

HOUSE JOURNAL

Second Regular Session of the Fifty-second Legislature

of the State of Oklahoma

Twelfth Legislative Day, Thursday, February 18, 2010

The House was called to order by Speaker Pro Tempore Steele.

The roll was called with 98 Members present.

The following Members were excused: Harrison, Jordan, Kern.—3.

The Speaker Pro Tempore declared a quorum present.

Prayer was offered by Pastor Gary Wilburn, First United Methodist Church, Seminole.

The Journal for the last legislative day was approved.

ENGROSSED AND ENROLLED MEASURES

HBs 1889, 2277, 2322, 2554, 2697, 2698, 2704, 2861, 2863 and **3313** were reported correctly engrossed, properly signed, in open session, and ordered transmitted to the Honorable Senate.

HR 1068 was reported correctly enrolled, properly signed, in open session, and ordered transmitted to the Secretary of State.

MEASURE REASSIGNED

The following measure was reassigned:

HB 2686 – Withdrawn from Appropriations and Budget and referred to Agriculture and Rural Development.

GENERAL ORDER

HB 3394 by Kirby of the House was read and considered.

Authored by Senator Anderson (principal Senate author)

Representative Kirby moved that **HB 3394** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 3394 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, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Glenn, Hamilton, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Johnson, Jones, Joyner, Kiesel, Kirby, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Miller, Moore, Morgan, Morrissette, Murphey, Nations, Nelson, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Renegar, Richardson, Roan, Rousselot, Russ, Sanders, Schwartz, Sears, Shannon, Shelton, Sherrer, Shoemake, Smithson, Steele, Sullivan, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Williams, Wright (Harold), Mr. Speaker.--86.

Nay: Reynolds, Ritze, Wesselhoft, Wright (John).--4.

Excused: Derby, Harrison, Jett, Jordan, Kern, Key, Ortega, Pruett, Scott, Shumate, Terrill.--11.

The measure passed.

HB 3394 was referred for engrossment.

GENERAL ORDER

HB 2296 by Carey et al of the House and Gumm of the Senate was read and considered.

Coauthored by Representative(s) Denney, Smithson, Brannon

Representative Carey moved that **HB 2296** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 2296 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, Cooksey, Dank, Denney, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Glenn, Hamilton, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Jett, Johnson, Jones, Joyner, Kiesel, Kirby, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Miller, Moore, Morgan, Morrissette, Murphey, Nations, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Roan, Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--95.

Excused: Cox, Derby, Harrison, Jordan, Kern, Key.--6.

The measure and emergency passed.

HB 2296 was referred for engrossment.

GENERAL ORDER

HB 2963 by Sears of the House was read and considered.

Coauthored by Representative(s) Duncan, Smithson, McCullough, Fields

Authored by Senator Schulz (principal Senate author)

Representative Sears moved that **HB 2963** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 2963 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, Brannon, Brown, Buck, Cannaday, Carey, Christian, Collins, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Glenn, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Jett, Johnson, Jones, Joyner, Kiesel, Kirby, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Miller, Morgan, Nations, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Richardson, Roan, Rousselot, Russ, Sanders,

Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--89.

Nay: Hamilton, Morrissette, Murphey, Reynolds, Ritze.--5.

Excused: Blackwell, Harrison, Jordan, Kern, Key, Moore, Thompson.--7.

The measure passed.

HB 2963 was referred for engrossment.

GENERAL ORDER

HB 2921 by Trebilcock of the House was read and considered.

Coauthored by Representative(s) Smithson, Brannon

Authored by Senator Bingman (principal Senate author)

Representative Trebilcock moved that **HB 2921** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 2921 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, Brannon, Brown, Buck, Cannaday, Carey, Christian, Collins, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Glenn, Hamilton, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Jett, Johnson, Jones, Joyner, Key, Kiesel, Kirby, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Miller, Morgan, Morrissette, Murphey, Nations, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Roan, Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--96.

Excused: Blackwell, Harrison, Jordan, Kern, Moore.--5.

The measure and emergency passed.

HB 2921 was referred for engrossment.

GENERAL ORDER

HB 3312 by Martin (Scott) of the House was read and considered.

Coauthored by Representative(s) Smithson, Walker

Authored by Senator Anderson (principal Senate author)

Representative Martin (Scott) moved that **HB 3312** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 3312 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, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Jett, Johnson, Jones, Joyner, Key, Kiesel, Kirby, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Miller, Moore, Morgan, Morrisette, Murphey, Nations, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Roan, Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--98.

Excused: Harrison, Jordan, Kern.--3.

The measure passed.

HB 3312 was referred for engrossment.

GENERAL ORDER

HB 3381 by Terrill of the House was read and considered.

Coauthored by Representative(s) Duncan

Authored by Senator Sykes (principal Senate author)

Representative Terrill moved that **HB 3381** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 3381 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, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Jett, Johnson, Jones, Joyner, Kirby, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Miller, Moore, Morgan, Murphey, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Roan, Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Wright (Harold), Wright (John), Mr. Speaker.--91.

Nay: Key, Kiesel, McAffrey, Nations.--4.

Excused: Harrison, Jordan, Kern, Morrissette, Shelton, Williams.--6.

The measure passed.

HB 3381 was referred for engrossment.

GENERAL ORDER

HB 3261 by Blackwell of the House was read and considered.

Authored by Senator Crain (principal Senate author)

Representative Blackwell moved that **HB 3261** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 3261 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Auffet, Banz, Billy, Blackwell, Brannon, Buck, Cannaday, Carey, Christian, Collins, Coody, Cooksey, Cox, Dank, Denney, Derby, Dorman, Duncan, Enns, Faught, Fields, Glenn, Hilliard, Holland, Inman, Jackson, Jett, Johnson, Jones, Joyner, Key, Kirby, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Miller, Moore, Murphey, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Rousselot, Russ, Sanders, Schwartz, Scott, Sears,

Shannon, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wright (Harold), Mr. Speaker.--81.

Nay: Bailey, Brown, Hamilton, Hoskin, Kiesel, Morgan, Morrissette, Nations, Roan.--9.

Excused: Harrison, Jordan, Kern, Shelton, Williams.--5.

Constitutional Priv: DeWitt, Hickman, Terrill, Thompson, Wesselhoft, Wright (John).--6.

The measure passed.

HB 3261 was referred for engrossment.

FIRST READING

The following was introduced and read for the first time:

HJR 1085 – By Buck.

A Joint Resolution disapproving permanent rule of the Oklahoma State Board of Medical Licensure and Supervision; and directing distribution.

RESOLUTION

The following was introduced and read:

HCR 1048 – By Wesselhoft.

A Concurrent Resolution supporting the Nation of Israel and congratulating Israel on the sixty-second anniversary of its founding; and directing distribution.

MESSAGES FROM THE SENATE

Advising conference granted and the Senate naming GCCA as follows: **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**.

Conference granted

Advising conference granted and the Senate naming conferees as follows:

HB 1053 – Anderson, Lamb, Coffee, Johnson (Mike), Barrington, Russell, Bass, Ivester, Burrage

COMMITTEE REPORTS

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

DO PASS:

HB 2706 – Public Safety, Authored by Senator Wilson (principal Senate author)

HB 2844 – Transportation

HB 2845 – Rules, Authored by Senator Ivester (principal Senate author)

HB 2994 – Public Safety, Coauthored by Representative(s) Ritze, and Authored by Senator Anderson (principal Senate author)

HB 3220 – Transportation, Authored by Senator Bingman (principal Senate author)

HB 3221 – Public Safety, Coauthored by Representative(s) Ritze

HB 3230 – Rules

HB 3340 – Public Safety

HB 3342 – Public Safety

HB 3380 – Public Safety, Coauthored by Representative(s) McCullough

HJR 1060 – Rules

HJR 1069 – Rules

HJR 1080 – Rules

DO PASS, As Amended:

CS for HB 2305 – Economic Development and Financial Services, Coauthored by Representative(s) Billy, Renegar, and Authored by Senator Ellis (principal Senate author)

CS for HB 2552 – Public Safety, Coauthored by Representative(s) Ritze, and Authored by Senator Anderson (principal Senate author)

CS for HB 2609 – Transportation, Authored by Senator Branan (principal Senate author)

CS for HB 2662 – Economic Development and Financial Services

CS for HB 2814 – Common Education

CS for HB 2894 – Economic Development and Financial Services, Authored by Senator Schulz (principal Senate author)

CS for HB 2898 – Public Safety, Authored by Senator Ivester (principal Senate author)

CS for HB 3169 – Economic Development and Financial Services

CS for HB 3294 – Public Safety, Authored by Senator Barrington (principal Senate author)

CS for HB 3379 – Public Safety

CS for HB 3393 – Human Services, Coauthored by Representative(s) Pittman, Shumate, Kern

CS for HJR 1058 – Rules, Coauthored by Representative(s) Williams, Dorman, and Authored by Senator Leftwich (principal Senate author)

CS for HJR 1070 – Rules, Authored by Senator Burrage (principal Senate author)

CCRs SUBMITTED

The conference committee reports were read on the following measures:

HB 2350
HB 2353
HB 2354
HB 2355
HB 2356
HB 2381
HB 2401
HB 2411
HB 2421
HB 2431
HB 2433
HB 2435
HB 2455
HB 2461
HB 2491
HB 2497
HB 2499
HB 2501
HB 2505
HB 2511

REMARKS

Upon request of Representative Kiesel, Pastor Wilburn's remarks were ordered printed in full as follows:

"Timber cutters sit atop the list of the most dangerous jobs in America. But who would want to be a prophet in ancient Nineveh? Not Jonah!

A question for some this morning, who would want to serve as a state representative?

There are a lot of vocations today that are simply pushing people over the edge. Many of you feel it. Many of those back in your home districts feel it. Seems like all one ever does is work - work - work - and that is still not enough. The responsibilities and pressures of the job simply are draining. Long hours become long days - which start earlier and last longer. Too many employees in too many jobs find themselves struggling with stress - and not only do they suffer - the quality of work suffers, too.

Of course, things can always get even worse. The magazine *mental_floss* (May-June 2005) recently published a list of jobs that really do kill. According to the Bureau of Labor Statistics, 'timber cutter' ranked as the most dangerous job in America. That is not the only dangerous job in America. Other high risk jobs, and by high risk, we mean workers being killed include the construction industry, transportation industry, and manufacturing. Other high risk jobs include agriculture and trash collecting. Working can be hazardous to one's health.

We have no proven figures on how dangerous it is to be a pastor these days, or a state representative. Reliable sources suggest that in both cases too much time may be spent at food laden events - those events that seem to say since you are here there might as well be food and you might as well eat it.

The Scripture this morning is from the Hebrew Scriptures. Jonah was reluctant to be a biblical prophet. He was well aware that many a Bible prophet had been killed, exiled - all because of a few words said - and words the prophet believed came from God and the people needed to hear it. I daresay there is more than one representative here this morning who has honestly shared words that they felt were important, were vital, were necessary - and lo and behold - after sharing those words - the voting constituency was in an uproar.

Jonah - the reluctant prophet - was being sent to the capital of Assyria, a power enemy of Israel, and in the middle of that large city, was to preach against. Few of us would go into cities of those cultures that hate our nation and boldly proclaim that you are wrong and we are right.

So Jonah did what a lot in this modern culture would do. He took off - as fast as he could - in the opposite direction. He took a low cost cruise to Tarshish the end of the world as he knew it - to escape his responsibility - to hope and pray that the Lord of All the Earth wasn't really interested if Jonah went to the very edge. Many of you know the story - from Vacation Bible School. While on the boat there is a huge storm. Jonah confesses to the other sailors that he is running away from his calling, from his responsibility, and the best thing for them is to simply throw him overboard. Guess what. They did. The Scriptures then record that a great fish swallowed Jonah, and spit him out on dry land. I have always appreciated what is recorded then - the Word of the Lord came to Jonah a second time.

This time Jonah obeyed. He wasn't very happy or content about it - which is why Hebrew legend says he still smelled fishy, and his face and skin were in a process of peeling due to the digestive juices of the great fish. Jonah began shouting to the citizens of Nineveh like he was mad. Repent. 'You've got 40 days - and then it's over.' It must have come as quite a surprise when the people of Nineveh listened - and repented. We find no writings that Jonah rejoiced. He was truly upset. He had taken a killer job and went with it as far as he could. What he did find out was there was life because of his words and because of his response to his calling.

That is the theme for us today. It has little to do with how risky our jobs may be. This risk is how dangerous things can become when we are willing to be in service - when we are willing to be the spokesperson and share an honest truth of where we as a society, where we as a state government, are and what we need to do - and how we are going to get there.

If the agenda is always our own, if the agenda is always how will this help me, in a short time we will be bitterly disappointed. Ask Jonah. The message of Jonah is all about hearing the word of God and obeying it. When we're obedient to God - even after a time of running in the opposite direction, as Jonah did - we find that our efforts result in life, not death. Regardless of what path we are pursuing, obedience to God can open up new possibilities for renewal and regeneration.

New life comes from obeying God, even when our service is as a state representative. Remember from high school literature the great classic *Moby Dick* and the words of the preacher in that story [Father Mapple] who pointed out that God often speaks to us in commands, even knowing that our obedience can be difficult. The reason is that so often when we obey God in the fullest, when we put the needs of those we serve at the highest mark on our agenda, we often must disobey ourselves.

The problem with obedience is that it is a tough sell. We hear the words ‘be obedient,’ and it sounds as if we are being told in no uncertain terms to eat our vegetables and exercise every day. Nothing exciting about that. No inspiration. However, as the rewards of good nutrition and exercise brings rewards, obedience can enrich life...in a word, obedience can be dangerous work - but rewarding.

Dangerous, because obedience, especially obedience and faithfulness to God, is not that popular today.

Here are some things that could be difficult, for our state representatives today - especially when they choose to honor their calling - to serve the people.

To be in service to the people can be dangerous because you might be misunderstood.

To be in service to the people can be dangerous because you will have to put the interest of others ahead of your own.

To be in service to the people can be dangerous because it could send you into territory hitherto unexplored.

To be in service to the people can be dangerous because you can’t be sure what God might ask of you.

To be in service to the people can be dangerous because being obedient doesn’t come naturally.

To be in service to the people can be dangerous because you will be asked to work with members of both parties, realizing that the people we represent are examples not of a huge group of people agreeing - but more often - a group of people with different ideas about the type of resolution needed.

Before any this morning call their travel agent and book a boat to Tarshish, remember serving the people can offer a tremendous blessing and sense of peace - because of the position and responsibility you were willing to accept.

Thank you - the men and women serving in this body. May God truly bless you as you respond to your call of service. Let it be said that because of you - things are better for the People of Oklahoma. Amen.”

Representative Billy moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 1:30 p.m., Monday, February 22, 2010, which was the order.

Pursuant to the motion of Representative Billy, the House was adjourned at 10:10 a.m., to reconvene Monday, February 22, 2010, at 1:30 p.m.

COMMUNICATION**STATE BOARD OF EQUALIZATION
CERTIFICATE**

TO: THE HONORABLE JARI ASKINS, PRESIDENT OF THE SENATE
THE HONORABLE GLENN COFFEE, PRESIDENT PRO TEMPORE OF THE
SENATE
THE HONORABLE CHRIS BENGE, SPEAKER OF HOUSE OF
REPRESENTATIVES

I, Brad Henry, Governor of the State of Oklahoma and Chairman of the State Board of Equalization, hereby certify that pursuant to the provisions of Article X, Section 23 of the Oklahoma Constitution, the State Board of Equalization by seven (7) affirmative votes cast by Governor Brad Henry, Lt. Governor Jari Askins, Steve Burrage, W.A. Drew Edmondson, Sandy Garrett, Scott Meacham, and Mr. Peach did certify the estimate of revenues to accrue to the credit of the General Revenue Fund and to each special fund of the State for the fiscal year ending June 30, 2011 as reflected in the "Appendix" attached hereto and made a part hereof.

DATED this 16th day February, 2010

/s/ Brad Henry
Governor of the State of Oklahoma and
Chairman of the State Board of Equalization

COMMUNICATION

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 \$5,616,494,497. 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.

<i>Column 1</i>	<i>Column 2</i>
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>\$5,616,494,497</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	\$5,616,494,497
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 16-Jun-09	FY-2011 ESTIMATE 16-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.

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
	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

**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	3,493,100,675	(\$154,920,543)	-4.2%
Education Lottery Trust Fund	<u>69,226,500</u>	<u>63,374,500</u>	<u>(5,852,000)</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	25,820,000	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	70,988,842	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	265,640,203	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	1,555,898,490	1,477,723,140	1,542,855,330
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	155,686,312	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	\$4,578,991,596
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	16,453,000	14,285,000	16,453,000	14,285,000
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	12,420,966	8,109,000	6,898,000	7,779,000	8,026,000	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)	20,450	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	608,357	609,177
Consumer Credit	1,109,457	1,429,950	887,565	843,237	931,944	838,750
DPS	17,153,800	18,348,479	16,645,227	16,617,333	16,698,083	16,688,496
Employees Benefit Council	1,408,702	1,212,332	1,327,158	1,327,158	1,317,316	1,317,316
Horseracing	477,328	414,525	384,725	384,725	384,725	384,725
Insurance Comm	38,655,679	30,519,030	31,171,619	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	111,972,856	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 *	1,663,460,263 *	(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 16-Feb-10	PROPOSED FY-2011 ESTIMATE 16-Feb-10	INCREASE OR (DECREASE)	PERCENT CHANGE
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	15,251,579	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 *	1,663,460,263 *	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)	155,686,312	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
	16-Jun-09	16-Feb-10		
GENERAL REVENUE FUND				
Mixed Beverage Receipts Tax	33,464,000	32,368,000	(1,096,000)	-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 *	1,647,204,906 *	(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	155,686,312	2,036,727	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	\$21,638,000	\$21,638,000	\$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	60.6%
Income Tax-Individual	1,661,413,846 *	1,663,460,263 *	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, 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-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	317,186	320,270	317,186
Tribal Gaming	102,880,843	102,880,843	105,566,000	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	\$541,588,073
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	\$657	(\$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	<u>0</u>	<u>0</u>	<u>0</u>	<u>0.0%</u>
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	<u>0</u>	<u>2,124,371</u>	<u>2,124,371</u>	<u>0.0%</u>
TOTAL	\$63,374,500	\$63,677,104	\$302,604	0.5%
SUBTOTAL RESTRICTED FUNDS	<u>\$67,898,839</u>	<u>\$72,511,444</u>	<u>\$4,612,605</u>	<u>6.8%</u>
TOTAL-RESTRICTED & NON-RESTRICTED	<u>\$5,616,494,497</u>	<u>\$4,463,750,618</u>	<u>(\$1,152,743,879)</u>	<u>-20.5%</u>
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	\$633,584,977	\$541,588,073	(\$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	<u>\$6,616,561,467</u>	<u>\$5,415,232,827</u>	<u>(\$1,201,328,640)</u>	<u>-18.2%</u>
*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	\$4,226,184,539	\$4,350,992,016	\$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>663,198</u>	<u>663,198</u>	<u>0</u>	<u>0.0%</u>
TOTAL	\$2,178,697	\$2,164,447	(\$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	\$8,882,689	\$8,834,340	(\$48,349)	-0.5%
Prior Year Certified	0	0	0	0.0%
Cash	<u>0</u>	<u>0</u>	<u>0</u>	<u>0.0%</u>
TOTAL	\$8,882,689	\$8,834,340	(\$48,349)	-0.5%
OK EDUCATION LOTTERY TRUST FUND				
Certified	\$61,552,733	\$61,552,733	0	0.0%
Cash	<u>1,719,979</u>	<u>2,124,371</u>	<u>404,392</u>	<u>23.5%</u>
TOTAL	\$63,272,712	\$63,677,104	404,392	0.6%
SUBTOTAL RESTRICTED FUNDS	<u>\$72,155,401</u>	<u>\$72,511,444</u>	<u>\$356,043</u>	<u>0.5%</u>
TOTAL-RESTRICTED & NON-RESTRICTED	<u>\$4,338,613,675</u>	<u>\$4,463,750,618</u>	<u>\$125,136,943</u>	<u>2.9%</u>
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	<u>\$5,294,829,734</u>	<u>\$5,415,232,827</u>	<u>\$120,403,093</u>	<u>2.3%</u>
*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.				