

# Senate Journal

## Second Regular Session of the Fifty-first Legislature of the State of Oklahoma

Twelfth Legislative Day, Thursday, February 21, 2008

The Senate was called to order by Senator Jolley.

Roll Call:

Present: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.—48.

Senator Jolley declared a quorum present.

The prayer was offered by Reverend Dr. Michelle Moulden, Vernon AME Church, Tulsa, the guest of Senator Eason McIntyre.

### REPORT OF ENGROSSED AND ENROLLED MEASURE

**SB 1437** was correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

### INTRODUCTION

Senator Anderson introduced his aunt and uncle, Pam and Joe Martin, to the Senate.

### UNANIMOUS CONSENT REQUEST DIRECT TO CALENDAR

Senator Ford asked unanimous consent to suspend Rule 6-4 and refer **SCR 53** direct to the Calendar for consideration, which was the order.

**GENERAL ORDER**

**SCR 53** by Ford of the Senate and Cox of the House was called up for consideration.

All other members of the Senate asked to coauthor **SCR 53**, which was the order.

**SCR 53** was adopted upon motion of Senator Ford and referred for engrossment.

**MESSAGES FROM THE HOUSE**

Advising passage of and returning the following Engrossed bill:

**SB 1830**

The above-numbered measure was referred for enrollment.

Advising passage of and transmitting for consideration Engrossed **HBs 2239, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2264, 2297, 2447, 2470, 2490, 2705 and 3126.**

**HB 2239** – By Schwartz, McDaniel (Jeannie), Enns, Dank, McCullough, Kiesel, Renegar, Gilbert and Pittman of the House and Crain of the Senate.

An Act relating to schools; amending Section 1, Chapter 143, O.S.L. 2003 (70 O.S. Supp. 2007, Section 1-116.3), which relates to self-administration of inhaled asthma medication; expanding permission for self-administration to anaphylaxis medication; changing date for adoption of school district policy; modifying definitions; and declaring an emergency.

**HB 2254** – By Miller and Jones of the House and Crutchfield, Johnson (Mike), Adelson and Myers of the Senate.

( Oklahoma Health Care Authority - appropriations - effective date – emergency )

**HB 2255** – By Miller and Jones of the House and Crutchfield, Johnson (Mike), Adelson and Myers of the Senate.

( Department of Mental Health and Substance Abuse Services – appropriation – effective date – emergency )

**HB 2256** – By Miller and Jones of the House and Crutchfield, Johnson (Mike), Adelson and Myers of the Senate.

( education - appropriations - State Board of Education - effective date – emergency )

**HB 2257** – By Miller and Jones of the House and Crutchfield, Johnson (Mike), Adelson and Myers of the Senate.  
( Oklahoma State Regents for Higher Education – appropriations - effective date – emergency )

**HB 2258** – By Miller and Jones of the House and Crutchfield, Johnson (Mike), Adelson and Myers of the Senate.  
( Department of Transportation – appropriation - effective date - emergency )

**HB 2259** – By Miller and Jones of the House and Crutchfield, Johnson (Mike), Adelson and Myers of the Senate.  
( Office of Juvenile Affairs - appropriation - effective date – emergency )

**HB 2260** – By Miller and Jones of the House and Crutchfield, Johnson (Mike), Adelson and Myers of the Senate.  
( Department of Human Services - appropriation - effective date – emergency )

**HB 2261** – By Miller and Jones of the House and Crutchfield, Johnson (Mike), Adelson and Myers of the Senate.  
( Department of Public Safety – appropriation - effective date – emergency )

**HB 2262** – By Miller and Jones of the House and Crutchfield, Johnson (Mike), Adelson and Myers of the Senate.  
( public retirement systems – amending sections in Titles 74, 20, 70, 11 and 47 – effective date –emergency )

**HB 2264** – By Miller and Jones of the House and Crutchfield, Johnson (Mike), Adelson and Myers of the Senate.  
( public finance - amending 62 O.S., Section 41.5e - technology plans - effective date )

**HB 2297** – By Benge, Miller, McDaniel (Randy), Winchester, Dorman and McAffrey of the House and Morgan, Crutchfield, Johnson (Mike), Adelson, Myers and Coffee of the Senate.

An Act relating to state government; amending 74 O.S. 2001, Section 4257, as last amended by Section 1, Chapter 461, O.S.L. 2004 (74 O.S. Supp. 2007, Section 4257), which relates to employment of state board or commission members; allowing employment of former regent by institution of higher education after certain period; and declaring an emergency.

**HB 2447** – By Shoemake of the House and Ballenger of the Senate.  
An Act relating to public health and safety; providing for certain label to be placed on body that contains an infectious disease; providing for the State Department of Health to develop a standardized label; providing for codification; and providing an effective date.

**HB 2470** – By Rousselot of the House and Brown of the Senate.

An Act relating to cities and towns; amending 11 O.S. 2001, Section 10-112, as amended by Section 1, Chapter 386, O.S.L. 2005 (11 O.S. Supp. 2007, Section 10-112), which relates to the appointment of city manager; modifying term of appointment; and providing an effective date.

**HB 2490** – By Hilliard, Kiesel, Sherrer, Covey, Turner and McAffrey of the House and Sparks of the Senate.

An Act relating to professions and occupations; establishing the Pharmacy Audit Integrity Act; defining term; stating purpose; specifying applicability; establishing minimum standards and criteria for the audit of certain records; providing for audit results and report; specifying content; providing for recoupment of certain funds; providing for appeals process; prohibiting certain accounting practice; limiting application of act; providing for codification; and providing an effective date.

**HB 2705** – By Steele, Hilliard, McDaniel (Jeannie), Gilbert, Shelton, McAffrey, Johnson (Dennis), Renegar, Tibbs, Kern and Pittman of the House and Laster of the Senate.

An Act relating to public health and safety; providing for prenatal classes regarding drug and alcohol use during pregnancy; specifying curriculum; providing for substance dependency treatment by certain persons; providing for materials; providing for codification; providing an effective date; and declaring an emergency.

**HB 3126** – By Enns, Cox, Dank, Faught, McAffrey, McDaniel (Jeannie), Renegar, Rousselot, Sears and Steele of the House and Crain of the Senate.

An Act relating to public health; creating the Advancement in Stem Cell Cures and Therapies Act; defining term; authorizing specific stem cell research; providing for specific requirements when performing research; prohibiting the restriction of funds for research performed in accordance with the Advancement in Stem Cell Cures and Therapies Act; requiring the State Department of Health to establish a reporting system; requiring certain report; providing for codification; and providing an effective date.

The above-numbered measures were read the first time.

## **EXECUTIVE NOMINATIONS**

The following executive nomination was read and referred to committee as indicated:

Tauer, Chuck, Glencoe, as a member of the State Board of Registration for Foresters - Agriculture and Rural Development

Senator Laster moved that when the clerk's desk is clear, the Senate stand adjourned to convene Monday, February 25, 2008, at 1:30 p.m., which motion prevailed.

**COMMITTEE REPORTS**

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

DO PASS:

**SB 1389** – Judiciary, coauthored by Peterson (Ron) (principal House author)

Ayes: Adelson, Bass, Eason McIntyre, Lamb, Lerblance, Sykes, Williamson

**SB 1403** – Judiciary, coauthored by Duncan (principal House author)

Ayes: Adelson, Bass, Crain, Eason McIntyre, Lamb, Lerblance, Sykes, Williamson

**SB 1530** – Criminal Jurisprudence, coauthored by Johnson (Constance) of the Senate, and coauthored by Worthen (principal House author)

Ayes: Brown, Eason McIntyre, Johnson (Constance), Justice, Lamb, Leftwich, Lerblance, Mazzei, Rice, Sykes, Wilcoxson, Wyrick

**SB 1839** – Judiciary, coauthored by Sullivan (principal House author)

Ayes: Adelson, Bass, Crain, Eason McIntyre, Lamb, Lerblance, Sykes, Williamson

**SB 1872** – Tourism and Wildlife, coauthored by Hyman (principal House author)

Ayes: Ballenger, Barrington, Coates, Ford, Garrison, Justice, Rabon, Reynolds, Schulz, Sweeden, Wyrick

**SB 1887** – Judiciary, coauthored by Liebmann (principal House author)

Ayes: Bass, Crain, Eason McIntyre, Lamb, Lerblance, Sykes, Williamson

Nays: Adelson

**SB 1922** – Judiciary, coauthored by Sullivan (principal House author)

Ayes: Adelson, Bass, Crain, Eason McIntyre, Lamb, Lerblance, Sykes, Williamson

**SB 1923** – Judiciary, coauthored by Sullivan (principal House author)

Ayes: Adelson, Bass, Crain, Eason McIntyre, Lamb, Lerblance, Sykes, Williamson

**SB 1950** – Judiciary, coauthored by Winchester (principal House author)

Ayes: Adelson, Bass, Crain, Eason McIntyre, Lerblance, Sykes, Williamson

**SB 1992** – Judiciary, coauthored by Terrill (principal House author)

Ayes: Adelson, Crain, Lamb, Lerblance, Sykes, Williamson

**SB 2004** – Judiciary, coauthored by Terrill (principal House author)

Ayes: Adelson, Bass, Crain, Lamb, Sykes, Williamson

Nays: Lerblance

**SB 2012** – Judiciary, coauthored by Harrison (principal House author)  
Ayes: Adelson, Crain, Eason McIntyre, Lamb, Sykes, Williamson

**SB 2160** – Judiciary, coauthored by Shoemake (principal House author)  
Ayes: Adelson, Bass, Crain, Eason McIntyre, Lamb, Lerblance, Sykes, Williamson

**SJR 38** – Tourism and Wildlife, coauthored by Rabon of the Senate, and coauthored by Terrill (principal House author)

Ayes: Ballenger, Barrington, Coates, Eason McIntyre, Ford, Garrison, Justice, Rabon, Reynolds, Schulz, Sweeden, Wyrick

**SJR 51** – Judiciary, coauthored by Burrage of the Senate, and coauthored by Blackwell (principal House author)

Ayes: Adelson, Bass, Crain, Lamb, Lerblance, Sykes, Williamson

DO PASS, As Amended:

**CS for SB 1435** – Judiciary, coauthored by Peters (principal House author)  
Ayes: Adelson, Bass, Crain, Eason McIntyre, Lerblance, Sykes, Williamson

**SB 1575** – Judiciary, coauthored by Worthen (principal House author)  
Ayes: Adelson, Bass, Crain, Eason McIntyre, Lamb, Sykes, Williamson

**SB 1613** – Judiciary, coauthored by Duncan (principal House author)  
Ayes: Crain, Eason McIntyre, Lamb, Sykes, Williamson  
Nays: Adelson, Bass, Lerblance

**SB 1663** – Criminal Jurisprudence, coauthored by Reynolds (principal House author)  
Ayes: Brown, Eason McIntyre, Johnson (Constance), Justice, Lamb, Leftwich, Lerblance, Mazzei, Sykes, Wilcoxson, Wyrick

**SB 1724** – Judiciary, coauthored by Rousselot (principal House author)  
Ayes: Adelson, Crain, Eason McIntyre, Lamb, Lerblance, Sykes, Williamson

**CS for SB 1734** – Tourism and Wildlife, coauthored by Armes (principal House author)

Ayes: Ballenger, Barrington, Coates, Eason McIntyre, Ford, Garrison, Justice, Rabon, Reynolds, Schulz, Sweeden, Wyrick

**SB 1763** – General Government, coauthored by Peters (principal House author)  
Ayes: Aldridge, Anderson, Ballenger, Bass, Bingman, Brown, Crain, Easley, Johnson (Constance), Sweeden

**SB 1797** – Judiciary, coauthored by Terrill (principal House author)  
Ayes: Adelson, Bass, Crain, Eason McIntyre, Lamb, Lerblance, Sykes, Williamson

**SB 1804** – Judiciary, coauthored by Roan (principal House author)

Ayes: Adelson, Bass, Crain, Eason McIntyre, Lamb, Lerblance, Sykes, Williamson

**SB 1825** – Judiciary, coauthored by Braddock (principal House author)

Ayes: Adelson, Bass, Eason McIntyre, Lerblance, Sykes

Nays: Lamb, Williamson

**CS for SB 1878** – Rules, coauthored by Peterson (Pam) (principal House author)

Ayes: Branan, Burrage, Ford, Garrison, Schulz, Sweeden, Williamson, Wilson

**SB 1921** – Judiciary, coauthored by Peterson (Pam) (principal House author)

Ayes: Adelson, Bass, Crain, Eason McIntyre, Lamb, Lerblance, Sykes, Williamson

**SB 1941** – Education, coauthored by Blackwell (principal House author)

Ayes: Branan, Corn, Eason McIntyre, Gumm, Jolley, Lerblance, Mazzei, Nichols, Paddack, Reynolds, Riley, Wilcoxson

**SB 1994** – Criminal Jurisprudence, coauthored by Terrill (principal House author)

Ayes: Brown, Eason McIntyre, Johnson (Constance), Justice, Lamb, Leftwich, Lerblance, Mazzei, Nichols, Sykes, Wilcoxson, Wyrick

**SB 2003** – Judiciary, coauthored by Peters (principal House author)

Ayes: Adelson, Bass, Crain, Lamb, Lerblance, Sykes, Williamson

**SB 2007** – Judiciary, coauthored by Terrill (principal House author)

Ayes: Adelson, Bass, Crain, Lamb, Lerblance, Sykes, Williamson

**SB 2028** – Criminal Jurisprudence, coauthored by Johnson (Dennis) (principal House author)

Ayes: Brown, Eason McIntyre, Johnson (Constance), Justice, Lamb, Leftwich, Lerblance, Mazzei, Sykes, Wilcoxson

**SB 2041** – Judiciary, coauthored by Terrill (principal House author)

Ayes: Adelson, Bass, Crain, Lamb, Lerblance, Sykes, Williamson

**SB 2046** – General Government, coauthored by Terrill (principal House author)

Ayes: Aldridge, Anderson, Ballenger, Bass, Bingman, Brown, Crain, Easley, Johnson (Constance), Sweeden

**CS for SB 2084** – Tourism and Wildlife, coauthored by Harrison (principal House author)

Ayes: Ballenger, Barrington, Coates, Eason McIntyre, Ford, Garrison, Justice, Rabon, Reynolds, Schulz, Sweeden, Wyrick

**SB 2086** – Public Safety and Homeland Security, coauthored by Hickman (principal House author)

Ayes: Ballenger, Barrington, Bingman, Brown, Burrage, Easley, Jolley, Rice, Schulz

**CS for SB 2163** – Judiciary, coauthored by Adelson of the Senate, and coauthored by Peters (principal House author) and coauthored by Hamilton of the House

Ayes: Adelson, Bass, Crain, Eason McIntyre, Lamb, Lerblance, Sykes, Williamson

**CS for SB 2186** – Judiciary, coauthored by Wesselhoft (principal House author)

Ayes: Adelson, Bass, Crain, Eason McIntyre, Lamb, Lerblance, Sykes, Williamson

**CS for SB 2194** – Judiciary, coauthored by Duncan (principal House author)

Ayes: Adelson, Bass, Crain, Eason McIntyre, Lamb, Lerblance, Williamson

Nays: Sykes

FAILED:

**SJR 33** – Rules

Ayes: Branan, Ford, Schulz, Williamson

Nays: Burrage, Garrison, Sweeden, Wilson

## **FIRST READING**

The following was introduced and read the first time:

**SR 55** – By Barrington.

A Resolution congratulating Brooke Good upon her selection as Mrs. Oklahoma International 2007; praising her platform; and directing distribution.

Pursuant to the Laster motion, the Senate adjourned at 10:20 a.m. to meet Monday, February 25, 2008, at 1:30 p.m.



**COMMUNICATION**

The following report was received from the State Board of Equalization and ordered printed in the Journal.

STATE OF OKLAHOMA  
OFFICE OF STATE FINANCE  
February 19, 2008

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

Members of the Board:

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

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

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

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

Very truly yours,

/s/Tony Hutchison  
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, 2009, shall not exceed the amount appropriated for the current fiscal year, 2008, plus 12 percent (12%) adjusted for inflation as measured at the close of the calendar year. The amount appropriated from each fund by the First Regular Session of the Fifty-first Legislature and acted upon by the Governor was \$5,929,059,166. The limit on appropriations for the Second Regular Session of the Fifty-first Legislature is \$6,829,669,024 for the fiscal year ending June 30, 2009.

Column 1	Column 2
FUND NAME	AMOUNT
FY-2008 General Revenue Fund	\$5,552,033,986
FY-2007 General Revenue Fund	10,187,741
FY-2006 General Revenue Fund	133,718,653
FY-2008 Mineral Leasing Fund	4,560,000
FY-2006 Mineral Leasing Fund	2,226,981
FY-2008 Land Office Fund	4,864,881
FY-2008 Public Building Fund	1,694,545
FY-2006 Public Building Fund	820,876
Special Cash	124,627,000
FY-2008 OHSA Fund	1,601,700
FY-2006 OHSA Fund	306,932
FY-2008 CLEET Fund	3,427,076
FY-2006 CLEET Fund	395,737
Education Lottery Trust Fund	88,593,058
<b>TOTAL</b>	<b><u>\$5,929,059,166</u></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 103.23%(adjustment for inflation)]=115.61%

Total Appropriation FY-2008	\$5,929,059,166
Factor	<u>115.19%</u>
<b>Limit on Appropriation FY-2009</b>	<b><u>\$6,829,669,024</u></b>

**LEGISLATED REVENUE ADJUSTMENTS  
SB685 INCOME TAX REDUCTION FINDING  
Schedule 2**

Senate Bill 685, passed during the 2007 Legislative Session, requires the State Board of Equalization to make a finding in February for the purpose of determining if revenue growth is sufficient to reduce the income tax rate for Tax Year 2009 from 5.50% to 5.25%. To make the finding the Board will determine growth revenue in the General Revenue Fund from FY-2008 to FY-2009 and compare that amount with the reduction of income tax revenue from the standard deduction increase plus 4% of the FY-2008 General Revenue Fund Estimate.

Column 1	Column 2	Column 3	Column 4
	FY-2008 ESTIMATE 27-Jun-07	FY-2009 ESTIMATE 19-Feb-08	INCREASE OR (DECREASE)
TITLE 68, SECTION 2355.1A, Paragraph 1: Finding 1 - General Revenue Fund Growth			
Total General Revenue Fund	\$5,845,368,704	\$5,913,540,863	\$68,172,178
<b>FINDING 1: Growth revenue in the General Revenue Fund</b>			<b>\$68,172,178</b>

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TITLE 68, SECTION 2355.1A, Paragraph 2: Finding 2 - Tax Year 2009 Fiscal Impact of Standard Deduction Increase plus 4% of FY-2008 Total General Revenue Estimate			
Fiscal Impact of Standard Deduction Increase - Tax Year 2009		51,266,000	
FY-2008 General Revenue Estimate	\$5,845,368,704		
-4% of General Revenue Estimate		<u>\$233,814,748</u>	
<b>TOTAL - FINDING 2:</b>		<b>285,080,748</b>	

\*The finding shows the amount of Finding 1, growth in the General Revenue Fund, is less than the amount in Finding 2, the Fiscal Impact of the Standard Deduction Increase plus 4% of the FY-2008 General Revenue Fund Estimate. As a result, the finding does not authorize the reduction of the income Tax Rate for Tax Year 2009 from 5.50% to 5.25%.

## FUNDS TO BE CERTIFIED

## Schedule 3

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

Column 1	Column 2	Column 3
	TOTAL ESTIMATED COLLECTIONS	APPROPRIATIONS AUTHORITY
	Proposed FY-2009 Estimates	
GENERAL REVENUE	\$5,913,540,883	\$5,617,863,838
C.L.E.E.T.	\$3,450,362	\$3,277,844
COMMISSIONERS OF THE LAND OFFICE	\$8,975,750	\$8,526,963
MINERAL LEASING	\$4,300,000	\$4,085,000
SPECIAL OCCUPATIONAL HEALTH & SAFETY	\$1,700,000	\$1,615,000
PUBLIC BUILDING	\$1,557,192	\$1,479,332
OK EDUCATION LOTTERY TRUST FUND	\$72,870,000	\$69,226,500
<b>TOTALS</b>	<b>\$6,006,394,187</b>	<b>\$5,706,074,477</b>

LEGISLATED REVENUE ADJUSTMENTS ROADS FUND APPORTIONMENT SUMMARY Schedule 4				
Column 1	Column 2	Column 3	Column 4	Column 5
	FY-2008 ESTIMATE 27-Jun-07	FY-2009 ESTIMATE 19-Feb-08	INCREASE OR (DECREASE)	PERCENT CHANGE
<b>BEFORE ROADS FUND APPORTIONMENT</b>				
Individual Income Tax Apportionment				
Individual Income Tax	\$2,296,733,224	\$2,368,806,519	\$72,073,295	3.1%
Apportionment to ROADS Fund	(\$120,000,000)	(\$137,500,000)		
Additional ROADS Fund*	(17,500,000)	-		
OK Tourism & Passenger Rail Rev. Fund	(2,000,000)	-		
Public Transit Rev. Fund	(3,000,000)	-		
Total Apportionment from Individual Income Tax	(\$142,500,000)	(\$137,500,000)		
<b>Total Individual Income Tax</b>	<b>\$2,154,233,224</b>	<b>\$2,231,306,519</b>	<b>\$77,073,295</b>	<b>3.6%</b>
Individual Income Tax	2,154,233,224	2,231,306,519	77,073,295	3.6%
All Other Tax Sources	3,691,135,480	3,704,734,363	13,598,883	0.4%
<b>GENERAL REVENUE FUND</b>	<b>\$5,845,368,704</b>	<b>\$5,936,040,883</b>	<b>\$90,672,179</b>	<b>1.6% *</b>
<b>AFTER ROADS FUND APPORTIONMENT (Schedule 5)</b>				
Individual Income Tax	\$2,296,733,224	\$2,368,806,519	\$72,073,295	3.1%
Apportionment to ROADS Fund	(\$120,000,000)	(\$137,500,000)		
Additional ROADS Fund**	(17,500,000)	(17,500,000) **		
OK Tourism & Passenger Rail Rev. Fund	(2,000,000)	(2,000,000)		
Public Transit Rev. Fund	(3,000,000)	(3,000,000)		
Total Apportionment from Individual Income Tax	(\$142,500,000)	(\$160,000,000)		
***Legislative Adjustment		<u>(\$17,500,000)</u>		
<b>Total Individual Income Tax</b>	<b>\$2,154,233,224</b>	<b>\$2,154,806,519</b>	<b>\$573,295</b>	<b>0.0%</b>
Individual Income Tax	2,154,233,224	2,154,806,519	573,295	0.0%
All Other Tax Sources	3,691,135,480	3,758,734,363	67,598,883	1.8%
<b>GENERAL REVENUE FUND</b>	<b>\$5,845,368,704</b>	<b>\$5,913,540,883</b>	<b>\$68,172,179</b>	<b>1.2%</b>
<p>*The growth finding for the General Revenue Fund is less than 3 percent. As a result, the ROADS Fund receives an additional \$17.5 million from the Individual Income Tax for FY-2009. Also, \$2 million of Individual Income Tax from the General Revenue Fund is apportioned to the OK Tourism and Passenger Rail Revolving Fund, and \$3 million is apportioned to Public Transit Revolving Fund.</p> <p>**Pursuant to Title 69, Section 1521 of the Oklahoma Statutes, a finding must be made to determine whether "expenditures from the ROADS Fund were used to enhance or supplant State funding for the Dept. of Transportation (ODOT)." Effective July 1, 2006, the State Transportation Fund, ODOT's primary source of state funding, became a revolving fund. Therefore, ODOT did not receive any additional appropriated funding for FY-2008. As a result, the ROADS Fund enhanced transportation funding.</p> <p>***In compliance with Section 10.4 of Title 62 of the Oklahoma Statutes, the State Regents for Higher Education has requested \$54m for funding of OHLAP. This number has been removed from the FY-2009 Individual Income Tax estimate.</p>				

**OKLAHOMA EDUCATION LOTTERY TRUST FUND  
FEBRUARY APPROPRIATIONS ANALYSIS  
Schedule 5**

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

Column 1	Column 2	Column 3	Column 4	Column 5
	FY-2007 APPROPRIATION	FY-2008 APPROPRIATION	INCREASE OR (DECREASE)	PERCENT CHANGE
Education Funding	\$3,311,778,993	3,544,559,730	\$232,780,737	7.0%
Education Lottery Trust Fund	<u>117,733,500</u>	<u>88,593,058</u>	<u>(29,140,442)</u>	<u>-24.8%</u>
<b>Total Education Funding*</b>	<b>\$3,429,512,493</b>	<b>3,633,152,788</b>	<b>\$203,640,295</b>	<b>5.9%</b>

\*To determine if the Oklahoma Education Lottery Trust Fund supplanted education funding, actual FY-2007 appropriations are compared to FY-2008 appropriations (which were not subject to adjustment for revenue downturn). Education funding in FY-2008 exceeded funding levels in FY-2007 by \$203.6 million. Therefore, the Oklahoma Education Lottery Trust Fund did not supplant funding for education.

**ITEMIZED ESTIMATES OF REVENUE**  
**Schedule 6**

The Itemized estimate of revenues displayed in this schedule represents 100% of the estimate for the General Revenue Fund and the Special Revenue Funds to be appropriated by the Legislature for the fiscal year ending June 30, 2009 (FY-2009) and are the basis for the summation proposed for certification in Schedule 1. For informational purposes the FY-2009 estimates of revenues are compared to both the Itemized estimates and the projections of revenues for the current fiscal year (FY-2008).

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7
FUND NAME	FY-2007 ACTUAL	FY-2008 ESTIMATE 27-Jun-07	FY-2008 PROJECTED 27-Dec-07	FY-2009 ESTIMATE 27-Dec-07	FY-2008 PROJECTED 19-Feb-08	PROPOSED FY-2009 ESTIMATE 19-Feb-08
<b>GENERAL REVENUE</b>						
Alcohol Beverage Tax	\$18,563,148	\$19,880,000	\$19,160,000	\$20,089,000	\$19,160,000	\$20,089,000
Mixed Beverage Receipts Tax	26,094,751	28,100,000	30,215,000	32,847,000	30,215,000	32,847,000
Beverage Tax	24,892,626	25,143,000	25,411,000	25,734,000	25,411,000	25,734,000
Cigarette Tax	36,333,839	38,538,830	37,974,474	35,730,070	40,338,436	40,398,452
Tobacco Products Tax	13,895,435	14,795,699	13,751,131	13,726,924	14,093,185	14,095,522
Franchise Tax	43,276,619	42,024,000	44,705,000	41,697,000	44,705,000	41,697,000
Gross Production Tax-Gas	545,521,837	624,935,260	628,267,000	698,755,000	577,250,000	678,706,000
Gross Production Tax-Oil	93,994,025	29,263,089	91,970,136	78,136,429	100,376,000	80,304,000
Income Tax-Individual	2,337,689,693	2,154,233,224	2,165,726,911 *	2,178,423,242	2,143,927,297 *	2,154,806,519 **
Income Tax-Corporate	435,065,853	452,104,775	334,077,700	352,646,700	283,682,550	273,783,475
Estate Tax	66,649,822	47,351,000	68,682,000	55,679,000	68,682,000	55,679,000
Insurance Premium Tax	81,249,852	49,280,000	85,418,200	85,418,200	80,418,200	80,418,200
Motor Vehicle Taxes	259,269,744	255,885,000	265,454,000	251,114,000	263,584,000	246,939,000
Sales Tax	1,531,152,834	1,594,043,044	1,523,236,312	1,691,250,539	1,604,563,691	1,695,285,557
Use Tax	135,579,982	155,794,694	147,179,519	159,862,320	143,024,938	155,881,648
Interest & Investments	148,181,861	152,845,269	160,000,000	150,800,000	162,500,000	145,500,000
Other (Schedule 7)	167,013,504	160,154,821	157,528,278	170,862,933	156,868,362	169,376,509
General Revenue Totals	\$5,964,425,426	\$5,844,368,704	\$5,899,756,662	\$6,042,772,356	\$5,758,799,660	\$5,912,540,883
Transfers & Lapses	1,307,722	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Revenue Comparison	\$5,965,733,148	\$5,845,368,704	\$5,899,756,662	\$6,043,772,356	\$5,759,799,660	\$5,913,540,883
One-Time Receipts	0	0	0	0	0	0
<b>Total General Revenue</b>	<b>\$5,965,733,148</b>	<b>\$5,845,368,704</b>	<b>\$5,899,756,662</b>	<b>\$6,043,772,356</b>	<b>\$5,759,799,660</b>	<b>\$5,913,540,883</b>
C.L.E.E.T.	\$3,670,074	\$3,607,448	\$3,571,730	\$3,505,495	\$3,523,664	\$3,450,362
COMM of LAND OFFICE	\$13,958,380	\$8,511,200	\$10,210,510	\$9,479,630	\$9,793,910	\$8,975,750
MINERAL LEASING	\$4,869,365	\$4,800,000	\$4,500,000	\$4,300,000	\$4,500,000	\$4,300,000
SPECIAL OCCUPATIONAL HEALTH & SAFETY	\$2,261,875	\$1,686,000	\$1,601,700	\$1,700,000	\$1,601,700	\$1,700,000
PUBLIC BUILDING	\$3,042,303	\$1,783,732	\$1,555,500	\$1,557,192	\$1,704,678	\$1,557,192
OK EDUCATION LOTTERY TRUST FUND	\$69,378,465	\$86,226,862	\$71,608,829	\$72,870,000	\$71,608,829	\$72,870,000
<b>GRAND TOTAL</b>	<b>\$6,062,913,610</b>	<b>\$5,951,983,946</b>	<b>\$5,992,805,330</b>	<b>\$6,137,184,673</b>	<b>\$5,852,532,441</b>	<b>\$6,006,394,187</b>

\*Individual Income Tax includes apportionments to the ROADS Fund (\$137.5 million), the Public Transit Revolving Fund (\$3 million) and the OK Tourtem and Passenger Rail Revolving Fund (\$2 million). For more detail, see Schedule 4, page 4.

\*\*In compliance with Section 10.4 of Title 62 of the Oklahoma Statutes, the State Regents for Higher Education has requested \$54m for funding of Oklahoma's Promise scholarship fund. This number has been removed from the FY-2009 Individual Income Tax Estimate.

ITEMIZED ESTIMATES OF "OTHER" REVENUE						
GENERAL REVENUE FUND						
Schedule 7						
Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7
	FY-2007	FY-2008	FY-2008	FY-2009	FY-2008	PROPOSED
	ACTUAL	ESTIMATE	PROJECTED	ESTIMATE	PROJECTED	FY-2009
		27-Jun-07	27-Dec-07	27-Dec-07	19-Feb-08	ESTIMATE
						19-Feb-08
<b>OTC:</b>						
Pari-Mutuel	\$1,859,213	\$1,510,000	\$1,310,000	\$1,310,000	\$1,515,000	\$1,310,000
Tribal Cigarette Compacts	9,171,379	9,349,000	9,133,000	9,120,000	8,956,000	8,990,000
Bingo Excise & Charity Games	1,076,219	1,180,000	507,000	501,000	507,000	501,000
Workers Comp Ins. Premium Tax	7,631,721	8,365,000	7,698,000	7,704,000	7,698,000	7,704,000
Petroleum Excise Tax	10,885,931	11,399,000	12,199,000	12,986,000	11,647,000	12,754,000
Other OTC	36,062,338	26,483,000	25,821,000	25,215,000	25,821,000	25,215,000
<b>TOTAL OTC</b>	<b>\$66,666,801</b>	<b>\$58,286,000</b>	<b>\$56,668,000</b>	<b>\$56,836,000</b>	<b>\$56,144,000</b>	<b>\$56,474,000</b>
<b>COLLECTIONS BY OTHER AGENCIES</b>						
ABLE	\$4,544,429	\$4,445,530	\$4,552,823	\$4,548,740	\$4,565,533	\$4,561,740
Attorney General (Tobacco)	30,803	37,500	132,000	37,500	132,000	37,500
Central Services	1,217,882	681,100	787,070	787,070	930,900	930,900
CLEET	640,570	641,049	639,961	636,920	641,446	637,478
Consumer Credit	1,489,951	1,397,003	1,489,951	1,489,951	1,489,951	1,489,951
DPS	24,113,615	23,106,498	24,610,482	26,000,828	24,481,538	24,921,756
Employees Benefit Council	1,588,766	1,538,000	1,380,079	969,981	1,380,079	969,981
Horseracing	527,747	421,825	411,525	411,525	421,525	421,525
Insurance Comm	34,483,726	37,064,080	33,740,170	33,740,170	33,740,170	33,740,170
Labor	843,010	858,500	855,587	855,587	756,500	756,500
Medical Licensure	236,824	230,000	220,000	230,000	220,000	230,000
Nursing Board	265,363	260,378	257,896	266,018	257,896	266,018
Sec of State	2,569,734	2,517,937	2,517,937	2,365,000	2,472,532	2,320,000
Securities Comm	13,284,684	13,471,850	13,770,871	14,381,256	13,770,871	14,381,256
Treasurer (Unclaimed Property)	10,000,000	10,000,000	10,000,000	10,000,000	10,000,000	10,000,000
Tribal Gaming	0	0	0	11,998,703	0	11,998,703
OPM	4,972,139	4,977,572	5,191,271	4,987,683	5,243,172	4,989,032
OSF	230,384	220,000	302,656	320,000	220,250	250,000
Other	(712,925)	0	0	0	0	0
<b>TOTAL MISC</b>	<b>100,326,703</b>	<b>101,868,821</b>	<b>100,860,278</b>	<b>114,026,933</b>	<b>100,724,362</b>	<b>112,902,509</b>
<b>GRAND OTHER</b>	<b>\$167,013,504</b>	<b>\$160,154,821</b>	<b>\$157,528,278</b>	<b>\$170,862,933</b>	<b>\$156,868,362</b>	<b>\$169,376,509</b>



COMPARISON OF REVENUE ESTIMATES				
FY-2008 ESTIMATE: LAW CHANGES vs. FY-2009 FINAL ESTIMATE				
Schedule 8				
Column 1	Column 2	Column 3	Column 4	Column 5
	FY-2008 ESTIMATE 27-Jun-07	PROPOSED FY-2009 ESTIMATE 19-Feb-08	INCREASE OR (DECREASE)	PERCENT CHANGE
<b>GENERAL REVENUE FUND</b>				
Alcohol Beverage Tax	\$19,880,000	\$20,089,000	\$209,000	1.1%
Mixed Beverage Receipts Tax	28,100,000	32,847,000	4,747,000	16.9%
Beverage Tax	25,143,000	25,734,000	591,000	2.4%
Cigarette Tax	38,535,830	40,396,452	1,862,622	4.8%
Tobacco Products Tax	14,795,699	14,095,522	(700,178)	-4.7%
Franchise Tax	42,024,000	41,697,000	(327,000)	-0.8%
Gross Production Tax-Gas	624,935,260	678,706,000	53,770,740	8.6%
Gross Production Tax-Oil	29,263,089	80,304,000	51,040,911	174.4%
Income Tax-Individual	2,154,233,224	2,154,806,519 *	573,296	0.0%
Income Tax-Corporate	452,104,775	273,783,475	(178,321,300)	-39.4%
Estate Tax	47,351,000	55,679,000	8,328,000	17.6%
Insurance Premium Tax	49,280,000	80,418,200	31,138,200	63.2%
Motor Vehicle Taxes	255,885,000	246,939,000	(8,946,000)	-3.5%
Sales Tax	1,594,043,044	1,695,285,557	101,242,513	6.4%
Use Tax	155,794,694	155,881,648	86,954	0.1%
Interest & Investments	152,845,269	146,500,000	(6,345,269)	-4.2%
Other (Schedule 7)	160,154,821	169,376,509	9,221,688	5.8%
General Revenue Totals	\$5,844,368,704	\$5,912,540,883	\$68,172,178	1.2%
Transfers & Lapses	1,000,000	1,000,000	0	0.0%
Revenue Comparison	\$5,845,368,704	\$5,913,540,883	\$68,172,178	1.2%
One-Time Receipts	0	0	0	0.0%
<b>Total General Revenue</b>	<b>\$5,845,368,704</b>	<b>\$5,913,540,883</b>	<b>\$68,172,178</b>	<b>1.2%</b>
<b>C.I.E.E.T.</b>	<b>\$3,607,448</b>	<b>\$3,450,362</b>	<b>(\$157,086)</b>	<b>-4.4%</b>
<b>COMM of LAND OFFICE</b>	<b>\$8,511,200</b>	<b>\$8,975,750</b>	<b>\$464,550</b>	<b>5.5%</b>
<b>MINERAL LEASING</b>	<b>\$4,800,000</b>	<b>\$4,300,000</b>	<b>(\$500,000)</b>	<b>-10.4%</b>
<b>SPECIAL OCCUPATIONAL HEALTH &amp; SAFETY</b>	<b>\$1,686,000</b>	<b>\$1,700,000</b>	<b>\$14,000</b>	<b>0.8%</b>
<b>PUBLIC BUILDING</b>	<b>\$1,783,732</b>	<b>\$1,557,192</b>	<b>(\$226,540)</b>	<b>-12.7%</b>
<b>OK EDUCATION LOTTERY TRUST FUND</b>	<b>\$86,226,862</b>	<b>\$72,870,000</b>	<b>(\$13,356,862)</b>	<b>-15.5%</b>
<b>GRAND TOTAL</b>	<b>\$5,951,983,946</b>	<b>\$6,006,394,187</b>	<b>\$54,410,240</b>	<b>0.9%</b>

\*\*In compliance with Section 10.4 of Title 62 of the Oklahoma Statutes, the State Regents for Higher Education has requested \$54m for funding of Oklahoma's Promise scholarship fund. This number has been removed from the FY-2009 Individual Income Tax Estimate.

COMPARISON OF REVENUE ESTIMATES FY-2008 FINAL PROJECTION vs. FY-2009 FINAL ESTIMATE Schedule 9				
Column 1	Column 2	Column 3	Column 4	Column 5
	FY-2008 PROJECTED	PROPOSED FY-2009 ESTIMATE	INCREASE OR (DECREASE)	PERCENT CHANGE
	19-Feb-08	19-Feb-08		
<b>GENERAL REVENUE FUND</b>				
Alcohol Beverage Tax	\$19,160,000	\$20,089,000	\$929,000	4.8%
Mixed Beverage Receipts Tax	30,215,000	32,847,000	2,632,000	8.7%
Beverage Tax	25,411,000	25,734,000	323,000	1.3%
Cigarette Tax	40,338,436	40,398,452	60,016	0.1%
Tobacco Products Tax	14,093,185	14,095,522	2,337	0.0%
Franchise Tax	44,705,000	41,697,000	(3,008,000)	-6.7%
Gross Production Tax-Gas	577,250,000	678,706,000	101,456,000	17.6%
Gross Production Tax-Oil	100,376,000	80,304,000	(20,072,000)	-20.0%
Income Tax-Individual	2,143,927,297 *	2,154,806,519 **	10,879,222	0.5%
Income Tax-Corporate	283,682,550	273,783,475	(9,899,075)	-3.5%
Estate Tax	68,682,000	55,679,000	(13,003,000)	-18.9%
Insurance Premium Tax	80,418,200	80,418,200	0	0.0%
Motor Vehicle Taxes	263,584,000	246,939,000	(16,645,000)	-6.3%
Sales Tax	1,604,563,691	1,695,285,557	90,721,867	5.7%
Use Tax	143,024,938	155,881,648	12,856,710	9.0%
Interest & Investments	162,500,000	146,500,000	(16,000,000)	-9.8%
Other (Schedule 7)	156,868,362	169,376,509	12,508,147	8.0%
General Revenue Totals	\$5,758,799,660	\$5,912,540,883	\$153,741,222	2.7%
Transfers & Lapses	1,000,000	1,000,000	0	0.0%
Revenue Comparison	\$5,759,799,660	\$5,913,540,883	\$153,741,222	2.7%
One-Time Receipts	0	0	0	0.0%
<b>Total General Revenue</b>	<b>\$5,759,799,660</b>	<b>\$5,913,540,883</b>	<b>\$153,741,222</b>	<b>2.7%</b>
<b>C.L.E.E.T.</b>	<b>\$3,523,664</b>	<b>\$3,450,362</b>	<b>(\$73,302)</b>	<b>-2.1%</b>
<b>COMM of LAND OFFICE</b>	<b>\$9,793,910</b>	<b>\$8,975,750</b>	<b>(\$818,160)</b>	<b>-8.4%</b>
<b>MINERAL LEASING</b>	<b>\$4,500,000</b>	<b>\$4,300,000</b>	<b>(\$200,000)</b>	<b>-4.4%</b>
<b>SPECIAL OCCUPATIONAL HEALTH &amp; SAFETY</b>	<b>\$1,601,700</b>	<b>\$1,700,000</b>	<b>\$98,300</b>	<b>6.1%</b>
<b>PUBLIC BUILDING</b>	<b>\$1,704,678</b>	<b>\$1,557,192</b>	<b>(\$147,486)</b>	<b>-8.7%</b>
<b>OK EDUCATION LOTTERY TRUST FUND</b>	<b>\$71,608,829</b>	<b>\$72,870,000</b>	<b>\$1,261,171</b>	<b>1.8%</b>
<b>GRAND TOTAL</b>	<b>\$5,852,532,441</b>	<b>\$6,006,394,187</b>	<b>\$153,861,745</b>	<b>2.6%</b>

\*Individual Income Tax includes apportionments to the ROADS Fund (\$137.5 million), the Public Transit Revolving Fund (\$3 million) and the OK Tourism and Passenger Rail Revolving Fund (\$2 million). For more detail, see Schedule 4, page 4.

\*\*In compliance with Section 10.4 of Title 62 of the Oklahoma Statutes, the State Regents for Higher Education has requested \$54m for funding of Oklahoma's Promise scholarship fund. This number has been removed from the FY-2009 Individual Income Tax Estimate.

COMPARISON OF REVENUE ESTIMATES				
FY-2008 ESTIMATE: LAW CHANGES vs. FY-2008 FINAL PROJECTION				
Schedule 10				
Column 1	Column 2	Column 3	Column 4	Column 5
	FY-2008 ESTIMATE	FY-2008 PROJECTED	INCREASE OR (DECREASE)	PERCENT CHANGE
	27-Jun-07	19-Feb-08		
<b>GENERAL REVENUE FUND</b>				
Alcohol Beverage Tax	\$19,880,000	\$19,160,000	(\$720,000)	-3.6%
Mixed Beverage Receipts Tax	28,100,000	30,215,000	2,115,000	7.5%
Beverage Tax	25,143,000	25,411,000	268,000	1.1%
Cigarette Tax	38,535,830	40,338,436	1,802,606	4.7%
Tobacco Products Tax	14,795,699	14,093,185	(702,514)	-4.7%
Franchise Tax	42,024,000	44,705,000	2,681,000	6.4%
Gross Production Tax-Gas	624,935,260	577,250,000	(47,685,260)	-7.6%
Gross Production Tax-Oil	29,263,089	100,376,000	71,112,911	243.0%
Income Tax-Individual	2,154,233,224	2,143,927,297 *	(10,305,926)	-0.5%
Income Tax-Corporate	452,104,775	283,682,550	(168,422,225)	-37.3%
Estate Tax	47,351,000	68,682,000	21,331,000	45.0%
Insurance Premium Tax	49,280,000	80,418,200	31,138,200	63.2%
Motor Vehicle Taxes	255,885,000	263,584,000	7,699,000	3.0%
Sales Tax	1,594,043,044	1,604,563,691	10,520,647	0.7%
Use Tax	155,794,694	143,024,938	(12,769,755)	-8.2%
Interest & Investments	152,845,269	162,500,000	9,654,731	6.3%
Other (Schedule 7)	160,154,821	156,868,362	(3,286,459)	-2.1%
General Revenue Totals	\$5,844,368,704	\$5,758,799,660	(\$85,569,044)	-1.5%
Transfers & Lapses	1,000,000	1,000,000	0	0.0%
Revenue Comparison	\$5,845,368,704	\$5,759,799,660	(\$85,569,044)	-1.5%
One-Time Receipts	0	0	0	0.0%
<b>Total General Revenue</b>	<b>\$5,845,368,704</b>	<b>\$5,759,799,660</b>	<b>(\$85,569,044)</b>	<b>-1.5%</b>
<b>C.L.E.E.T.</b>	<b>\$3,607,448</b>	<b>\$3,523,664</b>	<b>(\$83,784)</b>	<b>-2.3%</b>
<b>COMM of LAND OFFICE</b>	<b>\$8,511,200</b>	<b>\$9,793,910</b>	<b>\$1,282,710</b>	<b>15.1%</b>
<b>MINERAL LEASING</b>	<b>\$4,800,000</b>	<b>\$4,500,000</b>	<b>(\$300,000)</b>	<b>-6.3%</b>
<b>SPECIAL OCCUPATIONAL HEALTH &amp; SAFETY</b>	<b>\$1,686,000</b>	<b>\$1,601,700</b>	<b>(\$84,300)</b>	<b>-5.0%</b>
<b>PUBLIC BUILDING</b>	<b>\$1,783,732</b>	<b>\$1,704,678</b>	<b>(\$79,054)</b>	<b>-4.4%</b>
<b>OK EDUCATION LOTTERY TRUST FUND</b>	<b>\$86,226,862</b>	<b>\$71,608,829</b>	<b>(\$14,618,033)</b>	<b>-17.0%</b>
<b>GRAND TOTAL</b>	<b>\$5,951,983,946</b>	<b>\$5,852,532,441</b>	<b>(\$99,451,505)</b>	<b>-1.7%</b>

\*Individual Income Tax includes apportionments to the ROADS Fund (\$137.5 million), the Public Transit Revolving Fund (\$3 million) and the OK Tourism and Passenger Rail Revolving Fund (\$2 million). For more detail, see Schedule 4, page 4.

COMPARISON OF REVENUE ESTIMATES				
FY-2008 INITIAL PROJECTION vs. FY-2008 FINAL PROJECTION				
Schedule 11				
Column 1	Column 2	Column 3	Column 4	Column 5
	FY-2008 PROJECTED	FY-2008 PROJECTED	INCREASE OR (DECREASE)	PERCENT CHANGE
	27-Dec-07	19-Feb-08		
<b>GENERAL REVENUE FUND</b>				
Alcohol Beverage Tax	\$19,160,000	\$19,160,000	\$0	0.0%
Mixed Beverage Receipts Tax	30,215,000	30,215,000	0	0.0%
Beverage Tax	25,411,000	25,411,000	0	0.0%
Cigarette Tax	37,974,474	40,338,436	2,363,962	6.2%
Tobacco Products Tax	13,751,131	14,093,185	342,054	2.5%
Franchise Tax	44,705,000	44,705,000	0	0.0%
Gross Production Tax-Gas	628,267,000	577,250,000	(51,017,000)	-8.1%
Gross Production Tax-Oil	91,970,136	100,376,000	8,405,864	9.1%
Income Tax-Individual	2,165,726,911 *	2,143,927,297 *	(21,799,613)	-1.0%
Income Tax-Corporate	334,077,700	283,682,550	(50,395,150)	-15.1%
Estate Tax	68,682,000	68,682,000	0	0.0%
Insurance Premium Tax	85,418,200	80,418,200	(5,000,000)	-5.9%
Motor Vehicle Taxes	265,454,000	263,584,000	(1,870,000)	-0.7%
Sales Tax	1,623,236,312	1,604,563,691	(18,672,621)	-1.2%
Use Tax	147,179,519	143,024,938	(4,154,581)	-2.8%
Interest & Investments	160,000,000	162,500,000	2,500,000	1.6%
Other (Schedule 7)	157,528,278	156,868,362	(659,916)	-0.4%
General Revenue Totals	\$5,898,756,662	\$5,758,799,660	(\$139,957,001)	-2.4%
Transfers & Lapses	1,000,000	1,000,000	0	0.0%
Revenue Comparison	\$5,899,756,662	\$5,759,799,660	(\$139,957,001)	-2.4%
One-Time Receipts	0	0	0	0.0%
<b>Total General Revenue</b>	<b>\$5,899,756,662</b>	<b>\$5,759,799,660</b>	<b>(\$139,957,001)</b>	<b>-2.4%</b>
<b>C.L.E.E.T.</b>	<b>\$3,571,730</b>	<b>\$3,523,664</b>	<b>(\$48,065)</b>	<b>-1.3%</b>
<b>COMM of LAND OFFICE</b>	<b>\$10,210,910</b>	<b>\$9,793,910</b>	<b>(\$417,000)</b>	<b>-4.1%</b>
<b>MINERAL LEASING</b>	<b>\$4,500,000</b>	<b>\$4,500,000</b>	<b>\$0</b>	<b>0.0%</b>
<b>SPECIAL OCCUPATIONAL HEALTH &amp; SAFETY</b>	<b>\$1,601,700</b>	<b>\$1,601,700</b>	<b>\$0</b>	<b>0.0%</b>
<b>PUBLIC BUILDING</b>	<b>\$1,555,500</b>	<b>\$1,704,678</b>	<b>\$149,178</b>	<b>9.6%</b>
<b>OK EDUCATION LOTTERY TRUST FUND</b>	<b>\$71,608,829</b>	<b>\$71,608,829</b>	<b>\$0</b>	<b>0.0%</b>
<b>GRAND TOTAL</b>	<b>\$5,992,805,330</b>	<b>\$5,852,532,441</b>	<b>(\$140,272,889)</b>	<b>-2.3%</b>

\*Individual Income Tax Includes apportionments to the ROADS Fund (\$137.5 million), the Public Transit Revolving Fund (\$3 million) and the OK Tourism and Passenger Rail Revolving Fund (\$2 million). For more detail, see Schedule 4, page 4.

COMPARISON OF REVENUE ESTIMATES				
FY-2009 INITIAL ESTIMATE vs. FY-2009 FINAL ESTIMATE				
Schedule 12				
Column 1	Column 2	Column 3	Column 4	Column 5
	FY-2009 ESTIMATE	PROPOSED FY-2009 ESTIMATE	INCREASE OR (DECREASE)	PERCENT CHANGE
	27-Dec-07	19-Feb-08		
<b>GENERAL REVENUE FUND</b>				
Alcohol Beverage Tax	\$20,089,000	\$20,089,000	\$0	0.0%
Mixed Beverage Receipts Tax	32,847,000	32,847,000	0	0.0%
Beverage Tax	25,734,000	25,734,000	0	0.0%
Cigarette Tax	35,730,070	40,398,452	4,668,382	13.1%
Tobacco Products Tax	13,726,924	14,095,522	368,598	2.7%
Franchise Tax	41,697,000	41,697,000	0	0.0%
Gross Production Tax-Gas	698,755,000	678,706,000	(20,049,000)	-2.9%
Gross Production Tax-Oil	78,136,429	80,304,000	2,167,571	2.8%
Income Tax-Individual	2,178,423,242	2,154,806,519 *	(23,616,723)	-1.1%
Income Tax-Corporate	352,646,700	273,783,475	(78,863,225)	-22.4%
Estate Tax	55,679,000	55,679,000	0	0.0%
Insurance Premium Tax	85,418,200	80,418,200	(5,000,000)	-5.9%
Motor Vehicle Taxes	251,114,000	246,939,000	(4,175,000)	-1.7%
Sales Tax	1,691,250,539	1,695,285,557	4,035,019	0.2%
Use Tax	159,862,320	155,881,648	(3,980,672)	-2.5%
Interest & Investments	150,800,000	146,500,000	(4,300,000)	-2.9%
Other (Schedule 7)	170,862,933	169,376,509	(1,486,424)	-0.9%
General Revenue Totals	\$6,042,772,356	\$5,912,540,883	(\$130,231,474)	-2.2%
Transfers & Lapses	1,000,000	1,000,000	0	0.0%
Revenue Comparison	\$6,043,772,356	\$5,913,540,883	(\$130,231,474)	-2.2%
One-Time Receipts	0	0	0	0.0%
<b>Total General Revenue</b>	<b>\$6,043,772,356</b>	<b>\$5,913,540,883</b>	<b>(\$130,231,474)</b>	<b>-2.2%</b>
<b>C.L.E.E.T.</b>	<b>\$3,505,495</b>	<b>\$3,450,362</b>	<b>(\$55,133)</b>	<b>-1.6%</b>
<b>COMM of LAND OFFICE</b>	<b>\$9,479,630</b>	<b>\$8,975,750</b>	<b>(\$503,880)</b>	<b>-5.3%</b>
<b>MINERAL LEASING</b>	<b>\$4,300,000</b>	<b>\$4,300,000</b>	<b>\$0</b>	<b>0.0%</b>
<b>SPECIAL OCCUPATIONAL HEALTH &amp; SAFETY</b>	<b>\$1,700,000</b>	<b>\$1,700,000</b>	<b>\$0</b>	<b>0.0%</b>
<b>PUBLIC BUILDING</b>	<b>\$1,557,192</b>	<b>\$1,557,192</b>	<b>\$0</b>	<b>0.0%</b>
<b>OK EDUCATION LOTTERY TRUST FUND</b>	<b>\$72,870,000</b>	<b>\$72,870,000</b>	<b>\$0</b>	<b>0.0%</b>
<b>GRAND TOTAL</b>	<b>\$6,137,184,673</b>	<b>\$6,006,394,187</b>	<b>(\$130,790,487)</b>	<b>-2.1%</b>

\*\*In compliance with Section 10.4 of Title 62 of the Oklahoma Statutes, the State Regents for Higher Education has requested \$54m for funding of Oklahoma's Promise scholarship fund. This number has been removed from the FY-2009 Individual Income Tax Estimate.

## EDUCATION REFORM ACT - HB 1017

## Schedule 13

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

## CALCULATIONS

## EDUCATION REFORM ACT

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
SOURCE	FY-2008 ESTIMATE 27-Jun-07	FY-2008 PROJECTED 27-Dec-07	FY-2009 ESTIMATE 27-Dec-07	FY-2008 PROJECTED 19-Feb-08	PROPOSED FY-2009 ESTIMATE 19-Feb-08
Income Tax-Individual	\$223,613,764	\$224,732,809	\$236,094,558	\$222,610,363	\$230,630,941
Income Tax-Corporate	96,254,565	71,126,220	75,079,620	60,396,930	58,289,385
Sales Tax	199,422,201	203,074,415	211,583,311	200,738,383	212,088,111
Use Tax	19,490,641	18,412,843	19,999,520	17,893,085	19,501,519
Cigarette Tax	2,865,870	2,860,243	2,799,323	2,967,490	3,011,167
Tobacco Products Tax	308,803	288,931	288,413	295,948	295,989
Tribal Gaming	68,845,283	68,845,283	87,990,491	68,845,283	87,990,491
Special License Plates	0	0	0	0	0
<b>TOTAL - 100% OF ESTIMATE</b>	<b>\$610,821,127</b>	<b>\$589,340,743</b>	<b>\$633,835,236</b>	<b>\$573,747,482</b>	<b>\$611,807,603</b>
<b>Increase FY-2009 proposed estimate over FY-2008 estimate</b>					<b>\$986,476</b>

COMPARISON OF AUTHORIZED EXPENDITURES 2007 SESSION TO PROPOSED EXPENDITURE AUTHORITY 2008 SESSION				
Appendix A-1				
Column 1	Column 2	Column 3	Column 4	Column 5
	AUTHORIZED EXPENDITURES* 2007 SESSION	PROPOSED EXPENDITURE AUTHORITY** 2008 SESSION 19-Feb-08	INCREASE OR (DECREASE)	PERCENT CHANGE
<b>NON-RESTRICTED FUNDS</b>				
<b>GENERAL REVENUE FUND</b>				
Certified	\$5,552,033,986	\$5,617,863,838	\$65,829,852	1.2%
Prior Year Certified	\$10,187,741	1,066,283	(9,121,458)	-89.5%
Cash	<u>\$133,718,653</u>	<u>195,897,061</u>	<u>62,178,408</u>	<u>46.5%</u>
TOTAL	\$5,695,940,380	\$5,814,827,182	\$118,886,802	2.1%
<b>C.L.E.E.T. FUND</b>				
Certified	\$3,427,076	\$3,277,844	(\$149,232)	-4.4%
Cash	<u>395,737</u>	<u>320,069</u>	<u>(75,668)</u>	<u>-19.1%</u>
TOTAL	\$3,822,813	\$3,597,913	(\$224,900)	-5.9%
<b>MINERAL LEASING FUND</b>				
Certified	\$4,560,000	\$4,085,000	(\$475,000)	-10.4%
Cash	<u>2,226,981</u>	<u>782,228</u>	<u>(1,444,753)</u>	<u>-64.9%</u>
TOTAL	\$6,786,981	\$4,867,228	(\$1,919,753)	-28.3%
<b>OHSF FUND</b>				
Certified	\$1,601,700	\$1,615,000	\$13,300	0.8%
Cash	<u>306,932</u>	<u>727,626</u>	<u>420,694</u>	<u>137.1%</u>
TOTAL	\$1,908,632	\$2,342,626	\$433,994	22.7%
<b>PUBLIC BUILDING FUND</b>				
Certified	\$1,694,545	\$1,479,332	(\$215,213)	-12.7%
Cash	<u>820,876</u>	<u>1,681,861</u>	<u>860,985</u>	<u>104.9%</u>
TOTAL	\$2,515,421	\$3,161,193	\$645,772	25.7%
<b>SPECIAL CASH FUND</b>				
Cash	<u>\$124,627,000</u>	<u>\$189,220</u>	<u>(\$124,437,780)</u>	<u>-99.8%</u>
TOTAL	\$124,627,000	\$189,220	(\$124,437,780)	-99.8%
<b>BOND FUND - SERIES A</b>				
	\$0	\$170,379	\$170,379	0.0%
<b>BOND FUND - SERIES B</b>				
	0	<u>68,947</u>	<u>68,947</u>	<u>0.0%</u>
TOTAL	\$0	\$239,326	\$239,326	0.0%
<b>SUBTOTAL NON-RESTRICTED FUNDS</b>	<b><u>\$5,835,601,227</u></b>	<b><u>\$5,829,224,689</u></b>	<b><u>(\$6,376,538)</u></b>	<b><u>-0.1%</u></b>

COMPARISON OF AUTHORIZED EXPENDITURES 2007 SESSION TO PROPOSED EXPENDITURE AUTHORITY 2008 SESSION Appendix A-1 (Continued)				
Column 1	Column 2	Column 3	Column 4	Column 5
	AUTHORIZED EXPENDITURES* 2007 SESSION	PROPOSED EXPENDITURE AUTHORITY** 2008 SESSION 19-Feb-08	INCREASE OR (DECREASE)	PERCENT CHANGE
<b>RESTRICTED FUNDS</b>				
<b>COMMISSION OF THE LAND OFFICE FUND</b>				
Certified	\$4,864,881	\$6,526,963	\$3,662,082	75.3%
Prior Year Certified	0	0	0	0.0%
Cash	0	<u>54,688</u>	<u>54,688</u>	<u>0.0%</u>
TOTAL	\$4,864,881	\$6,581,651	\$3,716,770	76.4%
<b>OK EDUCATION LOTTERY TRUST FUND</b>				
Certified	\$86,593,058	\$69,226,500	(\$19,366,558)	-21.9%
Cash	0	0	0	0.0%
TOTAL	\$86,593,058	\$69,226,500	(\$19,366,558)	-21.9%
<b>SUBTOTAL RESTRICTED FUNDS</b>	<b><u>\$93,457,939</u></b>	<b><u>\$77,808,151</u></b>	<b><u>(\$15,649,788)</u></b>	<b><u>-16.7%</u></b>
<b>TOTAL-RESTRICTED &amp; NON-RESTRICTED</b>	<b><u>\$5,929,059,166</u></b>	<b><u>\$5,907,032,840</u></b>	<b><u>(\$22,026,326)</u></b>	<b><u>-0.4%</u></b>
<b>COMMON ED. TECH FUND</b>				
Revolving Fund Estimate	\$50,374,284	\$47,372,299	(\$3,001,985)	-6.0%
<b>OK. STUDENT AID FUND</b>				
Revolving Fund Estimate	\$50,374,284	\$47,372,299	(\$3,001,985)	-6.0%
<b>HIGHER ED. CAPITAL FUND</b>				
Revolving Fund Estimate	\$50,374,284	\$47,372,299	(\$3,001,985)	-6.0%
<b>1017 FUND</b>				
Revolving Fund Estimate	\$689,724,223	\$611,807,603	(\$77,916,620)	-11.3%
<b>TOBACCO SETTLEMENT FUND</b>				
Revolving Fund Estimate	\$10,165,000	\$14,150,000	\$3,985,000	39.2%
<b>STATE JUDICIAL REVOLVING FUND</b>				
Revolving Fund Estimate	\$36,224,661	\$37,494,590	\$1,269,929	3.5%
<b>STATE TRANSPORTATION FUND***</b>				
Revolving Fund Estimate	\$217,869,721	\$207,591,448	(\$10,278,273)	-4.7%
<b>TOTAL</b>	<b><u>\$7,034,165,623</u></b>	<b><u>\$6,920,193,377</u></b>	<b><u>(\$113,972,246)</u></b>	<b><u>-1.6%</u></b>
<p>*Authorized Expenditures represent the total amount actually spent by the Legislature</p> <p>**Expenditure Authority represents the total amount that is available for the Legislature to spend.</p> <p>***Note: The State Transportation Fund becomes a revolving fund effective July 1, 2006.</p>				



COMPARISON OF EXPENDITURE AUTHORITY 2008 SESSION (27-Dec-2007) TO PROPOSED EXPENDITURE AUTHORITY 2008 SESSION Appendix A-2				
Column 1	Column 2	Column 3	Column 4	Column 5
	EXPENDITURE AUTHORITY* 2008 SESSION 27-Dec-07	PROPOSED EXPENDITURE AUTHORITY* 2008 SESSION 19-Feb-08	INCREASE OR (DECREASE)	PERCENT CHANGE
<b>NON-RESTRICTED FUNDS</b>				
<b>GENERAL REVENUE FUND</b>				
Certified	\$5,741,583,739	\$5,617,863,838	(\$123,719,901)	-2.2%
Prior Year Certified	1,066,283	1,066,283	0	0.0%
Cash	<u>195,897,061</u>	<u>195,897,061</u>	<u>0</u>	<u>0.0%</u>
TOTAL	\$5,938,547,083	\$5,814,827,182	(\$123,719,901)	-2.1%
<b>C.L.E.E.T. FUND</b>				
Certified	\$3,330,220	\$3,277,844	(\$52,376)	-1.6%
Cash	<u>320,069</u>	<u>320,069</u>	<u>0</u>	<u>0.0%</u>
TOTAL	\$3,650,289	\$3,597,913	(\$52,376)	-1.4%
<b>MINERAL LEASING FUND</b>				
Certified	\$4,085,000	\$4,085,000	\$0	0.0%
Cash	<u>782,228</u>	<u>782,228</u>	<u>0</u>	<u>0.0%</u>
TOTAL	\$4,867,228	\$4,867,228	\$0	0.0%
<b>OHS A FUND</b>				
Certified	\$1,615,000	\$1,615,000	\$0	0.0%
Cash	<u>727,626</u>	<u>727,626</u>	<u>0</u>	<u>0.0%</u>
TOTAL	\$2,342,626	\$2,342,626	\$0	0.0%
<b>PUBLIC BUILDING FUND</b>				
Certified	\$1,479,332	\$1,479,332	\$0	0.0%
Cash	<u>1,681,861</u>	<u>1,681,861</u>	<u>0</u>	<u>0.0%</u>
TOTAL	\$3,161,193	\$3,161,193	\$0	0.0%
<b>SPECIAL CASH FUND</b>				
Cash	<u>\$189,220</u>	<u>\$189,220</u>	<u>\$0</u>	<u>0.0%</u>
TOTAL	\$189,220	\$189,220	\$0	0.0%
<b>BOND FUND - SERIES A</b>				
	\$170,379	\$170,379	\$0	0.0%
<b>BOND FUND - SERIES B</b>				
	<u>68,947</u>	<u>68,947</u>	<u>0</u>	<u>0.0%</u>
TOTAL	\$239,326	\$239,326	\$0	0.0%
<b>SUBTOTAL NON-RESTRICTED FUNDS</b>	<b><u>\$5,952,996,965</u></b>	<b><u>\$5,829,224,689</u></b>	<b><u>(\$123,772,276)</u></b>	<b><u>-2.1%</u></b>

COMPARISON OF EXPENDITURE AUTHORITY 2008 SESSION (27-Dec-2007) TO PROPOSED EXPENDITURE AUTHORITY 2008 SESSION Appendix A-2 (Continued)				
Column 1	Column 2	Column 3	Column 4	Column 5
	EXPENDITURE AUTHORITY* 2008 SESSION 27-Dec-07	PROPOSED EXPENDITURE AUTHORITY* 2008 SESSION 19-Feb-08	INCREASE OR (DECREASE)	PERCENT CHANGE
<b>RESTRICTED FUNDS</b>				
<b>COMMISSION OF THE LAND OFFICE FUND</b>				
Certified	\$9,005,649	\$8,526,963	(\$478,686)	-5.3%
Prior Year Certified	0	0	0	0.0%
Cash	<u>54,688</u>	<u>54,688</u>	<u>0</u>	<u>0.0%</u>
TOTAL	\$9,060,337	\$8,581,651	(\$478,686)	-5.3%
<b>OK EDUCATION LOTTERY TRUST FUND</b>				
Certified	\$69,226,500	\$69,226,500	0	0.0%
Cash	<u>0</u>	<u>0</u>	<u>0</u>	<u>0.0%</u>
TOTAL	\$69,226,500	\$69,226,500	0	0.0%
<b>SUBTOTAL RESTRICTED FUNDS</b>	<b><u>\$78,286,837</u></b>	<b><u>\$77,808,151</u></b>	<b><u>(\$478,686)</u></b>	<b><u>-0.6%</u></b>
<b>TOTAL-RESTRICTED &amp; NON-RESTRICTED</b>	<b><u>\$6,031,283,802</u></b>	<b><u>\$5,907,032,840</u></b>	<b><u>(\$124,250,962)</u></b>	<b><u>-2.1%</u></b>
<b>COMMON ED. TECH FUND</b>				
Revolving Fund Estimate	\$47,372,299	\$47,372,299	\$0	0.0%
<b>OK. STUDENT AID FUND</b>				
Revolving Fund Estimate	\$47,372,299	\$47,372,299	\$0	0.0%
<b>HIGHER ED. CAPITAL FUND</b>				
Revolving Fund Estimate	\$47,372,299	\$47,372,299	\$0	0.0%
<b>1017 FUND</b>				
Revolving Fund Estimate	\$633,835,236	\$611,807,603	(\$22,027,633)	-3.5%
<b>TOBACCO SETTLEMENT FUND</b>				
Revolving Fund Estimate	\$13,150,000	\$14,150,000	\$1,000,000	7.6%
<b>STATE JUDICIAL REVOLVING FUND</b>				
Revolving Fund Estimate	\$37,494,590	\$37,494,590	\$0	0.0%
<b>STATE TRANSPORTATION FUND**</b>				
Revolving Fund Estimate	\$208,391,003	\$207,591,448	(\$799,555)	-0.4%
<b>TOTAL</b>	<b><u>\$7,066,271,527</u></b>	<b><u>\$6,920,193,377</u></b>	<b><u>(\$146,078,151)</u></b>	<b><u>-2.1%</u></b>
*Expenditure Authority represents the total amount that is available for the Legislature to spend				
**Note: The State Transportation Fund becomes a revolving fund effective July 1, 2006.				