HB3026 FULLPCS1 Chris Benge-KB
2/16/2010 3:49:39 pm

COMMITTEE AMENDMENT

HOUSE OF REPRESENTATIVES
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB3026 _____ Of the printed Bill

Page _____ Section _____ Lines _____ Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by inserting in lieu thereof the following language:

AMEND TITLE TO CONFORM TO AMENDMENTS

Amendment submitted by: Chris Benge

Adopted: _____

_____
Reading Clerk

STATE OF OKLAHOMA

2nd Session of the 52nd Legislature (2010)

PROPOSED COMMITTEE
SUBSTITUTE
FOR
HOUSE BILL NO. 3026 By: Benge

PROPOSED COMMITTEE SUBSTITUTE

An Act relating to public lands; creating the Commissioners of the Land Office Modernization Act; amending 64 O.S. 2001, Sections 1, 1.1, 2, 3, 10, 41, 43, 51, Section 1, Chapter 190, O.S.L. 2007, 61, 64, 88, 90, 92, as amended by Section 1, Chapter 205, O.S.L. 2003, 92a, 92b, 101, 115, 123, 126, 130, 151, 153.1, 154, 155, 156, 158, 160, 181, 184, 192, 223, 224, 225.1, 226, 227, 228, 241, 244, 246, 249, 252, 259, 289, 290, 291, 293 and 451 (64 O.S. Supp. 2009, Sections 51.2 and 92), which relate to public lands administered by the Commissioners of the Land Office; clarifying statutory language; updating statutory language; deleting obsolete language; providing for the management of school and public lands; stating goals; specifying powers and duties of the Commissioners of the Land Office; deleting certain condition for determining beneficial use; modifying criteria for the administration of state school lands; authorizing the Commissioners to acquire and exchange property; directing the Secretary of the Land Office to administer the Land Office; specifying duties of the Secretary; stating certain eligibility qualifications for the Secretary; providing for term of office of the Secretary; providing for appointment of a replacement; deleting certain administrative duties; providing for selection of the General Counsel; deleting requirement to appoint certain employees; deleting bonding requirement for certain employees; providing for removal of the General Counsel; deleting provisions for installation of certain forms and equipment and payment of a system of accounting; making the revolving fund a continuing

fund; modifying uses of monies from the revolving fund; deleting certain expenditure prohibition; creating a cash drawer change fund; providing for use of fund; establishing maximum amount of fund; providing for adjustments in the fund; prohibiting purchases and change to employees; requiring the Director of Accounting to prescribe certain forms; deleting certain fee transfer date; authorizing the Secretary to issue formal resolutions; exempting the Commissioners from certain provisions of the Administrative Procedures Act for adoption of resolutions; deleting certain investment option; deleting requirement to retain sufficient monies for certain purposes; modifying trust responsibility; clarifying amount allowed to be invested in equity securities; requiring certain banks to submit to jurisdiction of Oklahoma courts; deleting definition of certain term; deleting certain duties of appraiser for the Commissioners; making certain records and information not public records; allowing Commissioners to disclose certain records for certain purpose; modifying actions subject to certain penalty; changing penalty; making certain actions subject to a civil penalty; specifying amount of civil penalty; providing for interest on penalty and criminal penalties; modifying type of land on which Commissioners have first lien; deleting requirement to deposit mineral lease monies in certain funds; deleting obsolete limit on certain fee; deleting requirement to reserve mineral interests on specific lands; authorizing the Commissioners to refuse to accept bids from certain persons; adding specific intent requirement to certain unlawful acts by employees; deleting restriction on authority to endorse checks and drafts; deleting signature requirement; adding specific intent requirement to certain unlawful actions; deleting requirement to copy checks; allowing the use of a machine to prevent alteration of checks; modifying cash handling procedures; deleting restriction on cashing checks or drafts; deleting restrictions on handling sealed bids; authorizing the Secretary to purchase lock box collection services; describing lock box collection services; deleting the Auditor salary limitation; deleting ouster requirement for a county treasurer who fails to provide certain certification; deleting filing exception for mortgages; deleting requirement

to certify preceding minutes; changing duty to submit monthly assets and liability statements; deleting requirement to submit certain financial statement to the Governor and Legislature; requiring annual audit to be conducted according to certain auditing standards; deleting requirement to include certain inventory in audit; adding to list of officials who receive copies of audit; authorizing the Commissioners to employ and engage attorneys; deleting reference to certain office; deleting obsolete restriction on the sale of certain lands; modifying lands on which a lessee holds a preference right; deleting an appeal right and procedure of a preference right lessee; allowing public auctions at other sites under certain conditions; modifying publication requirements for public auctions; describing property for which a certain deed is to be issued; exempting certain estates in land from certain zoning and land use regulations and laws; allowing compliance under certain conditions; deleting certain notice requirements, forfeiture proceedings, appeal process and sale requirements upon defaults; deleting certain deposit requirement of certain monies from defaults; authorizing the Commission to institute collection proceeding; allowing certain employees to serve certain documents; changing fee charged for entering and recording an assignment; modifying right of lessee to remove improvements if in default for certain costs; providing for exception to designation of certain records as public; deleting deposit and handling requirements for certain oil and gas proceeds; requiring bonus and delay rental income to be distributed in certain manner; allowing the Commissioners to modify manner of distributions; clarifying authorization to lease certain lands between streams and rivers; deleting certain citation; providing for the promulgation of certain prospecting rules and fees by the Commission; deleting certain limitations on prospecting permits; amending 70 O.S. 2001, Section 614, which relates to payments made by the Commissioners of the Land Office for schools; deleting certain taxes; changing date for payment; amending 74 O.S. 2001, Section 840-5.5, as last amended by Section 1, Chapter 300, O.S.L. 2008 (74 O.S. Supp. 2009, Section 840-5.5), which relates to unclassified service positions and

offices; adding certain Commissioners of the Land Office positions; repealing 64 O.S. 2001, Sections 1.2, 1.3, as amended by Section 1, Chapter 433, O.S.L. 2004, 9, 11, 12, 13, 14, 52, 56, 57, 58.1, 59, 63, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80.1, 80.2, 80.3, 80.4, 81, 82, 82.1, 82.2, 83, 84, 86, 86.1, 87c, 89, 91, 93, 94, 95, 96, 97, 99, 100, 111, 112, 121, 124, 125, 127, 128, 129, 131, 132, 157, 159, 161, 162, 162.2, 163, 164, 165, 166, 187, 188, 189, 190, 191, 193, 195, 196, 214, 215, 216.1, 216.2, 216.3, 216.4, 216.5, 216.6, 216.7, 216.8, 229.1, 229.2, 229.3, 229.4, 229.5, 245, 248, 250, 251, 253, 254, 255, 256, 256.1, 260.1, 260.2, 294, 452, 453, 455 and 456 (64 O.S. Supp. 2009, Section 1.3), which relate to public lands administered by the Commissioners of the Land Office; providing for noncodification; providing for recodification; providing an effective date; and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

This act shall be known and may be cited as the "Commissioners of the Land Office Modernization Act".

SECTION 2. AMENDATORY 64 O.S. 2001, Section 1, is amended to read as follows:

Section 1. A. The Governor, Lieutenant Governor, State Auditor and Inspector, Superintendent of Public Instruction, and the President of the State Board of Agriculture~~,~~ shall constitute the Commissioners of the Land Office~~, who~~. The Commissioners of the Land Office shall have charge of the sale, exchange, rental,

disposal, and ~~managing~~ management of the school lands and other public lands of the state~~,~~ and of the funds and proceeds derived ~~therefrom, under the rules and regulations~~ from the lands. The school lands and public lands of the state and the funds and proceeds derived from the lands shall be managed as a sacred trust for the exclusive benefit of the beneficiaries and for the return of full value from the use and disposition of the trust property and as prescribed by the Legislature to attain the trust goals by protection of assets coupled with maximum return and to provide standards to foster evenhanded and proper administration of the trust.

B. The Commissioners of the Land Office shall possess and retain all powers and duties irrevocably granted pursuant to the Constitution of the State of Oklahoma, the Enabling Act of Oklahoma, and laws governing the proper administration of trusts.

SECTION 3. AMENDATORY 64 O.S. 2001, Section 1.1, is amended to read as follows:

Section 1.1 In order that the state school lands may be administered in a manner to assure their preservation as well as the appreciation of the trust estate and the maximum return from the use of state school lands for the support and maintenance of the common schools of the state, the Commissioners of the Land Office, as trustees of the state school lands, are hereby authorized and empowered to:

1. ~~To categorize~~ Categorize the state school lands as agricultural or commercial according to the use which the Commissioners of the Land Office determine from time to time to be most beneficial to the interest of the present and future beneficiaries of the state~~. In making such a determination, the Commissioners of the Land Office may take into account the potential of such lands in creating job opportunities through development as economic development parks as set forth in Section 11 of this title~~;

2. ~~To sell~~ Sell, at public auction after appraisement, the surface interest in any state school land categorized by the Commissioners of the Land Office to be excess or when determined to be in the best interest of the trust; ~~and~~

3. ~~To institute~~ Institute projects to develop and improve those state school lands which are categorized as commercial lands~~. Provided however, no funds under the control or jurisdiction of the Commissioners shall be spent on such projects unless approved by the Legislature~~;

4. Acquire by exchange, purchase, gift or grant all property necessary for the purpose of utilizing trust lands for the development of commercial and agricultural leases to maximize trust income for present and future beneficiaries; and

5. Exchange any real property of the trust for other real property of equal or greater value to maximize income for present

and future beneficiaries, in accordance with and under the safeguard of trust requirements.

SECTION 4. AMENDATORY 64 O.S. 2001, Section 2, is amended to read as follows:

Section 2. A. The ~~Department of the Commissioners of the~~ Land Office shall be administered by the Secretary of the Land Office under the supervision of the Commissioners of the Land Office ~~by the~~. The Secretary ~~who~~ shall, subject to the qualifications listed in subsection B of this section, be appointed by the Governor with the advice and consent of the Commissioners of the Land Office. It shall be the duty of the Secretary to execute, under the supervision of the Commissioners of the Land Office, the provisions of the Enabling Act of Oklahoma as it relates to the management of school lands and other public lands, the Constitution of the State of Oklahoma, and all laws, regulations, and duties pertaining to the ~~Department of the~~ Commissioners of the Land Office and to carry into execution the will of the Commissioners of the Land Office not in conflict with ~~such laws~~ any law.

B. The Secretary of the Land Office shall:

1. Possess an advanced degree from an accredited college or university;

2. Have not less than five (5) years experience in government, law or finance; and

3. Meet other specific requirements as specified by the Commissioners of the Land Office.

C. The Secretary of the Land Office shall serve a four-year term of service concurrent with the term of the appointing Governor and the other elected officials on the Commission. The Secretary may serve consecutive terms and may serve past the term of the appointing Governor only until a successor is appointed. If the appointment is terminated or if the Secretary resigns, becomes incapacitated or for any reason is unable to perform the duties of the Secretary, the Commissioners may appoint an acting Secretary until a replacement may be appointed to complete the term as provided for in this section.

SECTION 5. AMENDATORY 64 O.S. 2001, Section 3, is amended to read as follows:

Section 3. ~~The Land Office shall be administered under the supervision of the Commissioners of the Land Office, by the Secretary of the Commission, who shall be appointed by the Governor.~~

~~Providing that the~~ The Governor of the State of Oklahoma shall be designated as chairman ex officio~~, and the~~ of the Commissioners of the Land Office. The Commissioners shall elect from their body a vice-chairman whose duty it shall be to act as chairman in the absence of the chairman or in case of ~~his~~ the failure, neglect, or refusal of the chairman to act ~~as chairman~~.

The Secretary of the Land Office shall select ~~such~~ for employment all employees as may be deemed necessary and appropriate to properly ~~to~~ operate the Land Office ~~under the terms of this act~~, except the ~~attorneys and appraisers,~~ General Counsel for the Land Commission who shall be selected by a majority of the Commission~~; provided further, that the Commissioners of the Land Office shall appoint not exceeding seven (7) appraisers to make appraisements for loans provided herein and assist in the collection of loans and interest thereon, and the rents from agricultural and grazing lands belonging to the Department, and such other duties as may be assigned to them by the Secretary of the Commission, who shall direct in each case their services; provided further that the Commissioners of the Land Office shall appoint one Title Examiner and not more than two Assistant Title Examiners to attend to any legal matters which the School Land Commission is charged to administer and enforce, and such other duties as may be assigned to them by the Secretary of the Commission, who shall direct in each case their services.~~

~~The employees of the Land Office whose duties require them to handle funds, or securities, of the Department, shall be required to give bond in an amount sufficient to protect the Department against loss by reason of their negligence or willful misappropriation of such funds and securities~~.

The Commissioners, by a majority vote, may remove the Secretary ~~or any appraiser, or any attorney,~~ of the Land Office~~,~~ and the General Counsel of the Land Office. The Secretary may discharge and remove any employee~~, selected by him~~ of the Land Office.

SECTION 6. AMENDATORY 64 O.S. 2001, Section 10, is amended to read as follows:

Section 10. It ~~is hereby made the mandatory~~ shall be the duty of the Secretary ~~and the Auditor for the Commissioners~~ of the Land Office~~,~~ to install modern forms and equipment for a system of accounting to properly protect, preserve and account for all transactions made by or on behalf of the ~~Department of the~~ Commissioners of the Land Office~~; the installation of all forms and equipment shall be under the supervision of the State Banking Department, which shall prescribe all records, forms and equipment to be installed and the Commissioners of the Land Office are hereby authorized and directed to approve such records, forms and equipment as may be prescribed by the State Banking Department. All books, forms and other necessary equipment and supplies for the installation and maintaining a proper system of accounting shall be paid for from the revolving fund for the Commissioners of the Land Office~~.

SECTION 7. AMENDATORY 64 O.S. 2001, Section 41, is amended to read as follows:

Section 41. A. There is hereby created a revolving fund which fund shall be a continuing fund not subject to fiscal year limitations, for the ~~Department of the~~ Commissioners of the Land Office, into which ~~fund~~ shall be paid ~~by the Secretary to the Commissioners of the Land Office~~ all fees that may be collected by the Commissioners of the Land Office~~,~~. Monies from ~~which shall~~ the fund may be ~~made the payment~~ used to pay for all books, forms, and other necessary equipment and supplies for the installation and maintenance of a modern system of accounting~~; provided however, no patented accounting system wherein copyrighted or patented forms or books are used shall be bought, installed, or used, and from which fund shall also be paid the expense of all~~, necessary printing expenses, ~~foreclosure~~ abstracts, ~~and other~~ refunds, expenses incidental to ~~foreclosure and the acceptance of warranty deeds, and from which fund shall also be paid~~ the operation of the Land Office, and necessary communication and traveling expenses incurred by the employees of the ~~Department of the Commissioners of the~~ Land Office, including but not limited to attorney fees and litigation or collection costs or expenses. ~~Provided further, that the~~ The Commissioners of the Land Office ~~are also authorized to incur out of said~~ may also use monies in the revolving fund for any expenses of the Land Office ~~for~~ related to personal services, ~~including old age and survivor insurance~~ litigation and collection expenses, operating expenses and the purchase of equipment necessary to carry out the

function of the Land Office. T~~he Commissioners of the Land Office are prohibited from expending any funds for rental, lease, or use of any building, office, or space~~ All funds accruing to the fund are hereby appropriated.

B. There is hereby created a cash drawer change fund for the Commissioners of the Land Office. The fund shall be used as cash for the Land Office to make change for customers. The amount held in the fund shall not exceed One Thousand Dollars ($1,000.00). The initial amount in the fund shall be drawn by warrant from the revolving fund created pursuant to subsection A of this section. All adjustments to the amount retained in the fund shall be by withdrawal and deposit in the revolving fund established pursuant to subsection A of this section. No purchases shall be made from the fund. Officers, employees or agents of the Land Office shall be prohibited from receiving change from the fund. The Director of Accounting for the Land Office, with the approval of the internal auditor, shall prescribe forms, systems and procedures for the administration of the fund.

SECTION 8. AMENDATORY 64 O.S. 2001, Section 43, is amended to read as follows:

Section 43. A. The Commissioners of the Land Office, by formal resolution adopted by a majority vote of the members of ~~said~~ the Commission, shall fix a schedule of fees to be charged for services rendered by the ~~Department and except~~ Land Office. Except as

otherwise provided by law, ~~said~~ the fees shall be collected and deposited in the revolving fund for the ~~Department of the~~ Commissioners of the Land Office. ~~Transfer of all fees earned and collected each month shall be made on or before the tenth day of the succeeding month.~~

B. The Secretary of the Land Office shall have authority to issue formal resolutions adopted by the Commissioners of the Land Office, as authorized by the Commissioners. The Commissioners of the Land Office shall be exempt from Article I of the Administrative Procedures Act with respect to the adoption and issuance of formal resolutions of the Commissioners.

SECTION 9. AMENDATORY 64 O.S. 2001, Section 51, is amended to read as follows:

Section 51. A. ~~1. The permanent school funds and other educational funds may be invested in first mortgages upon good and improved farm lands within the state (and in no case shall more than fifty percent (50%) of the reasonable value of the lands, without improvements, be loaned upon any tract).~~

~~2. Sufficient monies shall be kept on hand at all times by the Commissioners of the Land Office to close all approved applications for first mortgage loans, as may be approved from time to time by the Commissioners of the Land Office.~~

~~B. 1.~~ The Commissioners of the Land Office shall be responsible for the investment of the permanent school funds, other

educational funds and public building funds solely in the best interests of the current and future beneficiaries. The Commissioners of the Land Office shall make ~~such~~ investments:

~~a. for~~

1. For the exclusive purpose of:

~~(1)~~ a. providing maximum benefits to current and future beneficiaries, and

~~(2)~~ b. defraying reasonable expenses of administering the trust funds~~,~~;

~~b. with~~

2. With the care, skill, prudence and diligence under the circumstances then prevailing that a prudent person acting in a like enterprise of a like character and with like aims would use~~,~~; and

~~c. by~~

3. By diversifying the investments of the trust funds so as to minimize the risk of large losses.

~~2.~~ B. The permanent school fund and other educational funds may only be invested in bonds issued in the United States and United States dollar denominated or other investments settled in United States dollars or traded on the United States exchange markets. ~~Until July 1, 2001, the~~ The Commissioners of the Land Office shall not invest more than ~~fifty percent (50%)~~ sixty percent (60%) of the ~~permanent common school fund, other educational funds and public building funds~~ trust fund investments in equity securities. ~~On and~~

~~after July 1, 2001, the investment in equity securities may be increased by five percent (5%) each year until the investment in equity securities reaches a maximum of sixty percent (60%).~~

~~3.~~ C. The Commissioners shall establish an investment committee. The investment committee shall be composed of not more than three ~~(3)~~ members of the Commissioners of the Land Office or their ~~designee~~ designees. The committee shall make recommendations to the Commissioners of the Land Office on all matters related to the choice of managers of the assets of the funds, on the establishment of investment and fund management guidelines, and in planning future investment policy. The committee shall have no authority to act on behalf of the Commissioners of the Land Office in any circumstances whatsoever. No recommendations of the committee shall have effect as an action of the Commissioners of the Land Office or take effect without the approval of the Commissioners as provided by law. The Commissioners shall promulgate and adopt on an annual basis an investment plan. The investment plan shall state the criteria for selecting investment managers, the allocation of assets among investment managers, and established standards of investment and fund management.

~~4.~~ D. The Commissioners shall retain qualified investment managers to provide for investment of the fund monies pursuant to the investment plan. Investment managers shall be chosen by a solicitation of proposals on a competitive bid basis pursuant to

standards set by the Commissioners. Subject to the investment plan, each investment manager shall have full discretion in the management of the funds allocated to said investment managers. The funds allocated to investment managers shall be actively managed by them, which may include selling investments and realizing losses if ~~such~~ the action is considered advantageous to longer term return maximization. Because of the total return objective, no distinction shall be made for management and performance evaluation purposes between realized and unrealized capital gains and losses.

~~5.~~ E. The Commissioners shall take ~~such~~ any measures ~~as~~ they deem appropriate to safeguard custody of securities and other assets of the trusts.

~~6.~~ F. By August 1 of each year, the Commissioners shall develop a written investment plan for the trust funds.

~~7.~~ G. The Commissioners shall compile a quarterly financial report showing the performance of all the combined funds under their control on a fiscal year basis. The report shall contain a list of all investments made by the Commissioners and a list of any commissions, fees or payments made for services regarding ~~such~~ the investments for that reporting period. The report shall be based on market values and shall be compiled pursuant to uniform reporting standards prescribed by the Oklahoma State Pension Commission for all state retirement systems. The report shall be distributed to

the Oklahoma State Pension Commission, the Cash Management and Investment Oversight Commission, and the Legislative Service Bureau.

~~8.~~ H. Before October 1 of each year, the Commissioners shall publish an annual report of all Trust operations, presented in a simple and easily understood manner to the extent possible. The report shall be submitted to the Governor, the Speaker of the House of Representatives, the President Pro Tempore of the Senate, the State Department of Education and each higher education beneficiary. The annual report shall cover the operation of the Trusts during the past fiscal year, including income, disbursements and the financial condition of the Trusts at the end of each fiscal year on a cash basis. The annual report shall also contain a summary of ~~each Trust's~~ the assets of each trust and current market value as of the report date.

~~9.~~ I. The Cash Management and Investment Oversight Commission shall review reports prepared by the Commissioners of the Land Office pursuant to this subsection and shall make ~~such~~ recommendations regarding the investment strategies and practices, the development of internal auditing procedures and practices and ~~such~~ any other matters as determined necessary and applicable.

~~10.~~ J. The Commissioners of the Land Office shall select one custodial bank to settle transactions involving the investment of the funds under the control of the Commissioners of the Land Office. The Commissioners of the Land Office shall review the performance of

the custodial bank at least once every year. The Commissioners of the Land Office shall require a written competitive bid every five (5) years. The custodial bank shall have a minimum of Five Hundred Million Dollars ($500,000,000.00) in assets to be eligible for selection. Any out-of-state custodial bank shall have a service agent in the State of Oklahoma so that service of summons or legal notice may be had on ~~such~~ the designated agent ~~as is now or may hereafter be provided by law~~, and the bank shall submit to the jurisdiction of Oklahoma state courts for resolution of any and all disputes. In order to be eligible for selection, the custodial bank shall allow electronic access to all transaction and portfolio reports maintained by the custodial bank involving the investment of state funds under control of the Commissioners of the Land Office and to the Cash Management and Investment Oversight Commission. The requirement for electronic access shall be incorporated into any contract between the Commissioners of the Land Office and the custodial bank. Neither the Commissioners of the Land Office nor the custodial bank shall permit any of the funds under the control of the Commissioners of the Land Office or any of the documents, instruments, securities or other evidence of a right to be paid money to be located in any place other than within a jurisdiction or territory under the control or regulatory power of the United States government.

SECTION 10. AMENDATORY Section 1, Chapter 190, O.S.L. 2007 (64 O.S. Supp. 2009, Section 51.2), is amended to read as follows:

Section 51.2 The Commissioners of the Land Office shall utilize the procedures set forth in Section 129.4 of Title 74 of the Oklahoma Statutes that are applicable for purposes of obtaining appraisals and determining fair market value whenever the Commissioners acquire real property from any department, board, commission, institution or agency of this state. ~~For purposes of this section, fair market value shall be either the average or the median of the appraisals, whichever is lower.~~

SECTION 11. AMENDATORY 64 O.S. 2001, Section 61, is amended to read as follows:

Section 61. A. ~~The appraiser for the Commissioners of the Land Office shall not appraise any land for loan purposes until after the application for the loan, together with the required fees have been received and filed in the Land Office. It shall be his duty in appraising land to personally inspect and go over each and every subdivision of every tract offered as security for the loan. The appraiser shall not at any time disclose to the applicant his valuation placed upon the land until after his appraisement is filed with the Commissioners of the Land Office.~~

~~B.~~ No appraiser for the Commissioners of the Land Office shall:

1. Directly or indirectly solicit or accept any compensation, gift, loan, entertainment, favor or service given for the purpose of influencing ~~such~~ the appraiser in the discharge of ~~his~~ the official duties of the appraiser;

2. Use ~~his~~ the official position of the appraiser to solicit or secure special privileges or exemptions for ~~himself~~ the appraiser or others, except as may be provided by law;

3. Disclose or offer to disclose confidential information acquired by reason of ~~his~~ the official position of the appraiser to any person, group or others not entitled to receive ~~such~~ confidential information, nor ~~shall he~~ use ~~such~~ the information for ~~his~~ personal gain or benefit;

4. Receive or solicit any compensation that would impair ~~his~~ independence of judgment for ~~his~~ the services provided as an appraiser for the Commissioners of the Land Office, from any source other than the Commissioners, unless otherwise provided by law; or

5. Accept or solicit other employment which would impair ~~his~~ efficiency or independence of judgment in the performance of ~~his~~ the public duties of the appraiser.

B. Any appraiser violating this section shall be deemed guilty of a misdemeanor.

C. All confidential communications and information obtained by an appraiser for the Commissioners of the Land Office shall not be considered public records and shall not be disclosed, except when a

majority of the Commissioners of the Land Office determine that disclosure is in the best interest of the trust.

SECTION 12. AMENDATORY 64 O.S. 2001, Section 64, is amended to read as follows:

Section 64. Any person who shall execute or make any sworn statement or affidavit containing false information in connection with any ~~loan to be~~ transaction made from the funds held by the Commissioners of the Land Office shall be guilty of the felony of perjury and, upon conviction thereof, shall be punished by a fine not to exceed Five Thousand Dollars ($5,000.00) or by imprisonment in the ~~State Penitentiary~~ custody of the Department of Corrections for a term not to exceed one (1) year, or by both fine and imprisonment.

SECTION 13. AMENDATORY 64 O.S. 2001, Section 88, is amended to read as follows:

Section 88. Any person, firm, business, or other entity who ~~hereafter~~, without written authority from the Commissioners of the Land Office, trespasses, uses, cuts timber, injures or destroys surface or subsurface lands or improvements, removes anything of value from the surface or subsurface, assumes possession without a lease or other legal interest in the lands, or who refuses to surrender possession at the expiration, rescission or termination of ~~his~~ a lease ~~term, or upon cancellation of a certificate of purchase on state owned lands, shall be deemed guilty of a felony, and upon~~

~~conviction thereof shall be punished by a fine of not less than One Hundred Dollars ($100.00), nor more than One Thousand Dollars ($1,000.00), or by imprisonment in the State Penitentiary for not less than one (1) year nor more than five (5) years, or by both such fine and imprisonment. The Commissioners of the Land Office are hereby given authority to issue a writ of ouster, after hearing upon ten (10) days' notice by registered mail to the occupant, over the signature of the Chairman or Vice Chairman and under the Seal of the Secretary, directed to the sheriff to oust and dispossess any such person or persons so unlawfully using or possessing any such state-owned lands~~ or easement shall be subject to a civil action for actual damages, possession of the land, injunction, civil penalties equal to the amount of actual damages, attorney fees, litigation expenses, sheriff fees and court costs. Damage claims shall carry sixteen-percent interest from the date of injury. The person, business or other entity shall also be subject to criminal penalties as may be provided by law.

SECTION 14. AMENDATORY 64 O.S. 2001, Section 90, is amended to read as follows:

Section 90. The Commissioners of the Land Office shall have a first lien upon all crops produced on state-owned lands~~, either preference right or nonpreference right,~~ which have been leased to secure rentals payable for the use of ~~said~~ the lands.

SECTION 15. AMENDATORY 64 O.S. 2001, Section 92, as amended by Section 1, Chapter 205, O.S.L. 2003 (64 O.S. Supp. 2009, Section 92), is amended to read as follows:

Section 92. The Commissioners of the Land Office ~~are hereby authorized to~~ may sell oil and gas or other mineral leases on any of the public lands under their control and supervision whether the same was acquired by federal grant, donation, foreclosure or otherwise. The Commissioners of the Land Office shall publish notice of the lease sale one time not less than thirty (30) days prior to the lease sale date in two newspapers authorized by law to publish legal notices. One of the newspapers shall be published in the county where the land is located or other newspaper as authorized by Section 106 of Title 25 of the Oklahoma Statutes. The other shall be a newspaper of general circulation in this state. The leasing shall require and the advertisement shall specify in each case a fixed royalty to be paid by the successful bidder, in addition to any bonus offered for the lease, ~~and all proceeds from leases shall be covered into the fund to which that shall properly belong,~~ and no transfer or assignment of any lease shall be valid or confer any right in the assignee without the prior consent of the Commissioners of the Land Office in writing~~; provided, however, that agricultural~~. Agricultural lessees in possession of ~~such~~ the lands shall be reimbursed ~~by the mining lessees~~ for all damage done to ~~said~~ the interest of the agricultural ~~lessees' interest therein by~~

~~reason of such mining operations~~ lessee. The Commissioners of the Land Office have the right to reject any and all bids for ~~such~~ leases. The Commissioners of the Land Office shall provide any other notice of oil and gas lease sales to all interested parties by any means it determines is needed to attract the best competition.

SECTION 16. AMENDATORY 64 O.S. 2001, Section 92a, is amended to read as follows:

Section 92a. The Commissioners of the Land Office ~~are hereby authorized to~~ may charge a fee on natural gas sold to the state or political subdivisions ~~thereof~~ of the state. ~~Said~~ The fee shall be for the purpose of funding the administrative costs of the Commissioners of the Land Office for selling and marketing the gas. ~~For the fiscal year 1990 the total amount charged pursuant to the provisions of this section shall not exceed One Hundred Forty nine Thousand Seven Hundred Fifty Dollars ($149,750.00).~~

SECTION 17. AMENDATORY 64 O.S. 2001, Section 92b, is amended to read as follows:

Section 92b. The Commissioners of the Land Office shall reserve and retain one hundred percent (100%) of all oil, gas and other minerals under any school lands ~~designated as grazing lands pursuant to Section 99 of Title 64 of the Oklahoma Statutes, economic development parks pursuant to Section 13 of Title 64 of the Oklahoma Statutes, except as otherwise provided for in this section, lands acquired by deficiency judgements pursuant to Section 82 of Title 64~~

~~of the Oklahoma Statutes, lands sold on sales contract denominated as Certificate of Purchase pursuant to Section 96 of Title 64 of the Oklahoma Statutes, or any other designated tracts of land under the jurisdiction or authority of the Commissioners of the Land Office. Except for school land sold for homesites or tracts of nonproducing foreclosed lands, the Commissioners of the Land Office shall reserve and retain one hundred percent (100%) of all oil, gas and other minerals under any designated tract of school land that is sold for any purpose. The Commissioners of the Land Office shall reserve and retain one hundred percent (100%) of all oil, gas and other mineral interest under the jurisdiction or authority of the Commissioners that is located beneath surface acreages not under the jurisdiction or authority of the Commissioners. Except as otherwise provided for in this section, the Commissioners of the Land Office~~ and shall not sell any oil, gas or other mineral interest under the authority or jurisdiction of the Commissioners ~~without prior approval of the Oklahoma Legislature~~.

SECTION 18. AMENDATORY 64 O.S. 2001, Section 101, is amended to read as follows:

Section 101. A. The Commissioners of the Land Office are authorized to grant commercial leases and agricultural leases in trust property.

Commercial leases shall not exceed fifty-five (55) years. The granting of any commercial lease in excess of three (3) years shall

be by public bidding at not less than fair market value. All commercial leases shall provide for fair market value throughout the term of the lease.

Agricultural leases of trust property shall be limited to a maximum of five (5) years and shall be by public bidding at not less than fair market value.

The granting of any interest in trust property at less than fair market value or not in compliance with this section is void.

Any permanent improvement made on commercial trust property from and after the passage of this act shall revert to the trust at the end of the lease.

B. In connection with any ~~such~~ commercial and agricultural leases, the Commissioners of the Land Office shall, unless otherwise exempted by the Constitution or laws of Oklahoma:

1. Require payment of ad valorem property taxes on any improvements and structures on state school land, which would otherwise be subject to ad valorem property taxation if constructed on privately owned land; and

2. Indemnify and hold harmless the Commissioners of the Land Office from any financial obligation related to land, financing or operation.

C. The Commissioners of the Land Office ~~shall~~ may refuse to accept any bid or lease on a commercial, agricultural or mineral lease where the party ~~placing the bid~~ is in default of any ~~annual~~

installment due or in violation of any provisions contained in a prior or current lease contract.

D. The Commissioners of the Land Office may refuse to accept any bid or lease contract where the interested party cannot show adequate creditworthiness as determined by the Land Office.

SECTION 19. AMENDATORY 64 O.S. 2001, Section 115, is amended to read as follows:

Section 115. Any employee of the Commissioners of the Land Office who shall knowingly and without authority and in violation of the records destruction policy destroy, forge, falsify, steal, mutilate, hide or intentionally misplace any of the records, files, computer data or any other property of the Commissioners of the Land Office, or who knowingly permits or causes ~~such~~ the unlawful destruction, forgery, falsifying, stealing, mutilating, hiding or intentional misplacing of any of ~~such~~ the records of the Commissioners of the Land Office, shall be deemed guilty of a felony, and upon conviction shall be punished by imprisonment in the ~~State Penitentiary~~ custody of the Department of Corrections not exceeding five (5) years and ~~in addition thereto~~ shall be immediately discharged by the Commissioners of the Land Office upon ~~the~~ discovery of ~~such~~ the acts.

SECTION 20. AMENDATORY 64 O.S. 2001, Section 123, is amended to read as follows:

Section 123. The Cash Journal shall be balanced daily and the total of ~~each day's~~ the receipts of each day shall be deposited with the State Treasurer as now required by the State Depository Law. It shall be the duty of the Commissioners of the Land Office to notify each debtor to make their checks, drafts, or other transfer of monies payable to the order of the Commissioners of the Land Office. ~~No person shall have authority to endorse such checks, drafts or orders for monies unless specifically authorized by a resolution of a majority of the Commissioners.~~ The endorsements on the checks, drafts or other evidence of transfers of monies shall be in the following words:

"Pay to the order of the Treasury of the State of Oklahoma, for credit only to the Commissioners of the Land Office"~~, and shall be signed by the person so designated by the Commissioners of the Land Office for such purpose~~. No person, firm or corporation shall cash or pay out on any ~~such~~ check, voucher, draft, money order or other evidence of transfers of money, or its equivalent, without ~~said~~ the endorsements, and the endorsement of the State Treasurer appearing thereon.

Any person, firm or corporation knowingly violating this provision shall be guilty of a felony and, upon conviction, shall be punished by a fine of not less than One Hundred Dollars ($100.00) nor more than One Thousand Dollars ($1,000.00), or by imprisonment in the ~~State Penitentiary~~ custody of the Department of Corrections

for a term of not more than three (3) years or by both ~~such~~ the fine and imprisonment~~; and~~. In addition, the person, firm or corporation shall be civilly liable to the ~~State of Oklahoma,~~ Commissioners of the Land Office for the use and benefit of the fund which has sustained ~~such~~ the loss in double the amount of the check, voucher, money order, draft or other evidence of transfer of money, so cashed or paid.

All checks or vouchers drawn against any Special Agency Account by the Commissioners of the Land Office shall be issued only by the principal fiscal officer upon written application of the head of the division of the School Land Department~~, said~~. Each check or voucher shall be signed in the name of the Commissioners of the Land Office by the Secretary or in ~~his~~ the absence of the Secretary by the Assistant Secretary and shall be countersigned by the principal fiscal officer. The form of check or voucher shall be prescribed by the State Treasurer and shall indicate on its face the purpose for which drawn, the amount and the account to which chargeable~~; and, no~~. No check shall leave the office until protected by ~~some suitable protectograph. The checks shall be issued in triplicate, the original to be given to the payee, the duplicate to be delivered to the head of the division who made application for said check, and the triplicate shall remain in the files in the office of the principal fiscal officer to become a part of the permanent records~~

use of a machine for printing amounts on checks, as by perforations, so as to prevent alterations.

SECTION 21. AMENDATORY 64 O.S. 2001, Section 126, is amended to read as follows:

Section 126. The Secretary ~~to~~ of the ~~School~~ Land ~~Commission~~ Office shall cause all mail received by the ~~Department~~ Land Office to be opened by some employee designated by the Secretary ~~in writing~~, assisted by two other employees not connected with the cashier's office whose duty shall be to examine all incoming mail and make a proper duplicate record of all monies ~~therein~~ received~~, the~~. The original copy ~~to~~ shall be delivered to the Secretary and the duplicate delivered to the cashier. The entries on ~~such~~ the reception record shall be made at the time of the opening of the letters and when completed shall be signed by the maker and witnessed by the employees assisting, who must also sign. All ~~checks, drafts, money orders and monies or the equivalent thereof~~ cash and cash equivalents, together with duplicate reception record, shall be immediately ~~and forthwith~~ delivered to the cashier who shall give ~~his~~ a receipt therefor by signing the original copy of the reception record, and shall make proper entries on the record as provided above. ~~No checks, drafts, or vouchers shall be cashed out of any funds held by the Commissioners of the Land Office.~~ The Secretary to the Commissioners of the Land Office and the cashier are charged jointly and severally with the proper keeping and it is

hereby made their duty to see that the above and foregoing reception records are correctly kept. ~~The provisions of this section shall not apply to checks tendered as earnest money with sealed bids. Sealed bids shall not be opened until hour and date designated for such bid opening. Checks tendered as earnest money shall not be deposited unless accepted by the Commissioners~~ Alternatively, or in addition to the procedures set forth in this section, the Secretary may also purchase lock box collection services from an appropriate vendor for the handling, collection and processing of mail. Lock box services may include collecting Land Office mail from a specified post office, sorting, totaling, and recording payments, processing the items and making deposits.

SECTION 22. AMENDATORY 64 O.S. 2001, Section 130, is amended to read as follows:

Section 130. For the purpose of enabling the Commissioners of the Land Office to keep a correct and accurate system of ~~accounting~~ accounts at all times, the ~~Commissioners~~ Secretary of the Land Office shall employ an ~~Auditor at a salary not to exceed Three Thousand Six Hundred Dollars ($3,600.00) per annum~~ internal auditor. ~~Said Auditor must~~ The internal auditor shall be a competent, qualified and experienced accountant, and ~~must~~ have had special training and experience in either county or state auditing, or be thoroughly familiar with the system of accounting established in state departments.

SECTION 23. AMENDATORY 64 O.S. 2001, Section 151, is amended to read as follows:

Section 151. Upon the acquirement of the legal title of any lands by the Commissioners of the Land Office, either by cancellation of the certificate of purchase, foreclosure of mortgage, warranty deeds, or otherwise, the Secretary ~~to the Commissioners~~ of the Land Office shall certify such fact to the county treasurer of the county in which ~~such~~ the lands are situated, and upon ~~such~~ certification it shall be the mandatory duty of the county treasurer of ~~such~~ the county to remove ~~said~~ the lands from the taxable property list, and to strike from the record or make proper notation upon the books and records of ~~such~~ the county treasurer that all delinquent taxes assessed and charged against ~~said~~ the lands, and all tax certificates and tax deeds based upon ~~such~~ delinquent taxes, are canceled and nullified. ~~Any county treasurer of this state who fails and refuses to comply with the requirements and provisions of such certification by the Secretary, and of this section, shall render himself subject to ouster from office and shall be liable upon his official bond for any damage that may be caused by the state by his neglect and omission.~~ The recordation in the office of the proper county clerk of any sheriff's deed to the State of Oklahoma as grantee or of any warranty deed given to the State of Oklahoma in settlement of mortgage indebtedness, or the cancellation of any certificate of

purchase, when certified by the Secretary ~~to the Commissioners~~ of the Land Office to the proper county treasurer, shall ipso facto cancel all delinquent taxes on the real estate involved, and shall likewise cancel all outstanding tax certificates or tax deeds based upon taxes levied subsequent to the recordation of the mortgage to the Commissioners of the Land Office, or subsequent to the issuance of the canceled certificate of purchase by the Commissioners of the Land Office.

SECTION 24. AMENDATORY 64 O.S. 2001, Section 153.1, is amended to read as follows:

Section 153.1 All instruments~~, except mortgages,~~ vesting any right, title or interest in lands or minerals and mineral rights, in the Commissioners of the Land Office, and all instruments to adjust any defect or irregularity in or to remove any cloud on the title to ~~such~~ lands or minerals or mineral rights owned by the state, and all notices and orders issued by the Commissioners of the Land Office and proofs of publication thereof shall be filed and recorded by the proper officers of all counties of the State of Oklahoma at the request of the Commissioners of the Land Office without any filing or recording fee being charged ~~therefor~~.

SECTION 25. AMENDATORY 64 O.S. 2001, Section 154, is amended to read as follows:

Section 154. A permanent minute record shall be kept of all proceedings had by the Commissioners of the Land Office. No action

of the Commissioners of the Land Office shall be valid unless voted by at least three members. No action ~~heretofore~~ taken, or which may ~~hereafter~~ be taken by the Commissioners of the Land Office, may be rescinded except by a three-fifths (3/5) vote of the full membership of the Board of Commissioners of the Land Office. The Commissioners of the Land Office shall approve the minutes of each Board meeting at the next succeeding meeting~~, and the attorney for the Department shall prior to each Board meeting certify to the validity of the proceedings taken by the Commissioners of the Land Office at their last preceding meeting~~.

SECTION 26. AMENDATORY 64 O.S. 2001, Section 155, is amended to read as follows:

Section 155. It is hereby ~~made~~ the ~~mandatory~~ duty of the ~~Auditor~~ Accounting Division under the supervision of the Secretary of the ~~Commissioners of the~~ Land Office to submit to the Commissioners of the Land Office ~~at the close of each month,~~ a monthly statement of all assets and liabilities owned by the ~~Department and at the close of each fiscal year ending June 30th, submit a detailed financial statement, together with a schedule of all assets owned and held by the Department~~ Land Office. The Secretary shall, not later than the fifth day of each regular session of the Legislature, submit a detailed financial statement to the Governor and to the Legislature for the ~~biennium~~ preceding fiscal year ending June 30~~th, preceding such regular session of the~~

~~Legislature,~~ reflecting all assets and liabilities owned and held by the ~~Department. The Secretary shall, not later than the fifth day of each regular session of the Legislature submit a detailed financial statement to the Governor and to the Legislature for the biennium ending June 30th, preceding each regular session of the Legislature, reflecting all assets and liabilities owned and held by the Department~~ Land Office at the close of ~~said~~ the period, profits made and losses sustained, together with a detailed schedule of all lands, loans, bonds, and coupons, contracts and judgments owned and held by the ~~Department~~ Land Office.

SECTION 27. AMENDATORY 64 O.S. 2001, Section 156, is amended to read as follows:

Section 156. The accounts and records of the ~~State School~~ Land ~~Department~~ Office shall ~~be audited~~ annually have an audit conducted in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in the "Government Auditing Standards", issued by the Comptroller General of the United States, by an independent Oklahoma certified public accountant. The ~~audit and the return thereof shall contain a statement of inventory of all property owned by the State School Land Department, together with the appraised value thereof. A commission consisting of the Governor, the President Pro Tempore of the Senate, and the Speaker of the House is hereby~~ Secretary of the Land Office is authorized to contract for

~~such~~ the audits required pursuant to this section. Copies of the audits shall be filed with the Governor, the Commissioners of the Land Office, the State Senate, ~~and~~ the House of Representatives, the State Auditor and Inspector, and the Director of the Office of State Finance in accordance with the requirements set forth for financial statement audits in Section 212A of Title 74 of the Oklahoma Statutes.

SECTION 28. AMENDATORY 64 O.S. 2001, Section 158, is amended to read as follows:

Section 158. The provisions of this ~~act~~ title are severable, and if any section, part or portion ~~hereof~~ of a section shall be held unconstitutional, void, invalid or inoperative the invalidity of ~~such~~ the section, part or portion shall not affect or impair any of the remaining sections, parts or portions ~~thereof~~.

SECTION 29. AMENDATORY 64 O.S. 2001, Section 160, is amended to read as follows:

Section 160. The Commissioners of the Land Office are hereby authorized ~~and empowered~~ to employ attorneys or to engage private attorneys to bring or defend suits in the name of the Commissioners of the Land Office and on behalf of the State of Oklahoma in all matters affecting the public lands of the state, and in all matters affecting the loaning, investing or collecting of school land and state land monies, of, and belonging to the state~~; and it~~. It shall be the duty of the Attorney General of the state, when requested by

the Commissioners of the Land Office, to represent the Commissioners ~~of the Land Office~~, and the state in the prosecution or defense of any suit or action so instituted, brought or defended~~; provided, this act shall not abolish the office of Law and Executive Clerk of the Commissioners of the Land Office, which was created by Chapter 211, of the Session Laws of 1919~~.

SECTION 30. AMENDATORY 64 O.S. 2001, Section 181, is amended to read as follows:

Section 181. A. The Commissioners of the Land Office shall dispose of, sell and convey, subject to the limitations, exceptions, conditions, rules, regulations and instructions, provided by law, except where same is embraced in any reservation specifically reserved from sale for any special purpose, all the following enumerated and described school and public lands of this state:

1. All lands owned by this state, reserved, granted, and taken in lieu of sections numbered sixteen, thirty-six, thirteen and thirty-three and known as indemnity lands~~: Provided, that when such~~. When the lands as described in this paragraph or any part thereof are sold and conveyed, the proceeds derived therefrom shall be prorated among the several funds as their interest may appear, and used as provided by law; ~~also all~~

2. All lands embraced in sections numbered thirty-three in that part of the state formerly known as Oklahoma Territory, and granted to the state for charitable and penal institutions and public

buildings~~: Provided, further, that all~~. All the money derived from the sale of any or all of ~~such~~ the lands~~,~~ described in this paragraph shall be apportioned and disposed of as may be provided by law; ~~also all~~ and

3. All lands granted to this state by the United States under and by virtue of Section 12 of the Enabling Act for the following purposes, namely:

a. for the benefit of the Oklahoma University, two hundred fifty thousand (250,000) acres~~;~~,

b. for the benefit of Oklahoma State University, two hundred fifty thousand (250,000) acres~~;~~,

c. for the benefit of the University Preparatory School, one hundred fifty thousand (150,000) acres~~;~~,

d. for the benefit of Langston University, one hundred thousand (100,000) acres~~;~~, and

e. for the benefit of the normal schools now established or hereafter to be established, three hundred thousand (300,000) acres. ~~Provided, that all~~ All money derived from the sale of any of ~~such~~ the lands described in this paragraph shall be invested for the state in trust, and interest thereon shall be used exclusively and as above apportioned in the support and maintenance of such schools. ~~Provided, further, that if~~

B. If any tract, part or parcel of any of the land enumerated and described in this section, was or shall be returned to the Commissioners of the Land Office by a board of appraisers ~~thereof~~, including those tracts of land embraced in sections numbered thirteen, sixteen and thirty-six, and otherwise herein reserved from sale, that are now platted and occupied and leased directly from the State of Oklahoma for townsite purposes, as being more valuable for townsite than for agricultural purposes, then ~~such~~ the tract, part or parcel of ~~such~~ the land shall be reserved by the Commissioners of the Land Office ~~reserved~~ from sale and disposed of under the terms of this ~~article: Provided, further, that where any part of any of the above enumerated and described lands are known to be valuable for mineral, including gas or oil, such part of said lands shall not be sold prior to January 1, 1915~~ title.

SECTION 31. AMENDATORY 64 O.S. 2001, Section 184, is amended to read as follows:

Section 184. Any lessee holding a preference right lease on any of the public lands ~~described in the first section of this article, same being Section 33 and indemnity~~ of this state shall have the preference right to purchase all of the lands so leased by ~~him~~ the lessee at the highest bid at the time of the sale, or in case of no bid, then to take the same at the appraised value.

SECTION 32. AMENDATORY 64 O.S. 2001, Section 192, is amended to read as follows:

Section 192. All purchasers, lessees, or holders of any of the public lands of this state~~,~~ shall take the same subject to the conditions of this ~~article;~~ title and all certificates, contracts or written evidence issued to any purchaser shall recite that the same is taken and accepted subject to all the conditions of this ~~article~~ title.

SECTION 33. AMENDATORY 64 O.S. 2001, Section 223, is amended to read as follows:

Section 223. Any lessee holding a preference right lease on any public lands of this state shall, during the public bidding on the sale of the leased lands, have the preference right to purchase the lands so leased by ~~him~~ the lessee at the highest bid at the time of the sale.

SECTION 34. AMENDATORY 64 O.S. 2001, Section 224, is amended to read as follows:

Section 224. ~~Upon the sale of such lands as provided herein, if~~ If any lessee of public lands of this state having preference right to purchase fails or refuses to pay the highest bona fide bid ~~thereof, said~~, the lessee shall be entitled to be reimbursed for the improvements placed on the preference right lease by ~~him~~ the lessee at their value fixed by the appraisers selected by the Commissioners of the Land Office to appraise the same and shall surrender possession of the ~~said~~ lease immediately following the sale of the land and payment for improvements.

SECTION 35. AMENDATORY 64 O.S. 2001, Section 225.1, is amended to read as follows:

Section 225.1 Before any lands under the jurisdiction and control of the Commissioners of the Land Office, covered by preference right leases and the improvements located thereon owned by the lessees, shall be offered for sale and sold, the Commissioners of the Land Office shall cause the same to be appraised by three disinterested appraisers, who are nonresidents of the county in which the land is situated, to be selected by ~~said Commissioners, who~~ the Secretary. The appraisers, before entering upon their duties, shall take and subscribe the oath required of state officers. ~~Said~~ The appraisers shall make a true appraisement of ~~said~~ the lands at the actual cash value thereof, exclusive of all improvements, and shall separately appraise all improvements owned by the lessee which can be removed without manifest injury to the land~~, and all improvements to said land placed thereon by the lessee at his expense which cannot be removed without manifest injury to the land, including trees, terraces, water wells, ponds, and other improvements of a similar nature, at their actual cash value. The preference right lessee shall be entitled to appeal to the Commissioners of the Land Office from the appraisement made by the appraisers selected by the Commissioners and may present evidence to the Commissioners of the Land Office tending to prove a different value of the improvements than that fixed by the appraisers of the~~

~~Commissioners. Said appeal to the Commissioners shall be filed within ten (10) days after receiving notice of the appraisement fixed by the appraisers~~.

SECTION 36. AMENDATORY 64 O.S. 2001, Section 226, is amended to read as follows:

Section 226. The lands ~~herein~~ authorized to be sold shall be offered for sale to the highest bidder at public auction at the Office of the Secretary to the Commissioners of the Land Office or at any other auction site calculated to enhance public notice and interest in the sale. The sale shall be made within six (6) months from the date of the final approval of the appraisement by the Commissioners, unless for good cause shown, the Commissioners of the Land Office extend the time of offering the land for sale for a period not to exceed one (1) year from the date of the final ~~approvement~~ approval of the appraisement.

SECTION 37. AMENDATORY 64 O.S. 2001, Section 227, is amended to read as follows:

Section 227. Before selling the lands and improvements ~~herein~~ authorized to be sold, the Commissioners of the Land Office shall advertise ~~such~~ the sale by publication calculated to bring the highest and best bids. The advertisement shall be at a minimum published in a newspaper of general circulation in the county in which ~~such~~ the land is ~~situate~~ situated for fifteen (15) days prior to the date of sale. ~~Such~~ The notice shall state the time and place

of sale and the quantity of land to be sold and the purposes of the sale.

SECTION 38. AMENDATORY 64 O.S. 2001, Section 228, is amended to read as follows:

Section 228. The Commissioners of the Land Office upon completion of the sale of lands and improvements and receipt of the purchase price shall issue a deed to the purchaser thereof which shall contain a provision therein reserving the oil, gas and other minerals ~~as herein provided~~.

SECTION 39. AMENDATORY 64 O.S. 2001, Section 241, is amended to read as follows:

Section 241. Except as otherwise provided by law, all the public lands of this state shall be subject to lease in the manner provided ~~herein~~ by law. The Commissioners of the Land Office shall have charge of the leasing of ~~such~~ the lands. Surface and subsurface estates in lands which are administered by the Commissioners of the Land Office shall be exempt from local, county or other inferior zoning and land-use regulations or laws. The Secretary of the Land Office may require compliance with local regulations, ordinances or laws where compliance is not contrary to trust obligations of the Commissioners of the Land Office.

SECTION 40. AMENDATORY 64 O.S. 2001, Section 244, is amended to read as follows:

Section 244. If the lessee of any of the lands ~~enumerated herein~~ or mineral interests owned by the state shall be in default of ~~the annual~~ rental payments due the state ~~for a period of six (6) months~~, the Commissioners of the Land Office shall ~~within ninety (90) days after such delinquency, cause notice to be given such delinquent lessee, and person in possession of the lands, that if such delinquency is not paid within thirty (30) days from the service of such notice, his lease will be declared forfeited to the state by the Commissioners of the Land Office. If the amounts due are not paid within thirty (30) days from the date of the service of such notice, the said lease shall be declared forfeited and the possession of the land therein described shall revert to the state, the same as though such lease had never been made. The order making such forfeiture shall be spread upon the records of the Commissioners of the Land Office. The service of the notice herein provided shall be made by registered mail; in case the post office address of the owner of such lease be unknown, the notice herein provided shall be served upon the person in possession and shall be published in two consecutive issues of some weekly newspaper published in or of general circulation in the county where the land is situated. The forfeiture shall be entered by said board after thirty (30) days from the date of the first publication or registered notice; provided, the lessee of any land so forfeited may redeem the same within thirty (30) days after the first notice to~~

~~him, his agent or sublessee, by paying all delinquencies, fees and costs of forfeiture at any time before the expiration of thirty (30) days, as aforesaid, and as provided by this article; provided, further, the Commissioners of the Land Office are required to serve notice of delinquencies and proceed with forfeiture as stated herein, at least once each year.~~

~~The improvements on lands so reverting to the state shall be sold under the direction of the Commissioners of the Land Office, at public sale, after appraisement, upon due notice to the lessee, and sublessee, and the proceeds received therefrom shall inure to the holder of the delinquent lease after paying to the state all delinquencies and rents and expenses incurred in making such sale; provided, further, the Secretary to the Commissioners of the Land Office is hereby authorized at all such sales of the improvements on lands so reverting to the state, in case there are no other bidders to bid off such improvements offered at said sale at a reasonable figure, in the name of the state for the benefit of the fund to which said lands so reverting to the state belong, the state acquiring all the rights, both legal and equitable, that any other purchaser could acquire by reason of said purchase.~~

~~If the lessee of any tract, block or parcel of state school or other public lands shall fail, neglect or refuse, for a period of fifteen (15) days, to enter into a renewal lease and execute the notes for the annual rentals as provided by law, at the expiration~~

~~of any agricultural lease after any appraisement for rental purposes has been approved by the Commissioners of the Land Office, the Commissioners of the Land Office shall cause notice to be given to such agricultural lessee that if such agricultural lease and notes for the annual rentals are not executed and delivered within ten (10) days from the service of such notice, his preference right to re-lease will be declared forfeited to the state by the Commissioners of the Land Office. If said agricultural lessee shall fail, neglect or refuse to enter into a renewal lease and execute the rental notes as provided by law, within ten (10) days of the date of service of such notice, the said agricultural lessee's preference right to re lease shall be declared forfeited and the land therein described shall revert to the state, the same as though no such lease had ever been made. Provided, however, the lessee may appeal to the district court of the county within ten (10) days, by making bond in double the amount of the appraised value of the lease, and provided, however, that if the agricultural lessee shall appeal from the order of the Commissioners of the Land Office approving the appraisement for rental purposes, to the district court of the county in which the land is so located, then no action shall be taken by the Commissioners of the Land Office pending a review of the appraisement made by the Commissioners of the Land Office in the said district court, until after ten (10) days from the date the order of the district court fixing the amount of said~~

~~appraisement shall become final. The order making such forfeiture shall be spread upon the records of the Commissioners of the Land Office. The improvements on land so reverting to the state shall be sold under the direction of the Commissioners of the Land Office, at public sale, upon ten (10) days notice to the lessee; and the proceeds received therefrom shall inure to the owner of said improvements after payment shall have been made to the state for all rentals at the rental fixed by law, and all costs for the time said lands are withheld from the state, together with the expenses incurred in the making of such sale. The service of the notice herein provided, the time of entering said order of forfeiture, and the right of the preference right lessee to redeem, shall be as provided herein.~~

~~That in all cases where improvements on lands reverting to the state under Sections 1 and 2, of this act, and are bid off by the Secretary of the Commissioners of the Land Office for the amount of delinquent rentals, interest and costs of forfeiture due and payable thereon, shall revert to the proper funds and the Commissioners of the Land Office may sell the improvements, on any tract of such lands at public auction. Provided, however, that before any such sale be made, the Commissioners of the Land Office shall cause legal notice to be published for two (2) consecutive weeks prior to the date of said sale, in the county in which said lands are located. The proceeds from such sales shall be credited to the earnings of~~

~~the fund to which said lands belonged~~ institute collection proceedings, including any and all commercial or governmental procedures and proceedings permitted to the full extent of the law. Any and all notices, summons, subpoenas or other official documents may be served by an employee of the Land Office, who may serve without special designation for service of process in any court within the state.

SECTION 41. AMENDATORY 64 O.S. 2001, Section 246, is amended to read as follows:

Section 246. No assignment of a school land lease as security shall be valid unless filed for record in the office of the Commissioners of the Land Office within thirty (30) days after ~~the~~ execution ~~thereof, and the Commissioners~~ of the assignment. The Land Office shall charge a fee ~~of One Dollar ($1.00)~~ set by the Commissioners of the Land Office for entering and recording each assignment~~; provided, that no~~. No assignments of the lease which is the home of the family shall be valid unless executed by both husband and wife.

SECTION 42. AMENDATORY 64 O.S. 2001, Section 249, is amended to read as follows:

Section 249. ~~Any~~ At the termination of a lease, the lessee may~~, at the termination of his lease,~~ remove any or all of ~~his~~ the improvements~~,~~ made by the lessee and ~~he~~ shall have the right to harvest or remove any growing crop ~~thereon: Provided, however, that~~

~~in case~~ on the land. If the lessee is in default ~~for nonpayment for any rental or assessment of any nature, he~~ of any terms of the lease, the lessee shall not be allowed to remove ~~such~~ the improvement or make ~~such~~ entry to secure crops until all arrearage ~~is~~, including but not limited to interest, costs and attorney fees are fully satisfied~~; said~~. All improvements, that are movable, shall then be moved ~~immediately within sixty (60) days from termination~~ before expiration of ~~his~~ the lease.

SECTION 43. AMENDATORY 64 O.S. 2001, Section 252, is amended to read as follows:

Section 252. ~~All~~ Except as otherwise provided by law, all of the records in possession, control, care and custody of the Commissioners of the Land Office are hereby declared to be public records, and certified copies thereof are admissible in evidence in the courts of this state. Any person shall be entitled to receive a certified copy of any instrument on record with the Commissioners of the Land Office on the payment of a fee as prescribed by the ~~Commission~~ Commissioners.

SECTION 44. AMENDATORY 64 O.S. 2001, Section 259, is amended to read as follows:

Section 259. Any lands leased by the Commissioners of the Land Office for agricultural ~~and/or~~ or grazing purposes shall be leased for a period not to exceed five (5) years under ~~such~~ terms and conditions and at ~~such~~ an annual rental as may be fixed by the

Commissioners of the Land Office after appraisement and public auction.

SECTION 45. AMENDATORY 64 O.S. 2001, Section 289, is amended to read as follows:

Section 289. The proceeds derived in bonuses and royalties and from other inducements and considerations for the execution and operation of the oil and gas leases ~~in this article provided~~ as authorized in this title, except oil and gas leases on state-owned lands set apart and designated for the use, benefit, and occupancy of state educational institutions, shall be ~~carried into the several funds,~~ for the use and benefit of ~~which such~~ the lands which were granted by the United States to the State of Oklahoma, and to the territory now comprising the area embraced within the ~~said~~ state, under the provisions of the Enabling Act~~,~~ and any and all other Acts of Congress. ~~For the uses and purposes, and upon the conditions, and under the limitations for which the same were granted, and the money resulting from such lease and from the operation thereof shall be handled, disposed of and used in like manner as the other monies belonging to said several funds under the laws of this state. The proceeds derived in bonuses, royalties, and from other inducements and considerations for the execution and operation of the oil and gas leases on state owned lands set apart and designated for the use, benefit, and occupancy of state educational institutions shall be paid to the State Treasurer, and by him deposited to the credit~~

~~of the General Revenue Fund of the State of Oklahoma, which shall at the next session of the Legislature be appropriated for the use and benefit of such institutions~~ Bonus and delay rental income received by the Land Office shall be distributed to current beneficiaries in like manner as lease income received from surface leases, except that if determined to be in the best interest of the trust, the distributions may be made upon a schedule determined by a five-year rolling average of bonus and delay rental income.

SECTION 46. AMENDATORY 64 O.S. 2001, Section 290, is amended to read as follows:

Section 290. The Commissioners of the Land Office are hereby authorized to lease for oil and gas purposes all lands between mean high-water mark in all streams or rivers of two (2) chains or over~~, all such~~. All the streams are declared the property of the State of Oklahoma.

SECTION 47. AMENDATORY 64 O.S. 2001, Section 291, is amended to read as follows:

Section 291. ~~Said~~ The lands described in Section 290 of this title are to be leased under the same provisions as the school and other lands of the State of Oklahoma.

SECTION 48. AMENDATORY 64 O.S. 2001, Section 293, is amended to read as follows:

Section 293. The royalty proceeds derived from the sale of oil or gas production under any oil and gas lease granted by the

Commissioners of the Land Office shall be paid to the Commissioners pursuant to the terms of the Production Revenue Standards Act~~, Sections 1 through 15 of this act~~.

SECTION 49. AMENDATORY 64 O.S. 2001, Section 451, is amended to read as follows:

Section 451. To further the development of mineral resources in the State of Oklahoma, particularly with regard to valuable minerals, including uranium, the Commissioners of the Land Office are hereby authorized to issue prospecting permits ~~to citizens of the United States~~, under procedures, fees and rules as may be promulgated by the Commissioners, granting an exclusive right to prospect for any minerals owned by the state, under the jurisdiction and control of the Commissioners of the Land Office~~; provided, that all such permits shall be for a period of not to exceed one (1) year and no permit shall cover more than one hundred sixty (160) acres of land~~.

SECTION 50. AMENDATORY 70 O.S. 2001, Section 614, is amended to read as follows:

Section 614. The Commissioners of the Land Office shall apportion the income accruing from the Permanent School Fund ~~and the ad valorem taxes collected by the state from which proper reports have been received by the Superintendent of Public Instruction~~. All ~~such~~ monies remaining in the hands of the Commissioners of the Land Office and in the State Treasury at the close of each calendar month

shall be apportioned and paid over to the schools ~~within fifteen (15) days following the close of each such~~ by the last business day of the following month.

SECTION 51. AMENDATORY 74 O.S. 2001, Section 840-5.5, as last amended by Section 1, Chapter 300, O.S.L. 2008 (74 O.S. Supp. 2009, Section 840-5.5), is amended to read as follows:

Section 840-5.5 A. The following offices, positions, and personnel shall be in the unclassified service and shall not be placed under the classified service:

1. Persons chosen by popular vote or appointment to fill an elective office, and their employees, except the employees of the Corporation Commission, the State Department of Education and the Department of Labor;

2. Members of boards and commissions, and heads of agencies; also one principal assistant or deputy and one executive secretary for each state agency;

3. All judges, elected or appointed, and their employees;

4. Persons employed with one-time, limited duration, federal or other grant funding that is not continuing or indefinitely renewable. The length of the unclassified employment shall not exceed the period of time for which that specific federal funding is provided;

5. All officers and employees of The Oklahoma State System of Higher Education, State Board of Education and Oklahoma Department of Career and Technology Education;

6. Persons employed in a professional or scientific capacity to make or conduct a temporary and special inquiry, investigation, or examination on behalf of the Legislature or a committee thereof or by authority of the Governor. These appointments and authorizations shall terminate on the first day of the regular legislative session immediately following the appointment, if not terminated earlier. However, nothing in this paragraph shall prevent the reauthorization and reappointment of any such person. Any such appointment shall be funded from the budget of the appointing authority;

7. Election officials and employees;

8. Temporary employees employed to work less than one thousand (1,000) hours in any twelve-month period, and seasonal employees employed by the Oklahoma Tourism and Recreation Department pursuant to Section 2241 of this title who work less than one thousand six hundred (1,600) hours in any twelve-month period;

9. Department of Public Safety employees occupying the following offices or positions:

a. administrative aides to the Commissioner,

b. executive secretaries to the Commissioner,

c. the Governor's representative of the Oklahoma Highway Safety Office who shall be appointed by the Governor,

d. Highway Patrol Colonel,

e. Highway Patrol Lieutenant Colonel,

f. Director of Finance,

g. noncommissioned pilots,

h. Information Systems Administrator,

i. Law Enforcement Telecommunications System Specialist,

j. Director of Driver Compliance,

k. Director of Transportation Division,

l. Director of the Oklahoma Highway Safety Office,

m. Civil Rights Administrator,

n. Budget Analyst,

o. Comptroller,

p. Chaplain,

q. Helicopter Mechanic,

r. Director of Safety Compliance,

s. Human Resources Director,

t. Administrator of Department Services, and

u. a maximum of seven (7) positions for the purpose of administering programs in the Oklahoma Highway Safety Office, within full-time employee limitations of the Department, employed with federal funding that is continuing or indefinitely renewable. The authorization for such positions shall be terminated if the federal funding for positions is discontinued;

provided, any person appointed to a position prescribed in subparagraph d or e of this paragraph shall have a right of return to the classified commissioned position without any loss of rights, privileges or benefits immediately upon completion of the duties in the unclassified commissioned position;

10. Professional trainees only during the prescribed length of their course of training or extension study;

11. Students who are employed on a part-time basis, which shall be seventy-five percent (75%) of a normal forty-hour work week or thirty (30) hours per week, or less, or on a full-time basis if the employment is pursuant to a cooperative education program such as that provided for under Title I IV-D of the Higher Education Act of 1965 (20 U.S.C. 1087a-1087c), as amended, and who are regularly enrolled in:

a. an institution of higher learning within The Oklahoma State System of Higher Education,

b. an institution of higher learning qualified to become coordinated with The Oklahoma State System of Higher Education. For purposes of this section, a student shall be considered a regularly enrolled student if the student is enrolled in a minimum of five (5) hours of accredited graduate courses or a minimum of ten (10) hours of accredited undergraduate courses, provided, however, the student shall only be required

to be enrolled in a minimum of six (6) hours of accredited undergraduate courses during the summer, or

c. high school students regularly enrolled in a high school in Oklahoma and regularly attending classes during such time of enrollment;

12. The spouses of personnel who are employed on a part-time basis to assist or work as a relief for their spouses in the Oklahoma Tourism and Recreation Department;

13. Service substitute attendants who are needed to replace museum and site attendants who are unavoidably absent. Service substitutes may work as part-time or full-time relief for absentees for a period of not more than four (4) weeks per year in the Oklahoma Historical Society sites and museums; such substitutes will not count towards the agency's full-time-equivalent (FTE) employee limit;

14. Employees of the Oklahoma House of Representatives, the State Senate, or the Legislative Service Bureau;

15. Corporation Commission personnel occupying the following offices and positions:

a. Administrative aides, and executive secretaries to the Commissioners,

b. Directors of all the divisions, personnel managers and comptrollers,

c. General Counsel,

d. Public Utility Division Chief Engineer,

e. Public Utility Division Chief Accountant,

f. Public Utility Division Chief Economist,

g. Public Utility Division Deputy Director,

h. Secretary of the Commission,

i. Deputy Conservation Director,

j. Manager of Pollution Abatement,

k. Manager of Field Operations,

l. Manager of Technical Services,

m. Public Utility Division Chief of Telecommunications,

n. Director of Information Services,

o. All Data Processing employees hired on or after September 1, 2005,

p. All Public Utilities employees hired on or after September 1, 2007,

q. All Regulatory Program Managers hired on or after September 1, 2007, and

r. All Pipeline Safety Department employees hired on or after September 1, 2008;

16. At the option of the employing agency, the Supervisor, Director, or Educational Coordinator in any other state agency having a primary responsibility to coordinate educational programs operated for children in state institutions;

17. Department of Mental Health and Substance Abuse Services personnel occupying the following offices and positions at each facility:

a. Director of Facility,

b. Deputy Director for Administration,

c. Clinical Services Director,

d. Executive Secretary to Director, and

e. Directors or Heads of Departments or Services;

18. Office of State Finance personnel occupying the following offices and positions:

a. State Comptroller,

b. Administrative Officers,

c. Alternator Claims Auditor,

d. Employees hired to fulfill state compliance agency requirements under Model Tribal Gaming Compacts,

e. Employees of the Budget Division,

f. Employees of the Fiscal and Research Division,

g. Employees hired to work on the CORE Systems Project; and

h. The following employees of the Information Services Division:

(1) Information Services Division Manager,

(2) Network Manager,

(3) Network Technicians,

(4) Security Manager,

(5) Contracts/Purchasing Manager,

(6) Operating and Applications Manager,

(7) Project Manager,

(8) Help Desk Manager,

(9) Help Desk Technicians,

(10) Quality Assurance Manager,

(11) ISD Analysts,

(12) CORE Manager,

(13) Enterprise System/Database Software Manager,

(14) Data Center Operations and Production Manager,

(15) Voice Communications Manager,

(16) Applications Development Manager,

(17) Projects Manager,

(18) PC’s Manager,

(19) Servers Manager,

(20) Portal Manager,

(21) Procurement Specialists,

(22) Security Technicians,

(23) Enterprise Communications and Network Administrator,

(24) Server Support Specialists,

(25) Senior Server Support Specialists,

(26) Systems Support Specialists, and

(27) Senior Systems Support Specialists;

19. Employees of the Oklahoma Industrial Finance Authority;

20. Those positions so specified in the annual business plan of the Oklahoma Department of Commerce;

21. Those positions so specified in the annual business plan of the Oklahoma Center for the Advancement of Science and Technology;

22. The following positions and employees of the Oklahoma School of Science and Mathematics:

a. positions for which the annual salary is Twenty-four Thousand One Hundred Ninety-three Dollars ($24,193.00) or more, as determined by the Office of Personnel Management, provided no position shall become unclassified because of any change in salary or grade while it is occupied by a classified employee,

b. positions requiring certification by the State Department of Education, and

c. positions and employees authorized to be in the unclassified service of the state elsewhere in this section or in subsection B of this section;

23. Office of Personnel Management employees occupying the following positions:

a. the Carl Albert Internship Program Coordinator,

b. one Administrative Assistant,

c. one Workforce Planning Manager,

d. Assistant Administrators,

e. one Associate Administrator, and

f. Division Directors;

24. Department of Labor personnel occupying the following offices and positions:

a. two Deputy Commissioners,

b. two Executive Secretaries to the Commissioner,

c. Chief of Staff,

d. two Administrative Assistants,

e. Information Systems Administrator,

f. three Safety and Health Directors,

g. Research Director,

h. Employment Standards Director,

i. Asbestos Director,

j. General Counsel,

k. one Legal Secretary,

l. one Docket Clerk, and

m. two Information Systems Application Specialists;

25. The State Bond Advisor and his or her employees;

26. The Oklahoma Employment Security Commission employees occupying the following positions:

a. Associate Director,

b. Secretary to the Associate Director, and

c. Assistant to the Executive Director;

27. Oklahoma Human Rights Commission personnel occupying the position of Administrative Assistant;

28. Officers and employees of the State Banking Department;

29. Officers and employees of the University Hospitals Authority except personnel in the state classified service pursuant to Section 3211 of Title 63 of the Oklahoma Statutes and members of the University Hospitals Authority Model Personnel System created pursuant to subsection E of Section 3211 of Title 63 of the Oklahoma Statutes or as otherwise provided for in Section 3213.2 of Title 63 of the Oklahoma Statutes;

30. Alcoholic Beverage Laws Enforcement Commission employees occupying the following positions:

a. three Administrative Service Assistant positions, however, employees in such positions who are in the unclassified service on June 4, 2003, may make an election to be in the classified service without a loss in salary by September 1, 2003, and

b. the Deputy Director position in addition to the one authorized by paragraph 2 of this subsection;

31. The Oklahoma State Bureau of Investigation employees occupying the following positions:

a. five assistant directors,

b. six special investigators,

c. one information representative,

d. one federally funded physical evidence technician,

e. four federally funded laboratory analysts,

f. a maximum of fourteen positions employed for the purpose of managing the automated information systems of the agency,

g. one executive secretary in addition to the one authorized pursuant to paragraph 2 of this subsection,

h. Child Abuse Response Team (CART) investigator, and

i. Child Abuse Response Team (CART) forensic interviewer;

32. The Department of Transportation, the following positions:

a. Director of the Oklahoma Aeronautics Commission,

b. five Department of Transportation Assistant Director positions,

c. eight field division engineer positions,

d. one pilot position,

e. five Project Manager Positions, and

f. five Transportation Coordinators;

33. Commissioners of the Land Office employees occupying the following positions:

a. Director of the Investments Division,

b. Assistant Director of the Investments Division,

c. one Administrative Assistant,

d. one Audit Tech position,

e. one Auditor I position,

f. two Accounting Tech I positions,

g. two Administrative Assistant I positions,

h. two Imaging Specialist positions, ~~and~~

i. one Information Systems Specialist position,

j. Director of Communications,

k. Director of Royalty Compliance,

l. Director of Mineral Management,

m. Director of Accounting,

n. Chief of Staff,

o. First Assistant Secretary,

p. Director of Real Estate Management,

q. one executive secretary,

r. one legal secretary, and

s. one legal assistant;

34. Within the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control Commission, the following positions:

a. six Narcotics Agent positions and three Typist Clerk/Spanish transcriptionists, including a Typist Clerk Supervisor/Spanish transcriptionist, provided, authorization for such positions shall be terminated if the federal funding for the positions is discontinued,

b. one executive secretary in addition to the one authorized pursuant to paragraph 2 of this subsection,

c. one fiscal officer,

d. one full-time Programmer, and

e. one full-time Network Engineer;

35. The Military Department of the State of Oklahoma is authorized such unclassified employees within full-time employee limitations to work in any of the Department of Defense directed youth programs, the State of Oklahoma Juvenile Justice youth programs, those persons reimbursed from Armory Board or Billeting Fund accounts, and skilled trade positions;

36. Within the Oklahoma Commission on Children and Youth the following unclassified positions:

a. one Oversight Specialist and one Community Development Planner,

b. one State Plan Grant Coordinator, provided authorization for the position shall be terminated when federal support for the position by the United States Department of Education Early Intervention Program is discontinued,

c. one executive secretary in addition to the one authorized pursuant to paragraph 2 of this subsection, and

d. one Programs Manager;

37. The following positions and employees of the Department of Central Services:

a. one Executive Secretary in addition to the Executive Secretary authorized by paragraph 2 of this subsection,

b. the Director of Central Purchasing,

c. one Alternate Fuels Administrator,

d. one Director of Special Projects,

e. three postauditors,

f. four high-technology contracting officers,

g. one Executive Assistant to the Purchasing Director,

h. four Contracts Managers,

i. one Associate Director,

j. one specialized HiTech/Food Contracting Officer,

k. one State Use Contracting Officer,

l. one Property Distribution Administrator,

m. three licensed architects assigned to the Construction and Properties Division,

n. three licensed engineers assigned to the Construction and Properties Division,

o. eight construction consultants assigned to the Construction and Properties Division,

p. one attorney assigned to the Construction and Properties Division,

q. three positions assigned to the Information Services Division, which shall include one Information

Technology Manager, one Applications Specialist and one Data Planning Specialist, and

r. four positions assigned to Fleet Management, which shall include one Deputy Fleet Manager and three Management Analysts;

38. Oklahoma Water Resources Board personnel occupying the following offices and positions:

a. four Water Quality Assistant Division Chiefs,

b. four Water Resources Division Chiefs, and

c. Director of Water Planning;

39. J.D. McCarty Center for Children with Developmental Disabilities personnel occupying the following offices and positions:

a. Physical Therapists,

b. Physical Therapist Assistants,

c. Occupational Therapists,

d. Certified Occupational Therapist Aides, and

e. Speech Pathologists;

40. The Development Officer, the Director of the State Museum of History and the Cherokee Strip Regional Heritage Center Director within the Oklahoma Historical Society;

41. Oklahoma Department of Agriculture, Food, and Forestry personnel occupying the following positions:

a. one Executive Secretary in addition to the Executive Secretary authorized by paragraph 2 of this subsection and one Executive Assistant,

b. nineteen Agricultural Marketing Coordinator III positions,

c. temporary fire suppression personnel, regardless of the number of hours worked, who are employed by the Oklahoma Department of Agriculture, Food, and Forestry; provided, however, notwithstanding the provisions of any other section of law, the hours worked by such employees shall not entitle such employees to any benefits received by full-time employees,

d. one Information Technology Specialist,

e. one Director of Administrative Services,

f. one Water Quality Consumer Complaint Coordinator,

g. one hydrologist position,

h. Public Information Office Director,

i. one Information Technology Technician,

j. Legal Services Director,

k. Animal Industry Services Director,

l. Agricultural Environmental Management Services Director,

m. Forestry Services Director,

n. Plant Industry and Consumer Services Director,

o. one Grants Administrator position,

p. Director of Laboratory Services,

q. Chief of Communications,

r. Public Information Manager,

s. Inventory/Supply Officer,

t. five Agriculture Field Inspector positions assigned the responsibility for conducting inspections and audits of agricultural grain storage warehouses. All other Agriculture Field Inspector positions and employees of the Oklahoma Department of Agriculture, Food, and Forestry shall be classified and subject to the provisions of the Merit System of Personnel Administration. On November 1, 2002, all other unclassified Agriculture Field Inspectors shall be given status in the classified service as provided in Section 840-4.2 of this title,

u. Rural Fire Coordinator,

v. one Agricultural Marketing Coordinator I,

w. Food Safety Division Director,

x. two Environmental Program Specialists,

y. two Scale Technicians, and

z. two Plant Protection Specialists;

42. The Contracts Administrator within the Oklahoma State Employees Benefits Council;

43. The Development Officer within the Oklahoma Department of Libraries;

44. Oklahoma Real Estate Commission personnel occupying the following offices and positions:

a. Educational Program Director, and

b. Data Processing Manager;

45. A Chief Consumer Credit Examiner for the Department of Consumer Credit;

46. All officers and employees of the Oklahoma Capitol Complex and Centennial Commemoration Commission;

47. All officers and employees of the Oklahoma Motor Vehicle Commission;

48. One Museum Archivist of The Will Rogers Memorial Commission;

49. One Fire Protection Engineer of the Office of the State Fire Marshal;

50. Acting incumbents employed pursuant to Section 209 of Title 44 or Section 48 of Title 72 of the Oklahoma Statutes who shall not be included in any limitation on full-time equivalency imposed by law on an agency. Permanent classified employees may request a leave of absence from classified status and accept an unclassified appointment and compensation as an acting incumbent with the same

agency; provided, the leave shall expire no later than two (2) years from the date of the acting incumbent appointment. An appointing authority may establish unclassified positions and appoint unclassified employees to perform the duties of a permanent classified employee who is on leave of absence from a classified position to serve as an acting incumbent. All unclassified appointments created pursuant to this paragraph shall expire no later than two (2) years from the date of appointment. Classified employees accepting unclassified appointments and compensation pursuant to this paragraph shall be entitled to participate without interruption in any benefit programs available to classified employees, including retirement and insurance programs. Immediately upon termination of an unclassified appointment pursuant to this paragraph, an employee on assignment from the classified service shall have a right to be restored to the classified service and reinstated to the former job family level and compensation plus any adjustments and increases in salary or benefits which the employee would have received but for the leave of absence;

51. The Oklahoma Homeland Security Director and all other positions assigned the responsibilities of working in the Oklahoma Office of Homeland Security;

52. The following eighteen (18) positions in the State Department of Health:

a. one surveillance supervisor,

b. one surveillance project monitor,

c. two bilingual interviewers,

d. eight senior interviewers, and

e. six interviewers;

53. State Board of Registration for Professional Engineers and Land Surveyors personnel occupying the following offices and positions:

a. one Director of Enforcement, and

b. two Board Investigators;

54. One Information Systems Data Management Analyst of the Oklahoma State and Education Employees Group Insurance Board; and

55. Two Management Information Systems positions of the Office of Juvenile Affairs.

B. If an agency has the authority to employ personnel in the following offices and positions, the appointing authority shall have the discretion to appoint personnel to the unclassified service:

1. Licensed medical doctors, osteopathic physicians, dentists, psychologists, and nurses;

2. Certified public accountants;

3. Licensed attorneys;

4. Licensed veterinarians; and

5. Licensed pharmacists.

C. Effective July 1, 1996, authorization for unclassified offices, positions, or personnel contained in a bill or joint

resolution shall terminate June 30 of the ensuing fiscal year after the authorization unless the authorization is codified in the Oklahoma Statutes or the termination is otherwise provided in the legislation.

D. The appointing authority of agencies participating in the statewide information systems project may establish unclassified positions and appoint unclassified employees to the project as needed. Additional unclassified positions may be established, if required, to appoint an unclassified employee to perform the duties of a permanent classified employee who is temporarily absent from a classified position as a result of assignment to this project. All unclassified appointments under this authority shall expire no later than December 31, 2007, and all unclassified positions established to support the project shall be abolished. Both the positions and appointments resulting from this authority shall be exempt from any agency FTE limitations and any limits imposed on the number of unclassified positions authorized. Permanent classified employees may request a leave of absence from classified status and accept an unclassified appointment and compensation with the same agency under the provisions of this subsection; provided, the leave shall expire no later than December 31, 2007. Employees accepting the appointment and compensation shall be entitled to participate without interruption in any benefit programs available to classified employees, including retirement and insurance programs. Immediately

upon termination of an unclassified appointment pursuant to this subsection, an employee on assignment from the classified service shall have a right to be restored to the classified service and reinstated to the former job family level and compensation plus any adjustments and increases in salary or benefits which the employee would have received but for the leave of absence.

SECTION 52. REPEALER 64 O.S. 2001, Sections 1.2, 1.3, as amended by Section 1, Chapter 433, O.S.L. 2004, 9, 11, 12, 13, 14, 52, 56, 57, 58.1, 59, 63, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80.1, 80.2, 80.3, 80.4, 81, 82, 82.1, 82.2, 83, 84, 86, 86.1, 87c, 89, 91, 93, 94, 95, 96, 97, 99, 100, 111, 112, 121, 124, 125, 127, 128, 129, 131, 132, 157, 159, 161, 162, 162.2, 163, 164, 165, 166, 187, 188, 189, 190, 191, 193, 195, 196, 214, 215, 216.1, 216.2, 216.3, 216.4, 216.5, 216.6, 216.7, 216.8, 229.1, 229.2, 229.3, 229.4, 229.5, 245, 248, 250, 251, 253, 254, 255, 256, 256.1, 260.1, 260.2, 294, 452, 453, 455 and 456 (64 O.S. Supp. 2009, Section 1.3), are hereby repealed.

SECTION 53. RECODIFICATION 64 O.S. 2001, Section 1, as amended by Section 2 of this act, shall be recodified as Section 1001 of Title 64 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 54. RECODIFICATION 64 O.S. 2001, Section 1.1, as amended by Section 3 of this act, shall be recodified as Section

1002 of Title 64 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 55. RECODIFICATION 64 O.S. 2001, Section 1.4, shall be recodified as Section 1003 of Title 64 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 56. RECODIFICATION Section 2, Chapter 433, O.S.L. 2004 (64 O.S. Supp. 2009, Section 1.5), shall be recodified as Section 1004 of Title 64 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 57. RECODIFICATION 64 O.S. 2001, Section 2, as amended by Section 4 of this act, shall be recodified as Section 1005 of Title 64 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 58. RECODIFICATION 64 O.S. 2001, Section 3, as amended by Section 5 of this act, shall be recodified as Section 1006 of Title 64 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 59. RECODIFICATION 64 O.S. 2001, Section 6, shall be recodified as Section 1007 of Title 64 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 60. RECODIFICATION 64 O.S. 2001, Section 10, as amended by Section 6 of this act, shall be recodified as Section 1008 of Title 64 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 61. RECODIFICATION 64 O.S. 2001, Section 15, shall be recodified as Section 1009 of Title 64 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 62. RECODIFICATION Section 3, Chapter 205, O.S.L. 2003 (64 O.S. Supp. 2009, Section 16), shall be recodified as Section 1010 of Title 64 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 63. RECODIFICATION 64 O.S. 2001, Section 41, as amended by Section 7 of this act, shall be recodified as Section 1011 of Title 64 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 64. RECODIFICATION 64 O.S. 2001, Section 43, as amended by Section 8 of this act, shall be recodified as Section 1012 of Title 64 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 65. RECODIFICATION 64 O.S. 2001, Section 51, as amended by Section 9 of this act, shall be recodified as Section 1013 of Title 64 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 66. RECODIFICATION Section 1, Chapter 394, O.S.L. 2004 (64 O.S. Supp 2009, Section 51.1), shall be recodified as Section 1014 of Title 64 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 67. RECODIFICATION Section 1, Chapter 190, O.S.L. 2007 (64 O.S. Supp. 2009, Section 51.2), as amended by Section 10 of this act, shall be recodified as Section 1015 of Title 64 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 68. RECODIFICATION 64 O.S. 2001, Section 61, as amended by Section 11 of this act, shall be recodified as Section 1016 of Title 64 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 69. RECODIFICATION 64 O.S. 2001, Section 64, as amended by Section 12 of this act, shall be recodified as Section 1017 of Title 64 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 70. RECODIFICATION 64 O.S. 2001, Section 88, as amended by Section 13 of this act, shall be recodified as Section 1018 of Title 64 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 71. RECODIFICATION 64 O.S. 2001, Section 90, as amended by Section 14 of this act, shall be recodified as Section 1019 of Title 64 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 72. RECODIFICATION 64 O.S. 2001, Section 92, as last amended by Section 15 of this act, shall be recodified as

Section 1020 of Title 64 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 73. RECODIFICATION 64 O.S. 2001, Section 92a, as amended by Section 16 of this act, shall be recodified as Section 1021 of Title 64 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 74. RECODIFICATION 64 O.S. 2001, Section 92b, as amended by Section 17 of this act, shall be recodified as Section 1022 of Title 64 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 75. RECODIFICATION 64 O.S. 2001, Section 101, as amended by Section 18 of this act, shall be recodified as Section 1023 of Title 64 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 76. RECODIFICATION 64 O.S. 2001, Section 113, shall be recodified as Section 1024 of Title 64 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 77. RECODIFICATION 64 O.S. 2001, Section 114, as amended by Section 37, Chapter 460, O.S.L. 2002 (64 O.S. Supp. 2009, Section 114), shall be recodified as Section 1025 of Title 64 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 78. RECODIFICATION 64 O.S. 2001, Section 115, as amended by Section 19 of this act, shall be recodified as Section

1026 of Title 64 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 79. RECODIFICATION 64 O.S. 2001, Section 116, shall be recodified as Section 1027 of Title 64 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 80. RECODIFICATION 64 O.S. 2001, Section 122, shall be recodified as Section 1028 of Title 64 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 81. RECODIFICATION 64 O.S. 2001, Section 123, as amended by Section 20 of this act, shall be recodified as Section 1029 of Title 64 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 82. RECODIFICATION 64 O.S. 2001, Section 126, as amended by Section 21 of this act, shall be recodified as Section 1030 of Title 64 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 83. RECODIFICATION 64 O.S. 2001, Section 130, as amended by Section 22 of this act, shall be recodified as Section 1031 of Title 64 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 84. RECODIFICATION 64 O.S. 2001, Section 151, as amended by Section 23 of this act, shall be recodified as Section 1032 of Title 64 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 85. RECODIFICATION 64 O.S. 2001, Section 153.1, as amended by Section 24 of this act, shall be recodified as Section 1033 of Title 64 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 86. RECODIFICATION 64 O.S. 2001, Section 154, as amended by Section 25 of this act, shall be recodified as Section 1034 of Title 64 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 87. RECODIFICATION 64 O.S. 2001, Section 155, as amended by Section 26 of this act, shall be recodified as Section 1035 of Title 64 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 88. RECODIFICATION 64 O.S. 2001, Section 156, as amended by Section 27 of this act, shall be recodified as Section 1036 of Title 64 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 89. RECODIFICATION 64 O.S. 2001, Section 158, as amended by Section 28 of this act, shall be recodified as Section 1037 of Title 64 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 90. RECODIFICATION 64 O.S. 2001, Section 160, as amended by Section 29 of this act, shall be recodified as Section 1038 of Title 64 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 91. RECODIFICATION 64 O.S. 2001, Section 162.1, shall be recodified as Section 1039 of Title 64 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 92. RECODIFICATION 64 O.S. 2001, Section 181, as amended by Section 30 of this act, shall be recodified as Section 1040 of Title 64 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 93. RECODIFICATION 64 O.S. 2001, Section 182, shall be recodified as Section 1041 of Title 64 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 94. RECODIFICATION 64 O.S. 2001, Section 183, shall be recodified as Section 1042 of Title 64 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 95. RECODIFICATION 64 O.S. 2001, Section 184, as amended by Section 31 of this act, shall be recodified as Section 1043 of Title 64 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 96. RECODIFICATION 64 O.S. 2001, Section 185, shall be recodified as Section 1044 of Title 64 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 97. RECODIFICATION 64 O.S. 2001, Section 186, shall be recodified as Section 1045 of Title 64 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 98. RECODIFICATION 64 O.S. 2001, Section 192, as amended by Section 32 of this act, shall be recodified as Section 1046 of Title 64 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 99. RECODIFICATION 64 O.S. 2001, Section 194, shall be recodified as Section 1047 of Title 64 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 100. RECODIFICATION 64 O.S. 2001, Section 221, shall be recodified as Section 1048 of Title 64 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 101. RECODIFICATION 64 O.S. 2001, Section 222, shall be recodified as Section 1049 of Title 64 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 102. RECODIFICATION 64 O.S. 2001, Section 223, as amended by Section 33 of this act, shall be recodified as Section 1050 of Title 64 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 103. RECODIFICATION 64 O.S. 2001, Section 224, as amended by Section 34 of this act, shall be recodified as Section 1051 of Title 64 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 104. RECODIFICATION 64 O.S. 2001, Section 225.1, as amended by Section 35 of this act, shall be recodified as Section

1052 of Title 64 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 105. RECODIFICATION 64 O.S. 2001, Section 226, as amended by Section 36 of this act, shall be recodified as Section 1053 of Title 64 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 106. RECODIFICATION 64 O.S. 2001, Section 227, as amended by Section 37 of this act, shall be recodified as Section 1054 of Title 64 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 107. RECODIFICATION 64 O.S. 2001, Section 228, as amended by Section 38 of this act, shall be recodified as Section 1055 of Title 64 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 108. RECODIFICATION 64 O.S. 2001, Section 241, as amended by Section 39 of this act, shall be recodified as Section 1056 of Title 64 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 109. RECODIFICATION 64 O.S. 2001, Section 244, as amended by Section 40 of this act, shall be recodified as Section 1057 of Title 64 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 110. RECODIFICATION 64 O.S. 2001, Section 246, as amended by Section 41 of this act, shall be recodified as Section

1058 of Title 64 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 111. RECODIFICATION 64 O.S. 2001, Section 249, as amended by Section 42 of this act, shall be recodified as Section 1059 of Title 64 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 112. RECODIFICATION 64 O.S. 2001, Section 252, as amended by Section 43 of this act, shall be recodified as Section 1060 of Title 64 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 113. RECODIFICATION 64 O.S. 2001, Section 259, as amended by Section 44 of this act, shall be recodified as Section 1061 of Title 64 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 114. RECODIFICATION 64 O.S. 2001, Section 260, shall be recodified as Section 1062 of Title 64 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 115. RECODIFICATION 64 O.S. 2001, Section 281, as amended by Section 2, Chapter 205, O.S.L. 2003 (64 O.S. Supp. 2009, Section 281), shall be recodified as Section 1063 of Title 64 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 116. RECODIFICATION 64 O.S. 2001, Section 282, shall be recodified as Section 1064 of Title 64 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 117. RECODIFICATION 64 O.S. 2001, Section 283, shall be recodified as Section 1065 of Title 64 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 118. RECODIFICATION 64 O.S. 2001, Section 285, shall be recodified as Section 1066 of Title 64 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 119. RECODIFICATION 64 O.S. 2001, Section 287, shall be recodified as Section 1067 of Title 64 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 120. RECODIFICATION 64 O.S. 2001, Section 288, shall be recodified as Section 1068 of Title 64 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 121. RECODIFICATION 64 O.S. 2001, Section 289, as amended by Section 45 of this act, shall be recodified as Section 1069 of Title 64 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 122. RECODIFICATION 64 O.S. 2001, Section 290, as amended by Section 46 of this act, shall be recodified as Section 1070 of Title 64 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 123. RECODIFICATION 64 O.S. 2001, Section 291, as amended by Section 47 of this act, shall be recodified as Section 1071 of Title 64 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 124. RECODIFICATION 64 O.S. 2001, Section 292, shall be recodified as Section 1072 of Title 64 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 125. RECODIFICATION 64 O.S. 2001, Section 293, as amended by Section 48 of this act, shall be recodified as Section 1073 of Title 64 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 126. RECODIFICATION 64 O.S. 2001, Section 351, shall be recodified as Section 1074 of Title 64 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 127. RECODIFICATION 64 O.S. 2001, Section 352, shall be recodified as Section 1075 of Title 64 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 128. RECODIFICATION 64 O.S. 2001, Section 353, shall be recodified as Section 1076 of Title 64 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 129. RECODIFICATION 64 O.S. 2001, Section 354, shall be recodified as Section 1077 of Title 64 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 130. RECODIFICATION 64 O.S. 2001, Section 355, shall be recodified as Section 1078 of Title 64 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 131. RECODIFICATION 64 O.S. 2001, Section 371, as amended by Section 1, Chapter 323, O.S.L. 2007 (64 O.S. Supp. 2009, Section 371), shall be recodified as Section 1079 of Title 64 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 132. RECODIFICATION 64 O.S. 2001, Section 381, shall be recodified as Section 1080 of Title 64 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 133. RECODIFICATION 64 O.S. 2001, Section 405, shall be recodified as Section 1081 of Title 64 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 134. RECODIFICATION 64 O.S. 2001, Section 406, shall be recodified as Section 1082 of Title 64 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 135. RECODIFICATION 64 O.S. 2001, Section 407, shall be recodified as Section 1083 of Title 64 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 136. RECODIFICATION 64 O.S. 2001, Section 408, shall be recodified as Section 1084 of Title 64 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 137. RECODIFICATION 64 O.S. 2001, Section 421, shall be recodified as Section 1085 of Title 64 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 138. RECODIFICATION 64 O.S. 2001, Section 422, shall be recodified as Section 1086 of Title 64 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 139. RECODIFICATION 64 O.S. 2001, Section 423, shall be recodified as Section 1087 of Title 64 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 140. RECODIFICATION 64 O.S. 2001, Section 424, shall be recodified as Section 1088 of Title 64 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 141. RECODIFICATION 64 O.S. 2001, Section 425, shall be recodified as Section 1089 of Title 64 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 142. RECODIFICATION 64 O.S. 2001, Section 451, as amended by Section 49 of this act, shall be recodified as Section 1090 of Title 64 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 143. RECODIFICATION 64 O.S. 2001, Section 454, shall be recodified as Section 1091 of Title 64 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 144. RECODIFICATION 64 O.S. 2001, Section 457, shall be recodified as Section 1092 of Title 64 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 145. RECODIFICATION 64 O.S. 2001, Section 458, shall be recodified as Section 1093 of Title 64 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 146. RECODIFICATION 64 O.S. 2001, Section 459, shall be recodified as Section 1094 of Title 64 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 147. RECODIFICATION 64 O.S. 2001, Section 460, shall be recodified as Section 1095 of Title 64 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 148. This act shall become effective July 1, 2010.

SECTION 149. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

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