

HOUSE JOURNAL

First Regular Session of the Fifty-third Legislature

of the State of Oklahoma

Tenth Legislative Day, Wednesday, February 23, 2011

The House was called to order by Speaker Steele.

The roll was called with 100 Members present.

The following Member was excused: Farley.—1.

The Speaker declared a quorum present.

Prayer was offered by Pastor James Ray Collins, Frink Baptist Church, McAlester.

The Journal for the last legislative day was approved.

ENGROSSED AND ENROLLED MEASURES

HBs 1048, 1234, 1271, 1310, 1322, 1359 and **HJR 1016** were reported correctly engrossed, properly signed, in open session, and ordered transmitted to the Honorable Senate.

REQUEST FOR REMOVAL FROM CONSENT CALENDAR

Pursuant to House Rule 8.19, paragraph (c), Representative Hoskin having received the required twenty-five (25) seconds, requested that **HB 1715** be removed from the Consent Calendar and placed on General Order, which was the order.

GENERAL ORDER

HB 1504 by Schwartz of the House was read and considered.

Authored by Senator Ford (principal Senate author)

Representative Schwartz moved that **HB 1504** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 1504 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Billy, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Christian, Cockroft, Condit, Coody, Cox, Dank, Denney, Derby, DeWitt, Dorman, Faught, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Key, Kirby, Kouplen, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Morrisette, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Reynolds, Richardson, Ritze, Roan, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Stiles, Sullivan, Terrill, Thomsen, Tibbs, Trebilcock, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wright, Mr. Speaker.--95.

Excused: Bennett, Cooksey, Enns, Farley, Moore, Morgan.--6.

The measure passed.

HB 1504 was referred for engrossment.

GENERAL ORDER

HB 1800 by Tibbs of the House and Barrington of the Senate was read and considered.

Coauthored by Representative(s) Roan

Representative Tibbs moved that **HB 1800** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 1800 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Billy, Blackwell, Casey, Coody, Cox, Dank, Denney, DeWitt, Enns, Hall, Hardin, Hickman, Holland, Jackson, Johnson, Jordan, Kirby, Liebmann, Martin (Scott), Martin (Steve), McDaniel (Jeannie), McDaniel (Randy), McNiel, Morgan, Mulready, Nelson, Nollan, Ortega, Osborn, Ownbey, Peters, Peterson, Pruett, Quinn, Renegar, Richardson, Roan, Roberts (Dustin), Sanders, Sears, Shannon, Sullivan, Thomsen, Tibbs, Trebilcock, Vaughan, Walker, Watson, Mr. Speaker.--51.

Nay: Bennett, Brown, Brumbaugh, Cannaday, Christian, Cockroft, Condit, Derby, Dorman, Faight, Fourkiller, Glenn, Hamilton, Hilliard, Hoskin, Inman, Joyner, Kern, Key, Kouplun, Lockhart, McAffrey, McCullough, McPeak, Moore, Morrisette, Murphey, Newell, Pittman, Proctor, Reynolds, Ritze, Roberts (Sean), Rousselot, Russ, Schwartz, Scott, Shelton, Sherrer, Shoemake, Shumate, Stiles, Terrill, Virgin, Wesselhoft, Williams, Wright.--47.

Excused: Cooksey, Farley, Grau.--3.

The measure passed.

HB 1800 was referred for engrossment.

MESSAGE FROM THE SENATE

Announcing the passage of the following engrossed measures: **SBs 12, 160, 170 and 200**. The measures were introduced and read for the first time.

SB 12 – By Anderson of the Senate and Denney of the House.

An Act relating to school employment; amending 70 O.S. 2001, Section 5-142, as amended by Section 1, Chapter 406, O.S.L. 2010 (70 O.S. Supp. 2010, Section 5-142), which relates to criminal history record checks for current and prospective school employees; exempting adult education instructors of career technology education from criminal history record check; providing an effective date; and declaring an emergency.

SB 160 – By Holt of the Senate and Nelson of the House.

An Act relating to motor vehicle racing; creating the Municipal Motor Vehicle Racing Act; providing short title; defining terms; authorizing municipalities to issue certain permits; prohibiting certain conduct; requiring municipalities to determine certain information for issuance of permit; authorizing fee; specifying authorized conduct for permit holder; requiring certain private property protection and access; requiring certain restoration of property; authorizing municipalities to regulate certain traffic for racing events; providing limitation of liability; prohibiting consideration and finding of public or private nuisance; declaring certain actions taken as being for public purpose; prohibiting certain construction of interpretation; providing for codification; providing an effective date; and declaring an emergency.

SB 170 – By Holt of the Senate and Grau of the House.

An Act relating to surplus county property; amending 19 O.S. 2001, Section 421.2, which relates to the transfer of surplus property; deleting prohibition to declaring certain property surplus; and providing an effective date.

SB 200 – By Halligan of the Senate and Denney of the House.

[special license plates - Ovarian Cancer Awareness plates - effective date]

Announcing the passage of engrossed **SCR 3**. The measure was introduced and read.

SCR 3 – By Sparks, Nichols, Adelson, Aldridge, Allen, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brecheen, Brinkley, Brown, Burrage, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (Constance), Johnson (Rob), Jolley, Justice, Laster, Lerblance, Marlatt, Mazzei, Myers, Newberry, Paddack, Reynolds, Rice, Russell, Schulz, Shortey, Simpson, Stanislawski, Sykes, Treat, Wilson and Wyrick of the Senate and Virgin, Martin (Scott) and Stiles of the House.

A Concurrent Resolution congratulating the University of Oklahoma Sooners football team and Coach Bob Stoops for an outstanding 2010 football season; and directing distribution.

RESOLUTION FOR CONSIDERATION

SCR 3 was called up for consideration.

Upon unanimous consent request of Representative Martin (Scott), all Members of the House were added as coauthors.

Upon motion of Representative Martin (Scott), **SCR 3** was considered and adopted.

SCR 3 was properly signed, in open session, by the Presiding Officer and ordered returned to the Honorable Senate.

GENERAL ORDER

HB 1456 by Denney et al of the House and Jolley of the Senate was read and considered.

Coauthored by Representative(s) Condit, Hall, Derby

Representative Cannaday moved to amend **HB 1456**, Page 3, Section 1, Line 15 by adding after the word “shall” and before the word “provide” the following language:

“require school districts to implement a site-based budgeting procedure for all school sites in the district regardless of the grade of the school site and which allocates a portion of the total budget of the school district, including that generated from the State Aid formula, lottery funds, grants and local funds, to each school site based on the percentage of total

enrollment at the school site as compared to the total enrollment in the school district. The rules shall also”,

which amendment was declared adopted.

Representative Denney moved that **HB 1456** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 1456 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Bennett, Billy, Blackwell, Brumbaugh, Christian, Cockroft, Coody, Cooksey, Cox, Denney, Derby, DeWitt, Enns, Faught, Grau, Hall, Hardin, Hickman, Holland, Jackson, Johnson, Jordan, Kern, Key, Kirby, Liebmann, Martin (Scott), Martin (Steve), McCullough, McDaniel (Randy), McNeil, Moore, Mulready, Murphey, Nelson, Newell, Ortega, Osborn, Ownbey, Peters, Peterson, Quinn, Reynolds, Richardson, Ritze, Roberts (Dustin), Roberts (Sean), Russ, Sanders, Schwartz, Sears, Shannon, Stiles, Sullivan, Terrill, Thomsen, Tibbs, Trebilcock, Vaughan, Watson, Wesselhoft, Wright, Mr. Speaker.--65.

Nay: Brown, Cannaday, Casey, Condit, Dorman, Fourkiller, Glenn, Hamilton, Hilliard, Hoskin, Inman, Kouplen, Lockhart, McAffrey, McDaniel (Jeannie), McPeak, Morgan, Morrisette, Nollan, Pittman, Proctor, Pruett, Renegar, Roan, Rousselot, Scott, Shelton, Sherrer, Shoemake, Shumate, Virgin, Walker.--32.

Excused: Dank, Farley, Joyner, Williams.--4.

The measure passed.

On passage of the emergency, the roll call was as follows:

Aye: Banz, Billy, Blackwell, Cockroft, Coody, Cooksey, Cox, Denney, Derby, DeWitt, Enns, Grau, Hall, Hardin, Hickman, Holland, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Liebmann, Martin (Scott), Martin (Steve), McCullough, McDaniel (Randy), McNeil, Moore, Murphey, Ortega, Osborn, Ownbey, Peters, Peterson, Richardson, Russ, Sanders, Schwartz, Sears, Shannon, Sullivan, Thomsen, Trebilcock, Vaughan, Watson, Wesselhoft, Wright, Mr. Speaker.--49.

Nay: Armes, Bennett, Brown, Brumbaugh, Cannaday, Casey, Christian, Condit, Dorman, Faught, Fourkiller, Glenn, Hamilton, Hilliard, Hoskin, Inman, Key, Kouplen, Lockhart, McAffrey, McDaniel (Jeannie), McPeak, Morrisette, Nelson, Newell, Nollan, Proctor, Pruett, Renegar, Reynolds, Ritze, Roan, Rousselot, Scott, Shelton, Sherrer, Shoemake, Shumate, Virgin, Walker, Williams.--41.

Excused: Dank, Farley, Morgan, Mulready, Pittman, Quinn, Roberts (Dustin), Roberts (Sean), Stiles, Terrill, Tibbs.--11.

The emergency failed.

Representative Denney served notice to reconsider the vote whereby the emergency failed.

COMMITTEE REPORTS

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

DO PASS:

HB 1016 – Administrative Rules and Government Oversight, Authored by Senator Aldridge (principal Senate author)

HB 1017 – Administrative Rules and Government Oversight, Authored by Senator Aldridge (principal Senate author)

HB 1018 – Administrative Rules and Government Oversight, Authored by Senator Aldridge (principal Senate author)

HB 1019 – Administrative Rules and Government Oversight, Authored by Senator Aldridge (principal Senate author)

HB 1050 – Agriculture, Wildlife and Environment, Authored by Senator Ballenger (principal Senate author)

HB 1282 – Long Term Care and Senior Services, Authored by Senator Treat (principal Senate author)

HB 1321 – Administrative Rules and Government Oversight, Authored by Senator Justice (principal Senate author), Placed on Consent Calendar

HB 1327 – Agriculture, Wildlife and Environment, Placed on Consent Calendar

HB 1441 – Public Health, Authored by Senator Jolley (principal Senate author)

HB 1442 – Public Health, Coauthored by Representative(s) Reynolds, Ritze, Cockroft, and Authored by Senator Russell (principal Senate author)

HB 1457 – Common Education, Authored by Senator Halligan (principal Senate author)

HB 1460 – Energy and Utility Regulation, Authored by Senator Halligan (principal Senate author)

HB 1472 – Agriculture, Wildlife and Environment, Authored by Senator Myers (principal Senate author), Placed on Consent Calendar

HB 1473 – Agriculture, Wildlife and Environment, Authored by Senator Fields (principal Senate author), Placed on Consent Calendar

HB 1474 – Agriculture, Wildlife and Environment, Authored by Senator Fields (principal Senate author), Placed on Consent Calendar

HB 1548 – Public Health, Coauthored by Representative(s) Reynolds, Ritze, and Authored by Senator Russell (principal Senate author)

HB 1554 – Long Term Care and Senior Services, Authored by Senator Anderson (principal Senate author)

HB 1574 – Administrative Rules and Government Oversight, Authored by Senator Sparks (principal Senate author)

HB 1680 – Common Education, Authored by Senator Burrage (principal Senate author)

HB 1851 – Common Education

HB 1943 – Agriculture, Wildlife and Environment, Authored by Senator Branan (principal Senate author), Placed on Consent Calendar

HB 2002 – Long Term Care and Senior Services, Authored by Senator Brinkley (principal Senate author)

HB 2121 – Energy and Utility Regulation, Authored by Senator Branan (principal Senate author)

DO PASS, As Amended:

CS for HB 1044 – Administrative Rules and Government Oversight, Coauthored by Representative(s) DeWitt, Roberts (Sean)

CS for HB 1222 – Transportation

CS for HB 1243 – Insurance

CS for HB 1348 – Agriculture, Wildlife and Environment, Authored by Senator Coates (principal Senate author), Placed on Consent Calendar

CS for HB 1363 – Long Term Care and Senior Services, Authored by Senator Jolley (principal Senate author), and Coauthored by Senator(s) Allen

CS for HB 1461 – Common Education, Coauthored by Representative(s) McDaniel (Jeannie), and Authored by Senator Halligan (principal Senate author)

CS for HB 1471 – Agriculture, Wildlife and Environment, Authored by Senator Justice (principal Senate author), Placed on Consent Calendar

CS for HB 1486 – Energy and Utility Regulation, Authored by Senator Justice (principal Senate author)

CS for HB 1550 – Common Education, Coauthored by Representative(s) Nelson, and Authored by Senator Jolley (principal Senate author)

CS for HB 1686 – Transportation, Authored by Senator Crain (principal Senate author)

CS for HB 1856 – Common Education, Coauthored by Representative(s) Nelson

CS for HB 1955 – Energy and Utility Regulation, Coauthored by Representative(s) Pittman, and Authored by Senator Treat (principal Senate author)

CS for HB 2139 – Common Education, Coauthored by Representative(s) Nelson, Newell

REQUEST FOR REMOVAL FROM CONSENT CALENDAR

Pursuant to House Rule 8.19, paragraph (c), Representative Hoskin having received the required twenty-five (25) seconds, requested that **HBs 1473, 1474 and 1943** be removed from the Consent Calendar and placed on General Order, which was the order.

Representative Sullivan moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 9:00 a.m., Thursday, February 24, 2011, which was the order.

Pursuant to the motion of Representative Sullivan, the House was adjourned at 2:45 p.m., to reconvene Thursday, February 24, 2011, at 9:00 a.m.

COMMUNICATION

**STATE BOARD OF EQUALIZATION
CERTIFICATE**

TO: THE HONORABLE TODD LAMB, PRESIDENT OF THE SENATE
THE HONORABLE BRIAN BINGMAN, PRES. PRO TEMPORE OF THE
SENATE
THE HONORABLE KRIS STEELE, SPEAKER OF HOUSE OF
REPRESENTATIVES

I, Mary Fallin, 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 Mary Fallin, Lt. Governor Todd Lamb, Janet Barresi, Gary Jones, Ken Miller, Scott Pruitt and Jim Reese 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, 2012 as reflected in the "Appendix" attached hereto and made a part hereof.

DATED this 22nd day February, 2011

/s/ Mary Fallin
Governor of the State of Oklahoma and
Chairman of the State Board of Equalization

COMMUNICATION

February 22, 2011

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/ Preston Doerflinger
Director of State Finance

APPROPRIATION LIMITATION	
Schedule 1	
<p>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, 2012, shall not exceed the amount appropriated for the current fiscal year, 2011, 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-second Legislature and acted upon by the Governor was \$5,082,305,611. The limit on appropriations for the First Regular Session of the Fifty-third Legislature is \$5,581,184,730 for the fiscal year ending June 30, 2012.</p>	
<i>Column 1</i>	<i>Column 2</i>
FUND NAME	AMOUNT
FY-2011 General Revenue Fund	4,634,797,045
FY-2010 General Revenue Fund	8,634,356
FY-2009 General Revenue Fund	26,301,946
FY-2011 Mineral Leasing Fund	4,085,000
FY-2009 Mineral Leasing Fund	1,655,876
FY-2011 Land Office Fund	7,109,000
FY-2010 Land Office Fund	0
FY-2011 Public Building Fund	1,501,249
FY-2009 Public Building Fund	663,198
Special Cash	330,199,911
FY-2011 OHSF Fund	1,534,250
FY-2009 OHSF Fund	916,796
FY-2011 CLEET Fund	3,126,741
FY-2009 CLEET Fund	226,851
Gen'l Obligation Bonds Series A	432
Gen'l Obligation Bonds Series B	226
Education Lottery Trust Fund	61,552,734
TOTAL	<u>\$5,082,305,611</u>
<p>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 0.9805%(adjustment for inflation)]=109.816%</p>	
Total Appropriation FY-2010	\$5,082,305,611
Factor	<u>109.82%</u>
Limit on Appropriation FY-2011	<u>\$5,581,184,730</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 2012 from 5.50% to 5.25%. To make the finding the Board will determine growth revenue in the General Revenue Fund from FY-2011 to FY-2012 and compare that amount with the anticipated reduction of tax year 2012 income tax revenue from the standard deduction increase plus 4% of the FY-2011 General Revenue Fund estimate.

Column 1	Column 2	Column 3	Column 4
	FY-2011 ESTIMATE 21-Jun-10	FY-2012 ESTIMATE 22-Feb-11	INCREASE OR (DECREASE)
TITLE 68, SECTION 2355.1A, Paragraph 1: Finding 1 - General Revenue Fund Growth			
Total General Revenue Fund	\$4,888,606,177	\$5,246,707,777	\$358,101,600
FINDING 1: Growth revenue in the General Revenue Fund			\$358,101,600

TITLE 68, SECTION 2355.1A, Paragraph 2:
Finding 2 - Tax Year 2012 Fiscal Impact of Standard Deduction Increase plus 4% of FY-2011 Total General Revenue Estimate

Fiscal Impact of Standard Deduction Increase - Tax Year 2012		2,916,000
FY-2011 General Revenue Estimate	\$4,888,606,177	
-4% of General Revenue Estimate		<u>\$195,544,247</u>
TOTAL - FINDING 2:		198,460,247

*The final finding shows the amount of Finding 1, growth in the General Revenue Fund, is more than the amount in Finding 2, the Fiscal Impact of the Standard Deduction Increase plus 4% of the FY-2011 General Revenue Fund Estimate. As a result, the final finding is that the estimated growth would authorize the reduction of the Income Tax Rate for Tax Year 2012 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-2012 Estimates	
GENERAL REVENUE	\$5,209,125,308	\$4,948,669,043
C.L.E.E.T.	\$3,396,384	\$3,226,565
COMMISSIONERS OF THE LAND OFFICE	\$10,432,906	\$9,911,261
MINERAL LEASING	\$3,000,000	\$2,850,000
SPECIAL OCCUPATIONAL HEALTH & SAFETY	\$1,548,500	\$1,471,075
PUBLIC BUILDING	\$1,457,280	\$1,384,416
OK EDUCATION LOTTERY TRUST FUND	\$60,587,100	\$57,557,745
TOTALS	\$5,289,547,478	\$5,025,070,105

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

Column 1

Column 2

Column 3

Column 4

Column 5

Legislated Adjustments for FY-2011:

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

Legislated Apportionment Comparison:

	FY-2009 ESTIMATE 19-Feb-08	FY-2010 ESTIMATE 22-Dec-08	FY-2011 ESTIMATE 22-Dec-09
Apportionment to ROADS Fund	\$137,500,000	\$155,000,000	\$185,000,000
Additional ROADS Fund	17,500,000	30,000,000	30,000,000
OK Tourism & Passenger Rail Rev. Fund	2,000,000	2,000,000	2,000,000
Public Transit Rev. Fund	3,000,000	3,000,000	3,000,000
Total Apportionment from Individual Income Tax	<u>\$160,000,000</u>	<u>\$190,000,000</u>	<u>\$220,000,000</u>

Legislated Adjustments for FY-2012:

Senate Bill 1466, passed in the 2010 Legislative Session, amends Title 69, Section 1521 of the Oklahoma Highway Code. Effective July 1, 2011 for FY-2012 and for each fiscal year thereafter, the Transportation Department will receive the total amount apportioned to the ROADS fund for the preceding fiscal year plus an additional \$35.7 million each year until a cap of \$400 million is reached.

	PROPOSED FY-2012 ESTIMATE 21-Dec-10
Apportionment to ROADS Fund	\$215,000,000
Additional ROADS Fund	35,700,000
OK Tourism & Passenger Rail Rev. Fund	2,000,000
Public Transit Rev. Fund	3,000,000
Total Apportionment from Individual Income Tax	<u>\$255,700,000</u>

Pursuant to Title 69, Section 1521 of the Oklahoma Statutes, a finding must be made to determine whether "expenditures from the ROADS Fund were used to enhance or supplant State funding for the Dept. of Transportation (ODOT)." Effective July 1, 2006, the State Transportation Fund, ODOT's primary source of state funding, became a revolving fund. As shown above, the ROADS Fund provided an additional \$30 million for FY-2011 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-2010 APPROPRIATION	FY-2011 APPROPRIATION	INCREASE OR (DECREASE)	PERCENT CHANGE
Education Funding	3,250,794,047	3,382,908,595	\$132,114,548	4.1%
Education Lottery Trust Fund	<u>63,374,500</u>	<u>61,552,734</u>	<u>(1,821,766)</u>	<u>-2.9%</u>
Total Education Funding*	\$3,314,168,547	3,444,461,329	\$130,292,782	3.9%
	FY-2010 AUTHORIZED EXPENDITURES	FY-2011 EXPENDITURE AUTHORITY 21-Jun-10		
Total Authority	6,070,156,694	6,116,104,163	\$45,947,469	0.8%
Education Lottery Trust Fund	63,374,500	61,552,734	(\$1,821,766)	-2.9%

*To determine if the Oklahoma Education Lottery Trust Fund supplanted education funding, actual FY-2010 appropriations (which were subject to adjustment for revenue downturn) are compared to FY-2011 appropriations. Education funding in FY-2011 was affected negatively by the economic downturn. However, this negative impact was mitigated by the inclusion of Federal Stimulus funding and Rainy Day funds. Although overall expenditure authority for FY-2011 grew by only 0.8%, education funding (from sources other than the Education Lottery Trust Fund) grew by 4.1% and by 3.9% when including Lottery Funding. 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, 2012 (FY-2012) and are the basis for the summation proposed for certification in Schedule 3. For informational purposes the FY-2012 estimates of revenues are compared to both the itemized estimates and the projections of revenues for the current fiscal year (FY-2011).

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7
FUND NAME	FY-2010 ACTUAL	FY-2011 ESTIMATE 21-Jun-10	FY-2011 PROJECTED 21-Dec-10	FY-2011 ESTIMATE 21-Dec-10	FY-2011 PROJECTED 22-Feb-11	PROPOSED FY-2012 ESTIMATE 22-Feb-11
GENERAL REVENUE						
Alcohol Beverage Tax	\$20,925,684	\$21,638,000	\$22,377,000	\$23,057,000	\$22,377,000	\$23,057,000
Mixed Beverage Receipts Tax	32,432,435	34,077,000	34,981,000	36,540,000	34,981,000	36,540,000
Beverage Tax	25,275,030	26,518,000	25,980,000	26,318,000	25,980,000	26,318,000
Cigarette Tax	38,408,006	58,412,030	63,974,752	56,463,417	64,003,152	56,491,510
Tobacco Products Tax	16,138,707	15,105,458	17,459,262	17,514,692	17,462,773	17,518,215
Franchise Tax/Business Activity Tax	46,406,857	46,566,000	45,073,000	45,073,000	45,073,000	45,073,000
Gross Production Tax-Gas	290,070,654	392,332,000	292,778,000	333,110,000	303,458,000	333,110,000
Gross Production Tax-Oil	154,288,977	126,795,000	130,366,000	121,308,000	182,426,000	185,643,000
Income Tax-Individual	1,654,875,690	1,703,366,173 *	1,760,495,911 *	1,798,304,254 *	1,713,537,956 *	1,829,463,079 *
Income Tax-Corporate	167,709,678	172,180,980	189,784,325	204,284,575	189,784,325	204,284,575
Estate Tax	22,702,024	8,407,000	3,910,000	0	3,910,000	0
Insurance Premium Tax	73,732,347	59,818,265	66,441,362	66,441,362	66,441,362	66,441,362
Motor Vehicle Taxes	147,272,199	145,313,000	183,888,000	196,967,000	194,165,000	204,880,000
Sales Tax	1,515,739,815	1,583,678,749	1,686,268,219	1,735,957,642	1,665,447,656	1,734,603,996
Use Tax	127,708,007	126,251,100	143,307,540	155,180,160	146,233,890	158,859,000
Interest & Investments	120,042,975	125,000,000	92,000,000	96,000,000	92,000,000	96,000,000
Other (Schedule 7)	168,276,876	242,147,421	189,589,781	189,714,517	191,434,227	189,842,572
General Revenue Totals	\$4,622,005,961	\$4,887,606,177	\$4,948,674,152	\$5,102,233,619	\$4,958,715,340	\$5,208,125,308
Transfers & Lapses	(1,095,640)	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Revenue Comparison	\$4,620,910,321	\$4,888,606,177	\$4,949,674,152	\$5,103,233,619	\$4,959,715,340	\$5,209,125,308
One-Time Receipts	0	0	0	0	0	0
Total General Revenue	\$4,620,910,321	\$4,888,606,177	\$4,949,674,152	\$5,103,233,619	\$4,959,715,340	\$5,209,125,308
C.L.E.E.T.	\$3,306,470	\$3,291,306	\$3,355,724	\$3,355,724	\$3,396,384	\$3,396,384
COMM of LAND OFFICE	\$9,941,058	\$9,299,305	\$11,110,598	\$10,491,826	\$13,942,454	\$10,432,906
MINERAL LEASING	\$2,517,819	\$4,300,000	\$3,000,000	\$3,000,000	\$3,000,000	\$3,000,000
SPECIAL OCCUPATIONAL HEALTH & SAFETY	\$1,548,500	\$1,615,000	\$1,534,250	\$1,548,500	\$1,534,250	\$1,548,500
PUBLIC BUILDING	\$2,494,493	\$1,580,262	\$1,759,160	\$1,757,280	\$1,759,160	\$1,457,280
OK EDUCATION LOTTERY TRUST FUND	\$69,974,064	\$64,792,350	\$66,117,100	\$60,587,100	\$66,117,100	\$60,587,100
GRAND TOTAL	\$4,710,692,725	\$4,973,484,400	\$5,036,550,984	\$5,183,974,049	\$5,049,464,688	\$5,289,547,478

*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 \$63.2m for funding of Oklahoma's Promise scholarships for the upcoming fiscal year. This number has been removed from the FY-2012 Individual Income Tax Estimate. \$57m was funded for FY-2011 and \$54m was funded for FY-2010; these amounts have been removed from the respective 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-2010 ACTUAL	FY-2011 ESTIMATE 21-Jun-10	FY-2011 PROJECTED 21-Dec-10	FY-2012 ESTIMATE 21-Dec-10	FY-2011 PROJECTED 22-Feb-11	PROPOSED FY-2012 ESTIMATE 22-Feb-11
OTC:						
Pari-Mutuel	\$1,318,520	\$1,310,000	\$1,215,000	\$1,215,000	\$1,215,000	\$ 1,215,000
Tribal Cigarette Compacts	15,631,443	14,285,000	14,036,000	14,036,000	14,036,000	14,036,000
Bingo Excise & Charity Games	197,224	181,000	197,000	197,000	197,000	197,000
Workers Comp Ins. Premium Tax	7,466,063	7,588,000	8,569,000	7,026,000	8,569,000	7,026,000
Petroleum Excise Tax	9,530,876	9,639,000	8,720,000	9,290,000	9,627,000	9,131,000
Other OTC	22,835,825	23,547,000	21,283,000	22,020,000	21,283,000	22,020,000
TOTAL OTC	\$56,979,951	\$56,550,000	\$54,020,000	\$53,784,000	\$54,927,000	\$53,625,000
COLLECTIONS BY OTHER AGENCIES						
ABLE	\$5,153,078	\$4,967,300	\$5,204,288	\$5,232,138	\$5,204,288	\$5,232,138
Attorney General (Tobacco)	24,485	136,000	18,025	21,000	18,025	21,000
Central Services	1,226,103	842,308	1,226,102	1,226,102	1,051,210	1,051,209
CLEET	608,211	609,177	617,598	617,598	611,266	611,266
Consumer Credit	838,413	838,750	684,094	684,094	780,811	684,094
DPS	17,579,619	98,734,080	47,319,151	46,881,766	47,189,487	46,753,710
Employees Benefit Council	1,972,462	1,317,316	1,288,381	1,288,381	1,415,747	1,547,309
Horsereading	475,581	384,725	409,225	409,225	409,225	409,225
Insurance Comm	35,802,402	31,867,498	32,921,921	32,921,921	32,921,921	32,921,921
Labor	1,050,865	898,130	1,050,865	1,050,865	979,850	979,850
Medical Licensure	308,406	220,000	250,000	220,000	250,000	220,000
Nursing Board	302,553	283,020	283,870	301,818	283,870	301,818
Sec of State	2,282,476	2,080,900	2,194,000	2,267,000	2,194,000	2,267,000
Securities Comm	12,778,234	13,003,300	12,406,524	12,674,872	12,643,366	12,674,872
Treasurer (Unclaimed Property)	10,000,000	10,000,000	10,000,000	10,000,000	10,000,000	10,000,000
Tribal Gaming	15,810,409	14,634,000	14,734,000	15,184,000	15,688,000	15,688,000
OPM	4,784,730	4,595,655	4,749,737	4,749,737	4,654,160	4,654,160
OSF	212,782	200,000	212,000	200,000	212,000	200,000
Other	86,118	(14,737)	0	0	0	0
TOTAL MISC	111,296,925	185,597,421	135,569,781	135,930,517	136,507,227	136,217,572
GRAND OTHER	\$168,276,876	\$242,147,421	\$189,589,781	\$189,714,517	\$191,434,227	\$189,842,572

COMPARISON OF REVENUE ESTIMATES
FY-2011 ESTIMATE: LAW CHANGES vs. FY-2012 PROPOSED ESTIMATE
Schedule 8

Column 1	Column 2	Column 3	Column 4	Column 5
	FY-2011 ESTIMATE 21-Jun-10	PROPOSED FY-2012 ESTIMATE 22-Feb-11	INCREASE OR (DECREASE)	PERCENT CHANGE
GENERAL REVENUE FUND				
Alcohol Beverage Tax	\$21,638,000	\$23,057,000	\$1,419,000	6.6%
Mixed Beverage Receipts Tax	34,077,000	36,540,000	2,463,000	7.2%
Beverage Tax	26,518,000	26,318,000	(200,000)	-0.8%
Cigarette Tax	58,412,030	56,491,510	(1,920,520)	-3.3%
Tobacco Products Tax	15,105,458	17,518,215	2,412,757	16.0%
Franchise Tax	46,566,000	45,073,000	(1,493,000)	-3.2%
Gross Production Tax-Gas	392,332,000	333,110,000	(59,222,000)	-15.1%
Gross Production Tax-Oil	126,795,000	185,643,000	58,848,000	46.4%
Income Tax-Individual	1,703,366,173 *	1,829,463,079 *	126,096,906	7.4%
Income Tax-Corporate	172,180,980	204,284,575	32,103,595	18.6%
Estate Tax	8,407,000	0	(8,407,000)	-100.0%
Insurance Premium Tax	59,818,265	66,441,362	6,623,097	11.1%
Motor Vehicle Taxes	145,313,000	204,880,000	59,567,000	41.0%
Sales Tax	1,583,678,749	1,734,603,996	150,925,247	9.5%
Use Tax	126,251,100	158,859,000	32,607,900	25.8%
Interest & Investments	125,000,000	96,000,000	(29,000,000)	-23.2%
Other (Schedule 7)	242,147,421	189,842,572	(52,304,850)	-21.6%
General Revenue Totals	\$4,887,606,177	\$5,208,125,308	\$320,519,132	6.6%
Transfers & Lapses	1,000,000	1,000,000	0	0.0%
Revenue Comparison	\$4,888,606,177	\$5,209,125,308	\$320,519,132	6.6%
One-Time Receipts	0	0	0	0.0%
Total General Revenue	\$4,888,606,177	\$5,209,125,308	\$320,519,132	6.6%
C.L.E.E.T.	\$3,291,306	\$3,396,384	\$105,078	3.2%
COMM of LAND OFFICE	\$9,299,305	\$10,432,906	\$1,133,601	12.2%
MINERAL LEASING	\$4,300,000	\$3,000,000	(\$1,300,000)	-30.2%
SPECIAL OCCUPATIONAL				
HEALTH & SAFETY	\$1,615,000	\$1,548,500	(\$66,500)	-4.1%
PUBLIC BUILDING	\$1,580,262	\$1,457,280	(\$122,982)	-7.8%
OK EDUCATION LOTTERY TRUST FUND	\$64,792,350	\$60,587,100	(\$4,205,250)	-6.5%
GRAND TOTAL	\$4,973,484,400	\$5,289,547,478	\$316,063,079	6.4%

*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 \$63.2m for funding of Oklahoma's Promise scholarships for the upcoming fiscal year. This number has been removed from the FY-2012 Individual Income Tax Estimate. \$57m was funded for FY-2011 and has been removed from the FY-2011 individual income tax number above.

COMPARISON OF REVENUE ESTIMATES				
FY-2011 FINAL PROJECTION vs. FY-2012 PROPOSED ESTIMATE				
Schedule 9				
Column 1	Column 2	Column 3	Column 4	Column 5
	FY-2011 PROJECTED	PROPOSED FY-2012 ESTIMATE	INCREASE OR (DECREASE)	PERCENT CHANGE
	22-Feb-11	22-Feb-11		
GENERAL REVENUE FUND				
Alcohol Beverage Tax	\$22,377,000	\$23,057,000	\$680,000	3.0%
Mixed Beverage Receipts Tax	34,981,000	36,540,000	1,559,000	4.5%
Beverage Tax	25,980,000	26,318,000	338,000	1.3%
Cigarette Tax	64,003,152	56,491,510	(7,511,642)	-11.7%
Tobacco Products Tax	17,462,773	17,518,215	55,442	0.3%
Franchise Tax	45,073,000	45,073,000	0	0.0%
Gross Production Tax-Gas	303,458,000	333,110,000	29,652,000	9.8%
Gross Production Tax-Oil	182,426,000	185,643,000	3,217,000	1.8%
Income Tax-Individual	1,713,537,956 *	1,829,463,079 *	115,925,124	6.8%
Income Tax-Corporate	189,784,325	204,284,575	14,500,250	7.6%
Estate Tax	3,910,000	0	(3,910,000)	-100.0%
Insurance Premium Tax	66,441,362	66,441,362	0	0.0%
Motor Vehicle Taxes	194,165,000	204,880,000	10,715,000	5.5%
Sales Tax	1,665,447,656	1,734,603,996	69,156,339	4.2%
Use Tax	146,233,890	158,859,000	12,625,110	8.6%
Interest & Investments	92,000,000	96,000,000	4,000,000	4.3%
Other (Schedule 7)	191,434,227	189,842,572	(1,591,655)	-0.8%
General Revenue Totals	\$4,958,715,340	\$5,208,125,308	\$249,409,968	5.0%
Transfers & Lapses	1,000,000	1,000,000	0	0.0%
Revenue Comparison	\$4,959,715,340	\$5,209,125,308	\$249,409,968	5.0%
One-Time Receipts	0	0	0	0.0%
Total General Revenue	\$4,959,715,340	\$5,209,125,308	\$249,409,968	5.0%
C.L.E.E.T.	\$3,396,384	\$3,396,384	\$0	0.0%
COMM of LAND OFFICE	\$13,942,454	\$10,432,906	(\$3,509,548)	-25.2%
MINERAL LEASING	\$3,000,000	\$3,000,000	\$0	0.0%
SPECIAL OCCUPATIONAL HEALTH & SAFETY	\$1,534,250	\$1,548,500	\$14,250	0.9%
PUBLIC BUILDING	\$1,759,160	\$1,457,280	(\$301,880)	-17.2%
OK EDUCATION LOTTERY TRUST FUND	\$66,117,100	\$60,587,100	(\$5,530,000)	-8.4%
GRAND TOTAL	\$5,049,464,688	\$5,289,547,478	\$240,082,790	4.8%

*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 \$63.2m for funding of Oklahoma's Promise scholarships for the upcoming fiscal year. This number has been removed from the FY-2012 Individual Income Tax Estimate. \$57m was funded for FY-2011 and has been removed from the FY-2011 individual income tax number above.

COMPARISON OF REVENUE ESTIMATES
FY-2011 ESTIMATE: LAW CHANGES vs. FY-2011 FINAL PROJECTION
Schedule 10

Column 1	Column 2	Column 3	Column 4	Column 5
	FY-2011 ESTIMATE	FY-2011 PROJECTED	INCREASE OR (DECREASE)	PERCENT CHANGE
	21-Jun-10	22-Feb-11		
GENERAL REVENUE FUND				
Alcohol Beverage Tax	\$21,638,000	\$22,377,000	\$739,000	3.4%
Mixed Beverage Receipts Tax	34,077,000	34,981,000	904,000	2.7%
Beverage Tax	26,518,000	25,980,000	(538,000)	-2.0%
Cigarette Tax	58,412,030	64,003,152	5,591,122	9.6%
Tobacco Products Tax	15,105,458	17,462,773	2,357,315	15.6%
Franchise Tax	46,566,000	45,073,000	(1,493,000)	-3.2%
Gross Production Tax-Gas	392,332,000	303,458,000	(88,874,000)	-22.7%
Gross Production Tax-Oil	126,795,000	182,426,000	55,631,000	43.9%
Income Tax-Individual	1,703,366,173 *	1,713,537,956 *	10,171,783	0.6%
Income Tax-Corporate	172,180,980	189,784,325	17,603,345	10.2%
Estate Tax	8,407,000	3,910,000	(4,497,000)	-53.5%
Insurance Premium Tax	59,818,265	66,441,362	6,623,097	11.1%
Motor Vehicle Taxes	145,313,000	194,165,000	48,852,000	33.6%
Sales Tax	1,583,678,749	1,665,447,656	81,768,907	5.2%
Use Tax	126,251,100	146,233,890	19,982,790	15.8%
Interest & Investments	125,000,000	92,000,000	(33,000,000)	-26.4%
Other (Schedule 7)	242,147,421	191,434,227	(50,713,195)	-20.9%
General Revenue Totals	\$4,887,606,177	\$4,958,715,340	\$71,109,164	1.5%
Transfers & Lapses	1,000,000	1,000,000	0	0.0%
Revenue Comparison	\$4,888,606,177	\$4,959,715,340	\$71,109,164	1.5%
One-Time Receipts	0	0	0	0.0%
Total General Revenue	\$4,888,606,177	\$4,959,715,340	\$71,109,164	1.5%
C.L.E.E.T.	\$3,291,306	\$3,396,384	\$105,078	3.2%
COMM of LAND OFFICE	\$9,299,305	\$13,942,454	\$4,643,149	49.9%
MINERAL LEASING	\$4,300,000	\$3,000,000	(\$1,300,000)	-30.2%
SPECIAL OCCUPATIONAL HEALTH & SAFETY	\$1,615,000	\$1,534,250	(\$80,750)	-5.0%
PUBLIC BUILDING	\$1,580,262	\$1,759,160	\$178,898	11.3%
OK EDUCATION LOTTERY TRUST FUND	\$64,792,350	\$66,117,100	\$1,324,750	2.0%
GRAND TOTAL	\$4,973,484,400	\$5,049,464,688	\$75,980,289	1.5%

*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 \$57m for Oklahoma's Promise scholarships for FY-2011. This number has been removed from the FY-2011 Individual Tax estimates.

COMPARISON OF REVENUE ESTIMATES				
FY-2011 INITIAL PROJECTION vs. FY-2011 FINAL PROJECTION				
Schedule 11				
Column 1	Column 2	Column 3	Column 4	Column 5
	FY-2011 PROJECTED	FY-2011 PROJECTED	INCREASE OR (DECREASE)	PERCENT CHANGE
	21-Dec-10	22-Feb-11		
GENERAL REVENUE FUND				
Alcohol Beverage Tax	\$22,377,000	\$22,377,000	\$0	0.0%
Mixed Beverage Receipts Tax	34,981,000	34,981,000	0	0.0%
Beverage Tax	25,980,000	25,980,000	0	0.0%
Cigarette Tax	63,974,752	64,003,152	28,400	0.0%
Tobacco Products Tax	17,459,262	17,462,773	3,511	0.0%
Franchise Tax	45,073,000	45,073,000	0	0.0%
Gross Production Tax-Gas	292,778,000	303,458,000	10,680,000	3.6%
Gross Production Tax-Oil	130,366,000	182,426,000	52,060,000	39.9%
Income Tax-Individual	1,760,495,911 *	1,713,537,956 *	(46,957,955)	-2.7%
Income Tax-Corporate	189,784,325	189,784,325	0	0.0%
Estate Tax	3,910,000	3,910,000	0	0.0%
Insurance Premium Tax	66,441,362	66,441,362	0	0.0%
Motor Vehicle Taxes	183,888,000	194,165,000	10,277,000	5.6%
Sales Tax	1,686,268,219	1,665,447,656	(20,820,562)	-1.2%
Use Tax	143,307,540	146,233,890	2,926,350	2.0%
Interest & Investments	92,000,000	92,000,000	0	0.0%
Other (Schedule 7)	189,589,781	191,434,227	1,844,445	1.0%
General Revenue Totals	\$4,948,674,152	\$4,958,715,340	\$10,041,188	0.2%
Transfers & Lapses	1,000,000	1,000,000	0	0.0%
Revenue Comparison	\$4,949,674,152	\$4,959,715,340	\$10,041,188	0.2%
One-Time Receipts	0	0	0	0.0%
Total General Revenue	\$4,949,674,152	\$4,959,715,340	\$10,041,188	0.2%
C.L.E.E.T.	\$3,355,724	\$3,396,384	\$40,660	1.2%
COMM of LAND OFFICE	\$11,110,598	\$13,942,454	\$2,831,856	25.5%
MINERAL LEASING	\$3,000,000	\$3,000,000	\$0	0.0%
SPECIAL OCCUPATIONAL				
HEALTH & SAFETY	\$1,534,250	\$1,534,250	\$0	0.0%
PUBLIC BUILDING	\$1,759,160	\$1,759,160	\$0	0.0%
OK EDUCATION LOTTERY TRUST FUND	\$66,117,100	\$66,117,100	\$0	0.0%
GRAND TOTAL	\$5,036,550,984	\$5,049,464,688	\$12,913,704	0.3%

*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 \$57m for Oklahoma's Promise scholarships for FY-2011. This number has been removed from the FY-2011 Individual Tax estimates.

COMPARISON OF REVENUE ESTIMATES				
FY-2012 INITIAL ESTIMATE vs. FY-2012 FINAL ESTIMATE				
Schedule 12				
Column 1	Column 2	Column 3	Column 4	Column 5
	FY-2012 ESTIMATE	PROPOSED FY-2012 ESTIMATE	INCREASE OR (DECREASE)	PERCENT CHANGE
	21-Dec-10	22-Feb-11		
GENERAL REVENUE FUND				
Alcohol Beverage Tax	\$23,057,000	\$23,057,000	\$0	0.0%
Mixed Beverage Receipts Tax	36,540,000	36,540,000	0	0.0%
Beverage Tax	26,318,000	26,318,000	0	0.0%
Cigarette Tax	56,463,417	56,491,510	28,093	0.0%
Tobacco Products Tax	17,514,692	17,518,215	3,522	0.0%
Franchise Tax	45,073,000	45,073,000	0	0.0%
Gross Production Tax-Gas	333,110,000	333,110,000	0	0.0%
Gross Production Tax-Oil	121,308,000	185,643,000	64,335,000	53.0%
Income Tax-Individual	1,798,304,254 *	1,829,463,079 *	31,158,825	1.7%
Income Tax-Corporate	204,284,575	204,284,575	0	0.0%
Estate Tax	0	0	0	0.0%
Insurance Premium Tax	66,441,362	66,441,362	0	0.0%
Motor Vehicle Taxes	196,967,000	204,880,000	7,913,000	4.0%
Sales Tax	1,735,957,642	1,734,603,996	(1,353,646)	-0.1%
Use Tax	155,180,160	158,859,000	3,678,840	2.4%
Interest & Investments	96,000,000	96,000,000	0	0.0%
Other (Schedule 7)	189,714,517	189,842,572	128,055	0.1%
General Revenue Totals	\$5,102,233,619	\$5,208,125,308	\$105,891,689	2.1%
Transfers & Lapses	1,000,000	1,000,000	0	0.0%
Revenue Comparison	\$5,103,233,619	\$5,209,125,308	\$105,891,689	2.1%
One-Time Receipts	0	0	0	0.0%
Total General Revenue	\$5,103,233,619	\$5,209,125,308	\$105,891,689	2.1%
C.L.E.E.T.	\$3,355,724	\$3,396,384	\$40,660	1.2%
COMM of LAND OFFICE	\$10,491,826	\$10,432,906	(\$58,920)	-0.6%
MINERAL LEASING	\$3,000,000	\$3,000,000	\$0	0.0%
SPECIAL OCCUPATIONAL				
HEALTH & SAFETY	\$1,548,500	\$1,548,500	\$0	0.0%
PUBLIC BUILDING	\$1,757,280	\$1,457,280	(\$300,000)	-17.1%
OK EDUCATION LOTTERY TRUST FUND	\$60,587,100	\$60,587,100	\$0	0.0%
GRAND TOTAL	\$5,183,974,049	\$5,289,547,478	\$105,573,429	2.0%

*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 34.87 of Title 62 of the Oklahoma Statutes, the State Regents for Higher Education has requested \$63.2m for funding of Oklahoma's Promise scholarships for the upcoming fiscal year. This number has been removed from the FY-2012 Individual Income Tax Estimates.

COMPARISON OF REVENUE ESTIMATES				
FY-2012 ESTIMATE (5.50%) vs. PROPOSED FY-2012 ESTIMATE (with mandated 5.25% tax rate change)				
Schedule 13				
Column 1	Column 2	Column 3	Column 4	Column 5
		PROPOSED		
	FY-2012	FY-2012	INCREASE OR	PERCENT
	ESTIMATE	ESTIMATE	(DECREASE)	CHANGE
	22-Feb-11	22-Feb-11		
	5.50%	5.25%		
GENERAL REVENUE				
Alcohol Beverage Tax	\$23,057,000	\$23,057,000	\$0	0.0%
Mixed Beverage Receipts Tax	36,540,000	\$36,540,000	0	0.0%
Beverage Tax	26,318,000	\$26,318,000	0	0.0%
Cigarette Tax	56,491,510	\$56,491,510	0	0.0%
Tobacco Products Tax	17,518,215	\$17,518,215	0	0.0%
Franchise Tax	45,073,000	\$45,073,000	0	0.0%
Gross Production Tax-Gas	333,110,000	\$333,110,000	0	0.0%
Gross Production Tax-Oil	185,643,000	\$185,643,000	0	0.0%
Income Tax-Individual	1,867,045,548	\$1,829,463,079	(37,582,468)	-2.0%
Income Tax-Corporate	204,284,575	\$204,284,575	0	0.0%
Estate Tax	0	\$0	0	0.0%
Insurance Premium Tax	66,441,362	\$66,441,362	0	0.0%
Motor Vehicle Taxes	204,880,000	\$204,880,000	0	0.0%
Sales Tax	1,734,603,996	\$1,734,603,996	0	0.0%
Use Tax	158,859,000	\$158,859,000	0	0.0%
Interest & Investments	96,000,000	\$96,000,000	0	0.0%
Other (Schedule 3)	189,842,572	\$189,842,572	0	0.0%
General Revenue Totals	\$5,245,707,777	\$5,208,125,308	(\$37,582,468)	-0.7%
Transfers & Lapses	1,000,000	1,000,000	0	0.0%
Revenue Comparison	\$5,246,707,777	\$5,209,125,308	(\$37,582,468)	-0.7%
One-Time Receipts	0	0	0	0.0%
Total General Revenue	\$5,246,707,777	\$5,209,125,308	(\$37,582,468)	-0.7%
C.L.E.E.T.	\$3,396,384	\$3,396,384	\$0	0.0%
COMM of LAND OFFICE	\$10,432,906	\$10,432,906	\$0	0.0%
MINERAL LEASING	\$3,000,000	\$3,000,000	\$0	0.0%
SPECIAL OCCUPATIONAL				
HEALTH & SAFETY	\$1,548,500	\$1,548,500	\$0	0.0%
PUBLIC BUILDING	\$1,457,280	\$1,457,280	\$0	0.0%
OK EDUCATION LOTTERY TRUST I	\$60,587,100	\$60,587,100	\$0	0.0%
GRAND TOTAL	\$5,327,129,947	\$5,289,547,478	(\$37,582,468)	-0.7%
Loss of Expenditure Authority at 95% from tax trigger mandate:			(\$35,703,345)	

EDUCATION REFORM ACT - HB 1017

Schedule 14

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-2011 ESTIMATE 21-Jun-10	FY-2011 PROJECTED 21-Dec-10	FY-2012 ESTIMATE 21-Dec-10	FY-2011 PROJECTED 22-Feb-11	PROPOSED FY-2012 ESTIMATE 22-Feb-11
Income Tax-Individual	\$192,811,995	\$199,212,493	\$206,134,526	\$193,802,084	209,168,201
Income Tax-Corporate	36,629,097	40,405,695	43,492,845	40,405,695	43,492,845
Sales Tax	198,125,580	210,960,000	217,176,378	208,355,250	217,007,030
Use Tax	15,794,600	17,928,440	19,413,760	18,294,540	19,874,000
Cigarette Tax	2,741,425	2,939,359	2,907,626	2,939,359	2,907,626
Tobacco Products Tax	317,186	363,389	364,548	363,389	364,548
Tribal Gaming	107,316,000	108,316,000	111,616,000	115,312,000	115,312,000
Special License Plates	0	0	0	0	0
TOTAL - 100% OF ESTIMATE	\$553,735,883	\$580,125,374	\$601,105,682	\$579,472,317	\$608,126,249
Increase in FY-2012 proposed estimate from FY-2011 estimate					\$54,390,366

COMPARISON OF AUTHORIZED EXPENDITURES 2010 SESSION TO PROPOSED EXPENDITURE AUTHORITY 2011 SESSION Appendix A-1				
Column 1	Column 2	Column 3	Column 4	Column 5
	AUTHORIZED EXPENDITURES* 2010 SESSION 21-Jun-10 FY-2011	PROPOSED EXPENDITURE AUTHORITY** 2011 SESSION 22-Feb-11 FY-2012	INCREASE OR (DECREASE)	PERCENT CHANGE
NON-RESTRICTED FUNDS				
GENERAL REVENUE FUND				
Certified	\$4,634,797,045	\$4,948,669,043	\$313,871,998	6.8%
Prior Year Certified	\$8,634,356	9,378,823	744,467	8.6%
Cash	<u>\$26,301,946</u>	<u>41,873,389</u>	<u>15,571,443</u>	<u>59.2%</u>
TOTAL	\$4,669,733,347	\$4,999,921,255	\$330,187,908	7.1%
C.L.E.E.T. FUND				
Certified	\$3,126,741	\$3,226,565	\$99,824	3.2%
Cash	<u>226,851</u>	<u>0</u>	<u>(226,851)</u>	<u>-100.0%</u>
TOTAL	\$3,353,592	\$3,226,565	(\$127,027)	-3.8%
MINERAL LEASING FUND				
Certified	\$4,085,000	\$2,850,000	(\$1,235,000)	-30.2%
Cash	<u>1,655,876</u>	<u>0</u>	<u>(1,655,876)</u>	<u>-100.0%</u>
TOTAL	\$5,740,876	\$2,850,000	(\$2,890,876)	-50.4%
OHSA FUND				
Certified	\$1,534,250	\$1,471,075	(\$63,175)	-4.1%
Cash	<u>916,796</u>	<u>1,236,425</u>	<u>319,629</u>	<u>34.9%</u>
TOTAL	\$2,451,046	\$2,707,500	\$256,454	10.5%
PUBLIC BUILDING FUND				
Certified	\$1,501,249	\$1,384,416	(\$116,833)	-7.8%
Cash	<u>663,198</u>	<u>1,039,907</u>	<u>376,709</u>	<u>56.8%</u>
TOTAL	\$2,164,447	\$2,424,323	\$259,876	12.0%
SPECIAL CASH FUND				
Cash	<u>\$330,199,911</u>	<u>\$103,176,624</u>	<u>(\$227,023,287)</u>	<u>-68.8%</u>
TOTAL	\$330,199,911	\$103,176,624	(\$227,023,287)	-68.8%
BOND FUND - SERIES A				
	\$432	\$174	(\$258)	-59.7%
BOND FUND - SERIES B				
	<u>226</u>	<u>71</u>	<u>(155)</u>	<u>-68.6%</u>
TOTAL	\$658	\$245	(\$413)	-62.8%
SUBTOTAL NON-RESTRICTED FUNDS	<u>\$5,013,643,877</u>	<u>\$5,114,306,512</u>	<u>\$100,662,635</u>	<u>2.0%</u>

**COMPARISON OF AUTHORIZED EXPENDITURES 2010 SESSION TO
PROPOSED EXPENDITURE AUTHORITY 2011 SESSION
Appendix A-1 (Continued)**

Column 1	Column 2	Column 3	Column 4	Column 5
	AUTHORIZED EXPENDITURES* 2010 SESSION 21-Jun-10 FY-2011	PROPOSED EXPENDITURE AUTHORITY** 2011 SESSION 22-Feb-11 FY-2012	INCREASE OR (DECREASE)	PERCENT CHANGE
RESTRICTED FUNDS				
COMMISSION OF THE LAND OFFICE FUND				
Certified	\$7,109,000	\$9,911,261	\$2,802,261	39.4%
Prior Year Certified	0	0	0	0.0%
Cash	0	0	0	0.0%
TOTAL	\$7,109,000	\$9,911,261	\$2,802,261	39.4%
OK EDUCATION LOTTERY TRUST FUND				
Certified	\$61,552,734	\$57,557,745	(\$3,994,989)	-6.5%
Cash	0	6,599,564	6,599,564	0.0%
TOTAL	\$61,552,734	\$64,157,309	\$2,604,575	4.2%
SUBTOTAL RESTRICTED FUNDS	<u>\$68,661,734</u>	<u>\$74,068,570</u>	<u>\$5,406,836</u>	<u>7.9%</u>
TOTAL-RESTRICTED & NON-RESTRICTED	<u>\$5,082,305,611</u>	<u>\$5,188,375,082</u>	<u>\$106,069,471</u>	<u>2.1%</u>
COMMON ED. TECH FUND				
Revolving Fund Estimate	\$61,547,705	\$47,372,299	(\$14,175,406)	-23.0%
OK. STUDENT AID FUND				
Revolving Fund Estimate	\$61,547,705	\$47,372,299	(\$14,175,406)	-23.0%
HIGHER ED. CAPITAL FUND				
Revolving Fund Estimate	\$61,547,705	\$47,372,299	(\$14,175,406)	-23.0%
1017 FUND				
Revolving Fund Estimate	\$599,605,181	\$608,126,249	\$8,521,068	1.4%
TOBACCO SETTLEMENT FUND				
Revolving Fund Estimate	\$18,676,745	\$18,150,000	(\$526,745)	-2.8%
STATE JUDICIAL REVOLVING FUND				
Revolving Fund Estimate	\$51,600,000	\$46,000,000	(\$5,600,000)	-10.9%
STATE TRANSPORTATION FUND***				
Revolving Fund Estimate	\$114,771,010	\$208,432,648	\$93,661,638	81.6%
TOTAL	<u>\$6,051,601,662</u>	<u>\$6,211,200,875</u>	<u>\$159,599,213</u>	<u>2.6%</u>
<p>*Authorized Expenditures represent the total amount actually spent by the Legislature. **Expenditure Authority represents the total amount that is available for the Legislature to spend. ***Note: The State Transportation Fund became a revolving fund effective July 1, 2006.</p>				

COMPARISON OF EXPENDITURE AUTHORITY 2011 SESSION (21-Dec-2010) TO PROPOSED EXPENDITURE AUTHORITY 2011 SESSION Appendix A-2				
Column 1	Column 2	Column 3	Column 4	Column 5
	EXPENDITURE AUTHORITY* 2011 SESSION 21-Dec-10 FY-2012	PROPOSED EXPENDITURE AUTHORITY* 2011 SESSION 22-Feb-11 FY-2012	INCREASE OR (DECREASE)	PERCENT CHANGE
NON-RESTRICTED FUNDS				
GENERAL REVENUE FUND				
Certified	\$4,848,071,938	\$4,948,669,043	\$100,597,105	2.1%
Prior Year Certified	9,378,823	9,378,823	0	0.0%
Cash	<u>41,873,389</u>	<u>41,873,389</u>	<u>0</u>	<u>0.0%</u>
TOTAL	\$4,899,324,150	\$4,999,921,255	\$100,597,105	2.1%
C.L.E.E.T. FUND				
Certified	\$3,187,938	\$3,226,565	\$38,627	1.2%
Cash	<u>0</u>	<u>0</u>	<u>0</u>	<u>0.0%</u>
TOTAL	\$3,187,938	\$3,226,565	\$38,627	1.2%
MINERAL LEASING FUND				
Certified	\$2,850,000	\$2,850,000	\$0	0.0%
Cash	<u>909,368</u>	<u>0</u>	<u>(909,368)</u>	<u>-100.0%</u>
TOTAL	\$3,759,368	\$2,850,000	(\$909,368)	-24.2%
OHSA FUND				
Certified	\$1,471,075	\$1,471,075	\$0	0.0%
Cash	<u>1,236,425</u>	<u>1,236,425</u>	<u>(0)</u>	<u>0.0%</u>
TOTAL	\$2,707,500	\$2,707,500	(\$0)	0.0%
PUBLIC BUILDING FUND				
Certified	\$1,669,416	\$1,384,416	(\$285,000)	-17.1%
Cash	<u>1,039,907</u>	<u>1,039,907</u>	<u>0</u>	<u>0.0%</u>
TOTAL	\$2,709,323	\$2,424,323	(\$285,000)	-10.5%
SPECIAL CASH FUND				
Cash	<u>\$103,176,624</u>	<u>\$103,176,624</u>	<u>\$0</u>	<u>0.0%</u>
TOTAL	\$103,176,624	\$103,176,624	\$0	0.0%
BOND FUND - SERIES A				
	\$174	\$174	\$0	0.0%
BOND FUND - SERIES B				
	<u>71</u>	<u>71</u>	<u>0</u>	<u>0.0%</u>
TOTAL	\$245	\$245	\$0	0.0%
SUBTOTAL NON-RESTRICTED FUNDS	<u>\$5,014,865,148</u>	<u>\$5,114,306,512</u>	<u>\$99,441,364</u>	<u>2.0%</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* 2011 SESSION 21-Dec-10 FY-2012	PROPOSED EXPENDITURE AUTHORITY* 2011 SESSION 22-Feb-11 FY-2012	INCREASE OR (DECREASE)	PERCENT CHANGE
RESTRICTED FUNDS				
COMMISSION OF THE LAND OFFICE FUND				
Certified	\$9,967,235	\$9,911,261	(\$55,974)	-0.6%
Prior Year Certified	0	0	0	0.0%
Cash	<u>0</u>	<u>0</u>	<u>0</u>	<u>0.0%</u>
TOTAL	\$9,967,235	\$9,911,261	(\$55,974)	-0.6%
OK EDUCATION LOTTERY TRUST FUND				
Certified	\$57,557,745	\$57,557,745	0	0.0%
Cash	<u>6,599,564</u>	<u>6,599,564</u>	<u>0</u>	<u>0.0%</u>
TOTAL	\$64,157,309	\$64,157,309	0	0.0%
SUBTOTAL RESTRICTED FUNDS	<u>\$74,124,544</u>	<u>\$74,068,570</u>	<u>(\$55,974)</u>	<u>-0.1%</u>
TOTAL-RESTRICTED & NON-RESTRICTED	<u>\$5,088,989,692</u>	<u>\$5,188,375,082</u>	<u>\$99,385,390</u>	<u>2.0%</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	\$601,105,682	\$608,126,249	\$7,020,568	1.2%
TOBACCO SETTLEMENT FUND				
Revolving Fund Estimate	\$18,150,000	\$18,150,000	\$0	0.0%
STATE JUDICIAL REVOLVING FUND				
Revolving Fund Estimate	\$46,000,000	\$46,000,000	\$0	0.0%
STATE TRANSPORTATION FUND**				
Revolving Fund Estimate	\$208,432,648	\$208,432,648	\$0	0.0%
TOTAL	<u>\$6,104,794,917</u>	<u>\$6,211,200,875</u>	<u>\$106,405,958</u>	<u>1.7%</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.