	Column 3	Column 4	Column 5
	FY-2008 APPROPRIATION	FY-2009 APPROPRIATION	INCREASE OR (DECREASE)	PERCENT CHANGE
Education Funding	3,544,569,730	3,648,021,218	\$103,461,488	2.9%
Education Lottery Trust Fund	<u>88,593,058</u>	<u>69,228,500</u>	<u>(19,366,558)</u>	<u>-21.9%</u>
Total Education Funding*	\$3,633,152,788	3,717,247,718	\$84,094,930	2.3%

*To determine if the Oklahoma Education Lottery Trust Fund supplanted education funding, actual FY-2008 appropriations are compared to FY-2009 appropriations (which were not subject to adjustment for revenue downturn). Education funding in FY-2009 exceeded funding levels in FY-2008 by \$84.1 million. Therefore, the Oklahoma Education Lottery Trust Fund did not supplant funding for education.

ITEMIZED ESTIMATES OF REVENUE
Schedule 6

The itemized estimate of revenues displayed in this schedule represents 100% of the estimate for the General Revenue Fund and the Special Revenue Funds to be appropriated by the Legislature for the fiscal year ending June 30, 2010 (FY-2010) and are the basis for the summation proposed for certification in Schedule 3. For informational purposes the FY-2010 estimates of revenues are compared to both the itemized estimates and the projections of revenues for the current fiscal year (FY-2009).

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7
FUND NAME	FY-2008 ACTUAL	FY-2009 ESTIMATE 11-Jun-08	FY-2009 PROJECTED 22-Dec-08	FY-2010 ESTIMATE 22-Dec-08	FY-2009 PROJECTED 17-Feb-09	PROPOSED FY-2010 ESTIMATE 17-Feb-09
GENERAL REVENUE						
Alcohol Beverage Tax	\$20,029,416	\$20,089,000	\$21,427,000	\$22,473,000	\$21,427,000	\$22,473,000
Mixed Beverage Receipts Tax	30,114,883	32,847,000	31,583,000	33,484,000	31,583,000	33,484,000
Beverage Tax	25,344,752	25,734,000	25,463,000	25,820,000	25,463,000	25,820,000
Cigarette Tax	39,611,467	40,398,452	38,531,343	36,514,131	38,517,379	36,500,624
Tobacco Products Tax	14,424,776	14,095,522	14,357,880	14,043,465	14,356,208	14,042,015
Franchise Tax	46,696,168	41,697,000	45,272,000	45,123,000	45,272,000	45,123,000
Gross Production Tax-Gas	685,285,081	679,991,800	686,474,000	526,203,000	607,339,000	427,475,000
Gross Production Tax-Oil	139,905,067	80,304,000	103,516,205	0	87,207,000	0
Income Tax-Individual	2,239,105,811	2,184,743,079 *	2,088,626,460 *	2,060,976,970 *	2,060,667,893 *	2,007,066,849 *
Income Tax-Corporate	279,050,026	289,283,475	328,689,900	342,174,900	310,824,800	307,572,700
Estate Tax	54,556,781	55,679,000	36,082,000	36,062,000	36,062,000	36,062,000
Insurance Premium Tax	69,093,141	80,418,200	55,127,808	60,396,434	55,127,808	60,396,434
Motor Vehicle Taxes	251,733,837	246,939,000	207,151,000	177,461,000	172,218,000	125,029,000
Sales Tax	1,611,791,142	1,701,408,915	1,732,018,775	1,785,244,064	1,726,377,608	1,753,673,765
Use Tax	137,867,069	155,881,648	168,097,069	171,224,083	159,057,156	159,057,156
Interest & Investments	171,359,296	146,600,000	150,000,000	145,000,000	150,000,000	140,000,000
Other (Schedule 7)	164,812,036	169,376,509	169,276,360	167,075,754	167,547,124	161,601,653
General Revenue Totals	\$5,980,800,717	\$5,945,384,601	\$5,901,655,599	\$5,649,255,791	\$5,709,026,776	\$5,356,557,395
Transfers & Lapses	291,853	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Revenue Comparison	\$5,981,092,570	\$5,946,384,601	\$5,902,655,599	\$5,650,255,791	\$5,710,026,776	\$5,356,557,395
One-Time Receipts	0	0	0	0	0	0
Total General Revenue	\$5,981,092,570	\$5,946,384,601	\$5,902,655,599	\$5,650,255,791	\$5,710,026,776	\$5,356,557,395
C.L.E.E.T.	\$3,503,634	\$3,450,362	\$3,541,777	\$3,541,777	\$3,488,471	\$3,488,471
COMM of LAND OFFICE	\$12,246,564	\$8,975,750	\$5,296,580	\$8,557,752	\$5,301,245	\$6,888,545
MINERAL LEASING	\$6,280,637	\$4,300,000	\$4,300,000	\$4,300,000	\$4,300,000	\$4,300,000
SPECIAL OCCUPATIONAL HEALTH & SAFETY	\$2,311,554	\$1,700,000	\$1,615,000	\$1,630,000	\$1,615,000	\$1,630,000
PUBLIC BUILDING	\$3,106,007	\$1,557,192	\$1,936,200	\$1,964,400	\$2,055,636	\$1,619,420
OK EDUCATION LOTTERY TRUST FUND	\$71,608,831	\$72,870,000	\$69,226,500	\$66,710,000	\$69,226,500	\$66,710,000
GRAND TOTAL	\$6,080,149,797	\$6,039,237,905	\$5,988,571,656	\$5,736,959,720	\$5,796,013,628	\$5,441,193,831

*The Individual Income Tax number reflects apportionments to the ROADS Fund, the Public Transit Revolving Fund and the OK Tourism and Passenger Rail Revolving Fund, as well as funding for Oklahoma's Promise scholarship program. (For more ROADS Fund detail, see Schedule 4, page 4.)

In compliance with Section 10.4 of Title 62 of the Oklahoma Statutes, the State Regents for Higher Education has requested \$54m for funding of Oklahoma's Promise scholarships. This number is the same as was requested for FY-2009 and has been removed from both the FY-2009 and FY-2010 Individual Income Tax estimates.

ITEMIZED ESTIMATES OF "OTHER" REVENUE GENERAL REVENUE FUND Schedule 7						
Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7
	FY-2008 ACTUAL	FY-2009 ESTIMATE 11-Jun-08	FY-2009 PROJECTED 22-Dec-08	FY-2010 ESTIMATE 22-Dec-08	FY-2009 PROJECTED 17-Feb-09	PROPOSED FY-2010 ESTIMATE 17-Feb-09
OTC:						
Pari-Mutuel	\$1,804,940	\$1,310,000	\$1,515,000	\$1,310,000	\$ 1,515,000.00	\$ 1,310,000.00
Tribal Cigarette Compacts	8,925,619	8,990,000	12,780,000	12,992,000	14,264,000	15,740,000
Bingo Excise & Charity Games	558,372	501,000	220,000	220,000	220,000	220,000
Workers Comp Ins. Premium Tax	7,609,570	7,704,000	7,674,000	7,660,000	7,674,000	7,660,000
Petroleum Excise Tax	13,482,299	12,754,000	13,293,000	9,661,000	12,191,000	8,109,000
Other OTC	29,092,734	25,215,000	22,897,000	23,159,000	22,897,000	23,159,000
TOTAL OTC	\$61,473,534	\$56,474,000	\$58,379,000	\$55,002,000	\$58,761,000	\$56,198,000
COLLECTIONS BY OTHER AGENCIES						
ABLE	\$4,733,541	\$4,561,740	\$4,654,620	\$4,639,375	4,626,225.00	4,617,625.00
Attorney General (Tobacco)	22,484	37,500	125,176	37,500	135,424	37,500
Central Services	654,375	930,900	733,054	731,801	1,210,123	781,265
CLEET	637,322	637,478	653,312	692,018	648,178	666,884
Consumer Credit	1,489,951	1,489,951	1,499,951	1,489,951	1,429,950	1,429,950
DPS	24,441,345	24,921,756	24,480,719	24,469,676	18,252,753	18,348,479
Employees Benefit Council	1,564,738	969,991	1,618,519	1,618,519	1,414,738	1,212,332
Horsereading	483,349	421,525	410,525	410,525	414,525	414,525
Insurance Comm	32,125,294	33,740,170	30,519,030	30,519,030	34,319,030	30,519,030
Labor	795,821	756,500	850,786	850,786	869,680	869,680
Medical Licensure	272,384	230,000	230,000	220,000	230,000	220,000
Nursing Board	294,819	266,018	266,018	272,778	266,018	272,778
Sec of State	2,634,317	2,320,000	2,579,000	2,582,000	2,579,000	2,582,000
Securities Comm	14,034,478	14,381,256	14,071,825	14,413,922	14,012,531	14,342,931
Treasurer (Unclaimed Property)	10,000,000	10,000,000	10,000,000	10,000,000	10,000,000	10,000,000
Tribal Gaming	0	11,998,703	12,978,650	13,967,842	13,176,650	14,067,842
OPM	5,243,172	4,989,032	4,989,202	4,989,032	4,989,299	4,989,032
OSF	208,787	250,000	270,974	270,000	212,000	212,000
Other	3,702,324	0	0	0	0	0
TOTAL MISC	103,338,502	112,902,509	110,899,360	112,073,754	108,786,124	105,603,853
GRAND OTHER	\$164,812,036	\$169,376,509	\$169,278,360	\$167,076,754	\$167,547,124	\$161,801,853

COMPARISON OF REVENUE ESTIMATES				
FY-2009 ESTIMATE: LAW CHANGES vs. FY-2010 PROPOSED ESTIMATE				
Schedule 8				
Column 1	Column 2	Column 3	Column 4	Column 5
	FY-2009 ESTIMATE 11-Jun-08	PROPOSED FY-2010 ESTIMATE 17-Feb-09	INCREASE OR (DECREASE)	PERCENT CHANGE
GENERAL REVENUE FUND				
Alcohol Beverage Tax	\$20,089,000	\$22,473,000	\$2,384,000	11.9%
Mixed Beverage Receipts Tax	32,847,000	33,484,000	617,000	1.9%
Beverage Tax	25,734,000	25,820,000	86,000	0.3%
Cigarette Tax	40,398,452	38,500,824	(3,897,828)	-9.6%
Tobacco Products Tax	14,095,522	14,042,015	(53,507)	-0.4%
Franchise Tax	41,897,000	45,123,000	3,426,000	8.2%
Gross Production Tax-Gas	679,991,800	427,475,000	(252,516,800)	-37.1%
Gross Production Tax-Oil	80,304,000	0	(80,304,000)	-100.0%
Income Tax-Individual	2,164,743,079 *	2,007,066,849 *	(157,676,230)	-7.3%
Income Tax-Corporate	289,283,475	307,572,700	18,289,225	6.3%
Estate Tax	55,879,000	38,062,000	(19,817,000)	-35.2%
Insurance Premium Tax	80,418,200	60,396,434	(20,021,767)	-24.9%
Motor Vehicle Taxes	248,939,000	125,029,000	(121,910,000)	-49.4%
Sales Tax	1,701,406,915	1,753,673,765	52,266,849	3.1%
Use Tax	155,881,648	159,057,158	3,175,508	2.0%
Interest & Investments	148,500,000	140,000,000	(8,500,000)	-4.4%
Other (Schedule 7)	169,376,509	161,801,853	(7,574,656)	-4.5%
General Revenue Totals	\$5,945,384,601	\$5,355,557,395	(\$589,827,206)	-9.9%
Transfers & Lapses	1,000,000	1,000,000	0	0.0%
Revenue Comparison	\$5,946,384,601	\$5,356,557,395	(\$589,827,206)	-9.9%
One-Time Receipts	0	0	0	0.0%
Total General Revenue	\$5,946,384,601	\$5,356,557,395	(\$589,827,206)	-9.9%
C.L.E.E.T.	\$3,450,362	\$3,488,471	\$38,109	1.1%
COMM of LAND OFFICE	\$8,975,750	\$6,888,545	(\$2,087,205)	-23.3%
MINERAL LEASING	\$4,300,000	\$4,300,000	\$0	0.0%
SPECIAL OCCUPATIONAL HEALTH & SAFETY	\$1,700,000	\$1,630,000	(\$70,000)	-4.1%
PUBLIC BUILDING	\$1,557,192	\$1,619,420	\$62,228	4.0%
OK EDUCATION LOTTERY TRUST FUND	\$72,870,000	\$66,710,000	(\$6,160,000)	-8.5%
GRAND TOTAL	\$6,039,237,905	\$5,441,193,831	(\$598,044,074)	-9.9%

*The Individual Income Tax number reflects apportionments to the ROADS Fund, the Public Transit Revolving Fund and the OK Tourism and Passenger Rail Revolving Fund, as well as funding for Oklahoma's Promise scholarship program. (For more ROADS Fund detail see Schedule 4, page 4.) In compliance with Section 10.4 of Title 62 of the Oklahoma Statutes, the State Regents for Higher Education has requested \$54m for funding of Oklahoma's Promise scholarships. This number is the same as was requested for FY-2009 and has been removed from both the FY-2009 and the FY-2010 Individual Tax estimates.

COMPARISON OF REVENUE ESTIMATES				
FY-2009 FINAL PROJECTION vs. FY-2010 PROPOSED ESTIMATE				
Schedule 9				
Column 1	Column 2	Column 3	Column 4	Column 5
	FY-2009 PROJECTED	PROPOSED FY-2010 ESTIMATE	INCREASE OR (DECREASE)	PERCENT CHANGE
	17-Feb-09	17-Feb-09		
GENERAL REVENUE FUND				
Alcohol Beverage Tax	\$21,427,000	\$22,473,000	\$1,046,000	4.9%
Mixed Beverage Receipts Tax	31,563,000	33,464,000	1,901,000	6.0%
Beverage Tax	25,463,000	25,820,000	357,000	1.4%
Cigarette Tax	38,517,379	36,500,624	(2,016,755)	-5.2%
Tobacco Products Tax	14,356,208	14,042,015	(314,193)	-2.2%
Franchise Tax	45,272,000	45,123,000	(149,000)	-0.3%
Gross Production Tax-Gas	607,339,000	427,475,000	(179,864,000)	-29.6%
Gross Production Tax-Oil	87,207,000	0	(87,207,000)	-100.0%
Income Tax-Individual	2,060,667,893 *	2,007,066,849 *	(53,601,043)	-2.6%
Income Tax-Corporate	310,824,800	307,572,700	(3,251,900)	-1.0%
Estate Tax	36,062,000	36,062,000	0	0.0%
Insurance Premium Tax	55,127,808	60,396,434	5,268,625	9.6%
Motor Vehicle Taxes	172,218,000	125,029,000	(47,189,000)	-27.4%
Sales Tax	1,726,377,608	1,753,673,765	27,296,157	1.6%
Use Tax	159,057,156	159,057,156	0	0.0%
Interest & Investments	150,000,000	140,000,000	(10,000,000)	-6.7%
Other (Schedule 7)	167,547,124	161,801,853	(5,745,272)	-3.4%
General Revenue Totals	\$5,709,026,776	\$5,355,557,395	(\$353,469,381)	-6.2%
Transfers & Lapses	1,000,000	1,000,000	0	0.0%
Revenue Comparison	\$5,710,026,776	\$5,356,557,395	(\$353,469,381)	-6.2%
One-Time Receipts	0	0	0	0.0%
Total General Revenue	\$5,710,026,776	\$5,356,557,395	(\$353,469,381)	-6.2%
C.L.E.E.T.	\$3,488,471	\$3,488,471	\$0	0.0%
COMM of LAND OFFICE	\$5,301,245	\$6,888,545	\$1,587,300	29.9%
MINERAL LEASING	\$4,300,000	\$4,300,000	\$0	0.0%
SPECIAL OCCUPATIONAL HEALTH & SAFETY	\$1,615,000	\$1,630,000	\$15,000	0.9%
PUBLIC BUILDING	\$2,055,636	\$1,619,420	(\$436,216)	-21.2%
OK EDUCATION LOTTERY TRUST FUND	\$69,226,500	\$66,710,000	(\$2,516,500)	-3.6%
GRAND TOTAL	\$5,796,013,628	\$5,441,193,831	(\$354,819,797)	-6.1%

*The Individual Income Tax number reflects apportionments to the ROADS Fund, the Public Transit Revolving Fund and the OK Tourism and Passenger Rail Revolving Fund, as well as funding for Oklahoma's Promise scholarship program. (For more ROADS Fund detail, see Schedule 4, page 4.)

In compliance with Section 10.4 of Title 62 of the Oklahoma Statutes, the State Regents for Higher Education has requested \$54m for funding of Oklahoma's Promise scholarships. This number is the same as was requested for FY-2009 and has been removed from both the FY-2009 and the FY-2010 Individual Income Tax estimates.

COMPARISON OF REVENUE ESTIMATES				
FY-2009 ESTIMATE: LAW CHANGES vs. FY-2009 FINAL PROJECTION				
Schedule 10				
Column 1	Column 2	Column 3	Column 4	Column 5
	FY-2009 ESTIMATE	FY-2009 PROJECTED	INCREASE OR (DECREASE)	PERCENT CHANGE
	11-Jun-08	17-Feb-09		
GENERAL REVENUE FUND				
Alcohol Beverage Tax	\$20,089,000	\$21,427,000	\$1,338,000	6.7%
Mixed Beverage Receipts Tax	32,847,000	31,583,000	(1,284,000)	-3.9%
Beverage Tax	25,734,000	25,483,000	(271,000)	-1.1%
Cigarette Tax	40,398,452	38,517,379	(1,881,073)	-4.7%
Tobacco Products Tax	14,095,522	14,356,208	260,686	1.8%
Franchise Tax	41,897,000	45,272,000	3,575,000	8.6%
Gross Production Tax-Gas	679,991,800	607,339,000	(72,652,800)	-10.7%
Gross Production Tax-Oil	80,304,000	87,207,000	6,903,000	8.6%
Income Tax-Individual	2,164,743,079 *	2,060,667,893 *	(104,075,187)	-4.8%
Income Tax-Corporate	289,283,475	310,824,800	21,541,125	7.4%
Estate Tax	55,879,000	38,082,000	(19,817,000)	-35.2%
Insurance Premium Tax	80,418,200	55,127,808	(25,290,392)	-31.4%
Motor Vehicle Taxes	248,939,000	172,218,000	(74,721,000)	-30.3%
Sales Tax	1,701,408,915	1,726,377,808	24,970,893	1.5%
Use Tax	155,881,648	159,057,156	3,175,508	2.0%
Interest & Investments	148,500,000	150,000,000	3,500,000	2.4%
Other (Schedule 7)	169,376,509	167,547,124	(1,829,385)	-1.1%
General Revenue Totals	\$5,945,384,601	\$5,709,026,776	(\$236,357,825)	-4.0%
Transfers & Lapses	1,000,000	1,000,000	0	0.0%
Revenue Comparison	\$5,946,384,601	\$5,710,026,776	(\$236,357,825)	-4.0%
One-Time Receipts	0	0	0	0.0%
Total General Revenue	\$5,946,384,601	\$5,710,026,776	(\$236,357,825)	-4.0%
C.L.E.E.T.	\$3,450,362	\$3,488,471	\$38,109	1.1%
COMM of LAND OFFICE	\$8,975,750	\$5,301,245	(\$3,674,505)	-40.9%
MINERAL LEASING	\$4,300,000	\$4,300,000	\$0	0.0%
SPECIAL OCCUPATIONAL HEALTH & SAFETY	\$1,700,000	\$1,615,000	(\$85,000)	-5.0%
PUBLIC BUILDING	\$1,557,192	\$2,055,636	\$498,444	32.0%
OK EDUCATION LOTTERY TRUST FUND	\$72,870,000	\$69,226,500	(\$3,643,500)	-5.0%
GRAND TOTAL	\$6,039,237,905	\$5,796,013,628	(\$243,224,277)	-4.0%

*The Individual Income Tax number reflects apportionments to the ROADS Fund, the Public Transit Revolving Fund and the OK Tourism and Passenger Rail Revolving Fund, as well as funding for Oklahoma's Promise scholarship program. (For more ROADS Fund detail see Schedule 4, page 4.) In compliance with Section 10.4 of Title 62 of the Oklahoma Statutes, the State Regents for Higher Education has requested \$54m for funding of Oklahoma's Promise scholarships. This number is the same as was requested for FY-2009 and has been removed from both the FY-2009 and the FY-2010 Individual Tax estimates.

COMPARISON OF REVENUE ESTIMATES				
FY-2009 INITIAL PROJECTION vs. FY-2009 FINAL PROJECTION				
Schedule 11				
Column 1	Column 2	Column 3	Column 4	Column 5
	FY-2009 PROJECTED	FY-2009 PROJECTED	INCREASE OR (DECREASE)	PERCENT CHANGE
	22-Dec-08	17-Feb-09		
GENERAL REVENUE FUND				
Alcohol Beverage Tax	\$21,427,000	\$21,427,000	\$0	0.0%
Mixed Beverage Receipts Tax	31,563,000	31,563,000	0	0.0%
Beverage Tax	25,463,000	25,463,000	0	0.0%
Cigarette Tax	38,531,343	38,517,379	(13,964)	0.0%
Tobacco Products Tax	14,357,880	14,356,208	(1,472)	0.0%
Franchise Tax	45,272,000	45,272,000	0	0.0%
Gross Production Tax-Gas	686,474,000	607,339,000	(79,135,000)	-11.5%
Gross Production Tax-Oil	103,518,205	87,207,000	(16,309,205)	-15.8%
Income Tax-Individual	2,088,626,460 *	2,060,667,893 *	(27,958,567)	-1.3%
Income Tax-Corporate	328,689,900	310,824,600	(17,865,300)	-5.4%
Estate Tax	36,062,000	36,062,000	0	0.0%
Insurance Premium Tax	55,127,808	55,127,808	0	0.0%
Motor Vehicle Taxes	207,151,000	172,218,000	(34,933,000)	-16.9%
Sales Tax	1,732,018,775	1,726,377,608	(5,641,167)	-0.3%
Use Tax	168,097,069	159,057,156	(9,039,913)	-5.4%
Interest & Investments	150,000,000	150,000,000	0	0.0%
Other (Schedule 7)	169,278,360	167,547,124	(1,731,236)	-1.0%
General Revenue Totals	\$5,901,655,599	\$5,709,026,776	(\$192,628,824)	-3.3%
Transfers & Lapses	1,000,000	1,000,000	0	0.0%
Revenue Comparison	\$5,902,655,599	\$5,710,026,776	(\$192,628,824)	-3.3%
One-Time Receipts	0	0	0	0.0%
Total General Revenue	\$5,902,655,599	\$5,710,026,776	(\$192,628,824)	-3.3%
C.L.E.E.T.	\$3,541,777	\$3,488,471	(\$53,306)	-1.5%
COMM of LAND OFFICE	\$5,296,580	\$5,301,245	\$4,665	0.1%
MINERAL LEASING	\$4,300,000	\$4,300,000	\$0	0.0%
SPECIAL OCCUPATIONAL HEALTH & SAFETY	\$1,615,000	\$1,615,000	\$0	0.0%
PUBLIC BUILDING	\$1,936,200	\$2,055,636	\$119,436	6.2%
OK EDUCATION LOTTERY TRUST FUND	\$69,226,500	\$69,226,500	\$0	0.0%
GRAND TOTAL	\$5,988,571,656	\$5,796,013,628	(\$192,558,029)	-3.2%

*The Individual Income Tax number reflects apportionments to the ROADS Fund, the Public Transit Revolving Fund and the OK Tourism and Passenger Rail Revolving Fund, as well as funding for Oklahoma's Promise scholarship program. (For more ROADS Fund detail see Schedule 4, page 4.) In compliance with Section 10.4 of Title 62 of the Oklahoma Statutes, the State Regents for Higher Education has requested \$54m for funding of Oklahoma's Promise scholarships. This number is the same as was requested for FY-2009 and has been removed from both the FY-2009 and the FY-2010 Individual Tax estimates.

COMPARISON OF REVENUE ESTIMATES
FY-2010 INITIAL ESTIMATE vs. FY-2010 FINAL ESTIMATE
Schedule 12

Column 1	Column 2	Column 3	Column 4	Column 5
	FY-2010 ESTIMATE	PROPOSED FY-2010 ESTIMATE	INCREASE OR (DECREASE)	PERCENT CHANGE
	22-Dec-08	17-Feb-09		
GENERAL REVENUE FUND				
Alcohol Beverage Tax	\$22,473,000	\$22,473,000	\$0	0.0%
Mixed Beverage Receipts Tax	33,464,000	33,464,000	0	0.0%
Beverage Tax	25,820,000	25,820,000	0	0.0%
Cigarette Tax	36,514,131	36,500,824	(13,507)	0.0%
Tobacco Products Tax	14,043,455	14,042,015	(1,440)	0.0%
Franchise Tax	45,123,000	45,123,000	0	0.0%
Gross Production Tax-Gas	526,203,000	427,475,000	(98,728,000)	-18.8%
Gross Production Tax-Oil	0	0	0	0.0%
Income Tax-Individual	2,060,976,970 *	2,007,066,849 *	(53,910,121)	-2.6%
Income Tax-Corporate	342,174,900	307,572,700	(34,602,200)	-10.1%
Estate Tax	36,062,000	36,062,000	0	0.0%
Insurance Premium Tax	60,396,434	60,396,434	0	0.0%
Motor Vehicle Taxes	177,461,000	125,029,000	(52,432,000)	-29.5%
Sales Tax	1,785,244,064	1,753,673,765	(31,570,300)	-1.8%
Use Tax	171,224,083	159,057,156	(12,166,927)	-7.1%
Interest & Investments	145,000,000	140,000,000	(5,000,000)	-3.4%
Other (Schedule 7)	167,075,754	161,801,853	(5,273,901)	-3.2%
General Revenue Totals	\$5,649,255,791	\$5,355,557,395	(\$293,698,396)	-5.2%
Transfers & Lapses	1,000,000	1,000,000	0	0.0%
Revenue Comparison	\$5,650,255,791	\$5,356,557,395	(\$293,698,396)	-5.2%
One-Time Receipts	0	0	0	0.0%
Total General Revenue	\$5,650,255,791	\$5,356,557,395	(\$293,698,396)	-5.2%
C.L.E.E.T.	\$3,541,777	\$3,488,471	(\$53,306)	-1.5%
COMM of LAND OFFICE	\$8,557,752	\$6,888,545	(\$1,669,207)	-19.5%
MINERAL LEASING	\$4,300,000	\$4,300,000	\$0	0.0%
SPECIAL OCCUPATIONAL HEALTH & SAFETY	\$1,630,000	\$1,630,000	\$0	0.0%
PUBLIC BUILDING	\$1,964,400	\$1,619,420	(\$344,980)	-17.6%
OK EDUCATION LOTTERY TRUST FUND	\$66,710,000	\$66,710,000	\$0	0.0%
GRAND TOTAL	\$5,736,959,720	\$5,441,193,831	(\$295,765,889)	-5.2%

*The Individual Income Tax number reflects apportionments to the ROADS Fund, the Public Transit Revolving Fund and the OK Tourism and Passenger Rail Revolving Fund, as well as funding for Oklahoma's Promise scholarship program. (For more ROADS Fund detail see Schedule 4, page 4.) In compliance with Section 10.4 of Title 62 of the Oklahoma Statutes, the State Regents for Higher Education has requested \$54m for funding of Oklahoma's Promise scholarships. This number is the same as was requested for FY-2009 and has been removed from both the FY-2009 and the FY-2010 Individual Tax estimates.

EDUCATION REFORM ACT - HB 1017

Schedule 13

SB 826 of the Second Regular Session of the Forty-fifth Legislature amended Section 41.29a of Title 62 to require that the Office of Accountability account for and report monthly revenues which accrue to the Education Reform Revolving Fund. The Education Reform Revolving Fund on June 1, 1998 began receiving revenue attributable to the revenue provisions of HB 1017 rather than these revenues first being apportioned to the General Revenue Fund.

CALCULATIONS

EDUCATION REFORM ACT

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
	FY-2009 ESTIMATE	FY-2009 PROJECTED	FY-2010 ESTIMATE	FY-2009 PROJECTED	PROPOSED FY-2010 ESTIMATE
SOURCE	11-Jun-08	22-Dec-08	22-Dec-08	17-Feb-09	17-Feb-09
Income Tax-Individual	\$231,598,381	\$224,187,540	\$224,416,390	\$221,465,447	\$219,167,611
Income Tax-Corporate	61,589,385	69,979,140	72,850,140	66,175,560	65,483,220
Sales Tax	212,853,921	216,683,607	223,342,338	215,977,871	219,392,747
Use Tax	19,501,519	21,029,725	21,420,929	19,898,790	19,898,790
Cigarette Tax	3,011,167	2,890,465	2,795,049	2,890,465	2,795,049
Tobacco Products Tax	295,989	304,683	298,018	304,683	298,018
Tribal Gaming	87,990,491	98,095,435	102,630,843	98,345,435	102,880,843
Special License Plates	0	0	0	0	0
TOTAL - 100% OF ESTIMATE	\$616,840,863	\$631,170,596	\$647,754,807	\$623,058,252	\$629,917,177
Increase FY-2010 proposed estimate over FY-2009 estimate					\$13,076,324

COMPARISON OF AUTHORIZED EXPENDITURES 2008 SESSION TO PROPOSED EXPENDITURE AUTHORITY 2009 SESSION				
Appendix A-1				
Column 1	Column 2	Column 3	Column 4	Column 5
	AUTHORIZED EXPENDITURES* 2008 SESSION	PROPOSED EXPENDITURE AUTHORITY** 2009 SESSION 17-Feb-09	INCREASE OR (DECREASE)	PERCENT CHANGE
NON-RESTRICTED FUNDS				
GENERAL REVENUE FUND				
Certified	\$5,648,952,133	\$5,088,720,525	(\$560,222,608)	-9.9%
Prior Year Certified	\$1,066,283	113,237	(953,046)	-89.4%
Cash	<u>\$195,897,081</u>	<u>289,883,390</u>	<u>93,786,329</u>	<u>47.9%</u>
TOTAL	\$5,845,915,477	\$5,378,526,152	(\$467,389,325)	-8.0%
C.L.E.E.T. FUND				
Certified	\$3,277,844	\$3,314,047	\$36,203	1.1%
Cash	<u>320,089</u>	<u>131,818</u>	<u>(188,453)</u>	<u>-58.9%</u>
TOTAL	\$3,597,913	\$3,445,863	(\$152,250)	-4.2%
MINERAL LEASING FUND				
Certified	\$4,085,000	\$4,085,000	\$0	0.0%
Cash	<u>782,228</u>	<u>1,720,836</u>	<u>938,408</u>	<u>120.0%</u>
TOTAL	\$4,867,228	\$5,805,836	\$938,408	19.3%
OHSA FUND				
Certified	\$1,615,000	\$1,548,500	(\$66,500)	-4.1%
Cash	<u>727,626</u>	<u>713,295</u>	<u>(14,331)</u>	<u>-2.0%</u>
TOTAL	\$2,342,626	\$2,261,795	(\$80,831)	-3.5%
PUBLIC BUILDING FUND				
Certified	\$1,479,332	\$1,538,449	\$59,117	4.0%
Cash	<u>1,681,881</u>	<u>1,417,501</u>	<u>(264,380)</u>	<u>-15.7%</u>
TOTAL	\$3,161,193	\$2,955,950	(\$205,243)	-6.5%
SPECIAL CASH FUND				
Cash	<u>\$103,926,978</u>	<u>\$246,080</u>	<u>(\$103,680,898)</u>	<u>-99.8%</u>
TOTAL	\$103,926,978	\$246,080	(\$103,680,898)	-99.8%
BOND FUND - SERIES A				
	\$170,379	\$8,882	(\$161,697)	-94.9%
BOND FUND - SERIES B				
	<u>88,947</u>	<u>3,513</u>	<u>(85,434)</u>	<u>-94.9%</u>
TOTAL	\$239,326	\$12,195	(\$227,131)	-94.9%
SUBTOTAL NON-RESTRICTED FUNDS	<u>\$5,964,050,741</u>	<u>\$5,393,253,471</u>	<u>(\$570,797,270)</u>	<u>-9.6%</u>

COMPARISON OF AUTHORIZED EXPENDITURES 2008 SESSION TO PROPOSED EXPENDITURE AUTHORITY 2009 SESSION Appendix A-1 (Continued)				
Column 1	Column 2	Column 3	Column 4	Column 5
	AUTHORIZED EXPENDITURES* 2008 SESSION	PROPOSED EXPENDITURE AUTHORITY** 2009 SESSION 17-Feb-09	INCREASE OR (DECREASE)	PERCENT CHANGE
RESTRICTED FUNDS				
COMMISSION OF THE LAND OFFICE FUND				
Certified	\$4,810,193	\$6,544,118	\$1,733,925	36.0%
Prior Year Certified	0	3,716,770	3,716,770	0.0%
Cash	<u>54,888</u>	<u>0</u>	<u>(54,888)</u>	<u>-100.0%</u>
TOTAL	\$4,864,981	\$10,260,888	\$5,396,007	110.9%
OK EDUCATION LOTTERY TRUST FUND				
Certified	\$69,226,500	\$63,374,500	(\$5,852,000)	-8.5%
Cash	<u>0</u>	<u>0</u>	<u>0</u>	<u>0.0%</u>
TOTAL	\$69,226,500	\$63,374,500	(\$5,852,000)	-8.5%
SUBTOTAL RESTRICTED FUNDS	<u>\$74,091,381</u>	<u>\$73,635,388</u>	<u>(\$455,993)</u>	<u>-0.6%</u>
TOTAL-RESTRICTED & NON-RESTRICTED	<u>\$6,038,142,122</u>	<u>\$5,466,888,859</u>	<u>(\$571,253,263)</u>	<u>-9.5%</u>
COMMON ED. TECH FUND				
Revolving Fund Estimate	\$47,372,299	\$33,196,893	(\$14,175,406)	-29.9%
OK. STUDENT AID FUND				
Revolving Fund Estimate	\$47,372,299	\$33,196,893	(\$14,175,406)	-29.9%
HIGHER ED. CAPITAL FUND				
Revolving Fund Estimate	\$47,372,299	\$33,196,893	(\$14,175,406)	-29.9%
1017 FUND				
Revolving Fund Estimate	\$616,818,103	\$629,917,177	\$13,099,074	2.1%
TOBACCO SETTLEMENT FUND				
Revolving Fund Estimate	\$26,617,239	\$17,150,000	(\$9,467,239)	-35.6%
STATE JUDICIAL REVOLVING FUND				
Revolving Fund Estimate	\$37,494,590	\$34,000,000	(\$3,494,590)	-9.3%
STATE TRANSPORTATION FUND***				
Revolving Fund Estimate	\$207,591,448	\$208,741,314	\$1,149,866	0.6%
TOTAL	<u>\$7,068,780,399</u>	<u>\$6,456,288,029</u>	<u>(\$612,492,370)</u>	<u>-8.7%</u>
<p>*Authorized Expenditures represent the total amount actually spent by the Legislature **Expenditure Authority represents the total amount that is available for the Legislature to spend. ***Note: The State Transportation Fund becomes a revolving fund effective July 1, 2006.</p>				

COMPARISON OF EXPENDITURE AUTHORITY 2009 SESSION (22-Dec-2008) TO PROPOSED EXPENDITURE AUTHORITY 2009 SESSION				
Appendix A-2				
Column 1	Column 2	Column 3	Column 4	Column 5
	EXPENDITURE AUTHORITY* 2009 SESSION 22-Dec-08	PROPOSED EXPENDITURE AUTHORITY* 2009 SESSION 17-Feb-09	INCREASE OR (DECREASE)	PERCENT CHANGE
NON-RESTRICTED FUNDS				
GENERAL REVENUE FUND				
Certified	\$5,387,743,001	\$5,088,729,825	(\$279,013,476)	-5.2%
Prior Year Certified	113,237	113,237	0	0.0%
Cash	<u>289,683,390</u>	<u>289,683,390</u>	<u>0</u>	<u>0.0%</u>
TOTAL	\$5,667,539,628	\$5,378,526,162	(\$279,013,476)	-4.9%
C.L.E.E.T. FUND				
Certified	\$3,364,688	\$3,314,047	(\$50,641)	-1.5%
Cash	<u>131,616</u>	<u>131,616</u>	<u>0</u>	<u>0.0%</u>
TOTAL	\$3,496,304	\$3,445,663	(\$50,641)	-1.4%
MINERAL LEASING FUND				
Certified	\$4,085,000	\$4,085,000	\$0	0.0%
Cash	<u>1,720,636</u>	<u>1,720,636</u>	<u>0</u>	<u>0.0%</u>
TOTAL	\$5,805,636	\$5,805,636	\$0	0.0%
OHSA FUND				
Certified	\$1,548,600	\$1,548,600	\$0	0.0%
Cash	<u>713,295</u>	<u>713,295</u>	<u>0</u>	<u>0.0%</u>
TOTAL	\$2,261,795	\$2,261,795	\$0	0.0%
PUBLIC BUILDING FUND				
Certified	\$1,868,180	\$1,538,449	(\$327,731)	-17.6%
Cash	<u>1,417,601</u>	<u>1,417,601</u>	<u>0</u>	<u>0.0%</u>
TOTAL	\$3,283,681	\$2,955,950	(\$327,731)	-10.0%
SPECIAL CASH FUND				
Cash	<u>\$348,430</u>	<u>\$246,080</u>	<u>(\$102,350)</u>	<u>-29.4%</u>
TOTAL	\$348,430	\$246,080	(\$102,350)	-29.4%
BOND FUND - SERIES A				
	\$177,360	\$8,682	(\$168,678)	-95.1%
BOND FUND - SERIES B				
	<u>71,771</u>	<u>3,613</u>	<u>(68,258)</u>	<u>-95.1%</u>
TOTAL	\$249,131	\$12,195	(\$236,936)	-95.1%
SUBTOTAL NON-RESTRICTED FUNDS	<u>\$5,672,984,605</u>	<u>\$5,393,253,471</u>	<u>(\$279,731,134)</u>	<u>-4.9%</u>

COMPARISON OF EXPENDITURE AUTHORITY 2009 SESSION (22-Dec-2008) TO PROPOSED EXPENDITURE AUTHORITY 2009 SESSION Appendix A-2 (Continued)				
Column 1	Column 2	Column 3	Column 4	Column 5
	EXPENDITURE AUTHORITY* 2009 SESSION 22-Dec-08	PROPOSED EXPENDITURE AUTHORITY* 2009 SESSION 17-Feb-09	INCREASE OR (DECREASE)	PERCENT CHANGE
RESTRICTED FUNDS				
COMMISSION OF THE LAND OFFICE FUND				
Certified	\$8,129,884	\$8,544,118	(\$1,585,748)	-19.5%
Prior Year Certified	3,716,770	3,716,770	0	0.0%
Cash	0	0	0	0.0%
TOTAL	\$11,846,634	\$10,260,888	(\$1,585,746)	-13.4%
OK EDUCATION LOTTERY TRUST FUND				
Certified	\$63,374,500	\$63,374,500	0	0.0%
Cash	0	0	0	0.0%
TOTAL	\$63,374,500	\$63,374,500	0	0.0%
SUBTOTAL RESTRICTED FUNDS	\$75,221,134	\$73,635,388	(\$1,585,746)	-2.1%
TOTAL-RESTRICTED & NON-RESTRICTED	\$5,748,205,739	\$5,466,888,859	(\$281,316,880)	-4.9%
COMMON ED. TECH FUND				
Revolving Fund Estimate	\$37,855,508	\$33,196,893	(\$4,658,615)	-12.3%
OK. STUDENT AID FUND				
Revolving Fund Estimate	\$37,855,508	\$33,196,893	(\$4,658,615)	-12.3%
HIGHER ED. CAPITAL FUND				
Revolving Fund Estimate	\$37,855,508	\$33,196,893	(\$4,658,615)	-12.3%
1017 FUND				
Revolving Fund Estimate	\$847,754,807	\$829,917,177	(\$17,837,430)	-2.8%
TOBACCO SETTLEMENT FUND				
Revolving Fund Estimate	\$17,150,000	\$17,150,000	\$0	0.0%
STATE JUDICIAL REVOLVING FUND				
Revolving Fund Estimate	\$34,000,000	\$34,000,000	\$0	0.0%
STATE TRANSPORTATION FUND**				
Revolving Fund Estimate	\$198,533,799	\$208,741,314	\$10,207,515	5.1%
TOTAL	\$6,759,210,669	\$6,456,288,029	(\$302,922,639)	-4.5%

*Expenditure Authority represents the total amount that is available for the Legislature to spend
 **Note: The State Transportation Fund becomes a revolving fund effective July 1, 2006.