HOUSE JOURNAL

First Regular Session of the Fifty-second Legislature

of the State of Oklahoma

Thirteenth Legislative Day, Thursday, February 19, 2009

The House was called to order by Speaker Benge.

The roll was called with 99 Members present.

The following Members were excused: Nations, Trebilcock.—2.

The Speaker declared a quorum present.

Prayer was offered by Pastor Derek Cox, First Baptist Church, Guymon.

The Journal for the last legislative day was approved.

Upon request of Representative Blackwell, Pastor Cox's prayer was printed in full as follows:

"Fit us for every scene and circumstance;
Stay our mind upon thee and turn our trials to blessings,
that they may draw out our gratitude and praise as we see their design and effects.
Render our obedience to thy will holy, natural, and delightful.
Rectify all our principles by clear, consistent, and influential views of divine truth.
Let us never undervalue or neglect any part of thy revealed will.
May we duly regard the doctrine and practice of the gospel, prizing its commands as well as its promises.
Sanctify us in every relation, office, transaction and condition of life,
that if we prosper we may not be unduly exalted, if we suffer we may not be over-sorrowful.
Balance our mind in all varying circumstances and help us to cultivate a disposition that renders every duty a spiritual privilege.
Thus may we be content, be a glory to thee and an example to others."

ENGROSSED AND ENROLLED MEASURES

HBs 1025, 1052, 1077, 1084, 1366, 1484, 1527, 1602, 1678, 1736, 1738, 1884, 2151 and **HJR 1003** were reported correctly engrossed, properly signed, in open session, and ordered transmitted to the Honorable Senate.

GENERAL ORDER

HB 1053 by Banz of the House and Ford of the Senate was read and considered.

Coauthored by Representative(s) Tibbs

Remove Senator Ford as principal Senate author and substitute with Senator Anderson

Representative Banz moved to amend **HB 1053** by striking the title, the enacting clause and the entire measure and inserting in lieu thereof a floor substitute, which amendment was declared adopted.

Representative Banz moved that **HB 1053** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 1053 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Auffet, Bailey, Banz, Billy, Blackwell, Brannon, Brown, Buck, Cannaday, Carey, Collins, Coody, Cooksey, Dank, Denney, DeWitt, Duncan, Enns, Faught, Fields, Glenn, Hamilton, Harrison, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Kern, Key, Kirby, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Morgan, Murphey, Nelson, Ortega, Osborn, Ownbey, Peters, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Roan, Rousselot, Sanders, Schwartz, Scott, Sears, Shelton, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thomsen, Tibbs, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Mr. Speaker.--86.

Nay: Peterson, Wright (John).--2.

Excused: Christian, Cox, Derby, Dorman, Kiesel, McMullen, Miller, Morrissette, Nations, Pittman, Shannon, Thompson, Trebilcock.--13.

The measure passed.

HB 1053 was referred for engrossment.

GENERAL ORDER

HB 1913 by Billy et al of the House and Nichols et al of the Senate was read and considered.

Coauthored by Representative(s) Christian

Representative Billy moved that **HB 1913** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 1913 was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Armes, Auffet, Bailey, Banz, Billy, Blackwell, Brannon, Brown, Buck, Cannaday, Carey, Christian, Collins, Coody, Cox, Dank, Denney, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Glenn, Hamilton, Harrison, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Kern, Kiesel, Kirby, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McMullen, McNiel, McPeak, Miller, Moore, Morgan, Morrissette, Murphey, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Roan, Rousselot, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--96.

Nay: Cooksey, Key.--2.

Excused: Derby, Nations, Trebilcock.--3.

The measure and emergency passed.

HB 1913 was referred for engrossment.

GENERAL ORDER

HB 2013 by Miller of the House was read and considered.

Coauthored by Representative(s) Liebmann, Peters

Authored by Senator Aldridge (principal Senate author)

Representative Miller moved that **HB 2013** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 2013 was read at length for the third time.

Representative Reynolds raised a point of order that he had a timely filed floor amendment to strike the title on **HB 2013**, and such amendment was not brought up for consideration.

The Presiding Officer ruled that the Reynolds amendment to strike the title was out of order pursuant to House Rule 8.6(e).

Representative Reynolds raised a point of order that he was being impugned by a member during their debate on the question of passage of **HB 2013**.

The Presiding Officer ruled that while a member may not impugn the character of another member during debate, it is out of order to state an objection simply on the basis of a member's perception of particular statements made during debate and as such, does not rise to the level of impugning another member as prohibited by House Rules.

Representative Brown raised a point of order whether the ruling of the Presiding Officer regarding the previous point of order by Representative Reynolds would be published as a House precedent.

The Presiding Officer stated that he would take it under advisement and that the Chair does not have to immediately decide whether a ruling will be published as a House precedent.

Representative Miller asked unanimous consent to lay the bill over on Third Reading, to which objection was heard.

Representative Miller pressed his motion, which motion was declared adopted.

Representative Blackwell raised a point of order that it has been the tradition of the House that the principal author of a bill exercises sole responsibility over whether or not to withdraw a bill from further consideration by the House.

The Presiding Officer stated that this would be taken under advisement.

Representative Reynolds raised a point of order as to whether it was in order to lay a bill over on Third Reading after conclusion of debate.

The Presiding Officer ruled that it is in order to lay the bill over at different points in the legislative process.

Representative Brown raised a point of inquiry as to whether the bill should be considered property of the House at this point in the legislative process rather than remaining within the sole custody of the author and whether the House should proceed with the vote on final passage of the bill.

The Presiding Officer ruled the point well taken except that the House had already adopted the motion by voice vote to lay over the bill.

The Presiding Officer stated that although in the opinion of the Chair the "ayes" prevailed on the question of adoption of the Miller motion, the Presiding Officer, as a courtesy, would order a recorded vote, which motion was declared adopted upon roll call as follows:

Aye: Armes, Banz, Billy, Blackwell, Christian, Coody, Cooksey, Cox, Dank, Denney, DeWitt, Duncan, Enns, Faught, Fields, Glenn, Hickman, Holland, Jackson, Jett, Jones, Jordan, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McCullough, McDaniel (Randy), McNiel, Miller, Morgan, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Pruett, Richardson, Rousselot, Sanders, Schwartz, Sears, Shannon, Shoemake, Shumate, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Watson, Wright (John), Mr. Speaker.--55.

Nay: Bailey, Brown, Buck, Cannaday, Carey, Collins, Hamilton, Hilliard, Hoskin, Inman, Kern, Key, Kiesel, Lamons, McAffrey, McDaniel (Jeannie), McPeak, Morrissette, Murphey, Proctor, Reynolds, Ritze, Roan, Scott, Shelton, Sherrer, Williams.--27.

Excused: Auffet, Brannon, Derby, Dorman, Harrison, Johnson, Joyner, Kirby, Kouplen, McMullen, Moore, Nations, Nelson, Renegar, Smithson, Trebilcock, Walker, Wesselhoft, Wright (Harold).--19.

HB 2013 was laid over on Third Reading.

GENERAL ORDER

HB 1006 by Wesselhoft et al of the House was read and considered.

Coauthored by Representative(s) Ritze, Roan, Kiesel, McAffrey, Billy

Authored by Senator Russell (principal Senate author)

Representative Wesselhoft moved that **HB 1006** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 1006 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Auffet, Bailey, Banz, Billy, Blackwell, Brannon, Brown, Buck, Cannaday, Carey, Christian, Collins, Coody, Cox, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Glenn, Hamilton, Harrison, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Kern, Key, Kiesel, Kirby, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McMullen, McNiel, McPeak, Miller, Moore, Morgan, Morrissette, Murphey, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Roan, Rousselot, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--98.

Nay: Cooksey.--1.

Excused: Nations, Trebilcock.--2.

The measure passed.

HB 1006 was referred for engrossment.

GENERAL ORDER

HB 1013 by Wright (John) of the House was read and considered.

Coauthored by Representative(s) Ritze

Authored by Senator Aldridge (principal Senate author)

Representative Wright (John) moved that **HB 1013** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 1013 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Auffet, Bailey, Banz, Billy, Blackwell, Brannon, Brown, Buck, Cannaday, Carey, Christian, Collins, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Glenn, Hamilton, Harrison, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Kern, Key, Kiesel, Kirby, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey,

McCullough, McDaniel (Jeannie), McDaniel (Randy), McMullen, McNiel, McPeak, Miller, Moore, Morgan, Morrissette, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Roan, Rousselot, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Walker, Watson, Williams, Wright (Harold), Wright (John), Mr. Speaker.--97.

Nay: Murphey, Wesselhoft.--2.

Excused: Nations, Trebilcock.--2.

The measure passed.

HB 1013 was referred for engrossment.

GENERAL ORDER

HB 1014 by Wright (John) of the House was read and considered.

Authored by Senator Aldridge (principal Senate author)

Representative Wright (John) moved that **HB 1014** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 1014 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Auffet, Bailey, Banz, Billy, Blackwell, Brannon, Brown, Buck, Cannaday, Carey, Christian, Collins, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Glenn, Hamilton, Harrison, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Kern, Key, Kiesel, Kirby, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McMullen, McNiel, McPeak, Miller, Moore, Morgan, Morrissette, Murphey, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Roan, Rousselot, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--99.

Excused: Nations, Trebilcock.--2.

The measure passed.

HB 1014 was referred for engrossment.

GENERAL ORDER

HB 1928 by Smithson of the House and Corn of the Senate was read and considered.

Coauthored by Representative(s) Tibbs, Faught

Representative Reynolds moved to amend **HB 1928** by inserting a new Section 1 to read as follows, and by renumbering subsequent sections:

"SECTION 1. AMENDATORY 21 O.S. 2001, Section 1290.15, is amended to read as follows:

Section 1290.15

PERSONS EXEMPT FROM TRAINING COURSE

A. The following individuals may be exempt from all or part of the required training and qualification course established pursuant to the provisions of Section 1290.14 of this title:

1. A firearms instructor registered with the Oklahoma State Bureau of Investigation for purposes of the Oklahoma Self-Defense Act;

2. An active duty law enforcement officer of this state or any of its political subdivisions or of the federal government;

3. A retired law enforcement officer authorized by this state pursuant to Section 1289.8 of this title to carry a firearm;

4. A CLEET-certified armed security officer, armed guard, correctional officer, or any other person having a CLEET certification to carry a firearm in the course of their employment;

5. A person on active military duty, National Guard duty or regular military reserve duty who is a legal resident of this state and who is trained and qualified in the use of handguns;

6. A person honorably discharged from active military duty, National Guard duty or military reserves ~~within twenty (20) years preceding the date of the application for a concealed handgun license pursuant to the provisions of the Oklahoma Self-Defense Act,~~ who is a legal resident of this state~~,~~ and who has been trained and qualified in the use of handguns;

7. A person retired as a peace officer in good standing from a law enforcement agency located in another state, who is a legal resident of this state, and who has received training equivalent to the training required for CLEET certification in this state; and

8. Any person who is otherwise deemed qualified for a training exemption by CLEET.

Provided, however, persons applying for an exemption pursuant to paragraph 3, 4, 5, 6 or 7 of this subsection may be required to successfully complete the classroom portion of the training course. The classroom portion of the training course shall not exceed a fee of Thirty Dollars ($30.00).

B. The Council on Law Enforcement Education and Training (CLEET) shall establish criteria for providing proof of an exemption. Before any person shall be considered exempt from all or part of the required training and qualification pursuant to the provisions of the Oklahoma Self-Defense Act, Section 1290.1 et seq. of this title, the person shall present the required proof of exemption to a registered firearms instructor. Each person determined to be exempt from training or qualification as provided in this subsection shall receive an exemption certificate from the registered firearms instructor. The rules promulgated by

CLEET to implement the provisions of this section and Section 1290.14 of this title may require that a fee not to exceed Five Dollars ($5.00) be charged for processing an exemption certificate. The original exemption certificate must be submitted with an application for a handgun license as provided in paragraph 2 of Section 1290.12 of this title. No person who is determined to be exempt from training or qualification may carry a concealed firearm pursuant to the authority of the Oklahoma Self-Defense Act until issued a valid handgun license.

C. Nothing contained in any provision of the Oklahoma Self-Defense Act shall be construed to alter, amend, or modify the authority of any active duty law enforcement officer, or any person certified by the Council on Law Enforcement Education and Training to carry a pistol during the course of their employment, from carrying any pistol in any manner authorized by law or authorized by the employing agency."

Representative Terrill asked the Presiding Officer whether there was a fiscal summary available on the Reynolds amendment pursuant to House Rule 8.10.

The Presiding Officer asked Representative Reynolds if the amendment would have a fiscal impact.

Representative Reynolds stated that no fiscal summary was prepared by the fiscal division and therefore he did not feel that the amendment had a fiscal impact.

The Presiding Officer stated that a Member must request preparation of a fiscal summary by the fiscal division and such summary without a request by an individual member is not automatically prepared.

Representative Blackwell moved to table the Reynolds amendment.

Representative Terrill pressed his point of order as to whether the Reynolds amendment was in order without a fiscal summary and stated that he believed that the amendment would have a fiscal impact.

The Presiding Officer ruled the point well taken and referred the question of whether the Reynolds amendment would have a fiscal impact to the Appropriations and Budget Chair.

The Appropriations and Budget Chair concurred that the Reynolds amendment would have a fiscal impact.

The Presiding Officer ruled the Reynolds amendment out of order on the basis of the opinion of the Appropriations and Budget Chair.

Representative Reynolds moved to amend **HB 1928** by inserting a new Section 2 to read as follows, and by renumbering subsequent sections:

"SECTION 2. AMENDATORY 21 O.S. 2001, Section 1290, as last amended by Section 16, Chapter 3, O.S.L. 2008 (21 O.S. Supp. 2008, Section 1290.5), is amended to read as follows:

Section 1290.5

TERM OF LICENSE AND RENEWAL

A. A concealed handgun license when issued shall authorize the person to whom the license is issued to carry a loaded or unloaded concealed handgun as authorized by the provisions of the Oklahoma Self-Defense Act, and any future modifications thereto. The license shall be valid in this state for a period of five (5) years, unless subsequently surrendered, suspended or revoked as provided by law. The person shall have no authority to continue to carry a concealed handgun in this state pursuant to the Oklahoma Self-Defense Act when a license is expired or when a license has been voluntarily surrendered or suspended or revoked for any reason.

B. A license may be renewed any time within ninety (90) days prior to the expiration date as provided in this subsection. The Bureau shall send a renewal application to each eligible licensee with a return address requested. There shall be a thirty-day grace period on license renewals beginning on the date of expiration, thereafter the license is considered expired. However, any applicant shall have three (3) years from the expiration of the license to comply with the renewal requirements of this section.

1. To renew a handgun license, the licensee must first obtain a renewal form from the Oklahoma State Bureau of Investigation.

2. The applicant must complete the renewal form, attach two current passport size photographs of the applicant, and submit a renewal fee in the amount of Eighty-five Dollars ($85.00) to the Bureau. The renewal fee may be paid with a nationally recognized credit card as provided in subparagraph b of paragraph 4 of subsection A of Section 1290.12 of this title, or by a cashier's check or money order made payable to the Oklahoma State Bureau of Investigation.

3. Upon receipt of the renewal application, photographs and fee, the Bureau will conduct a criminal history records name search, an investigation of medical records or other records or information deemed by the Bureau to be relevant to the renewal application. If the applicant appears not to have any prohibition to renewing the handgun license, the Bureau shall issue the renewed license for a period of five (5) years.

C. Upon the effective date of this act, any person making application for a concealed handgun license or any licensee seeking to renew a concealed handgun license shall have the option to request that said license be valid for a period of ten (10) years. The fee for any concealed handgun license issued for a period of ten (10) years shall be double the amount of the fee provided for in paragraph 4 of subsection A of Section 1290.12 of this title. The renewal fee for a concealed handgun license issued for a period of ten (10) years shall be double the amount of the fee provided for in paragraph 2 of subsection B of this section.

<u>D. Beginning November 1, 2009, any person who is honorably discharged from active military duty, National Guard duty or military reserves and who makes application for a concealed handgun license or seeks to renew a concealed handgun license shall have the option to request that said license be valid for the life of the person receiving the license.</u>

The fee for the concealed handgun license issued pursuant to this subsection shall be One Hundred Dollars ($100.00)."

Representative Terrill raised a point of order that the Reynolds amendment lacked a fiscal summary pursuant to House Rule 8.10.

The Presiding Officer referred to the Appropriations and Budget Chair for his opinion as to whether the Reynolds amendment would have a fiscal impact.

The Appropriations and Budget Chair stated that the Reynolds amendment would have a fiscal impact.

Representative Brown raised a point of inquiry as to whether there should be a fiscal summary prepared for every floor amendment in anticipation of a potential fiscal impact.

The Presiding Officer stated pursuant to House Rule 8.10(a) that the burden is on the member who offers the amendment to check with the fiscal division concerning whether there is a need for a fiscal summary on the proposed amendment.

The Presiding Officer ruled the Reynolds amendment out of order on the basis of the opinion of the Appropriations and Budget Chair.

Representative Smithson moved that **HB 1928** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 1928 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Auffet, Bailey, Banz, Billy, Blackwell, Brannon, Brown, Buck, Cannaday, Carey, Christian, Collins, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Glenn, Hamilton, Harrison, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Kern, Key, Kiesel, Kirby, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McMullen, McPeak, Miller, Moore, Morgan, Morrissette, Murphey, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Roan, Rousselot, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Walker, Watson, Williams, Wright (Harold), Wright (John), Mr. Speaker.--97.

Nay: Wesselhoft.--1.

Excused: McNiel, Nations, Trebilcock.--3.

The measure passed.

HB 1928 was referred for engrossment.

GENERAL ORDER

HB 1411 by Nelson of the House and Lamb of the Senate was read and considered.

Coauthored by Representative(s) Tibbs

Representative Reynolds moved to amend **HB 1411**, Page 3, Section 1, by inserting a new subsection D. to read as follows:

"D. Beginning November 1, 2009, any person who is honorably discharged from active military duty, National Guard duty or military reserves and who makes application for a concealed handgun license or seeks to renew a concealed handgun license shall have the option to request that said license be valid for the life of the person receiving the license. The fee for the concealed handgun license issued pursuant to this subsection shall be One Hundred Dollars ($100.00)."

Representative Terrill raised a point of order that the Reynolds amendment lacked a fiscal summary pursuant to House Rule 8.10.

The Presiding Officer asked Representative Reynolds whether the amendment under consideration as well as his other proposed floor amendment to **HB 1411** were the same as the floor amendments previously ruled out of order during the consideration of **HB 1928**.

Representative Reynolds stated that the amendments were the same and the Presiding Officer ruled the amendments out of order.

Representative Nelson moved that **HB 1411** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 1411 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Auffet, Bailey, Banz, Billy, Blackwell, Brannon, Brown, Buck, Cannaday, Carey, Christian, Collins, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Glenn, Hamilton, Harrison, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Kern, Key, Kiesel,

Kirby, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McMullen, McPeak, Miller, Moore, Morgan, Morrissette, Murphey, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Roan, Rousselot, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--98.

Excused: McNiel, Nations, Trebilcock.--3.

The measure passed.

HB 1411 was referred for engrossment.

MEASURES REASSIGNED

The following measures were reassigned:

HB 1629 –Withdrawn from Rules and referred to Public Health.
HB 1757 –Withdrawn from Rules and referred to Economic Development and Financial Services.
HB 1963 –Withdrawn from Government Modernization and referred to Economic Development and Financial Services.

MEASURE REREFERRED

Upon motion of Representative Fields, **HB 1479** was withdrawn from the Calendar and rereferred to the Common Education Committee.

MESSAGE FROM THE SENATE

Announcing the passage of **SBs 48**, **450**, **478** and **506**. The measures were introduced and read for the first time.

SB 48 – By Anderson, Ellis, Gumm, Crain, Bingman, Leftwich, Stanislawski, Garrison, Sweeden, Lerblance, Newberry, Brown, Brogdon, Halligan, Ballenger, Easley, Justice, Branan, Reynolds, Barrington and Myers of the Senate and Jackson of the House.
An Act relating to identification documents; amending 21 O.S. 2001, Section 1550.42, as amended by Section 4, Chapter 112, O.S.L. 2007 (21 O.S. Supp. 2008, Section 1550.42), which relates to entities authorized to print identification documents; specifying renewal procedure for temporary driver licenses; specifying renewal procedure for full-term driver licenses; requiring certain presumption despite expiration of certain driver license; requiring renewal of certain driver license without certain proof; defining circumstance under which proof may be required; and declaring an emergency.

SB 450 – By Corn and Ellis of the Senate and Brannon of the House.

An Act relating to game and fish; requiring a license to hunt or take black bear; directing the Wildlife Conservation Commission to establish certain limits on hunting or taking black bear; establishing license fees; establishing penalties for violation of license requirements; providing for codification; and declaring an emergency.

HB 478 – By Jolley and Johnson (Constance) of the Senate and Peters of the House.

An Act relating to children; amending Section 2, Chapter 58, O.S.L. 2008 (10 O.S. Supp. 2008, Section 404.3), which relates to liability insurance for child care facilities; clarifying language; modifying required location of certain forms; and providing an effective date.

SB 506 – By Barrington and Bass of the Senate and Armes of the House.

[Lawton Rangers - codification - effective date]

COMMITTEE REPORTS

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

DO PASS:

HB 1035 – Judiciary, Authored by Senator Newberry (principal Senate author)

HB 1081 – Rules, Authored by Senator Gumm (principal Senate author)

HB 1303 – Common Education, Coauthored by Representative(s) Ownbey, and Authored by Senator Sykes (principal Senate author)

HB 1319 – Judiciary

HB 1331 – Judiciary, Authored by Senator Brogdon (principal Senate author)

HB 1380 – Rules

HB 1434 – Public Safety, Coauthored by Representative(s) Ritze

HB 1487 – Agriculture and Rural Development, Authored by Senator Bingman (principal Senate author)

HB 1511 – Common Education

HB 1554 – Agriculture and Rural Development

HB 1570 – Judiciary

HB 1674 – Public Safety, Authored by Senator Ballenger (principal Senate author)

HB 1790 – Judiciary

HB 1795 – Public Safety, Coauthored by Representative(s) Luttrell, and Authored by Senator Bass (principal Senate author)

HB 1867 – Common Education

HB 1887 – Judiciary, Coauthored by Representative(s) Kiesel, and Authored by Senator Gumm (principal Senate author)

HB 2252 – Public Safety, Coauthored by Representative(s) Christian
HJR 1005 – Rules, Authored by Senator Adelson (principal Senate author)
HJR 1026 – Rules, Coauthored by Representative(s) Dorman, Thompson
HCR 1004 – Common Education, Authored by Senator Paddack (principal Senate author)

DO PASS, As Amended:

CS for **HB 1001** – Common Education
CS for **HB 1028** – Economic Development and Financial Services, Coauthored by Representative(s) Shelton, and Authored by Senator Crain (principal Senate author)
CS for **HB 1069** – Public Health, Authored by Senator Paddack (principal Senate author)
CS for **HB 1318** – Economic Development and Financial Services
CS for **HB 1365** – Public Safety, Authored by Senator Crutchfield (principal Senate author)
CS for **HB 1384** – Economic Development and Financial Services, Authored by Senator Leftwich (principal Senate author)
CS for **HB 1481** – Public Health, Coauthored by Representative(s) Denney, and Authored by Senator Paddack (principal Senate author)
CS for **HB 1595** – Public Health, Coauthored by Representative(s) Peterson, Denney, Terrill, Ritze, Ownbey, Authored by Senator Lamb (principal Senate author), and Coauthored by Senator(s) Brown, Mazzei
CS for **HB 1598** – Common Education
CS for **HB 1599** – Public Safety, Authored by Senator Newberry (principal Senate author)
CS for **HB 1627** – Human Services, Coauthored by Representative(s) Sherrer, Authored by Senator Crain (principal Senate author), and Coauthored by Senator(s) Johnson (Constance), Eason McIntyre
CS for **HB 1680** – Common Education
CS for **HB 1763** – Common Education
CS for **HB 1782** – Public Safety
CS for **HB 1842** – Economic Development and Financial Services, Coauthored by Representative(s) McDaniel (Randy)
CS for **HB 1890** – Wildlife
CS for **HB 1897** – Public Health, Coauthored by Representative(s) Ritze
CS for **HB 2030** – Public Safety, Authored by Senator Coffee (principal Senate author)
CS for **HB 2263** – Public Safety, Coauthored by Representative(s) Ritze, and Authored by Senator Leftwich (principal Senate author)
CS for **HJR 1009** – Rules, Coauthored by Representative(s) Thompson, and Authored by Senator Newberry (principal Senate author)
CS for **HJR 1041** – Rules, Coauthored by Representative(s) Trebilcock
CS for **HJR 1042** – Rules, Coauthored by Representative(s) Osborn, Faught, Christian

Representative Jones moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 1:30 p.m., Monday, February 23, 2009, which was the order.

Pursuant to the motion of Representative Jones, the House was adjourned at 11:25 a.m., to reconvene Monday, February 23, 2009, at 1:30 p.m.

COMMUNICATION

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 $6,038,142,122. The limit on appropriations for the First Regular Session of the Fifty-second Legislature is $6,928,541,051 for 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 Fevenue Fund	1,066,283
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-2005 Land Office Fund	54,688
FY-2009 Public Building Fund	1,479,332
FY-2007 Public Building Fund	1,681,861
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	69,226,500
TOTAL	$6,038,142,122

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	$6,038,142,122
Factor	114.75%
Limit on Appropriation FY-2010	**$6,928,541,051**

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 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.

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	$5,946,384,601	$5,356,557,395	($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	$5,946,384,601	
-4% of General Revenue Estimate		$237,855,384
TOTAL - FINDING 2:		**314,266,384**

***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%.**

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	**$5,441,193,831**	**$5,169,134,139**

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	$160,000,000	$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	3,544,559,730	3,648,021,218	$103,461,488	2.9%
Education Lottery Trust Fund	88,593,058	69,226,500	(19,366,558)	-21.9%
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	30,114,863	32,847,000	31,563,000	33,464,000	31,563,000	33,464,000
Beverage Tax	25,344,752	25,734,000	25,463,000	25,820,000	25,463,000	25,820,000
Cigarette Tax	39,611,457	40,398,452	38,531,343	36,514,131	38,517,379	36,500,624
Tobacco Products Tax	14,424,776	14,095,522	14,357,680	14,043,455	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	2,164,743,079 *	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	310,824,600	307,572,700
Estate Tax	54,556,781	55,679,000	36,062,000	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	1,701,406,915	1,732,018,775	1,785,244,064	1,726,377,608	1,753,673,765
Use Tax	137,887,069	155,881,648	168,097,069	171,224,083	159,057,156	159,057,156
Interest & Investments	171,359,296	146,500,000	150,000,000	145,000,000	150,000,000	140,000,000
Other (Schedule 7)	164,812,036	169,376,509	169,278,360	167,075,754	167,547,124	161,801,853
General Revenue Totals	$5,980,800,717	$5,945,384,601	$5,901,655,599	$5,649,255,791	$5,709,026,776	$5,355,557,395
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	686,884
Consumer Credit	1,489,951	1,489,951	1,489,951	1,489,951	1,429,950	1,429,950
DPS	24,441,345	24,921,756	24,460,719	24,468,676	18,252,753	18,348,479
Employees Benefit Council	1,564,738	969,981	1,618,519	1,618,519	1,414,738	1,212,332
Horseracing	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	12,976,650	13,867,842	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	$167,075,754	$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	33,464,000	617,000	1.9%
Beverage Tax	25,734,000	25,820,000	86,000	0.3%
Cigarette Tax	40,398,452	36,500,624	(3,897,828)	-9.6%
Tobacco Products Tax	14,095,522	14,042,015	(53,507)	-0.4%
Franchise Tax	41,697,000	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	55,679,000	36,062,000	(19,617,000)	-35.2%
Insurance Premium Tax	80,418,200	60,396,434	(20,021,767)	-24.9%
Motor Vehicle Taxes	246,939,000	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	159,057,156	3,175,508	2.0%
Interest & Investments	146,500,000	140,000,000	(6,500,000)	-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	310,824,600	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	31,563,000	(1,284,000)	-3.9%
Beverage Tax	25,734,000	25,463,000	(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	41,697,000	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	310,824,600	21,541,125	7.4%
Estate Tax	55,679,000	36,062,000	(19,617,000)	-35.2%
Insurance Premium Tax	80,418,200	55,127,808	(25,290,392)	-31.4%
Motor Vehicle Taxes	246,939,000	172,218,000	(74,721,000)	-30.3%
Sales Tax	1,701,406,915	1,726,377,608	24,970,693	1.5%
Use Tax	155,881,648	159,057,156	3,175,508	2.0%
Interest & Investments	146,500,000	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	14,357,680	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	103,516,205	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	36,500,624	(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, 1996 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*
SOURCE	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
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	2,795,949	2,890,465	2,795,949
Tobacco Products Tax	295,989	304,683	298,018	304,683	298,018
Tribal Gaming	87,990,491	96,095,435	102,630,843	96,345,435	102,880,843
Special License Plates	0	0	0	0	0
TOTAL - 100% OF ESTIMATE	$616,840,853	$631,170,596	$647,754,607	$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	$5,088,729,525	($560,222,608)	-9.9%
Prior Year Certified	$1,066,283	113,237	(953,046)	-89.4%
Cash	$195,897,061	289,683,390	93,786,329	47.9%
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	320,069	131,616	(188,453)	-58.9%
TOTAL	$3,597,913	$3,445,663	($152,250)	-4.2%
MINERAL LEASING FUND				
Certified	$4,085,000	$4,085,000	$0	0.0%
Cash	782,228	1,720,636	938,408	120.0%
TOTAL	$4,867,228	$5,805,636	$938,408	19.3%
OHSA FUND				
Certified	$1,615,000	$1,548,500	($66,500)	-4.1%
Cash	727,626	713,295	(14,331)	-2.0%
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	1,681,861	1,417,501	(264,360)	-15.7%
TOTAL	$3,161,193	$2,955,950	($205,243)	-6.5%
SPECIAL CASH FUND				
Cash	$103,926,978	$246,080	($103,680,898)	-99.8%
TOTAL	$103,926,978	$246,080	($103,680,898)	-99.8%
BOND FUND - SERIES A	$170,379	$8,682	($161,697)	-94.9%
BOND FUND - SERIES B	68,947	3,513	(65,434)	-94.9%
TOTAL	$239,326	$12,195	($227,131)	-94.9%
SUBTOTAL NON-RESTRICTED FUNDS	**$5,964,050,741**	**$5,393,253,471**	**($570,797,270)**	**-9.6%**

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	54,688	0	(54,688)	-100.0%
TOTAL	$4,864,881	$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	0	0	0	0.0%
TOTAL	$69,226,500	$63,374,500	($5,852,000)	-8.5%
SUBTOTAL RESTRICTED FUNDS	**$74,091,381**	**$73,635,388**	**($455,993)**	**-0.6%**
TOTAL-RESTRICTED & NON-RESTRICTED	**$6,038,142,122**	**$5,466,888,859**	**($571,253,263)**	**-9.5%**
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	**$7,068,780,399**	**$6,456,288,029**	**($612,492,370)**	**-8.7%**

***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.**

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	$5,367,743,001	$5,088,729,525	($279,013,476)	-5.2%
Prior Year Certified	113,237	113,237	0	0.0%
Cash	289,683,390	289,683,390	0	0.0%
TOTAL	$5,657,539,628	$5,378,526,152	($279,013,476)	-4.9%
C.L.E.E.T. FUND				
Certified	$3,364,688	$3,314,047	($50,641)	-1.5%
Cash	131,616	131,616	0	0.0%
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	1,720,636	1,720,636	0	0.0%
TOTAL	$5,805,636	$5,805,636	$0	0.0%
OHSA FUND				
Certified	$1,548,500	$1,548,500	$0	0.0%
Cash	713,295	713,295	0	0.0%
TOTAL	$2,261,795	$2,261,795	$0	0.0%
PUBLIC BUILDING FUND				
Certified	$1,866,180	$1,538,449	($327,731)	-17.6%
Cash	1,417,501	1,417,501	0	0.0%
TOTAL	$3,283,681	$2,955,950	($327,731)	-10.0%
SPECIAL CASH FUND				
Cash	$348,430	$246,080	($102,350)	-29.4%
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	71,771	3,513	(68,258)	-95.1%
TOTAL	$249,131	$12,195	($236,936)	-95.1%
SUBTOTAL NON-RESTRICTED FUNDS	**$5,672,984,605**	**$5,393,253,471**	**($279,731,134)**	**-4.9%**

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	$8,129,864	$6,544,118	($1,585,746)	-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	$647,754,607	$629,917,177	($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.**