

# Senate Journal

## Second Regular Session of the Forty-ninth Legislature of the State of Oklahoma Seventeenth Legislative Day, Monday, March 1, 2004

The Senate was called to order by Senator Rozell.

Roll Call:

Present: Aldridge, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Dunlap, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.—47.

Vacancy: District 18.—1.

Senator Rozell declared a quorum present.

The prayer was offered by Pastor Clark Mitchell, Journey Church, Norman, the guest of Senator Nichols.

### REPORT OF ENGROSSED AND ENROLLED MEASURES

**SBs 877, 908, 1106, 1207, 1253, 1268, 1269 and 1408** were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

### COMMUNICATION

January 27, 2004

The Honorable Brad Henry  
Governor, State of Oklahoma  
State Capitol, Room 212  
Oklahoma City, Oklahoma 73105

Dear Governor Henry:

I am hereby tendering my irrevocable resignation from the Oklahoma State Senate, effective February 29, 2004.

Sincerely,

/s/Kevin A. Easley, Sr.  
Senate District 18

### **UNANIMOUS CONSENT REQUEST DIRECT TO CALENDAR**

Senator Fisher asked unanimous consent to suspend Rule 5-4 and refer **SCR 45** direct to the Calendar for consideration, which was the order.

### **GENERAL ORDER**

**SCR 45** by Fisher of the Senate and Rice of the House was called up for consideration.

**SCR 45** was adopted upon motion of Senator Fisher and referred for engrossment.

### **UNANIMOUS CONSENT REQUEST WITHDRAWN FROM CALENDAR**

Senator Fisher asked unanimous consent, which was granted, that **SB 1421** be stricken from the Calendar.

### **GENERAL ORDER**

**SB 1093** by Harrison et al of the Senate and Wright et al of the House was called up for consideration.

Senator Nichols asked to coauthor **SB 1093**, which was the order.

Senator Harrison moved that **SB 1093** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 1093** was read for the third time at length.

On the question of passage of the bill, the vote resulted as follows:

Aye: Aldridge, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Dunlap, Fisher, Ford, Gumm, Harrison, Horner, Johnson, Laster, Laughlin, Lawler, Leftwich, Lerblance, Littlefield, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Snyder, Wilkerson and Williamson.--38.

Excused: Fair, Helton, Hobson, Kerr, Maddox, Smith, Taylor, Wilcoxson and Williams.--9.

Vacancy: District 18.—1.

The bill passed.

**SB 1093** was referred for engrossment.

### **GENERAL ORDER**

**SB 892** by Rabon of the Senate and Roan of the House was called up for consideration.

Senator Rabon moved that **SB 892** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 892** was read for the third time at length.

On the question of passage of the bill, the vote resulted as follows:

Aye: Cain, Capps, Corn, Crutchfield, Fisher, Gumm, Harrison, Helton, Horner, Laster, Leftwich, Lerblance, Littlefield, Milacek, Monson, Morgan, Myers, Price, Rabon, Robinson, Rozell, Shurden and Wilkerson.--23.

Nay: Aldridge, Branan, Brogdon, Coates, Coffee, Dunlap, Ford, Johnson, Laughlin, Lawler, Nichols, Pruitt, Reynolds, Riley, Snyder, Wilcoxson and Williamson.--17.

Excused: Fair, Hobson, Kerr, Maddox, Smith, Taylor and Williams.--7.

Vacancy: District 18.—1.

The bill failed.

Pursuant to Rule 12-23, Senator Rabon served notice that the vote be reconsidered whereby **SB 892** failed.

**INTRODUCTION**

Senator Gumm introduced his wife, Deena, to the Senate.

**GENERAL ORDER**

**SB 1129** by Riley of the Senate and Peterson (Ron) of the House was called up for consideration.

Senator Riley moved that **SB 1129** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 1129** was read for the third time at length.

On the question of passage of the bill, the vote resulted as follows:

Aye: Aldridge, Branan, Brogdon, Cain, Coates, Coffee, Dunlap, Ford, Harrison, Helton, Horner, Johnson, Leftwich, Lerblance, Littlefield, Milacek, Monson, Morgan, Myers, Nichols, Pruitt, Reynolds, Riley, Snyder, Wilcoxson and Williamson.--26.

Nay: Capps, Corn, Crutchfield, Fisher, Gumm, Laster, Laughlin, Lawler, Price, Rabon, Robinson, Rozell, Shurden and Wilkerson.--14.

Excused: Fair, Hobson, Kerr, Maddox, Smith, Taylor and Williams.--7.

Vacancy: District 18.—1.

The bill passed.

Senators Wilkerson, Rozell, Fisher, Capps, Price, Crutchfield, Robinson and Corn desired to vote Aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 34; Nay: 6; Excused: 7; Vacancy: 1.

The emergency passed.

**SB 1129** was referred for engrossment.

## **GENERAL ORDER**

**SB 860** by Monson and Leftwich (Debbe) of the Senate and Pope of the House was called up for consideration.

Senators Gumm, Myers, Coates, Reynolds, Aldridge and Brogdon asked to coauthor **SB 860**, which was the order.

Senator Johnson moved to amend **SB 860**, Page 1, by restoring the title, which amendment was declared adopted upon roll call as follows:

Aye: Aldridge, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Dunlap, Fair, Fisher, Ford, Gumm, Harrison, Helton, Horner, Johnson, Laster, Laughlin, Lawler, Leftwich, Lerblance, Littlefield, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Snyder, Wilcoxson, Wilkerson and Williamson.--41.

Excused: Hobson, Kerr, Maddox, Smith, Taylor and Williams.--6.

Vacancy: District 18.—1.

Senator Monson moved that **SB 860** be advanced, which motion was declared adopted.

## **THIRD READING**

**SB 860** was read for the third time at length.

On the question of passage of the bill, the vote resulted as follows:

Aye: Aldridge, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Dunlap, Fair, Fisher, Ford, Gumm, Harrison, Helton, Horner, Johnson, Laster, Laughlin, Lawler, Leftwich, Lerblance, Littlefield, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Snyder, Wilcoxson, Wilkerson and Williamson.--41.

Excused: Hobson, Kerr, Maddox, Smith, Taylor and Williams.--6.

Vacancy: District 18.—1.

The bill passed.

**SB 860** was referred for engrossment.

**GENERAL ORDER**

**SJR 30** by Monson of the Senate and Pope of the House was called up for consideration.

Senator Monson moved that **SJR 30** be advanced, which motion was declared adopted.

**THIRD READING**

**SJR 30** was read for the third time at length.

On the question of passage of the resolution, the vote resulted as follows:

Aye: Aldridge, Branan, Brogdon, Cain, Capps, Coates, Corn, Crutchfield, Dunlap, Fair, Fisher, Ford, Gumm, Harrison, Helton, Horner, Johnson, Laster, Laughlin, Lawler, Leftwich, Lerblance, Littlefield, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Snyder, Wilcoxson, Wilkerson and Williamson.--40.

Excused: Coffee, Hobson, Kerr, Maddox, Smith, Taylor and Williams.--7.

Vacancy: District 18.—1.

The resolution passed.

**SJR 30** was referred for engrossment and read at length as follows:

**SJR 30** by Monson of the Senate and Pope of the House

A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection a proposed amendment to Section 8C of Article X of the Oklahoma Constitution; establishing date after which new income limits apply; modifying income limits for determining fair cash value of certain homesteads; establishing method of determining income thresholds based on homestead location; providing ballot title; and directing filing.

**BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE 2ND SESSION OF THE 49TH OKLAHOMA LEGISLATURE:**

**SECTION 1.** The Secretary of State shall refer to the people for their approval or rejection, as and in the manner provided by law, the following proposed amendment to Section 8C of Article X of the Constitution of the State of Oklahoma to read as follows:

Section 8C. A. Despite any provision to the contrary, beginning January 1, ~~1997~~ 2005, the fair cash value, as determined by law, on each homestead of an individual head of household whose gross household income from all sources for the preceding calendar year

did not exceed ~~Twenty-five Thousand Dollars (\$25,000.00)~~ an amount as provided in subsection B of this section, and which individual head of household is sixty-five (65) years of age or older, shall not exceed the fair cash value placed upon the property during the first year in which the individual head of household was sixty-five (65) years of age or older and had gross household income from all sources ~~of Twenty-five Thousand Dollars (\$25,000.00) or less~~ which did not exceed an amount as provided in subsection B of this section. Subject to the limitations of this section, the fair cash value shall not exceed such amount as long as the individual head of household who is sixty-five (65) years of age or older owns and occupies the property and as long as the gross household income from all sources does not exceed ~~Twenty-five Thousand Dollars (\$25,000.00) in any calendar year~~ an amount as provided in subsection B of this section. If any improvements are made to the property, the fair cash value of the improvements shall be assessed in accordance with law by the county assessor and added to the assessed value of the property. Once the fair cash value of the improvements has been added to the fair cash value of the property, the total fair cash value shall not exceed the revised valuation of the property so long as the individual head of household who is sixty-five (65) years of age or older owns and occupies the property and so long as the gross household income from all sources does not exceed ~~Twenty-five Thousand Dollars (\$25,000.00) in a calendar year~~ an amount as provided in subsection B of this section. For any individual head of household who is sixty-five (65) years of age or older prior to January 1, 1997, and has gross household income from all sources of ~~Twenty-five Thousand Dollars (\$25,000.00) or less~~ in calendar year 1996, the fair cash value of the real property shall be the fair cash value placed upon the property on January 1, 1997. If the individual head of household ceases to own and occupy the property or if the gross household income from all sources exceeds ~~Twenty-five Thousand Dollars (\$25,000.00) in a calendar year~~ an amount as provided in subsection B of this section, the fair cash value of the property shall be determined as if the provisions of Section 8 of Article X of the Constitution of the State of Oklahoma or any other provisions relating to a limitation on the fair cash value of locally assessed real property had been in effect during the time the property was valued pursuant to the provisions of this section.

B. The income threshold for the gross household income from all sources for an individual head of household under this section shall be determined as follows:

1. For a homestead located in a county with a population greater than five hundred thousand (500,000), the income shall not exceed the amount determined by the United States Department of Housing and Urban Development to be the estimated median income for the preceding year for the metropolitan statistical area which includes such county;

2. For a homestead located in a county with a population equal to or less than five hundred thousand (500,000), no part of which is included within a metropolitan statistical area, the income shall not exceed the amount determined by the United States Department of Housing and Urban Development to be the estimated median income for the preceding year for such county; and

3. For a homestead located in a county with a population less than five hundred thousand (500,000), all or part of which is included within a metropolitan statistical area, the income shall not exceed an amount determined by the Oklahoma Tax Commission to be the average of all estimated median income amounts determined by the United States Department of Housing and Urban Development for the preceding year for all counties in this state which are not part of a metropolitan statistical area.

SECTION 2. The Ballot Title for the proposed Constitutional amendment as set forth in SECTION 1 of this resolution shall be in the following form:

BALLOT TITLE

Legislative Referendum No. \_\_\_\_\_

State Question No. \_\_\_\_\_

THE GIST OF THE PROPOSITION IS AS FOLLOWS:

This measure amends the Oklahoma Constitution. It amends Section 8C of Article 10. This measure changes the way the fair cash value of a homestead is figured. It applies to individuals over 65 years of age. It changes the income limit for the head of household. The income limit would change from more than \$25,000 to the estimated median income for an area. The income limit would be set by government agencies. One agency is a federal agency. It is the U.S. Department of Housing and Urban Development. It estimates income levels for certain areas. The income limit would be based on the population and location. One limit would be for any county with 500,000 people or more. It would be based on the estimated income level for the county and nearby areas. Two other limits would be for counties with less than 500,000 people. One would be for a county which is not part of a nearby larger area. The income level would be based on the estimated income level for that county alone. The other would be for a county which is part of a nearby larger area. The income limit would be based on a certain calculation. A state agency would make the calculation. The agency is the Oklahoma Tax Commission. The Commission would average federally calculated income levels for certain counties. They would use only counties which are not part of a larger nearby area.

SHALL THIS AMENDMENT BE APPROVED BY THE PEOPLE?

YES, FOR THE AMENDMENT

NO, AGAINST THE AMENDMENT

SECTION 3. The President Pro Tempore of the Senate shall, immediately after the passage of this resolution, prepare and file one copy thereof, including the Ballot Title set forth in SECTION 2 hereof, with the Secretary of State and one copy with the Attorney General.

**GENERAL ORDER**

**SB 1158** by Lerblance of the Senate and Mass and Paulk of the House was called up for consideration.



Senator Lerblance moved to amend **SB 1158**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Lerblance moved that **SB 1158** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 1158** was read for the third time at length.

On the question of passage of the bill, the vote resulted as follows:

Aye: Aldridge, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Dunlap, Fair, Fisher, Ford, Gumm, Harrison, Helton, Horner, Johnson, Laster, Laughlin, Lawler, Leftwich, Lerblance, Littlefield, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Taylor, Wilcoxson, Wilkerson and Williamson.--41.

Nay: Snyder.--1.

Excused: Hobson, Kerr, Maddox, Smith and Williams.--5.

Vacancy: District 18.—1.

The bill passed.

**SB 1158** was referred for engrossment.

### **GENERAL ORDER**

**SB 1109** by Cain and Williams of the Senate and Blackburn of the House was called up for consideration.

Senator Cain moved that **SB 1109** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 1109** was read for the third time at length.

On the question of passage of the bill, the vote resulted as follows:

Aye: Aldridge, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Dunlap, Fair, Fisher, Ford, Gumm, Harrison, Helton, Horner, Johnson, Laster, Laughlin,

Lawler, Leftwich, Lerblance, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Snyder, Taylor, Wilcoxson, Wilkerson and Williamson.--43.

Excused: Hobson, Kerr, Smith and Williams.--4.

Vacancy: District 18.—1.

The bill passed.

**SB 1109** was referred for engrossment.

**Senator Gumm presiding.**

### **GENERAL ORDER**

**SB 1501** by Snyder and Williams of the Senate and Peters of the House was called up for consideration.

Senator Horner asked to coauthor **SB 1501**, which was the order.

Senator Snyder moved that **SB 1501** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 1501** was read for the third time at length.

On the question of passage of the bill and emergency, the vote resulted as follows:

Aye: Aldridge, Branan, Cain, Capps, Coates, Corn, Crutchfield, Fisher, Ford, Gumm, Harrison, Helton, Horner, Johnson, Laster, Lawler, Leftwich, Lerblance, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Robinson, Rozell, Shurden, Snyder, Taylor and Wilkerson.--32.

Nay: Brogdon, Coffee, Dunlap, Fair, Laughlin, Pruitt, Rabon, Reynolds, Riley, Wilcoxson and Williamson.--11.

Excused: Hobson, Kerr, Smith and Williams.--4.

Vacancy: District 18.—1.

The bill and emergency passed.

**SB 1501** was referred for engrossment.

### **GENERAL ORDER**

**SB 1135** by Corn of the Senate and Rice of the House was called up for consideration.

Senator Corn moved that **SB 1135** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 1135** was read for the third time at length.

On the question of passage of the bill, the vote resulted as follows:

Aye: Aldridge, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Dunlap, Fair, Fisher, Ford, Gumm, Harrison, Helton, Horner, Johnson, Laster, Laughlin, Lawler, Leftwich, Lerblance, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Snyder, Taylor, Wilcoxson, Wilkerson and Williamson.--43.

Excused: Hobson, Kerr, Smith and Williams.--4.

Vacancy: District 18.—1.

The bill passed.

**SB 1135** was referred for engrossment.

### **GENERAL ORDER**

**SB 1555** by Aldridge of the Senate and Steele of the House was called up for consideration.

Senator Aldridge moved that **SB 1555** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 1555** was read for the third time at length.

On the question of passage of the bill, the vote resulted as follows:

Aye: Aldridge, Branan, Brogdon, Coates, Coffee, Crutchfield, Dunlap, Fair, Ford, Gumm, Helton, Johnson, Laughlin, Lawler, Maddox, Milacek, Myers, Nichols, Price, Pruitt, Reynolds, Riley, Shurden, Snyder, Wilcoxson, Williams and Williamson.--27.

Nay: Cain, Capps, Corn, Fisher, Harrison, Horner, Laster, Leftwich, Lerblance, Littlefield, Monson, Morgan, Rabon, Rozell, Taylor and Wilkerson.--16.

Excused: Hobson, Kerr, Robinson and Smith.--4.

Vacancy: District 18.—1.

The bill passed.

Senators Fisher, Cain, Taylor, Laster, Morgan and Wilkerson desired to vote Aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 33; Nay: 10; Excused: 4; Vacancy: 1.

The emergency passed.

**SB 1555** was referred for engrossment.

## **GENERAL ORDER**

**SB 1552** by Cain of the Senate and Ingmire of the House was called up for consideration.

Senator Cain moved that **SB 1552** be advanced, which motion was declared adopted.

## **THIRD READING**

**SB 1552** was read for the third time at length.

On the question of passage of the bill, the vote resulted as follows:

Aye: Cain, Coates, Corn, Crutchfield, Dunlap, Fair, Fisher, Gumm, Harrison, Helton, Horner, Johnson, Laster, Laughlin, Lawler, Leftwich, Lerblance, Maddox, Monson, Morgan, Price, Rabon, Rozell, Shurden, Taylor, Wilkerson and Williams.--27.

Nay: Aldridge, Branan, Brogdon, Coffee, Ford, Milacek, Myers, Nichols, Pruitt, Reynolds, Riley, Snyder, Wilcoxson and Williamson.--14.

Excused: Capps, Hobson, Kerr, Littlefield, Robinson and Smith.--6.

Vacancy: District 18.—1.

The bill passed.

Senator Branan desired to vote Aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 28; Nay: 13; Excused: 6; Vacancy: 1.

The emergency failed.

Pursuant to Rule 12-23, Senator Cain served notice that the vote be reconsidered whereby the emergency on **SB 1552** failed.

Senator Monson moved that the Senate recess until 1:30 p.m., which motion was declared adopted.

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The Senate reconvened with Senator Rozell presiding.

Senator Rozell questioned the presence of a quorum and ordered the roll called, following which a quorum was declared present.

#### **MESSAGE FROM THE HOUSE**

Advising passage of and transmitting for consideration Engrossed **HBs 1889, 2126, 2168, 2186, 2287, 2336, 2474, 2528, 2536, 2559, 2571, 2577, 2639, 2642** and **2664** and **HJR 1068**.

**HB 1889** – By Ellis, Askins, Blackburn, Bonny, Boren, Braddock, Brannon, Carey, Deutschendorf, Easley, Eddins, Gilbert, Hamilton, Harrison, Hefner, Hutchison, Lamons, Mass, McCarter, McClain, McIntyre, Miller (Ray), Morgan (Danny), Nations, Piatt, Plunk, Pope, Roan, Roberts, Smith, Smithson, Staggs, Sweeden, Taylor, Turner, Tyler, Walker, Wells and Wilson of the House and Helton of the Senate.

An Act relating to the Oklahoma Charity Games Act; amending 3A O.S. 2001, Sections 421 and 422, which relate to taxes levied pursuant to the Oklahoma Charity Games Act; exempting items purchased by certain organizations from taxation; requiring distributors to submit to the Oklahoma Tax Commission copies of invoices to exempt organizations; and providing an effective date.

**HB 2126** – By Morgan (Danny), Covey, Easley and Turner of the House and Corn of the Senate.

An Act relating to cities and towns; amending 11 O.S. 2001, Section 38-105, which relates to Urban Renewal Authority; deleting certain population requirement; and providing an effective date.

**HB 2168** – By Young of the House and Johnson of the Senate.

( revenue and taxation - repealing 68 O.S., Section 2385 - tax returns - effective date – emergency )

**HB 2186** – By Carey of the House and Gumm of the Senate.

An Act relating to agriculture; granting authority to Oklahoma Department of Agriculture, Food, and Forestry to enter into certain cooperative agreements; specifying terms of agreement; providing for personnel; providing for funding; specifying requirements of inspection activities; providing for codification; and declaring an emergency.

**HB 2287** – By Cox, Perry, Askins, Blackburn, Covey, Deutschendorf, Easley, Liotta, Nance, Peterson (Pam), Peterson (Ron), Staggs, Tibbs and Wilt of the House and Leftwich (Debbe) of the Senate.

An Act relating to crimes and punishments; amending 21 O.S. 2001, Section 1533.1, which relates to identity theft; expanding crime of identity theft; defining term; providing for restitution; clarifying jurisdiction for crimes of identity theft; authorizing the expungement of records for identity theft victims; providing certain assistance for identity theft victims; authorizing issuance of an identity theft passport; amending 22 O.S. 2001, Section 18, as last amended by Section 17, Chapter 3, O.S.L. 2003 (22 O.S. Supp. 2003, Section 18), which relates to expungement of records; adding category eligible for expungement; providing for the submission of certain reports to consumer reporting agencies; requiring consumer reporting agencies to block the reporting of certain information; providing for notification; allowing consumer reporting agencies to decline to block or rescind any block of consumer information; requiring the acceptance of certain disputed information; providing for notifications under certain circumstances; providing for the deletion of certain consumer report inquiries; exempting certain agencies and companies; providing for codification; and providing an effective date.

**HB 2336** – By Carey of the House and Crutchfield of the Senate.

An Act relating to motor vehicles; amending 19 O.S. 2001, Section 526, which relates to house mover permits; deleting certain duties of sheriff; amending 47 O.S. 2001, Sections 1-117 and 1-119, which relate to definitions; modifying definitions; amending 47 O.S. 2001, Section 14-103C, as amended by Section 1, Chapter 53, O.S.L. 2003 (47 O.S. Supp. 2003, Section 14-103C), which relates to special permits; deleting distance specification; deleting authority of the Commissioner to issue certain special permits; amending 47 O.S. 2001, Section 14-116a, which relates to size, weight, and loads on vehicles; clarifying permit carrier for transportation of a load or manufactured home; amending 47 O.S. 2001, Section 230.9, as amended by Section 1, Chapter 474, O.S.L. 2002 (47 O.S. Supp. 2003, Section 230.9), which relates to the Oklahoma Motor Carrier Safety and Hazardous

Materials Transportation Act; modifying procedures concerning administrative penalties; amending 47 O.S. 2001, Section 1106, which relates to certificates of title; requiring Oklahoma Tax Commission to refuse registration and issuance of titles under certain circumstances; requiring Oklahoma Tax Commission to revoke registration, certificate of title and license plate under certain circumstances; and providing an effective date.

**HB 2474** – By Braddock of the House and Coffee of the Senate.

An Act relating to revenue and taxation; enacting the Master Settlement Agreement Complementary Act; stating legislative declarations; defining terms; requiring tobacco product manufacturers to execute a certification; specifying contents of certification; providing procedures regarding the certifications; requiring the Attorney General to develop a directory; specifying contents of the directory; making certain actions unlawful; requiring certain entities to appoint an agent for service of process; providing for the Secretary of State to be appointed as agent under certain circumstances; requiring stamping agents to submit certain information to the Oklahoma Tax Commission; providing for the sharing of certain information; allowing the Attorney General to gain access to certain information; authorizing the Oklahoma Tax Commission to suspend or revoke the license of a stamping agent and impose civil penalties for certain violations; declaring certain cigarettes as contraband; providing for the seizure of certain property and providing procedures related thereto; making certain actions unlawful; exempting certain proceedings from the Administrative Procedures Act; adding requirement for a stamping agent's license; providing for implementation of the act; authorizing promulgation of rules; providing for the recovery of certain costs and fees; providing for the disgorgement of profits from violations of act; repealing Section 1, Chapter 333, O.S.L. 2002 (68 O.S. Supp. 2003, Section 360), which relates to tobacco product manufacturers; providing for codification; and declaring an emergency.

**HB 2528** – By Vaughn and McClain of the House and Williamson of the Senate.

An Act relating to marriage and family; amending 43 O.S. 2001, Sections 111.1 and 112.2, as last amended by Section 25, Chapter 3, O.S.L. 2003 (43 O.S. Supp. 2003, Section 112.2), which relate to visitation and custody determination; establishing and providing for a standard visitation schedule and advisory guidelines; providing circumstances when the standard visitation schedule can be modified and considered; authorizing suspension of child support payments under certain circumstances; requiring the Administrative Director of the Courts to establish a standard visitation schedule and advisory guidelines; providing for contents; authorizing court orders for certain testing; providing for enforcement; authorizing certain exemptions; removing requirement of a showing of ongoing domestic abuse; regarding certain determinations; amending 10 O.S. 2001, Section 21.1, as last amended by Section 3, Chapter 3, O.S.L. 2003 (10 O.S. Supp. Section 21.1), which relates to custody of a child; removing requirement of a showing of ongoing domestic abuse for certain determinations; amending 10 O.S. 2001, Section 7001-1.3, as amended by Section 15, Chapter 327, O.S.L. 2002 (10 O.S. Supp. 2003, Section 7001-1.3), which relates to the Oklahoma Children's Code; modifying definition; amending 43 O.S. 2001, Section 3, which relates to marriage; modifying procedure for consenting to the marriage of certain persons; providing for codification; providing an effective date; and declaring an emergency.

**HB 2536** – By Walker, Boren, Brannon, Ellis, McIntyre, Miller (Ray), Morgan (Danny), Roan and Smithson of the House and Corn of the Senate.

An Act relating to public retirement systems; creating Task Force for the Study of Public Retirement Systems Benefit Design and Equity; providing for membership of Task Force; defining term; requiring comprehensive review; requiring analysis of matters related to major public retirement systems; providing for selection of chair and vice-chair; authorizing meetings; providing for conduct of business; providing for applicability of Oklahoma Open Meeting Act and Oklahoma Open Records Act; providing for travel reimbursement; providing for staffing and assistance; requiring final report; specifying requirements of final report; providing for codification; providing an effective date; and declaring an emergency.

**HB 2559** – By Nations and Langmacher of the House and Milacek of the Senate.

( revenue and taxation – legislative referendum – amending 68 O.S, Sections 500.4, 500.6, 500.7 and 603 – motor fuel taxes – High-use County Road Revolving Fund – codification – effective date – ballot title – filing )

**HB 2571** – By Morgan (Fred) and Dank of the House and Coffee of the Senate.

An Act relating to civil procedure; allowing an employee to terminate a voluntary payroll deduction agreement for payment of a third-party debt; providing procedure for termination of a voluntary payroll deduction agreement; allowing a creditor to proceed with garnishment in certain circumstances; providing for codification; and providing an effective date.

**HB 2577** – By Newport, Roan, Lamons and Nance of the House and Shurden of the Senate.

An Act relating to schools; amending 70 O.S. 2001, Section 3311, as last amended by Section 7, Chapter 168, O.S.L. 2003 (70 O.S. Supp. 2003, Section 3311), which relates to Council on Law Enforcement Education and Training; modifying hours required for certification as full-time officer; modifying time period for obtaining certification; and providing an effective date.

**HB 2639** – By Steele and Adkins of the House and Aldridge of the Senate.

( cities and towns - amending 11 O.S., Section 22-112 - condemnation of dilapidated buildings - appeals procedure - codification - effective date )

**HB 2642** – By Staggs and Adair of the House and Corn of the Senate.

( career and technology education – amending 70 O.S., Sections 14-103 and 14-108 – performance audits – amending 74 O.S., Section 213 – codification – effective date – emergency )

**HB 2664** – By Adair and Ferguson of the House and Hobson of the Senate.

An Act relating to ethics; amending 74 O.S. 2001, Section 4250, which relates to lobbyist registration; requiring payment of certain fees; providing for deposit of certain fees; defining term; requiring certain committees to register and pay certain fees; requiring annual registration by certain date; requiring certain reports to be filed; prohibiting renewal



of registration under certain circumstances; amending 74 O.S. 2001, Section 4258, which relates to the Ethics Commission Fund; adding certain fees to be deposited into fund; providing for codification; and providing an effective date.

**HJR 1068** – By Leist, Blackburn, Blackwell, Calvey, Covey, Deutschendorf, Ferguson, Kirby, Mass, Mitchell, Rice, Sullivan, Wilt, Winchester and Wright of the House and Shurden of the Senate.

A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection a proposed amendment to the Constitution of the State of Oklahoma by adding a new Section 39A to Article X; creating the State Environment and Natural Resources Trust Fund; providing for monies to be deposited to the Fund; authorizing Legislature to designate certain monies; authorizing Legislature to levy certain monies; restricting expenditure of certain monies; authorizing individual subaccounts; providing for transfer of certain monies; requiring the trust fund to be expended only for certain environment-related purposes; prohibiting the Legislature from using the trust fund to replace other state funds; providing ballot title; and directing filing.

The above-numbered measures were read the first time.

#### **MESSAGE FROM THE HOUSE**

Advising further conference granted and naming same House conferees on Engrossed

**SB 835** - Erwin, Leist, Hutchison, Plunk, Hastings, Pettigrew, Roan, Newport

#### **GENERAL ORDER**

**SB 1582** by Cain of the Senate and Peters of the House was called up for consideration.

Senator Cain moved that **SB 1582** be advanced, which motion was declared adopted.

#### **THIRD READING**

**SB 1582** was read for the third time at length.

On the question of passage of the bill, the vote resulted as follows:

Aye: Aldridge, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Dunlap, Fair, Fisher, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--44.

Excused: Ford, Littlefield and Robinson.--3.

Vacancy: District 18.--1.

The bill passed.

**SB 1582** was referred for engrossment.

## **GENERAL ORDER**

**SB 1346** by Monson of the Senate and Dorman of the House was called up for consideration.

Senator Brogdon moved to amend **SB 1346**, Page 8, Line 4, by deleting all language after the word “vote” and before the word “election” and inserting in lieu thereof the words “in any”, and by amending the title to conform, which amendment was declared adopted.

Senator Brogdon moved to amend **SB 1346**, Page 8, Line 13, by deleting after the word “section” and before the word “submit” the word “may” and inserting in lieu thereof the word “shall”; Page 8, Lines 14 and 15, by deleting all language after the word “application” on Line 14 and before the period on Line 15; and Page 8, Line 16, by deleting after the word “shall” and before the word “be” the word “not”, and by amending the title to conform, which amendment failed of adoption upon roll call as follows:

Aye: Aldridge, Branan, Brogdon, Coates, Coffee, Dunlap, Fair, Johnson, Laughlin, Milacek, Myers, Nichols, Pruitt, Reynolds, Riley, Smith, Snyder, Wilcoxson and Williamson.--19.

Nay: Cain, Capps, Corn, Crutchfield, Fisher, Gumm, Harrison, Helton, Hobson, Horner, Kerr, Laster, Lawler, Leftwich, Lerblance, Maddox, Monson, Morgan, Price, Rabon, Rozell, Shurden, Taylor, Wilkerson and Williams.--25.

Excused: Ford, Littlefield and Robinson.--3.

Vacancy: District 18.--1.

Senator Monson moved to amend **SB 1346**, Page 1, by striking the title, which amendment was declared adopted.

Senator Monson moved that **SB 1346** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 1346** was read for the third time at length.

On the question of passage of the bill, the vote resulted as follows:

Aye: Aldridge, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Dunlap, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--45.

Excused: Littlefield and Robinson.--2.

Vacancy: District 18.--1.

The bill passed.

**SB 1346** was referred for engrossment.

**GENERAL ORDER**

**SB 1348**, by Monson of the Senate and Dorman of the House, considered and amended on Page 486, was called up for further consideration.

Senator Monson moved that **SB 1348** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 1348** was read for the third time at length.

On the question of passage of the bill and emergency, the vote resulted as follows:

Aye: Aldridge, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Dunlap, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Rozell, Shurden, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--44.

Nay: Smith.--1.

Excused: Littlefield and Robinson.--2.

Vacancy: District 18.--1.

The bill and emergency passed.

**SB 1348** was referred for engrossment.

### **GENERAL ORDER**

**SB 839** by Crutchfield of the Senate and Hilliard of the House was called up for consideration.

Senators Wilkerson and Gumm asked to coauthor **SB 839**, which was the order.

Senator Ford moved to amend **SB 839**, Page 1, Lines 15 through 17, by deleting all language on Lines 15, 16 and through the period on Line 17 and inserting in lieu thereof the language “Renaming the Chickasaw Turnpike to the “Darryl Roberts Toll Road” and at Mile 5.23 the 48” culvert be named the “Senator Johnny Crutchfield Memorial Culvert”, and by amending the title to conform.

Senator Crutchfield moved to table the Ford amendment, which tabling motion was declared adopted upon roll call as follows:

Aye: Branan, Cain, Capps, Coffee, Corn, Crutchfield, Dunlap, Fisher, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Riley, Rozell, Shurden, Snyder, Taylor, Wilkerson and Williams.--36.

Nay: Aldridge, Brogdon, Coates, Fair, Ford, Reynolds, Smith, Wilcoxson and Williamson.--9.

Excused: Littlefield and Robinson.--2.

Vacancy: District 18.--1.

Senator Gumm moved to amend **SB 839**, Page 1, Line 19½, by inserting a new Section 2 to read as follows:

“Section 2. NEW LAW A new section of law to be codified as Section 1664 of Title 69, unless there is created a duplication in numbering, reads as follows:

State Highway 7, from where it intersects with State Highway 99, west through Reagan, Oklahoma, to the intersection of State Highway 1 shall be designated the “Lieutenant Commander Clarence O. ‘Smokey’ Tolbert Memorial Highway”. The Department of Transportation shall cause suitable permanent markers to be placed upon the highway bearing his name, and including within the Reagan community.” and by

renumbering subsequent section and amending the title to conform, which amendment was declared adopted.

Senator Crutchfield moved that **SB 839** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 839** was read for the third time at length.

On the question of passage of the bill and emergency, the vote resulted as follows:

Aye: Aldridge, Branan, Brogdon, Cain, Capps, Coates, Corn, Crutchfield, Dunlap, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Rabon, Reynolds, Riley, Rozell, Shurden, Smith, Snyder, Taylor, Wilkerson, Williams and Williamson.--42.

Nay: Coffee, Pruitt and Wilcoxson.--3.

Excused: Littlefield and Robinson.--2.

Vacancy: District 18.--1.

The bill and emergency passed.

**SB 839** was referred for engrossment.

### **MESSAGE FROM THE HOUSE**

Returning following bill, together with conference committee report thereon, advising adoption of conference committee report and passage of measure as amended:

**SB 553 (3rd CCR)** – emergency failed

The above-numbered measure, as amended in conference, was referred for enrollment.

### **GENERAL ORDER**

**SB 1420** by Laughlin of the Senate and Blackwell of the House was called up for consideration.

Senator Laughlin moved that **SB 1420** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 1420** was read for the third time at length.

On the question of passage of the bill and emergency, the vote resulted as follows:

Aye: Aldridge, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Dunlap, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--45.

Excused: Littlefield and Robinson.--2.

Vacancy: District 18.--1.

The bill and emergency passed.

**SB 1420** was referred for engrossment.

### **GENERAL ORDER**

**SB 872** by Coates of the Senate and Paulk of the House was called up for consideration.

Senator Coffee moved to amend **SB 872**, Page 1, Line 11½, by inserting a new Section 2 to read as follows:

“SECTION 2. REPEALER 42 O.S. 2001, Section 47B.2, is hereby repealed”, and by renumbering subsequent section and by amending the title to conform, which amendment was declared adopted.

Senator Coates moved that **SB 872** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 872** was read for the third time at length.

On the question of passage of the bill, the vote resulted as follows:

Aye: Aldridge, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Dunlap, Fair, Fisher, Ford, Gumm, Harrison, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--45.

Excused: Helton and Littlefield.--2.

Vacancy: District 18.--1.

The bill passed.

Pursuant to Rule 12-23, Senator Coates served notice that the vote be reconsidered whereby **SB 872** passed.

## **INTRODUCTION**

Senator Rabon introduced his son, Jackson, to the Senate.

**Senator Gumm presiding.**

## **GENERAL ORDER**

**SB 1508** by Rabon of the Senate and Roan of the House was called up for consideration.

Senator Rabon moved that **SB 1508** be advanced, which motion was declared adopted.

## **THIRD READING**

**SB 1508** was read for the third time at length.

On the question of passage of the bill, the vote resulted as follows:

Aye: Aldridge, Branan, Brogdon, Cain, Capps, Coates, Corn, Crutchfield, Dunlap, Fair, Fisher, Ford, Gumm, Harrison, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--44.

Excused: Coffee, Helton and Littlefield.--3.

Vacancy: District 18.--1.

The bill passed.

**SB 1508** was referred for engrossment.

### **GENERAL ORDER**

**SB 1156** by Harrison of the Senate and Langmacher of the House was called up for consideration.

Senator Harrison moved that **SB 1156** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 1156** was read for the third time at length.

On the question of passage of the bill and emergency, the vote resulted as follows:

Aye: Aldridge, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Dunlap, Fair, Fisher, Ford, Gumm, Harrison, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--46.

Excused: Helton.--1.

Vacancy: District 18.--1.

The bill and emergency passed.

**SB 1156** was referred for engrossment.

### **GENERAL ORDER**

**SB 903** by Crutchfield of the Senate and Hilliard of the House was called up for consideration.

Senator Crutchfield moved to amend **SB 903**, Page 10, Lines 14 through 22, by deleting all language in subsection A, paragraphs 3 through 5, and inserting in lieu thereof the following:



- “3. One member selected by the Governor;
4. One member selected by the President Pro Tempore of the Senate;
5. One member selected by the Speaker of the House of Representatives;
6. One member of a conservation district located within the conservation district area selected by the Oklahoma Conservation Commission; and
7. One representative from the Oklahoma Water Resources Board, the Department of Wildlife Conservation and the Department of Agriculture, Food and Forestry, who shall be selected by their Boards and who shall serve as ex officio members of each initial coordinating body and each regional water planning group.” which amendment was declared adopted.

Senator Crutchfield moved that **SB 903** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 903** was read for the third time at length.

On the question of passage of the bill and emergency, the vote resulted as follows:

Aye: Aldridge, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Dunlap, Fair, Fisher, Ford, Gumm, Harrison, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Lerblance, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--44.

Nay: Leftwich.--1.

Excused: Helton and Littlefield.--2.

Vacancy: District 18.--1.

The bill and emergency passed.

**SB 903** was referred for engrossment.

### **GENERAL ORDER**

**SB 1231** by Snyder of the Senate and Reynolds of the House was called up for consideration.

Senator Snyder moved that **SB 1231** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 1231** was read for the third time at length.

On the question of passage of the bill and emergency, the vote resulted as follows:

Aye: Aldridge, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Dunlap, Fair, Fisher, Ford, Gumm, Harrison, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--45.

Excused: Helton and Littlefield.--2.

Vacancy: District 18.--1.

The bill and emergency passed.

**SB 1231** was referred for engrossment.

**GENERAL ORDER**

**SB 1136** by Corn of the Senate and Smithson of the House was called up for consideration.

Senator Corn moved that **SB 1136** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 1136** was read for the third time at length.

On the question of passage of the bill, the vote resulted as follows:

Aye: Aldridge, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Dunlap, Fisher, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Littlefield, Maddox, Milacek, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Snyder, Taylor, Wilcoxson, Wilkerson and Williams.--42.

Nay: Fair, Ford, Smith and Williamson.--4.

Excused: Monson.--1.

Vacancy: District 18.--1.

The bill passed.

**SB 1136** was referred for engrossment.

### **GENERAL ORDER**

**SB 1476** by Coates of the Senate and Nations of the House was called up for consideration.

Senator Coates moved that **SB 1476** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 1476** was read for the third time at length.

On the question of passage of the bill, the vote resulted as follows:

Aye: Branan, Cain, Capps, Coates, Coffee, Crutchfield, Fair, Ford, Gumm, Harrison, Helton, Hobson, Horner, Laster, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--31.

Nay: Aldridge, Brogdon, Corn, Dunlap, Johnson, Kerr, Laughlin, Lawler, Leftwich, Lerblance, Rabon, Reynolds, Riley, Robinson and Rozell.--15.

Excused: Fisher.--1.

Vacancy: District 18.--1.

The bill passed.

Senators Riley, Corn and Aldridge desired to vote Aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 34; Nay: 12; Excused: 1; Vacancy: 1.

The emergency passed.

**SB 1476** was referred for engrossment.

**GENERAL ORDER**

**SB 1137** by Corn of the Senate and Askins of the House was called up for consideration.

Senators Lawler, Crutchfield, Gumm, Lerblance, Dunlap, Shurden, Littlefield, Fisher, Rozell, Capps, Kerr, Leftwich, Helton, Maddox and Branan asked to coauthor **SB 1137**, which was the order.

Senator Corn moved that **SB 1137** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 1137** was read for the third time at length.

On the question of passage of the bill and emergency, the vote resulted as follows:

Aye: Aldridge, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Dunlap, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--46.

Excused: Smith.--1.

Vacancy: District 18.--1.

The bill and emergency passed.

**SB 1137** was referred for engrossment.

**GENERAL ORDER**

**SB 1259** by Cain of the Senate and Sullivan of the House, considered on Page 301, was called up for further consideration.

Senator Reynolds asked to coauthor **SB 1259**, which was the order.

Senator Riley moved to amend **SB 1259**, Page 1, Line 19½, by inserting a new Section 2 to read as follows:

“A seven mile section of the Arkansas River from the Keystone Dam forward shall be designated as the Sand Springs River for economic development purposes. The Oklahoma Centennial Commission shall cause suitable markers to be placed along the seven mile

section of the River identifying it as the Sand Springs River.”, which amendment was withdrawn.

Senator Cain moved that **SB 1259** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 1259** was read for the third time at length.

On the question of passage of the bill, the vote resulted as follows:

Aye: Aldridge, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Dunlap, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Kerr, Laster, Lawler, Leftwich, Maddox, Monson, Nichols, Price, Pruitt, Rabon, Reynolds, Robinson, Rozell, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--36.

Nay: Crutchfield, Johnson, Laughlin, Lerblance, Milacek, Morgan, Myers, Riley and Shurden.--9.

Excused: Littlefield and Smith.--2.

Vacancy: District 18.--1.

The bill passed.

Senator Crutchfield desired to vote Aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 37; Nay: 8; Excused: 2; Vacancy: 1.

The emergency passed.

Pursuant to Rule 12-23, Senator Shurden served notice that the vote be reconsidered whereby **SB 1259** passed.

### **GENERAL ORDER**

**SB 1556** by Crutchfield of the Senate and Pope of the House was called up for consideration.

Senator Crutchfield moved to amend **SB 1556**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Crutchfield moved that **SB 1556** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 1556** was read for the third time at length.

On the question of passage of the bill and emergency, the vote resulted as follows:

Aye: Aldridge, Branan, Brogdon, Capps, Coates, Coffee, Corn, Crutchfield, Dunlap, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--44.

Excused: Cain, Littlefield and Smith.--3.

Vacancy: District 18.--1.

The bill and emergency passed.

**SB 1556** was referred for engrossment.

### **UNANIMOUS CONSENT REQUEST**

Senator Fisher asked unanimous consent, which was granted, to suspend Senate Rule 12-23B to allow reconsideration of **SB 872** on the same day the motion was lodged.

### **MOTION TO RECONSIDER VOTE**

Senator Coates moved to reconsider the vote whereby **SB 872** passed, which motion was declared adopted upon roll call as follows:

Aye: Aldridge, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Dunlap, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Wilcoxson, Wilkerson, Williams and Williamson.--44.

Excused: Littlefield, Snyder and Taylor.--3.

Vacancy: District 18.--1.

### THIRD READING

Senator Fisher asked unanimous consent, which was granted, to reconsider the vote whereby **SB 872** was advanced.

### GENERAL ORDER

**SB 872** by Coates of the Senate and Paulk of the House was called up for further consideration.

Senator Coffee asked unanimous consent, which was granted, to offer a substitute amendment in lieu of his previously adopted amendment on **SB 872**.

Senator Coffee moved to amend **SB 872**, Page 1, Line 9½, by inserting a new Section 1 to read as follows:

SECTION 1. AMENDATORY 42 O.S. 2001, Section 47, is amended to read as follows:

A. Any person selling, furnishing, applying or providing to the owner of crops which are growing or to be grown, any seed, chemicals, pesticides, herbicides or fertilizer for the growing of the crops shall, upon filing, have a lien on the crops for the amount due for such seed, chemicals, pesticides, herbicides or fertilizer or for the application thereof. The lien provided for in this section shall be subject to all prior perfected liens.

B. The lien created by this section shall not be effective unless:

1. ~~Filed~~ filed as an agricultural lien pursuant to Article 9 of the Uniform Commercial Code; ~~and~~

2. ~~Notice is given to the owner of the land on which the crops are growing or to be grown at the time of filing by mailing a copy of the verified statement by certified mail, return receipt requested.~~

C. The lien created by this section may be foreclosed by the sale of the crops subject to the lien anytime within twelve (12) months after filing of the lien in accordance with the provisions of Title 12A of the Oklahoma Statutes.”, and by renumbering subsequent sections, and by amending the title to conform, which amendment was declared adopted.

Senator Coates moved that **SB 872** be advanced, which motion was declared adopted.

### THIRD READING

**SB 872** was read for the third time at length.

On the question of passage of the bill, the vote resulted as follows:

Aye: Aldridge, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Dunlap, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr,

Laster, Laughlin, Lawler, Leftwich, Lerblance, Maddox, Milacek, Monson, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Wilcoxson, Wilkerson, Williams and Williamson.--44.

Excused: Littlefield, Morgan and Taylor.--3.

Vacancy: District 18.--1.

The bill passed.

**SB 872** was referred for engrossment.

### **GENERAL ORDER**

**SB 1493** by Laughlin of the Senate and Maddux of the House was called up for consideration.

Senator Laughlin moved that **SB 1493** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 1493** was read for the third time at length.

On the question of passage of the bill and emergency, the vote resulted as follows:

Aye: Aldridge, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Dunlap, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Shurden, Snyder, Wilcoxson, Wilkerson, Williams and Williamson.--43.

Nay: Rozell and Smith.--2.

Excused: Littlefield and Taylor.--2.

Vacancy: District 18.--1.

The bill and emergency passed.

**SB 1493** was referred for engrossment.



**GENERAL ORDER**

**SB 1548** by Shurden of the Senate and Smith of the House was called up for consideration.

Senator Shurden moved that **SB 1548** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 1548** was read for the third time at length.

On the question of passage of the bill, the vote resulted as follows:

Aye: Capps, Coates, Corn, Crutchfield, Fisher, Harrison, Helton, Hobson, Horner, Kerr, Lawler, Leftwich, Lerblance, Maddox, Milacek, Monson, Morgan, Price, Rabon, Robinson, Rozell, Shurden, Smith, Wilkerson and Williams.--25.

Nay: Aldridge, Branan, Brogdon, Cain, Coffee, Dunlap, Fair, Ford, Gumm, Johnson, Laster, Laughlin, Myers, Nichols, Pruitt, Reynolds, Riley, Snyder, Wilcoxson and Williamson.--20.

Excused: Littlefield and Taylor.--2.

Vacancy: District 18.--1.

The bill passed.

**SB 1548** was referred for engrossment.

**GENERAL ORDER**

**SB 1295** by Harrison of the Senate and Walker of the House was called up for consideration.

Senator Harrison moved that **SB 1295** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 1295** was read for the third time at length.

On the question of passage of the bill and emergency, the vote resulted as follows:

Aye: Aldridge, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Dunlap, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Snyder, Wilcoxson, Wilkerson, Williams and Williamson.--44.

Excused: Littlefield, Smith and Taylor.--3.

Vacancy: District 18.--1.

The bill and emergency passed.

**SB 1295** was referred for engrossment.

## **INTRODUCTION**

Senator Rabon introduced his wife, Dana, to the Senate.

## **GENERAL ORDER**

**SB 1140** by Corn of the Senate and Braddock and Ferguson of the House was called up for consideration.

Senator Corn moved that **SB 1140** be advanced, which motion was declared adopted.

## **THIRD READING**

**SB 1140** was read for the third time at length.

On the question of passage of the bill and emergency, the vote resulted as follows:

Aye: Aldridge, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Dunlap, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Snyder, Wilcoxson, Wilkerson, Williams and Williamson.--44.

Excused: Littlefield, Smith and Taylor.--3.

Vacancy: District 18.--1.

The bill and emergency passed.

**SB 1140** was referred for engrossment.

**Senator Rabon presiding.**

### **GENERAL ORDER**

**SB 1357** by Lerblance of the Senate and Erwin of the House was called up for consideration.

Senator Lerblance moved to amend **SB 1357**, Page 1, by striking the title, which amendment was declared adopted.

Senator Lerblance moved that **SB 1357** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 1357** was read for the third time at length.

On the question of passage of the bill, the vote resulted as follows:

Aye: Cain, Capps, Corn, Crutchfield, Gumm, Harrison, Helton, Hobson, Horner, Laster, Lawler, Lerblance, Monson, Morgan, Price, Rabon, Robinson, Rozell, Shurden and Wilkerson.--20.

Nay: Aldridge, Branan, Brogdon, Coates, Coffee, Dunlap, Fair, Fisher, Ford, Johnson, Kerr, Laughlin, Leftwich, Maddox, Myers, Nichols, Pruitt, Reynolds, Riley, Smith, Snyder, Wilcoxson and Williamson.--23.

Excused: Littlefield, Milacek, Taylor and Williams.--4.

Vacancy: District 18.--1.

The bill failed.

Pursuant to Rule 12-23, Senator Lerblance served notice that the vote be reconsidered whereby **SB 1357** failed.

**EXECUTIVE NOMINATIONS**

The following executive nominations were read and referred to committee as indicated:

Blue, Deborah C., Shawnee, as a member of the State Board of Education - Education

Finley-McFalls, Maxine L., Ada, as a member of the Alcoholic Beverage Laws Enforcement Commission - Judiciary

Gilbert, Randall R., Tecumseh, as a member of the State Board of Career and Technology Education - Education

Senator Fisher moved that when the clerk's desk is clear, the Senate stand adjourned to convene Tuesday, March 2, 2004, at 10:00 a.m., which motion prevailed.

**BILL RELEASED  
TIME EXPIRED TO RECONSIDER**

**SB 1205** was referred for engrossment.

Pursuant to the Fisher motion, the Senate adjourned at 4:10 p.m. to meet Tuesday, March 2, 2004, at 10:00 a.m.

**COMMUNICATION**

The following was received from the Office of State Finance and ordered printed in the Journal in full:

February 17, 2004

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

Members of the Board:

The Constitution of the State of Oklahoma, Article X, Section 23, as last amended April 30, 1985, provides in pertinent part:

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

...The State Board of Equalization shall meet within five (5) days after the monthly apportionment in February of each year, and at that time may adjust the certification, based upon the most current information available, and determine the amount of funds available for appropriation for that legislative session. At said meeting, the Board shall determine the limit on the growth of appropriations as provided for in this section.

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

Very truly yours,

/s/Scott Meacham  
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, 2005, shall not exceed the amount appropriated for the current fiscal year, 2004, plus 12 percent (12%) adjusted for inflation as measured at the close of the calendar year. The amounts appropriated from each fund by the First Regular Session of the Forty Ninth Legislature and acted upon by the Governor was \$4,450,333,386. The limit on appropriations for the Second Regular Session of the Forty Ninth Legislature is \$5,117,883,394 for the fiscal year ending June 30, 2005.

FUND NAME	AMOUNT
FY-2004 General Revenue Fund	\$4,174,895,398
FY-2002 General Revenue Fund	9,800,000
FY-2004 Mineral Leasing Fund	1,330,000
FY-2004 Land Office Fund	4,095,100
FY-2004 Judicial Fund	29,887,027
FY-2002 Judicial Fund	2,370,519
FY-2004 Public Building Fund	1,158,145
Special Cash	30,030,883
FY-2004 OHSA Fund	1,503,660
FY-2002 OHSA Fund	99,446
FY-2004 CLEET Fund	2,446,493
FY-2002 CLEET Fund	489,662
FY-2004 State Transportation Fund	192,185,387
G.O. Bonds Fund Series A	11,484
G.O. Bonds Fund Series B	30,182
<b>TOTAL</b>	<b>\$4,450,333,386</b>

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 102.7%(adjustment for inflation)]=115.0%

Total Appropriation FY-2004	4,450,333,386
Factor	115.00%
<b>Limit on Appropriation FY-2005</b>	<b><u>5,117,883,394</u></b>

**FUNDS TO BE CERTIFIED**

**Schedule 2**

The summation of the itemized estimates of revenue, Schedule 3, 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.

Column 1	Column 2	Column 3
	100%	95%
	<b>Proposed FY-2005 Estimates</b>	
<b>GENERAL REVENUE</b>	<b>\$4,521,204,885</b>	<b>\$4,295,144,640</b>
<b>C.L.E.E.T.</b>	<b>\$2,625,078</b>	<b>\$2,493,824</b>
<b>COMMISSIONERS OF THE LAND OFFICE</b>	<b>\$5,935,820</b>	<b>\$5,639,029</b>
<b>JUDICIAL</b>	<b>\$33,460,028</b>	<b>\$31,787,027</b>
<b>MINERAL LEASING</b>	<b>\$2,000,000</b>	<b>\$1,900,000</b>
<b>SPECIAL OCCUPATIONAL HEALTH &amp; SAFETY</b>	<b>\$1,670,700</b>	<b>\$1,587,165</b>
<b>PUBLIC BUILDING</b>	<b>\$1,359,100</b>	<b>\$1,291,145</b>
<b>STATE TRANSPORTATION</b>	<b>\$211,342,952</b>	<b>\$200,775,804</b>
<b>FEDERAL MONIES AVAILABLE FOR APPROPRIATION</b>	<b><u>\$117,340,221</u></b>	<b><u>\$117,340,221</u></b>
<b>TOTALS</b>	<b>\$4,896,938,784</b>	<b>\$4,657,958,855</b>

**ITEMIZED ESTIMATES OF REVENUE**  
**Schedule 3**

The itemized estimate of revenues displayed in this schedule for the General Revenue fund and the Special Revenue Funds to be appropriated by the by the Legislature for the fiscal year ending June 30, 2005 (FY-05) are the basis for the summation proposed for certification in Schedule 2. For informational purposes the FY-05 estimates of revenues are compared to the last preceding fiscal year's actual revenues (FY-03) and to both the itemized estimates and the projections of revenues for the current fiscal year (FY-04).

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7
FUND NAME	FY-2003 ACTUAL	FY-2004 ESTIMATE 16-Jun-03	FY-2004 PROJECTED 22-Dec-03	FY-2005 ESTIMATE 22-Dec-03	FY-2004 PROJECTED 17-Feb-04	Proposed FY-2005 ESTIMATE 17-Feb-04
<b>GENERAL REVENUE</b>						
Alcohol Beverage Tax	\$15,517,972	\$14,871,000	\$15,670,000	\$15,802,000	\$15,670,000	\$15,802,000
Mixed Beverage Receipts Tax	18,434,328	19,156,000	19,024,000	19,633,000	19,024,000	19,633,000
Beverage Tax	23,866,103	24,390,000	24,528,000	24,792,000	24,528,000	24,792,000
Cigarette Tax	25,754,430	54,452,418 *	41,524,231	18,986,314	41,520,232	18,986,314
Tobacco Products Tax	12,282,100	11,665,000	12,665,000	13,058,000	12,665,000	13,058,000
Franchise Tax	41,854,892	41,785,000	40,670,000	41,394,000	40,670,000	41,394,000
Gross Production Tax-Gas	365,699,531	358,728,000	383,571,000	361,229,000	414,165,000	353,788,000
Income Tax-Individual	1,832,920,450	1,991,489,148	1,928,837,671	1,970,278,380	1,970,988,941	1,987,270,154
Income Tax-Corporate	49,947,567	87,336,866	105,720,334	101,063,813	95,602,399	102,695,513
Estate Tax	73,527,778	84,852,000	73,184,000	74,340,000	115,684,000	74,340,000
Insurance Premium Tax	69,808,556	0	0	55,616,000	0	55,616,000
Motor Vehicle Taxes	196,428,157	214,236,000	217,328,000	217,393,000	212,015,000	219,729,000
Sales Tax	1,203,405,919	1,238,943,304	1,266,741,968	1,327,312,027	1,276,640,010	1,329,686,943
Use Tax	63,835,757	79,331,118	80,237,535	80,040,114	84,709,875	88,382,131
Interest & Investments	40,646,357	36,669,911	22,200,730	33,268,875	22,467,997	33,775,609
Other (Schedule 4)	151,550,632	136,695,007 *	150,122,659	141,617,175	149,636,005	141,256,221
General Revenue Totals	\$4,185,480,526	\$4,394,600,772	\$4,382,025,128	\$4,495,823,698	\$4,495,986,460	\$4,520,204,885
Transfers & Lapses	769,872	1,200,000	1,000,000	1,000,000	1,000,000	1,000,000
Revenue Comparison	\$4,186,250,398	\$4,395,800,772	\$4,383,025,128	\$4,496,823,698	\$4,496,986,460	\$4,521,204,885
One-Time Receipts	64,258	0	0	0	0	0
<b>Total General Revenue</b>	<b>\$4,186,314,656</b>	<b>\$4,395,800,772</b>	<b>\$4,383,025,128</b>	<b>\$4,496,823,698</b>	<b>\$4,496,986,460</b>	<b>\$4,521,204,885</b>
<b>C.L.E.E.T.</b>	<b>\$2,696,651</b>	<b>\$2,575,256</b>	<b>\$2,759,876</b>	<b>\$2,625,078</b>	<b>\$2,741,271</b>	<b>\$2,625,078</b>
<b>COMM of LAND OFFICE</b>	<b>\$5,888,625</b>	<b>\$6,000,758</b>	<b>\$5,765,782</b>	<b>\$5,760,950</b>	<b>\$5,724,938</b>	<b>\$5,935,820</b>
<b>JUDICIAL</b>	<b>\$25,827,496</b>	<b>\$31,460,028</b>	<b>\$31,600,000</b>	<b>\$33,460,028</b>	<b>\$31,600,000</b>	<b>\$33,460,028</b>
<b>MINERAL LEASING</b>	<b>\$2,025,057</b>	<b>\$1,400,000</b>	<b>\$2,100,000</b>	<b>\$1,800,000</b>	<b>\$2,100,000</b>	<b>\$2,000,000</b>
<b>SPECIAL OCCUPATIONAL HEALTH &amp; SAFETY</b>	<b>\$1,563,902</b>	<b>\$1,582,800</b>	<b>\$1,503,660</b>	<b>\$1,670,700</b>	<b>\$1,503,660</b>	<b>\$1,670,700</b>
<b>PUBLIC BUILDING</b>	<b>\$1,400,888</b>	<b>\$1,219,100</b>	<b>\$1,342,100</b>	<b>\$1,359,100</b>	<b>\$1,342,100</b>	<b>\$1,359,100</b>
<b>STATE TRANSPORTATION</b>	<b>\$191,766,935</b>	<b>\$202,300,407</b>	<b>\$200,304,047</b>	<b>\$202,237,907</b>	<b>\$207,100,752</b>	<b>\$211,342,952</b>
<b>TOTAL</b>	<b>\$4,417,484,209</b>	<b>\$4,642,339,121</b>	<b>\$4,628,400,592</b>	<b>\$4,745,737,461</b>	<b>\$4,749,099,181</b>	<b>\$4,779,598,563</b>
<b>FEDERAL MONIES AVAILABLE FOR APPROPRIATION</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$117,340,221</b>	<b>\$0</b>	<b>\$117,340,221</b>
<b>GRAND TOTAL</b>	<b>\$4,417,484,209</b>	<b>\$4,642,339,121</b>	<b>\$4,628,400,592</b>	<b>\$4,863,077,682</b>	<b>\$4,749,099,181</b>	<b>\$4,896,938,784</b>

\*HB1250 transferred revenue from the Building Bonds Sinking Fund to the General Revenue Fund. In the June packet, this transfer was shown as additional cigarette tax revenue but should have been recorded as other income.



ITEMIZED ESTIMATES OF "OTHER" REVENUES						
GENERAL REVENUE FUND						
Schedule 4						
Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7
	FY-2003 ACTUAL	FY-2004 ESTIMATE 16-Jun-03	FY-2004 PROJECTED 22-Dec-03	FY-2005 ESTIMATE 22-Dec-03	FY-2004 PROJECTED 17-Feb-04	Proposed FY-2005 ESTIMATE 17-Feb-04
OTC:						
Pari-Mutuel	\$2,709,047	\$2,873,319	\$2,205,174	\$2,205,174	\$2,205,174	\$2,205,174
Tribal Cigarette Compacts	9,468,712	9,057,000	9,747,000	10,212,000	11,277,000	11,277,000
Bingo Excise & Charity Games	6,671,638	5,483,000	6,309,000	5,968,000	4,934,000	4,934,000
Workers Comp Ins. Premium Tax	5,572,798	5,457,000	6,306,000	6,172,000	6,306,000	6,172,000
Petroleum Excise Tax	6,829,417	5,582,000	7,047,000	5,982,000	7,047,000	5,982,000
Other OTC	<u>25,287,800</u>	<u>23,012,000</u>	<u>25,168,000</u>	<u>26,612,000</u>	<u>25,168,000</u>	<u>26,612,000</u>
<b>TOTAL OTC</b>	56,539,411	51,464,319	56,782,174	57,151,174	56,937,174	57,182,174
COLLECTIONS BY OTHER AGENCIES						
ABLE	\$3,951,573	\$3,889,680	\$3,915,035	\$3,958,180	\$3,915,035	\$3,958,180
Attorney General (Tobacco)	57,385	131,250	489,533	281,745	489,804	281,745
Banking	3,714,515	1,050,000	1,050,000	0	1,050,000	0
Central Services	1,003,394	945,998	741,000	741,000	1,000,532	741,000
CLEET	608,211	611,225	701,878	688,812	699,807	688,812
Consumer Credit	1,232,341	1,232,341	1,232,341	1,232,341	1,150,131	1,150,131
DPS	21,881,049	23,391,060	20,256,203	20,325,390	19,757,762	19,925,390
Employees Benefit Council	5,472,111	6,013,687	6,008,831	6,008,831	6,008,831	6,008,831
Horsereading	358,258	371,106	284,252	284,252	273,062	273,062
Insurance Comm	29,270,512	15,571,850	15,537,500	21,579,950	15,537,500	21,579,950
Labor	712,575	733,350	738,950	738,950	763,450	763,450
LPG	566,119	193,380	193,380	0	193,380	0
Medical Licensure	212,343	230,000	203,000	220,000	203,000	220,000
Nursing Board	194,931	207,258	207,258	203,487	203,492	203,487
Sec of State	2,187,159	2,491,200	2,335,425	2,335,425	2,335,425	2,335,425
Securities Comm	11,134,060	10,701,664	10,930,056	10,844,188	10,930,056	10,844,188
Treasurer (Unclaimed Property)	8,600,000	12,225,000	12,225,000	10,000,000	12,225,000	10,000,000
OPM	5,235,338	4,815,639	5,238,760	4,523,450	4,959,480	4,600,396
OSF	682,265	425,000	575,997	500,000	527,000	500,000
Other	(2,062,918)	0 *	10,476,085	0	10,476,085	0
<b>TOTAL MISC</b>	<u>95,011,221</u>	<u>85,230,688</u>	<u>93,340,485</u>	<u>84,466,001</u>	<u>92,698,831</u>	<u>84,074,047</u>
<b>GRAND OTHER</b>	<u><b>\$151,550,632</b></u>	<u><b>\$136,695,007</b></u>	<u><b>\$150,122,659</b></u>	<u><b>\$141,617,175</b></u>	<u><b>\$149,636,005</b></u>	<u><b>\$141,256,221</b></u>
*HB1250 transferred revenue from the Building Bonds Sinking Fund to the General Revenue Fund. In the June packet, this transfer was shown as additional cigarette tax revenue but should have been recorded as other income.						

<b>COMPARISON OF REVENUE ESTIMATES</b>				
<b>Schedule 5</b>				
Column 1	Column 2	Column 3	Column 4	Column 5
	FY-2004 ESTIMATE	Proposed FY-2005 ESTIMATE	INCREASE OR (DECREASE)	PERCENT CHANGE
	16-Jun-03	17-Feb-04		
<b>GENERAL REVENUE FUND</b>				
Alcohol Beverage Tax	\$14,871,000	\$15,802,000	\$931,000	6.3%
Mixed Beverage Receipts Tax	19,156,000	19,633,000	477,000	2.5%
Beverage Tax	24,390,000	24,792,000	402,000	1.6%
Cigarette Tax	54,452,418 *	18,986,314	(35,466,104)	-65.1%
Tobacco Products Tax	11,665,000	13,058,000	1,393,000	11.9%
Franchise Tax	41,785,000	41,394,000	(391,000)	-0.9%
Gross Production Tax-Gas	358,728,000	353,788,000	(4,940,000)	-1.4%
Income Tax-Individual	1,991,489,148	1,987,270,154	(4,218,993)	-0.2%
Income Tax-Corporate	87,336,866	102,695,513	15,358,647	17.6%
Estate Tax	84,852,000	74,340,000	(10,512,000)	-12.4%
Insurance Premium Tax	0	55,616,000	55,616,000	0.0%
Motor Vehicle Taxes	214,236,000	219,729,000	5,493,000	2.6%
Sales Tax	1,238,943,304	1,329,686,943	90,743,639	7.3%
Use Tax	79,331,118	88,382,131	9,051,013	11.4%
Interest & Investments	36,669,911	33,775,609	(2,894,302)	-7.9%
Other	<u>136,695,007 *</u>	<u>141,256,221</u>	<u>4,561,214</u>	<u>3.3%</u>
General Revenue Totals	\$4,394,600,772	\$4,520,204,885	\$125,604,113	2.9%
Transfers & Lapses	<u>1,200,000</u>	<u>1,000,000</u>	<u>(200,000)</u>	<u>-16.7%</u>
Revenue Comparison	\$4,395,800,772	\$4,521,204,885	\$125,404,113	2.9%
One-Time Receipts	<u>0</u>	<u>0</u>	<u>0</u>	<u>0.0%</u>
<b>Total General Revenue</b>	<b>\$4,395,800,772</b>	<b>\$4,521,204,885</b>	<b>\$125,404,113</b>	<b>2.9%</b>
<b>C.L.E.E.T.</b>	<b>\$2,575,256</b>	<b>\$2,625,078</b>	<b>\$49,822</b>	<b>1.9%</b>
<b>COMM of LAND OFFICE</b>	<b>\$6,000,758</b>	<b>\$5,935,820</b>	<b>(\$64,938)</b>	<b>-1.1%</b>
<b>JUDICIAL</b>	<b>\$31,460,028</b>	<b>\$33,460,028</b>	<b>\$2,000,000</b>	<b>6.4%</b>
<b>MINERAL LEASING</b>	<b>\$1,400,000</b>	<b>\$2,000,000</b>	<b>\$600,000</b>	<b>42.9%</b>
<b>SPECIAL OCCUPATIONAL HEALTH &amp; SAFETY</b>	<b>\$1,582,800</b>	<b>\$1,670,700</b>	<b>\$87,900</b>	<b>5.6%</b>
<b>PUBLIC BUILDING</b>	<b>\$1,219,100</b>	<b>\$1,359,100</b>	<b>\$140,000</b>	<b>11.5%</b>
<b>STATE TRANSPORTATION</b>	<b><u>\$202,300,407</u></b>	<b><u>\$211,342,952</u></b>	<b><u>\$9,042,545</u></b>	<b><u>4.5%</u></b>
<b>TOTAL</b>	<b>\$4,642,339,121</b>	<b>\$4,779,598,563</b>	<b>\$137,259,442</b>	<b>3.0%</b>
<b>FEDERAL MONIES AVAILABLE FOR APPROPRIATION</b>	<b><u>\$0</u></b>	<b><u>\$117,340,221</u></b>	<b><u>\$117,340,221</u></b>	<b><u>0.0%</u></b>
<b>GRAND TOTAL</b>	<b>\$4,642,339,121</b>	<b>\$4,896,938,784</b>	<b>\$254,599,663</b>	<b>5.5%</b>

\*HB1250 transferred revenue from the Building Bonds Sinking Fund to the General Revenue Fund. In the June packet, this transfer was shown as additional cigarette tax revenue but should have been recorded as other income.

## COMPARISON OF REVENUE ESTIMATES

## Schedule 6

Column 1	Column 2	Column 3	Column 4	Column 5
	FY-2004 PROJECTED	Proposed FY-2005 ESTIMATE	INCREASE OR (DECREASE)	PERCENT CHANGE
	17-Feb-04	17-Feb-04		
<b>GENERAL REVENUE FUND</b>				
Alcohol Beverage Tax	\$15,670,000	\$15,802,000	\$132,000	0.8%
Mixed Beverage Receipts Tax	19,024,000	19,633,000	609,000	3.2%
Beverage Tax	24,528,000	24,792,000	264,000	1.1%
Cigarette Tax	41,520,232	18,986,314	(22,533,919)	-54.3%
Tobacco Products Tax	12,665,000	13,058,000	393,000	3.1%
Franchise Tax	40,670,000	41,394,000	724,000	1.8%
Gross Production Tax-Gas	414,165,000	353,788,000	(60,377,000)	-14.6%
Income Tax-Individual	1,970,988,941	1,987,270,154	16,281,214	0.8%
Income Tax-Corporate	95,602,399	102,695,513	7,093,113	7.4%
Estate Tax	115,684,000	74,340,000	(41,344,000)	-35.7%
Insurance Premium Tax	0	55,616,000	55,616,000	0.0%
Motor Vehicle Taxes	212,015,000	219,729,000	7,714,000	3.6%
Sales Tax	1,276,640,010	1,329,686,943	53,046,933	4.2%
Use Tax	84,709,875	88,382,131	3,672,256	4.3%
Interest & Investments	22,467,997	33,775,609	11,307,612	50.3%
Other	149,636,005	141,256,221	(8,379,785)	-5.6%
General Revenue Totals	\$4,495,986,460	\$4,520,204,885	\$24,218,425	0.5%
Transfers & Lapses	1,000,000	1,000,000	0	0.0%
Revenue Comparison One-Time Receipts	\$4,496,986,460 0	\$4,521,204,885 0	\$24,218,425 0	0.5% 0.0%
<b>Total General Revenue</b>	<b>\$4,496,986,460</b>	<b>\$4,521,204,885</b>	<b>\$24,218,425</b>	<b>0.5%</b>
<b>C.L.E.E.T.</b>	<b>\$2,741,271</b>	<b>\$2,625,078</b>	<b>(\$116,193)</b>	<b>-4.2%</b>
<b>COMM of LAND OFFICE</b>	<b>\$5,724,938</b>	<b>\$5,935,820</b>	<b>\$210,882</b>	<b>3.7%</b>
<b>JUDICIAL</b>	<b>\$31,600,000</b>	<b>\$33,460,028</b>	<b>\$1,860,028</b>	<b>5.9%</b>
<b>MINERAL LEASING</b>	<b>\$2,100,000</b>	<b>\$2,000,000</b>	<b>(\$100,000)</b>	<b>-4.8%</b>
<b>SPECIAL OCCUPATIONAL HEALTH &amp; SAFETY</b>	<b>\$1,503,660</b>	<b>\$1,670,700</b>	<b>\$167,040</b>	<b>11.1%</b>
<b>PUBLIC BUILDING</b>	<b>\$1,342,100</b>	<b>\$1,359,100</b>	<b>\$17,000</b>	<b>1.3%</b>
<b>STATE TRANSPORTATION</b>	<b>\$207,100,752</b>	<b>\$211,342,952</b>	<b>\$4,242,200</b>	<b>2.0%</b>
<b>TOTAL</b>	<b>\$4,749,099,181</b>	<b>\$4,779,598,563</b>	<b>\$30,499,382</b>	<b>0.6%</b>
<b>FEDERAL MONIES AVAILABLE FOR APPROPRIATION</b>	<b>\$0</b>	<b>\$117,340,221</b>	<b>\$117,340,221</b>	<b>\$0</b>
<b>GRAND TOTAL</b>	<b>\$4,749,099,181</b>	<b>\$4,896,938,784</b>	<b>\$147,839,603</b>	<b>3.1%</b>

<b>COMPARISON OF REVENUE ESTIMATES</b>				
<b>Schedule 7</b>				
Column 1	Column 2	Column 3	Column 4	Column 5
	FY-2004 ESTIMATE	FY-2004 PROJECTED	INCREASE OR (DECREASE)	PERCENT CHANGE
	16-Jun-03	17-Feb-04		
<b>GENERAL REVENUE FUND</b>				
Alcohol Beverage Tax	\$14,871,000	\$15,670,000	\$799,000	5.4%
Mixed Beverage Receipts Tax	19,156,000	19,024,000	(132,000)	-0.7%
Beverage Tax	24,390,000	24,528,000	138,000	0.6%
Cigarette Tax	54,452,418 *	41,520,232	(12,932,185)	-23.7%
Tobacco Products Tax	11,665,000	12,665,000	1,000,000	8.6%
Franchise Tax	41,785,000	40,670,000	(1,115,000)	-2.7%
Gross Production Tax-Gas	358,728,000	414,165,000	55,437,000	15.5%
Income Tax-Individual	1,991,489,148	1,970,988,941	(20,500,207)	-1.0%
Income Tax-Corporate	87,336,866	95,602,399	8,265,533	9.5%
Estate Tax	84,852,000	115,684,000	30,832,000	36.3%
Insurance Premium Tax	0	0	0	0.0%
Motor Vehicle Taxes	214,236,000	212,015,000	(2,221,000)	-1.0%
Sales Tax	1,238,943,304	1,276,640,010	37,696,706	3.0%
Use Tax	79,331,118	84,709,875	5,378,757	6.8%
Interest & Investments	36,669,911	22,467,997	(14,201,914)	-38.7%
Other	136,695,007 *	149,636,005	12,940,998	9.5%
General Revenue Totals	\$4,394,600,772	\$4,495,986,460	\$101,385,688	2.3%
Transfers & Lapses	1,200,000	1,000,000	(200,000)	-16.7%
Revenue Comparison	\$4,395,800,772	\$4,496,986,460	\$101,185,688	2.3%
One-Time Receipts	0	0	0	0.0%
<b>Total General Revenue</b>	<b>\$4,395,800,772</b>	<b>\$4,496,986,460</b>	<b>\$101,185,688</b>	<b>2.3%</b>
<b>C.L.E.E.T.</b>	<b>\$2,575,256</b>	<b>\$2,741,271</b>	<b>\$166,015</b>	<b>6.4%</b>
<b>COMM of LAND OFFICE</b>	<b>\$6,000,758</b>	<b>\$5,724,938</b>	<b>(\$275,820)</b>	<b>-4.6%</b>
<b>JUDICIAL</b>	<b>\$31,460,028</b>	<b>\$31,600,000</b>	<b>\$139,972</b>	<b>0.4%</b>
<b>MINERAL LEASING</b>	<b>\$1,400,000</b>	<b>\$2,100,000</b>	<b>\$700,000</b>	<b>50.0%</b>
<b>SPECIAL OCCUPATIONAL HEALTH &amp; SAFETY</b>	<b>\$1,582,800</b>	<b>\$1,503,660</b>	<b>(\$79,140)</b>	<b>-5.0%</b>
<b>PUBLIC BUILDING</b>	<b>\$1,219,100</b>	<b>\$1,342,100</b>	<b>\$123,000</b>	<b>10.1%</b>
<b>STATE TRANSPORTATION</b>	<b>\$202,300,407</b>	<b>\$207,100,752</b>	<b>\$4,800,345</b>	<b>2.4%</b>
<b>TOTAL</b>	<b>\$4,642,339,121</b>	<b>\$4,749,099,181</b>	<b>\$106,760,060</b>	<b>2.3%</b>
<b>FEDERAL MONIES AVAILABLE FOR APPROPRIATION</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0%</b>
<b>GRAND TOTAL</b>	<b>\$4,642,339,121</b>	<b>\$4,749,099,181</b>	<b>\$106,760,060</b>	<b>2.3%</b>

\*HB1250 transferred revenue from the Building Bonds Sinking Fund to the General Revenue Fund. In the June packet, this transfer was shown as additional cigarette tax revenue but should have been recorded as other income.

<b>COMPARISON OF REVENUE ESTIMATES</b>				
<b>Schedule 8</b>				
Column 1	Column 2	Column 3	Column 4	Column 5
	FY-2004 PROJECTED	FY-2004 PROJECTED	INCREASE OR (DECREASE)	PERCENT CHANGE
	22-Dec-03	17-Feb-04		
<b>GENERAL REVENUE FUND</b>				
Alcohol Beverage Tax	\$15,670,000	\$15,670,000	\$0	0.0%
Mixed Beverage Receipts Tax	19,024,000	19,024,000	0	0.0%
Beverage Tax	24,528,000	24,528,000	0	0.0%
Cigarette Tax	41,524,231	41,520,232	(3,998)	0.0%
Tobacco Products Tax	12,665,000	12,665,000	0	0.0%
Franchise Tax	40,670,000	40,670,000	0	0.0%
Gross Production Tax-Gas	383,571,000	414,165,000	30,594,000	8.0%
Income Tax-Individual	1,928,837,671	1,970,988,941	42,151,270	2.2%
Income Tax-Corporate	105,720,334	95,602,399	(10,117,934)	-9.6%
Estate Tax	73,184,000	115,684,000	42,500,000	58.1%
Insurance Premium Tax	0	0	0	0.0%
Motor Vehicle Taxes	217,328,000	212,015,000	(5,313,000)	-2.4%
Sales Tax	1,266,741,968	1,276,640,010	9,898,042	0.8%
Use Tax	80,237,535	84,709,875	4,472,340	5.6%
Interest & Investments	22,200,730	22,467,997	267,267	1.2%
Other	150,122,659	149,636,005	(486,653)	-0.3%
General Revenue Totals	\$4,382,025,128	\$4,495,986,460	\$113,961,332	2.6%
Transfers & Lapses	1,000,000	1,000,000	0	0.0%
Revenue Comparison One-Time Receipts	\$4,383,025,128 0	\$4,496,986,460 0	\$113,961,332 0	2.6% 0.0%
<b>Total General Revenue</b>	<b>\$4,383,025,128</b>	<b>\$4,496,986,460</b>	<b>\$113,961,332</b>	<b>2.6%</b>
<b>C.L.E.E.T.</b>	<b>\$2,759,876</b>	<b>\$2,741,271</b>	<b>(\$18,605)</b>	<b>-0.7%</b>
<b>COMM of LAND OFFICE</b>	<b>\$5,765,782</b>	<b>\$5,724,938</b>	<b>(\$40,844)</b>	<b>-0.7%</b>
<b>JUDICIAL</b>	<b>\$31,600,000</b>	<b>\$31,600,000</b>	<b>\$0</b>	<b>0.0%</b>
<b>MINERAL LEASING</b>	<b>\$2,100,000</b>	<b>\$2,100,000</b>	<b>\$0</b>	<b>0.0%</b>
<b>SPECIAL OCCUPATIONAL HEALTH &amp; SAFETY</b>	<b>\$1,503,660</b>	<b>\$1,503,660</b>	<b>\$0</b>	<b>0.0%</b>
<b>PUBLIC BUILDING</b>	<b>\$1,342,100</b>	<b>\$1,342,100</b>	<b>\$0</b>	<b>0.0%</b>
<b>STATE TRANSPORTATION</b>	<b>\$200,304,047</b>	<b>\$207,100,752</b>	<b>\$6,796,705</b>	<b>3.4%</b>
<b>TOTAL</b>	<b>\$4,628,400,592</b>	<b>\$4,749,099,181</b>	<b>\$120,698,588</b>	<b>2.6%</b>
<b>FEDERAL MONIES AVAILABLE FOR APPROPRIATION</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>GRAND TOTAL</b>	<b>\$4,628,400,592</b>	<b>\$4,749,099,181</b>	<b>\$120,698,588</b>	<b>2.6%</b>

<b>COMPARISON OF REVENUE ESTIMATES</b>				
<b>Schedule 9</b>				
<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>	<i>Column 5</i>
	FY-2005 ESTIMATE	Proposed FY-2005 ESTIMATE	INCREASE OR (DECREASE)	PERCENT CHANGE
	22-Dec-03	17-Feb-04		
<b>GENERAL REVENUE FUND</b>				
Alcohol Beverage Tax	\$15,802,000	\$15,802,000	\$0	0.0%
Mixed Beverage Receipts Tax	19,633,000	19,633,000	0	0.0%
Beverage Tax	24,792,000	24,792,000	0	0.0%
Cigarette Tax	18,986,314	18,986,314	(0)	0.0%
Tobacco Products Tax	13,058,000	13,058,000	0	0.0%
Franchise Tax	41,394,000	41,394,000	0	0.0%
Gross Production Tax-Gas	361,229,000	353,788,000	(7,441,000)	-2.1%
Income Tax-Individual	1,970,278,380	1,987,270,154	16,991,774	0.9%
Income Tax-Corporate	101,063,813	102,695,513	1,631,700	1.6%
Estate Tax	74,340,000	74,340,000	0	0.0%
Insurance Premium Tax	55,616,000	55,616,000	0	0.0%
Motor Vehicle Taxes	217,393,000	219,729,000	2,336,000	1.1%
Sales Tax	1,327,312,027	1,329,686,943	2,374,916	0.2%
Use Tax	80,040,114	88,382,131	8,342,017	10.4%
Interest & Investments	33,268,875	33,775,609	506,734	1.5%
Other	141,617,175	141,256,221	(360,955)	-0.3%
General Revenue Totals	\$4,495,823,698	\$4,520,204,885	\$24,381,186	0.5%
Transfers & Lapses	1,000,000	1,000,000	0	0.0%
Revenue Comparison	\$4,496,823,698	\$4,521,204,885	\$24,381,186	0.5%
One-Time Receipts	0	0	0	0.0%
<b>Total General Revenue</b>	<b>\$4,496,823,698</b>	<b>\$4,521,204,885</b>	<b>\$24,381,186</b>	<b>0.5%</b>
<b>C.L.E.E.T.</b>	<b>\$2,625,078</b>	<b>\$2,625,078</b>	<b>\$0</b>	<b>0.0%</b>
<b>COMM of LAND OFFICE</b>	<b>\$5,760,950</b>	<b>\$5,935,820</b>	<b>\$174,870</b>	<b>3.0%</b>
<b>JUDICIAL</b>	<b>\$33,460,028</b>	<b>\$33,460,028</b>	<b>\$0</b>	<b>0.0%</b>
<b>MINERAL LEASING</b>	<b>\$1,800,000</b>	<b>\$2,000,000</b>	<b>\$200,000</b>	<b>11.1%</b>
<b>SPECIAL OCCUPATIONAL HEALTH &amp; SAFETY</b>	<b>\$1,670,700</b>	<b>\$1,670,700</b>	<b>\$0</b>	<b>0.0%</b>
<b>PUBLIC BUILDING</b>	<b>\$1,359,100</b>	<b>\$1,359,100</b>	<b>\$0</b>	<b>0.0%</b>
<b>STATE TRANSPORTATION</b>	<b>\$202,237,907</b>	<b>\$211,342,952</b>	<b>\$9,105,045</b>	<b>4.5%</b>
<b>TOTAL</b>	<b>\$4,745,737,461</b>	<b>\$4,779,598,563</b>	<b>\$33,861,102</b>	<b>0.7%</b>
<b>FEDERAL MONIES AVAILABLE FOR APPROPRIATION</b>	<b>\$117,340,221</b>	<b>\$117,340,221</b>	<b>\$0</b>	<b>0.0%</b>
<b>GRAND TOTAL</b>	<b>\$4,863,077,682</b>	<b>\$4,896,938,784</b>	<b>\$33,861,102</b>	<b>0.7%</b>

**EDUCATION REFORM ACT - HB 1017**

**Schedule 10**

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 to 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**

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>	<i>Column 5</i>	<i>Column 6</i>
	FY-2004	FY-2004	FY-2005	FY-2004	Proposed
SOURCE	Estimate	PROJECTED	ESTIMATE	PROJECTED	FY-2005
	16-Jun-03	22-Dec-03	22-Dec-03	17-Feb-04	ESTIMATE
					17-Feb-04
Income Tax-Individual	\$190,645,311	\$184,647,683	\$189,070,552	\$188,682,826	\$190,701,106
Income Tax-Corporate	18,250,485	22,092,015	21,175,275	19,977,705	21,517,155
Sales Tax	150,044,041	153,410,638	161,139,361	154,609,355	161,427,682
Use Tax	10,326,524	10,444,511	10,444,511	11,026,675	11,533,069
Estate Tax	0	0	0	0	0
Gasoline Tax	0	0	0	0	0
Insurance Premium Tax	155,000,000	153,000,000	0	153,000,000	0
Special License Plates	0	0	0	0	0
<b>TOTAL - 100% OF ESTIMATE</b>	<b>\$524,266,360</b>	<b>\$523,594,848</b>	<b>\$381,829,699</b>	<b>\$527,296,561</b>	<b>\$385,179,011</b>
<b>Increase FY-2005 proposed estimate over FY-2004 estimate</b>					<b>(\$139,087,348)</b>

<b>Appendix A-1</b>				
<b>COMPARISON OF ACTUAL APPROPRIATIONS 2003 SESSION</b>				
<b>TO</b>				
<b>PROPOSED APPROPRIATIONS AUTHORITY 2004 SESSION, BY FUND</b>				
<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>	<i>Column 5</i>
	<b>APPROPRIATIONS ORIGINAL 2003 SESSION</b>	<b>PROPOSED APPROPRIATIONS AUTHORITY 2004 SESSION 17-Feb-04</b>	<b>DIFFERENCE</b>	
			\$	%
<b>GENERAL REVENUE FUND</b>				
Certified	\$4,174,895,398	\$4,295,144,640	\$120,249,242	2.9%
Prior Year Certified	0	23,741	23,741	0.0%
Cash	<u>9,800,000</u> *	<u>34,379,106</u>	<u>24,579,106</u>	<u>250.8%</u>
TOTAL	\$4,184,695,398	\$4,329,547,487	\$144,852,089	3.5%
<b>CASH FLOW RESERVE FUND*</b>				
	\$0	\$0	\$0	0.0%
<b>C.L.E.E.T. FUND</b>				
Certified	\$2,446,493	\$2,493,824	\$47,331	1.9%
Cash	<u>489,662</u>	<u>354,142</u>	<u>(135,520)</u>	<u>-27.7%</u>
TOTAL	\$2,936,155	\$2,847,966	(\$88,189)	-3.0%
<b>JUDICIAL FUND</b>				
Certified	\$29,887,027	\$31,787,027	\$1,900,000	6.4%
Cash	<u>2,370,519</u>	<u>3,484,612</u>	<u>1,114,093</u>	<u>47.0%</u>
TOTAL	\$32,257,546	\$35,271,639	\$3,014,093	9.3%
<b>MINERAL LEASING FUND</b>				
Certified	\$1,330,000	\$1,900,000	\$570,000	42.9%
Cash	<u>0</u>	<u>220,057</u>	<u>220,057</u>	<u>0.0%</u>
TOTAL	\$1,330,000	\$2,120,057	\$790,057	59.4%
<b>OHSA FUND</b>				
Certified	\$1,503,660	\$1,587,165	\$83,505	5.6%
Cash	<u>99,446</u>	<u>268,102</u>	<u>168,656</u>	<u>169.6%</u>
TOTAL	\$1,603,106	\$1,855,267	\$252,161	15.7%
<b>PUBLIC BUILDING FUND</b>				
Certified	\$1,158,145	\$1,291,145	\$133,000	11.5%
Cash	<u>0</u>	<u>285,488</u>	<u>285,488</u>	<u>0.0%</u>
TOTAL	\$1,158,145	\$1,576,633	\$418,488	36.1%
<b>SPECIAL CASH FUND</b>				
Cash	<u>\$30,260,137</u>	<u>\$373</u>	<u>(\$30,259,764)</u>	<u>-100.0%</u>
	\$30,260,137	\$373	(\$30,259,764)	-100.0%
<b>BOND FUND - SERIES A</b>				
	\$11,484	\$45,900	34,416	299.7%
<b>BOND FUND - SERIES B</b>				
	<u>30,182</u>	<u>1,290</u>	<u>(28,892)</u>	<u>-95.7%</u>
TOTAL	\$41,666	\$47,190	5,524	13.3%
<b>FEDERAL MONIES AVAILABLE FOR APPROPRIATION</b>				
	\$0	<u>\$117,340,221</u>	<u>\$117,340,221</u>	<u>0.0%</u>
	\$0	\$117,340,221	\$117,340,221	0.0%
Subtotal General Use	\$4,254,282,153	\$4,490,606,833	\$236,324,680	5.6%
<b>(Continued)</b>				



Appendix A-1 continued				
COMPARISON OF ACTUAL APPROPRIATIONS 2003 SESSION TO PROPOSED APPROPRIATIONS AUTHORITY 2004 SESSION, BY FUND				
Column 1	Column 2	Column 3	Column 4	Column 5
	APPROPRIATIONS ORIGINAL 2003 SESSION	PROPOSED APPROPRIATIONS AUTHORITY 2004 SESSION 17-Feb-2004	DIFFERENCE \$	%
<b>RESTRICTED FUNDS</b>				
<b>COMMISSION OF THE LAND OFFICE FUND</b>				
Certified	\$4,095,100	\$5,639,029	\$1,543,929	37.7%
Prior Year Certified	0	0	0	0.0%
Cash	0	11	11	0.0%
TOTAL	\$4,095,100	\$5,639,040	\$1,543,940	37.7%
<b>STATE TRANSPORTATION FUND</b>				
Certified	\$192,185,387	\$200,775,804	\$8,590,417	4.5%
Prior Year Certified	0	0	0	0.0%
Cash	0	0	0	0.0%
TOTAL	\$192,185,387	\$200,775,804	\$8,590,417	4.5%
Subtotal Restricted Funds	\$196,280,487	\$206,414,844	\$10,134,357	5.2%
<b>TOTAL-Restricted&amp;Non-Restricted</b>	<b>\$4,450,562,640</b>	<b>\$4,697,021,677</b>	<b>\$246,459,037</b>	<b>5.5%</b>
<b>COMMON ED. TECH FUND</b>				
Revolving Fund Estimate	\$26,292,114	\$25,698,876	-\$593,238	-2.3%
<b>OK. STUDENT AID FUND</b>				
Revolving Fund Estimate	\$26,292,114	\$25,698,876	-\$593,238	-2.3%
<b>HIGHER ED. CAPITAL FUND</b>				
Revolving Fund Estimate	\$26,292,114	\$25,698,876	-\$593,238	-2.3%
<b>1017 FUND</b>				
Revolving Fund Estimate	\$524,248,646	\$385,179,011	(\$139,069,635)	-26.5%
<b>TOBACCO SETTLEMENT FUND</b>				
Revolving Fund	\$27,340,990	\$16,408,305	(\$10,932,685)	-40.0%
<b>TOTAL</b>	<b>\$5,081,028,618</b>	<b>\$5,175,705,621</b>	<b>\$94,677,003</b>	<b>1.9%</b>
<b>RAINY DAY FUND (Budget Stabilization)</b>	36,199,498	0	(\$36,199,498)	-100.0%
<b>RAINY DAY FUND (Emergency)</b>	36,063,165	68,166	(\$35,994,999)	-99.8%
<b>GRAND TOTAL</b>	<b>\$5,153,291,281</b>	<b>\$5,175,773,787</b>	<b>\$22,482,506</b>	<b>0.4%</b>

\*Note: \$9,800,000 was appropriated during Special Session in November 2002.

<b>Appendix A-2</b>				
<b>COMPARISON OF APPROPRIATIONS AUTHORITY 2004 SESSION(22-Dec-2003)</b>				
<b>TO</b>				
<b>PROPOSED APPROPRIATIONS AUTHORITY 2004 SESSION (17-Feb-2004), BY FUND</b>				
<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>	<i>Column 5</i>
	<b>APPROPRIATIONS AUTHORITY 2004 SESSION 22-Dec-03</b>	<b>PROPOSED APPROPRIATIONS AUTHORITY 2004 SESSION 17-Feb-04</b>	<b>DIFFERENCE</b>	
			\$	%
<b>GENERAL REVENUE FUND</b>				
Certified	\$4,271,982,513	\$4,295,144,640	\$23,162,127	0.5%
Prior Year Certified	23,741	23,741	0	0.0%
Cash	<u>34,392,644</u>	<u>34,379,106</u>	<u>(13,538)</u>	<u>0.0%</u>
TOTAL	\$4,306,398,899	\$4,329,547,487	\$23,148,588	0.5%
<b>CASH FLOW RESERVE FUND*</b>				
	\$0	\$0	\$0	0.0%
<b>C.L.E.E.T. FUND</b>				
Certified	\$2,493,824	\$2,493,824	\$0	0.0%
Cash	<u>354,142</u>	<u>354,142</u>	<u>0</u>	<u>0.0%</u>
TOTAL	\$2,847,966	\$2,847,966	\$0	0.0%
<b>JUDICIAL FUND</b>				
Certified	\$31,787,027	\$31,787,027	\$0	0.0%
Cash	<u>3,484,612</u>	<u>3,484,612</u>	<u>0</u>	<u>0.0%</u>
TOTAL	\$35,271,639	\$35,271,639	\$0	0.0%
<b>MINERAL LEASING FUND</b>				
Certified	\$1,710,000	\$1,900,000	\$190,000	11.1%
Cash	<u>220,057</u>	<u>220,057</u>	<u>0</u>	<u>0.0%</u>
TOTAL	\$1,930,057	\$2,120,057	\$190,000	9.8%
<b>OHSA FUND</b>				
Certified	\$1,587,165	\$1,587,165	\$0	0.0%
Cash	<u>268,102</u>	<u>268,102</u>	<u>0</u>	<u>0.0%</u>
TOTAL	\$1,855,267	\$1,855,267	\$0	0.0%
<b>PUBLIC BUILDING FUND</b>				
Certified	\$1,291,145	\$1,291,145	\$0	0.0%
Cash	<u>285,488</u>	<u>285,488</u>	<u>0</u>	<u>0.0%</u>
TOTAL	\$1,576,633	\$1,576,633	\$0	0.0%
<b>SPECIAL CASH FUND</b>				
Cash*	<u>\$373</u>	<u>\$373</u>	<u>\$0</u>	<u>0.0%</u>
	\$373	\$373	\$0	0.0%
<b>BOND FUND - SERIES A</b>				
	\$45,900	\$45,900	\$0	0.0%
<b>BOND FUND - SERIES B</b>				
	<u>1,290</u>	<u>1,290</u>	<u>0</u>	<u>0.0%</u>
TOTAL	\$47,190	\$47,190	\$0	0.0%
<b>FEDERAL MONIES AVAILABLE FOR APPROPRIATION</b>				
	<u>\$117,340,221</u>	<u>117,340,221</u>	<u>\$0</u>	<u>0.0%</u>
	\$117,340,221	117,340,221	\$0	0.0%
Subtotal General Use	\$4,467,268,244	\$4,490,606,833	\$23,338,589	0.5%
<b>(Continued)</b>				

Appendix A-2 continued				
COMPARISON OF APPROPRIATIONS AUTHORITY 2004 SESSION(22-Dec-2003)				
TO				
PROPOSED APPROPRIATIONS AUTHORITY 2004 SESSION (17-Feb-2004), BY FUND				
Column 1	Column 2	Column 3	Column 4	Column 5
	APPROPRIATIONS AUTHORITY 2004 SESSION 22-Dec-03	PROPOSED APPROPRIATIONS AUTHORITY 2004 SESSION 17-Feb-04	DIFFERENCE \$	%
<b>RESTRICTED FUNDS</b>				
<b>COMMISSION OF THE LAND OFFICE FUND</b>				
Certified	\$5,472,903	\$5,639,029	\$166,127	3.0%
Prior Year Certified	0	0	0	0.0%
Cash	11	11	0	0.0%
TOTAL	\$5,472,913	\$5,639,040	\$166,127	3.0%
<b>STATE TRANSPORTATION FUND</b>				
Certified	\$192,126,011	\$200,775,804	\$8,649,793	4.5%
Prior Year Certified	0	0	0	0.0%
Cash	0	0	0	0.0%
TOTAL	\$192,126,011	\$200,775,804	\$8,649,793	4.5%
Subtotal Restricted Funds	\$197,598,925	\$206,414,844	\$8,815,919	4.5%
<b>TOTAL-Restricted&amp;Non-Restricted</b>	<b>\$4,664,867,169</b>	<b>\$4,697,021,677</b>	<b>\$32,154,508</b>	<b>0.7%</b>
<b>COMMON ED. TECH FUND</b>				
Revolving Fund Estimate	\$23,314,674	\$25,698,876	\$2,384,202	10.2%
<b>OK. TUITION SCHOLARSHIP FUND</b>				
Revolving Fund Estimate	\$23,314,674	\$25,698,876	\$2,384,202	10.2%
<b>HIGHER ED. CAPITAL FUND</b>				
Revolving Fund Estimate	\$23,314,674	\$25,698,876	\$2,384,202	10.2%
<b>1017 FUND</b>				
Revolving Fund Estimate	\$381,829,699	\$385,179,011	\$3,349,313	0.9%
<b>TOBACCO SETTLEMENT FUND</b>				
Revolving Fund	\$18,897,492	\$16,408,305	(\$2,489,187)	-13.2%
<b>TOTAL</b>	<b>\$5,135,538,382</b>	<b>\$5,175,705,621</b>	<b>\$40,167,239</b>	<b>0.8%</b>
<b>RAINY DAY FUND (Budget Stabilization)</b>	0	0	\$0	0.0%
<b>RAINY DAY FUND (Emergency)</b>	68,166	68,166	\$0	0.0%
<b>GRAND TOTAL</b>	<b>\$5,135,606,548</b>	<b>\$5,175,773,787</b>	<b>\$40,167,239</b>	<b>0.8%</b>