

FINAL ACTION ON MEASURES AFTER SINE DIE ADJOURNMENT**MESSAGES FROM THE GOVERNOR**

Advising of her approval of **HBs 2242, 2254, 2330, 2510, 2563, 2645, 2714, 2921, 3053, 3079 and 3108** on May 29, 2012.

Advising of her approval of **HBs 2320, 2396, 2494, 2607, 2647, 2659, 2676, 2683, 2684, 3056, 3090, 3093, 3133, 3149, 3150, 3151, 3157, 3159, 3160, and HJRs 1115, 1121, 1122 and 1127** on May 30, 2012.

Advising of her veto of **HB 3152** on May 30, 2012. The veto message reads as follows:

To the Honorable Speaker of the House
and Members of the House of Representatives
Second Regular Session, Fifty-third Oklahoma Legislature

Enrolled House Bill No. **3152**

By: Sears, et al of the House and Jolley, et al of the Senate

This is to advise you that on this date, pursuant to the authority vested in me by Section 11 of Article VI of the Oklahoma Constitution to approve or object to legislation presented to me, I have VETOED House Bill **3152**.

House Bill **3152** removes the salary cap for deputy directors and division directors at the Oklahoma State Bureau of Investigation (OSBI) and permits the Director of that agency to establish and set the salaries for these positions. This legislation also raises the salary caps for OSBI agents. Lastly, House Bill **3152** entirely removes the salary cap for the Directors of OSBI, Board of Dentistry, Board of Nursing, Teachers' Retirement System, and the Oklahoma State Banking Department. Salary caps create a consistent level of pay for each position. Current law permits pay raises based upon recommendations by the Office of Personnel Management (OPM) to the legislature. The Office of Personnel Management analyzes the duties and pay of state positions to determine if a pay raise is warranted. This approach is data driven and need-based. As such, I have directed OPM to begin this process in preparation for the 2013 legislative session.

While I appreciate the hard work and dedication of the particular state agencies receiving pay raises from House Bill **3152**, I know that there are state employees at all agencies who work hard and may be deserving of a pay raise.

Moreover, removing the salary caps allows the Board members or Directors of the agencies in House Bill **3152** to increase salaries, at will, rather than through the standardized guidelines established by the Office of Personnel Management.

House Bill **3152** does not constitute good public policy and does not further the well-being of the citizens of Oklahoma.

By the Governor of the State of Oklahoma

/s/ Mary Fallin

Advising of her approval of **HBs 3134, 3135 and 3137** on May 31, 2012.

Advising of her approval of **HBs 2248 and 2249** on June 4, 2012.

Advising of her approval of **HB 3058** on June 6, 2012.

Advising of her approval of **HBs 2258, 2288, 2300, 2306, 2390, 2469, 2576, 2582, 2746 and 2790** on June 8, 2012.

Advising of her veto of **HB 2535** on June 8, 2012. The veto message reads as follows:

To the Honorable Speaker of the House
and Members of the House of Representatives
Second Regular Session, Fifty-third Oklahoma Legislature

Enrolled House Bill No. **2535**

By: McCullough of the House and Anderson of the Senate

This is to advise you that on this date, pursuant to the authority vested in me by Section 11 of Article VI of the Oklahoma Constitution to approve or object to legislation presented to me, I have VETOED House Bill **2535**.

House Bill **2535** extends the Rule against Perpetuities to 500 years. The traditional Rule against Perpetuities states “no interest in property is valid unless it must vest, if at all no later than twenty-one years after the death of some life in being at the creation of the interest.” This language effectively limits a donor from placing criteria in his will to control the distribution of land long after he has died. The Rule against Perpetuities was created, in part, to prevent “controlling dynasties” whereby one family owns all the land in one area or city for hundreds of years.

House Bill **2535** significantly extends this period and allows land to remain in an uncertain state for 500 years. Passage of this legislation would place a burden on land transfers and negatively impact the growth and development of this State.

House Bill **2535** does not constitute good public policy and does not further the well-being of the citizens of Oklahoma.

By the Governor of the State of Oklahoma

/s/ Mary Fallin

Advising of her veto of **HJR 1095** on June 8, 2012. The veto message reads as follows:

To the Honorable Speaker of the House
and Members of the House of Representatives
Second Regular Session, Fifty-third Oklahoma Legislature

Enrolled House Joint Resolution No. **1095**

By: Peters of the House and David of the Senate

This is to advise you that on this date, pursuant to the authority vested in me by Section 11 of Article VI of the Oklahoma Constitution to approve or object to legislation presented to me, I have VETOED House Joint Resolution **1095**.

House Joint Resolution **1095** disapproves an Oklahoma Department of Health rule that I previously approved on February 8, 2011. This rule requires all licensed home care agencies to offer an annual, on-site influenza vaccination to all employees. **HJR 1095** disapproves this provision, thereby preventing the rule from taking effect.

This regulation protects our most vulnerable population – the ill and the elderly – from a serious and preventable disease. Research indicates that vaccination rates for health care workers in all settings rarely exceed 40%. The failure of home care employees to get vaccinated puts already ill patients at risk of contracting influenza from their health care workers. While implementation of this program will create some limited expense for home care agencies, this expense is significantly less than the cost of treating influenza. There is also a cost savings realized through the improved productivity of a healthy work force. Lastly, this requirement will likely reduce legal liability for small businesses because it will reduce the likelihood of health care workers infecting their patients with influenza.

I stand by my previous decision to approve this rule because it is good public policy and beneficial to our business community and the citizens of Oklahoma.

By the Governor of the State of Oklahoma

/s/ Mary Fallin

Advising of her veto of **HJR 1129** on June 8, 2012. The veto message reads as follows:

To the Honorable Speaker of the House
and Members of the House of Representatives
Second Regular Session, Fifty-third Oklahoma Legislature

Enrolled House Joint Resolution No. **1129**

By: Armes of the House and Justice of the Senate

This is to advise you that on this date, pursuant to the authority vested in me by Section 11 of Article VI of the Oklahoma Constitution to approve or object to legislation presented to me, I have VETOED House Joint Resolution **1129**.

House Joint Resolution **1129** disapproves Oklahoma Department of Agriculture rules that I previously approved on March 30, 2012. These rules create a \$50 fee for inspection of new pens holding farmed deer; require herd owners to report deaths of farmed deer within 48 hours; and clarify the Department's authority to adjust, suspend, or revoke a herd status if poor quality samples are routinely submitted from a farm. **HJR 1129** disapproves these provisions, thereby preventing the rules from taking effect.

Currently, the Oklahoma Department of Agriculture inspects deer pen additions for free. There are several expenses, including fuel cost and travel time for inspectors, incurred by the Department to provide this service. This fee allows the Department to offset some of these expenses.

These rules also address the Department's authority to monitor farmed deer by requiring deaths of farmed deer to be quickly reported and allowing the Department to adjust a herd's status if poor samples are routinely provided. Oversight of this area prevents the spread of disease and protects the farmed cervidae industry as well as Oklahoma's native deer population.

I stand by my previous decision to approve these rules because they are good public policy and beneficial to our business community and the citizens of Oklahoma.

By the Governor of the State of Oklahoma

/s/ Mary Fallin