

# HOUSE JOURNAL

**Second Regular Session of the Fifty-third Legislature**

**of the State of Oklahoma**

**Twelfth Legislative Day, Thursday, February 23, 2012**

The House was called to order by Speaker Steele.

The roll was called with 95 Members present.

The following Members were excused: Armes, Morgan, Tibbs, Trebilcock—4.

Vacancy: District 71, District 88.—2.

The Speaker declared a quorum present.

Prayer was offered by Pastor Vep Ellis, Sheridan Christian Church, Tulsa.  
Pastor Ellis was sponsored by Representative Tibbs.

The Journal for the last legislative day was approved.

## **ENGROSSED AND ENROLLED MEASURES**

**HBs 2449, 2484** and **HJR 1093** were reported correctly engrossed, properly signed, in open session, and ordered transmitted to the Honorable Senate.

## **GENERAL ORDER**

**HB 2281** by Glenn of the House and Ballenger of the Senate was read and considered.

Coauthored by Representative(s) Roan

Representative Glenn moved that **HB 2281** be advanced from General Order, which motion was declared adopted.

**THIRD READING**

**HB 2281** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Banz, Bennett, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Christian, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Enns, Faught, Fourkiller, Glenn, Grau, Hall, Hardin, Holland, Hoskin, Jackson, Johnson, Joyner, Kern, Kirby, Kouplen, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McCullough, McDaniel (Curtis), McDaniel (Jeannie), McNiel, McPeak, Moore, Morrissette, Mulready, Murphey, Nelson, Newell, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Reynolds, Richardson, Ritze, Roan, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Sears, Shelton, Sherrer, Shoemake, Stiles, Terrill, Thomsen, Vaughan, Walker, Watson, Wesselhoft, Wright, Mr. Speaker.--81.

Excused: Armes, Billy, Hamilton, Hickman, Hilliard, Inman, Jordan, Key, McDaniel (Randy), Morgan, Nollan, Scott, Shannon, Shumate, Tibbs, Trebilcock, Virgin, Williams.--18.

Vacancy: District 71, District 88.--2.

The measure passed.

**HB 2281** was referred for engrossment.

**Representative Peters Presiding****GENERAL ORDER**

**HB 2547** by Nollan of the House was read and considered.

Coauthored by Representative(s) Roan, Sherrer

Authored by Senator Brinkley (principal Senate author)

Representative Nollan moved that **HB 2547** be advanced from General Order, which motion was declared adopted.

**THIRD READING**

**HB 2547** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Banz, Bennett, Billy, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Christian, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt,

Dorman, Enns, Faught, Fourkiller, Glenn, Grau, Hall, Hardin, Hickman, Holland, Hoskin, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Key, Kirby, Kouplen, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Morrissette, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Reynolds, Richardson, Ritze, Roan, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Stiles, Terrill, Thomsen, Vaughan, Virgin, Walker, Watson, Wesselhoft, Wright, Mr. Speaker.--92.

Excused: Armes, Hamilton, Hilliard, Morgan, Tibbs, Trebilcock, Williams.--7.

Vacancy: District 71, District 88.--2.

The measure passed.

**HB 2547** was referred for engrossment.

### GENERAL ORDER

**HB 2787** by Ortega of the House and Fields of the Senate was read and considered.

Coauthored by Representative(s) Sherrer

Representative Ortega moved that **HB 2787** be advanced from General Order, which motion was declared adopted.

### THIRD READING

**HB 2787** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Banz, Billy, Blackwell, Brumbaugh, Cannaday, Casey, Christian, Cockroft, Condit, Coody, Cooksey, Cox, Denney, Derby, DeWitt, Dorman, Enns, Faught, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Hickman, Holland, Hoskin, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Key, Kirby, Kouplen, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Richardson, Roan, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Sherrer, Shoemake, Shumate, Terrill, Thomsen, Vaughan, Virgin, Walker, Watson, Wesselhoft, Wright, Mr. Speaker.--85.

Nay: Bennett, Morrissette, Reynolds, Ritze, Shelton, Stiles.--6.

Excused: Armes, Brown, Dank, Hilliard, Morgan, Tibbs, Trebilcock, Williams.--8.

Vacancy: District 71, District 88.--2.

The measure passed.

**HB 2787** was referred for engrossment.

### GENERAL ORDER

**HB 2318** by Key of the House was read and considered.

Coauthored by Representative(s) Ritze

Authored by Senator Shortey (principal Senate author)

Representative Key moved that **HB 2318** be advanced from General Order, which motion was declared adopted.

### THIRD READING

**HB 2318** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Banz, Bennett, Billy, Blackwell, Brumbaugh, Cannaday, Casey, Christian, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Enns, Faught, Fourkiller, Glenn, Grau, Hall, Hardin, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Key, Kirby, Kouplen, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McPeak, Moore, Morrissette, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Quinn, Reynolds, Richardson, Ritze, Roan, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Stiles, Terrill, Thomsen, Vaughan, Virgin, Walker, Watson, Wesselhoft, Wright, Mr. Speaker.--90.

Nay: Hamilton.--1.

Excused: Armes, Brown, McNeil, Morgan, Renegar, Tibbs, Trebilcock, Williams.--8.

Vacancy: District 71, District 88.--2.

The measure passed.

**HB 2318** was referred for engrossment.

## GENERAL ORDER

**HB 2446** by Quinn of the House and Brinkley of the Senate was read and considered.

Representative McPeak moved to amend **HB 2446**, Page 12, Section 1 by striking the new language on Lines 10-12; Page 13, Section 2 by striking Lines 7-8 and Page 14, Section 3, Line 2 by striking “may issue an ex parte cease and desist order, or”.

Representative Quinn moved to table the McPeak amendment, which tabling motion was declared adopted upon roll call as follows:

Aye: Banz, Billy, Brumbaugh, Casey, Christian, Cockroft, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Enns, Faught, Grau, Hall, Hardin, Hickman, Holland, Jackson, Johnson, Jordan, Joyner, Kern, Key, Kirby, Liebmann, Martin (Scott), Martin (Steve), McCullough, McDaniel (Randy), McNiel, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Peters, Peterson, Quinn, Reynolds, Richardson, Ritze, Roberts (Dustin), Roberts (Sean), Russ, Sanders, Schwartz, Sears, Shannon, Stiles, Terrill, Vaughan, Watson, Wesselhoft, Wright, Mr. Speaker.--61.

Nay: Brown, Cannaday, Condit, Dorman, Fourkiller, Glenn, Hamilton, Hoskin, Inman, Kouplun, Lockhart, McDaniel (Curtis), McDaniel (Jeannie), McPeak, Morrisette, Pittman, Proctor, Pruett, Rousselot, Scott, Shelton, Sherrer, Shoemake, Shumate, Virgin, Walker.--26.

Excused: Armes, Bennett, Blackwell, Hilliard, Moore, Morgan, Renegar, Roan, Thomsen, Tibbs, Trebilcock, Williams.--12.

Vacancy: District 71, District 88.--2.

Upon request of Representative Quinn, **HB 2446** was laid over.

## MEASURES REASSIGNED

The following measures were reassigned:

**HB 2340** – Withdrawn from Appropriations and Budget and referred to Rules.

**HB 2500** – Withdrawn from Rules and referred to Judiciary.

**HB 3132** – Withdrawn from Rules and referred to Appropriations and Budget.

**HB 3133** – Withdrawn from Rules and referred to Human Services.

**HB 3134** – Withdrawn from Rules and referred to Human Services.

**HB 3135** – Withdrawn from Rules and referred to Human Services.

**HB 3136** – Withdrawn from Rules and referred to Human Services.

**HB 3137** – Withdrawn from Rules and referred to Human Services.

**RECONSIDERATION**

Representative Denney moved to reconsider the vote whereby **HB 2443** failed, which motion was withdrawn.

**MOTION**

Representative DeWitt moved that the House stand in recess for ten minutes, which was the order.

**Representative Peters Presiding****RECONSIDERATION**

Representative Denney pressed her motion to reconsider the vote whereby **HB 2443** failed, which motion prevailed upon roll call as follows:

Aye: Bennett, Billy, Brown, Brumbaugh, Cannaday, Casey, Christian, Cockroft, Condit, Coody, Cooksey, Dank, Denney, Derby, DeWitt, Dorman, Enns, Fourkiller, Glenn, Hall, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Kouplen, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McPeak, Moore, Morrissette, Murphey, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Roan, Rousselot, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Stiles, Thomsen, Vaughan, Virgin, Watson, Mr. Speaker.--66.

Nay: Hamilton, Hardin, McCullough, Reynolds, Ritze, Terrill.--6.

Excused: Armes, Banz, Blackwell, Cox, Faught, Grau, Key, McNiel, Morgan, Mulready, Nelson, Nollan, Ortega, Quinn, Richardson, Roberts (Dustin), Roberts (Sean), Russ, Sanders, Schwartz, Scott, Tibbs, Trebilcock, Walker, Wesselhoft, Williams, Wright.--27.

Vacancy: District 71, District 88.--3.

Upon request of Representative Denney, **HB 2443** was laid over on Third Reading.

## MOTION

Representative Sears asked that the Journal reflect that had he been present in the Chamber, Wednesday, February 22, he would have voted aye on **HB 2449**, **HB 2484** and **HJR 1093**, which was the order.

## MOTION

Representative Dank asked that the Journal reflect that had he been present in the Chamber, he would have voted aye on **HB 2787**, which was the order.

## CONFERENCE GRANTED

Upon motion of Representative DeWitt, the House granted the request of the Honorable Senate for conference on the following measure and the Speaker named conferees:

**SB 138** – Conference Committee on Public Safety, Judiciary and Military Affairs

## RESOLUTION

The following was introduced and read:

**HCR 1031** – By Enns.

A Concurrent Resolution calling for Congressional oversight of the United States Environmental Protection Agency; specifying matters of concern; and directing distribution.

## COMMITTEE REPORTS

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

DO PASS:

**HB 2200** – Economic Development, Tourism and Financial Services, Authored by Senator Holt (principal Senate author)

**HB 2262** – Appropriations and Budget, Authored by Senator Jolley (principal Senate author)

**HB 2267** – Public Health, Coauthored by Representative(s) Cannaday, Lockhart, Denney, Wright, Scott, Liebmann, Morgan, Pittman, Authored by Senator Simpson (principal Senate author), and Coauthored by Senator(s) Burrage

**HB 2308** – Economic Development, Tourism and Financial Services, Authored by Senator Coates (principal Senate author)

**HB 2322** – Economic Development, Tourism and Financial Services, Authored by Senator Brown (principal Senate author)

**HB 2389** – Appropriations and Budget, Authored by Senator Marlatt (principal Senate author)

**HB 2394** – Appropriations and Budget, Coauthored by Representative(s) Murphey, and Authored by Senator Marlatt (principal Senate author)

**HB 2510** – Appropriations and Budget, Authored by Senator Barrington (principal Senate author)

**HB 2512** – Appropriations and Budget, Authored by Senator Fields (principal Senate author)

**HB 2576** – Appropriations and Budget, Authored by Senator Mazzei (principal Senate author)

**HB 2578** – General Government

**HB 2586** – Appropriations and Budget, Coauthored by Representative(s) Pittman, and Authored by Senator Brinkley (principal Senate author)

**HB 2618** – Appropriations and Budget, Authored by Senator Crain (principal Senate author)

**HB 2653** – Appropriations and Budget, Authored by Senator Shortey (principal Senate author)

**HB 2679** – Appropriations and Budget, Coauthored by Representative(s) Kern, and Authored by Senator Jolley (principal Senate author)

**HB 2684** – Appropriations and Budget, Authored by Senator Ford (principal Senate author)

**HB 2982** – Appropriations and Budget, Authored by Senator Brinkley (principal Senate author)

**HB 2995** – General Government, Authored by Senator Ivester (principal Senate author)

**HB 3112** – Appropriations and Budget, Authored by Senator Brecheen (principal Senate author)

**HB 3147** – Appropriations and Budget, Authored by Senator Ford (principal Senate author)

**SB 301** – General Government

DO PASS, As Amended:

**CS for HB 1551** – Common Education, Coauthored by Representative(s) Reynolds, Ritze and Authored by Senator David (principal Senate author)

**CS for HB 1952** – Agriculture, Wildlife and Environment

**CS for HB 2196** – Government Modernization

**HB 2248** – Appropriations and Budget, Authored by Senator Marlatt (principal Senate author)

**CS for HB 2256** – Economic Development, Tourism and Financial Services, Authored by Senator Burrage (principal Senate author)

**CS for HB 2268** – Appropriations and Budget

- CS for HB 2270** – Appropriations and Budget, Coauthored by Representative(s) Jackson, Hilliard, McNeil, Ownbey
- CS for HB 2321** – Economic Development, Tourism and Financial Services, Authored by Senator Anderson (principal Senate author)
- CS for HB 2468** – Public Health
- CS for HB 2520** – Government Modernization
- CS for HB 2524** – Economic Development, Tourism and Financial Services, Coauthored by Representative(s) Armes, and Authored by Senator Newberry (principal Senate author)
- CS for HB 2572** – Public Safety, Authored by Senator Simpson (principal Senate author)
- CS for HB 2574** – Public Safety, Authored by Senator Simpson (principal Senate author)
- HB 2592** – Appropriations and Budget, Authored by Senator Fields (principal Senate author)
- HB 2621** – Appropriations and Budget, Authored by Senator Mazzei (principal Senate author)
- CS for HB 2659** – Appropriations and Budget, Authored by Senator Newberry (principal Senate author)
- HB 2681** – Appropriations and Budget, Authored by Senator Schulz (principal Senate author)
- HB 2704** – Appropriations and Budget, Coauthored by Representative(s) Pittman, and Authored by Senator Fields (principal Senate author)
- CS for HB 2715** – Agriculture, Wildlife and Environment, Authored by Senator Anderson (principal Senate author)
- CS for HB 2742** – Economic Development, Tourism and Financial Services, Authored by Senator Sykes (principal Senate author)
- CS for HB 2834** – Government Modernization
- CS for HB 2835** – Agriculture, Wildlife and Environment, Authored by Senator Marlatt (principal Senate author)
- CS for HB 2917** – Agriculture, Wildlife and Environment
- CS for HB 2921** – Agriculture, Wildlife and Environment, Coauthored by Representative(s) Renegar
- CS for HB 2991** – Government Modernization, Authored by Senator Treat (principal Senate author)
- CS for HB 2994** – General Government, Authored by Senator Newberry (principal Senate author)
- CS for HB 3005** – Appropriations and Budget, Authored by Senator Holt (principal Senate author)
- HB 3028** – Appropriations and Budget, Coauthored by Representative(s) Russ, Pittman, and Authored by Senator Barrington (principal Senate author)
- CS for HB 3047** – Appropriations and Budget, Authored by Senator Brinkley (principal Senate author)
- HB 3056** – Appropriations and Budget, Authored by Senator Bingman (principal Senate author)
- HB 3068** – Appropriations and Budget

**CS for HB 3111** – Economic Development, Tourism and Financial Services,  
Coauthored by Representative(s) Enns, and Authored by Senator Brown (principal Senate author)

**HB 3115** – Appropriations and Budget, Authored by Senator Marlatt (principal Senate author)

Representative DeWitt moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 1:30 p.m., Monday, February 27, 2012, which was the order.

Pursuant to the motion of Representative DeWitt, the House was adjourned at 10:50 a.m., to reconvene Monday, February 27, 2012, at 1:30 p.m.

**COMMUNICATION**

**STATE BOARD OF EQUALIZATION  
CERTIFICATE**

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

I, Mary Fallin, Governor of the State of Oklahoma and Chairman of the State Board of Equalization, hereby certify that pursuant to the provisions of Article X, Section 23 of the Oklahoma Constitution, the State Board of Equalization by seven (7) affirmative votes cast by Governor Mary Fallin, Lt. Governor Todd Lamb, Janet Barresi, Gary Jones, Ken Miller, Scott Pruitt and Jim Reese did certify the estimate of revenues to accrue to the credit of the General Revenue Fund and to each special fund of the State for the fiscal year ending June 30, 2013, as reflected in the "Appendix" attached hereto and made a part hereof.

DATED this 21<sup>st</sup> day February, 2012

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

**COMMUNICATION**

February 21, 2012

State Board of Equalization  
State Capitol Building  
Oklahoma City, OK 73105

Members of the Board:

The Constitution of the State of Oklahoma, Article X, Section 23, as last amended November 2, 2004, provides in pertinent part:

...Legislative appropriations for any fiscal year...shall be limited to a sum not to exceed the total amount appropriated from all funds in the preceding fiscal year plus twelve percent (12%), adjusted for inflation for the previous calendar year... The limit on the growth of appropriations shall be certified to by the State Board of Equalization.

...The State Board of Equalization shall meet within five (5) days after the monthly apportionment in February of each year, and at that time may adjust the certification, based

upon the most current information available, and determine the amount of funds available for appropriation for that legislative session. At said meeting, the Board shall determine the limit on the growth of appropriations as provided for in this section.

The following report has been prepared in accordance with the procedures set forth above, and is respectfully submitted for your consideration.

Respectfully yours,

/s/ Preston Doerflinger  
Director of State Finance

**APPROPRIATION LIMITATION**  
**Schedule 1**

Section 23, paragraph 1 of Article X, Constitution of Oklahoma, provides for a limitation on appropriations, except for appropriations from the Constitutional Reserve Fund. Pursuant to said limitation, appropriations for the fiscal year ending June 30, 2013, shall not exceed the amount appropriated for the current fiscal year, 2012, plus 12 percent (12%) adjusted for inflation as measured at the close of the calendar year. The amount appropriated from each fund by the First Regular Session of the Fifty-third Legislature and acted upon by the Governor was \$5,457,789,900. The limit on appropriations for the Second Regular Session of the Fifty-third Legislature is \$5,925,675,313 for the fiscal year ending June 30, 2013.

<i>Column 1</i>	<i>Column 2</i>
<b>FUND NAME</b>	<b>AMOUNT</b>
FY-2012 General Revenue Fund	4,968,375,954
FY-2011 General Revenue Fund	7,767,495
FY-2010 General Revenue Fund	41,873,389
FY-2012 Mineral Leasing Fund	2,850,000
FY-2010 Mineral Leasing Fund	0
FY-2012 Land Office Fund	7,109,000
FY-2011 Land Office Fund	0
FY-2010 Land Office Fund	0
FY-2012 Public Building Fund	1,384,416
FY-2010 Public Building Fund	1,039,907
Special Cash	357,298,121
FY-2012 OHSA Fund	1,471,075
FY-2010 OHSA Fund	1,236,425
FY-2012 CLEET Fund	3,226,565
FY-2011 CLEET Fund	0
Gen'l Obligation Bonds Series A	174
Gen'l Obligation Bonds Series B	71
Education Lottery Trust Fund	64,157,308
TOTAL	<u><u>\$5,457,789,900</u></u>

The appropriation growth limitation is calculated by multiplying the preceding years' total appropriation by the sum of 100% plus 12% adjusted for inflation [(100% plus 12%) times 0.9694%(adjustment for inflation)]=108.57%

Total Appropriation FY-2012	\$5,457,789,900
Factor	<u>108.57%</u>
<b>Limit on Appropriation FY-2013</b>	<u><u><b>\$5,925,675,313</b></u></u>

**FUNDS TO BE CERTIFIED  
Schedule 2**

The summation of the itemized estimates of revenue, Schedule 5, and the amounts available for appropriation are proposed as the amounts to be certified by the State Board of Equalization in accordance with Section 23, Article X, Constitution of Oklahoma. The amounts proposed as available for appropriation are calculated as 95 percent (95%) of the summation of the itemized estimate of revenue for the respective funds, except for appropriated federal funds which shall be certified for the full amount of the estimate.

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
	<b>TOTAL ESTIMATED COLLECTIONS</b>	<b>APPROPRIATIONS AUTHORITY</b>
	<b>Proposed FY-2013 Estimates</b>	
<b>GENERAL REVENUE</b>	<b>\$5,571,066,484</b>	<b>\$5,292,513,159</b>
<b>C.L.E.E.T.</b>	<b>\$3,482,543</b>	<b>\$3,308,416</b>
<b>COMMISSIONERS OF THE LAND OFFICE</b>	<b>\$16,905,916</b>	<b>\$16,060,620</b>
<b>MINERAL LEASING</b>	<b>\$4,000,000</b>	<b>\$3,800,000</b>
<b>SPECIAL OCCUPATIONAL HEALTH &amp; SAFETY</b>	<b>\$2,612,452</b>	<b>\$2,481,829</b>
<b>PUBLIC BUILDING</b>	<b>\$1,757,280</b>	<b>\$1,669,416</b>
<b>OK EDUCATION LOTTERY TRUST FUND</b>	<b>\$60,522,350</b>	<b>\$57,496,233</b>
<b>TOTALS</b>	<b>\$5,660,347,025</b>	<b>\$5,377,329,673</b>



**OKLAHOMA EDUCATION LOTTERY TRUST FUND  
FEBRUARY APPROPRIATIONS ANALYSIS  
Schedule 4**

Article X, Section 41 of the Oklahoma Constitution and Title 3A, Section 713 of the Oklahoma Statutes require the State Board of Equalization to determine if appropriations from the Oklahoma Education Lottery Trust Fund were used to enhance or supplant education funding.

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>	<i>Column 5</i>
	<b>FY-2011 APPROPRIATION</b>	<b>FY-2012 APPROPRIATION</b>	<b>INCREASE OR (DECREASE)</b>	<b>PERCENT CHANGE</b>
Education Funding	3,382,908,595	3,306,205,974	(\$76,702,621)	-2.3%
Education Lottery Trust Fund	<u>61,552,734</u>	<u>64,157,308</u>	2,604,574	4.2%
<b>Total Education Funding*</b>	<b>\$3,444,461,329</b>	<b>3,370,363,282</b>	<b>(\$74,098,047)</b>	<b>-2.2%</b>
	<b>FY-2011 AUTHORIZED APPROPRIATIONS</b>	<b>FY-2012 AUTHORIZED APPROPRIATIONS</b>		
<b>Total Appropriations</b>	<b>6,720,837,226</b>	<b>6,502,883,889</b>	<b>(\$217,953,337)</b>	<b>-3.2%</b>
Education Lottery Trust Fund	61,552,734	64,157,308	\$2,604,574	4.2%

\*To determine if the Oklahoma Education Lottery Trust Fund supplanted education funding, actual FY-2011 appropriations are compared to FY-2012 appropriations. Education funding in FY-2011 was affected negatively by the economic downturn. However, this negative impact was mitigated by the inclusion of Federal Stimulus funding and Rainy Day funds. Although overall appropriations for FY-2012 decreased by 3.2%, education funding (from sources other than the Education Lottery Trust Fund) only decreased by 2.3%. Additionally, authorized lottery funds were fully appropriated. Therefore, the Oklahoma Education Lottery Trust Fund did not supplant funding for education.

ITEMIZED ESTIMATES OF REVENUE						
Schedule 5						
The itemized estimate of revenues displayed in this schedule represents 100% of the estimate for the General Revenue Fund and the Special Revenue Funds to be appropriated by the Legislature for the fiscal year ending June 30, 2013 (FY-2013) and are the basis for the summation proposed for certification in Schedule 2. For informational purposes the FY-2013 estimates of revenues are compared to both the itemized estimates and the projections of revenues for the current fiscal year (FY-2012).						
Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7
FUND NAME	FY-2011 ACTUAL	FY-2012 ESTIMATE 17-Jun-11	FY-2012 PROJECTED 20-Dec-11	FY-2013 ESTIMATE 20-Dec-11	FY-2012 PROJECTED 21-Feb-12	PROPOSED FY-2013 ESTIMATE 21-Feb-12
<b>GENERAL REVENUE</b>						
Alcohol Beverage Tax	\$21,882,525	\$23,057,000	\$22,244,000	\$22,789,000	\$22,244,000	\$22,789,000
Mixed Beverage Receipts Tax	35,615,638	36,540,000	38,105,000	39,919,000	38,105,000	39,919,000
Beverage Tax	25,010,953	26,318,000	25,960,000	26,612,000	25,960,000	26,612,000
Cigarette Tax	67,282,028	56,491,510	45,731,124	48,106,942	45,762,543	48,140,993
Tobacco Products Tax	18,531,962	17,518,215	21,779,070	23,529,159	21,783,502	23,533,947
Franchise Tax/Business Activity Tax	29,144,157	45,073,000	49,720,000	49,720,000	49,720,000	49,720,000
Gross Production Tax-Gas	275,913,167	333,110,000	308,339,000	267,304,000	273,105,000	188,420,000
Gross Production Tax-Oil	212,545,738	185,643,000	234,753,000	195,075,000	250,978,000	188,623,000
Income Tax-Individual	1,775,100,943	1,829,463,079 *	1,912,165,239 *	1,972,911,102 *	1,947,234,443 *	1,999,625,886 *
Income Tax-Corporate	274,328,355	202,812,075	263,017,950	270,291,325	325,480,625	320,884,875
Estate Tax	5,725,078	0	0	0	0	0
Insurance Premium Tax	81,652,995	66,441,362	75,554,580	75,554,580	75,554,580	75,554,580
Motor Vehicle Taxes	198,592,883	221,280,000	215,497,000	209,586,000	217,158,000	211,111,000
Sales Tax	1,668,336,492	1,747,397,999	1,796,073,232	1,877,035,303	1,809,920,720	1,910,897,353
Use Tax	150,136,643	158,859,000	173,075,208	187,025,537	173,075,208	187,025,537
Interest & Investments	80,484,928	96,000,000	80,000,000	83,000,000	80,000,000	83,000,000
Other (Schedule 6)	216,926,068	189,270,572	196,654,427	192,475,361	198,750,257	194,209,312
General Revenue Totals	\$5,137,210,551	\$5,235,274,811	\$5,458,668,832	\$5,540,934,309	\$5,554,831,878	\$5,570,066,484
Transfers & Lapses	598,781	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Revenue Comparison	\$5,137,809,332	\$5,236,274,811	\$5,459,668,832	\$5,541,934,309	\$5,555,831,878	\$5,571,066,484
One-Time Receipts	0	0	0	0	0	0
<b>Total General Revenue</b>	<b>\$5,137,809,332</b>	<b>\$5,236,274,811</b>	<b>\$5,459,668,832</b>	<b>\$5,541,934,309</b>	<b>\$5,555,831,878</b>	<b>\$5,571,066,484</b>
<b>C.L.E.E.T.</b>	<b>\$3,435,654</b>	<b>\$3,396,384</b>	<b>\$3,368,528</b>	<b>\$3,368,528</b>	<b>\$3,458,268</b>	<b>\$3,482,543</b>
<b>COMM of LAND OFFICE</b>	<b>\$17,981,316</b>	<b>\$10,432,906</b>	<b>\$14,050,030</b>	<b>\$16,905,916</b>	<b>\$14,050,030</b>	<b>\$16,905,916</b>
<b>MINERAL LEASING</b>	<b>\$4,219,632</b>	<b>\$3,000,000</b>	<b>\$4,000,000</b>	<b>\$4,000,000</b>	<b>\$4,000,000</b>	<b>\$4,000,000</b>
<b>SPECIAL OCCUPATIONAL HEALTH &amp; SAFETY</b>	<b>\$2,675,625</b>	<b>\$1,548,500</b>	<b>\$1,471,075</b>	<b>\$2,500,000</b>	<b>\$2,612,452</b>	<b>\$2,612,452</b>
<b>PUBLIC BUILDING</b>	<b>\$5,359,312</b>	<b>\$1,457,280</b>	<b>\$1,759,160</b>	<b>\$1,757,280</b>	<b>\$1,759,160</b>	<b>\$1,757,280</b>
<b>OK EDUCATION LOTTERY TRUST FUND</b>	<b>\$69,396,091</b>	<b>\$60,587,100</b>	<b>\$64,007,300</b>	<b>\$60,522,350</b>	<b>\$64,007,300</b>	<b>\$60,522,350</b>
<b>GRAND TOTAL</b>	<b>\$5,240,876,961</b>	<b>\$5,316,696,981</b>	<b>\$5,548,324,925</b>	<b>\$5,630,988,383</b>	<b>\$5,645,719,088</b>	<b>\$5,660,347,025</b>

\*The Individual Income Tax number reflects apportionments to the ROADS Fund, the Public Transportation Fund and the OK Tourism and Passenger Rail Revolving Fund, as well as funding for the Oklahoma's Promise Scholarship program. For more ROADS Fund detail, see Schedule 3, page 3.

\*In compliance with Section 34.87 of Title 62 of the Oklahoma Statutes, the State Regents for Higher Education has requested \$63m for funding of Oklahoma's Promise scholarship fund. Action taken by the Board in December reduced the amount of money allocated from state funds to \$57m which has been removed from the FY-2013 Individual Income Tax Estimate. Any additional scholarship funding required is to come from the OHLAP Trust Fund. \$63.2m was funded for FY-2012 and \$57m for FY-2011; both amounts have been removed from the respective individual income tax numbers.

**ITEMIZED ESTIMATES OF "OTHER" REVENUE  
GENERAL REVENUE FUND  
Schedule 6**

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7
	FY-2011 ACTUAL	FY-2012 ESTIMATE 17-Jun-11	FY-2012 PROJECTED 20-Dec-11	FY-2013 ESTIMATE 20-Dec-11	FY-2012 PROJECTED 21-Feb-12	PROPOSED FY-2013 ESTIMATE 21-Feb-12
<b>OTC:</b>						
Pari-Mutuel	\$1,130,420	\$1,215,000	\$1,215,000	\$1,215,000	\$1,215,000	\$ 1,215,000
Tribal Cigarette Compacts	13,855,903	14,036,000	13,134,000	13,068,000	13,134,000	13,068,000
Bingo Excise & Charity Games	165,803	197,000	174,000	183,000	174,000	183,000
Workers Comp Ins. Premium Tax	8,806,054	7,026,000	8,280,000	8,317,000	8,280,000	8,317,000
Petroleum Excise Tax	10,844,996	9,131,000	9,632,000	9,982,000	10,045,000	10,339,000
Other OTC	29,230,023	21,448,000	21,226,000	21,535,000	21,226,000	21,535,000
<b>TOTAL OTC</b>	<b>\$64,033,199</b>	<b>\$53,053,000</b>	<b>\$53,661,000</b>	<b>\$54,300,000</b>	<b>\$54,074,000</b>	<b>\$54,657,000</b>
<b>COLLECTIONS BY OTHER AGENCIES</b>						
ABLE	\$5,442,073	\$5,232,138	\$5,457,115	\$5,490,676	\$5,457,115	\$5,490,676
Attorney General (Tobacco)	21,280	21,000	4,824,715	390,000	4,939,188	390,000
Central Services	434,139	1,051,209	855,645	505,295	755,645	405,295
CLEET	597,916	611,266	601,397	601,097	590,158	525,982
Consumer Credit	856,646	684,094	817,086	817,086	843,410	843,410
DPS	44,453,276	46,753,710	44,075,739	44,372,782	45,789,171	45,789,171
Employees Benefit Council	1,173,119	1,547,309	1,173,119	1,173,119	1,173,119	1,306,236
Horseracing	524,204	409,225	409,225	409,225	410,725	409,225
Insurance Comm	39,393,971	32,921,921	35,515,321	35,515,321	35,515,321	35,515,321
Labor	976,095	979,850	976,095	976,095	987,475	987,475
Medical Licensure	350,376	220,000	250,000	220,000	250,000	220,000
Nursing Board	303,157	301,818	301,818	304,846	301,818	304,846
Sec of State	2,714,634	2,267,000	2,636,409	2,684,000	2,304,512	2,390,000
Securities Comm	14,603,680	12,674,872	14,327,611	14,337,611	14,586,468	14,596,468
Treasurer (Unclaimed Property)	10,000,000	10,000,000	10,000,000	10,000,000	10,000,000	10,000,000
Tribal Gaming	16,690,211	15,688,000	16,128,000	15,828,000	16,128,000	15,828,000
OPM	4,677,644	4,654,160	4,403,695	4,350,208	4,403,695	4,350,208
OSF	204,336	200,000	240,438	200,000	240,438	200,000
Other	9,476,111	0	0	0	0	0
<b>TOTAL MISC</b>	<b>152,892,868</b>	<b>136,217,572</b>	<b>142,993,427</b>	<b>138,175,361</b>	<b>144,676,257</b>	<b>139,552,312</b>
<b>GRAND OTHER</b>	<b>\$216,926,068</b>	<b>\$189,270,572</b>	<b>\$196,654,427</b>	<b>\$192,475,361</b>	<b>\$198,750,257</b>	<b>\$194,209,312</b>

**COMPARISON OF REVENUE ESTIMATES**  
**FY-2012 ESTIMATE: LAW CHANGES vs. FY-2013 PROPOSED ESTIMATE**  
**Schedule 7**

Column 1	Column 2	Column 3	Column 4	Column 5
	FY-2012 ESTIMATE 17-Jun-11	PROPOSED FY-2013 ESTIMATE 21-Feb-12	INCREASE OR (DECREASE)	PERCENT CHANGE
<b>GENERAL REVENUE FUND</b>				
Alcohol Beverage Tax	\$23,057,000	\$22,789,000	(\$268,000)	-1.2%
Mixed Beverage Receipts Tax	36,540,000	39,919,000	3,379,000	9.2%
Beverage Tax	26,318,000	26,612,000	294,000	1.1%
Cigarette Tax	56,491,510	48,140,993	(8,350,517)	-14.8%
Tobacco Products Tax	17,518,215	23,533,947	6,015,732	34.3%
Franchise Tax	45,073,000	49,720,000	4,647,000	10.3%
Gross Production Tax-Gas	333,110,000	188,420,000	(144,690,000)	-43.4%
Gross Production Tax-Oil	185,643,000	188,623,000	2,980,000	1.6%
Income Tax-Individual	1,829,463,079 *	1,999,625,886 *	170,162,807	9.3%
Income Tax-Corporate	202,812,075	320,884,875	118,072,800	58.2%
Estate Tax	0	0	0	0.0%
Insurance Premium Tax	66,441,362	75,554,580	9,113,218	13.7%
Motor Vehicle Taxes	221,280,000	211,111,000	(10,169,000)	-4.6%
Sales Tax	1,747,397,999	1,910,897,353	163,499,354	9.4%
Use Tax	158,859,000	187,025,537	28,166,537	17.7%
Interest & Investments	96,000,000	83,000,000	(13,000,000)	-13.5%
Other (Schedule 7)	189,270,572	194,209,312	4,938,740	2.6%
General Revenue Totals	\$5,235,274,811	\$5,570,066,484	\$334,791,672	6.4%
Transfers & Lapses	1,000,000	1,000,000	0	0.0%
Revenue Comparison	\$5,236,274,811	\$5,571,066,484	\$334,791,672	6.4%
One-Time Receipts	0	0	0	0.0%
<b>Total General Revenue</b>	<b>\$5,236,274,811</b>	<b>\$5,571,066,484</b>	<b>\$334,791,672</b>	<b>6.4%</b>
<b>C.L.E.E.T.</b>	<b>\$3,396,384</b>	<b>\$3,482,543</b>	<b>\$86,159</b>	<b>2.5%</b>
<b>COMM of LAND OFFICE</b>	<b>\$10,432,906</b>	<b>\$16,905,916</b>	<b>\$6,473,010</b>	<b>62.0%</b>
<b>MINERAL LEASING</b>	<b>\$3,000,000</b>	<b>\$4,000,000</b>	<b>\$1,000,000</b>	<b>33.3%</b>
<b>SPECIAL OCCUPATIONAL HEALTH &amp; SAFETY</b>	<b>\$1,548,500</b>	<b>\$2,612,452</b>	<b>\$1,063,952</b>	<b>68.7%</b>
<b>PUBLIC BUILDING</b>	<b>\$1,457,280</b>	<b>\$1,757,280</b>	<b>\$300,000</b>	<b>20.6%</b>
<b>OK EDUCATION LOTTERY TRUST FUND</b>	<b>\$60,587,100</b>	<b>\$60,522,350</b>	<b>(\$64,750)</b>	<b>-0.1%</b>
<b>GRAND TOTAL</b>	<b>\$5,316,696,981</b>	<b>\$5,660,347,025</b>	<b>\$343,650,043</b>	<b>6.5%</b>

\*The Individual Income Tax number reflects apportionments to the ROADS Fund, the Public Transit Revolving Fund and the OK Tourism and Passenger Rail Revolving Fund, as well as funding for Oklahoma's Promise scholarship program. (For more ROADS Fund detail see Schedule 3, page 3.) In compliance with Section 34.87 of Title 62 of the Oklahoma Statutes, the State Regents for Higher Education has requested \$63m for funding of Oklahoma's Promise scholarship fund. Action taken by the Board in December reduced the amount of money allocated from state funds to \$57m which has been removed from the FY-2013 Individual Income Tax Estimate. Any additional scholarship funding required is to come from the OHLAP Trust Fund. \$63.2m was funded for FY-2012 and has been removed from the individual income tax number.

**COMPARISON OF REVENUE ESTIMATES**  
**FY-2012 FINAL PROJECTION vs. FY-2013 PROPOSED ESTIMATE**  
**Schedule 8**

Column 1	Column 2	Column 3	Column 4	Column 5
	FY-2012 PROJECTED 21-Feb-12	PROPOSED FY-2013 ESTIMATE 21-Feb-12	INCREASE OR (DECREASE)	PERCENT CHANGE
<b>GENERAL REVENUE FUND</b>				
Alcohol Beverage Tax	\$22,244,000	\$22,789,000	\$545,000	2.5%
Mixed Beverage Receipts Tax	38,105,000	39,919,000	1,814,000	4.8%
Beverage Tax	25,960,000	26,612,000	652,000	2.5%
Cigarette Tax	45,762,543	48,140,993	2,378,450	5.2%
Tobacco Products Tax	21,783,502	23,533,947	1,750,445	8.0%
Franchise Tax	49,720,000	49,720,000	0	0.0%
Gross Production Tax-Gas	273,105,000	188,420,000	(84,685,000)	-31.0%
Gross Production Tax-Oil	250,978,000	188,623,000	(62,355,000)	-24.8%
Income Tax-Individual	1,947,234,443 *	1,999,625,886 *	52,391,443	2.7%
Income Tax-Corporate	325,480,625	320,884,875	(4,595,750)	-1.4%
Estate Tax	0	0	0	0.0%
Insurance Premium Tax	75,554,580	75,554,580	0	0.0%
Motor Vehicle Taxes	217,158,000	211,111,000	(6,047,000)	-2.8%
Sales Tax	1,809,920,720	1,910,897,353	100,976,633	5.6%
Use Tax	173,075,208	187,025,537	13,950,329	8.1%
Interest & Investments	80,000,000	83,000,000	3,000,000	3.8%
Other (Schedule 7)	198,750,257	194,209,312	(4,540,945)	-2.3%
General Revenue Totals	\$5,554,831,878	\$5,570,066,484	\$15,234,605	0.3%
Transfers & Lapses	1,000,000	1,000,000	0	0.0%
Revenue Comparison	\$5,555,831,878	\$5,571,066,484	\$15,234,605	0.3%
One-Time Receipts	0	0	0	0.0%
<b>Total General Revenue</b>	<b>\$5,555,831,878</b>	<b>\$5,571,066,484</b>	<b>\$15,234,605</b>	<b>0.3%</b>
<b>C.L.E.E.T.</b>	<b>\$3,458,268</b>	<b>\$3,482,543</b>	<b>\$24,275</b>	<b>0.7%</b>
<b>COMM of LAND OFFICE</b>	<b>\$14,050,030</b>	<b>\$16,905,916</b>	<b>\$2,855,886</b>	<b>20.3%</b>
<b>MINERAL LEASING</b>	<b>\$4,000,000</b>	<b>\$4,000,000</b>	<b>\$0</b>	<b>0.0%</b>
<b>SPECIAL OCCUPATIONAL HEALTH &amp; SAFETY</b>	<b>\$2,612,452</b>	<b>\$2,612,452</b>	<b>\$0</b>	<b>0.0%</b>
<b>PUBLIC BUILDING</b>	<b>\$1,759,160</b>	<b>\$1,757,280</b>	<b>(\$1,880)</b>	<b>-0.1%</b>
<b>OK EDUCATION LOTTERY TRUST FUND</b>	<b>\$64,007,300</b>	<b>\$60,522,350</b>	<b>(\$3,484,950)</b>	<b>-5.4%</b>
<b>GRAND TOTAL</b>	<b>\$5,645,719,088</b>	<b>\$5,660,347,025</b>	<b>\$14,627,937</b>	<b>0.3%</b>

\*The Individual Income Tax number reflects apportionments to the ROADS Fund, the Public Transit Revolving Fund and the OK Tourism and Passenger Rail Revolving Fund, as well as funding for Oklahoma's Promise scholarship program. (For more ROADS Fund detail, see Schedule 3, page 3.)

\*In compliance with Section 34.87 of Title 62 of the Oklahoma Statutes, the State Regents for Higher Education has requested \$63m for funding of Oklahoma's Promise scholarship fund. Action taken by the Board in December reduced the amount of money allocated from state funds to \$57m which has been removed from the FY-2013 Individual Income Tax Estimate. Any additional scholarship funding required is to come from the OHLAP Trust Fund. \$63.2m was funded for FY-2012 and has been removed from the individual income tax number.

**COMPARISON OF REVENUE ESTIMATES**  
**FY-2012 ESTIMATE: LAW CHANGES vs. FY-2012 FINAL PROJECTION**  
**Schedule 9**

Column 1	Column 2	Column 3	Column 4	Column 5
	FY-2012 ESTIMATE 17-Jun-11	FY-2012 PROJECTED 21-Feb-12	INCREASE OR (DECREASE)	PERCENT CHANGE
<b>GENERAL REVENUE FUND</b>				
Alcohol Beverage Tax	\$23,057,000	\$22,244,000	(\$813,000)	-3.5%
Mixed Beverage Receipts Tax	36,540,000	38,105,000	1,565,000	4.3%
Beverage Tax	26,318,000	25,960,000	(358,000)	-1.4%
Cigarette Tax	56,491,510	45,762,543	(10,728,967)	-19.0%
Tobacco Products Tax	17,518,215	21,783,502	4,265,287	24.3%
Franchise Tax/Business Activity Tax	45,073,000	49,720,000	4,647,000	10.3%
Gross Production Tax-Gas	333,110,000	273,105,000	(60,005,000)	-18.0%
Gross Production Tax-Oil	185,643,000	250,978,000	65,335,000	35.2%
Income Tax-Individual	1,829,463,079 *	1,947,234,443 *	117,771,364	6.4%
Income Tax-Corporate	202,812,075	325,480,625	122,668,550	60.5%
Estate Tax	0	0	0	0.0%
Insurance Premium Tax	66,441,362	75,554,580	9,113,218	13.7%
Motor Vehicle Taxes	221,280,000	217,158,000	(4,122,000)	-1.9%
Sales Tax	1,747,397,999	1,809,920,720	62,522,721	3.6%
Use Tax	158,859,000	173,075,208	14,216,208	8.9%
Interest & Investments	96,000,000	80,000,000	(16,000,000)	-16.7%
Other (Schedule 7)	189,270,572	198,750,257	9,479,685	5.0%
General Revenue Totals	\$5,235,274,811	\$5,554,831,878	\$319,557,067	6.1%
Transfers & Lapses	1,000,000	1,000,000	0	0.0%
Revenue Comparison	\$5,236,274,811	\$5,555,831,878	\$319,557,067	6.1%
One-Time Receipts	0	0	0	0.0%
<b>Total General Revenue</b>	<b>\$5,236,274,811</b>	<b>\$5,555,831,878</b>	<b>\$319,557,067</b>	<b>6.1%</b>
<b>C.L.E.E.T.</b>	<b>\$3,396,384</b>	<b>\$3,458,268</b>	<b>\$61,884</b>	<b>1.8%</b>
<b>COMM of LAND OFFICE</b>	<b>\$10,432,906</b>	<b>\$14,050,030</b>	<b>\$3,617,124</b>	<b>34.7%</b>
<b>MINERAL LEASING</b>	<b>\$3,000,000</b>	<b>\$4,000,000</b>	<b>\$1,000,000</b>	<b>33.3%</b>
<b>SPECIAL OCCUPATIONAL HEALTH &amp; SAFETY</b>	<b>\$1,548,500</b>	<b>\$2,612,452</b>	<b>\$1,063,952</b>	<b>68.7%</b>
<b>PUBLIC BUILDING</b>	<b>\$1,457,280</b>	<b>\$1,759,160</b>	<b>\$301,880</b>	<b>20.7%</b>
<b>OK EDUCATION LOTTERY TRUST FUND</b>	<b>\$60,587,100</b>	<b>\$64,007,300</b>	<b>\$3,420,200</b>	<b>5.6%</b>
<b>GRAND TOTAL</b>	<b>\$5,316,696,981</b>	<b>\$5,645,719,088</b>	<b>\$329,022,107</b>	<b>6.2%</b>

\*The Individual Income Tax number reflects apportionments to the ROADS Fund, the Public Transit Revolving Fund and the OK Tourism and Passenger Rail Revolving Fund, as well as funding for Oklahoma's Promise scholarship program. (For more ROADS Fund detail see Schedule 3, page 3.) In compliance with Section 34.87 of Title 62 of the Oklahoma Statutes, the State Regents for Higher Education was funded \$63.2m for Oklahoma's Promise scholarships for FY-2012. This number has been removed from the FY-2012 Individual Tax estimates.

**COMPARISON OF REVENUE ESTIMATES**  
**FY-2012 INITIAL PROJECTION vs. FY-2012 FINAL PROJECTION**  
**Schedule 10**

Column 1	Column 2	Column 3	Column 4	Column 5
	FY-2012 PROJECTED 20-Dec-11	FY-2012 PROJECTED 21-Feb-12	INCREASE OR (DECREASE)	PERCENT CHANGE
<b>GENERAL REVENUE FUND</b>				
Alcohol Beverage Tax	\$22,244,000	\$22,244,000	\$0	0.0%
Mixed Beverage Receipts Tax	38,105,000	38,105,000	0	0.0%
Beverage Tax	25,960,000	25,960,000	0	0.0%
Cigarette Tax	45,731,124	45,762,543	31,418	0.1%
Tobacco Products Tax	21,779,070	21,783,502	4,431	0.0%
Franchise Tax	49,720,000	49,720,000	0	0.0%
Gross Production Tax-Gas	308,339,000	273,105,000	(35,234,000)	-11.4%
Gross Production Tax-Oil	234,753,000	250,978,000	16,225,000	6.9%
Income Tax-Individual	1,912,165,239 *	1,947,234,443 *	35,069,204	1.8%
Income Tax-Corporate	263,017,950	325,480,625	62,462,675	23.7%
Estate Tax	0	0	0	0.0%
Insurance Premium Tax	75,554,580	75,554,580	0	0.0%
Motor Vehicle Taxes	215,497,000	217,158,000	1,661,000	0.8%
Sales Tax	1,796,073,232	1,809,920,720	13,847,488	0.8%
Use Tax	173,075,208	173,075,208	0	0.0%
Interest & Investments	80,000,000	80,000,000	0	0.0%
Other (Schedule 7)	196,654,427	198,750,257	2,095,830	1.1%
General Revenue Totals	\$5,458,668,832	\$5,554,831,878	\$96,163,046	1.8%
Transfers & Lapses	1,000,000	1,000,000	0	0.0%
Revenue Comparison	\$5,459,668,832	\$5,555,831,878	\$96,163,046	1.8%
One-Time Receipts	0	0	0	0.0%
<b>Total General Revenue</b>	<b>\$5,459,668,832</b>	<b>\$5,555,831,878</b>	<b>\$96,163,046</b>	<b>1.8%</b>
<b>C.L.E.E.T.</b>	<b>\$3,368,528</b>	<b>\$3,458,268</b>	<b>\$89,740</b>	<b>2.7%</b>
<b>COMM of LAND OFFICE</b>	<b>\$14,050,030</b>	<b>\$14,050,030</b>	<b>\$0</b>	<b>0.0%</b>
<b>MINERAL LEASING</b>	<b>\$4,000,000</b>	<b>\$4,000,000</b>	<b>\$0</b>	<b>0.0%</b>
<b>SPECIAL OCCUPATIONAL HEALTH &amp; SAFETY</b>	<b>\$1,471,075</b>	<b>\$2,612,452</b>	<b>\$1,141,377</b>	<b>77.6%</b>
<b>PUBLIC BUILDING</b>	<b>\$1,759,160</b>	<b>\$1,759,160</b>	<b>\$0</b>	<b>0.0%</b>
<b>OK EDUCATION LOTTERY TRUST FUND</b>	<b>\$64,007,300</b>	<b>\$64,007,300</b>	<b>\$0</b>	<b>0.0%</b>
<b>GRAND TOTAL</b>	<b>\$5,548,324,925</b>	<b>\$5,645,719,088</b>	<b>\$97,394,163</b>	<b>1.8%</b>

\*The Individual Income Tax number reflects apportionments to the ROADS Fund, the Public Transit Revolving Fund and the OK Tourism and Passenger Rail Revolving Fund, as well as funding for Oklahoma's Promise scholarship program. (For more ROADS Fund detail see Schedule 3, page 3.) In compliance with Section 34.87 of Title 62 of the Oklahoma Statutes, the State Regents for Higher Education was funded \$63.2m for Oklahoma's Promise scholarships for FY-2012. This number has been removed from the FY-2012 Individual Tax estimates.

**COMPARISON OF REVENUE ESTIMATES**  
**FY-2013 INITIAL ESTIMATE vs. FY-2013 FINAL ESTIMATE**  
**Schedule 11**

Column 1	Column 2	Column 3	Column 4	Column 5
	FY-2013 ESTIMATE 20-Dec-11	PROPOSED FY-2013 ESTIMATE 21-Feb-12	INCREASE OR (DECREASE)	PERCENT CHANGE
<b>GENERAL REVENUE FUND</b>				
Alcohol Beverage Tax	\$22,789,000	\$22,789,000	\$0	0.0%
Mixed Beverage Receipts Tax	39,919,000	39,919,000	0	0.0%
Beverage Tax	26,612,000	26,612,000	0	0.0%
Cigarette Tax	48,106,942	48,140,993	34,051	0.1%
Tobacco Products Tax	23,529,159	23,533,947	4,788	0.0%
Franchise Tax	49,720,000	49,720,000	0	0.0%
Gross Production Tax-Gas	267,304,000	188,420,000	(78,884,000)	-29.5%
Gross Production Tax-Oil	195,075,000	188,623,000	(6,452,000)	-3.3%
Income Tax-Individual	1,972,911,102 *	1,999,625,886 *	26,714,784	1.4%
Income Tax-Corporate	270,291,325	320,884,875	50,593,550	18.7%
Estate Tax	0	0	0	0.0%
Insurance Premium Tax	75,554,580	75,554,580	0	0.0%
Motor Vehicle Taxes	209,586,000	211,111,000	1,525,000	0.7%
Sales Tax	1,877,035,303	1,910,897,353	33,862,050	1.8%
Use Tax	187,025,537	187,025,537	0	0.0%
Interest & Investments	83,000,000	83,000,000	0	0.0%
Other (Schedule 7)	192,475,361	194,209,312	1,733,952	0.9%
General Revenue Totals	\$5,540,934,309	\$5,570,066,484	\$29,132,175	0.5%
Transfers & Lapses	1,000,000	1,000,000	0	0.0%
Revenue Comparison	\$5,541,934,309	\$5,571,066,484	\$29,132,175	0.5%
One-Time Receipts	0	0	0	0.0%
<b>Total General Revenue</b>	<b>\$5,541,934,309</b>	<b>\$5,571,066,484</b>	<b>\$29,132,175</b>	<b>0.5%</b>
<b>C.L.E.E.T.</b>	<b>\$3,368,528</b>	<b>\$3,482,543</b>	<b>\$114,015</b>	<b>3.4%</b>
<b>COMM of LAND OFFICE</b>	<b>\$16,905,916</b>	<b>\$16,905,916</b>	<b>\$0</b>	<b>0.0%</b>
<b>MINERAL LEASING</b>	<b>\$4,000,000</b>	<b>\$4,000,000</b>	<b>\$0</b>	<b>0.0%</b>
<b>SPECIAL OCCUPATIONAL HEALTH &amp; SAFETY</b>	<b>\$2,500,000</b>	<b>\$2,612,452</b>	<b>\$112,452</b>	<b>4.5%</b>
<b>PUBLIC BUILDING</b>	<b>\$1,757,280</b>	<b>\$1,757,280</b>	<b>\$0</b>	<b>0.0%</b>
<b>OK EDUCATION LOTTERY TRUST FUND</b>	<b>\$60,522,350</b>	<b>\$60,522,350</b>	<b>\$0</b>	<b>0.0%</b>
<b>GRAND TOTAL</b>	<b>\$5,630,988,383</b>	<b>\$5,660,347,025</b>	<b>\$29,358,642</b>	<b>0.5%</b>

\*The Individual Income Tax number reflects apportionments to the ROADS Fund, the Public Transit Revolving Fund and the OK Tourism and Passenger Rail Revolving Fund, as well as funding for Oklahoma's Promise scholarship program. (For more ROADS Fund detail see Schedule 3, page 3.) In compliance with Section 34.87 of Title 62 of the Oklahoma Statutes, the State Regents for Higher Education has requested \$63m for funding of Oklahoma's Promise scholarships for the upcoming fiscal year. Action taken by the Board in December reduced the amount of money allocated from state funds to \$57m which has been removed from the FY-2013 Individual Income Tax Estimate.

## EDUCATION REFORM ACT - HB 1017

## Schedule 12

SB 826 of the Second Regular Session of the Forty-fifth Legislature amended Section 41.29a of Title 62 to require that the Office of Accountability account for and report monthly revenues which accrue to the Education Reform Revolving Fund. The Education Reform Revolving Fund on June 1, 1996 began receiving revenue attributable to the revenue provisions of HB 1017 rather than these revenues first being apportioned to the General Revenue Fund.

## CALCULATIONS

## EDUCATION REFORM ACT

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
SOURCE	FY-2012 ESTIMATE 17-Jun-11	FY-2012 PROJECTED 20-Dec-11	FY-2013 ESTIMATE 20-Dec-11	FY-2012 PROJECTED 21-Feb-12	PROPOSED FY-2013 ESTIMATE 21-Feb-12
Income Tax-Individual	\$209,168,201	\$217,220,221	\$226,590,878	\$220,634,617	229,191,874
Income Tax-Corporate	43,179,345	55,997,370	57,545,895	69,295,875	68,317,425
Sales Tax	218,607,620	224,697,118	234,825,849	226,429,503	239,062,149
Use Tax	19,874,000	21,652,514	23,397,765	21,652,514	23,397,765
Cigarette Tax	2,907,626	3,251,784	3,524,279	3,251,784	3,524,279
Tobacco Products Tax	364,548	458,629	495,517	458,629	495,517
Tribal Gaming	115,312,000	118,272,000	116,072,000	118,272,000	116,072,000
Special License Plates	0	0	0	0	0
Business Activity Tax	0	502,750	502,750	502,750	502,750
TOTAL - 100% OF ESTIMATE	\$609,413,339	\$642,052,385	\$662,954,932	\$660,497,671	\$680,563,758
<b>Increase in FY-2013 proposed estimate from FY-2012 estimate</b>					<b>\$71,150,419</b>

COMPARISON OF AUTHORIZED EXPENDITURES 2011 SESSION TO PROPOSED EXPENDITURE AUTHORITY 2012 SESSION Appendix A-1				
Column 1	Column 2	Column 3	Column 4	Column 5
	AUTHORIZED EXPENDITURES* 2011 SESSION 17-Jun-11 FY-2012	PROPOSED EXPENDITURE AUTHORITY** 2012 SESSION 21-Feb-12 FY-2013	INCREASE OR (DECREASE)	PERCENT CHANGE
<b>NON-RESTRICTED FUNDS</b>				
<b>GENERAL REVENUE FUND</b>				
Certified	\$4,968,375,954	\$5,292,513,159	\$324,137,205	6.5%
Prior Year Certified	\$7,767,495	6,085,117	(1,682,378)	-21.7%
Cash	<u>\$41,873,389</u>	<u>94,981,649</u>	<u>53,108,260</u>	<u>126.8%</u>
TOTAL	\$5,018,016,838	\$5,393,579,925	\$375,563,087	7.5%
<b>C.L.E.E.T. FUND</b>				
Certified	\$3,226,565	\$3,308,416	\$81,851	2.5%
Cash	<u>0</u>	<u>308,914</u>	<u>308,914</u>	<u>0.0%</u>
TOTAL	\$3,226,565	\$3,617,330	\$390,765	12.1%
<b>MINERAL LEASING FUND</b>				
Certified	\$2,850,000	\$3,800,000	\$950,000	33.3%
Cash	<u>0</u>	<u>576,503</u>	<u>576,503</u>	<u>0.0%</u>
TOTAL	\$2,850,000	\$4,376,503	\$1,526,503	53.6%
<b>OHSA FUND</b>				
Certified	\$1,471,075	\$2,481,829	\$1,010,754	68.7%
Cash	<u>1,236,425</u>	<u>1,141,381</u>	<u>(95,044)</u>	<u>-7.7%</u>
TOTAL	\$2,707,500	\$3,623,210	\$915,710	33.8%
<b>PUBLIC BUILDING FUND</b>				
Certified	\$1,384,416	\$1,669,416	\$285,000	20.6%
Cash	<u>1,039,907</u>	<u>3,846,690</u>	<u>2,806,783</u>	<u>269.9%</u>
TOTAL	\$2,424,323	\$5,516,106	\$3,091,783	127.5%
<b>SPECIAL CASH FUND</b>				
Cash	<u>\$357,298,121</u>	<u>\$0</u>	<u>(\$357,298,121)</u>	<u>-100.0%</u>
TOTAL	\$357,298,121	\$0	(\$357,298,121)	-100.0%
<b>BOND FUND - SERIES A</b>				
	\$174	\$179	\$5	2.9%
<b>BOND FUND - SERIES B</b>				
	<u>71</u>	<u>73</u>	<u>2</u>	<u>2.8%</u>
TOTAL	\$245	\$252	\$7	2.9%
<b>SUBTOTAL NON-RESTRICTED FUNDS</b>	<b><u>\$5,386,523,592</u></b>	<b><u>\$5,410,713,326</u></b>	<b><u>\$24,189,734</u></b>	<b><u>0.4%</u></b>

**COMPARISON OF AUTHORIZED EXPENDITURES 2011 SESSION TO  
PROPOSED EXPENDITURE AUTHORITY 2012 SESSION  
Appendix A-1 (Continued)**

Column 1	Column 2	Column 3	Column 4	Column 5
	AUTHORIZED EXPENDITURES* 2011 SESSION 17-Jun-11 FY-2012	PROPOSED EXPENDITURE AUTHORITY** 2012 SESSION 21-Feb-12 FY-2013	INCREASE OR (DECREASE)	PERCENT CHANGE
<b>RESTRICTED FUNDS</b>				
<b>COMMISSION OF THE LAND OFFICE FUND</b>				
Certified	\$7,109,000	\$16,060,620	\$8,951,620	125.9%
Prior Year Certified	0	2,802,261	2,802,261	0.0%
Cash	0	0	0	0.0%
TOTAL	\$7,109,000	\$18,862,881	\$11,753,881	165.3%
<b>OK EDUCATION LOTTERY TRUST FUND</b>				
Certified	\$57,557,744	\$57,496,233	(\$61,511)	-0.1%
Cash	6,599,564	7,843,356	1,243,792	18.8%
TOTAL	\$64,157,308	\$65,339,589	\$1,182,281	1.8%
<b>SUBTOTAL RESTRICTED FUNDS</b>	<b><u>\$71,266,308</u></b>	<b><u>\$84,202,470</u></b>	<b><u>\$12,936,162</u></b>	<b><u>18.2%</u></b>
<b>TOTAL-RESTRICTED &amp; NON-RESTRICTED</b>	<b><u>\$5,457,789,900</u></b>	<b><u>\$5,494,915,797</u></b>	<b><u>\$37,125,897</u></b>	<b><u>0.7%</u></b>
<b>COMMON ED. TECH FUND</b>				
Revolving Fund Estimate	\$47,372,299	\$47,372,299	(\$0)	0.0%
<b>OK. STUDENT AID FUND</b>				
Revolving Fund Estimate	\$47,372,299	\$47,372,299	(\$0)	0.0%
<b>HIGHER ED. CAPITAL FUND</b>				
Revolving Fund Estimate	\$47,372,299	\$47,372,299	(\$0)	0.0%
<b>1017 FUND</b>				
Revolving Fund Estimate	\$634,894,569	\$680,563,758	\$45,669,189	7.2%
<b>TOBACCO SETTLEMENT FUND</b>				
Revolving Fund Estimate	\$18,150,000	\$4,750,000	(\$13,400,000)	-73.8%
<b>STATE JUDICIAL REVOLVING FUND</b>				
Revolving Fund Estimate	\$52,000,000	\$51,000,000	(\$1,000,000)	-1.9%
<b>STATE TRANSPORTATION FUND***</b>				
Revolving Fund Estimate	\$106,737,039	\$206,405,702	\$99,668,663	93.4%
<b>TOTAL</b>	<b><u>\$6,411,688,405</u></b>	<b><u>\$6,579,752,153</u></b>	<b><u>\$168,063,748</u></b>	<b><u>2.6%</u></b>
*Authorized Expenditures represent the total amount actually spent by the Legislature.				
**Expenditure Authority represents the total amount that is available for the Legislature to spend.				
***Note: The State Transportation Fund became a revolving fund effective July 1, 2006.				

COMPARISON OF EXPENDITURE AUTHORITY 2012 SESSION (20-Dec-2011) TO PROPOSED EXPENDITURE AUTHORITY 2012 SESSION Appendix A-2				
Column 1	Column 2	Column 3	Column 4	Column 5
	EXPENDITURE AUTHORITY* 2012 SESSION 20-Dec-11 FY-2013	PROPOSED EXPENDITURE AUTHORITY* 2012 SESSION 21-Feb-12 FY-2013	INCREASE OR (DECREASE)	PERCENT CHANGE
<b>NON-RESTRICTED FUNDS</b>				
<b>GENERAL REVENUE FUND</b>				
Certified	\$5,264,837,594	\$5,292,513,159	\$27,675,565	0.5%
Prior Year Certified	6,085,117	6,085,117	0	0.0%
Cash	<u>94,981,649</u>	<u>94,981,649</u>	<u>0</u>	<u>0.0%</u>
TOTAL	\$5,365,904,360	\$5,393,579,925	\$27,675,565	0.5%
<b>C.L.E.E.T. FUND</b>				
Certified	\$3,200,102	\$3,308,416	\$108,314	3.4%
Cash	<u>308,914</u>	<u>308,914</u>	<u>0</u>	<u>0.0%</u>
TOTAL	\$3,509,016	\$3,617,330	\$108,314	3.1%
<b>MINERAL LEASING FUND</b>				
Certified	\$3,800,000	\$3,800,000	\$0	0.0%
Cash	<u>576,503</u>	<u>576,503</u>	<u>0</u>	<u>0.0%</u>
TOTAL	\$4,376,503	\$4,376,503	\$0	0.0%
<b>OHSA FUND</b>				
Certified	\$2,375,000	\$2,481,829	\$106,829	4.5%
Cash	<u>1,141,381</u>	<u>1,141,381</u>	<u>0</u>	<u>0.0%</u>
TOTAL	\$3,516,381	\$3,623,210	\$106,829	3.0%
<b>PUBLIC BUILDING FUND</b>				
Certified	\$1,669,416	\$1,669,416	\$0	0.0%
Cash	<u>3,846,690</u>	<u>3,846,690</u>	<u>0</u>	<u>0.0%</u>
TOTAL	\$5,516,106	\$5,516,106	\$0	0.0%
<b>SPECIAL CASH FUND</b>				
Cash	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>0.0%</u>
TOTAL	\$0	\$0	\$0	0.0%
<b>BOND FUND - SERIES A</b>	\$5	\$179	\$174	3348.9%
<b>BOND FUND - SERIES B</b>	<u>2</u>	<u>73</u>	<u>71</u>	<u>2855.5%</u>
TOTAL	\$8	\$252	\$244	3189.8%
<b>SUBTOTAL NON-RESTRICTED FUNDS</b>	<b><u>\$5,382,822,374</u></b>	<b><u>\$5,410,713,326</u></b>	<b><u>\$27,890,952</u></b>	<b><u>0.5%</u></b>

**COMPARISON OF EXPENDITURE AUTHORITY 2012 SESSION (20-Dec-2011) TO  
PROPOSED EXPENDITURE AUTHORITY 2012 SESSION  
Appendix A-2 (Continued)**

Column 1	Column 2	Column 3	Column 4	Column 5
	EXPENDITURE AUTHORITY* 2012 SESSION 20-Dec-11 FY-2013	PROPOSED EXPENDITURE AUTHORITY* 2012 SESSION 21-Feb-12 FY-2013	INCREASE OR (DECREASE)	PERCENT CHANGE
<b>RESTRICTED FUNDS</b>				
<b>COMMISSION OF THE LAND OFFICE FUND</b>				
Certified	\$16,060,620	\$16,060,620	\$0	0.0%
Prior Year Certified	2,802,261	2,802,261	0	0.0%
Cash	<u>0</u>	<u>0</u>	<u>0</u>	<u>0.0%</u>
TOTAL	\$18,862,881	\$18,862,881	\$0	0.0%
<b>OK EDUCATION LOTTERY TRUST FUND</b>				
Certified	\$57,496,233	\$57,496,233	0	0.0%
Cash	<u>7,843,356</u>	<u>7,843,356</u>	<u>0</u>	<u>0.0%</u>
TOTAL	\$65,339,589	\$65,339,589	0	0.0%
<b>SUBTOTAL RESTRICTED FUNDS</b>	<b><u>\$84,202,470</u></b>	<b><u>\$84,202,470</u></b>	<b><u>\$0</u></b>	<b><u>0.0%</u></b>
<b>TOTAL-RESTRICTED &amp; NON-RESTRICTED</b>	<b><u>\$5,467,024,845</u></b>	<b><u>\$5,494,915,797</u></b>	<b><u>\$27,890,952</u></b>	<b><u>0.5%</u></b>
<b>COMMON ED. TECH FUND</b>				
Revolving Fund Estimate	\$47,372,299	\$47,372,299	\$0	0.0%
<b>OK. STUDENT AID FUND</b>				
Revolving Fund Estimate	\$47,372,299	\$47,372,299	\$0	0.0%
<b>HIGHER ED. CAPITAL FUND</b>				
Revolving Fund Estimate	\$47,372,299	\$47,372,299	\$0	0.0%
<b>1017 FUND</b>				
Revolving Fund Estimate	\$662,954,932	\$680,563,758	\$17,608,826	2.7%
<b>TOBACCO SETTLEMENT FUND</b>				
Revolving Fund Estimate	\$5,000,000	\$4,750,000	(\$250,000)	-5.0%
<b>STATE JUDICIAL REVOLVING FUND</b>				
Revolving Fund Estimate	\$49,000,000	\$51,000,000	\$2,000,000	4.1%
<b>STATE TRANSPORTATION FUND**</b>				
Revolving Fund Estimate	\$206,405,702	\$206,405,702	\$0	0.0%
<b>TOTAL</b>	<b><u>\$6,532,502,375</u></b>	<b><u>\$6,579,752,153</u></b>	<b><u>\$47,249,778</u></b>	<b><u>0.7%</u></b>

\*Expenditure Authority represents the total amount that is available for the Legislature to spend.  
\*\*Note: The State Transportation Fund became a revolving fund effective July 1, 2006.