

Senate Journal

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

Twelfth Legislative Day, Thursday, February 18, 2010

The Senate was called to order by Senator Aldridge.

Roll Call:

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

Excused: Coates, Mazzei, Reynolds and Sykes.—4.

Senator Aldridge declared a quorum present.

The prayer was offered by Pastor Roger Nix, Believers Church, Tulsa, the guest of Senator Mazzei.

REPORT OF ENGROSSED AND ENROLLED MEASURES

SRs 86 and **87** were each correctly enrolled, properly signed and ordered transmitted to the Secretary of State.

GENERAL ORDER

SB 2095 by Anderson of the Senate and Armes of the House was called up for consideration.

Senator Anderson moved that **SB 2095** be advanced, which motion was declared adopted.

THIRD READING

SB 2095 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, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Rice, Russell, Schulz, Sparks, Sweeden, Wilson and Wyrick.--43.

Excused: Coates, Mazzei, Reynolds, Stanislawski and Sykes.--5.

The bill and emergency passed.

SB 2095 was referred for engrossment.

GENERAL ORDER

SB 2096 by Anderson of the Senate and McNeil of the House was called up for consideration.

Senator Anderson moved that **SB 2096** be advanced, which motion was declared adopted.

THIRD READING

SB 2096 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, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Rice, Russell, Schulz, Sparks, Sweeden, Wilson and Wyrick.--42.

Excused: Coates, Coffee, Mazzei, Reynolds, Stanislawski and Sykes.--6.

The bill passed.

SB 2096 was referred for engrossment.

**PENDING SENATE ACTION
HOUSE REQUEST FOR CONFERENCE**

Upon motion of Senator Lamb, the request of the Honorable House for conference on **HBs 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2381, 2401, 2411, 2421, 2431, 2433, 2435, 2445, 2455, 2461, 2491, 2497, 2499, 2501, 2505 and 2511** was ordered granted and bills referred to GCCA.

GENERAL ORDER

SB 1601 by Burrage of the Senate and Peters of the House was called up for consideration.

Senator Burrage moved that **SB 1601** be advanced, which motion was declared adopted.

THIRD READING

SB 1601 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, Coffee, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, 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: Coates, Corn, Mazzei, Reynolds and Sykes.--5.

The bill passed.

SB 1601 was referred for engrossment.

GENERAL ORDER

SB 1962 by Jolley of the Senate and Cooksey of the House was called up for consideration.

Senator Jolley moved that **SB 1962** be advanced, which motion was declared adopted.

THIRD READING

SB 1962 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, Coffee, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, 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: Coates, Corn, Mazzei, Reynolds and Sykes.--5.

The bill passed.

SB 1962 was referred for engrossment.

GENERAL ORDER

SB 2213 by Jolley of the Senate and Jones of the House was called up for consideration.

Senator Ford asked to coauthor **SB 2213**, which was the order.

Senator Jolley moved that **SB 2213** be advanced, which motion was declared adopted.

THIRD READING

SB 2213 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, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Rice, Russell, Schulz, Sparks, Sweeden, Wilson and Wyrick.--43.

Excused: Coates, Mazzei, Reynolds, Stanislawski and Sykes.--5.

The bill and emergency passed.

SB 2213 was referred for engrossment.

GENERAL ORDER

SB 1753 by Leftwich of the Senate and Terrill of the House was called up for consideration.

Senator Leftwich moved that **SB 1753** be advanced, which motion was declared adopted.

THIRD READING

SB 1753 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, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Wilson and Wyrick.--44.

Excused: Coates, Mazzei, Reynolds and Sykes.--4.

The bill and emergency passed.

SB 1753 was referred for engrossment.

GENERAL ORDER

SB 2274 by Russell of the Senate and Nelson of the House was called up for consideration.

Senator Leftwich asked to coauthor **SB 2274**, which was the order.

Senator Russell moved that **SB 2274** be advanced, which motion was declared adopted.

THIRD READING

SB 2274 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, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis,

Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Wilson and Wyrick.--44.

Excused: Coates, Mazzei, Reynolds and Sykes.--4.

The bill and emergency passed.

SB 2274 was referred for engrossment.

MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed **HBs 1889, 2277, 2322, 2554, 2697, 2698, 2704, 2861, 2863** and **3313**.

HB 1889 – By Richardson and Smithson of the House and Sparks of the Senate.

An Act relating to game and fish; enacting the Interstate Wildlife Violator Compact; listing findings; stating the policy of participating state; stating the purpose of the compact; providing definitions; providing procedures for issuing a citation by a participating state; making personal recognizance acceptable; requiring certain report to the issuing state; providing for transmission of certain information to the home state upon conviction or noncompliance; requiring the home state to notify a violator; authorizing the home state to initiate a license suspension action; requiring due process safeguards; authorizing the home state to enter a conviction in the records; requiring home state to maintain certain records and make certain reports; providing for reciprocal recognition of a suspension by all participating states; requiring communications of suspension information in certain form and content; limiting application of the compact on other law; providing for the establishment of a board of compact administrators; providing for composition of the board; providing for appointment of a state compact administrator; specifying duties of the board; providing for donation to the board; authorizing the board to contract for services; directing the board to formulate procedures and forms; providing procedures for entry into and withdrawal from the compact; providing procedures for amendments to the compact; requiring liberal construction of the compact; providing for severability; requiring the Department of Wildlife Conservation to enforce the compact; authorizing the Director of the Department of Wildlife Conservation to enter or withdraw from the compact and adopt amendments; directing the Department to make a certain determination regarding the suspension of hunting, fishing, or trapping privileges of certain persons; authorizing the Department to recognize the conviction of an issuing state; requiring certain notice; establishing penalty for failure to comply with suspension notice; allowing a request for a hearing; specifying procedures for a hearing; providing for certain action by the Department; providing for codification; and providing an effective date.

HB 2277 – By Carey of the House and Gumm of the Senate.

An Act relating to counties and county officers; amending 19 O.S. 2001, Section 547, as amended by Section 1, Chapter 366, O.S.L. 2008 (19 O.S. Supp. 2009, Section 547), which relates to sheriffs; modifying responsibilities of deputy sheriffs; and providing an effective date.

HB 2322 – By Roan of the House and Ellis of the Senate.

An Act relating to motor vehicles; amending 47 O.S. 2001, Sections 1-107.4, as last amended by Section 1, Chapter 388, O.S.L. 2009 and 1-135, as amended by Section 3, Chapter 521, O.S.L. 2004 (47 O.S. Supp. 2009, Sections 1-107.4 and 1-135), which relate to definitions of vehicles and motorcycles; clarifying scope of definitions; and providing an effective date.

HB 2554 – By Martin (Steve) and Wright (John) of the House and Aldridge of the Senate.

An Act relating to cities and towns; amending Section 12, Chapter 62, O.S.L. 2004 (11 O.S. Supp. 2009, Section 51-211), which relates to the Oklahoma Municipal Employee Collective Bargaining Act; modifying allowed procedure for board certification of an employee organization; eliminating authorization and procedure for certification without an election; clarifying language; and providing an effective date.

HB 2697 – By McDaniel (Randy) of the House and Lamb of the Senate.

An Act relating to oil and gas; amending 52 O.S. 2001, Section 570.10, which relates to payment of proceeds from the sale of oil and gas production; allowing for the payment of royalty proceeds using an electronic payment mechanism; requiring mutual consent for an electronic payment; amending 52 O.S. 2001, Section 520.12, which relates to information to be included with payment to interest owners; allowing information to be provided by electronic means; and declaring an emergency.

HB 2698 – By McDaniel (Randy) and Pittman of the House and Aldridge of the Senate.

An Act relating to state government; creating the Oklahoma Government Website Information Act; requiring public bodies to make certain information available on its website; defining term; providing for codification; and providing an effective date.

HB 2704 – By McDaniel (Randy) of the House and Newberry of the Senate.

An Act relating to labor; providing for withholding and payment of delinquent debt from certain source; providing for promulgation of rules; requiring development of certain procedures; requiring certain report; providing for priority of delinquent debt withholding; amending 40 O.S. 2001, Sections 1-209, as amended by Section 4, Chapter 452, O.S.L. 2002, 1-210, as last amended by Section 3, Chapter 132, O.S.L. 2008, 1-218, as last amended by Section 1, Chapter 354, O.S.L. 2007, 2-203, as last amended by Section 1, Chapter 177, O.S.L. 2003, 2-207, as last amended by Section 1, Chapter 460, O.S.L. 2009, 2-502, 2-603, as amended by Section 12, Chapter 452, O.S.L. 2002, 2-606, as amended by Section 5, Chapter 102, O.S.L. 2004, 2-723, 3-109, 3-604, 3-806, as amended by Section 12, Chapter 354, O.S.L. 2007, 4-508, as last amended by Section 15, Chapter 354, O.S.L.

2007, 4-702 and 9-103 (40 O.S. Supp. 2009, Sections 1-209, 1-210, 1-218, 2-203, 2-207, 2-603, 2-606, 3-806 and 4-508), which relate to the Employment Security Act of 1980; modifying definition; providing requirements for granting unemployment benefits to certain workers participating in a work rehabilitation program; requiring payment of unemployment taxes on contributions to certain retirement plan; authorizing the Oklahoma Employment Security Commission to impose certain requirements on claimants; providing for disqualification of claimant; modifying wage requirement during base period; modifying posting of information; modifying process for appeal; modifying scope of provisions applicable to recovery of unemployment overpayments; modifying experience rate table; allowing for electronic fund transfers for certain refunds; modifying assessments of contributions owed by certain organizations; modifying confidential information; modifying scope of reciprocal agreements; clarifying language; repealing Section 4, Chapter 336, O.S.L. 2007 (3A O.S. Supp. 2009, Section 724.3), which relates to withholding in excess of prize; providing for codification; providing an effective date; and declaring an emergency.

HB 2861 – By Richardson and Smithson of the House and Garrison of the Senate.

An Act relating to game and fish; amending 29 O.S. 2001, Section 5-203, which relates to carrying firearms while training dogs; deleting obsolete language; clarifying statutory language; deleting penalty; amending 29 O.S. 2001, Section 5-402, which relates to punishments for violation of certain laws; increasing certain penalty; modifying violations subject to seizure and forfeiture actions; authorizing a court to order suspension, revocation or denial of hunting and fishing privileges; providing maximum period for revocation or suspension; allowing a person to apply for a new or reinstated license; establishing reinstatement fee; amending 29 O.S. 2001, Section 5-412, which relates to endangered or threatened species or subspecies; deleting certain penalty; amending 29 O.S. 2001, Section 7-207, which relates to wildlife offenses; modifying species for which restitution may be ordered; providing for an order for payment of restitution for certain species; setting range of amounts for restitution; directing the Department of Wildlife Conservation to provide recommendations; requiring the court to consider certain previous convictions; repealing 29 O.S. 2001, Section 1002, as amended by Section 1, Chapter 302, O.S.L. 2005 (29 O.S. Supp. 2009, Section 1002), which relates to habitual wildlife violators; and declaring an emergency.

HB 2863 – By Buck, Luttrell and McAffrey of the House and Paddock of the Senate.

An Act relating to schools; creating the Parental Education Warning Act; authorizing school district to provide a parental education warning notification to certain parents and guardians at a certain time; requiring posting of the notification on certain websites; stating purpose of the notification; specifying information to be included in the notification; directing the State Department of Education to make certain information available to school districts; providing for distribution of information; providing for codification; providing for noncodification; providing an effective date; and declaring an emergency.

HB 3313 – By Martin (Scott) of the House and Barrington of the Senate.

An Act relating to public bidding; amending 60 O.S. 2001, Section 176, as last amended by Section 48, Chapter 5, O.S.L. 2004 (60 O.S. Supp. 2009, Section 176), which relates to trusts for furtherance of public functions; modifying certain contract amount requiring competitive bid; amending 61 O.S. 2001, Section 103, as amended by Section 15, Chapter 271, O.S.L. 2006 (61 O.S. Supp. 2009, Section 103), which relates to the Public Competitive Bidding Act of 1974; modifying requirements for award of certain contracts; and providing an effective date.

The above-numbered measures were read the first time.

PENDING SENATE ACTION HOUSE REQUEST FOR CONFERENCE

Upon motion of Senator Lamb, the request of the Honorable House for conference on **HB 1053** was ordered granted and Senate conferees appointed as follows: Anderson, Lamb, Coffee, Johnson (Mike), Barrington, Russell, Bass, Ivester, Burrage.

CHANGE IN COMMITTEE ASSIGNMENT

The following bill will be reassigned as follows:

SB 2047 – Withdrawn from Rules committee and referred to Retirement and Insurance

Senator Lamb moved that when the clerk's desk is clear, the Senate stand adjourned to convene Monday, February 22, 2010, at 1:30 p.m., which motion prevailed.

COMMITTEE REPORTS

The following were reported by the committees named, ordered printed and placed on the Calendar:

DO PASS:

SB 1684 – Transportation, coauthored by Banz (principal House author)

Ayes: Bass, Bingman, Branam, Brogdon, Brown, Burrage, Coates, Eason McIntyre, Garrison, Johnson (Constance), Justice, Leftwich, Marlatt, Myers, Schulz, Sweeden, Wyrick

SB 1685 – Judiciary, coauthored by Key (principal House author)

Ayes: Anderson, Corn, Crain, Laster, Newberry, Paddack, Sykes

SB 1796 – Judiciary, coauthored by Renegar (principal House author)
Ayes: Anderson, Corn, Crain, Laster, Newberry, Paddack

SB 1814 – Judiciary, coauthored by Sullivan (principal House author)
Ayes: Anderson, Corn, Crain, Laster, Paddack, Sykes

SB 1928 – Judiciary, coauthored by Jordan (principal House author)
Ayes: Anderson, Corn, Crain, Laster, Newberry, Paddack, Sykes

SB 1967 – Judiciary, coauthored by McAffrey (principal House author)
Ayes: Anderson, Crain, Laster, Newberry, Paddack, Sykes

SB 1977 – Judiciary, coauthored by Faught (principal House author)
Ayes: Corn, Newberry, Paddack, Sykes
Nays: Anderson, Crain, Laster

SB 2007 – Public Safety and Homeland Security, coauthored by Nelson (principal House author)
Ayes: Ballenger, Barrington, Easley, Ellis, Halligan, Russell

SB 2260 – Veterans and Military Affairs, coauthored by Wesselhoft (principal House author)
Ayes: Barrington, Bass, Burrage, Ivester, Reynolds, Russell

SB 2294 – Public Safety and Homeland Security, coauthored by Morrissette (principal House author)
Ayes: Ballenger, Barrington, Easley, Ellis, Halligan, Russell

DO PASS, As Amended:

CS for SB 499 – Judiciary
Ayes: Anderson, Crain, Laster, Paddack, Sykes

SB 847 – Judiciary, coauthored by Corn of the Senate, and coauthored by Banz (principal House author)
Ayes: Anderson, Laster, Newberry, Paddack, Sykes

CS for SB 948 – Public Safety and Homeland Security
Ayes: Ballenger, Barrington, Easley, Ellis, Russell
Nays: Halligan

CS for SB 1284 – Finance, coauthored by Liebmann (principal House author)
Ayes: Aldridge, Crutchfield, Ford, Gumm, Ivester, Johnson (Mike), Jolley, Nichols, Reynolds, Rice, Sparks, Stanislawski
Nays: Adelson, Wilson

CS for SB 1329 – Judiciary, coauthored by Anderson of the Senate, and coauthored by Hoskin (principal House author), and coauthored by Ownbey of the House

Ayes: Anderson, Crain, Laster, Newberry, Paddack, Sykes

SB 1334 – Agriculture and Rural Development, coauthored by DeWitt (principal House author)

Ayes: Barrington, Crutchfield, Ellis, Garrison, Ivester, Justice, Schulz, Sykes, Wyrick

SB 1373 – Appropriations, coauthored by Schwartz (principal House author)

Ayes: Anderson, Bass, Bingman, Brogdon, Crain, Crutchfield, Easley, Ford, Halligan, Johnson (Mike), Justice, Laster, Leftwich, Lerblance, Paddack, Reynolds, Stanislawski, Sykes, Wilson

SB 1393 – Tourism and Wildlife, coauthored by Richardson (principal House author)

Ayes: Anderson, Barrington, Eason McIntyre, Ellis, Ford, Garrison, Justice, Marlatt, Reynolds, Schulz, Sweeden, Wyrick

SB 1395 – Health and Human Services, coauthored by Schwartz (principal House author)

Ayes: Adelson, Burrage, Crain, Halligan, Johnson (Constance), Jolley, Newberry, Wilson

CS for SB 1397 – Finance, coauthored by Stanislawski of the Senate, and coauthored by Hickman (principal House author)

Ayes: Aldridge, Crutchfield, Ford, Gumm, Ivester, Johnson (Mike), Reynolds, Rice, Sparks, Stanislawski

Nays: Adelson, Jolley, Nichols, Wilson

CS for SB 1398 – Finance, coauthored by Stanislawski of the Senate, and coauthored by Hickman (principal House author)

Ayes: Aldridge, Crutchfield, Ford, Gumm, Ivester, Johnson (Mike), Reynolds, Rice, Sparks, Stanislawski

Nays: Adelson, Jolley, Nichols, Wilson

CS for SB 1592 – Business and Labor, coauthored by Wright (Harold) (principal House author)

Ayes: Adelson, Brogdon, Burrage, Coates, Lamb, Leftwich, Myers, Newberry, Russell

SB 1599 – Finance, coauthored by DeWitt (principal House author)

Ayes: Adelson, Aldridge, Crutchfield, Ford, Gumm, Ivester, Johnson (Mike), Jolley, Nichols, Rice, Sparks, Stanislawski, Wilson

SB 1646 – Finance, coauthored by Shoemake (principal House author)

Ayes: Aldridge, Crutchfield, Ford, Gumm, Ivester, Jolley, Nichols, Reynolds, Rice, Sparks, Stanislawski, Wilson

Nays: Adelson

SB 1650 – Finance, coauthored by Watson (principal House author)

Ayes: Adelson, Aldridge, Crutchfield, Ford, Gumm, Ivester, Johnson (Mike), Jolley, Nichols, Reynolds, Rice, Sparks, Stanislawski

Nays: Wilson

CS for SB 1686 – Business and Labor, coauthored by Burrage and Barrington of the Senate, and coauthored by Sullivan (principal House author)

Ayes: Adelson, Brogdon, Burrage, Coates, Leftwich, Myers, Newberry, Russell

SB 1691 – Education, coauthored by Laster and Gumm of the Senate, and coauthored by Terrill (principal House author)

Ayes: Branan, Brown, Corn, Eason McIntyre, Ford, Gumm, Halligan, Jolley, Lerblance, Paddack, Reynolds, Sparks, Stanislawski

SB 1849 – Judiciary, coauthored by Terrill (principal House author)

Ayes: Anderson, Corn, Crain, Laster, Newberry, Paddack, Sykes

SB 1871 – Business and Labor, coauthored by Burrage and Barrington of the Senate, and coauthored by Steele (principal House author)

Ayes: Adelson, Brogdon, Burrage, Coates, Leftwich, Myers, Newberry, Rice, Russell

CS for SB 1882 – Finance, coauthored by Gumm and Sparks of the Senate, and coauthored by Thompson (principal House author)

Ayes: Crutchfield, Ford, Gumm, Ivester, Johnson (Mike), Jolley, Nichols, Reynolds, Rice, Sparks, Stanislawski

Nays: Adelson, Wilson

CS for SB 1914 – Finance, coauthored by Hickman (principal House author)

Ayes: Adelson, Aldridge, Crutchfield, Ford, Gumm, Ivester, Johnson (Mike), Jolley, Nichols, Reynolds, Rice, Sparks, Stanislawski, Wilson

SB 1941 – Transportation, coauthored by Nelson (principal House author)

Ayes: Bass, Bingman, Branan, Brown, Burrage, Coates, Eason McIntyre, Garrison, Johnson (Constance), Justice, Leftwich, Marlatt, Myers, Schulz, Sweeden, Wyrick

CS for SB 1961 – Judiciary, coauthored by Sullivan (principal House author)

Ayes: Anderson, Corn, Crain, Laster, Newberry, Paddack

SB 1970 – Business and Labor, coauthored by McNeil (principal House author)

Ayes: Adelson, Brogdon, Burrage, Coates, Lamb, Leftwich, Myers, Newberry, Rice, Russell

CS for SB 1973 – Judiciary, coauthored by Sullivan (principal House author)

Ayes: Anderson, Corn, Crain

Nays: Laster

CS for SB 2099 – Business and Labor, coauthored by Jordan (principal House author)
Ayes: Adelson, Brogdon, Burrage, Coates, Leftwich, Myers, Newberry, Rice, Russell

SB 2166 – Judiciary, coauthored by Nelson (principal House author)
Ayes: Anderson, Crain, Laster, Newberry, Paddack, Sykes

SB 2200 – Judiciary, coauthored by Sullivan (principal House author)
Ayes: Anderson, Crain, Laster, Newberry, Paddack, Sykes

SB 2203 – Judiciary, coauthored by Sullivan (principal House author)
Ayes: Anderson, Crain, Laster, Paddack, Sykes

CS for SB 2215 – Public Safety and Homeland Security, remove Bingman and substitute Sykes as principal Senate author, and coauthored by Nelson (principal House author)

Ayes: Ballenger, Barrington, Easley, Ellis, Halligan, Russell

CS for SB 2263 – Public Safety and Homeland Security, coauthored by Hoskin (principal House author)

Ayes: Ballenger, Barrington, Easley, Ellis, Halligan, Russell

CS for SB 2270 – Judiciary, coauthored by Sullivan (principal House author)
Ayes: Anderson, Crain, Laster, Paddack, Sykes

CS for SJR 66 – Judiciary, coauthored by Sullivan (principal House author)
Ayes: Anderson, Crain, Newberry, Sykes
Nays: Corn, Laster

Pursuant to the Lamb motion, the Senate adjourned at 10:20 a.m. to meet Monday, February 22, 2010, at 1:30 p.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 16, 2010

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, 2011, shall not exceed the amount appropriated for the current fiscal year, 2010, plus 12 percent (12%) adjusted for inflation as measured at the close of the calendar year. The amount appropriated from each fund by the First Regular Session of the Fifty-second Legislature and acted upon by the Governor was \$5,816,494,497. The limit on appropriations for the Second Regular Session of the Fifty-second Legislature is \$6,320,479,397 for the fiscal year ending June 30, 2011.

| Column 1 | Column 2 |
|---------------------------------|-------------------------------|
| FUND NAME | AMOUNT |
| FY-2010 General Revenue Fund | 5,144,371,712 |
| FY-2009 General Revenue Fund | 113,237 |
| FY-2008 General Revenue Fund | 290,883,390 |
| FY-2010 Mineral Leasing Fund | 4,085,000 |
| FY-2008 Mineral Leasing Fund | 1,720,636 |
| FY-2010 Land Office Fund | 4,524,339 |
| FY-2009 Land Office Fund | 0 |
| FY-2010 Public Building Fund | 1,538,449 |
| FY-2008 Public Building Fund | 1,417,501 |
| Special Cash | 98,746,080 |
| FY-2010 OHSA Fund | 1,548,500 |
| FY-2008 OHSA Fund | 713,295 |
| FY-2010 CLEET Fund | 3,314,047 |
| FY-2008 CLEET Fund | 131,616 |
| Gen'l Obligation Bonds Series A | 8,682 |
| Gen'l Obligation Bonds Series B | 3,513 |
| Education Lottery Trust Fund | 63,374,500 |
| TOTAL | <u>\$5,816,494,497</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 100.477%(adjustment for inflation)]=112.53%

| | |
|---------------------------------------|-------------------------------|
| Total Appropriation FY-2010 | \$5,816,494,497 |
| Factor | <u>112.53%</u> |
| Limit on Appropriation FY-2011 | <u>\$6,320,479,397</u> |

**LEGISLATED REVENUE ADJUSTMENTS
INCOME TAX REDUCTION FINDING**

Schedule 2

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 2011 from 5.50% to 5.25%. To make the finding the Board will determine growth revenue in the General Revenue Fund from FY-2010 to FY-2011 and compare that amount with the anticipated reduction of tax year 2011 income tax revenue from the standard deduction increase plus 4% of the FY-2010 General Revenue Fund estimate.

| Column 1 | Column 2 | Column 3 | Column 4 |
|--|----------------------------------|----------------------------------|---------------------------|
| | FY-2010 ESTIMATE 10-Jun-09 | FY-2011 ESTIMATE 10-Feb-10 | INCREASE OR (DECREASE) |
| TITLE 68, SECTION 2355.1A, Paragraph 1: Finding 1 - General Revenue Fund Growth | | | |
| Total General Revenue Fund | \$5,415,374,809 | \$4,579,991,596 | (\$835,383,213) |
| FINDING 1: Growth revenue in the General Revenue Fund | | | (\$835,383,213) |

TITLE 68, SECTION 2355.1A, Paragraph 2:

Finding 2 - Tax Year 2011 Fiscal Impact of Standard Deduction Increase plus 4% of FY-2010 Total General Revenue Estimate

| | | |
|--|-----------------|----------------------|
| Fiscal Impact of Standard Deduction Increase - Tax Year 2011 | | 23,518,000 |
| FY-2010 General Revenue Estimate | \$5,415,374,809 | |
| -4% of General Revenue Estimate | | <u>\$216,614,992</u> |
| TOTAL - FINDING 2: | | 240,132,992 |

*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-2010 General Revenue Fund Estimate. As a result, the finding does not authorize the reduction of the Income Tax Rate for Tax Year 2011 from 5.50% to 5.25%.

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-2011 Estimates | |
| GENERAL REVENUE | \$4,579,991,596 | \$4,350,992,016 |
| C.L.E.E.T. | \$3,291,306 | \$3,126,741 |
| COMMISSIONERS OF THE LAND OFFICE | \$9,299,305 | \$8,834,340 |
| MINERAL LEASING | \$4,300,000 | \$4,085,000 |
| SPECIAL OCCUPATIONAL HEALTH & SAFETY | \$1,615,000 | \$1,534,250 |
| PUBLIC BUILDING | \$1,580,262 | \$1,501,249 |
| OK EDUCATION LOTTERY TRUST FUND | \$64,792,350 | \$61,552,733 |
| TOTALS | \$4,664,869,819 | \$4,431,626,329 |

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

Column 1

Column 2

Column 3

Column 4

Column 5

Legislated Adjustments for FY-2011:

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 | FY-2011 ESTIMATE 22-Dec-09 |
|--|----------------------------------|----------------------------------|----------------------------------|
| Apportionment to ROADS Fund | \$137,500,000 | \$155,000,000 | \$185,000,000 |
| Additional ROADS Fund | 17,500,000 | 30,000,000 | 30,000,000 |
| OK Tourism & Passenger Rail Rev. Fund | 2,000,000 | 2,000,000 | 2,000,000 |
| Public Transit Rev. Fund | 3,000,000 | 3,000,000 | 3,000,000 |
| Total Apportionment from Individual Income Tax | \$160,000,000 | \$190,000,000 | \$220,000,000 |

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. As shown above, the ROADS Fund provided an additional \$30 million for FY-2010 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-2009 APPROPRIATION | FY-2010 APPROPRIATION | INCREASE OR (DECREASE) | PERCENT CHANGE |
| Education Funding | 3,648,021,218 | 3,493,100,875 | (\$154,920,543) | -4.2% |
| Education Lottery Trust Fund | <u>69,229,500</u> | <u>63,374,500</u> | <u>(5,855,000)</u> | <u>-8.5%</u> |
| Total Education Funding* | \$3,717,247,718 | 3,556,475,175 | (\$160,772,543) | -4.3% |
| | FY-2009 AUTHORIZED EXPENDITURES | FY-2010 EXPENDITURE AUTHORITY 16-Jun-09 | | |
| Total Authority | 7,068,780,399 | 6,614,305,373 | (\$454,475,026) | -6.4% |
| Education Lottery Trust Fund | 69,229,500 | 63,374,500 | (\$5,855,000) | -8.5% |

*To determine if the Oklahoma Education Lottery Trust Fund supplanted education funding, actual FY-2009 appropriations are compared to FY-2010 appropriations (which were subject to adjustment for revenue downturn). Education funding in FY-2010 was affected negatively by the economic downturn and reduced funds available by 4.2%. As this reduction in funding is less than the overall reduction in authority for state revenues (6.4% as shown), education funding was not disproportionately adjusted. Additionally, authorized lottery funds were fully appropriated and only reflect the effects of the economic downturn. 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, 2011 (FY-2011) and are the basis for the summation proposed for certification in Schedule 3. For informational purposes the FY-2011 estimates of revenues are compared to both the itemized estimates and the projections of revenues for the current fiscal year (FY-2010).

| Column 1 | Column 2 | Column 3 | Column 4 | Column 5 | Column 6 | Column 7 |
|---|------------------------|----------------------------------|-----------------------------------|----------------------------------|-----------------------------------|--|
| FUND NAME | FY-2009 ACTUAL | FY-2010 ESTIMATE 16-Jun-09 | FY-2010 PROJECTED 22-Dec-09 | FY-2011 ESTIMATE 22-Dec-09 | FY-2010 PROJECTED 16-Feb-10 | PROPOSED FY-2011 ESTIMATE 16-Feb-10 |
| GENERAL REVENUE | | | | | | |
| Alcohol Beverage Tax | \$20,841,009 | \$22,473,000 | \$21,174,000 | \$21,638,000 | \$21,174,000 | \$21,638,000 |
| Mixed Beverage Receipts Tax | 31,652,623 | 33,464,000 | 32,368,000 | 34,077,000 | 32,368,000 | 34,077,000 |
| Beverage Tax | 26,183,339 | 26,820,000 | 26,326,000 | 26,518,000 | 26,326,000 | 26,518,000 |
| Cigarette Tax | 39,349,808 | 36,500,624 | 36,276,175 | 34,885,543 | 36,303,271 | 34,912,030 |
| Tobacco Products Tax | 15,101,566 | 14,042,015 | 15,248,485 | 15,102,393 | 15,251,579 | 15,105,458 |
| Franchise Tax | 47,459,806 | 45,123,000 | 46,378,000 | 46,566,000 | 46,378,000 | 46,566,000 |
| Gross Production Tax-Gas | 598,340,774 | 427,475,000 | 195,159,000 | 225,090,000 | 273,536,000 | 320,082,000 |
| Gross Production Tax-Oil | 128,931,292 | 0 | 87,722,546 | 70,998,842 | 113,830,000 | 114,045,000 |
| Income Tax-Individual | 1,959,582,097 | 2,044,077,289 * | 1,652,551,804 * | 1,661,413,846 * | 1,647,204,906 * | 1,663,460,263 * |
| Income Tax-Corporate | 266,640,203 | 307,294,700 | 172,435,175 | 182,263,725 | 153,571,675 | 157,226,575 |
| Estate Tax | 39,562,388 | 36,062,000 | 33,628,000 | 8,407,000 | 33,628,000 | 8,407,000 |
| Insurance Premium Tax | 59,751,471 | 60,396,434 | 59,818,265 | 59,818,265 | 59,818,265 | 59,818,265 |
| Motor Vehicle Taxes | 175,840,563 | 141,437,056 | 124,916,037 | 108,507,981 | 142,228,000 | 128,913,000 |
| Sales Tax | 1,646,629,265 | 1,754,087,525 | 1,512,003,240 | 1,556,898,490 | 1,477,723,140 | 1,542,856,330 |
| Use Tax | 158,496,849 | 159,057,156 | 122,321,430 | 131,685,750 | 117,722,880 | 126,251,100 |
| Interest & Investments | 157,197,055 | 140,000,000 | 122,000,000 | 114,000,000 | 122,000,000 | 125,000,000 |
| Other (Schedule 7) | 173,500,310 | 167,065,011 | 153,649,585 | 150,744,469 | 155,666,312 | 154,116,574 |
| General Revenue Totals | \$5,544,060,419 | \$5,414,374,809 | \$4,413,975,742 | \$4,447,615,304 | \$4,474,750,029 | \$4,579,991,596 |
| Transfers & Lapses | 615,624 | 1,000,000 | 1,000,000 | 1,000,000 | 1,000,000 | 1,000,000 |
| Revenue Comparison | \$5,544,676,043 | \$5,415,374,809 | \$4,414,975,742 | \$4,448,615,304 | \$4,475,750,029 | \$4,579,991,596 |
| One-Time Receipts | 0 | 0 | 0 | 0 | 0 | 0 |
| Total General Revenue | \$5,544,676,043 | \$5,415,374,809 | \$4,414,975,742 | \$4,448,615,304 | \$4,475,750,029 | \$4,579,991,596 |
| C.L.E.E.T. | \$3,504,386 | \$3,488,471 | \$3,304,355 | \$3,304,355 | \$3,291,306 | \$3,291,306 |
| COMM of LAND OFFICE | \$9,675,211 | \$6,888,545 | \$8,759,567 | \$9,350,199 | \$8,678,492 | \$9,299,305 |
| MINERAL LEASING | \$5,740,875 | \$4,300,000 | \$4,300,000 | \$4,300,000 | \$4,300,000 | \$4,300,000 |
| SPECIAL OCCUPATIONAL HEALTH & SAFETY | \$1,615,000 | \$1,630,000 | \$1,548,500 | \$1,615,000 | \$1,548,500 | \$1,615,000 |
| PUBLIC BUILDING | \$2,134,476 | \$1,619,420 | \$1,562,362 | \$1,595,262 | \$1,557,362 | \$1,580,262 |
| OK EDUCATION LOTTERY TRUST FUND | \$69,226,501 | \$66,710,000 | \$66,717,350 | \$64,792,350 | \$66,717,350 | \$64,792,350 |
| GRAND TOTAL | \$5,636,572,491 | \$5,500,011,245 | \$4,501,167,876 | \$4,533,572,470 | \$4,561,843,039 | \$4,664,869,819 |

*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 34.87 of Title 62 of the Oklahoma Statutes, the State Regents for Higher Education has requested \$57m for funding of Oklahoma's Promise scholarships for the upcoming fiscal year. This number has been removed from the FY-2011 Individual Income Tax Estimate. \$54m was funded for both FY-2009 and FY-2010 and has been removed from the individual income tax numbers.

| 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-2009 ACTUAL | FY-2010 ESTIMATE 16-Jun-09 | FY-2010 PROJECTED 22-Dec-09 | FY-2011 ESTIMATE 22-Dec-09 | FY-2010 PROJECTED 16-Feb-10 | PROPOSED FY-2011 ESTIMATE 16-Feb-10 |
| OTC: | | | | | | |
| Pari-Mutuel | \$1,647,769 | \$1,310,000 | \$1,310,000 | \$1,310,000 | \$1,310,000 | \$1,310,000 |
| Tribal Cigarette Compacts | 14,387,494 | 15,740,000 | 16,463,000 | 14,286,000 | 16,453,000 | 14,286,000 |
| Bingo Excise & Charity Games | 244,679 | 220,000 | 181,000 | 181,000 | 181,000 | 181,000 |
| Workers Comp Ins. Premium Tax | 7,575,331 | 7,660,000 | 7,576,000 | 7,588,000 | 7,576,000 | 7,588,000 |
| Petroleum Excise Tax | 12,420,968 | 8,109,000 | 6,898,000 | 7,779,000 | 8,028,000 | 9,639,000 |
| Other OTC | 25,251,216 | 28,422,158 | 17,415,000 | 17,547,000 | 17,415,000 | 17,547,000 |
| TOTAL OTC | \$61,527,455 | \$61,461,158 | \$49,833,000 | \$48,690,000 | \$50,961,000 | \$50,550,000 |
| COLLECTIONS BY OTHER AGENCIES | | | | | | |
| ABLE | \$5,038,745 | \$4,617,625 | \$5,034,300 | \$5,517,300 | \$4,934,300 | \$4,967,300 |
| Attorney General (Tobacco) | 20,460 | 37,500 | 136,000 | 136,000 | 133,025 | 136,000 |
| Central Services | 1,219,807 | 781,265 | 842,308 | 842,308 | 842,308 | 842,308 |
| CLEET | 645,993 | 686,884 | 614,815 | 616,901 | 606,357 | 609,177 |
| Consumer Credit | 1,109,457 | 1,429,950 | 887,565 | 843,237 | 931,944 | 836,750 |
| DPS | 17,153,800 | 18,349,479 | 16,645,227 | 16,617,333 | 16,696,083 | 16,688,496 |
| Employees Benefit Council | 1,408,702 | 1,212,332 | 1,327,158 | 1,327,158 | 1,317,316 | 1,317,316 |
| Horseraing | 477,328 | 414,525 | 384,725 | 384,725 | 384,725 | 384,725 |
| Insurance Comm | 38,656,679 | 30,519,030 | 31,171,819 | 30,478,027 | 32,561,091 | 31,867,498 |
| Labor | 898,130 | 869,680 | 898,130 | 898,130 | 898,130 | 898,130 |
| Medical Licensure | 251,859 | 220,000 | 240,000 | 220,000 | 240,000 | 220,000 |
| Nursing Board | 288,536 | 272,778 | 280,365 | 283,020 | 280,365 | 283,020 |
| Sec of State | 2,990,177 | 2,582,000 | 2,190,770 | 2,081,232 | 2,080,900 | 2,080,900 |
| Securities Comm | 14,025,280 | 14,342,931 | 12,758,940 | 12,758,940 | 13,003,300 | 13,003,300 |
| Treasurer (Unclaimed Property) | 10,000,000 | 10,000,000 | 10,000,000 | 10,000,000 | 10,000,000 | 10,000,000 |
| Tribal Gaming | 14,311,173 | 14,067,842 | 14,420,428 | 14,434,000 | 14,267,842 | 14,634,000 |
| OPM | 4,180,805 | 4,989,032 | 5,782,092 | 4,416,159 | 5,341,484 | 4,595,655 |
| OSF | 189,281 | 212,000 | 202,142 | 200,000 | 202,142 | 200,000 |
| Other | (892,345) | 0 | 0 | 0 | 0 | 0 |
| TOTAL MISC | 111,972,866 | 105,603,853 | 103,816,585 | 102,054,469 | 104,725,312 | 103,566,574 |
| GRAND OTHER | \$173,500,310 | \$167,065,011 | \$153,649,585 | \$150,744,469 | \$155,686,312 | \$154,116,574 |

COMPARISON OF REVENUE ESTIMATES
FY-2010 ESTIMATE: LAW CHANGES vs. FY-2011 PROPOSED ESTIMATE
Schedule 8

| Column 1 | Column 2 | Column 3 | Column 4 | Column 5 |
|---|----------------------------------|--|---------------------------|-------------------|
| | FY-2010 ESTIMATE 16-Jun-09 | PROPOSED FY-2011 ESTIMATE 16-Feb-10 | INCREASE OR (DECREASE) | PERCENT CHANGE |
| GENERAL REVENUE FUND | | | | |
| Alcohol Beverage Tax | \$22,473,000 | \$21,638,000 | (\$835,000) | -3.7% |
| Mixed Beverage Receipts Tax | 33,464,000 | 34,077,000 | 613,000 | 1.8% |
| Beverage Tax | 25,820,000 | 26,518,000 | 698,000 | 2.7% |
| Cigarette Tax | 36,500,624 | 34,912,030 | (1,588,594) | -4.4% |
| Tobacco Products Tax | 14,042,015 | 15,105,458 | 1,063,443 | 7.6% |
| Franchise Tax | 45,123,000 | 46,566,000 | 1,443,000 | 3.2% |
| Gross Production Tax-Gas | 427,475,000 | 320,082,000 | (107,393,000) | -25.1% |
| Gross Production Tax-Oil | 0 | 114,045,000 | 114,045,000 | 0.0% |
| Income Tax-Individual | 2,044,077,289 * | 1,863,480,263 * | (380,617,026) | -18.6% |
| Income Tax-Corporate | 307,294,700 | 157,226,575 | (150,068,125) | -48.8% |
| Estate Tax | 36,062,000 | 8,407,000 | (27,655,000) | -76.7% |
| Insurance Premium Tax | 60,396,434 | 59,818,265 | (578,168) | -1.0% |
| Motor Vehicle Taxes | 141,437,056 | 128,913,000 | (12,524,056) | -8.9% |
| Sales Tax | 1,754,087,525 | 1,542,855,330 | (211,232,195) | -12.0% |
| Use Tax | 159,057,156 | 126,251,100 | (32,806,056) | -20.6% |
| Interest & Investments | 140,000,000 | 125,000,000 | (15,000,000) | -10.7% |
| Other (Schedule 7) | 167,065,011 | 154,116,574 | (12,948,436) | -7.8% |
| General Revenue Totals | \$5,414,374,809 | \$4,578,991,596 | (\$835,383,213) | -15.4% |
| Transfers & Lapses | 1,000,000 | 1,000,000 | 0 | 0.0% |
| Revenue Comparison | \$5,415,374,809 | \$4,579,991,596 | (\$835,383,213) | -15.4% |
| One-Time Receipts | 0 | 0 | 0 | 0.0% |
| Total General Revenue | \$5,415,374,809 | \$4,579,991,596 | (\$835,383,213) | -15.4% |
| C.L.E.E.T. | \$3,488,471 | \$3,291,306 | (\$197,165) | -5.7% |
| COMM of LAND OFFICE | \$6,888,545 | \$9,299,305 | \$2,410,760 | 35.0% |
| MINERAL LEASING | \$4,300,000 | \$4,300,000 | \$0 | 0.0% |
| SPECIAL OCCUPATIONAL HEALTH & SAFETY | \$1,630,000 | \$1,615,000 | (\$15,000) | -0.9% |
| PUBLIC BUILDING | \$1,619,420 | \$1,580,262 | (\$39,158) | -2.4% |
| OK EDUCATION LOTTERY TRUST FUND | \$66,710,000 | \$64,792,350 | (\$1,917,650) | -2.9% |
| GRAND TOTAL | \$5,500,011,245 | \$4,664,869,819 | (\$835,141,426) | -15.2% |

*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 34.87 of Title 62 of the Oklahoma Statutes, the State Regents for Higher Education has requested \$57m for funding of Oklahoma's Promise scholarships for the upcoming fiscal year. This number has been removed from the FY-2011 Individual Income Tax Estimate. \$54m was funded for FY-2010 and has been removed from the FY-2010 individual income tax number above.

| COMPARISON OF REVENUE ESTIMATES | | | | |
|--|------------------------|---------------------------------|---------------------------|-------------------|
| FY-2010 FINAL PROJECTION vs. FY-2011 PROPOSED ESTIMATE | | | | |
| Schedule 9 | | | | |
| Column 1 | Column 2 | Column 3 | Column 4 | Column 5 |
| | FY-2010 PROJECTED | PROPOSED FY-2011 ESTIMATE | INCREASE OR (DECREASE) | PERCENT CHANGE |
| | 16-Feb-10 | 16-Feb-10 | | |
| GENERAL REVENUE FUND | | | | |
| Alcohol Beverage Tax | \$21,174,000 | \$21,638,000 | \$464,000 | 2.2% |
| Mixed Beverage Receipts Tax | 32,368,000 | 34,077,000 | 1,709,000 | 5.3% |
| Beverage Tax | 26,326,000 | 26,518,000 | 192,000 | 0.7% |
| Cigarette Tax | 36,303,271 | 34,912,030 | (1,391,241) | -3.8% |
| Tobacco Products Tax | 15,251,679 | 15,105,458 | (146,121) | -1.0% |
| Franchise Tax | 46,378,000 | 46,566,000 | 188,000 | 0.4% |
| Gross Production Tax-Gas | 273,536,000 | 320,082,000 | 46,546,000 | 17.0% |
| Gross Production Tax-Oil | 113,830,000 | 114,045,000 | 215,000 | 0.2% |
| Income Tax-Individual | 1,647,204,906 * | 1,663,480,263 * | 16,255,357 | 1.0% |
| Income Tax-Corporate | 153,571,675 | 157,226,575 | 3,654,900 | 2.4% |
| Estate Tax | 33,628,000 | 8,407,000 | (25,221,000) | -75.0% |
| Insurance Premium Tax | 59,818,265 | 59,818,265 | (0) | 0.0% |
| Motor Vehicle Taxes | 142,228,000 | 128,913,000 | (13,315,000) | -9.4% |
| Sales Tax | 1,477,723,140 | 1,542,855,330 | 65,132,190 | 4.4% |
| Use Tax | 117,722,880 | 126,251,100 | 8,528,220 | 7.2% |
| Interest & Investments | 122,000,000 | 125,000,000 | 3,000,000 | 2.5% |
| Other (Schedule 7) | 155,886,312 | 154,116,574 | (1,569,737) | -1.0% |
| General Revenue Totals | \$4,474,750,029 | \$4,578,991,596 | \$104,241,567 | 2.3% |
| Transfers & Lapses | 1,000,000 | 1,000,000 | 0 | 0.0% |
| Revenue Comparison | \$4,475,750,029 | \$4,579,991,596 | \$104,241,567 | 2.3% |
| One-Time Receipts | 0 | 0 | 0 | 0.0% |
| Total General Revenue | \$4,475,750,029 | \$4,579,991,596 | \$104,241,567 | 2.3% |
| C.L.E.E.T. | \$3,291,306 | \$3,291,306 | \$0 | 0.0% |
| COMM of LAND OFFICE | \$8,678,492 | \$9,299,305 | \$620,813 | 7.2% |
| MINERAL LEASING | \$4,300,000 | \$4,300,000 | \$0 | 0.0% |
| SPECIAL OCCUPATIONAL HEALTH & SAFETY | \$1,548,500 | \$1,615,000 | \$66,500 | 4.3% |
| PUBLIC BUILDING | \$1,557,362 | \$1,580,262 | \$22,900 | 1.5% |
| OK EDUCATION LOTTERY TRUST FUND | \$66,717,350 | \$64,792,350 | (\$1,925,000) | -2.9% |
| GRAND TOTAL | \$4,561,843,039 | \$4,664,869,819 | \$103,026,780 | 2.3% |

*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 34.87 of Title 62 of the Oklahoma Statutes, the State Regents for Higher Education has requested \$57m for funding of Oklahoma's Promise scholarships for the upcoming fiscal year. This number has been removed from the FY-2011 Individual Income Tax Estimate. \$54m was funded for FY-2010 and has been removed from the FY-2010 individual income tax number above.

| COMPARISON OF REVENUE ESTIMATES | | | | |
|--|------------------------|------------------------|---------------------------|-------------------|
| FY-2010 ESTIMATE: LAW CHANGES vs. FY-2010 FINAL PROJECTION | | | | |
| Schedule 10 | | | | |
| Column 1 | Column 2 | Column 3 | Column 4 | Column 5 |
| | FY-2010 ESTIMATE | FY-2010 PROJECTED | INCREASE OR (DECREASE) | PERCENT CHANGE |
| | 10-Jun-09 | 10-Feb-10 | | |
| GENERAL REVENUE FUND | | | | |
| Alcohol Beverage Tax | \$22,473,000 | \$21,174,000 | (\$1,299,000) | -5.8% |
| Mixed Beverage Receipts Tax | 33,464,000 | 32,369,000 | (1,095,000) | -3.3% |
| Beverage Tax | 25,820,000 | 26,326,000 | 506,000 | 2.0% |
| Cigarette Tax | 36,500,624 | 36,303,271 | (197,353) | -0.5% |
| Tobacco Products Tax | 14,042,015 | 15,251,579 | 1,209,564 | 8.6% |
| Franchise Tax | 45,123,000 | 46,378,000 | 1,255,000 | 2.8% |
| Gross Production Tax-Gas | 427,475,000 | 273,536,000 | (153,939,000) | -36.0% |
| Gross Production Tax-Oil | 0 | 113,830,000 | 113,830,000 | 0.0% |
| Income Tax-Individual | 2,044,077,289 * | 1,647,204,906 * | (396,872,383) | -19.4% |
| Income Tax-Corporate | 307,294,700 | 153,571,675 | (153,723,025) | -50.0% |
| Estate Tax | 36,062,000 | 33,628,000 | (2,434,000) | -6.7% |
| Insurance Premium Tax | 60,396,434 | 59,818,265 | (578,168) | -1.0% |
| Motor Vehicle Taxes | 141,437,056 | 142,228,000 | 790,944 | 0.6% |
| Sales Tax | 1,754,087,525 | 1,477,723,140 | (276,364,385) | -15.8% |
| Use Tax | 159,057,156 | 117,722,880 | (41,334,276) | -26.0% |
| Interest & Investments | 140,000,000 | 122,000,000 | (18,000,000) | -12.9% |
| Other (Schedule 7) | 167,065,011 | 155,686,312 | (11,378,699) | -6.8% |
| General Revenue Totals | \$5,414,374,809 | \$4,474,750,029 | (\$939,624,780) | -17.4% |
| Transfers & Lapses | 1,000,000 | 1,000,000 | 0 | 0.0% |
| Revenue Comparison | \$5,415,374,809 | \$4,475,750,029 | (\$939,624,780) | -17.4% |
| One-Time Receipts | 0 | 0 | 0 | 0.0% |
| Total General Revenue | \$5,415,374,809 | \$4,475,750,029 | (\$939,624,780) | -17.4% |
| C.L.E.E.T. | \$3,488,471 | \$3,291,306 | (\$197,165) | -5.7% |
| COMM of LAND OFFICE | \$6,888,545 | \$8,678,492 | \$1,789,947 | 26.0% |
| MINERAL LEASING | \$4,300,000 | \$4,300,000 | \$0 | 0.0% |
| SPECIAL OCCUPATIONAL HEALTH & SAFETY | \$1,630,000 | \$1,548,500 | (\$81,500) | -5.0% |
| PUBLIC BUILDING | \$1,619,420 | \$1,557,362 | (\$62,058) | -3.8% |
| OK EDUCATION LOTTERY TRUST FUND | \$66,710,000 | \$66,717,350 | \$7,350 | 0.0% |
| GRAND TOTAL | \$5,500,011,245 | \$4,561,843,039 | (\$938,168,206) | -17.1% |

*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 34.87 of Title 62 of the Oklahoma Statutes, the State Regents for Higher Education was funded \$54m for Oklahoma's Promise scholarships for FY-2010. This number is the same as was requested for FY-2009 and has been removed from the FY-2010 Individual Tax estimates.

| COMPARISON OF REVENUE ESTIMATES | | | | |
|---|------------------------|------------------------|---------------------------|-------------------|
| FY-2010 INITIAL PROJECTION vs. FY-2010 FINAL PROJECTION | | | | |
| Schedule 11 | | | | |
| Column 1 | Column 2 | Column 3 | Column 4 | Column 5 |
| | FY-2010 PROJECTED | FY-2010 PROJECTED | INCREASE OR (DECREASE) | PERCENT CHANGE |
| | 22-Dec-09 | 16-Feb-10 | | |
| GENERAL REVENUE FUND | | | | |
| Alcohol Beverage Tax | \$21,174,000 | \$21,174,000 | \$0 | 0.0% |
| Mixed Beverage Receipts Tax | 32,368,000 | 32,368,000 | 0 | 0.0% |
| Beverage Tax | 26,326,000 | 26,326,000 | 0 | 0.0% |
| Cigarette Tax | 36,276,175 | 36,303,271 | 27,096 | 0.1% |
| Tobacco Products Tax | 15,248,485 | 15,251,579 | 3,094 | 0.0% |
| Franchise Tax | 46,378,000 | 46,378,000 | 0 | 0.0% |
| Gross Production Tax-Gas | 195,159,000 | 273,536,000 | 78,377,000 | 40.2% |
| Gross Production Tax-Oil | 87,722,546 | 113,830,000 | 26,107,454 | 29.8% |
| Income Tax-Individual | 1,652,551,804 * | 1,647,204,908 * | (5,346,897) | -0.3% |
| Income Tax-Corporate | 172,435,175 | 153,571,675 | (18,863,500) | -10.9% |
| Estate Tax | 33,628,000 | 33,628,000 | 0 | 0.0% |
| Insurance Premium Tax | 59,818,265 | 59,818,265 | 0 | 0.0% |
| Motor Vehicle Taxes | 124,916,037 | 142,228,000 | 17,311,963 | 13.9% |
| Sales Tax | 1,512,003,240 | 1,477,723,140 | (34,280,100) | -2.3% |
| Use Tax | 122,321,430 | 117,722,880 | (4,598,550) | -3.8% |
| Interest & Investments | 122,000,000 | 122,000,000 | 0 | 0.0% |
| Other (Schedule 7) | 153,649,585 | 155,688,312 | 2,038,727 | 1.3% |
| General Revenue Totals | \$4,413,975,742 | \$4,474,750,029 | \$60,774,287 | 1.4% |
| Transfers & Lapses | 1,000,000 | 1,000,000 | 0 | 0.0% |
| Revenue Comparison | \$4,414,975,742 | \$4,475,750,029 | \$60,774,287 | 1.4% |
| One-Time Receipts | 0 | 0 | 0 | 0.0% |
| Total General Revenue | \$4,414,975,742 | \$4,475,750,029 | \$60,774,287 | 1.4% |
| C.L.E.E.T. | \$3,304,355 | \$3,291,306 | (\$13,049) | -0.4% |
| COMM of LAND OFFICE | \$8,759,567 | \$8,678,492 | (\$81,075) | -0.9% |
| MINERAL LEASING | \$4,300,000 | \$4,300,000 | \$0 | 0.0% |
| SPECIAL OCCUPATIONAL HEALTH & SAFETY | \$1,548,500 | \$1,548,500 | \$0 | 0.0% |
| PUBLIC BUILDING | \$1,562,362 | \$1,557,362 | (\$5,000) | -0.3% |
| OK EDUCATION LOTTERY TRUST FUND | \$66,717,350 | \$66,717,350 | \$0 | 0.0% |
| GRAND TOTAL | \$4,501,167,876 | \$4,561,843,039 | \$60,675,163 | 1.3% |

*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 34.87 of Title 62 of the Oklahoma Statutes, the State Regents for Higher Education was funded \$54m for Oklahoma's Promise scholarships for FY-2010. This number is the same as was requested for FY-2009 and has been removed from the FY-2010 Individual Tax estimates.

| COMPARISON OF REVENUE ESTIMATES FY-2011 INITIAL ESTIMATE vs. FY-2011 FINAL ESTIMATE Schedule 12 | | | | |
|---|------------------------|---------------------------------|---------------------------|-------------------|
| Column 1 | Column 2 | Column 3 | Column 4 | Column 5 |
| | FY-2011 ESTIMATE | PROPOSED FY-2011 ESTIMATE | INCREASE OR (DECREASE) | PERCENT CHANGE |
| | 22-Dec-09 | 16-Feb-10 | | |
| GENERAL REVENUE FUND | | | | |
| Alcohol Beverage Tax | \$21,838,000 | \$21,838,000 | \$0 | 0.0% |
| Mixed Beverage Receipts Tax | 34,077,000 | 34,077,000 | 0 | 0.0% |
| Beverage Tax | 26,518,000 | 26,518,000 | 0 | 0.0% |
| Cigarette Tax | 34,885,543 | 34,912,030 | 26,487 | 0.1% |
| Tobacco Products Tax | 15,102,393 | 15,105,458 | 3,065 | 0.0% |
| Franchise Tax | 46,566,000 | 46,566,000 | 0 | 0.0% |
| Gross Production Tax-Gas | 225,090,000 | 320,082,000 | 94,992,000 | 42.2% |
| Gross Production Tax-Oil | 70,998,842 | 114,045,000 | 43,046,158 | 60.8% |
| Income Tax-Individual | 1,661,413,846 * | 1,663,480,263 * | 2,046,417 | 0.1% |
| Income Tax-Corporate | 182,263,725 | 157,226,575 | (25,037,150) | -13.7% |
| Estate Tax | 8,407,000 | 8,407,000 | 0 | 0.0% |
| Insurance Premium Tax | 59,818,265 | 59,818,265 | 0 | 0.0% |
| Motor Vehicle Taxes | 108,507,981 | 128,913,000 | 20,405,019 | 18.8% |
| Sales Tax | 1,555,898,490 | 1,542,855,330 | (13,043,160) | -0.8% |
| Use Tax | 131,685,750 | 126,251,100 | (5,434,650) | -4.1% |
| Interest & Investments | 114,000,000 | 125,000,000 | 11,000,000 | 9.6% |
| Other (Schedule 7) | 150,744,469 | 154,116,574 | 3,372,105 | 2.2% |
| General Revenue Totals | \$4,447,615,304 | \$4,578,991,596 | \$131,376,292 | 3.0% |
| Transfers & Lapses | 1,000,000 | 1,000,000 | 0 | 0.0% |
| Revenue Comparison | \$4,448,615,304 | \$4,579,991,596 | \$131,376,292 | 3.0% |
| One-Time Receipts | 0 | 0 | 0 | 0.0% |
| Total General Revenue | \$4,448,615,304 | \$4,579,991,596 | \$131,376,292 | 3.0% |
| C.L.E.E.T. | \$3,304,355 | \$3,291,306 | (\$13,049) | -0.4% |
| COMM of LAND OFFICE | \$9,350,199 | \$9,299,305 | (\$50,894) | -0.5% |
| 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 | \$1,595,262 | \$1,580,262 | (\$15,000) | -0.9% |
| OK EDUCATION LOTTERY TRUST FUND | \$64,792,350 | \$64,792,350 | \$0 | 0.0% |
| GRAND TOTAL | \$4,533,572,470 | \$4,664,869,819 | \$131,297,349 | 2.9% |

*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 34.87 of Title 62 of the Oklahoma Statutes, the State Regents for Higher Education has requested \$57m for funding of Oklahoma's Promise scholarships for the upcoming fiscal year. This number has been removed from the FY-2011 Individual Income 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-2010 ESTIMATE 16-Jun-09 | FY-2010 PROJECTED 22-Dec-09 | FY-2011 ESTIMATE 22-Dec-09 | FY-2010 PROJECTED 16-Feb-10 | PROPOSED FY-2011 ESTIMATE 16-Feb-10 |
| Income Tax-Individual | \$222,780,406 | \$184,651,436 | \$188,727,194 | \$184,130,854 | 188,926,437 |
| Income Tax-Corporate | 65,456,220 | 36,712,005 | 38,804,535 | 32,695,905 | 33,474,045 |
| Sales Tax | 219,447,752 | 189,158,640 | 194,650,140 | 184,870,040 | 193,018,380 |
| Use Tax | 19,898,790 | 15,302,980 | 16,474,500 | 14,727,680 | 15,794,600 |
| Cigarette Tax | 2,795,949 | 2,804,436 | 2,741,425 | 2,804,436 | 2,741,425 |
| Tobacco Products Tax | 298,018 | 320,270 | 317,188 | 320,270 | 317,188 |
| Tribal Gaming | 102,880,843 | 102,880,843 | 105,586,000 | 104,630,843 | 107,316,000 |
| Special License Plates | 0 | 0 | 0 | 0 | 0 |
| TOTAL - 100% OF ESTIMATE | \$633,557,977 | \$531,830,610 | \$547,280,981 | \$524,180,028 | \$541,598,073 |
| Decrease in FY-2011 proposed estimate from FY-2010 estimate | | | | | (\$91,969,904) |

| COMPARISON OF AUTHORIZED EXPENDITURES 2009 SESSION TO PROPOSED EXPENDITURE AUTHORITY 2010 SESSION Appendix A-1 | | | | |
|--|---|---|---------------------------|-------------------|
| Column 1 | Column 2 | Column 3 | Column 4 | Column 5 |
| | AUTHORIZED EXPENDITURES* 2009 SESSION | PROPOSED EXPENDITURE AUTHORITY** 2010 SESSION 16-Feb-10 | INCREASE OR (DECREASE) | PERCENT CHANGE |
| NON-RESTRICTED FUNDS | | | | |
| GENERAL REVENUE FUND | | | | |
| Certified | \$5,144,371,712 | \$4,350,992,016 | (\$793,379,696) | -15.4% |
| Prior Year Certified | \$113,237 | 234,356 | 121,119 | 107.0% |
| Cash | <u>\$290,883,390</u> | <u>26,301,946</u> | <u>(264,581,444)</u> | <u>-91.0%</u> |
| TOTAL | \$5,435,368,339 | \$4,377,528,318 | (\$1,057,840,021) | -19.5% |
| C.L.E.E.T. FUND | | | | |
| Certified | \$3,314,047 | \$3,126,741 | (\$187,306) | -5.7% |
| Cash | <u>131,616</u> | <u>226,851</u> | <u>95,235</u> | <u>72.4%</u> |
| TOTAL | \$3,445,663 | \$3,353,592 | (\$92,071) | -2.7% |
| MINERAL LEASING FUND | | | | |
| Certified | \$4,085,000 | \$4,085,000 | \$0 | 0.0% |
| Cash | <u>1,720,636</u> | <u>1,655,876</u> | <u>(64,760)</u> | <u>-3.8%</u> |
| TOTAL | \$5,805,636 | \$5,740,876 | (\$64,760) | -1.1% |
| OHSA FUND | | | | |
| Certified | \$1,548,500 | \$1,534,250 | (\$14,250) | -0.9% |
| Cash | <u>713,295</u> | <u>916,796</u> | <u>203,501</u> | <u>28.5%</u> |
| TOTAL | \$2,261,795 | \$2,451,046 | \$189,251 | 8.4% |
| PUBLIC BUILDING FUND | | | | |
| Certified | \$1,538,449 | \$1,501,249 | (\$37,200) | -2.4% |
| Cash | <u>1,417,501</u> | <u>663,198</u> | <u>(754,303)</u> | <u>-53.2%</u> |
| TOTAL | \$2,955,950 | \$2,164,447 | (\$791,503) | -26.8% |
| SPECIAL CASH FUND | | | | |
| Cash | <u>\$98,746,080</u> | <u>\$238</u> | <u>(\$98,745,842)</u> | <u>-100.0%</u> |
| TOTAL | \$98,746,080 | \$238 | (\$98,745,842) | -100.0% |
| BOND FUND - SERIES A | | | | |
| | \$8,682 | \$432 | (\$8,250) | -95.0% |
| BOND FUND - SERIES B | | | | |
| | <u>3,513</u> | <u>226</u> | <u>(3,288)</u> | <u>-93.6%</u> |
| TOTAL | \$12,195 | \$667 | (\$11,538) | -94.6% |
| SUBTOTAL NON-RESTRICTED FUNDS | <u>\$5,548,595,658</u> | <u>\$4,391,239,174</u> | <u>(\$1,157,356,484)</u> | <u>-20.9%</u> |

| COMPARISON OF AUTHORIZED EXPENDITURES 2009 SESSION TO PROPOSED EXPENDITURE AUTHORITY 2010 SESSION Appendix A-1 (Continued) | | | | |
|--|---|---|---------------------------|-------------------|
| Column 1 | Column 2 | Column 3 | Column 4 | Column 5 |
| | AUTHORIZED EXPENDITURES* 2009 SESSION | PROPOSED EXPENDITURE AUTHORITY** 2010 SESSION 16-Feb-10 | INCREASE OR (DECREASE) | PERCENT CHANGE |
| RESTRICTED FUNDS | | | | |
| COMMISSION OF THE LAND OFFICE FUND | | | | |
| Certified | \$4,524,339 | \$8,834,340 | \$4,310,001 | 95.3% |
| Prior Year Certified | 0 | 0 | 0 | 0.0% |
| Cash | 0 | 0 | 0 | 0.0% |
| TOTAL | \$4,524,339 | \$8,834,340 | \$4,310,001 | 95.3% |
| OK EDUCATION LOTTERY TRUST FUND | | | | |
| Certified | \$63,374,500 | \$61,552,733 | (\$1,821,767) | -2.9% |
| Cash | 0 | 2,124,371 | 2,124,371 | 0.0% |
| TOTAL | \$63,374,500 | \$63,677,104 | \$302,604 | 0.5% |
| SUBTOTAL RESTRICTED FUNDS | \$67,898,839 | \$72,511,444 | \$4,612,605 | 6.8% |
| TOTAL-RESTRICTED & NON-RESTRICTED | \$5,616,494,497 | \$4,463,750,618 | (\$1,152,743,879) | -20.5% |
| COMMON ED. TECH FUND | | | | |
| Revolving Fund Estimate | \$33,196,893 | \$47,372,299 | \$14,175,406 | 42.7% |
| OK. STUDENT AID FUND | | | | |
| Revolving Fund Estimate | \$33,196,893 | \$47,372,299 | \$14,175,406 | 42.7% |
| HIGHER ED. CAPITAL FUND | | | | |
| Revolving Fund Estimate | \$33,196,893 | \$47,372,299 | \$14,175,406 | 42.7% |
| 1017 FUND | | | | |
| Revolving Fund Estimate | \$633,694,977 | \$541,688,073 | (\$91,996,904) | -14.5% |
| TOBACCO SETTLEMENT FUND | | | | |
| Revolving Fund Estimate | \$24,150,000 | \$18,150,000 | (\$6,000,000) | -24.8% |
| STATE JUDICIAL REVOLVING FUND | | | | |
| Revolving Fund Estimate | \$34,000,000 | \$38,000,000 | \$4,000,000 | 11.8% |
| STATE TRANSPORTATION FUND*** | | | | |
| Revolving Fund Estimate | \$208,741,314 | \$211,627,240 | \$2,885,926 | 1.4% |
| TOTAL | \$6,616,461,467 | \$6,415,232,827 | (\$201,228,640) | -3.0% |

*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 became a revolving fund effective July 1, 2006.

| COMPARISON OF EXPENDITURE AUTHORITY 2010 SESSION (22-Dec-2009) TO PROPOSED EXPENDITURE AUTHORITY 2010 SESSION Appendix A-2 | | | | |
|--|--|--|---------------------------|-------------------|
| Column 1 | Column 2 | Column 3 | Column 4 | Column 5 |
| | EXPENDITURE AUTHORITY* 2010 SESSION 22-Dec-09 | PROPOSED EXPENDITURE AUTHORITY* 2010 SESSION 16-Feb-10 | INCREASE OR (DECREASE) | PERCENT CHANGE |
| NON-RESTRICTED FUNDS | | | | |
| GENERAL REVENUE FUND | | | | |
| Certified | \$4,228,184,539 | \$4,350,092,016 | \$124,807,477 | 3.0% |
| Prior Year Certified | 234,356 | 234,356 | 0 | 0.0% |
| Cash | <u>26,301,946</u> | <u>26,301,946</u> | <u>0</u> | <u>0.0%</u> |
| TOTAL | \$4,252,720,841 | \$4,377,528,318 | \$124,807,477 | 2.9% |
| C.L.E.E.T. FUND | | | | |
| Certified | \$3,139,137 | \$3,126,741 | (\$12,396) | -0.4% |
| Cash | <u>226,851</u> | <u>226,851</u> | <u>0</u> | <u>0.0%</u> |
| TOTAL | \$3,365,988 | \$3,353,592 | (\$12,396) | -0.4% |
| MINERAL LEASING FUND | | | | |
| Certified | \$4,085,000 | \$4,085,000 | \$0 | 0.0% |
| Cash | <u>1,655,876</u> | <u>1,655,876</u> | <u>0</u> | <u>0.0%</u> |
| TOTAL | \$5,740,876 | \$5,740,876 | \$0 | 0.0% |
| OHSA FUND | | | | |
| Certified | \$1,534,250 | \$1,534,250 | \$0 | 0.0% |
| Cash | <u>916,796</u> | <u>916,796</u> | <u>0</u> | <u>0.0%</u> |
| TOTAL | \$2,451,046 | \$2,451,046 | \$0 | 0.0% |
| PUBLIC BUILDING FUND | | | | |
| Certified | \$1,515,499 | \$1,501,249 | (\$14,250) | -0.9% |
| Cash | <u>683,198</u> | <u>683,198</u> | <u>0</u> | <u>0.0%</u> |
| TOTAL | \$2,178,697 | \$2,184,447 | (\$14,250) | -0.7% |
| SPECIAL CASH FUND | | | | |
| Cash | <u>\$238</u> | <u>\$238</u> | <u>\$0</u> | <u>0.0%</u> |
| TOTAL | \$238 | \$238 | \$0 | 0.0% |
| BOND FUND - SERIES A | | | | |
| | \$383 | \$432 | \$49 | 12.8% |
| BOND FUND - SERIES B | | | | |
| | <u>205</u> | <u>226</u> | <u>20</u> | <u>9.8%</u> |
| TOTAL | \$588 | \$657 | \$69 | 11.7% |
| SUBTOTAL NON-RESTRICTED FUNDS | <u>\$4,266,458,274</u> | <u>\$4,391,239,174</u> | <u>\$124,780,900</u> | <u>2.9%</u> |

| COMPARISON OF EXPENDITURE AUTHORITY 2010 SESSION (22-Dec-2009) TO PROPOSED EXPENDITURE AUTHORITY 2010 SESSION Appendix A-2 (Continued) | | | | |
|--|--|--|---------------------------|-------------------|
| Column 1 | Column 2 | Column 3 | Column 4 | Column 5 |
| | EXPENDITURE AUTHORITY* 2010 SESSION 22-Dec-09 | PROPOSED EXPENDITURE AUTHORITY* 2010 SESSION 16-Feb-10 | INCREASE OR (DECREASE) | PERCENT CHANGE |
| RESTRICTED FUNDS | | | | |
| COMMISSION OF THE LAND OFFICE FUND | | | | |
| Certified | \$8,882,889 | \$8,834,340 | (\$48,349) | -0.5% |
| Prior Year Certified | 0 | 0 | 0 | 0.0% |
| Cash | 0 | 0 | 0 | 0.0% |
| TOTAL | \$8,882,889 | \$8,834,340 | (\$48,349) | -0.5% |
| OK EDUCATION LOTTERY TRUST FUND | | | | |
| Certified | \$61,552,733 | \$61,552,733 | 0 | 0.0% |
| Cash | 1,719,979 | 2,124,371 | 404,392 | 23.5% |
| TOTAL | \$63,272,712 | \$63,677,104 | 404,392 | 0.6% |
| SUBTOTAL RESTRICTED FUNDS | \$72,155,401 | \$72,511,444 | \$356,043 | 0.5% |
| TOTAL-RESTRICTED & NON-RESTRICTED | \$4,338,613,675 | \$4,463,750,618 | \$125,136,943 | 2.9% |
| COMMON ED. TECH FUND | | | | |
| Revolving Fund Estimate | \$47,372,299 | \$47,372,299 | \$0 | 0.0% |
| OK. STUDENT AID FUND | | | | |
| Revolving Fund Estimate | \$47,372,299 | \$47,372,299 | \$0 | 0.0% |
| HIGHER ED. CAPITAL FUND | | | | |
| Revolving Fund Estimate | \$47,372,299 | \$47,372,299 | \$0 | 0.0% |
| 1017 FUND | | | | |
| Revolving Fund Estimate | \$547,280,981 | \$541,588,073 | (\$5,692,907) | -1.0% |
| TOBACCO SETTLEMENT FUND | | | | |
| Revolving Fund Estimate | \$18,150,000 | \$18,150,000 | \$0 | 0.0% |
| STATE JUDICIAL REVOLVING FUND | | | | |
| Revolving Fund Estimate | \$38,000,000 | \$38,000,000 | \$0 | 0.0% |
| STATE TRANSPORTATION FUND** | | | | |
| Revolving Fund Estimate | \$210,668,182 | \$211,627,240 | \$959,058 | 0.5% |
| TOTAL | \$5,294,828,734 | \$5,415,232,827 | \$120,404,093 | 2.3% |

*Expenditure Authority represents the total amount that is available for the Legislature to spend.

**Note: The State Transportation Fund became a revolving fund effective July 1, 2006.