

OKLAHOMA STATE SENATE



2007 LEGISLATIVE SUMMARY AND FY'08 BUDGET REVIEW

Oklahoma State Senate



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June 21, 2007

We are pleased to present the 2007 Legislative Summary and FY 2008 Budget Review. Included within this document are summaries of all substantive bills and resolutions enacted in the 2007 Session and information on appropriation measures and the state budget adopted by the Legislature for FY 2008.

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SESSION OVERVIEW

The first session of the 51st Legislature convened in January 2007, the year marking Oklahoma's 100th anniversary of entering the union as the 46th state. In addition to planned Centennial celebrations in communities throughout the state, the Legislature also agreed to meet in November of 2007 for a ceremonial session to be held in Guthrie, the original state capital of Oklahoma.

The 2007 session was also remarkable because it was the first in the history of the state in which both parties held an equal number of seats in the upper chamber. The tie resulted in a power-sharing agreement allowing both parties to share in leadership responsibilities at all levels, from committees to daily activities on the floor. Under the agreement, Senator Mike Morgan served as Senate President Pro Tempore and Glenn Coffee served as Co-President Pro Tempore, with each appointing co-floor leaders and committee co-chairs. Morgan and Coffee will retain those titles throughout the 51st Legislature, with the exception of the month of July 2007, when they will alternate titles.

During the 2007 session, the Senate introduced 1130 bills, 32 joint resolutions, 41 concurrent resolutions and 51 resolutions. Of those measures, 185 bills and 2 joint resolutions were signed into law, 5 were vetoed and 1 bill became law without the signature of the Governor. Twenty-two concurrent resolutions and 45 simple resolutions were adopted or enacted.

The Senate remained on the technological forefront in state government, adding podcasts to the other services available to the public and the press, including wireless Internet access and live streaming video and audio from two committee rooms as well as the chamber.

The Senate welcomed eight new members: Senators Joe Sweeden, Brian Bingman, Roger Ballenger, Bill Brown, Sean Burrage, Tom Ivester, Andrew Rice and Anthony Sykes.

The following overview details the legislation approved during the 2007 legislative session.

APPROPRIATION OVERVIEW

SB 334 is the General Appropriation (GA) Bill for the 2007 legislative session. Additional operating and capital funds for several agencies were also included in HB 1105, the Rainy Day Fund Spillover Bill. FY'07 supplemental appropriations totaling \$116,063,211 were provided in HB 1234, HB 1184 and HB 1162. Details concerning each of these bills are included in this document. The total amount of spending authorized for FY'07 and FY'08 is summarized in the chart below and in more detailed spreadsheets on pages 10 through 15 of this document. Expenditures for FY'07 totaled \$7,132,192,363 including adjustments for one-time capital projects and supplemental appropriations. Authorized expenditures for FY'08 including capital projects total \$7,071,712,966. Authorized expenditures for FY'08 are \$60,479,397 or approximately one percent less than for FY'07.

Comparison of Funding, FY'07-FY'08
(in millions)

	Revised FY'07 Approp.	Proposed FY'08 Approp.	Change	
			\$	%
Education	3,556.3	3,752.3	196.0	5.5
Gen. Gov/Trans.	452.8	390.8	(62.0)	(13.7)
Health/Soc. Serv.	1,053.3	1,139.6	86.3	8.2
Human Services	677.0	700.3	23.3	3.5
Natural Res.	156.5	158.9	2.4	1.5
Public Safety	763.5	774.3	10.8	1.4
REAP	15.5	15.5	0.0	0.0
Rainy Day Spillover	457.3	139.8	(317.5)	(69.4)
Total	7,132.2	7,071.7	(60.5)	(0.8)

The "Revised FY'07" totals above include supplemental appropriations and one-time expenditures. The Education subcommittee received \$68.5 million in FY'07 supplemental appropriations, all of which were annualized in FY'08. This means the Legislature actually appropriated a total of \$264.5 million more for this subcommittee for FY'08 than was originally appropriated for FY'07. The subcommittee will also receive an additional \$86.5 million of the \$139.8 million in Rainy Day Spillover Funds allocated in HB 1105.

The General Government and Transportation Subcommittee shows a \$62 million decrease. This is due to the fact that \$70 million of the ODOT budget will be apportioned directly to the ROADS Fund in FY'08. The overall ODOT budget is not decreasing.

RAINY DAY SPILLOVER FUNDS

The Constitutional Reserve Fund (Rainy Day Fund) will reach its constitutional cap of \$571.6 million when deposits are made in July. Constitutionally, any money that remains once the Rainy Day fund is full reverts to the fund from which it came unless the Legislature earmarks it for a specific purpose. It is estimated that \$175.9 million will "spillover" from the Rainy Day Fund in July. The Legislature and Governor have agreed to allocate \$139.8 million of these funds in HB 1105 for the following:

Teachers' Retirement System	\$10,000,000
Teacher Pay Raise	\$22,000,000
Higher Education Operations	\$20,000,000
Langston University	\$1,800,000
OU/OSU/Regional & 2-Yr Capital	\$16,500,000
UCO Forensics Building	\$4,000,000
Centennial Commission	\$15,000,000
State Emergency Fund	\$10,000,000
Interoperable Communications	\$5,500,000
OCAST Seed Capital	\$500,000
Bio-Diesel Fuel Center*	\$6,000,000
Fire Department Equipment	\$2,500,000
Conservation Commission	\$6,500,000
Private Prison/Halfway Houses	\$5,000,000
Educare	\$5,000,000
Youth Expo	\$1,000,000
Spaceport Authority	\$2,000,000
Ag Lab Equipment	\$250,000
DPS Vehicle Replacement	\$1,000,000
Metro Tech	\$1,200,000
Schools for Deaf and Blind	\$2,000,000
Smart on Crime Initiative	\$2,000,000
Gang Violence	\$50,000

Total \$139,800,000

Approximately \$36,150,000 remains unallocated but earmarked for the Department of Corrections and other priorities for the next legislative session.

FY'07 SUPPLEMENTAL APPROPRIATIONS

Career and Technology Education (HB 1234)

- \$1,177,720 to cover the costs of legislation concerning the Educational Employees Service Incentive Plan (EESIP) that passed during the 2006 Legislative Session.
- \$1,580,086 to fund the increase in the costs associated with the Flexible Benefit Allowance for certified personnel.

Department of Central Services (HB 1234)

- \$3.2 million for building maintenance, energy, utilities and service contracts. DCS operates state buildings at \$6.25 per sq ft but had only been given \$3.00 per sq ft for upkeep.

Corporation Commission (HB 1234)

- \$3,100,000 for lost fee revenues due to a change in federal law.

Department of Corrections (HB 1234 & HB 1162)

- \$32,664,573 for funding the FY'07 state employee and teacher pay rises, plus monies to cover projected increases in offenders.

Court of Criminal Appeals (HB 1234)

- \$125,000 to cover FY'07 payroll costs and to restore full staff.

Department of Education (HB 1234)

- \$18,800,000 for the Ad Valorem Reimbursement Fund.
- \$21,000,000 for the employers' (school districts') portion of FICA and Teachers' Retirement contributions for the \$3,000 certified personnel salary increase from the 2006 Legislative Session.
- \$16,000,000 to fully fund the increase in the costs associated with the Flexible Benefit Allowance for both certified and support personnel.
- \$1,000,000 for the additional 5% compensation for special education and alternative education teachers for the \$3,000 salary increase from the 2006 Legislative Session per statute.

- \$3,500,000 to fund the increase in the number of teachers during the 2006-07 school years, concerning the \$3,000 salary increase from the 2006 Legislative Session.

Health Department (HB 1234)

- \$100,000 for the Nursing Home Board of Examiners.

Regents for Higher Education (HB 1234)

- \$5,500,000 in order to fully fund the obligations of OHLAP (Oklahoma's Promise) for FY'07.

Office of Juvenile Affairs (HB 1234)

- \$3,300,000 for construction of a new 18-bed detention center in Craig County.
- \$1,000,000 for transportation costs, detention services, medical services and other costs.

Council on Law Enforcement Education & Training (HB 1234)

- \$815,832 to fully staff, furnish and operate the new Council headquarters in Ada.

Military Department (HB 1184)

- \$1,500,000 to purchase land on which to rebuild armories.

Department of Public Safety (HB 1234)

- \$100,000 to help immediately reduce the backlog of trucking permit requests.

Tourism and Recreation (HB 1234)

- \$1,600,000 to cover costs associated with the Lake Texoma Sale, such as Federal land replacement costs and employee severance pay.

AGRICULTURE & RURAL DEVELOPMENT MEASURES

SB 161 (Justice/Richardson): Modifies the authorization to include not only the owner but also the occupant of a property to kill certain animals for the protection of livestock. Effective 11-1-07.

SB 517 (Wilson/McNeil): Updates definitions in the Oklahoma Forestry Code, updates reference to forest fires, expands powers of the officers, specifies circumstances and procedures for

lawful burns and sets fines; also modifies assessments of peanuts. Effective 5-31-07.

SB 709 (Justice/Hyman): Provides that live-stock manure and its associated nonhazardous commingled materials and process water shall not be considered a hazardous substance or hazardous waste as those terms are defined in state law. Effective 11-1-07.

SB 710 (Justice/Hickman): Adds and deletes definitions to the horticulture regulation laws, also expands the authority of the Oklahoma Department of Agriculture, Food, and Forestry to inspect any nursery stock, shipping documents, treatment records, sales records or other relevant documents to determine the distribution of nursery stock, and issue notices of violations, citations, compliance orders or other order authorized pursuant to the Oklahoma Agriculture Code; and clarifies, in the weights and measures laws, that if a product either intentionally or unintentionally is mislabeled it is a violation. Effective 11-1-07.

SB 810 (Justice/Armes): Modifies the powers of the State Board of Agriculture; authorizes the board of directors to assess and collect a fine from any person or cotton gin that is determined to have violated any provision of the Boll Weevil Eradication Act; and deletes certain limitation on carrying firearms by law enforcement agents of the Oklahoma Department of Agriculture, Food, and Forestry. Effective 11-1-07.

HB 1074 (Braddock/Lamb): Adds an exemption to the Oklahoma Explosives and Blasting Regulation Act by authorizing any employee of the Oklahoma Department of Agriculture, Food, and Forestry and the United States Department of Agriculture Animal and Plant Health Inspection Service, Wildlife Service, who is trained and certified by the United States Department of Agriculture in the safe handling and use of explosive materials, to be included in the official duties of the employee. Effective 11-1-07.

HB 1490 (Sullivan/Easley): Creates the Eucha-Spavinaw Management Act to preserve the court-ordered agreement in the City of Tulsa court case filed in the United States District Court for the Northern District of Oklahoma in 2001 (Case No. 01-CV0900). The legislation directs the State Board of Agriculture and the Oklahoma Department of Agriculture, Food, and Forestry to implement the phosphorous assessment tool (phosphorous index) which the Tulsa court case adopted to govern


land application of poultry waste in the Eucha-Spavinaw watershed. Requires the land application of poultry waste in the Eucha-Spavinaw watershed to be specified in animal waste management plans, and to comply with phosphorus index limitations. Effective 7-1-07.


HB 1520 (Dorman/Schulz): Creates the "Oklahoma Controlled Burn Indemnity Fund" established for the benefit of landowners who perform controlled burns. The fund shall compensate landowners for losses incurred from a fire that spreads beyond control of the burner, except for losses covered by insurance; also, creates the "Incident Command Site Task Force" which shall study and make recommendations of appropriate incident command systems including unified command for managing multi-discipline and multijurisdictional fire incidents occurring in the state; authorizes Oklahoma State University Fire Service Training to develop a program to educate firefighters on a unified command protocol for fire incidents occurring in this state and creates the "Firefighter Training Revolving Fund" for payment of firefighter training programs through Oklahoma State University Fire Service Training. Effective 11-1-07.


HB 1527 (Hyman/Garrison): Authorizes the Oklahoma Department of Agriculture, Food, and Forestry to operate the "Oklahoma Agritourism Program" for the purpose of stimulating economic growth and visibility in rural communities by promoting and fostering agritourism ventures within Oklahoma. This act also creates in the State Treasury a fund to be known as the "Agritourism Revolving Fund". Effective 11-1-07.

HB 1695 (Enns/Anderson): Creates the Oklahoma AgrAbility Project Act which provides services to disabled farmers. Effective 11-1-07.

HB 1796 (Armes/Wyrick): Reorganizes and recodifies the Oklahoma Concentrated Animal Feeding Operations Act into two separate acts: one for swine facilities and one for other species. The purpose of the act is to provide less confusion to both producers and citizens when trying to determine what requirements apply to an individual operation.

 Renames the Oklahoma Concentrated Animal Feeding Operation Act to the Swine Feeding Operations Act.

 Creates a new Oklahoma Concentrated Animal Feeding Operations Act.

 Removes all references to species other than swine and moves those references to new law.

 Cleans up existing language.

Effective 11-1-07.

HB 1797 (Armes/Myers): Changes current law regarding modification of licenses for expanding Licensed Managed Feeding Operations (LMFO'S). This bill allows LMFO's to modify an existing license without risking their current license. The modification would require public notice, compliance with hearing requirements, and ultimate approval by the State Board of Agriculture. Effective 12-1-07.

HB 1914 (Richardson/Ballenger): Creates the Feral Swine Control Act. This act provides aggressive measures to reduce the number of feral swine in Oklahoma and to decrease disease risks. Effective 11-1-07.

HB 1915 (Richardson/Justice): Modifies the permission to hunt and fish upon land of others by excluding land primarily devoted to farming, ranching, or forestry purposes, and also excluding school land. Also modifies the fine for conviction of violating the provisions of this act. Also trespassing on land primarily devoted to farming, ranching or forestry purposes is hereby prohibited. Effective 11-1-07.

AGRICULTURE FUNDING

SB 334 appropriates \$33,678,049 to the Oklahoma Department of Agriculture, Food, and Forestry. This amounts to an \$863,143 increase over the agency's FY'07 appropriation. Most of the increase will go to REI to open new sites in Alva and Lawton. A portion of the increased funds will go to the Made in Oklahoma Coalition for a pilot marketing program in Dallas.

The Department will also be receiving a portion of the Rainy Day spillover funds for the purpose of acquiring equipment for their new lab (\$250,000), vehicles for rural fire departments (\$2,500,000) and establishing an endowment for the Youth Expo program (\$1,000,000).

**BANKING, FINANCE & SECURITIES
MEASURES**

HB 1543 (Winchester/Corn): Modifies various provisions relating to banks and banking, including:

- Increases the portion of capital a state bank may invest to promote the public welfare;
- Prohibits a bank, savings and loan or industrial loan company from establishing a branch on the premises of an affiliate engaging in commercial activities (defined as activities which a bank may not engage in);
- Deletes prohibition against industrial loan company or bank in a retail store;
- Broadens authority of Commissioner to authorize institution affected by an emergency to open one or more temporary facilities;
- Extends current procedures relating to deposits where there is no payable-on-death beneficiary to credit unions as well as banks;
- Extends procedures relating to deposits in accounts made by husband and wife primarily for business;
- Clarifies amount of loan or line of credit which may be made to a credit union member;
- Authorizes credit union to become owner and lessor of personal property upon the request of and for the use of a member;
- Modifies various provisions relating to account proceeds payable to a beneficiary upon the death of the account owner (P.O.D. accounts); and
- For purposes of cemetery perpetual care funds, authorizes a fund of less than \$100,000 to be deposited in a CD rather than a trust account and limits withdrawals from such funds to those approved by Banking Commissioner.

Effective 1-1-08.

HB 1596 (Duncan/Mazzei): Creates the Uniform Prudent Management of Institutional Funds Act to establish standards of conduct and procedures for management and investing of institutional funds. Effective 11-1-07.

BUSINESS & LABOR MEASURES

SB 808 (Leftwich/Wesselhoft): Relates to the Oklahoma Employment Security Commission. The bill makes an appropriation to the Commission from funds from the federal Reed Act Distribution for certain purposes. Effective 11-1-07.

SB 809 (Leftwich/McDaniel (Randy)): Expands exclusion from definition of "Wages". Prohibiting reduction in weekly benefit solely based on retirement benefits if the employee made any contributions to the retirement plan. Prohibiting certain benefit wage charge against an employer upon certain notice being received from another state under a reciprocal agreement. Provides finality to certain appeals of written orders made by the Oklahoma Employment Security Commission. Prohibiting certain uses in other actions of Commission findings of fact or law, judgments, conclusions or final orders. Providing deadlines for certain assessments made against nonprofit organizations. Providing how service of process shall be made. Providing an exception to confidentiality requirements when providing information to federal or state law enforcement authorities. Adding a member to the Worker Safety Policy Council. Requiring a surety bond for the Oklahoma Employment Security Commission. Effective 11-1-07.

SB 909 (Crain/Blackwell): Relates to abstracting and state government. The bill changes the name of the Oklahoma Abstractors Law to the Oklahoma Abstractors Act. The bill adds and modifies definitions relating to the Act. The bill creates the Oklahoma Abstractors Board and provides for certain powers and duties of the Board, membership, qualifications, appointment and confirmation, terms, vacancies, removal, meetings, officers and duties, and quorum. Additional powers and duties of the Board are provided, the Oklahoma Abstractors Board Revolving Fund is created, certain deposits of funds are provided and a transfer of certain monies from the State Auditor and Inspector ("200 Fund") is made. Provision is also made for certain increases in fees. There are two effective dates for the bill. Certain provisions relating to the Board and the revolving funds will be effective July 1, 2007. Other provisions relating to the Board and the administration of the Act will be effective January 1, 2008. The bill also recodifies the Oklahoma Abstractors Law (Act) from Title 74 to Title 1. Effective 6-4-07.

SB 1028 (Laster/Steele): Relates to drug and alcohol testing of employees. Establishing prima facie evidence of administration of drug or alcohol test. Clarifying what constitutes compliance in an employer's written drug and alcohol testing policy concerning substances which may be tested. Effective 11-1-07.

HB 1497 (Sullivan/Aldridge): Making lawful the selling, leasing, renting etc. of property by the trustees or beneficiaries of any trust. Amending definition of "alcohol and drug counseling" and defining "scope of practice." Effective 11-1-07.

CRIMINAL LAW & PROCEDURE MEASURES

SB 109 (Nichols/Winchester): Modifies the circumstances when a registered sex offender who has a child enrolled in a school or licensed child care facility can enter the restricted safety zone. The bill deletes the authority for certain persons to attend sanctioned activities with another person. Effective 4-18-07.

SB 371 (Aldridge/Joyner): Changes the penalty for a purposefully false missing child report which causes the activation of an AMBER alert from a misdemeanor to a felony, punishable by imprisonment in a county jail for up to one year, a fine of at least \$1,000, or both. Effective 11-1-07.

SB 390 (Barrington/Peters): Allows disclosure of Juvenile Justice agency records to the U.S. Department of Homeland Security and to employees of the U.S. Probation Office. Effective 5-31-07.

SB 523 (Paddack/Cox): Requires the Department of Corrections to refer inmates to the Oklahoma University Medical Center for inpatient and outpatient medical services when medical needs are beyond the capabilities of Department facilities. It authorizes the Department to contract for inpatient hospital services and allows fee rates at either the Oklahoma State and Education Employees Group Insurance Board rate for network hospitals or the Medicaid rate for out-of-network hospitals. Fee schedules are based upon the rate in effect January 1, 2007, or the current rate, whichever is greater. In addition, the Department may utilize any hospital in close proximity to a correctional facility for emergency medical care and patient stabilization. This section of law was recodified from Title 43A to Title 57. Emergency. Signed by Governor 6-4-07.

SB 567 (Bass/Ingmire): Gives victims of identity theft the right to file an incident report where the victim lives regardless of the jurisdiction for any investigation or prosecution of the crime. It provides for sharing incident reports with other law enforcement jurisdictions, and states that incident reports shall not be open cases for purposes of reporting open case statistics. Effective 11-1-07.

SB 593 (Lamb/Sullivan): Allows issuance of search warrants to authorize the installation and use of tracking devices in vehicles or other moveable items, and establishes requirements for such warrants. Effective 7-1-07.

SB 659 (Coates/Duncan): Clarifies the crime of wearing a mask. The bill prohibits wearing a mask during the commission of a crime or for purpose of coercion, intimidation or harassment. The penalty remained the same. Effective 7-1-07.

SB 677 (Corn/Duncan): Adds aggravated trafficking to the offenses requiring mandatory 85% minimum sentences. It extends the district attorney's period of restitution agreements on bogus checks to three years and clarifies amounts to be collected for court costs on criminal cases. It provides separate types of controlled substances possessed at the same time in violation of law shall be separate offenses for each substance. It establishes amounts of certain substances for the offense of aggravated trafficking and sets penalties. It provides a mandatory minimum sentence of 15 years for aggravated trafficking of which 85% must be served before parole consideration. It prohibits pretrial and bail release for aggravated trafficking offenses without the use of a Global Positioning System (GPS) monitoring device and requires the device to remain until acquittal, dismissal of case, or incarceration. The Department of Corrections is required to collect certain statistical records on aggravated trafficking offenses. Effective 11-1-07.

SB 678 (Corn/Billy): Increases the Oklahoma Sentencing Commission from 15 to 17 members. It allows the Director of State Finance and the director of the Oklahoma State Bureau of Investigations to appoint designees to the Commission to represent those agencies. It requires Commission membership to include the Director or Associate Director of the Department of Corrections, and a Governor-appointed member from a faith-based organization that specializes in prison reintegration ser-

vices for inmates. The bill exempts the Department of Corrections vehicles designed for use by probation and parole operations from requirements to affix the words "State of Oklahoma" to state vehicles along with the name of the state department. The bill permits the Director of the Department of Corrections to authorize any division of the Department to sell advertising in any Department-approved publication, media production, or other informational material produced by the Department. It exempts the sale of such advertising from the Oklahoma Central Purchasing Act and the Administrative Proceedings Act. It directs the Department to promulgate rules for accepting or using such advertisements. The bill extends the definitions of "frivolous," "inmate," and "malicious," as used in Section 566 of Title 57 of the Oklahoma Statutes, to include their usage anywhere in Title 57. The bill repeals Section 567 of Title 57 of the Oklahoma Statutes, which relates to the State Board of Corrections' authority to issue certain revenue bonds for the construction of a bus renovation facility. Effective 7-1-07.

SB 748 (Mazzei/Terrill): Permits the Commissioner of Public Safety to designate the portions of the federal-aid primary highways and the state highway system located in and on the outskirts of a municipality for special traffic-related enforcement by the Oklahoma Highway Patrol, requires notification of affected local law enforcement agencies. Prohibits the affected local law enforcement agencies receiving such notice from enforcing traffic-related statutes or ordinances on such portions of highways without prior written approval of the Commissioner. Creates the Oklahoma License Plate Design Task Force to choose the design of a new official Oklahoma license plate. Requires the Oklahoma Tax Commission, contingent upon statutory authorization, to implement the license plate reissue using the design selected by the task force. Permits motor vehicle tag agents to deduct amounts they are entitled to retain as fees from the amounts they remit to the Tax Commission. Provisions relating to the Oklahoma License Plate Design Task Force and license plate design are effective [emergency]. Other provisions are effective 11-1-07.

SB 868 (Reynolds/Tibbs): Establishes Taylor's Law which allows family members of murder victims to wear buttons with the murdered victim's picture displayed as a symbol of grief at the criminal trial. Effective 5-9-07.

SB 905 (Nichols/Duncan): Enacts district attorney omnibus bill. It includes urination in public under the crime of outraging public decency. The penalty for drive-by shooting and assault and battery with a deadly weapon are increased to life imprisonment. The bill authorizes the district attorney to enter into restitution agreements for bogus checks and to defer prosecutions up to three (3) years. It modifies the statute of limitations for accessory after the fact and makes the prosecution time limitations the same as the crime itself. This measure prohibits judicial review of sentences for plea agreements without the consent of the district attorney. The bill provides that a designee of the prosecuting attorney may witness an execution. In criminal actions where the defense of insanity is raised and the defendant is not acquitted for insanity, the bill authorizes that the defense may be raised on appeal and the appellate court shall not modify the judgment or sentence on remand, but may order a new trial without recommendations for sentencing. The bill provides anticipatory search warrants under certain circumstances, and authorizes search warrants necessary under the Security of Communications Act. The definition of nonviolent offense is modified to exclude the crime of drive-by shooting. In addition, the bill names the position of Child Abuse Response Team (CART) forensic interviewer as Child Forensic Interviewer and requires Agent III pay, benefits, and status for such position. It directs 100% of the duties of the CART forensic interviewer be education, training and services to interview children. Effective 7-1-07.

SB 920 (Corn/Duncan): Modifies provisions for the Council on Law Enforcement Education and Training. It amends the definition of a security guard to exclude certain employer-employee and contractual relationships with certified peace officers. It increases the number of continuing education hours for a licensed private investigator and licensed security guard. A Private Security Advisory Committee is established. The bill changes the training requirements for armed private investigators and exempts an actively employed certified peace officer and a retired peace officer from the training and psychological requirements. It reduces the license fees for an armed security guard or armed private investigator when the person making application or renewal is an actively employed certified peace officer. Any peace officer or security agency not otherwise qualified for a license must forfeit 20% of the fee as a processing charge. The bill modifies the CLEET Council membership to include

the Commissioner of Public Safety, the Director of the Bureau of Narcotics, the Director of the OSBI, a tribal police officer, two sheriffs, two police chiefs, a police training officer, a representative of East Central University, the past chair of the CLEET Council, a municipal representative, and a person with accreditation experience in training programs. It requires any subsequent Director of CLEET to have a degree with a minimum of five years active law enforcement experience. There is created a Curriculum Review Board composed of six members to establish standards and courses for all CLEET academies and trainings. The bill increases the required basic academy hours, continuing education requirements, and mental health hours for full-time and reserve officers. The implementation of the increased hours of training shall be a phase-in over three years and is subject to funding. The Council is required to update the block of training relating to legal issues within 90 days following adjournment of each legislative session. The Council is authorized to pay for staff to train in other jurisdictions for the purpose of acquiring additional knowledge. After November 1, 2007, municipalities are authorized to conduct basic training upon approval of CLEET but shall not receive state funding unless the municipality conducted basic academies prior to such date. Effective 11-1-07.

SB 1049 (Anderson/Denney): Provides procedures for seizure of an animal if a law enforcement officer has reason to believe the animal has been abandoned or neglected. Effective 11-1-07.

SB 1130 (Lamb/Johnson (Rob)): Requires the Department of Corrections, in conjunction with the Pardon and Parole Board, to track the success and recidivism of parolees required to have a two-stage parole consideration for the first three years following their parole. The annual and cumulative data to be collected must include offense type, sentence length, release information, number of persons by offense type eligible for parole, number of persons by offense type recommended for parole, re-arrest data, re-incarceration data, employment data, and any other beneficial information. The bill requires the collected information to be made available to the Legislature, the Criminal Justice Resource Center, and the Governor no later than March 1 following the first data collection period. Effective 11-1-07.

SJR 28 (Nichols/Nations): Recognizes Max R. Newberry for his dedicated work in developing the correctional industries operation within the Department of Corrections. The resolution re-names the Oklahoma Correctional Industries Building as the Max Newberry Correctional Industrial Administration Building in honor of Max Newberry's contributions. Effective 8-25-07.

HB 1027 (Smithson/Corn): Prohibits convicted felons, persons under Department of Corrections supervision, or persons previously adjudicated as a delinquent child or a youthful offender from possessing, carrying in a vehicle either as the operator or as a passenger, or having in their place of residence any altered air or toy pistol, in addition to any firearm. The bill extends the same penalty for use of a firearm while committing a felony to use an altered air or toy pistol while committing a felony. The bill defines "altered toy pistol" as toy weapons which have been altered to resemble real weapons. It defines "altered air pistol" as air pistols altered from their original manufactured state. Effective 11-1-07.

HB 1285 (Glenn/Wyrick): Applies the statute of limitations for certain felonies to accessories of such felonies. Effective 11-1-07.

HB 1327 (Martin (Steve)/Ford): Includes assault and battery with a deadly weapon in the statutory list of violent offenses, and changes the term "child beating" to "child abuse". Effective 11-1-07.

HB 1329 (Martin (Steve)/Ford): Adjusts the penalty for identity theft to imprisonment in the custody of the Department of Corrections for a period of one year to five years. Effective 11-1-07.

HB 1385 (Ingmire/Lamb): Expands the definition of "allowable expense" as it applies to the Oklahoma Crime Victims Compensation Act to include reasonable cost of vehicle impound fees associated with collection and security of crime scene evidence, limited to violent crimes occurring in a vehicle owned by the crime victim. Reimbursement for such fees is capped at \$750. The bill expands the definition of "criminally injurious conduct" as it applies to the Act to include offenses involving the use of a vehicle with reckless disregard for the safety of others that results in the death of a victim. It permits the Administrator of the Crime Victims Compensation Board to determine claims up to \$10,000. It directs the Board to hear and de-

termine claims of \$10,000 or more, while allowing the Board the option to hear claims under \$10,000. The bill requires health care providers to refrain from debt collection activities after receiving notice of a person's pending victim compensation claim to recover medical costs, until the claim is awarded or deemed noncompensable. It requires the statute of limitations for collection of such debt to be tolled during the period the provider must refrain from collection activities. It defines "collection activities" as repeatedly contacting a claimant and threatening to turn the matter over to a debt collection agency or an attorney, but excludes routine billing about the status of the claim. It permits the Board, at its discretion, to extend the claim filing period up to two years from the date of an incident, and allows the Board to extend the deadline beyond two years in child sexual assault cases. The bill specifies that the Sexual Assault Examination Fund shall provide sexual assault victims with forensic medical examinations. It removes limitations that previously narrowed such examinations to the procurement of evidence and the administration of medical care to a one-time basis for immediate trauma. It removes the requirement of district attorney approval for authorization of the Crime Victims Compensation Board to pay for sexual assault examinations. It raises the amount payable by the Board for sexual assault examinations to \$450, and requires that payments only be made upon claims signed by the victim or the victim's guardian and a health care professional. The bill changes the notice required to be provided to rape victims by investigating officers to state that the victim has a right to a free forensic medical examination. It states that failure to report sexual assault crimes to law enforcement may impede investigation and prosecution. Effective 11-1-07.

HB 1612 (Roan/Barrington): Authorizes peace officers to collect blood or saliva samples for DNA testing under certain circumstances. Effective 11-1-07.

HB 1714 (Wesselhoft/Nichols): Authorizes the court at the time of sentencing to prohibit a registered sex offender from accessing social network web sites and to require registration of any electronic mail address, instant message, chat or other Internet communication names or identity information. Effective 11-1-07.

HB 1760 (Blackwell/Lamb): Provides a term of post-imprisonment supervisions for any offender sentenced to prison for two years or more for a sex-related offense. The post-

imprisonment term is at least three years after release from incarceration and the jury is required to be advised of this requirement for sentencing. The measure provides exceptions for life or life without parole for sex-related sentences. The bill amends the safety zone law to prohibit loitering and makes exceptions for persons receiving treatment at a licensed medical facility or hospital to be within the restricted area. It allows church attendance for worship when the religious leader has been notified and gives written permission to attend. The Department of Corrections is required to determine a sex offender's risk level by application of a risk screening tool. The Department must forward the risk level and sex offender registration information to the local law enforcement authority where the person will reside upon release from prison. If the sex offender receives a deferred or suspended sentence, the court must provide the risk level on the day of sentencing. Each time a sex offender moves the Department of Corrections must verify the risk level and submit it to the local law enforcement agency. The Department of Corrections is to establish a risk assessment review committee composed of at least five members to provide oversight of the risk level process. The committee will select the risk level screening tool, train staff, monitor use of the risk screening tool, and analyze other screening tools as others become available. There are three risk levels with level one being low risk and level three being high risk. An offender's risk level may be overridden by the court or the Department. Aggravated sex offenders must register for 15 years if the risk level is one; 25 years if the risk level is two; and for life if the risk level is three. A sex offender registered for ten years without any additional arrests may petition to remove the risk level and release the person from the requirements of the Sex Offenders Registration Act. A sex offender shall not be prevented from registration if their residence is located within the prohibited area for sex offenders. The Department of Corrections shall verify the residence of a sex offender annually if the risk level is one; semi-annually if the risk level is two; and every 90 days if the risk level is three. A local law enforcement agency may require verification at any time. Changes of address for sex offenders may be sent by electronic transmission between the local law enforcement agency and the Department of Corrections. The measure modifies the prohibited living arrangements for sex offenders and allows sex offenders to be married and living in the same residence or with two or more blood relatives who are also sex offenders. The bill establishes

the Oklahoma Statewide Gang Intervention Steering Committee until February 1, 2012. The Committee is to be composed of 25 members. It provides appointment of the chair and vice-chair, meetings, travel reimbursement, and administrative support by the Criminal Justice Resource Center. The Committee shall review and assess current efforts to reduce gang activity and violence in Oklahoma and make recommendations for juveniles arrested and associated with gang-related activities. An annual report is required each year. Effective 11-1-07.

HB 1816 (Dank/Lamb): Modifies the penalties for certain child abuse-related and sexual abuse offenses to make the imprisonment terms comparable to the nationwide Jessica's Law. It provides that parents or other persons who engage in child abuse, sexual exploitation of a child, and solicitation of a child for purposes of pornography, or lewd molestation, with a child less than twelve (12) years of age upon conviction are punishable by a mandatory minimum of 25 years imprisonment. The crimes of child abuse and sexual exploitation of a child add a fine of \$500 to \$5,000 in addition to the imprisonment term. Effective 11-1-07.

HB 1895 (Morrissette/Ballenger): Creates the Oklahoma Youth and Gang Violence Coordinating Council until February 1, 2010. The bill makes certain legislative findings stating that violence is increasing in the state while resources are decreasing; programs and initiatives are not coordinated and have little input from law enforcement, community or governmental agencies; and there is a need to bring together a council to modify current programs and services and identify more funding for gang-related programs. The Council is composed of 22 members. The Council will be chaired by the Lieutenant Governor. The bill provides for meetings, election of officers, vacancies in office, travel reimbursement, annual reports, duties, and further requires the Criminal Justice Resource Center to provide support staff to the Council. The Council is directed to study the current suppression, intervention and prevention efforts to reduce gang activity in the state, study juveniles with the assistance of the Office of Juvenile Affairs, and make recommendations. Each entity receiving a grant or contract under the Delinquency and Youth Gang Intervention and Prevention Act is required to create a local youth and gang violence coordinating council to facilitate implementation of programs. Effective 6-4-07.

HB 2101 (Cargill/Coffee): Creates the Transformational Justice Act. It establishes a Reentry Policy Council composed of 11 members. The Council has the duty to review policies, programs and procedures to ensure public safety during and after imprisonment, identify gaps in reentry programs, review policies to recruit volunteers, and report to the Governor and Legislature on its findings and recommendations. The Transformational Justice Interagency Task Force is created with 13 members. The bill provides for the Task Force appointment of a chair and vice chair, meetings, and travel reimbursement. The duties of the Task Force are to establish goals for reducing recidivism, coordinate reentry programs, seek partnerships with faith-based services, expand family-based treatment and other programs, establish collaboration between schools, employment and community corrections, and include use of victims-offender dialogues. A revolving fund is created entitled the Reintegration of Inmates Revolving Fund in the Office of Faith-Based Initiatives for the purpose of making grants to assist in reintegration. There is another revolving fund created by this bill entitled the Transformational Justice Revolving Fund within the Department of Corrections for the purpose of issuing bonuses to correctional officers who reduce recidivism rates of offenders based upon performance reviews. Effective 11-1-07.

CORRECTIONS FUNDING

For FY'08, the Department of Corrections (DOC) received \$477,543,364 in state appropriations. The appropriation included annualization of the FY'07 supplemental, as well as funding for projected inmate growth.

DOC also received \$5 million from Rainy Day Spillover funds for per diem increases for private prisons and halfway houses.

OFFICE OF JUVENILE AFFAIRS FUNDING

The Office of Juvenile Affairs (OJA) was appropriated \$110,060,812 for FY'08. This represents a 5.6 percent increase (\$5,841,227) from the original FY'07 appropriation. Funding changes will be used for the following:

- Operating eight additional detention center beds (\$270,000);
- Increased operating costs (\$1 million);

- \$1,000 pay raise for classified staff in OJA field offices and juvenile institutions who did not receive a \$1,000 targeted pay raise in FY'07 (\$163,000);
- Rate increase for Level E service providers (\$486,180);
- Increased funding for Youth Service Agencies (\$2 million);
- Funding for Community Intervention Centers (CICs) in Tulsa (\$300,000) and Woodward (\$125,000); and
- Providing a pay increase to OJA facility and field classified staff (Eligible individuals below their salary midpoint will receive up to \$2,000, but will not exceed the salary midpoint (\$1,060,000).

OJA also received \$50,000 in Rainy Day Spillover funds for gang prevention and intervention.

LAW ENFORCEMENT FUNDING

Department of Public Safety

The Department of Public Safety (DPS) was appropriated \$98,370,391 for FY'08. Included in the appropriation was \$4,400,000 to annualize pay raises enacted in FY'07 for OHP Troopers, Communications staff, and Driver License Examiners.

Also included in FY'08 funding was annualization of the \$100,000 FY'07 supplemental for trucking permits, plus \$300,000 in additional funding to continue to improve permitting efficiency.

The Department also received funding in the amount of \$2 million for operating costs and \$1.2 million to upgrade trooper headquarters.

Under the DPS umbrella, the Board of Tests for Alcohol and Drug Influence received \$100,000 in additional funds and the Oklahoma Department of Homeland Security received \$100,000.

From Rainy Day spillover money, DPS received an additional \$5.5 million for the statewide interoperable communications system. DPS also received \$1 million to replace high mileage OHP vehicles.

Bureau of Narcotics and Dangerous Drugs

The Bureau received additional FY'08 funding in the amount of \$430,000 to annualize agent pay raises and new hires funded for a half-year in FY'07.

Board of Medicolegal Investigations

The Board received additional FY'08 funding in the amount of \$226,000 to annualize targeted pay raises funded for a half-year in FY'07.

Council on Law Enforcement Education and Training

The Council received \$746,000 in additional FY'08 base funding, which represents annualization of the FY'07 supplemental appropriation. CLEET was also provided \$380,000 to cover mandated increases in basic academy hours per SB920.

State Bureau of Investigation

The OSBI received additional FY'08 funding in the amount of \$911,083 to annualize agent pay raises and new hires funded for a half-year in FY'07. OSBI also received an additional \$2 million for operations, \$745,000 for the Forensic Science Center and \$250,000 to fund two Child Abuse Response Team (CART) Investigators.

Attorney General

The Office of the Attorney General received additional funding in the amount of \$1,120,747 for FY'08. Included in the new funding was \$400,000 to help pay operating costs of the new Office headquarters, \$500,000 for the Domestic Violence Unit, and \$175,000 for Court Appointed Special Advocates (CASA).

District Attorneys' Council

The District Attorneys' Council received additional funding in the amount of \$827,468 for FY'08. Funding included \$500,000 for operations and \$327,468 to fully fund the state employee pay raise passed in FY'07.

Fire Marshal

The Office of the State Fire Marshal was given an additional \$200,000 in FY'08 funding to be passed thru to the Council on Firefighter Training.

**ECONOMIC DEVELOPMENT & COMMERCE
MEASURES**

SB 623 (Bass/Armes): Clarifies definitions of crew and above-the-line personnel for film production under the Compete with Canada Film Act. Waives requirements regarding residency and employment of Oklahomans where there is a lack of Oklahoma personnel to serve on crews. Decreases minimum film budget requirement to qualify for rebate under the Oklahoma Film Enhancement Rebate Program from \$2 million, of which \$1.25 million is required to be spent in this state, to new required level of \$500,000, of which \$300,000 is required to be spent in this state. As an alternative to providing evidence of distribution, allows for evidence that film was accepted to certain film festivals. Effective 8-25-07.

SB 871 (Gumm/Peterson (Ron)): Modifies requirement that employees qualifying under Quality Jobs program reside in the state by requiring such employees be subject to Oklahoma income tax. Clarifies definition relating to Quality Jobs program and eligibility requirement under Small Employer Quality Jobs Incentive Act. Effective 7-1-07.

COMMERCE FUNDING

SB 334 appropriates \$28,104,894 to the Department of Commerce. This amounts to a \$3,022,058 increase over the agency's FY'07 appropriation. Most of the increase (\$2,500,000) will be used to pay for increased bond payments associated with the American Indian Cultural Center.

HISTORICAL SOCIETY FUNDING

SB 334 appropriates \$14,687,451 to the Oklahoma Historical Society. The agency also received \$250,639 in order to cover debt service increase associated with the History Center, and another \$250,000 for operations at the Center. A \$700,000 permanent maintenance fund was established to maintain and repair historical sites and museums across the state.

**CAREER & TECHNOLOGY EDUCATION
MEASURES**

HB 1556 (Denney/Bingman): Amends the Oklahoma Campus Security Act to clarify the definition of public school district includes all free schools supported by public taxation and includes K-12 schools and technology center schools. Effective 11-1-07.

**CAREER & TECHNOLOGY EDUCATION
FUNDING**

CareerTech received a total appropriation of \$154,864,391. This is an increase of \$7,577,033 (5.1%) over the original FY'07 appropriation of \$147,287,358. Primary funding changes are as follows:

- \$1,473,318 for the mandated FY'08 Teachers' Minimum Salary Schedule (During the 2006 Legislative Session, the FY'08 Salary Schedule was changed in order to provide an additional \$600 across-the-board teacher salary increase. This additional funding includes the employers' portion of FICA and Teachers' Retirement Contributions.);
- \$370,000 for annualization of the \$0.50 per hour support personnel pay increase that went into effect on October 1, 2006;
- \$2,000,067 to fully fund the Flexible Health Benefit Allowance for all certified personnel;
- \$1,113,480 to cover the costs of legislation concerning the Educational Employees Service Incentive Plan (EESIP) that passed during the 2006 Legislative Session;
- \$800,000 for general operations of the agency;
- \$400,000 for rural firefighter and first responder training;
- \$2,757,806 to annualize the supplemental appropriation that the agency received to cover the costs of the Flexible Health Benefit Allowance and EESIP; and
- \$4.5 million in lottery funds for capital projects.

CareerTech also received an additional \$1.2 million in excess revenue from the Constitutional Reserve Fund for Metro Tech.

COMMON EDUCATION MEASURES

SB 103 (Paddack/Thomsen): Requires public schools to conduct a minimum of one lockdown drill each year for the purpose of securing school buildings to prevent or mitigate injuries or deaths that may result from a threat on or near the school. Effective 7-1-07.

SB 179 (Crutchfield/Benge): Removes the requirement for ten middle schools to be selected to receive math labs each year and instead provides that the number of schools selected will be based on the funds available and number of computers necessary for a class of students at each qualifying school. Effective 7-1-07.

SB 376 (Aldridge/Piatt): Requires the Commissioners of the Land Office (CLO) to utilize certain procedures for obtaining appraisals and determining fair market value when acquiring real property from a state agency. Specifies that fair market value will be the lesser of the average or median values of three appraisals obtained. Effective 7-1-07.

SB 482 (Wilcoxson/Coody): Modifies district professional development plans by changing a mandate to authorization for districts to include certain specific components in the plan. Effective 11-1-07.

SB 496 (Reynolds/Kern): Prohibits public higher education institutions and technology center schools from entering into agreements to provide student data to any creditor for purposes of marketing consumer credit to students. Effective 7-1-07.

SB 586 (Eason McIntyre)/Pittman): Directs the Oklahoma Commission for Teacher Preparation to emphasize recruiting efforts and target more of their scholarship funds for National Board certification to high poverty and low-performing schools. Effective 7-1-07.

SB 780 (Wilson/Liebmann): Authorizes the Economic Development Generating Excellence (EDGE) Fund Board of Investors to retain investment managers, consultants, auditors, and actuaries, to have the State Treasurer manage EDGE funds not allocated to investment managers, and to select custodial banks for EDGE fund transactions and custody of securities in the EDGE Fund portfolio. Sets out the standard of care for the EDGE Fund Board of Investors. Authorizes two FTE for the Office of the State Treasurer to provide staffing of the Board of

Investors of the EDGE Fund. Modifies the process of recommending the seven members of the EDGE Fund Policy Board. The provision authorizing the use of investment managers and the State Treasurer to manage EDGE Fund is effective 7-1-07. The remainder of the bill is effective 6-4-07.

SB 921 (Jolley/Jones): Creates the Achieving Classroom Excellence II Task Force to study the state curricular standards, performance levels and cut scores and compare to those of other states and the National Assessment of Educational Progress (NAEP) standards. Effective 7-1-07.

SB 925 (Jolley/Miller): Creates the School Funding Formula Task Force to review the statutorily created formula for funding the public schools of this state and make recommendations on modernization of the formula, the ability to determine how categorical funds are expended, issues raised by recent school finance litigation, and any other modifications to the formula that would enhance the state's ability to provide every child with quality instruction. Effective 7-1-07.

HB 1051 (Cargill/Coffee): Provides students who have been victims of certain felony offenses by other students the right to be kept separated from the student offender at school and during school transportation. Requires the Office of Juvenile Affairs to notify school districts when a student is adjudicated for certain sex offenses. Requires school districts to notify victims. Allows victims to elect to be separated from the offender. Allows offender to transfer to another school or another district. Establishes the Diabetes Management in Schools Act. Requires a diabetes medical management plan to be developed by a personal health care team for each student with diabetes while at school in order to assist students with the management and care of their diabetes. Permits diabetic student to perform blood glucose level checks, administer insulin, and treat hypoglycemia and hyperglycemia while at school or at a school activity. Effective 7-1-07.

HB 1134 (Benge/Crutchfield): Increases the minimum teacher salary schedule beginning with the 2007-08 school year for teachers with ten or more years of experience. Provides for a \$425 increase at the Bachelor's degree level, \$850 at the Master's degree level, and \$1,700 for a doctorate. Note that these increases are in addition to the \$600 across-the-board

teacher pay raise the Legislature committed to last year. Effective 7-1-07.

HB 1390 (Kern/Wilcoxson): Directs the Oklahoma Commission for Teacher Preparation to award grants for the purpose of implementing comprehensive reading reform and systemic change to schools for the Literacy First reading professional development institutes. Requires all kindergarten through third grade teachers to participate in all phases of the training program. Requires a literacy resource specialist to be employed for at least two years after completion of program. Effective 7-1-07.

HB 1476 (Coody/Jolley): Creates the Passport to Financial Literacy Act. Requires personal financial literacy instruction which shall include areas such as understanding credit card debt, responsibilities of renting or buying a home, retirement planning, bankruptcy, balancing a checkbook, borrowing and investing money, insurance, taxes, and identity theft. Requires students entering 7th grade in the 2008-09 school year to satisfactorily complete all areas of instruction in personal financial literacy as required in order to graduate from high school. Authorizes school districts to provide instruction to students during grades 7-12 and allows districts to determine when each area of instruction shall be presented. Authorizes districts to integrate instruction into existing courses or provide a separate course. Effective July 1, 2007.

HB 1477 (Coody/Garrison): Modifies requirements for certification as a school principal by adding building-level leadership skills to the program in education administration which must be completed. Establishes certification requirements for school superintendents, which shall include certification as a school principal, completion of a program in education administration with an emphasis on district-level leadership skills, instructional leadership, organizational leadership, education finance, education law, risk management, collaborative and community leadership, and ethical leadership. Candidates for superintendent certification must also complete any other professional education requirements fixed by the State Board of Education, attain a passing score on the subject area competency examination, and document a minimum of two years of administrative experience in public or private schools accredited by the Board. Effective 7-1-07.

HB 1556 (Denney/Bingman): Amends the Oklahoma Campus Security Act to clarify the definition of public school district includes all free schools supported by public taxation and includes K-12 schools and technology center schools. Effective 11-1-07.

HB 1557 (Denney/Morgan): Adds two members to the Oklahoma Partnership for School Readiness Board: a representative of a state association of federally funded early childhood programs appointed by the Governor and the Dean of the College of Human Environmental Sciences at Oklahoma State University. Effective 5-8-07.

HB 1589 (Shumate/Eason McIntyre): Authorizes sponsorship of charter schools by certain institutions of higher education. Limits establishment of new charter schools to three per year in each county with more than 500,000 population. Requires the State Department of Education to provide ten hours of training for charter school applicants. Extends the maximum length of a charter school contract from three to five years. Effective 7-1-07.

HB 1593 (Jones/Williamson): Expands the Academic Achievement Awards program which provides monetary awards to teachers and administrators in high performing schools and schools that attain the highest annual improvement as measured by the Academic Performance Index (API). Provides awards in amounts ranging from \$3,000 to \$500 to the top four schools in each category, as well as to all schools that attain a perfect API score of 1500. Specifies that a school site shall receive the highest award for which it qualifies, but in no case shall any school receive more than one award. Effective 7-1-07.

HB 1601 (Hickman/Jolley): Prohibits recess from counting toward the 60 minutes of required physical education each week for elementary schools. Creates the Fit Kids Physical Education Task Force to make recommendations related to physical education and physical activity requirements for students in the public schools. Effective 7-1-07.

HB 1761 (Blackwell/Laughlin): Directs the State Treasurer to transfer from the General Revenue Fund an amount equal to all monies accruing to the Public Building Fund on or before July 15, 2008, and each year thereafter, to the State Land Reimbursement Fund. Provides for each county to receive a portion of the reimbursement fund equal to the amount of ad

valorem tax revenue which would have been received by the county if state-owned land was not exempt from ad valorem taxation. Requires each county assessor to prepare reports listing the legal description, number of acres, taxable value, tax rate, and property tax amount for each property eligible for reimbursement by the fund. Effective 7-1-07.

HB 1762 (Blackwell/Laughlin): Authorizes eligibility for the Oklahoma Higher Learning Access Program for students enrolled in a school district that serves students who reside in both this state and an adjacent state pursuant to a contract authorized by law. Allows eleventh- and twelfth-grade students who qualify under this new authorization to enter into program participation. Effective 6-4-07.

COMMON EDUCATION (K-12) FUNDING

Common Education received a total appropriation of \$2,480,155,207. This is an increase of \$132,113,952 (5.6%) over the original FY'07 appropriation of \$2,348,041,255.

Additional funding was provided for the following:

- \$32,224,500 for the mandated FY'08 Teachers' Minimum Salary Schedule (During the 2006 Legislative Session, the FY'08 Salary Schedule was changed in order to provide an additional \$600 across-the-board teacher salary increase. This additional funding includes the employers' (school districts') portion of FICA and Teachers' Retirement Contributions);
- \$7,218,750 for annualization of the \$0.50 per hour support personnel pay increase that went into effect on October 1, 2006;
- \$43,691,000 to fully fund the Flexible Health Benefit Allowance for all certified personnel (\$31,804,000) as well as for all support personnel (11,887,000);
- \$22,000,000 for annualization of the supplemental appropriation pertaining to the employers' (school districts') portion of FICA and Teachers' Retirement Contributions as well as the 5% additional compensation for special education and alternative education teachers;
- \$11,900,000 to cover the costs of legislation concerning the Educational Employees Service Incentive Plan (EESIP) that passed during the 2006 Legislative Session;

- \$3,025,000 for National Board Certification bonuses that are paid to certified teachers, school psychologists, speech language pathologists, and audiologists who are nationally certified;
- \$125,000 for the State/Federal School Lunch Match Program;
- \$5,617,800 to provide required remediation for students who do not score at least at the satisfactory level on the reading and math tests administered to 7th graders during the 2006-07 school year;
- \$2,045,000 for Academic Achievement Awards to qualified employees at schools that attain the highest overall student achievement and improvement as measured by the Academic Performance Index;
- \$4,500,000 in additional funding for school district operations;
- \$500,000 for math labs for underperforming middle school math classes;
- \$550,000 for a Rise school program that will be designed to serve young children with physical disabilities from birth to five years of age (\$400,000 of this amount is one-time funding);
- \$350,000 to provide more scholarships for teachers and administrators to attend Great Expectations training;
- \$350,000 in additional funding for Alternative Education;
- \$500,000 in new funding for the A+ Schools Program in order to provide ongoing support of the network and allow additional schools to participate;
- \$350,000 in one-time funding to Common Education for capital improvements at the Omniplex; and
- \$100,000 to fund grants to school districts to establish robotics programs at eligible districts throughout the state.

Common Education also received an additional \$27 million in excess revenue from the Constitutional Reserve Fund to be utilized as follows:

- \$22 million to fund an additional \$400 average teacher salary increase; and
- \$5 million to fund an Educare Program.

HIGHER EDUCATION MEASURES

SB 496 (Reynolds/Kern): Prohibits public higher education institutions and technology center schools from entering into agreements to provide student data to any creditor for purposes of marketing consumer credit to students. Effective 7-1-07.

SB 777 (Leftwich/Terrill): Modifies the requirements for appointment of members to the Board of Regents for Oklahoma City Community College by requiring four members to reside in south Oklahoma City and specifying boundaries. Effective 7-1-07.

SB 820 (Morgan/Jones): Creates a permanent funding source for the Oklahoma Higher Learning Access Program (OHLAP), beginning July 1, 2008. Each year, the State Regents for Higher Education will provide the State Board of Equalization with an estimate of the amount of revenue necessary to fund OHLAP awards. The Board will make a determination of that amount and subtract it from the amount it certifies as available for appropriation from the General Revenue Fund. The Director of State Finance will transfer this amount to the OHLAP Trust Fund on a periodic basis as needed. Redirects revenues from horse racing and the State-Tribal Gaming Act that have been deposited to the Oklahoma Higher Learning Access Trust Fund to the General Revenue Fund, beginning July 1, 2008. Modifies eligibility requirements for OHLAP by adding a requirement for students to be U.S. citizens or lawfully present in the U.S. Adds eligibility for students who satisfactorily complete an educational program provided by means other than a public or private school (home-schoolers) and achieve an ACT score of at least 22. Adds a new GPA requirement to retain benefits at the postsecondary level by requiring students to achieve a minimum GPA of 2.0 during their sophomore year and a minimum GPA of 2.5 during their junior year and thereafter. Provides for permanent loss of program benefits if students are expelled or suspended for more than one semester from an institution of higher education. Provides for disqualification of program benefits if, at the time a student begins postsecondary education and prior to receiving any program award, the student's family income exceeds \$100,000. Effective 6-4-07.

HB 1137 (Benge/Crutchfield): Increases the bonding authority for the endowed chairs program from \$50 to \$100 million. Effective 7-1-07.

HB 1384 (Ingmire/Johnson (Mike)): Allows institutions of higher education to keep information related to donors confidential. Effective 5-31-07.

HB 2103 (Cargill/Johnson (Mike)): Directs each institution within the Oklahoma State System of Higher Education to offer to resident students enrolling for the first time as a full-time undergraduate beginning with the 2008-2009 academic year, a tuition rate that will be guaranteed for a period of not less than four consecutive academic years at the comprehensive and regional universities and for not less than two consecutive years at the two-year institutions. Provides students with the option of participating or not participating in the guaranteed tuition rate program and requires students to indicate their election at the time of enrollment. Requires institutions within the Oklahoma State System of Higher Education to adopt an instructional material policy that requires bookstores to provide students the option of purchasing textbooks unbundled with other supplemental instructional materials when possible and requires publishers and bookstores to inform professors of textbook prices and the changes made to new editions. Effective 11-1-07.

POSTSECONDARY EDUCATION FUNDING

Higher Education received a total appropriation of \$1,053,949,576. This is an increase of \$120,015,696 (12.8%) over the original FY'07 appropriation of \$933,933,880. \$85.5 million of this appropriation increase is to replace one-time Rainy Day Fund Spillover used for operations in FY'07. Primary funding changes are as follows:

- \$79,200,000 to replace Constitutional Reserve Fund Spillover funding that was appropriated to the agency in FY'07 for operational expenditures;
- \$11,005,000 for the FY'08 increase in OHLAP (Oklahoma's Promise);
- \$18,500,000 for Higher Education Institutional budgets;
- \$2,000,000 for the Oklahoma Tuition Equalization Grant Program;

- \$2,900,000 for the OSU Agriculture Experiment Station and Cooperative Extension Offices;
- \$2,900,000 for the OU Cancer Center, Diabetes Center, and the OU Lab for Bio Molecular Structured Function;
- \$1,000,000 for the OSU Fire Service Training Center;
- \$1,000,000 for capital improvements at OU;
- \$1,200,000 for capital improvements at OSU Tulsa;
- \$300,000 for the OU Center for Education Excellence; and
- \$27,360 for an increase in debt service payments for the Quartz Mountain Arts and Conference Center.

Higher Education also received an additional total of \$42.3 million in excess revenue from the Constitutional Reserve Fund as follows:

- \$1.8 million for Langston University;
- \$4 million for a forensics building at the University of Central Oklahoma;
- \$16.5 million for capital projects – OU (\$5.5 million), OSU (\$5.5 million), and regional universities and 2-year colleges (\$5.5 million); and
- \$20 million in funding to address operational needs at all of the state's higher education institutions.

ARTS COUNCIL FUNDING

The Oklahoma Arts Council received a total appropriation of \$5,150,967. This is an increase of \$708,157 (15.9%) over the original FY'07 appropriation of \$4,442,810. The majority of this funding will be used to fund arts programs throughout the state.

CENTER FOR THE ADVANCEMENT OF SCIENCE AND TECHNOLOGY FUNDING

OCAST received a total appropriation of \$22,456,507. This is an increase of \$13,891 (0.1%) over the original FY'07 appropriation of \$22,442,616. Primary funding changes are as follows:

- \$5,000,000 of one-time funding was removed;
- \$4,000,000 was provided for a Biodiesel Fuel Center;
- \$500,000 was set aside for a Biodiesel Fuel Center in Tulsa;

- \$350,000 was given to the Oklahoma Medical Research Foundation; and
- \$150,000 in funding for Seed Capital was provided.

OCAST also received an additional \$6 million in excess revenue from the Constitutional Reserve Fund for a Biodiesel Fuel Center and \$500,000 for the Seed Capital Program.

EDUCATIONAL TELEVISION AUTHORITY FUNDING

OETA received a total appropriation of \$8,394,383. This is an increase of \$3,230,033 (62.5%) over their FY'07 appropriation of \$5,164,350. \$3.2 million of this amount will be used to allow the agency to complete the nationally required conversion to digital television before the deadline of February 18, 2009.

DEPARTMENT OF LIBRARIES FUNDING

The Department of Libraries received a total appropriation of \$7,294,856. This is an increase of \$447,125 (6.5%) over the FY'07 appropriation of \$6,847,731. \$425,000 of this amount will be used to fund State Aid to Public Libraries.

PHYSICIAN MANPOWER TRAINING COMMISSION FUNDING

The Physician Manpower Training Commission received a total appropriation of \$5,523,502. This is an increase of \$53,003 (1.0%) over the FY'07 appropriation of \$5,470,499. \$50,000 of this amount will be used to expand the Physician Assistant Scholarship Program.

SCHOOL OF SCIENCE AND MATHEMATICS FUNDING

OSSM received a total appropriation of \$7,585,732. This is an increase of \$355,224 (4.9%) over the FY'07 appropriation of \$7,230,508. Primary funding changes are as follows:

- \$20,226 for an increase in the agency's debt service;
- \$65,000 for the Regional Outreach Program in Poteau; and

- \$225,000 in order to create an additional Regional Outreach Program at a site that is to be determined later.

ENERGY, ENVIRONMENT & UTILITIES MEASURES

SB 102 (Myers/DeWitt): Increases the membership of the Storage Tank Advisory Council from nine members to eleven members. The new members appointed to the council will represent petroleum storage tank operators, agricultural cooperatives or county commissioners. Effective 7-1-07.

SB 136 (Crutchfield/Hyman): Amends current statutes governing discovery gas wells by exempting such wells from the restrictions on the amount of production allowed by rules of the Corporation Commission. It further increases the size of the drilling and spacing units allowed for gas wells having initial water saturations at or above fifty percent, from 160 acres to 640 acres in size. SB 136 amends a statute enacted in 2006 which authorizes the Corporation Commission to remediate problems of seeping natural gas by authorizing the Commission to address natural gas leaking from a pipeline operated by certain regulated utilities. The bill limits expenditures to address these problems to a maximum of \$125,000 from the Corporation Commission Gas Seep Fund. Finally, the bill increases the amount of voluntary fees levied on oil and natural gas to fund the activities of the Commission on Marginally Producing Oil and Gas Wells. The fee increase will be effective 1-1-08. Effective 6-4-07.

SB 509 (Wyrick/Jackson): Amends statutes governing solid waste landfill disposal sites by authorizing the Department of Environmental Quality to reimburse landfill operators for installing wheel washing equipment on their sites. DEQ may now reimburse operators for their capital investments in this type of equipment instead of having the operators retain the amount from fees collected at the site. Wheel washing systems are used to spray mud off the tires of trucks leaving the landfill site so mud doesn't build up on roadways near the landfill entrance. Additionally, this bill allows DEQ to utilize a portion of the same funds, collected and remitted by the landfill operators for the reimbursement of wheel washing systems, to properly close solid waste landfills that are no longer in operation and the responsible owner

or operator cannot be located and compelled to pay the costs of such closure. Effective 7-1-07.

SB 609 (Sweeden/Piatt): Modifies the method of accounting systems used to track fuel or gas removed from utilities storage from the basis of "last in first out" to a "weighted average cost" method of inventory accounting. This amendment is effective January 1, 2008, to coincide with utilities fiscal year accounting procedures. The bill became the vehicle used to create the Oklahoma Bioenergy Center within the Oklahoma Department of Commerce. The OBC is partnership of public universities and private research foundations that will coordinate and implement research programs to promote bio-fuels and bioenergy industries in this state. The OBC will be administered by a seven-member Board and the Board will establish procedures for the center, hire an Executive Director and distribute all funds on behalf of the center. Creates a revolving fund for the OBC, and funding for the center was included in a separate appropriations bill. Effective 6-4-07.

SB 734 (Morgan/Adkins): Begins by recapping the important legislative actions taken on electric industry restructuring in the past decade and creates a new Joint Electric Utility Restructuring Task Force to continue studying the issues facing the electric service providers in this state. The task force is made up of the members of the Senate Energy and Environment Committee and the House Energy and Technology Committee and the bill outlines certain specific issues to be addressed by the task force, including municipal annexation, territorial boundaries, condemnation of electric facilities, court rulings resulting from previously enacted legislation and the impact of regional transmission organizations on the electric generation marketplace. The task force will remain in effect until December 1, 2009 unless they elect to terminate themselves at an earlier date. Effective 5-9-07.

SB 747 (Bingman/McNeil): Modifies the Oklahoma Waste Tire Recycling Act by modifying the fees collected on tires with a rim diameter greater than 17½ inches but less than 19½ inches to \$2.50 per tire. This would add a new category of fees for tires that would fit a standard size sport utility vehicle. The fee for passenger car tires remains \$1 and the fee for large truck tires remains \$3.50. The bill redirects some of the duties relating to approval of claims, inspection of tire dealers and verification of records to the Department of Environ-

mental Quality from the Tax Commission. The bill authorizes the DEQ to penalize tire dealers and motor license agents if they determine fees have not been paid correctly. The bill also creates a Waste Tire Recycling Task Force to study the waste tire fee structure, compensation criteria and potential modifications to current law which would enhance the ability of the state to provide efficient and effective recycling of waste tires. The task force will consist of 11 members representing end users of waste tires, transporters of waste tires, tire dealers and legislators and will continue until July 2008. Effective 7-1-07.

HB 1034 (Cox/Wyrick): Attempts to provide a legislative solution to address problems many adjacent landowners encounter at Grand Lake. The Grand River Dam Authority was created in the early 1930's and property lines surrounding the lake area are sometimes not accurately recorded to current standards. Authorizes the GRDA to lease certain shorelands for a term longer than two years if approved by the GRDA Board of Directors. Previously, the GRDA was limited to a two-year lease of their property and adjacent property owners wanted the certainty of long-term leases. Effective 5-25-07.

HB 1081 (Shoemaker/Ballenger): Authorizes a rural water district to levy a fee on their customers, not to exceed ten cents per 1,000 gallons of water sold, to be included in their water rates for the purpose of providing funds to any entity selected by the board for purposes that will assist the board in the performance of its duties for the district and which will benefit the area within the district or the members of the district. Effective 4-17-07.

HB 1374 (Schwartz/Bingman): A request bill for the Corporation Commission, updates the statutes governing their agency's petty cash fund and allow tax and fee payers to use debit or credit cards for payment. Effective 4-18-07.

HB 1396 (Adkins/Burrage): Modifies the application of the Oklahoma Storage Tank Regulation Act to exclude certain small tank systems. It further amends the regulations of the Petroleum Storage Tank Indemnity Fund by allowing state agencies to access the Indemnity Fund by paying the same co-payments as other eligible tank owners or operators are required to pay and by authorizing the Corporation Commission to use monies from the Indemnity Fund to pay all costs associated with administering the Compliance and Inspection Department of the Commission. Removes the requirement for ex-

penditures made in certain emergency situations requiring remediation of leaking storage tanks to come under the provisions of the Oklahoma Central Purchasing Act. Finally the measure authorizes the Corporation Commission to promulgate rules to implement the requirements of the federal Energy Policy Act of 2005 as it relates to the regulation of petroleum storage tanks. Effective 5-8-07.

HB 1399 (Liebmann/Branan): Attempts to strengthen and update purchasing practices for scrap metal dealers. The bill maintains the already required ten-day holding period for copper and certain other scrap metals and it further requires the buyers of such goods to keep detailed records when they purchase ten pounds or more of regulated metal goods. The bill increases multiple fines and jail penalties for violations of various statutes governing purchases and sales of regulated metal materials and record keeping requirements. This bill attempts to restrict sales of stolen materials to scrap dealers. Since much of this material is stolen from utility facilities and therefore creates potentially life threatening situations for utility workers this bill authorizes utility representatives and law enforcement officers to inspect salvage dealer properties to identify tagged materials during the required holding period. A new provision of law included in the bill prohibits junk dealers or salvage dealers from purchasing a list of restricted materials, including copper or aluminum coils and machinery or supplies used in drilling oil or gas wells, unless the seller of such goods can prove he or she owns the property. To help protect salvage dealers, the bill enacts a new statute requiring the dealer to pay the seller of any regulated material by check for amounts in excess of \$25. The dealer can choose to pay the seller at the time of the purchase or by mail if the seller chooses. Effective 7-1-07.

HB 1764 (Blackwell/Laughlin): Creates the Oklahoma Electric Power Transmission Task Force to conduct an electric transmission study. The task force members are required to be appointed by June 15, 2007 and the first meeting will take place by August 1, 2007. The task force shall be chaired by a Corporation Commissioner who shall be selected by the Chair of the Corporation Commission. The task force shall remain in effect until thirty days following the completion of an electric power transmission study for renewable energy in Oklahoma is conducted by the Southwest Power Pool. A preliminary report will be due by January 31, 2008 and a final report will be due

within thirty days following the study by the SPP. Effective 5-31-07.

CORPORATION COMMISSION FUNDING

SB 334 appropriates \$15,270,533 to the Corporation Commission.

The agency's budget was reduced by \$1.9 million in recognition of a federal repayment due next fall. The budget will need to be adjusted back up by \$1.9 million in FY'09.

The agency will be authorized to expend \$3,060,116 from the One-Stop Trucking Fund. This does not reflect an increase in spending for the agency. This fund was a regular revolving fund last year, but now is a certified fund subject to legislative authorization.

CONSERVATION COMMISSION FUNDING

SB 334 appropriates \$9,187,084 to the Conservation Commission. This amounts to a \$233,289 increase over the agency's FY'07 appropriation. Most of the increase will be used to pay for increased operating costs.

The Commission will also be receiving \$6,500,000 of the Rainy Day Spillover funds for the purpose of water and flood prevention projects.

GAMING, SPORTS & AMUSEMENTS MEASURES

SB 513 (Wilcoxson/Denney): Caps the lottery revenue going to the School Consolidation and Assistance Fund at \$5 million with the revenue in excess of that amount being allocated by the State Department of Education to public schools for the purpose of purchasing technology equipment in order to conduct on-line testing as required by the Achieving Classroom Excellence Act of 2005. Requires each person entitled to any portion of a lottery prize in excess of \$600 claimed by a trust to provide the Oklahoma Lottery Commission with their name, address, social security number and valid identification prior to the payment of prize; however, such information shall be confidential and not subject to the Oklahoma Open Records Act. Establishes a withholding process for lottery prize winners that owe delinquent state taxes. Effective 7-1-07.

SB 984 (Sparks/Armes): Relates to amusements and sports. The bill enacts the Interstate Compact on Licensure of Participants in Live Horse Racing with Pari-mutuel Wagering for certain purposes relating to the uniform licensing of participants in live horse racing with pari-mutuel wagering, the growth of the horse racing industry in each party state, the authorization of the Oklahoma Horse Racing Commission to participate in the compact, the provision for participation in the compact by officials of the party states and to permit certain contracts for the purposes of the compact and the establishment of the compact committee created by the compact as an interstate governmental entity for certain criminal history record information purposes. The bill also removes certain smoking restrictions in the State-Tribal Gaming Act relating to an organization licensee operating a racetrack location and certain additional player terminals. Effective 11-1-07.

GOVERNMENT MEASURES (COUNTY, MUNICIPAL, LOCAL)

SB 160 (Laughlin/Blackwell): Authorizes municipalities with a population of no more than 2,500, which have a municipal officer or employee who has a proprietary interest in a business which is the only business of that type within 5 miles of the corporate limits, to purchase items from such business if the municipality purchases items that are regularly sold to the general public and does not exceed the price charged to the general public. Effective 7-1-07.

SB 379 (Ballenger/Rousselot): Authorizes newly elected county officials to be reimbursed by their respective counties for approved training provided before taking office. Effective 11-1-07.

SB 426 (Eason McIntyre/Martin (Steve)):

- Removes requirement that a municipality situated in three or more counties which contain large areas of rural land not served by water or sewer facilities shall accept the dedication, repair and maintenance of roadways in either platted or unplatted areas.

- States that municipalities and other local governments contracting for professional services shall presume attorneys, engineers and members of other professions to perform their professional services for local and state governments as independent contractors.
- Codifies FCCPRB-1 into the Oklahoma Statutes. This will guide both amateur radio operators and cities when requests for permits allowing construction of antenna support services for amateur radio communications are reviewed by municipal officers.

Effective 11-1-07.

SB 437 (Aldridge/Joyner): Expands the number of prisoners allowed to be supervised by jailers or other persons in certain types of jail settings. Effective 11-1-07.

SB 590 (Laughlin/Hickman): Modifies specification of size for plat recordings to 8½ x 11 inches; provides for county audits every two years and shall include a performance audit, a financial audit, agreed-upon procedures, limited review, or examination of the books and records; makes it unlawful for a county officer holding elective office and who will not serve a succeeding term to make any changes to the licensing or source code of county computer software currently being used; modifies purchasing authority of the county purchasing agent to the bid limit not to exceed \$10,000 requires payment of purchase orders to be paid after presentation for payment; and modifies fee for discharging liens. Effective 11-1-07.

SB 639 (Bass/Cox): Authorizes the State Department of Health and city-county health departments to enter into contract for professional services at any time with a physician assistant, registered nurse, advanced practice nurse, nurse midwife, registered dietitian, occupational therapist, physical therapist, or speech-language pathologist who has retired from state service. Effective 11-1-07.

SB 658 (Rice/McDaniel (Randy)): Authorizes the county commissioners of counties to gift, transfer, or assign and execute the deeds of conveyance of lands that are owned by the counties to nonprofit organizations to be used for the purpose of affordable housing construction with as long as these certain requirements are followed:

- The land is no longer needed for county purposes to be determined at a public hearing by a vote of the majority of the commissioners;
- The nonprofit organization has experience in affordable housing construction, and has a history of reputable service;
- A county officer or employee of a county does not have or acquire a personal interest as may exist with a nonprofit organization, whether direct or indirect, in any land transaction authorized by this subsection; and
- If a nonprofit organization does not begin construction within two (2) years from the receipt of the land from a county as authorized by this section, the land shall revert back to the county.

The bill also clarifies the execution of such authorization by adding an exception for those counties operating under a public trust. Effective 11-1-07.

SB 748 (Mazzei/Terrill): Permits the Commissioner of Public Safety to designate the portions of the federal-aid primary highways and the state highway system located in and on the outskirts of a municipality for special traffic-related enforcement by the Oklahoma Highway Patrol, requires notification of affected local law enforcement agencies. Prohibits the affected local law enforcement agencies receiving such notice from enforcing traffic-related statutes or ordinances on such portions of highways without prior written approval of the Commissioner. Creates the Oklahoma License Plate Design Task Force to choose the design of a new official Oklahoma license plate. Requires the Oklahoma Tax Commission, contingent upon statutory authorization, to implement the license plate reissue using the design selected by the task force. Permits motor vehicle tag agents to deduct amounts they are entitled to retain as fees from the amounts they remit to the Tax Commission.

Provisions relating to the Oklahoma License Plate Design Task Force and license plate design are effective 6-4-07. Other provisions are effective 11-1-07.

SB 994 (Riley/Benge): Modifies the real property description relating to the Hissom Memorial Treatment Center. Effective 11-1-07.

SB 1021 (Bingman/McCullough): Requires the notice of filing for annexation upon a deputy municipal clerk and the mayor; excluding certain tracts of land from municipal taxation; amends numerous provisions of the Improvement District Act. The bill includes the following provisions:

- Expands the definition of cost to include expenses related to bond financing;
- Authorizes creation of an improvement district for offsite facilities if the facilities directly benefit the district;
- Extends the termination date for improvement districts to 30 years or the date of final debt payment;
- Permits developers to contract with improvement districts to supervise and control the construction of improvements on their property;
- Allows for assessments based on estimated construction costs and allows annual assessments to include cost of administering the district;
- Permits interest rates of up to 10 percent per year on outstanding bonds;
- Permits use of assessment to replenish debt service reserves and reimburse bond insurers and other credit enhancement, other bond related expenses;
- Permits cities to use public trusts to be the direct issuer of the bonds;
- Permits bonds to cover the cost of issuance, capitalized interest, reserves, reserve surety bond premiums, bond insurance, and credit enhancement;
- Allows cities to either administer a district or retain a third party administrator, allows cities to contract with banks to act as trustees; and
- Limits liability for bond issuers acting within the scope of their authority.

Effective 11-1-07.

HB 1038 (Sherrer/Burrage): Allows public bodies that provide utility services to keep certain contracts confidential. Effective 11-1-07.

HB 1055 (Gilbert/Eason McIntyre): Allows the incorporation of a territory within 5 miles of a municipality of more than 200,000 to incorporate if it can be proved to the county commissioners by documentation that it has historically been identified as a compact community. Effective 11-1-07.

HB 1401 (Liebmann/Brannan): Requires any elected or appointed municipal officer to attend an institute for municipal officials. Effective 11-1-07.

HB 1412 (Joyner/Aldridge): Expands members of the county excise boards eligible for travel reimbursement; changes the deadline for filing for exemption from a tax sale; and adds a non-refundable assignment fee. Effective 11-1-07.

HB 1432 (Hilliard/Laughlin): Modifies specification of size for plat recordings to 8½x 11 inches; makes it unlawful for a county officer holding elective office and who will not serve a succeeding term to make any changes to the licensing or source code of county computer software currently being used; modifies entities to whom property can be transferred; modifies purchasing authority of the county purchasing agent to the bid limit not to exceed Ten Thousand Dollars; and modifies fee for discharging liens. Effective 11-1-07.

HB 1774 (Thompson/Branan): Provides that certification of project completion for work contracted by public agencies is not required if project progressive payments are based on the departments estimated quantities of materials provided and work performed and requires that final estimates shall contain a sworn certification that the work performed and the material provided conform to the requirements of the contract, plans, specifications, and special provisions. Effective 11-1-07.

HB 2192 (Cargill/Aldridge): Modifies the membership of the metropolitan library commission for any county with a population of more than 600,000 as determined by the latest Federal Decennial Census and provides for the term of office, vacancies, removal and authorizes the librarian is to be the secretary of the commission. Effective 7-1-07.

GOVERNMENT MEASURES (STATE)

SB 69 (Bass/Blackwell): Updates the statutory language used in the Oklahoma Open Meeting Act. It includes videoconferencing in the definition of "meeting" for the purposes of the act, and excludes informal gatherings where no business is discussed. It replaces the term "teleconference" with the term "videoconference" and specifies that both visual and auditory functions must be used during such a conference. The bill applies this definition of "videoconference" to any statutory use of the term

in relation to the meeting of a public body. The bill removes from Oklahoma Open Meeting Act all outdated language relating to teleconferencing. Effective 11-1-07.

SB 407 (Mazzei/Jackson): Clarifies that the Grand River Dam Authority is authorized to issue revenue bonds of up to \$1.4 billion outstanding at any time. Authorizes the GRDA to enter into interest rate swaps and other derivative products and financial instruments to hedge interest rate risk or manage interest rate costs in connection with bonds. Creates the Joint Legislative Task Force on the Grand River Dam Authority to study its functions, policies, procedures and expenditures. Effective 8-25-07.

SB 626 (Brogdon/Denney): Creates a petty cash fund for the Office of Personnel Management; changes the pay movement mechanism report from a calendar year to a fiscal year report; changes archaic language to reflect "meets standards" as utilized in the evaluations conducted through the Performance Management Process; reinstates posting requirements for vacancy notices; deletes the requirement for employees hired through the program with two years continuous experience on the job to pass an entrance examination before conversion to permanent classified status; and increases the maximum cash award amount that can be given to a state employee through the employee recognition program from \$250 to \$500 per recognized employee each fiscal year. Effective 7-1-07.

SB 796 (Jolley/Miller): Clarifies the role of the Office of State Finance in coordinating and implementing application systems for the three central service agencies of the state and all branches of state government. The bill also updates the reference to certain applications as being part of the Integrated Central Systems. The Information Services Division of the Office of State Finance is also authorized to define requirements for a facility that can be used by any state agency to install certain backup information technology and enter into a multi-year agreement for a private facility that meets the defined requirements. Finally, the bill repeals a section of law that authorized the Office of State Finance and the Oklahoma Turnpike Authority to enter in a multi-year agreement to jointly develop and construct facilities necessary for the administration of the state's information technology and telecommunication infrastructure and security. Effective 5-16-07.

SB 929 (Paddack/Thomsen): Made corrections to a legal land description to a parcel of land owned by the State of Oklahoma. The bill also added a legal land description to a parcel of land acquired by the state. Effective 11-1-07.

SB 1086 (Wright/Sweeden): Recreates the Sheep and Wool Utilization, Research and Market Development Commission. Effective 5-4-07.

HB 1064 through HB 1072 and HB 1318 (Wright/Sweeden): Recreates the following agencies under the Oklahoma Sunset Law:

- Construction Industries Board;
- Capitol/Medical Center Improvement and Zoning Commission;
- State Accrediting Agency;
- Oklahoma Energy Resources Board;
- Domestic Violence Fatality Review Board;
- Advisory Committee on Pedorthics;
- Advisory Committee on Orthotics and Prosthetics;
- Public Employees Relations Board; and
- Archives and Records Commission.

Effective 5-4-07 for HB 1064, effective 4-18-07 for HB 1072 and effective 5-4-07 for HB 1318.

HB 1106 (Benge/Crutchfield): Allows the Office of State Finance to enter into a multi-year agreement for facilities necessary to administer the state's information technology and telecommunications infrastructure and security, not subject to the Central Purchasing Act. The area of the facility dedicated for computer-ready space cannot exceed 10% of the total square footage, up to 9,000 square feet. Effective 9-1-07.

HB 1114 (Benge/Crutchfield): Updates the minimum salary established in the Federal Poverty Guidelines for a three-person household; creates the "Financial Reimbursement for Educational Expenses Act of 2007" which agencies may reimburse an eligible employee up to \$5000 per year for a qualified education loan expense is owed by the employee; caps the education loan reimbursement at \$15,000. Effective 7-1-07

HB 1383 (Ingmire/Reynolds): Exempts the Oklahoma State Bureau of Investigation from oversight by the Fleet Management Division of the Department of Central Services. Effective 11-1-07.

HB 1581 (Peters/Myers): Authorizes state agencies to enter into contracts and agreements for the payment of food and lodging expenses as may be necessary for employees attending an official course of instruction or training conducted or sponsored by any state agency. Effective 7-1-07.

HB 1646 (Peterson (Pam)/Ford): Prohibits state employees from soliciting any part of a benefit or allowance as a gratuity, kickback or loan from the recipient of such benefit or allowance. Effective 11-1-07.

HB 1669 (Dorman/Barrington): Adopts the watermelon as the official vegetable of the State of Oklahoma. Effective 11-1-07.

HB 1708 (Billy/Bass): Directs the Office of the Secretary of State to serve as the Oklahoma Chief International Protocol Office. Effective 7-1-07.

HB 1804 (Terrill/Williamson): Creates the Oklahoma Taxpayer and Citizen Protection Act of 2007.

- Declares illegal immigration to be a cause of economic hardship and lawlessness, and states that practices of issuing public benefits and ID cards to unverified immigrants and providing harbor and shelter to illegal immigrants impede enforcement of federal immigration law, undermine border security, and restrict the privileges and immunities of legal citizens. It declares that the state has a compelling interest to discourage illegal immigration by requiring state agencies to comply with federal immigration authorities and by enacting other measures to ensure the integrity of governmental programs and services.
- Prohibits transportation, movement, or attempts to transport any alien in the state knowing or in reckless disregard of the fact that the alien is illegally present. It prohibits concealing, harboring, or sheltering from detection any alien in the state knowing or in reckless disregard of the fact that the alien is illegally present. It provides exceptions for the provision of emergency medical services protected by federal law and regulated health services provided by a private charity with private funds. It creates a felony for violating these laws, punishable by imprisonment for at least one year, a fine of at least \$1,000, or both.
- Requires that government-issued documents such as voter identification cards, driver licenses, nondriver identification cards, passports, birth certificates, and social security cards, and ID cards issued by public or private education institutions, only be issued to United States citizens, nationals, and legal permanent residents. It provides exceptions if an applicant presents documentary evidence of one of several temporary legal statuses. Applicants who fall under these exceptions may receive ID documents valid for the period of time they are authorized to remain in the United States, or if no period is specified, no more than one year. Such documents must state that they are temporary and show an expiration date. Evidence of temporary legal status is not required for ID cards issued by public or private education institutions if such cards state that they are only valid for use at the campus where they were issued. Any driver license or ID issued to a person who is not a citizen or legal permanent resident for which application has been made for renewal, duplication, or reissuance will be presumed to have been originally issued upon presentation of evidence of temporary legal status, provided the license has not expired or been cancelled, suspended, or revoked at the time of application. The applicant must show evidence of temporary legal status if the license or ID has expired or been cancelled, suspended, or revoked or if the Department of Public Safety receives notification from a government agency that the applicant may be in the country illegally.
- Requires jail officials to make a reasonable determination of the citizenship or immigration status of persons incarcerated for felonies or driving under the influence. If such statuses cannot be determined from documents in the person's possession, a query must be submitted within 48 hours to the Department of Homeland Security. The bill creates a rebuttable presumption that a person verified as unlawfully present is at risk of flight for the purpose of determining bond eligibility.
- Defines a "status verification system" as an electronic system operated by the federal government, including the Basic Pilot Program, any equivalent program designated by the Department of Homeland Security or another federal agency, any third-party

verification system of an equal or higher degree of reliability, or the Social Security Number Verification System or similar process implemented by the United States Social Security Administration. It creates definitions for "public employer," "subcontractor," and "unauthorized alien."

- Requires every public employer to register with and utilize a federal status verification system to verify employment authorization of all new employees. After July 1, 2008, it prohibits public employers from contracting for services unless the contractor or subcontractor registers and participates in a status verification system. It provides an exception for contracts entered into prior to the effective date of the bill which involve the performance of services after July 1, 2008. The bill declares it a discriminatory practice for an employer to discharge a legally present employee while retaining an employee who the employer knows or reasonably should have known is an unauthorized alien hired after July 1, 2008, working in a job category similar to that of the discharged employee. It creates an exception for any employer who used a status verification system to verify employment authorization of all new employees hired after July 1, 2008. It prevents any cause of action for a violation of this law from arising anywhere else in Oklahoma law.
- Requires state agencies to verify the lawful presence of applicants for public benefits who are at least fourteen years old, without regard to race, religion, gender, ethnicity, or national origin. It provides exceptions for any purpose not restricted by law, the provision of emergency medical services protected by federal law, emergency disaster relief, treatment for communicable diseases, and community-level services with no assistance conditions that are necessary for the protection of life or safety. It requires applicants for benefits to execute an affidavit of citizenship or lawful immigration status. Agencies are required to verify employment eligibility for every applicant who has executed an affidavit through the Systematic Alien Verification for Entitlements (SAVE) Program. The affidavit is considered proof of lawful presence until such verification can be made. The bill makes persons who have knowingly made false claims on their affidavit subject to criminal penalties. It allows state agencies to adopt variations

to these requirements which demonstrably improve efficiency or reduce verification delays, and to provide for unique individual circumstances where verification procedures impose hardships on legal residents. It requires state agencies which administer public benefits to provide an annual report to the Governor and legislative leaders with respect to its compliance with these laws. It requires state agencies to provide an annual public report on errors and delays in the SAVE Program and recommendations to ensure the Program is not erroneously denying benefits to legal residents. Errors are also required to be reported to the Department of Homeland Security.

- Requires contracting entities who have not received documentation to verify the employment authorization of individual independent contractors to withhold state income tax at the top marginal rate as applied to compensation paid to that contractor which is required to be reported on an Internal Revenue Service Form 1099. Contracting entities who fail to comply with this requirement will be liable for the taxes not withheld, unless the contracting entity is exempt from federal withholding with respect to an individual who has filed an Internal Revenue Service Form 8233. The bill emphasizes that these requirements do not apply to employer-employee relationships.
- Authorizes and directs the Attorney General to negotiate a Memorandum of Understanding between the state and the Department of Justice or the Department of Homeland Security concerning the enforcement of federal immigration laws, detention and removals, and investigations in the state. The bill requires the Memorandum to be signed by the Attorney General and the Governor. It prohibits local governments from enacting any ordinance or policy that limits or prohibits local officials from communicating or cooperating with federal officials regarding the immigration status of any person in the state. It prohibits state government entities or officials from restricting the ability of a public employee to communicate with the Department of Homeland Security regarding the immigration status of any individual. It prohibits any person or agency from restricting the ability of a public employee to exchange information regarding the immigration status of any individual with federal, state, or local agencies, or to

maintain such information. It allows for a private cause of action by lawful residents for a writ of mandamus to compel noncooperating local or state agencies to comply with such reporting laws.

- Denies persons not lawfully present in the United States from eligibility on the basis of residency for postsecondary education benefits, including scholarships and financial aid, and resident tuition, unless otherwise provided for in law. These restrictions do not apply to students enrolled in a public postsecondary education institution in the state who received resident tuition pursuant to other provisions of law during the 2006-2007 school year or any prior year.
- Directs the Department of Public Safety, subject to the availability of funding, to establish a Fraudulent Documents Identification Unit to investigate and apprehend persons participating in the sale or distribution of fraudulent IDs. It requires the unit to specialize in fraudulent IDs created for persons who are unlawfully present in the state. It directs the Department to employ sufficient employees to investigate and implement the unit.
- Permits the State Regents for Higher Education to adopt a policy to allow a student to be eligible for resident tuition if the student graduated from a state high school and resided in the state with a parent or legal guardian while attending a state high school for at least two years prior to graduation. To be eligible for resident tuition, the student must be admitted to and enroll in a public postsecondary institution in the state. The bill permits students who cannot present documentation to verify citizenship or legal immigration status to provide to the institution a copy of an application filed with Citizenship and Immigration Services to become legal, or to file an affidavit with the institution stating that the student will present such an application copy when a process for legalization becomes available without risk of deportation, but in no case later than one year after enrollment, or one year after a process for legalization becomes available. The bill requires students who file such affidavits to present an application copy within the specified time frames. It prevents students who have met residency and admissions requirements, and who have provided a copy of an

application for legalization, from being disqualified on the basis of immigration status from any scholarships or financial aid. It prohibits the imposition of any additional conditions to maintain resident tuition on enrolled students who received resident tuition during the 2006-2007 school year or any prior year.

Effective 11-1-07.

HB 2104 (Cargill/Ford): Creates an entry fee exemption for minors age 17 years and younger at least one day a week at all museums and historical sites under the purview of the Oklahoma Historical Society. This act also directs the Oklahoma Arts Council to be responsible for the acquisition, exhibition, and management of the state's art collection and creates an incentive grant program to establish visual arts programs in schools. Effective 11-1-07.

HB 2110 (Cargill/Coffee): Makes various changes to the rules of the Ethics Commission, including the following:

- Limits the exemption for gratuities provided at conferences to items available to all registrants; exempts items under \$10 (up to one per year) from the definition of "anything of value"; and defines "out of state" (Section 1);
- Requires contributor statements to state that the contribution is for a campaign in Oklahoma (Section 2);
- Prohibits making or accepting contributions in the State Capitol Building, and provides for return of contributions delivered in the mail to an address in the Capitol (Section 3);
- Allows candidates to have only one active candidate committee for a given office at any time (Section 4);
- Requires out-of-state committees and persons to make independent expenditures and electioneering communications from a segregated account which contains only contributions made in compliance with Oklahoma law (Section 5);
- Corrects reference to nonapplicability of contributor statement requirements until a \$500 threshold is reached (Section 6);
- Provides that contributor statements are not required for funds accepted by out-of-state committees or persons or advocacy corporations which make independent expenditures or electioneering communications if the committee, person or corpora-

tion does not coordinate with a candidate, committee or agent (Section 6);

- Requires campaign depository information for out-of-state committees to reflect the segregated accounts required in Section 5 (Section 7);
- Requires out-of-state committees to report contributions on a last-in-first-out basis and all Oklahoma contributions (Section 8);
- Requires itemization of contributors making contributions over \$200 (rather than \$50) for out-of-state and federal committees (Section 9);
- Requires registered committees to report last-minute independent expenditures, and requires other persons to file the same report for all independent expenditures (Section 10);
- Limits honoraria in the form of cash, checks or cash equivalents for elective officers to those not related to holding public office (Sections 11 and 12); and
- Requires Ethics Commission to conduct annual ethics training for members of the Legislature (Section 13).

Effective 7-1-07.

HB 2111 (Cargill/Coffee): Terminates various task forces, committees, commissions and other governmental entities that are no longer deemed necessary. Effective 11-1-07.

DEPARTMENT OF CENTRAL SERVICES FUNDING

The Department of Central Services received an FY'08 appropriation in the amount of \$16,757,297. This is a 23 percent increase over FY'07. The additional funds are for annualizing the \$3.2 million supplemental for appropriated building maintenance, energy, utilities and service contracts, and an additional \$2.2 million for deferred maintenance projects.

HEALTH MEASURES

SB 98 (Barrington/Richardson): Creates the Fire Extinguisher Licensing Act to regulate the sale, installation and servicing of portable fire extinguishers. Creates the Fire Extinguisher Industry Committee to assist the State Commissioner of Health in implementing Fire Extinguisher Licensing Act. Prohibits any person from engaging in the fire extinguisher industry without a license. Sets minimum standards for

portable fire extinguishers. Requires persons who service, install, inspect, certify, charge or test a portable fire extinguisher to affix a tag with specified information to the unit. Sets minimum requirements for any person applying for a license to engage in a fire extinguisher industry business. Specifies information required for an application for license. Directs the State Commissioner of Health to issue licenses to applicants who meet the qualifications, pay a license fee and are approved by the Fire Extinguisher Industry Committee and authorizes the Commissioner to invoke licensing sanctions in certain circumstances. Creates the Fire Extinguisher Industry Revolving Fund to be used to implement the Fire Extinguisher Licensing Act. Sets punishments for violation of the Fire Extinguisher Licensing Act. Extends the Committee of Home Inspector Examiners until July 1, 2013. Effective 11-1-07.

SB 139 (Williamson/Hamilton): Requires the State Department of Health to make a form available to physicians which requests information about abortions which the physician performs and requires physicians to submit the form to the Department. Directs the Department to publish a public report providing statistics from information compiled from the forms. Prohibits physicians from performing abortions without obtaining proof that the female is not a minor, is an emancipated minor or has been given judicial authorization as a minor, except in a medical emergency. Requires a parent who consents to an abortion to provide the physician proof of identification and a notarized statement. Directs physicians who perform abortions on minors without consent in a medical emergency to notify the parents. Requires physicians who perform abortions on minors to submit a form to the Department. Directs the Department to publish a public report providing statistics from information compiled from the forms. Makes it a felony to make a fraudulent representation in order to obtain an abortion for a minor. Makes it a felony for a physician to knowingly perform an abortion on a minor in violation of this act. Permits a minor or her parent to maintain a cause of action against the person who performed an abortion without complying with this act. States that this act and other sections of law relating to abortion are effective if any court enjoins, suspends or delays their implementation. Makes it unlawful for any person employed by the state to perform or assist an abortion not necessary to save the life of the mother, except in cases of rape and incest. Makes it unlawful for any public institution, facility or equipment con-

trolled by the state to be used for the purpose of an abortion not necessary to save the life of the mother, except in cases of rape and incest. Makes it unlawful for any funds received or controlled by the state to be used to encourage a woman to have an abortion not necessary to save the life of the mother and clarifies that a physician may discuss options through nondirective counseling. Prohibits health insurance plans from providing coverage for elective abortions except by an optional rider. Effective 11-1-07.

SB 151 (Crain/R. McDaniel (Randy)): Permits funds from the Community-based Substance Abuse Revolving Fund to be expended by the Department of Mental Health and Substance Abuse Services to contract with statewide substance abuse organizations to provide training and to establish and maintain a collaborative network of providers. Effective 11-1-07.

SB 399 (Adelson/Cox): Extends the benefits, powers, immunities, and protections afforded to political subdivisions under the Oklahoma Emergency Management Act of 2003 to county and city-county health departments. The bill modifies the definition of "catastrophic health emergency" in the Oklahoma Emergency Management Act of 2003 to include the appearance of new or previously controlled or eradicated infectious agents or biological toxins. Effective 11-1-07.

SB 424 (Adelson/Cox): Creates the All Kids Act. Directs the Oklahoma Health Care Authority to establish and maintain a program to provide medical coverage assistance to children 18 or younger whose family incomes are between 185% and 300% of the federal poverty level. Sets eligibility for the program and directs the Authority to provide assistance to families with children in the program by offering a voucher and/or subsidy toward the cost of privately sponsored health insurance. Permits the Authority to allow applicants to purchase access to the state-administered premium assistance program if privately sponsored health insurance is not available. Authorizes the Authority to offer partial coverage to children who are enrolled in a high-deductible private plan or to offer limit benefits to children who are not covered for certain benefits. Subjects families of children in the program to certain cost-sharing requirements. Specifies that funding for the act shall be provided by unused funds from the O-EPIC program. Directs the State Department of Health to contract with an organization in order to ex-

pand the Postponing Sexual Involvement (PSI) for Young Teens program to reduce the incidence of teen pregnancies in the state. Specifies that funding for the program shall be provided by unused funds from the O-EPIC program. Effective 6-4-07.

SB 455 (Adelson/Martin (Scott)): Creates the Dental Health Service within the State Department of Health to coordinate dental public health programs, advise the Department on matters involving oral health and implement oral health programs within the Department. Creates the Dental Loan Repayment Revolving Fund to be used for the purpose of repaying dental student loans. Effective 11-1-07.

SB 473 (Branan/Cox): Adds all parts of a zoo to which the public may be admitted to the list of places in which the possession of lighted tobacco is prohibited. Effective 11-1-07.

SB 494 (Rice/Worthen): Consolidates language prohibiting the Department of Mental Health and Substance Abuse Services (DMHSAS) from entering into contracts with non-certified entities. Adds exemption from requirements for licensed hospitals for certification of eating disorder treatment programs and gambling addiction treatment programs. Expands list of eligible services for which the Community-based Substance Abuse Revolving Fund may be used. Removes requirement that facilitators for 24-hour alcohol and drug substance abuse courses have a minimum amount of experience. Changes the renewal period for the certification of DUI assessors to every three years and adjusts the fee accordingly. Permits mechanical restraints to be used in emergencies under the consent and examination of a physician or physician's assistant. Clarifies language permitting persons in detention or lockup to be admitted to a facility for treatment if safety precautions are taken. Provides penalties for intentionally falsifying evaluations or giving evaluations in a negligent manner. Clarifies definition of "person" for purposes of act. Removes requirement that a notice of a hearing on a petition be given to DMHSAS. Adds the exclusion of holidays and weekends to the time limit within which a minor must be discharged if minor or parent of minor revokes consent. Permits a court-appointed guardian to apply for voluntary treatment for an alcohol or drug dependent person and deletes obsolete language permitting a minor to apply for such treatment without approval of parent or guardian. Effective 11-1-07.

SB 499 (Rice/Steele): Creates the Oklahoma Task Force on Hunger to expire on December 31, 2007. Directs the task force to make recommendations on coordinating services, extending programs, involving schools, connecting eligible people to existing programs, requiring provider accountability and implementing recommendations. Sets membership at 15 and directs the Department of Human Services to provide staff support. Requires that a report be submitted by December 31, 2007. Effective 7-1-07.

SB 620 (Rice/Steele): Deletes the educational requirement for licensed professional counselors which states that all degrees must be earned from a program accredited by the Master's in Psychology Accreditation Council and extends the deadline by which a licensed professional counselor must acquire an additional number of graduate credit hours in order to earn a professional specialty designation area. Extends the volunteer medical license to physicians who are actively licensed in another state and who wish to donate their expertise to the medical care of indigent persons in this state. Exempts out-of-state physicians that participate in the free medical care given through telemedicine with the Shriner's Hospitals of Children national network from provision prohibiting indirect compensation. Effective 11-1-07.

SB 738 (Morgan/Blackwell): Modifies definition of "assisted living center". Permits residents of an assisted living center to receive home care services, nursing care and hospice home services through a home care agency or other authorized entity. Directs the assisted living center to monitor and assure the delivery of such services. Permits a resident of an assisted living center to privately contract or arrange for private services. Directs a physician, representative of the assisted living center and the resident to develop a plan of accommodation for a resident of an assisted living center who develops a condition which is consistent with the facility's discharge criteria. Permits a long-term care facility to choose to participate in a pilot program in which an alternative to the informal dispute resolution may be utilized. Directs the State Department of Health to establish and maintain the pilot program and report its findings. Sets procedures for alternative informal dispute resolutions. Allows the State Department of Health to authorize long-term care administrators to be the administrator of record for more than one facility. Requires a member of the Oklahoma State Board

of Examiners for Long-Term Care Administrators to recuse himself from voting on matters which involve an entity with which the member is affiliated. Prohibits unsubstantiated complaints on long-term care facilities from being published on the Board's website. Directs the Board to promulgate rules governing the employment of assistant administrators. Effective 11-1-07.

SB 787 (Rice/Steele): Removes child abuse and neglect prevention planning districts and district child abuse prevention task forces. Removes requirement of the Office of Child Abuse Prevention to assist the Training Council. Authorizes the State Board of Health to promulgate rules to implement the duties of the Office of Child Abuse Prevention. Removes certain components of the comprehensive state plan for the prevention of child abuse and neglect. Requires the Office of Child Abuse Prevention to provide adequate opportunity for citizens and entities to participate at the local level in the development of the state plan. Modifies membership and duties of the interagency child abuse prevention task forces. Modifies duties of the Director for the Office of Child Abuse Prevention. Permits members of the Child Abuse Training and Coordination Council to assign a designee. Repeals section of law which establishes district child abuse prevention task forces. Effective 7-1-07.

SB 833 (Sparks/Steele): Requires that all information and records which identify a person who has participated in a public health investigation or who may have reported a communicable or non-communicable disease remain confidential. Effective 11-1-07.

SB 889 (Crain/Cox): Creates the Oklahoma Medicaid False Claims Act to establish procedures for investigation and prosecution of certain false or fraudulent claims. Effective 11-1-07.

SB 890 (Crain/Sullivan): Modifies provisions related to third party liability for medical expenses. Effective 11-1-07.

SB 903 (Crain/Cox): Creates the Twenty First Century Health Education and Research for Oklahoma Task Force to expire on January 31, 2008. Directs the task force to explore methods of long-term care financing to double the number of health care workers in Oklahoma and invest in research. Sets membership at 22 and directs the staffs of the Senate, the House of Representatives, the University of Oklahoma,

Oklahoma State University and Tulsa Community College to provide staff support. Effective 11-1-07.

HB 1297 (Derby/Crain): Expands scope of certain exception relating to payment of court costs. Adds oxycodone to the list of Schedule II controlled substances. Changes "dextropropoxyphene" to "propoxyphene". Permits money taken or detained by a peace officer to be deposited into an interest-bearing account at the direction of the district attorney and directs the interest to be returned to the claimant or forfeited with the money. Prohibits filing fees assessed by the court clerk for the filing of any forfeiture action. Defines "legitimate costs" in certain context. Effective 6-4-07.

HB 1375 (Schwartz/Adelson): Requires an ambulatory surgical center to have a formal transfer agreement with a general hospital or requires all physicians performing surgery in the ambulatory surgical center to have admitting privileges at a general hospital. Creates health care districts to promote efficient administration of health care service delivery for counties with a population of less than 100,000 and specifies duties of health care districts. Permits health care districts to be established by local communities wherein locally generated tax dollars are received for the benefit of local health care services or by the governing boards of hospitals located within such tax area. Allows health care districts to certify funds to the Oklahoma Health Care Authority for the purpose of applying for federal matching funds. Effective 11-1-07.

HB 1580 (Peters/Ford): Provides definition for "companion", "sitter", and "agency" for purposes of the act. Authorizes the State Board of Health to create a second level of licensure, with the advice and consent of the Home Health Advisory Board, to promulgate rules to cover agencies offering "companion" or "sitter" services, and to assess license fees. Requires the State Department of Health to investigate all complaints concerning agencies that provide "companion" or "sitter" services in the state. Requires persons providing these services to meet certain requirements and maintain certain records. Provides a penalty for violations. Effective 11-1-07.

HB 1631 (Joyner/Aldridge): Directs the State Department of Health to provide payroll and employee benefit administration and travel reimbursement services for the Oklahoma Professional Boxing Commission. Requires the De-

partment to process and make payment for a requested expenditure from Commission funds within 15 business days. Makes employees of the Commission unclassified employees of the Department for the purpose of administrative support and makes such employees under the direct supervision of the Commission administrator. States requirements for exemption from sanctioning permit for amateur boxing matches. Effective 11-1-07.

HB 1884 (Cargill/Lamb): Creates the Health-care Consumer Transparency Task Force to expire on December 31, 2008. Sets membership at 19 and directs the State Department of Health to provide administrative support. Directs the task force to make recommendations regarding a system for hospitals, ambulatory surgical centers and physicians to disclose to consumers the average charges for the treatment of common medical diagnoses and/or procedures. Modifies the membership of the Twenty-first Century Health Education and Research for Oklahoma Task Force. Effective 7-1-07.

HB 1933 (Steele/Johnson (Constance)): Extends the Strategic Planning Committee on the Olmstead Decision until July 1, 2010. Modifies purpose of the Committee. Reduces the number of appointed members from 17 to 15. Modifies membership requirements. Modifies and expands duties and responsibilities of the Committee. Extends date for submission of report. Requires certain agencies to develop, in cooperation with community stakeholders, a prescreening process to be utilized upon admission to a nursing facility. Lists components of prescreening process. Authorizes the Board of the Oklahoma Health Care Authority to promulgate rules to implement the prescreening process. Directs the Oklahoma Health Care Authority to develop and implement a durable medical equipment retrieval program. Authorizes the Board of the Oklahoma Health Care Authority to promulgate rules to implement the durable medical equipment retrieval program. Provides definition for "durable medical equipment" for purposes of the act. Effective 6-4-07.

HEALTH CARE AUTHORITY FUNDING

The Oklahoma Health Care Authority (OHCA) received \$771,709,298. This is a 9.9 percent increase over the agency's FY'07 appropriation. This budget assumes the Health Care Authority will have \$57.5 million in carryover for FY'08.

Major funding items include:

- \$19.9 million needed due to a decrease in federal matching fund (FMAP);
- \$23.4 million for growth in enrollment/utilization (The agency historically trends a 9 to 10 percent annual growth/utilization rate. This budget includes money for a growth/utilization rate of 7 percent.);
- \$13.3 million to annualize hospital rates up to the Upper Payment Limit (UPL);
- \$12.4 million for a 7% rate increase for nursing homes;
- \$9.3 million for a 3.5% increase in hospital reimbursement rates;
- \$2.5 million for a doctor reimbursement increase; and
- \$2.6 million for an anesthesiologist rate increase.

PUBLIC HEALTH FUNDING

The appropriation for the Department of Health is \$73,786,143. This is 3.6 percent more than the agency received in FY'07. This budget takes out \$100,000 for one-time funding of two mobile dental units and \$500,000 for a flu vaccine stockpile. The Department received \$247,000 for FY'08 contractual services with the Oklahoma State Board of Examiners for Long Term Care Administrators. The Department was also provided \$310,308 to provide for 16 newborn screening machines throughout the State. The Ryan White Drug Program received \$300,000 to help pay for medications for FY'08. The residency programs at OU and OSU also received funding in the Department's appropriation. OU's residency program received \$400,000 for its indigent care program in the Tulsa area. OSU's residency program received \$500,000 for five (5) new residents. Finally, \$300,000 was provided to be put into the uncompensated care formula for services provided at the State's Federally Qualified Health Centers (FQHC).

MENTAL HEALTH & SUBSTANCE ABUSE FUNDING

The Department of Mental Health and Substance Abuse Services received an appropriation of \$207,529,129. This is a 6.6 percent increase over the agency's FY'07 appropriation. Major funding items are as follows:

- \$3.375 million for annualizations including the Adolescent Drug Program (\$1.375 million), FY'07 provider rate increases (\$750,000), and Mental Health Court program (\$1.25 million);
- \$1.4 million for loss in federal funds;
- \$2.5 million for Core Services;
- \$100,000 for increased law enforcement transportation costs;
- \$1 million for 200 new Drug Court slots in Oklahoma County; and
- \$1.9 million for operations at Griffin Memorial Hospital in Norman and the Forensic Center in Vinita.

Additionally, the Department received \$2 million from the spillover from the Rainy Day Fund for the Smart on Crime Initiative.

HUMAN SERVICES MEASURES

SB 42 (Jolley/Cargill): Permits the Office of Administrative Hearings to allow electronic transmittals of documents and electronic signatures with safeguards. Effective 11-1-07.

SB 485 (Lamb/Enns): Authorizes the Commission for Rehabilitation Services to use Social Security reimbursement funds for a direct service delivery staff incentive program. Effective 11-1-07.

SB 938 (Laster/Jett): Permits the Department of Human Services, the State Department of Health and the State Fire Marshall to enter into an agreement with an Indian tribe which elects to apply for a license pursuant to the Oklahoma Child Care Facilities Licensing Act in order to allow the state to conduct inspections as required by the Act. Permits the state and Indian tribe to agree to a reasonable fee to be paid to the state for such inspections. Effective 11-1-07.

HB 1084 (Wesselhoft/Wilcoxson): Changes "Office of Handicapped Concerns" to the "Office of Disability Concerns" and extends the Electronic and Information Technology Accessibility Advisory Council until July 1, 2008. Effective 11-1-07.

HB 1510 (Ellis/Rabon): Permits the Commissioner of Health to waive any provision of the Nursing Home Care Act and applicable rules in order to foster the development of resident autonomy and individualization in nursing homes. Effective 7-23-07.

HB 1545 (Winchester/Johnson (Mike)): Title changes from the "Division of Juvenile Services" to "Division of Juvenile and Treatment Services". Removes the Division of Residential and Treatment Programs and transfers duties to the Division of Juvenile and Treatment Services. Permits the Executive Director of the Office of Juvenile Affairs (OJA) to establish other divisions within OJA. Effective 11-1-07.

HB 1645 (Peterson (Pam)/Anderson): Replaces language referencing the "Oklahoma Planning and Coordinating Council" and "community partnership districts" with "community partnership boards". Removes requirement that the Director of the Office of State Finance compile and transmit fiscal information related to state services for children, youth and families. Requires the Office of Planning and Coordination for Services to Children to provide an annual written report on its expenditures to community partnership boards. Gives the Oklahoma Commission on Children and Youth the option to designate community partnership board catchment areas. Requires systemic issues related to children and youth services to be collected annually and submitted to the Commission. Requires community plans to include a description of the resources needed to implement a local plan. Removes requirement that a community plan contain a plan for sharing data. Effective 7-1-07.

HB 1926 (McDaniel (Jeannie)/Riley): Creates the Advantage Waiver and Developmental Disability Services Rate Review Committee to review reimbursement rates and make recommendations regarding an increase in funding for services to persons not currently receiving services. Directs the Committee to submit a report. Sets membership of the Committee. Effective 7-1-07.

HB 1927 (Steele/Leftwich): Requires that employees of a court-appointed advocate program, or persons volunteering to become court-appointed special advocates for children to undergo criminal history background checks by the Oklahoma State Bureau of Investigation, as well as any other background check required by the Oklahoma Court-Appointed Special Advocates Association. The bill requires that if the prospective employee or volunteer has lived in Oklahoma for less than a year, a criminal history background check shall also be obtained from the previous state of residence. The criminal history records search conducted by the OSBI is deemed to be for law enforcement purposes, as set forth in statute. For the purposes of the Oklahoma Child Abuse Reporting and Prevention Act, the bill changes the definition of "neglect" to include omission or failure to provide adequate food, clothing, shelter or supervision. Effective 11-1-07.

HB 2078 (Jackson/Anderson): Modifies membership of the Greer Center Admissions Committee. Removes provision requiring the Admissions Committee to notify the Department of Mental Health and Substance Abuse Services of the decisions of the Committee. Requires that progress have been made in order for the interdisciplinary team of the Greer Center Facility to recommend a person for discharge. Requires that a referral to discharge be made to the Greer Center Discharge Committee and that the Committee make the final decision to discharge. Directs the Greer Center Discharge Committee to have certain membership and to review discharge referrals. Effective 11-1-07.

HUMAN SERVICES FUNDING

The Department of Human Services (DHS) was appropriated \$557,107,190 for FY'08. This amount represents a 4.0 percent increase (\$21,309,866) from the FY'07 appropriation. Funding changes will be used for the following:

- Replacement of federal funds lost due to the reduction in Oklahoma's Federal Medical Assistance Percentage (FMAP) (\$4,039,083);
- Increased funding for foster care for children who have been removed from their homes due to abuse or neglect (\$969,231);
- Increased funding for adoption assistance and subsidies for families adopting special-needs children (\$701,725);
- The ADvantage program, which provides home health care services as an alternative to nursing home care (\$12.5 million);

- Expanding 2-1-1 call centers in two additional communities which provide a single point of access for Oklahomans in need of social services and financial assistance (\$130,000);
- Increased funding for Level C specialized residential care to be used to operate 12 additional beds (\$167,000) and provide a rate increase (\$150,000);
- A mileage rate increase and increased total reimbursed miles for Senior Volunteer Programs (\$240,820);
- Grants to organizations assisting in the reintegration of persons released from Department of Corrections custody (\$100,000); and
- Completion of research and reporting on the High Risk Child Abuse Project by the University of Oklahoma (\$300,000).

DEPARTMENT OF REHABILITATION SERVICES FUNDING

The Department of Rehabilitation Services (DRS) was appropriated \$29,474,679 for FY'08. This amount represents a 0.9 percent increase (\$261,429) in state funds from the FY'07 appropriation. Because the FY'07 appropriation included \$224,000 in one-time funding for vehicle replacement, a total of \$485,429 is available to DRS in FY'08 to perform a number of functions. They include:

- Ensuring that salaries for teachers at the Oklahoma School for the Blind and the Oklahoma School for the Deaf conform to the State Public School Minimum Teacher Salary Schedule (\$102,000); and
- Meeting increased debt service costs on bonds outstanding for both the Oklahoma School for the Blind and the Oklahoma School for the Deaf (\$196,184).

DRS also received FY'07 Rainy Day Spillover funds for the following:

- HVAC replacement at the Oklahoma School for the Blind (\$1,592,000); and
- Fencing and security at the Oklahoma School for the Deaf (\$101,000) and the Oklahoma School for the Blind (\$307,000).

J.D. MCCARTY CENTER FUNDING

The J.D. McCarty Center received an appropriation of \$4,452,961. This is a 4.1 percent increase over the agency's FY'07 appropriation. The Center received \$81,000 for increase debt service payments.

COMMISSION ON CHILDREN AND YOUTH FUNDING

The Oklahoma Commission on Children and Youth (OCCY) was appropriated \$2,334,473 for FY'08. This amount represents an 11.1 percent increase (\$232,864) from the FY'07 appropriation. This funding increase will be used for replacement of federal Title IV-E fund (\$221,000).

OFFICE OF HANDICAPPED CONCERNS FUNDING

The Oklahoma Office of Handicapped Concerns (OHC) was appropriated \$412,769 for FY'08. This amount represents an 8.1 percent increase (\$30,956) from the FY'07 appropriation. This funding will be used for printing and distribution of materials for consumer and public outreach (\$15,000) and other operational increases (\$13,000).

INSURANCE MEASURES

SB 560 (Sparks/Sullivan): Allows the Insurance Commissioner to contract with nongovernmental entities to collect fees and taxes. Allows for electronic notification by insurers in cases of defective claims. Effective 7-1-07.

SB 1016 (Bass/Thompson): Relates to the Oklahoma Alcoholic Beverage Control Act. The bill modifies a prohibited act relating to mixed beverage or beer and wine licensees and designated bar areas. Effective 11-1-07.

HB 1928 (Steele/Adelson): Allows the maximum deposit in a health savings account to be the maximum contribution amount allowable under the Internal Revenue Code. Eliminates certain restrictions on expenditures from a health savings account. Requires OSEEGIB to make the health savings account available by offering a high deductible health plan to all persons who are eligible for health care insurance offered through or under the supervision of OSEEGIB. Effective 6-4-07.

HB 1960 (Peterson (Ron)/Brown): Provides for the Oklahoma Insurance Department annual omnibus bill. Requires property and casualty insurers to make loss runs or claims history available to policyholders within 30 days upon a written request by the policyholder. Provides the provisional license requirements for producers. Adds fee of \$40 for provisional license. Modifies requirements relating to continuing education requirements. Adds commercial marine and commercial automobile lines to cancellation requirements. Increases penalty for violations of funeral pre-need contracts. Specifies requirements of a non-resident adjuster license. Changes notice requirement to only when there is an increase in premium or reduction in coverage. Authorizes the Insurance Commissioner to enter into contracts for the payment of food, lodging and other expenses as may be necessary to host or conduct a conference or seminar. Effective 7-1-07.

HB 2118 (Jett/Aldridge): Specifies that sales at a salvage pool or salvage disposal sale shall be opened only to certain specified persons. Eliminates the buyer's identification card used to bid or buy at salvage pools or salvage disposal sales. Requires certain payments to be made based on certain transactions. Provides additional fines for violation of the Automotive Dismantlers and Parts Recycler Act. Repeals section of law relating to salvage dealers in other states and reciprocity. Effective 11-1-07.

INTOXICATING LIQUOR, SMOKING & TOBACCO LAWS MEASURES

SB 1078 (Nichols/Worthen): Relates to the Oklahoma Alcoholic Beverage Enforcement Commission and to low-point beer. The bill authorizes the Commission to revoke or suspend certain licenses for licensees that have been found to have accepted certain inducements from wholesalers of alcoholic beverages. The bill also adds a new penalty relating to in-

jury for those who violate certain prohibitions against permitting minors to possess or consume of low-point beer. Effective 11-1-07.

HB 1753 (Worthen/Rabon): Relates to intoxicating liquors and provides legislative intent regarding the alcoholic beverage industry. The bill also allows Oklahoma wineries to ship products manufactured in this state to consumers of legal age in other states where such shipments are allowed. Provision is made for certain record keeping relating to the shipments. Effective 11-1-07.

JUDICIARY/COURTS MEASURES

SB 145 (Crain/Sullivan): Allows district judges to carry weapons in courthouses when acting in the course and scope of employment and expands time period for renewal requirements for concealed handgun license. Effective 11-1-07.

SB 398 (Adelson/Sullivan): Modifies the Protective Services for Vulnerable Adults Act by adding a definition of "financial neglect", by adding persons required to make reports of suspected abuse of a vulnerable adult, and by allowing court to order certain actions with respect to property of a vulnerable adult. Effective 11-1-07.

SB 469 (Easley/Peters): States legislative intent to place children in guardianship proceedings in the custody of a family member and defines "support" for the purposes of consent to adoption. Effective 11-1-07.

SB 553 (Sparks/Peters): Modifies procedures related to the placement of children. Effective 7-1-07.

SB 634 (Lerblance/Sullivan): Establishes procedures for transfer of a case, modifies certain service requirements when a party has failed to appear in an action, provides for dismissal of any action in which no pleading has been filed or other action taken for one year, modifies subpoena procedures for actions pending outside of this state, and establishes procedures for service by a third party commercial carrier and for electronic service. Effective 11-1-07.

SB 664 (Leftwich/Peters): Modifies procedures related to domestic abuse and batterers intervention programs certified by the Attorney General. Effective 11-1-07.

SB 665 (Nichols/Ingmire): Prohibits amendment of victim impact statements and prohibits exclusion of such statements from the court record. Effective 11-1-07.

SB 790 (Leftwich/Steele): Creates the Letha Kay Louise Slate Act to provide parents, guardians, and legal custodians access to all reports considered by the court in any custody or visitation proceeding, provides for the release of certain information upon the death or near death of a child when a person has been charged with committing a crime that lead to the death or near death, and modifies the definition of "neglect" for purposes of the Oklahoma Child Abuse Reporting and Prevention Act. Effective 6-4-07.

SB 825 (Crain/Sullivan): Modifies examination, transcription and salary requirements for certified shorthand reporters. Effective 11-1-07.

SB 917 (Nichols/Terrill): Provides for admissibility of evidence of a defendant's prior commission of certain offenses in a criminal case in which the defendant is accused of sexual assault or child molestation. Effective 4-30-07.

SB 930 (Paddack/Cox): Extends coverage of the Governmental Tort Claims Act to certain persons and entities and allows the State Department of Health or a city-county health department to contract with charitable health care providers to provide free medical services to indigent persons and allows such providers to be considered employees of the state for purposes of the Governmental Tort Claims Act. Effective 11-1-07.

SB 943 (Williamson/Duncan): Modifies procedures for child support lien and requires DHS to develop an insurance industry data match reporting system to determine if an insurance claimant owes past due child support. Effective 11-1-07.

SB 944 (Williamson/Duncan): Prioritizes allocation of payer income when responding to notice of income assignment and National Medical Support Notice. Effective 11-1-07.

SB 945 (Williamson/Sullivan): Provides for enforcement by indirect contempt of orders for child support arrearages and orders for genetic testing in cases where paternity has not been established. Effective 11-1-07.

SB 990 (Corn/Worthen): Creates the Judicial and District Attorney Redistricting Task Force to study the redistricting of judicial districts and district attorney districts. Effective 7-1-07.

SB 1054 (Williamson/Peter): Allows court to receive an investigation and report regarding background and home of prospective guardian of incapacitated person and each member of the prospective guardian's household. Effective 6-04-07.

HB 1282 (Duncan/Lerblance): Permits a court clerk to accept other electronic payment methods in addition to debit or credit cards for any lawful purpose, including, but not limited to, payment for fees, fines, forfeiture payments, costs, penalty assessments, or other assessments to be collected by the court clerk. The bill prohibits court clerks from collecting a fee for accepting a credit or debit card. It requires court clerks, prior to the distribution of fees, to apportion on a pro rata basis costs for administration, acceptance, processing, and verification of credit or debit cards among all state, municipal or other government entities or funds entitled by law to receive payment from court clerk collections. It requires all credit and debit card costs to be deducted from court clerk collections before transmittal is made to state, municipal or other government entities or funds entitled by law to receive payment from court clerk collections, so that each entity entitled to payment will receive only its statutory share less its prorated share of the credit or debit card costs. The bill removes a previous requirement that a nationally recognized credit card be accepted by over one thousand merchants in this state before a court clerk can accept it. It removes the authority of the court clerk to determine which nationally recognized credit or debit cards will be accepted, and authorizes the Administrative Office of the Courts to negotiate and organize statewide contracts for the acceptance and processing of credit and debit cards and related equipment. The bill requires court clerks to assess a fee of \$25 to be credited to the Oklahoma Court Information System Revolving Fund and a fee of \$3 to be credited to the Office of the Attorney General Victim Services Unit in addition to flat fees collected for civil cases. It requires court clerks to assess a fee of \$25 to be credited to the Oklahoma Court Information System Revolving Fund, a fee of \$3 to be credited to the Office of the Attorney General Victim Services Unit, and a fee of \$3 to be credited to the Child Abuse Multidisciplinary Account in addition to flat

fees collected for certain criminal cases. Effective 7-1-07.

HB 1284 (Sherrer/Burrage): Prohibits property owners from damaging or removing fences or authorizing certain improvements until notice has been given to adjacent property owners. Effective 11-1-07.

HB 1340 (Piatt/Crutchfield): Modifies procedures related to title of manufactured homes. Effective 11-1-07.

HB 1579 (Peters/Barrington): Modifies procedures related to preliminary inquiry and petition for juvenile proceedings. Effective 11-1-07.

HB 1682 (Johnson (Dennis)/Garrison): Modifies provisions related to grandparental visitation rights, including requiring a grandparent seeking visitation to show that the grandparent had a preexisting relationship with the child that predates the filing for visitation and prohibiting a court from granting such visitation if the parents of the child are married and object to such visitation. Effective 5-7-07.

HB 1927 (Steele/Leftwich): Requires background checks for court-appointed special advocates and modifies certain appellate procedures. Effective 11-1-07.

COURTS FUNDING

The Legislature appropriated to the Supreme Court an additional \$1,077,682 to fund the increased debt service payments the Court will incur to complete renovations of the Wiley Post Building. The Court also received \$1,396,830 for benefit and retirement costs, as well as operations.

The Workers' Compensation Court received additional funds in the amount of \$353,699 to annualize the court reporter pay raises enacted in FY'07 and fund increases in benefit and retirement costs.

The Court of Criminal Appeals received \$125,000 in additional funding in FY'08, which represents annualization of the Court's FY'07 supplemental. The Court also received \$258,000 for benefit and retirement costs, as well as operations.

The District Courts received additional appropriations of \$3,271,506, which covered benefit and retirement costs, as well as operations.

MOTOR VEHICLES, WATER VESSELS & LICENSING MEASURES

SB 410 (Corn/Thompson): Requires that all proceeds in excess of \$1,216,000 collected by the Department of Public Safety for size, weight, and load permits, including overweight permits, be directed to the Weigh Station Improvement Fund, to be used for motor carrier permitting systems and motor carrier safety and enforcement. Effective 7-1-07.

SB 464 (Johnson (Constance)/Key): Declares the federal REAL ID Act of 2005 to be inimical to the security and well-being of the people of Oklahoma, as it will cost the state more than \$8,000,000, and was adopted by the United States Congress in violation of the Tenth Amendment. It declares that Oklahoma will not participate in the Act, prohibits the Department of Public Safety from implementing any provision of the Act, and requires the Department to report to the Governor and the Legislature any federal attempt to secure the implementation of the Act. It prohibits any department or agency of the state charged with license issuance or vehicle registration to collect, obtain, or retain any data in compliance with the Act. It requires that any biometric data previously collected, obtained, or retained in connection with license issuance or vehicle registration in compliance with the Act to be retrieved and deleted from any and all databases. For the purposes of the bill, "biometric data" includes facial feature patterns, voice data, iris recognition data, retinal scans, handwritten signature characteristics, fingerprints, keystroke dynamics, hand geometry, and DNA/RNA. Effective 11-1-07.

SB 739 (Myers/Dank): Prohibits knowingly and intentionally destroying, removing, covering, altering, or defacing trim tag plates on motor vehicles manufactured from 1953 to 1977. Prohibits affixing counterfeit trim tag plates to motor vehicles. Prohibits manufacturing, selling, offering for sale, introducing, delivering or importing counterfeit trim tag plates. Certain exceptions are provided for persons engaged in the repair of a motor vehicle and the removal of trim tag plates from junk vehicles for historical documentation purposes. A first offense is a misdemeanor. A second or subsequent offense is a felony. The bill authorizes civil actions by defrauded persons against convicted violators, allows such defrauded persons to seek treble their compensatory damages, and allows courts

to award reasonable costs and attorney fees to the prevailing party. Effective 11-1-07.

HB 1016 (Carey/Coates): Requires person possessing an agricultural tax exemption permit and owning an all-terrain vehicle or off-road motorcycle to have a title as proof of ownership, if ownership is transferred on or after 7-1-08. HB 1016 also makes provisions for security interests in ATVs perfected before 7-1-05. Effective 11-1-07.

HB 1288 (Glenn/Ballenger): Creates misdemeanor for persons failing to stop after an accident involving certain property. Effective 11-1-07.

HB 1306 (Enns/Branan): Requires traffic control devices used to warn and guide the public regarding an upcoming highway merge to display the words "Merge Now". Effective 11-1-07.

HB 1606 (Shannon/Coates): Changes the specifications of an all-terrain vehicle as defined in the Oklahoma Vehicle License and Registration Act to specify vehicles with a width of 48 inches or less, a weight of 800 pounds or less, a seat designed to be straddled, and handlebars for steering. Effective 11-1-07.

HB 1686 (Nations/Rice): Prohibits persons under 18 from operating or riding as passengers on ATVs without wearing a crash helmet. It prohibits ATV operators from carrying passengers unless the ATV has been specifically designed for them. The bill sets a fine of \$25 for violations, and authorizes any peace officer of the state, including park rangers, to issue citations. All money collected from such citations is directed to the Oklahoma Tourism and Recreation Department Revolving Fund for credit to the park where the citation was issued. The bill requires a parent or guardian or the owner of an ATV who has allowed a person under 18 to operate an ATV in violation of the bill's provisions to be liable for the penalty. The applicability of the bill is limited to the use of ATVs on public lands. Effective 11-1-07.

HB 1702 (Morgan/Bingman): Authorizes rubber-tired road construction vehicles carrying no other load than safely secured component parts and their own weight, but which may be overweight by other provisions of law, to move on state highways. Effective 11-1-07.

HB 1777 (Thompson/Lamb): In the place of previous statutory exceptions for overweight vehicles, the bill directs the Commissioner of

Public Safety to issue annual overweight permits at no cost to municipalities and rural fire districts for transporting firefighting apparatus, to owners of implements of husbandry, and to retail implement dealers while hauling implements of husbandry. Department of Transportation research vehicles are no longer exempted from vehicle size, weight, and load limits. The bill prohibits the Department of Transportation from preventing sign placement by contract in any county with a population of less than 500,000. Effective 7-1-07.

The bill adds vehicles transporting flour to the list of vehicles operating under size, weight, and load exceptions that must purchase \$100 annual special overload permits. Effective 11-1-07.

HB 1798 (Armes/Schulz): Permits farm tractors, self-propelled farm equipment units, and implements of husbandry to be equipped with a flashing strobe light that is visible at least five hundred feet from the front or rear of the vehicle. Effective 11-1-07.

PROFESSIONS & OCCUPATIONS MEASURES

SB 60 (Ford/Sears): Relates to the State Architectural and Interior Designers Act. The bill modifies a certain Code Use Group exempted from the Act. The bill also changes a requirement for registration that may be waived. Effective 4-24-07.

SB 996 (Crain/Terrill): Relates to bail bondsmen and to the forfeiture procedure. The bill modifies a certain time limit for when a bond shall be exonerated by operation of law. It also modifies a certain time to return a defendant to custody and for a request for remitter. Effective 11-1-07.

SB 1006 (Rabon/Martin (Steve)): Relates to the Oklahoma Real Estate License Code, the Elevator Safety Act and the Residential Property Condition Disclosure Act. The bill modifies the terms of the Oklahoma Real Estate Commission and modifies a duty of the Oklahoma Real Estate Contract Form Committee. The bill adds new law relating to materials of the Commission that are confidential and not public records and to certain national criminal history record checks for applicants for licensure. The bill modifies the definition of elevator to exclude certain elevators from the Elevator Safety Act.

The bill also modifies the duty of a real estate licensee under the Residential Property Condition Disclosure Act. Effective 1-1-08.

SB 1032 (Easley/Adkins): Relates to the Oklahoma Chiropractic Practice Act. The bill adds a new definition for non-clinical and adds a requirement for certain hours of continuing education. Effective 11-1-07.

HB 2152 (Armes/Rabon): Relates to the Elevator Safety Act. The bill modifies the definition of elevator to exclude certain elevators, conveyances, manlifts or similar devices in grain elevators, grain warehouses, seed processing facilities, feed mills and/or flour mills not accessible to or used by the general public. Effective 6-1-07.

PUBLIC FINANCE MEASURES

SB 1 (Brogdon/Wesselhoft): Creates the "Taxpayer Transparency Act" to require the Office of State Finance to develop and operate a website which provides information on all state expenditures, incentive payments and tax credits. The website will be operational by 1-1-08 and searchable by 1-1-09. Effective 11-1-07.

SB 447 (Bingman/McNeil): Provides for distribution of funds under the Rural Economic Action Plan (REAP) apportioned to associations of local governmental jurisdictions. Under current law, such funds are deposited into ten separate accounts, one of which is divided equally between associations containing municipalities of over 350,000 persons (Oklahoma City and Tulsa). SB 447 provides that if additional funds are appropriated, the associations containing Oklahoma City and Tulsa will receive additional monies until they receive the same amount the other associations receive, after which time all eleven associations will receive an equal share. Effective 7-1-07.

SB 751 (Bass/Armes): Creates the Military Base Protection and Expansion Incentive Act. The bill authorizes the Oklahoma Development Finance Authority to issue bonds to fund loans for capital projects to political subdivisions experiencing growth due to military bases. States legislative intent to appropriate the interest on the loans for the first five years. The bill also amends the Oklahoma Quality Jobs Incentive Leverage Act to authorize the approval of a single, 12-month extension for establishments

that receive incentive payments to meet their investment requirements. Effective 6-4-07.

PUBLIC SAFETY & HOMELAND SECURITY MEASURES

SB 35 (Crain/Tibbs): Prevents any person with a learner's permit who has been convicted of a traffic offense from graduating to an intermediate Class D license until they have held their permit for at least six months beyond the date of the offense. Any additional offenses cause the six-month period to be recalculated to start at the date of the last offense. The bill prevents any person with an intermediate Class D license who has been convicted of a traffic offense from graduating to a Class D license until they have held their intermediate Class D license for either one year, or six months if they have completed certain driver education and training, as applicable, beyond the date of the offense. Any additional offenses cause the applicable time period to be recalculated to start at the date of the last offense. The bill directs the Department of Public Safety to develop a procedure whereby a registered sex offender, designated by the Department of Corrections as an aggravated or habitual offender, applying for a driver license or ID card, shall be issued a license or card bearing the words "Sex Offender". It requires the Department of Public Safety to notify every person subject to such registration who currently possesses a license or ID card to surrender their card within 180 days of the notice. Upon surrendering their card, the person may apply for a "Sex Offender" card. Failure to comply results in cancellation of the current card, effective for one year, after which time the person may apply for a "Sex Offender" card. Continued use of a cancelled card results in a misdemeanor and a fine of \$25 to \$200. The bill allows a person to apply for a standard card once they are no longer required to be registered with the Department of Corrections as a sex offender. The bill prevents any liability or cause of action against the Department of Corrections for failing to designate a sex offender as aggravated or habitual. Effective 11-1-07.

SB 129 (Corn/Peterson (Ron)): Authorizes the Commissioner of the Department of Public Safety to establish a procedure for reviewing and compiling a report of the driving records of state residents who have committed traffic violations or have undergone certain status changes within a certain period of time. The

bill permits the Department to sell this report to insurance companies licensed to operate in this state at a fee to be set by the Department. The bill requires that the fee be sufficient to recover all costs incurred by the Department in producing such report. Deposit of the fee is directed to the Department of Public Safety Revolving Fund. Effective 11-1-07.

SB 633 (Lamb/Duncan): Authorizes the Department of Corrections to design and install high-voltage electric fence systems at all existing and proposed medium and maximum security prisons. The bill requires that signs be posted on all sides of such fence systems displaying the warning "Deadly Voltage". The bill specifies where such fence systems shall be installed relative to perimeter fences. Exemptions are created for electricity providers or providers of parts for fence construction from liability for any accident, injury or death occurring as a result of fence construction or operation, unless caused by wanton misconduct on the part of such providers. Effective 11-1-07.

SB 1130 (Lamb/Johnson (Rob)): The bill requires the Department of Corrections, in conjunction with the Pardon and Parole Board, to track the success and recidivism of parolees required to have a two-stage parole consideration for the first three years following their parole. The annual and cumulative data to be collected must include offense type, sentence length, release information, number of persons by offense type eligible for parole, number of persons by offense type recommended for parole, re-arrest data, reincarceration data, employment data, and any other beneficial information. The bill requires the collected information to be made available to the Legislature, the Criminal Justice Resource Center, and the Governor no later than March 1 following the first data collection period. Effective 11-1-07.

HB 1027 (Smithson/Corn): Prohibits convicted felons, persons under Department of Corrections supervision, or persons previously adjudicated as a delinquent child or a youthful offender from possessing, carrying in a vehicle either as the operator or as a passenger, or having in their place of residence any altered air or toy pistol, in addition to any firearm. The bill extends the same penalty for use of a firearm while committing a felony to use an altered air or toy pistol while committing a felony. The bill defines "altered toy pistol" as toy weapons which have been altered to resemble real weapons. It defines "altered air pistol" as air pistols

altered from their original manufactured state. Effective 11-1-07.

HB 1090 (Sherrer/Burrage): Adjusts the penalty for impersonation of a peace officer to a misdemeanor punishable by imprisonment in the county jail for up to a year, a fine of up to \$100, or both. The bill creates a misdemeanor for affixing an insignia to a vehicle that causes people to yield right-of-way under the belief that the vehicle is an authorized emergency vehicle. The penalty is imprisonment in the county jail for up to a year, a fine of up to \$1000, or both. It allows privately owned vehicles designated by a sheriff as support vehicles for the sheriff's office to be equipped with sirens and flashing lights. The bill allows courts to waive certain court fees associated with crimes committed while driving with a license that has been suspended, revoked, canceled, denied or disqualified. Effective 11-1-07.

HB 1579 (Peters/Barrington): Allows a district attorney to defer filing a petition alleging a juvenile to be a delinquent or in need of supervision for up to six months if the juvenile participates in a program approved by the juvenile court and the district attorney. If the district attorney defers filing a petition, the juvenile may be required to pay a fee equal to the court costs for such a petition being filed. The fee is directed to the agency responsible for supervision of the juvenile, or if the agency is a juvenile bureau, the fee is directed to a county Juvenile Deferral Fee Revolving Fund to be used by the bureau to defray costs for bureau operation. In counties without juvenile bureaus in which the Office of Juvenile Affairs or one of their contracting agencies provides supervision of the juvenile, the bill directs the fee to the Office to be used to defray costs for operation. The bill removes a requirement for juvenile bureau counselors to be appointed by a Juvenile Division judge and allows counselors and other persons to be employed by the director of the juvenile bureau with the approval of the judge. It prevents counselors and other employees from being removed by the judge, and grants the authority of removal to the director. The bill permits a district attorney to disclose Office of Juvenile Affairs agency records to victims of a delinquent child, and permits such agency records to be inspected by the United States Office of Homeland Security or any employee of the United States Probation Office. Effective 11-1-07.

HB 1616 (Roan/Lamb): Requires that municipal police department members be commissioned officers of that municipality before they are eligible for service as law enforcement officials for any other municipality, a sheriff's office, the Oklahoma Highway Patrol, or as deputies of a county sheriff. The bill requires that any person adjudicated as a delinquent child or youth offender be prohibited from driving with a firearm or imitation firearm for ten years after that adjudication, whether or not the firearm is easily concealable. The bill prohibits aiding or assisting a person in bypassing a security checkpoint by holding open a secured entryway or by passing items through a secured entryway. It requires all persons approaching a security checkpoint to obey the requests of security staff. The bill creates an exception for the Department of Transportation or the Oklahoma Turnpike Authority in soliciting business or engaging in highway remediation and cleanup without obtaining a license from the Department of Environmental Quality. It requires that any person appointed to the Oklahoma Highway Patrol Division on or after July 1, 2010, have a bachelor's degree, or an associate's degree plus two years of law enforcement service or two years of military service. It authorizes the Commissioner of Public Safety to permit employees of the Department of Public Safety to use state-owned vehicles and a fuel-purchasing card while attending certain training. Department of Public Safety employees attending the FBI Academy are allowed a one-time expense allowance of \$2,000, but shall not be further eligible for reimbursement through the State Travel Reimbursement Act. Any other department or agency reimbursements given to that employee shall be given to the Department, and any purchases made by the employee with the expense allowance shall be property of the employee. The bill requires all records relating to Department of Public Safety investigations to be confidential, with the exception of disclosures to federal officers, state, county, or municipal law enforcement personnel, and district attorneys, made at the discretion of the Commissioner. The bill creates a misdemeanor for unauthorized disclosure of such information, which constitutes willful neglect and grounds for dismissal. Exceptions are provided for disclosing such information to agencies or individuals providing interpreter services, document analysis, or laboratory services, but any such parties receiving confidential information are subject to the same restrictions as Department personnel. The bill removes the ability of the Commissioner of Public Safety to run special traffic-related enforcement

on federal-aid primary highways or state highways located within the boundaries or on the outskirts of a municipality. It permits a municipality's district attorney, a majority of county commissioners, the State Auditor and Inspector, the State Attorney General, or a state legislator representing a municipality to request the Commissioner of Public Safety to review the traffic-related enforcement of that municipality. The Commissioner may conduct such a review at his or her discretion. The requesting party is directed to fully cooperate with the Commissioner during such a review. The bill requires the Department of Public Safety to adopt rules for initiating, investigating, and reporting to the State Attorney General the results of such a review. The bill excludes members of the Capitol Patrol and the Lake Patrol from certain retirement entitlements for Oklahoma Highway Patrol personnel. It adds one complete uniform to the list of items to be presented to a spouse or next-of-kin of a deceased officer of the Oklahoma Highway Patrol, excluding members of the Capitol Patrol and the Lake Patrol. It removes members of the Capitol Patrol and Lake Patrol from participation in the Oklahoma Law Enforcement Retirement System, and adds in cadets of a Department of Public Safety Patrol Academy. The bill directs the deposit of fines assessed against persons convicted of failure to yield a right-of-way which causes a fatality or serious injury to the Motorcycle Education Program Revolving Fund. It requires monies deposited in this fund to be used to promote the dangers of driving while intoxicated and to promote motorcycle safety and defensive driving for youth. The bill reorganizes statutory language regarding left turns performed by motor vehicles for better comprehension, preserving the original effect of the language. It prohibits turning a vehicle to proceed in the opposite direction unless such a turn can be made with reasonable safety and without interfering with other traffic. The bill redefines "mobility-impaired driver" to mean a person with a physical disability that would qualify them for a physical disability placard. It authorizes gasoline stations to voluntarily participate in a refueling service program for mobility-impaired drivers who display a physical disability placard, a physically disabled license plate, or a disabled veteran's license plate. The bill waives charges for room and board within the Oklahoma System of Higher Education to children of commissioned members of the Oklahoma Law Enforcement Retirement System who have died in the line of duty. Such a waiver is limited to five years, and is considered a service benefit of a com-

missioned member of the Oklahoma Law Enforcement Retirement System. The bill adds flight duration to the list of information that pilots must enter into a log book after completion of a flight in a state-owned airplane. The bill codifies in statute the rules promulgated by the Department of Central Services for "Use of Public Areas of the Capitol and Plazas" and "Use of State Capitol Park" which currently exist in the Oklahoma Administrative Code. The Department of Public Safety has exclusive right to enforce these rules. It creates a misdemeanor for rule violation, punishable by up to one year in county jail, a fine of up to \$500, or both. The bill repeals Section 563 of Title 19, which relates to short-wave radio transmitting stations and receiving sets and their regulation by the Department of Public Safety.

The bill repeals Sections 565.1, 565.2, and 565.3 of Title 19, which relate to the establishment, administration, and superintendent qualifications of county bureaus of identification. The bill repeals Section 607 of Title 37, which relates to prohibited acts in relation to Oklahoma driver license or identification cards. The bill repeals Section 2-105A of Title 47, which relates to transfer of certain DPS personnel to the Capitol Patrol Division of the Oklahoma Highway Patrol. The bill repeals Section 2-309.7 of Title 47, which relates to the transfer of officers in Gunsmith/Ammunition Reloader Division of the Department of Public Safety from the OPERS retirement system to the OLERS retirement system. The bill repeals Sections 6-101.2, 6-101.3, 6-101.4, and 6-101.5 of Title 47, which relate to the Oklahoma KIDS ID Act and Program. The bill repeals Section 6-105.1 of Title 47, which relates to special permits to operate motor-driven cycles in competitive events. The bill repeals Section 11-403.2 of Title 47, which relates to the Motorcycle Safety and Drunk Driving Awareness Fund. The bill repeals Section 40-106 of Title 47, which relates to violations of provisions of previous sections. The bill repeals Section 1604 of Title 47, which relates to refueling identification cards issued by the Department of Public Safety. Effective 4-30-07.

HB 1617 (Roan/Corn): Amends the definition of "recipient's identification number" in the Anti-Drug Diversion Act to include the number from a valid passport or military ID. Effective 11-1-07.

HB 1618 (Roan/Corn): Requires that in the psychological evaluation required for any police or peace officer, the employing agency must use

a psychological instrument approved by CLEET. The employing agency shall administer such instrument according to the standards within the test document. The bill requires the employing agency to provide to the psychologist a statement confirming the identity of the tested person, and that it administered the psychological instrument according to the standards in the test document. The psychologist is required to report back to the agency the results of the assessment and may include additional recommendations. The bill prohibits any additional procedures or requirements from being imposed for the purpose of psychological evaluation. Effective 11-1-07.

HB 1650 (Peterson (Pam)/Paddack): Requires CLEET, by January 1, 2008, to include in its required courses of study a minimum of six hours of evidence-based sexual assault and sexual violence training. It requires a portion of the training to include instruction from a certified sexual assault services provider. The bill requires every CLEET-certified, full-time active peace officer to attend and complete the training by January 1, 2012. It directs CLEET to promulgate rules to enforce the development and administration of the training, and requires CLEET to use the assistance of a certified sexual assault services provider in developing the curriculum. Effective 11-1-07.

HB 1707 (Billy/Corn): Exempts Department of Corrections vehicles designed for use by probation and parole operations from requirements to affix the words "State of Oklahoma" to state vehicles along with the name of the state department. Effective 11-1-07.

HB 1742 (Duncan/Lamb): Creates an option for any person applying for a concealed handgun license or renewing such a license to request that the license be valid for ten years. The bill requires the fee for such a license to be doubled. Effective 11-1-07.

HB 1795 (Armes/Justice): Requires Oklahoma State Bureau of Investigation rangers to enter into a bond executed by a surety company in the sum of \$500,000 to indemnify against damages accruing as a result of any unlawful acts on the part of the ranger. Effective 11-1-07.

HB 1868 (Tibbs/Paddack): Requires determination of the eligibility of a motor vehicle accident prevention course to reduce a policyholder's auto insurance premium to be made by the insurance company of the policyholder

rather than the Department of Public Safety. The bill changes the administrative structure of the Department of Public Safety to remove the Driver License Administration, to rename the Driver Improvement Division as the Driver Compliance Division, and to remove the Financial Responsibility Division. The bill strikes sections of statute that require all current Department of Public Safety investigation records to be confidential and closed to the public, provide limited exceptions, and establish a misdemeanor penalty for unauthorized disclosures. The bill prohibits protestation of any notice served by the Department of Public Safety relating to motor vehicle operation on the grounds that the person failed to receive the notice due to failure to notify the Department of an address change. It requires excessive users of alcohol or other substances with license suspensions to abstain from such substances for either 12 or 18 months (as determined by Oklahoma Administrative Code) before their license can be reinstated. It requires driver license applicants to provide on their application a mailing address to be maintained by the Department of Public Safety for giving notice as necessary. It requires that all classes of driver license bear a residential address rather than a mailing address. It creates a misdemeanor for failing to carry a driver license while operating a motor vehicle or failing to display a license upon the demand of a peace officer. Violators may present a license to the court on or before their court date which was valid at the time of their arrest to be entitled for a charge dismissal without payment of court costs and fine. The bill requires persons who have moved to a residential address other than that which appears on their license to notify the Department of Public Safety within 10 days of their address change and provide their license number and old and new residential addresses. It requires the Department of Public Safety to maintain an index containing names, driver license numbers, and mailing addresses of every licensed person for the purpose of giving notice as necessary. It requires repeat license revocations for certain offenses to be for a period of 1 or 3 years, dependent upon the type of offense, if committed within 10 years of the first offense, and prevents those revocation periods from being modified. The bill exempts insurance policies covering commercial motor vehicles from being subject to the Department of Public Safety's online verification system for motor vehicle insurance. In addition to a fine of \$25 to \$250, the bill requires that a counterfeit insurance verification form be punishable by a suspension of driving privileges for 2 months

on a first offense, 6 months on a second offense, and 1 year for a third or subsequent offense. These suspensions will remain in effect until the offender shows proof of valid insurance to the Department of Public Safety. Any person convicted of this violation must surrender within 30 days of conviction their driver license and the license plate of any vehicle registered in their name that is not covered by an insurance policy. Failure to surrender on time results in a \$50 fine. The bill puts taxis operating outside of corporate city limits under the jurisdiction of the Corporation Commission rather than the Department of Public Safety. The bill adds complications due to pregnancy to the list of eligibilities for a handicapped parking placard. It requires selling dealers of new or used motor vehicles, travel trailers or commercial trailers to place a temporary license plate on any vehicle or trailer sold, made of a weatherproof plastic-impregnated substance approved by the Used Motor Vehicle and Parts Commission, and require that the temporary plate be placed at the location for the permanent plate. It directs the Used Motor Vehicle and Parts Commission to develop a temporary plate design to incorporate these requirements so as to permit law enforcement personnel to readily identify the dealer license number and date of vehicle purchase. The bill removes the titles of Highway Patrol Major and Director of Alcohol and Drug Countermeasures Unit from the list of unclassified Department of Public Safety employees. It removes an unclassified Department of Public Safety employee's right of return to a previously held vacant classified position with the department. The bill adds the following positions to the Office of State Finance's list of eligible unclassified employees: Security Technicians; Enterprise Communications and Network Administrator; Server Support Specialists; Senior Server Support Specialists; Systems Support Specialists; Senior Systems Support Specialists. Effective 11-1-07.

***PUBLIC EMPLOYEES – RETIREMENT/
INSURANCE/PAY/BENEFITS MEASURES***

SB 63 (Crain/Hickman): Provides that for county retirement systems (Tulsa and Oklahoma counties) the county may make increased contributions over the current amount allowed according to a specified schedule. Effective 7-1-07.

SB 357 (Crutchfield/Benge): Phases-in over a three-year period an increase in the employer contribution rate of employers participating in the Teachers' Retirement System of Oklahoma. Specifies that such rate increase will only become effective if funding is provided to cover the additional costs. Provides procedures to make sure that the portion of the sales, use and income taxes earmarked for teachers' retirement is not reduced below a baseline amount in the case of economic downturns or tax cuts. Effective 11-1-07.

SB 674 (Nichols/Armes): Brings the Oklahoma Firefighters Pension and Retirement System into compliance with Internal Revenue Service requirements as it relates to the direct payment of qualified health insurance premiums and the rollover of distributions of a nonspouse beneficiary. Effective 7-1-07.

SB 691 (Adelson/Peterson (Ron)): Authorizes in Oklahoma and Tulsa counties the board of trustees and the board of county commissioners to allow retirees to return to work on a part-time basis after the first month of retirement and continue to be eligible for their retirement benefits. Effective 5-14-07.

SB 695 (Corn/Hickman): Brings the Oklahoma Police Pension and Retirement System and the Oklahoma Law Enforcement Retirement System into compliance with Internal Revenue Service requirements as it relates to the direct payment of qualified health insurance premiums and the rollover of distributions of a non-spouse beneficiary. Effective 7-1-07.

SB 859 (Barrington/Joyner): Modifies the definition of "volunteer firefighter" to clarify that a person who is a salaried public safety employee of a municipality shall not serve as a volunteer firefighter of a volunteer fire department unless the person is off duty and such service is not a condition of employment. Specifies distribution of pension benefits for members who lose their life under certain circumstances. Allows the pension to continue for physically or mentally disabled children of members who lose their life and specifies how the benefits will be held and administered for such disabled child. Effective 6-4-07.

SB 1092 (Mazzei/Jones): Clarifies the process of funding the Teachers' Retirement System of Oklahoma employer contribution rate increase. Requires the State Board of Equalization to make certain determination regarding tax reve-

nues earmarked to the Teachers' Retirement System of Oklahoma. Effective 11-1-07.

SB 1112 (Mazzei/Jones): Allows the Executive Director of the Oklahoma Public Employees Retirement System to waive the sixty-day notice requirement for retirement. Specifies date when benefit reduction becomes effective. Modifies various procedures relating to the implementation and administration of the Oklahoma Pension Legislation Actuarial Analysis Act. Effective 7-1-07.

HB 1122 (Benge/Crutchfield): Increases the number of full-time-equivalent employees for the Oklahoma Student Loan Authority and the Employees Benefit Council. Increases the maximum annual salary for the director of the Board of Governors of the Licensed Architects, Landscape Architects and Interior Designers of Oklahoma. Modifies the unclassified register by adding unclassified positions for the Corporation Commission, Office of State Finance, Office of Personnel Management, Oklahoma State Bureau of Investigation, Department of Transportation, Oklahoma State and Education Employees Group Insurance Board and Office of Juvenile Affairs. Modifies definition of seasonal employees for the Department of Tourism to be those who work less than 1,600 hours in any twelve-month period. Effective 7-1-07.

HB 1619 (Johnson (Rob)/Leftwich): Increases the salary schedule for the Agent I and Agent II positions at the Oklahoma State Bureau of Investigation. Effective 11-1-07.

HB 1674 (Thomsen/Lamb): Provides for payment of the flexible benefit allowance for the remainder of the current benefit term in cases where the employee of a school district fulfills the terms of their contract and terminates employment for the subsequent year. Effective 5-31-07.

HB 2070 (Benge/Mazzei): Subjects the Oklahoma Firefighters Pension and Retirement System, Oklahoma Police Pension and Retirement System and Oklahoma Law Enforcement Retirement System to the provisions of the Oklahoma Pension Legislation Actuarial Analysis Act. Clarifies the definition of a nonfiscal retirement bill as it relates to a bill providing for a cost-of-living adjustment. Specifies the determination of concurrent funding as it relates to a fiscal retirement bill containing a cost-of-living adjustment. Specifies that a member of the Teachers' Retirement System will not be able to remove capped employment service pur-

suant to the Education Employees Service Incentive Plan if the funding is not provided to cover the cost of the employer contribution rate increase. Effective 7-1-07 for Section 4. Effective 11-1-07 for Sections 1-3.

STATE EMPLOYEE PAY RAISE FUNDING

The Legislature approved SB 82XX last year. It provided a five percent across the board pay raise for most state employees. Some law enforcement personnel were excluded from this raise, but given a larger salary adjustment in SB 82XX in order to get them closer to the regional average salary. The five percent raise became effective on October 1, 2006. This year, the Legislature was required to fund the remaining three-month cost of the raise to state agencies. Approximately \$18,231,229 was appropriated for this purpose.

REVENUE & TAXATION MEASURES

SB 72 (Crain/Jordan): Provides that when improvements to residential real property straddle a taxing jurisdiction boundary line, the improvements are assessed for ad valorem purposes in the taxing jurisdiction in which the physical majority of the improvements are located. Effective 1-1-08.

SB 119 (Bingman/Adkins): Modifies the sales tax exemption for electricity used on enhanced recovery projects in the production of oil. The bill clarifies that to be eligible for the tax exemption, oil recovered after the enhanced recovery cannot exceed 1 percent by volume. Effective 7-1-07.

SB 149 (Crain/Peters): Requires the Oklahoma Tax Commission to include on income and corporate tax return forms the opportunity for the taxpayer to make a donation from a tax refund for Oklahoma Silver Haired Legislature Alumni Association activities. Effective 11-1-07.

SB 368 (Laughlin/Liebmann): Requires the Office of State Finance to develop a multi year trend analysis of the state's budget outlook. Creates the Task Force on Dynamic Revenue Forecasting to study and develop recommendations for the Oklahoma Tax Commission regarding the use of dynamic revenue forecasting to analyze proposed tax legislation. Requires the Tax Commission to use a dynamic revenue estimating model to develop revenue estimates of proposed legislation. Effective 11-1-07.

SB 685 (Mazzei/Terrill): Modifies various tax provisions, including:

- Clarifies the sales tax exemption status of certain corporate asset transfers;
- Modifies dates and references for the income tax rate "trigger" for purposes of conforming to the acceleration of the tax rate reduction;
- Clarifies the income tax exemption for certain capital gains;
- Clarifies that certain funds appropriated to the Tax Commission are intended for expenses associated with county assessor accreditation and training; and
- Clarifies certain deadlines associated with the "freeport" ad valorem exemption.

Effective 11-1-07 for Section 2. All other sections are effective 1-1-08.

SB 798 (Gumm/Piatt): Reinstates an expired 5-year ad valorem tax exemption for qualified warehousing and distribution facilities. Effective 11-1-07.

SB 806 (Mazzei/Terrill): Modifies various tax provisions, including:

- Reduces license fee for distiller and rectifier of alcoholic beverages until 2010;
- Modifies definition and certain procedures relating to 9-1-1 wireless emergency service fee;
- Modifies definition of "sale for resale" as it relates to goods with a point of sale outside the U.S.;
- Reinstates sales tax exemptions for sale of certain advertising by Oklahoma Department of Tourism and Recreation, sales of food boxes by certain charitable organizations and sale of construction materials used for certain church construction contracts;
- Creates sales tax exemptions for certain nonprofit organizations benefiting the developmentally disabled, certain youth shelters, certain childcare facilities and specified contractors to such facilities and certain military service organizations;
- Requires out-of-state agricultural permit holders who purchase goods with a point of sale outside the U.S. to provide certain documentation;
- Exempts churches with federal nonprofit income tax status from the requirement to obtain a sales tax special event permit;

- Modifies regulatory requirements for certain federally regulated investment companies under the Small Business Capital Formation Incentive Act and the Rural Venture Capital Formation Incentive Act;
- Creates income tax deduction for certain expenses associated with organ donation;
- Requires a checkoff on the income tax form for the donation of an income tax refund to regional food banks; and
- Permits the buyer of certain delinquent tax sale property to use certified funds rather than cash.

Effective 7-1-07 for Section 1. Effective 11-1-07 for Sections 2 through 9 and 12. Effective 1-1-08 for Sections 10 and 11.

SB 814 (Williamson/Sullivan): Modifies procedures relating to tax refund intercept where Department of Human Services is attempting to provide for child support payments. Effective 7-1-07.

SB 854 (Wilson/Liebmann): Makes certain types of contributions to the Oklahoma College Savings Plan ineligible for an income tax deduction. Effective 7-1-07.

SB 861 (Barrington/Terrill): Modifies various tax provisions, including:

- Provides franchise tax exemption for taxpayers owing \$250 or less;
- Provides a sales tax holiday for the sale of clothing or footwear with a sales price under \$100 during the first weekend in August each year. Requires cities and counties to be reimbursed for the loss of sales tax revenue;
- Accelerates the reduction in the top marginal income tax rate for 2008 (to 5.5%) and 2009 (to 5.25% if revenues are adequate); and
- Provides an income tax deduction which may be claimed if a taxpayer: 1) is a parent of a dependent child; 2) does not claim the Oklahoma child care expense credit; and 3) has an annual adjusted gross income of \$100,000 or less.

Effective 7-1-07 for Sections 2 through 6 (sales tax holiday). Effective 1-1-08 for Sections 1, 7 and 8.

SB 922 (Leftwich/Terrill): Authorizes incentive levies made by college technology center school districts or technology center school districts to apply to certain overlap territory. Limits such

levies to one district making an incentive levy in the overlap territory at any given time. Effective 7-1-07.

SB 1076 (Wilson/Terrill): Modifies various tax provisions, including:

- Modifies statutory reference relating to county excise board procedures;
- Modifies numerous provisions relating to the application of sales tax on telecommunications for purposes of conformity under the Streamlined Sales Tax Agreement;
- Modifies the date after which certain sales tax sourcing rule applies to florists;
- Modifies dates relating to electronic filing of income tax return and claim filing under Sales Tax Relief Act; and
- Modifies Tax Commission procedure relating to rebate of certain workers' compensation assessment.

Effective 11-1-07.

HB 1094 (Piatt/Crutchfield): Provides charity games tax exemption for sales of bingo equipment to group homes for the mentally disabled. Effective 7-1-07.

HB 1485 (Adkins/Bingman): Provides for a specific method of assessing the taxable value of personal property used in the exploration of oil, gas and other minerals. Clarifies the right of a taxpayer to appeal an order of a board of equalization. Permits gas producers to deduct certain marketing costs when computing the gross value of gas for purposes of gross production and petroleum excise taxes. Defines what constitutes marketing costs and how such costs are determined. Effective 1-1-08.

HB 1513 (DeWitt/Myers): Modifies income tax credit for qualified ethanol and biodiesel facilities by extending sunset and other dates. Effective 11-1-07.

HB 1544 (Winchester/Branan): Creates sales tax exemption for specified businesses primarily engaged in repair of consumer electronics. Effective 7-1-07.

HB 1562 (Denney/Laughlin): Modifies an existing ad valorem tax exemption for "continuum of care" communities by eliminating a county population threshold, dependent on date of construction. Effective 1-1-08.

HB 1718 (Miller/Gumm): Extends the sunset date to 2010 for the 3-tier gross production tax on oil and gas and for certain gross production tax exemptions for economically at-risk oil or gas leases. Effective 7-1-07.

HB 1916 (Richardson/Justice): Exempts certain aboveground fuel storage tanks from the requirements of Corporation Commission rules which were to become effective in July of 2007. Requires the Corporation Commission to amend existing rules to allow storage tanks designed and built for underground use to be used as aboveground storage tanks if they are used with secondary containment. Exempts from motor fuel tax biofuels or biodiesel produced by an individual with crops grown by the individual and used in a vehicle owned by the individual. Modifies certain dates relating to income tax credit for qualified biodiesel facilities.

Emergency for Section 1. Effective 1-1-08 for Sections 2 and 3.

HB 2051 (Glenn/Garrison): Permits those with a special license plate for an antique or classic vehicle to obtain a 10-year registration at the cost of \$75. Tag agents would receive the full portion of the 10-year fee during the initial registration. Effective 11-1-07.

TELECOMMUNICATIONS & TECHNOLOGY MEASURES

SB 712 (Williamson/Tibbs): Creates the Anti-Caller ID Spoofing Act to prohibit callers from knowingly inserting false information into a caller ID system. Effective 11-1-07.

HB 1017 (Carey/Jolley): Requires address of the manufacturer of a sound recording or audiovisual work to be displayed on such item if it is offered for sale, rental or other distribution. Effective 11-1-07.

TOURISM & WILDLIFE MEASURES

SB 470 (Wilson/Piatt): Allows the Department of Tourism and Recreation to keep confidential business plans, feasibility studies, financing proposals, marketing plans, financial statements or trade secrets submitted by a person or entity seeking economic advice from the Department; allows the Tourism and Recreation Commission to transfer property known as "Tsa La Gi" to the Oklahoma Historical Society; di-

rects royalty payments to be deposited in the State Parks Trust Fund and allows the Fund to be invested with the State Treasurer; creates the "Lake Murray Area Infrastructure Support Act"; gives directions to the Oklahoma Tax Commission on state sales tax revenue collected. Effective 7-1-07.

SB 558 (Sparks/Richardson): Modifies costs of deer archery hunting license and primitive firearms licenses for legal residents under 18 years of age to \$9 and modifies the requirements for waiver of bond or cash deposits for license dealers. Effective 11-1-07.

HB 1042 (Smithson/Wyrick): Modifies age requirement for hunter safety certification by:

- Exempting a youth hunter under 16 years of age from hunter safety certification if they are accompanied by a licensed hunter 21 years of age or older who possesses a certificate of hunter safety;
- Stating a youth hunter who possesses a certificate of hunter safety may hunt small game without an accompanying hunter as long as the youth hunter carries the certification on their person; and
- Allowing a resident without hunter safety certification to purchase an apprentice lifetime license which will allow them to hunt only if they are accompanied by a licensed hunter 21 years of age or older who possesses a certificate of hunter safety. Effective 7-1-07.

HB 1393 (Richardson/Ford): Redefines the definition of "resident" for the purpose of purchasing a license, permit, stamp or any other issue of the Department of Wildlife Conservation. Also authorizes a person who is not otherwise a resident and is a member of the Armed Forces of the United States, and is on active duty and assigned to a military base located in Oklahoma, the eligibility to qualify as a resident. Also sets fee for duplication of lost licenses and authorizes a payment in lieu of administrative fine for persons arrested for violating any rule promulgated by the Oklahoma Wildlife Conservation Commission. Effective 4-24-07.

HB 2064 (Richardson/Barrington): Authorizes the Department of Wildlife Conservation to issue permits to certain persons to control nuisance or damage by any species of wildlife including beaver, coyote, deer, bobcat, raccoon and crow. These permits will be valid to control the wildlife at night to protect marketable agri-

cultural crops, livestock, or processed feed, seed or other materials used in the production of an agricultural commodity. The permits are for a period of up to one year from the date the permit was issued and persons with a valid permit shall be required to have a current agricultural exemption permit issued by the Oklahoma Tax Commission. Persons with such permit may use a headlight carried on the person while hunting at night and any hunting with a headlight mounted on a vehicle or from a public roadway shall be illegal. Effective 11-1-07.

TOURISM FUNDING

SB 334 appropriates \$27,826,991 to the Department of Tourism and Recreation. This is a \$753,617 increase over the agency's FY'07 appropriation.

The agency will receive \$191,000 to operate the new Visitor's Center being built in the State Capitol and an additional \$150,000 for multi-county organizations.

J.M. DAVIS COMMISSION FUNDING

SB 334 appropriates \$535,403 to the J.M. Davis Memorial Commission. This is a \$153,237 increase over the agency's FY'07 appropriation. Most of the increase will be used for capital needs such as roof repair and resurfacing.

WILL ROGERS COMMISSION FUNDING

SB 334 appropriates \$1,083,702 to the Will Rogers Memorial Commission. This is a \$158,506 increase over the agency's FY'07 appropriation. Most of the increase will be used for maintenance and repairs.

TRANSPORTATION MEASURES

SB 86 (Myers/Peterson (Ron): Modifies the definition of "motorized bicycle". The bill also amends the definition of "personal information" relating to vehicle registration records maintained by the Tax Commission. The bill authorizes the Tax Commission to sell certain information for use in connection with matters of motor vehicle or driver safety and theft, motor vehicle emissions, motor vehicle product altera-

tions, recalls or advisories for a reasonable fee. Effective 6-4-07.

SB 140 (Bass/Schwartz): Authorizes the Highway Construction Materials Technician Certification Board to govern the training of construction inspectors, first line construction supervisors, and other highway workers who are not registered materials technicians. Effective 4-18-07.

SB 378 (Ballenger/Rousselot): Modifies the current statutes to allow boards of county commissioners to join together with other counties to create a circuit engineering district and a statewide board. This bill modifies the powers of the Statewide Circuit Engineering District and amends the name of their revolving fund. SB 378 also requires the State Auditor and Inspector to audit the Statewide Circuit Engineering District annually at the board's cost. Effective 7-1-07.

SB 533 (Garrison/Rousselot): Names a portion of SH 69 to honor Colonel Albert Hill of Muskogee, a portion of the Muskogee Turnpike to honor the 929th Troop Carrier Group of US Air Force Reserve and the Alton M. Ashworth US Army Reserve Center, a portion of SH 270 and 271 in Wister to honor Danny Martinez, an overpass located on SH 59 and 271 to honor Sergeant Buddy Hughie of Poteau, and designates SH 20 between Pryor and Salina to honor PFC John Reece, Jr. Effective 5-18-07.

SB 563 (Aldridge/Banz): Modifies the retention of monies, by the Oklahoma Department of Transportation, in the Public Transit Revolving Fund by amending current statutes to provide payments for new public mass transportation programs at a rate of Seventy-five cents (\$0.75) per passenger mile instead of per vehicle revenue mile. Effective 5-14-07.

SB 622 (Anderson/Jackson): Modifies certain agreements between aircraft manufacturers and their dealers located in this state. This bill would limit certain contractual agreement practices to contracts or agreements which were in place prior to July 1, 2007. Effective 7-1-07.

SJR 14 (Brown/Adkins): Urges the US Department of Transportation to include the Tulsa, OK, to Springfield, MO, rail line in its existing Missouri Amtrak feasibility study as part of the approved study of the St. Louis to Springfield rail line. Effective 4-9-07.

HB 1346: (Rousselot/Garrison): Designates a portion of SH 51B in Porter as the Rex Lee Brown Memorial Highway. Effective 11-1-07.

HB 1443 (Banz/Aldridge): Designates a portion of Interstate 40 near Midwest City as the "Freedom Freeway" and a portion of the Broken Arrow Expressway in Broken Arrow as the "Disabled American Veterans Highway". Effective 11-1-07.

HB 1754 (Worthen/Myers): Requires highway authorities to notify the operators maintaining utility facilities such as lines, poles and pipelines prior to conducting design surveys for proposed improvement, construction or reconstruction of a highway. Upon receipt of such notice, the operators of any utility facility would have 10 days to locate and mark their facilities. Effective 11-1-07.

HB 1819 (Martin (Scott)/Branan): Amends the law relating to bidding requirements of highway contracts. The change allows for bidding on surface treatment road projects in twenty-mile sections. Emergency.

HB 1872 (Johnson (Dennis)/Garrison): Relates to the exceptions for complying with the Public Competitive Bidding Act of 1974 in case of emergency. The change adds the Oklahoma Turnpike Authority to the exceptions for notice and bids on contracts of less than \$35,000 and not to exceed \$500,000. Effective 11-1-07.

HB 1941 (McMullen/Ivester): Provides for the naming of state highway and bridges. A clarification to the "Luke James Memorial Highway" was made by adding the ranking of 2nd Lieutenant to the designation. Other highway designations included: "Senator Bryan Dacus Memorial Highway", "Donald J. Gott Memorial Highway", and "Spc. Joshua Pearce Memorial Highway". The bridge designations included: "Harley Leaird Memorial Bridge", "Joseph Sevier Memorial Bridge", and "Lonnie Duke Memorial Bridge". Effective 11-1-07.

HB 2087 (Jackson/Leftwich): Modifies the law on calculations of vehicle excise tax. The change adds a requirement to include the number of tires and tire rim diameters on a vehicle bill of sale to be furnished by the seller to the purchaser. Effective 11-1-07.

VETERANS & MILITARY AFFAIRS MEASURES

SB 17 (Barrington/Coody): Designates the week in which Veterans Day falls as "Celebrate Freedom Week". The bill requires that by December 31, 2007, all public school districts in the state must include as part of their social studies curriculum during Celebrate Freedom Week or any other full week appropriate instruction concerning the Declaration of Independence, the United States Constitution, and the Bill of Rights. The bill prohibits censorship of religious references when teaching these documents. It directs a study of the ideas expressed in the Declaration of Independence as they relate to subsequent American history, the immigrant heritage of the nation, the American Revolution, the formulation of the Constitution, the abolitionist movement, and the women's suffrage movement. The bill requires that students in grades three through twelve be taught to recite a specific passage in the Declaration. The bill provides exceptions from student recitation in the cases of objecting parents, conscientious objection by the student, or if the student is the child of a representative of a foreign government to whom the United States extends diplomatic immunity. The bill repeals two sections of law that designate December 15 as "Bill of Rights Day" and recommend certain commemoration of the Bill in schools on that day. Effective 7-1-07.

SB 158 (Bass/Jordan): Prohibits a court from making a final order modifying custody of a child if the custodial parent is required to be separated from the child due to military service until the completion of the term of duty. Effective 4-18-07.

SB 1026 (Bass/Duncan): Creates the Uniform State Code of Military Justice.

VETERANS FUNDING

The Department of Veterans Affairs received an appropriation of \$40,282,600. This is a 2.4 percent increase over the agency's FY'07 appropriation. The Department received \$94,000 for increased debt service payments and \$103,000 for increased medical supplies costs.

MILITARY DEPARTMENT FUNDING

The Military Department received an FY'08 appropriation in the amount of \$13,654,939. \$372,638 was added for deferred maintenance on BRAC-Retained facilities to bring all BRAC armories up to full compliance with all building codes.

**SENATE AND HOUSE CONCURRENT
RESOLUTIONS**

SCR 4 (Branan/Dank): Commending the life of Mex L. Frates and offering condolences upon her death. Adopted 3-28-07.

SCR 5 (Garrison/Pruett): Designating February 14, 2007, County Government Day. Adopted 2-13-07.

SCR 6 (Crain/Steele): Medicaid; urging reauthorization of the State Children's Health Insurance Program. Adopted 5-17-07.

SCR 7 (Wilson/Brown): Honoring the life of the late Congressman Ted Risenhoover. Adopted 4-2-07.

SCR 8 (Ivester/Wesselhoft): Designating February 17, 2007 as Vets for Victory Day. Adopted 2-20-07.

SCR 10 (Brogdon/Key): Urging U.S. withdrawal from the Security and Prosperity Partnership of North America. Adopted 5-17-07.

SCR 12 (Corn/Brannon): Commending the service of the late Sgt. Buddy Hughie. Adopted 3-5-07.

SCR 13 (Leftwich/Steele): Supporting the goal of eliminating suffering and death due to cancer by 2015. Adopted 5-2-07.

SCR 14 (Leftwich/Thompson): Commemorating United Parcel Service's 100th anniversary. Adopted 3-26-07.

SCR 17 (Leftwich/Terrill): Authorizing Board of Regents of Oklahoma City Community College to issue revenue bonds. Adopted 5-10-07.

SCR 20 (Morgan/Ingmire): Commending the Oklahoma Celtic Heritage Association. Adopted 3-19-07.

SCR 21 (Mazzei/Peterson (Pam)): Commending ONEOK upon their 100th anniversary. Adopted 3-21-07.

SCR 22 (Wilson/Brown): Mourning the loss of U.S. Army Sgt. William J. Beardsley. Adopted 5-7-07.

SCR 24 (Sparks/Winchester): Honoring the life and career of the Reverend Dick Virtue. Adopted 4-3-07.

SCR 25 (Eason McIntyre/Shelton): Designating October 15, 2007, Pregnancy and Infant Loss Remembrance Day in the State of Oklahoma. Adopted 5-17-07.

SCR 27 (Johnson (Constance)/Joyner): Congratulating the Midwest City High School Bombers boys basketball team upon winning the 2007 Class 6A State Championship. Adopted 4-17-07.

SCR 28 (Garrison/McPeak): Authorizing the Board of Regents for Oklahoma A&M Colleges to issue revenue bonds on behalf of Connors State College. Adopted 5-15-07.

SCR 31 (Wilson/Hoskin): Commending the military accomplishments of Sergeant Billy Walkabout. Adopted 5-15-07.

SCR 32 (Schulz/Braddock): Dedicating the Robert M. "Bob" Kerr Memorial Highway. Adopted 4-30-07.

SCR 34 (Corn/Smithson): Commending the life of the late Corporal Josh Pickard, USMC. Adopted 5-17-07.

SCR 35 (Easley/Rousselot): Commending the career of Bill Secrest; designating May 8, 2007, Bill Secrest Day. Adopted 5-23-07.

SCR 41 (Morgan/Cargill): Setting date and time of sine die adjournment of First Session of 51st Oklahoma Legislature. Adopted 5-25-07.

HCR 1010 (Peterson (Ron)/Paddack): Concurrent Resolution creating the Core Health Benefit Task Force. Adopted 5-7-07.

HCR 1014 (Pittman/Eason McIntyre): Recognizing the seventh annual observance of the National Black HIV/AIDS Awareness Day on February 7, 2007. Adopted 3-14-07.

HCR 1015 (Murphey/Anderson): Requiring the original Great Seal of Oklahoma to be moved to Guthrie, Oklahoma, during the week of November 12th - 16th, 2007. Adopted 5-9-07.

HCR 1020 (Lamons/Adelson): Recognizing the importance of finding the cause and cure for multiple sclerosis; expressing appreciation to the Oklahoma Chapter of the National Multiple Sclerosis Society (NMSS) for its work; proclaiming March 2007, Multiple Sclerosis Awareness Month. Adopted 3-28-07.

HCR 1022 (Martin (Scott)/Sparks): Concurrent resolution designating March 26, 2007, as Diabetes Awareness Day in State of Oklahoma; distribution. Adopted 3-26-07.

HCR 1023 (Sullivan/Williamson): Praising Colonel James E. Swett for his leadership and service; expressing appreciation. Adopted 3-22-07.

HCR 1025 (Lamons/Adelson): Recognizing the 400th Anniversary of the founding of Jamestown in the Commonwealth of Virginia. Adopted 5-23-07.

HCR 1027 (Dorman/Justice): Declaring May 9, 2007, to be Meningitis Awareness Day. Adopted 5-14-07.

HCR 1028 (Worthen/Adelson): Establishing the Task Force on Juvenile Offender Substance Abuse Assessment. Adopted 5-24-07.

HCR 1034 (Lamons/Adelson): Congratulating The Oklahoma State University Center for Health Sciences (OSU/CHS) College of Osteopathic Medicine. Adopted 5-23-07.

HCR 1036 (Liebmann/Laster): Oklahoma Water Resources Board. Adopted 5-16-07.

HCR 1037 (Jackson/Bingman): Relating to the rules of the Oklahoma Aeronautics Commission. Adopted 5-22-07.

HCR 1038 (Wesselhoft/Adelson): Supporting Nation of Israel and congratulating Israel on fifty-ninth anniversary of its founding. Adopted 5-23-07.

HCR 1039 (Hyman/Crutchfield): Declaring November to be Lung Cancer Awareness Month. Adopted 5-23-07.

HCR 1040 (Proctor/Brogdon): Requesting federal government to reinstate buyouts of private property around airports from willing private property owners. Adopted 5-22-07.

HCR 1041 (Jett/Aldridge): Recognizing importance of international education at institutions of higher education. Adopted 5-23-07.

SENATE AND HOUSE RESOLUTIONS

SR 2 (Branan): Praising the life and accomplishments of the late Edward C. Joullian. Adopted 2-19-07.

SR 3 (Branan): Commending Bishop McGuinness High School for winning the 2006 Class 4-A State Football Championship. Adopted 4-11-07.

SR 4 (Coffee): Commending the public service of the late President Gerald R. Ford. Adopted 2-5-07.

SR 5 (Leftwich): Congratulating Aaron Ross upon his selection as the 2006 Jim Thorpe Award winner. Adopted 2-12-07.

SR 6 (Johnson (Constance): Designating February 7, 2007, National Black HIV/AIDS Awareness Day. Adopted 2-7-07.

SR 7 (Schulz): Designating February 20, 2007, Oklahoma Emergency Management Day at the state capitol. Adopted 2-20-07.

SR 8 (Rabon): Commending B.J. Thomas for his many contributions to Oklahoma. Adopted 2-21-07.

SR 9 (Lerblance): Congratulating the McAlester Lady Buffs for winning the Class 5A State Volleyball Championship. Adopted 2-21-07.

SR 10 (Jolley): Commending the public career of former State Senator Bryce Baggett. Adopted 2-21-07.

SR 11 (Jolley): Mourning the loss of Dr. Garland Godfrey. Adopted 3-19-07.

SR 12 (Mazzei): Commending the 2006 Jenks High School Football team for winning the State Class 6A Championship. Adopted 4-11-07.

SR 14 (Nichols): Commending Col./Chief Jerry N. Cason upon the occasion of his retirement from the Oklahoma Highway Patrol. Adopted 3-13-07.

SR 15 (Reynolds): Designating March 15, 2007, Red Cross Day at the State Capitol. Adopted 3-15-07.

SR 16 (Rice): Welcoming Ken Burns to the Oklahoma State Capitol; designating March 15, 2007, Ken Burns Appreciation Day. Adopted 3-15-07.

SR 17 (Gumm): Welcoming Pastor Alva Gumm as Chaplain of the Oklahoma State Senate. Adopted 3-21-07.

SR 18 (Crain): Congratulating Lindsey Miller upon being crowned Miss Oklahoma for 2007. Adopted 3-19-07.

SR 19 (Lerblance): Commending the Red Oak Lady Eagles Fastpitch Softball Team. Adopted 3-21-07.

SR 21 (Morgan): Commending Boys and Girls Clubs across Oklahoma. Adopted 3-28-07.

SR 22 (Corn): Praising the law enforcement career of the late Danny Martinez. Adopted 3-28-07.

SR 23 (Branan): Commending the Bishop McGuinness High School basketball program. Adopted 4-11-07.

SR 25 (Justice): Designating April 4, 2007, 4-H Day at the Oklahoma State Capitol. Adopted 4-4-07.

SR 26 (Riley): Congratulating Melissa Soto upon her selection as Mrs. Sand Springs 2007. Adopted 4-3-07.

SR 27 (Brown): Congratulating Chastity Anderson upon her selection as Mrs. Oklahoma 2006. Adopted 4-3-07.

SR 28 (Nichols): Commending the governmental career of Gary W. Gardenhire. Adopted 4-4-07.

SR 29 (Barrington): Proclaiming May 1, 2007, Silver Star Day in the State of Oklahoma. Adopted 5-1-07.

SR 30 (Sweeden): Endorsing the Housing America 2007 goals. Adopted 4-12-07.

SR 31 (Jolley): Congratulating the Oklahoma Christian School Saints for winning the Class 2A boys State Basketball Championship. Adopted 4-25-07.

SR 32 (Johnson (Mike)): Declaring April 2007, Autism Awareness Month. Adopted 4-26-07.

SR 33 (Rabon): Memorializing Congress to keep Farmer Service Agencies in Oklahoma open. Adopted 4-25-07.

SR 34 (Sparks): Praising the accomplishments of the University of Oklahoma's Women's Head Basketball Coach Sherri Coale. Adopted 4-30-07.

SR 35 (Jolley): Designating May 1, 2007, Science and Technology Day at the State Capitol. Adopted 5-1-07.

SR 36 (Lamb): Designating May 2007, Arthritis Month in the State of Oklahoma. Adopted 5-3-07.

SR 37 (Morgan): Commending the public service of Samuel Jackson. Adopted 5-7-07.

SR 38 (Morgan): Praising the memory of Oklahoma native and war hero Major Bob Neighbors. Adopted 5-7-07.

SR 40 (Ivester): Honoring the heroism of Trooper Shawn Laughlin. Adopted 5-10-07.

SR 41 (Garrison): Honoring Trooper Tom Taylor for his humanitarian effort. Adopted 5-10-07.

SR 42 (Nichols): Declaring May 10, 2007, Oklahoma Centennial Weather and Climate History Day in the State of Oklahoma. Adopted 5-10-07.

SR 43 (Burrage): Commending Sequoyah High School football team for winning the 2006 State Class 3A Championship. Adopted 5-16-07.

SR 44 (Paddock): Commending the cement plant in Ada, Oklahoma, for 100 years of continuous operation. Adopted 5-22-07.

SR 45 (Laster): Praising the Department of Human Services for hosting the 2007 Southwest Regional Support Enforcement Association Training Conference. Adopted 5-17-07.

SR 46 (Crain): Promoting access to capital markets and business development. Adopted 5-23-07.

SR 48 (Laster): Providing for property and supplies of Senate; specifying duties of President Pro Tempore. Adopted 5-24-07.

SR 49 (Johnson (Constance)): Commending Millwood High School for their three state championships. Adopted 5-24-07.

SR 50 (Rabon): Commending all those who have contributed to the McCurtain County Veteran's Memorial Museum. Adopted 5-23-07.

SR 51 (Johnson (Constance)): Commending the Douglas High School Lady Trojans Track Team for winning the State Class 4A Championship. Adopted 5-24-07.

HR 1002 (Cargill): Resolution providing for temporary employees of House of Representatives. Adopted 2-5-07.

HR 1003 (Cargill): Rules of the 51st Oklahoma Legislature. Adopted 2-5-07.

HR 1005 (Covey): Resolution designating February 20, 2007, "Oklahoma Emergency Management Day" at State Capitol; commending and welcoming emergency managers; distribution. Adopted 2-20-07.

HR 1006 (Blackwell): Resolution proclaiming March 2 as Read Across America Day. Adopted 3-5-07.

HR 1007 (Wesselhoft): A Resolution honoring prisoners of war. Adopted 3-12-07.

HR 1009 (Sullivan): Resolution honoring Lindsey Miller as Miss Oklahoma 2006; commending her accomplishments; distribution. Adopted 3-19-07.

HR 1010 (Morgan): Resolution celebrating 85th birthday of Bob Rousselot; honoring his service; expressing condolences; distribution. Adopted 3-19-07.

HR 1011 (Coody): Resolution honoring Lauren Nelson of Oklahoma, Miss America 2007; commending her accomplishments; distribution. Adopted 3-19-07.

HR 1013 (Jett): House rules; establishing a special rule for House Bill 1234; termination. Adopted 3-21-07.

HR 1015 By (Steele): Resolution proclaiming April 28, 2007, as the second annual Kelsey Briggs Day. Adopted 4-19-07.

HR 1016 (Rousselot): Concurrent Resolution recognizing service of members of the Civil Air Transport and Air America; distribution. Adopted 4-9-07.

HR 1017 (Jones): Resolution commending Boys & Girls Clubs of Oklahoma for outstanding service; distribution. Adopted 3-28-07.

HR 1018 (Steele): Resolution designating Shawnee as Water Garden Capital of Oklahoma. Adopted 3-29-07.

HR 1019 (Duncan): Resolution honoring Pat Pittman for his outstanding year as President of Oklahoma Elks Association; wishing him well; distribution. Adopted 4-19-07.

HR 1020 (Armes): Resolution designating April 4, 2007, as "4-H Day"; urging people to become more aware of program. Adopted 4-4-07.

HR 1021 (Shannon): A Resolution condemning the U.S. House of Representatives leadership for their plan to relocate terrorists to Fort Sill, Oklahoma, or anywhere else in the continental United States; distribution. Adopted 4-10-07.

HR 1022 (Denney): Resolution observing May 3, 2007, as the National Day of Prayer. Adopted 5-3-07.

HR 1023 (Richardson): Resolution declaring April as Autism Awareness Month; distribution. Adopted 4-24-07.

HR 1024 (Denney): Resolution observing April 25, 2007, as Malaria Awareness Day. Adopted 4-25-07.

HR 1025 (Dorman): Resolution declaring first week of May 2007 as Suicide Prevention Week; distribution. Adopted 5-3-07.

HR 1026 (Murphey): Resolution encouraging retirement systems managed by State of Oklahoma to divest certain assets; distribution. Adopted 5-16-07.

HR 1027 (Gilbert): Resolution declaring May 2007 as Autoimmune Disease and Scleroderma Awareness Month; distribution. Adopted 5-9-07.

HR 1028 (Jackson): Resolution designating May 1, 2007, as Science and Technology Day at Oklahoma State Capitol. Adopted 5-1-07.

HR 1029 (Morgan): Resolution congratulating the StableRidge Winery; expressing appreciation; distribution. Adopted 5-10-07.

HR 1033 (Enns): Resolution commending President George W. Bush and members of Congress for efforts to derive stem cells by nondestructive means; expressing appreciation for President's leadership; distribution. Adopted 5-14-07.

HR 1034 (Ellis): Resolution expressing confidence in Oklahoma Attorney General; encouraging him to defend water resources; distribution. Adopted 5-24-07.

HR 1035 (Walker): Resolution commending Trooper Shawn Laughlin; distribution. Adopted 5-10-07.

HR 1036 (Faught): Resolution commending Trooper Tom Taylor; distribution. Adopted 5-10-07.

HR 1037 (Peterson (Pam)): Resolution declaring the week of May 7 through 11, 2007, as Christian Heritage Week; expressing appreciation to Founding Fathers. Adopted 5-10-07.

HR 1038 (Mullen): Resolution commending Corn Bible School and Academy; distribution. Adopted 5-9-07.

HR 1040 (Blackwell): Resolution declaring May 2007 to be Arthritis Month; urging citizens to support activities and educational programming. Adopted 5-10-07.

HR 1041 (Hyman): Resolution recognizing final graduating class of Oklahoma Agricultural and Mechanical College; distribution. Adopted 5-21-07.

HR 1042 (Banz): Resolution recommending support of legislation to reduce age at which member of United States Armed Forces Reserve Component can receive military retirement pay; distribution. Adopted 5-21-07.

HR 1045 (McNiel): Resolution memorializing Congress to reinstate humane slaughter of horses; distribution. Adopted 5-23-07.

HR 1046 (McPeak): Resolution urging Congress to reauthorize Indian Health Care Improvement Act; encouraging Congress to extend eligibility to rural areas; supporting access to residential treatment centers for Native American youth; distribution. Adopted 5-25-07.

VETOED BILLS

SB 95 (Corn/Richardson): Removes the requirement that land must be posted "No Hunting" or "No Fishing" and the person hunting or fishing without permission on land used for farming, ranching or forestry would lose their hunting and fishing license.

Vetoed 5-21-07. Veto message states: that "I have vetoed this bill because it is overly broad in its application and prohibits longstanding outdoor recreation and hunting practices and traditions. In addition, because of the overbroad impact of this legislation, well-intended persons could be deemed criminals when they enter land belonging to another for some legitimate and innocent purpose."

SB 507 (Branan/Johnson (Rob)): Provides comprehensive lawsuit reform, including but not limited to, provisions modifying calculation of attorney fees, dismissal of actions, expert opinions, pre and postjudgment interest, appeal bonds, joint and several liability, limitation on damages, peer review and volunteer immunity.

Vetoed 4-28-07. Veto message states: "I have vetoed this bill primarily because several provisions are unconstitutional, and the measure unduly restricts the ability of Oklahomans to seek equal justice through the civil justice system. The measure also makes it virtually impossible for the state to pursue a legal course of action designed to protect its citizens and valuable resources. Finally, the legislation does little to curb frivolous lawsuits."

SB 698 (Laster/Sullivan): Limits requests for production of documents to 30.

Vetoed 4-23-07. Veto message states: "I have been informed by one of the principal authors that this bill contains an error, and the author has requested I veto this bill."

SB 714 (Williamson/Wright): Requires the State Department of Health to make a form available to physicians which requests information about abortions which the physician performs and requires physicians to submit the form to the Department. Directs the Department to publish a public report providing statistics from information compiled from the forms. Prohibits physicians from performing abortions without obtaining proof that the female is not a minor, is an emancipated minor or has been given judicial authorization as a minor, except in a medical emergency. Requires a parent who consents to an abortion to provide the physician proof of identification and a notarized statement. Directs physicians who perform abortions on minors without consent in a medical emergency to notify the parents. Requires physicians who perform abortions on minors to submit a form to the Department. Directs the Department to publish a public report providing statistics from information compiled from the forms. Makes it a felony to make a fraudulent representation in order to obtain an abortion for a minor. Makes it a felony for a physician to knowingly perform an abortion on a minor in violation of this act. Permits a minor or her parent to maintain a cause of action against the person who performed an abortion without complying with this act. States that this act and other sections of law relating to abortion are effective if any court enjoins, suspends or delays their implementation. Makes it unlawful for any person employed by the state to perform or assist an abortion not necessary to save the life of the mother. Makes it unlawful for any public institution, facility or equipment controlled by the state to be used for the purpose of an abortion not necessary to save the life of the mother. Makes it unlawful for any funds received or controlled by the state to be used to encourage a woman to have an abortion not necessary to save the life of the mother. Prohibits health insurance plans from providing coverage for elective abortions except by an optional rider.

Vetoed 4-18-07. Veto message states: "the measure is flawed in that it does not include exceptions for cases of incest and rape". It further states that "this bill would severely compromise healthcare in our state by placing undue restrictions on the sacred relationship between doctor and patient."

SB 1019 (Sykes/Johnson (Dennis)): Specifies requirements relating to notice and ballot titles for county ballot measures.

Vetoed 6-4-07. Veto message states: "Although the legislation established uniform guidelines for county ballot questions, it also reduced the amount of public notice provided to county voters before a regular or special election. State law should seek to foster a better informed electorate and thus should provide voters with adequate notice of a coming election."

HB 1145 (Benge/Crutchfield): Makes an appropriation to the Oklahoma Department of Libraries.

Vetoed 4-27-07. Veto message states: "I have vetoed this bill because there is not yet an overall budget framework. Moreover, approving this legislation would be a meaningless gesture even if a budget framework was in place since this individual agency appropriation does not include an emergency clause and would not go into effect when the fiscal year begins on July 1, thereby causing a budget gap and fiscal chaos for the agency. Therefore, this bill cannot be used to implement a timely budget, and it would be irresponsible to approve and sign it."

HB 1219 (Benge/Crutchfield): Makes an appropriation to the Oklahoma Tax Commission.

Vetoed 4-27-07. Veto message states: "I have vetoed this bill because there is not yet an overall budget framework. Moreover, approving this legislation would be a meaningless gesture even if a budget framework was in place since this individual agency appropriation does not include an emergency clause and would not go into effect when the fiscal year begins on July 1, thereby causing a budget gap and fiscal chaos for the agency. Therefore, this bill cannot be used to implement a timely budget, and it would be irresponsible to approve and sign it."

HB 1223 (Benge/Crutchfield): Makes an appropriation to the State Treasurer.

Vetoed 4-27-07. Veto message states: "I have vetoed this bill because there is not yet an overall budget framework. Moreover, approving this legislation would be a meaningless gesture even if a budget framework was in place since this individual agency appropriation does not include an emergency clause and would not go into effect when the fiscal year begins on July 1, thereby causing a budget gap and fiscal chaos for the agency. Therefore, this bill cannot be used to implement a timely budget, and it would be irresponsible to approve and sign it."

SB 1234 (Benge/Crutchfield): Makes general appropriations for state government.

Line item Veto 3-28-07. Veto message states: "I have VETOED one hundred thirty-five (135) items in House Bill 1234. I have approved items in this bill that relate to supplemental funding for agencies which require emergency funding to maintain vital services. I have vetoed the supplemental funds earmarked for the Legislative Services Bureau. This appropriation duplicates the work of existing state authorities and contains no accountability measures to ensure it will be spent responsibly. For those reasons, this appropriation is not in the best interest of Oklahoma taxpayers. I have also vetoed the remainder of this bill because of various deficiencies and the flawed process employed in arriving at the funding in this bill. Good government requires and Oklahoma citizens deserve a more deliberative, careful, thoughtful process by which taxpayer monies are spent. It is irresponsible not to allow for a careful review and open debate on monies appropriated by the Legislature. This veto will allow that to occur with respect to the budget for the coming fiscal year. The items which I have vetoed can be found in Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 140 and 148."

HB 1241 (Benge/Crutchfield): Makes an appropriation to the Oklahoma Human Rights Commission.

Vetoed 4-27-07. Veto message states: "I have vetoed this bill because there is not yet an overall budget framework. Moreover, approving this legislation would be a meaningless gesture even if a budget framework was in place since this individual agency appropriation does not include an emergency clause and would not go into effect when the fiscal year begins on July 1, thereby causing a budget gap and fiscal chaos for the agency. Therefore, this bill cannot be used to implement a timely budget, and it would be irresponsible to approve and sign it."

HB 1271 (Benge/Crutchfield): Makes an appropriation to the Oklahoma Conservation Commission.

Vetoed 4-27-07. Veto message states: "I have vetoed this bill because there is not yet an overall budget framework. Moreover, approving this legislation would be a meaningless gesture even if a budget framework was in place since this individual agency appropriation does not include an emergency clause and would not go into effect when the fiscal year begins on July 1, thereby causing a budget gap and fiscal chaos for the agency. Therefore, this bill cannot be used to implement a timely budget, and it would be irresponsible to approve and sign it."

HB 1776 (Thompson/Lamb): This measure allows a jail booking fee for a person admitted to a jail facility and subsequently convicted of a violation of state law. The jail booking fee is to defer any costs of processing the defendant. The court is prohibited from waiving the jail booking fee. The jail booking fee is \$15 and the court clerk may retain 5% of the monies collected with the remainder deposited in the Sheriff's Service Fee Account or the general fund of the jail trust authority. The bill adds cellular phones, electronic devices, cigarettes, cigars, chewing tobacco and other tobacco products to the contraband items in prisons and jails. It provides for the testing of an inmate for disease when an officer or employee comes into contact with inmate bodily fluids. The test results are to be provided to the officer or employee in writing and a referral made for health care and support services if exposed to disease.

Vetoed 6-4-07. Veto message states: "While I support tough restrictions on contraband, a felony and penalty of 5-20 years for possession of tobacco is excessive."

HB 1930 (Steele/Laster): Includes a person who is licensed to practice medicine and is acting within the scope of an Oklahoma Health Care Authority administrative professional services contract under the Governmental Tort Claims Act.

Vetoed 6-7-07. Veto message states: "While I support including under the Oklahoma Governmental Tort Claims Act doctors who contract with the Oklahoma Health Care Authority to perform administrative duties such as reviewing medical charts, this legislation is overly broad and ambiguous and is covered elsewhere in the Act."

APPROPRIATIONS COMPARISON FY'07 - FY'08
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Agency	FY'07 Final Appropriation	FY'08 Appropriation	\$ Change	% Change
Subcommittee on Education				
Arts Council	\$4,442,810	\$5,150,967	\$708,157	15.9%
Career and Technology Education	\$150,045,164	\$154,864,391	\$4,819,227	3.2%
Education, State Department of	\$2,408,341,255	\$2,480,155,207	\$71,813,952	3.0%
Educational Television Authority	\$5,164,350	\$8,394,383	\$3,230,033	62.5%
Higher Education, Regents for	\$939,433,880	\$1,053,949,576	\$114,515,696	12.2%
Land Office, Commissioners of	\$4,828,535	\$4,864,881	\$36,346	0.8%
Libraries, Department of	\$6,847,731	\$7,294,856	\$447,125	6.5%
Physician Manpower Training Commission	\$5,470,499	\$5,523,502	\$53,003	1.0%
Science & Math, School of	\$7,230,508	\$7,585,732	\$355,224	4.9%
Science & Technology, Center for	\$22,442,616	\$22,456,507	\$13,891	0.1%
Teacher Preparation, Commission on	\$2,050,705	\$2,059,982	\$9,277	0.5%
Subtotal	\$3,556,298,053	\$3,752,299,984	\$196,001,931	5.5%
Subcommittee on General Government and Transportation				
Auditor and Inspector	\$6,219,622	\$6,315,269	\$95,647	1.5%
Bond Advisor	\$185,117	\$186,419	\$1,302	0.7%
Central Services, Department of	\$16,839,156	\$19,053,697	\$2,214,541	13.2%
Election Board	\$7,709,951	\$7,785,988	\$76,037	1.0%
Emergency Management Department	\$756,843	\$836,604	\$79,761	10.5%
Ethics Commission	\$504,039	\$517,960	\$13,921	2.8%
Finance, Office of State	\$23,000,204	\$23,081,434	\$81,230	0.4%
Governor	\$2,641,163	\$2,661,981	\$20,818	0.8%
House of Representatives	\$19,176,434	\$19,176,434	\$0	0.0%
Legislative Service Bureau	\$2,995,021	\$4,887,349	\$1,892,328	63.2%
Lt. Governor	\$592,436	\$693,197	\$100,761	17.0%
Merit Protection Commission	\$611,434	\$648,684	\$37,250	6.1%
Military, Department of	\$14,398,334	\$13,654,939	(\$743,395)	-5.2%
Personnel Management	\$4,848,371	\$4,891,745	\$43,374	0.9%
Secretary of State	\$525,434	\$530,517	\$5,083	1.0%
Senate	\$13,561,067	\$14,699,125	\$1,138,058	8.4%
Space Industry Development Authority	\$528,571	\$530,340	\$1,769	0.3%
Tax Commission	\$47,711,604	\$48,201,340	\$489,736	1.0%
Transportation, Department of	\$285,411,848	\$217,869,721	(\$67,542,127)	-23.7%
Treasurer	\$4,632,697	\$4,668,763	\$36,066	0.8%
Subtotal	\$452,849,346	\$390,891,506	(\$61,957,840)	-13.7%
Subcommittee on Health and Social Services				
Health, Department of	\$71,334,131	\$73,786,143	\$2,452,012	3.4%
Health Care Authority	\$701,964,163	\$771,709,298	\$69,745,135	9.9%
J.D. McCarty Center	\$4,278,944	\$4,452,961	\$174,017	4.1%
Mental Health & Substance Abuse Services	\$194,703,800	\$207,529,129	\$12,825,329	6.6%
University Hospitals Authority	\$41,665,342	\$41,865,342	\$200,000	0.5%
Veterans Affairs, Department of	\$39,324,159	\$40,282,600	\$958,441	2.4%
Subtotal	\$1,053,270,539	\$1,139,625,473	\$86,354,934	8.2%

Agency	FY07 Final Appropriation	FY08 Appropriation	\$ Change	% Change
Subcommittee on Human Services				
Children and Youth, Commission on	\$2,101,609	\$2,334,473	\$232,864	11.1%
Handicapped Concerns, Office of	\$381,813	\$412,769	\$30,956	8.1%
Human Rights Commission	\$704,310	\$710,226	\$5,916	0.8%
Human Services, Department of	\$535,797,324	\$557,107,190	\$21,309,866	4.0%
Indian Affairs, Commission of	\$257,732	\$258,466	\$734	0.3%
Juvenile Affairs	\$108,519,585	\$110,060,812	\$1,541,227	1.4%
Rehabilitation Services, Department of	\$29,213,250	\$29,474,679	\$261,429	0.9%
Subtotal	\$676,975,623	\$700,358,615	\$23,382,992	3.5%
Subcommittee on Natural Resources and Regulatory Services				
Agriculture, Food and Forestry, Dept. of	\$32,814,906	\$33,678,049	\$863,143	2.6%
Centennial Commission	\$1,062,291	\$1,066,511	\$4,220	0.4%
Commerce, Department of	\$25,082,836	\$28,104,894	\$3,022,058	12.0%
Conservation Commission	\$8,953,795	\$9,187,084	\$233,289	2.6%
Consumer Credit, Department of	\$661,263	\$669,042	\$7,779	1.2%
Corporation Commission	\$17,183,860	\$15,270,533	(\$1,913,327)	-11.1%
Environmental Quality, Department of	\$9,525,217	\$9,728,096	\$202,879	2.1%
Historical Society	\$14,480,963	\$14,687,451	\$206,488	1.4%
Horse Racing Commission	\$2,618,898	\$2,669,568	\$50,670	1.9%
Insurance Commissioner	\$2,444,856	\$2,515,943	\$71,087	2.9%
J.M. Davis Memorial Commission	\$382,166	\$535,403	\$153,237	40.1%
Labor, Department of	\$3,613,893	\$3,760,284	\$146,391	4.1%
Mines, Department of	\$997,981	\$1,013,586	\$15,605	1.6%
Scenic Rivers Commission	\$339,752	\$345,322	\$5,570	1.6%
Tourism and Recreation, Department of	\$28,673,374	\$27,826,991	(\$846,383)	-3.0%
Water Resources Board	\$6,744,617	\$6,801,524	\$56,907	0.8%
Will Rogers Memorial Commission	\$925,196	\$1,083,702	\$158,506	17.1%
Subtotal	\$156,505,864	\$158,943,983	\$2,438,119	1.6%
Subcommittee on Public Safety and Judiciary				
Alcoholic Beverage Laws Enforcement	\$3,965,159	\$3,925,266	(\$39,893)	-1.0%
Attorney General	\$12,798,702	\$13,944,449	\$1,145,747	9.0%
Corrections, Department of	\$488,669,449	\$477,543,364	(\$11,126,085)	-2.3%
Court of Criminal Appeals	\$3,208,013	\$3,489,631	\$281,618	8.8%
District Attorneys and DAC	\$39,092,742	\$39,920,210	\$827,468	2.1%
District Courts	\$54,403,272	\$57,674,778	\$3,271,506	6.0%
Fire Marshal	\$2,052,561	\$2,270,855	\$218,294	10.6%
Indigent Defense System	\$16,206,256	\$16,304,008	\$97,752	0.6%
Investigation, State Bureau of	\$13,351,567	\$17,316,450	\$3,964,883	29.7%
Judicial Complaints, Council on	\$282,503	\$283,729	\$1,226	0.4%
Law Enforcement Education and Training	\$4,081,305	\$4,410,370	\$329,065	8.1%
Medicolegal Investigations, Board of	\$4,587,380	\$4,825,625	\$238,245	5.2%
Narcotics and Dangerous Drugs, Bureau of	\$6,320,763	\$6,773,895	\$453,132	7.2%
Pardon and Parole Board	\$2,555,018	\$2,577,581	\$22,563	0.9%
Public Safety, Department of	\$90,151,236	\$98,370,391	\$8,219,155	9.1%
Supreme Court	\$16,878,678	\$19,420,570	\$2,541,892	15.1%
Workers' Compensation Court	\$4,888,334	\$5,242,033	\$353,699	7.2%
Subtotal	\$763,492,938	\$774,293,205	\$10,800,267	1.4%
Rural Economic Action Plan	\$15,500,000	\$15,500,000	\$0	0.0%
Rainy Day Spillover Funds	\$457,300,000	\$139,800,000	(\$317,500,000)	-69.4%
GRAND TOTAL	\$7,132,192,363	\$7,071,712,766	(\$60,479,597)	-0.8%

SUMMARY OF EXPENDITURES (SB 334 AND HB 1105)

SUMMARY OF EXPENDITURES (SB 334 AND HB 1105)

AVAILABLE REVENUE

FY'08 Certified Revenue Estimate	\$6,848,673,427
Special Cash Fund	\$122,719,138
OHLAP Revolving Fund	\$10,750,238
FY'07 1017 Fund Excess Revenues	\$78,903,096
Excess Gross Production	\$9,005,955
Comm. of the Land Office Extra Certified Funds	-\$6,989,247
FY'07 Supplemental Appropriations	-\$116,063,211
Top Income Tax Rate Reduction	-\$7,807,892
Franchise Tax	-\$217,550
Sales Tax Holiday	-\$5,759,220
Total Revenue Estimated	\$6,933,214,734

SB 334 GENERAL APPROPRIATIONS BILL EXPENDITURES

Education Subcommittee Base Budget	\$3,482,409,539
1. Common Education Teacher Pay Raises (\$600)	\$32,224,500
2. Common Education Support Personnel Pay Raise Annualization	\$7,218,750
3. Common Education Health Benefit Allowance Increases	\$43,691,000
4. Common Education Supplemental Annualization	\$22,000,000
5. Common Education National Board Certification	\$3,025,000
6. Common Education School Lunch Program	\$125,000
7. Common Education EESIP	\$11,900,000
8. Common Education Ace Initiative	\$5,617,800
9. Common Education Academic Achievement Awards	\$2,045,000
10. Common Education A+ Schools	\$500,000
11. Common Education State Aid Funding Formula	\$4,500,000
12. Common Education Great Expectations	\$350,000
13. Common Education Alternative Education	\$350,000
14. Common Education Middle School Math Labs	\$500,000
15. Common Education HB 1476 Financial Literacy Act	\$150,000
16. Common Education Omnplex	\$350,000
17. Common Education Robotics	\$100,000
18. Common Education Rise School	\$550,000
19. Common Education Bit By Bit	\$35,000
20. Career and Technology Education Teacher Pay Raises (\$600)	\$1,473,318
21. Career and Technology Education Support Personnel Pay Raise Annualization	\$370,000
22. Career and Technology Education Health Benefit Allowance Increases	\$3,580,153
23. Career and Technology Education EESIP	\$2,291,200
24. Career and Technology Education Operations	\$800,000
25. Career and Technology Education Firefighter Training	\$400,000
26. Regents for Higher Education FY'06 General Revenue Fund Replacement	\$79,700,000
27. Regents for Higher Education Ag Extension/ OU Cancer Center	\$5,800,000
28. Regents for Higher Education OHLAP Annual Growth	\$11,000,000
29. Regents for Higher Education Annualization of Supplemental	\$5,500,000
30. Regents for Higher Education 1999 Debt Service Adjustment	-\$500,000
31. Regents for Higher Education Quartz Mountain 1999 Debt Service Adjustment	\$27,360
32. Regents for Higher Education Operations	\$13,000,000
33. Regents for Higher Education OU Capital Projects	\$1,000,000
34. Regents for Higher Education OSU Tulsa Capital Projects	\$1,200,000
35. Regents for Higher Education OSU Firefighter Training	\$1,000,000
36. Regents for Higher Education HB 1762 OHLAP for TX Students	\$5,000
37. Regents for Higher Education OTEG	\$2,000,000
38. Regents for Higher Education Center for Education Excellence (OU)	\$300,000
39. OETA Digital Conversion	\$3,200,000
40. Arts Council	\$700,000
41. Department of Libraries	\$425,000
42. Teacher Preparation Commission HB 1390 Mandates	\$500,000
43. OSSM Poteau Regional Center	\$65,000
44. OSSM Regional Centers	\$225,000
45. OSSM Debt Service Adjustment	\$20,226
46. PMTC Physicain Assistant Scholarships	\$50,000
47. Board of Private Vocational School Boards (*Non-Appropriated Agency)	\$193,304*
48. Total Subcommittee State Employee Pay Raise	\$526,138
Subtotal	\$3,752,299,984

General Gov. / Transportation Subcommittee Base Budget	\$395,966,653
1. Central Services Utilities / Maintenance of State Buildings	\$5,496,400
2. Election Board Presidential Primary	\$30,000
3. LSB for CSG Annual Meeting	\$375,000
4. LSB for House (Printing of Statutes)	\$500,000
5. LSB for Corrections Study	\$1,000,000
6. Senate for Operations	\$1,000,000
7. Lt. Governor for Operations and Transition Costs	\$83,600
8. Merit Protection for Online Technology and Courtroom Technology	\$35,000
9. Civil Emergency Management for operations and the Civil Air Patrol	\$73,000
10. Military Department for BRAC	\$372,638
11. Military Department for Armory Operations	\$150,000
12. Military Department for Army Guard Officer Incentive Program	\$150,000
13. Ethics Commission for Operations	\$10,000
14. Total Subcommittee State Employee Pay Raise	\$1,149,215
Subtotal	\$406,391,506

Health Subcommittee Base Budget	\$1,052,570,539
1. OHCA FY'07 Carryover (\$45 million - \$35 million FY'06)	-\$10,000,000
2. OHCA Ongoing Carryover	-\$12,500,000
3. OHCA FMAP Decrease	\$19,997,178
4. OHCA Hospital Rate Annualization	\$13,362,086
5. OHCA Medicaid Reform Annualization	\$3,397,434
6. OHCA Medicare A & B FFY'07	\$1,237,689
7. OHCA MRA FTE	\$225,443
8. OHCA Claw Back	\$621,485
9. OHCA Enrollment Growth	\$23,466,029
10. OHCA Medicare A & B FFY'08	\$1,875,388
11. OHCA Fiscal Agent Increase	\$375,000
12. OHCA ER Savings	-\$979,200
13. OHCA Disease Management	\$750,000
14. OHCA Electronic Prescribing	\$1,000,000
15. OHCA Medicaid Reform Act	\$1,573,242
16. OHCA HCPCS X Walk	\$260,022
17. OHCA Rebates on J Codes	-\$1,958,400
18. OHCA Nursing Home Rate Increase	\$12,445,059
19. OHCA Physician Rate Increase	\$2,500,717
20. OHCA Hospital Rate Increase	\$9,373,777
21. OHCA Anesthesiologists Rate Increase	\$2,611,200
22. ODMHSAS Adolescent Drug Treatment Program Annualization	\$1,375,000
23. ODMHSAS Provider Rate Increase Annualizations	\$750,000
24. ODMHSAS Mental Health Court Annualizations	\$1,250,000
25. ODMHSAS FMAP & Medicaid Match Decrease	\$1,111,787
26. ODMHSAS Core Services / Fixed Costs	\$2,500,000
27. ODMHSAS Systems of Care Decrease in Fed Grant	\$447,474
28. ODMHSAS Law Enforcement Transportation Costs	\$100,000
29. ODMHSAS Decrease in Substance Abuse Block Grant	\$324,400
30. ODMHSAS Hospital DSH Payment Reduction	\$800,000
31. ODMHSAS Griffin / Forensic Center Operations	\$1,964,692
32. ODMHSAS Forensic Center Equipment	\$100,000
33. ODMHSAS Oklahoma County Drug Court	\$1,000,000
34. OSDH Dental Loan Repayment Program	\$125,000
35. OSDH AHEC	\$200,000
36. OSDH FQHC Funding	\$300,000
37. OSDH Mobile Dental Units \$100,000	\$100,000
38. OSDH OU Residency Program / Indigent Care	\$400,000
39. OSDH OSU Residency Program	\$500,000
40. OSDH Ryan White Drug Program	\$300,000
41. OSDH Newborn Hearing Screenings	\$310,308
42. OSDH Nursing Home Board of Examiners	\$247,000
43. ODVA Debt Service	\$94,132
44. ODVA Medical Supplies	\$103,033
45. University Hospitals Authority Child Study Center Funding	\$200,000
46. JDMC Debt Service	\$81,006
47. Total Subcommittee State Employee Pay Raise	\$2,736,953
Subtotal	\$1,139,625,473

<u>Human Services Subcommittee Base Budget</u>		\$672,451,623
1. DHS Decrease in Federal Matching Funds (FMAP)		\$4,039,083
2. DHS Foster Care / Adoption Programs		\$1,670,956
3. DHS Advantage Waiver Cost Increases		\$12,500,000
4. DHS 211 Call Center		\$130,000
5. DHS Level C Daily Rate Increase		\$317,000
6. DHS Senior Volunteer Program		\$240,820
7. DHS Faith Based Transformational Justice		\$100,000
8. DHS High Risk Child Abuse Project		\$300,000
9. DRS Teacher Pay Raise (\$600)		\$102,000
10. DRS 1999 Debt Service Adjustment		\$196,184
11. OJA Annualization of Supplemental		\$1,000,000
12. OJA Craig County Detention Center Operating Costs		\$270,000
13. OJA Youth Services Capital		\$500,000
14. OJA Youth Services Operations		\$1,500,000
15. OJA \$1,000 Salary Increase for Classified Employees		\$163,000
16. OJA Midpoint Salary Increase		\$1,060,000
17. OJA Level E Rate Increase		\$486,180
18. OJA Tulsa/Woodward CICs		\$425,000
19. OCCY Replace IV-E Foster Care Funds		\$221,000
20. Office of Handicapped Concerns Benefits		\$13,000
21. Office of Handicapped Concerns Outreach Programs		\$15,000
22. Total Subcommittee State Employee Pay Raise		\$2,657,769
	Subtotal	\$700,358,615

<u>Natural Resources Subcommittee Base Budget</u>		\$151,105,864
1. Commerce Department Native American Cultural Authority Debt Service		\$2,500,000
2. Historical Society 1999 Debt Service Adjustment		\$250,639
3. Historical Society Operations		\$250,000
4. Historical Society Capital		\$100,000
5. Tourism First Floor Welcome Center		\$191,000
6. Tourism Multicounties		\$250,000
7. Tourism Free Admission to Parks for Seniors		\$36,136
8. Corporation Commission Appropriated Revolving Fund		\$1,160,116
9. Commerce HB 2105		\$350,000
10. Commerce Community Institutes		\$71,000
11. Will Rogers Operations / Capital		\$150,000
12. J.M. Davis Memorial Commission Capital Projects		\$150,000
13. Labor Department Operations		\$100,000
14. Conservation Commission Operations		\$150,000
15. Agriculture Made In Oklahoma		\$100,000
16. Agriculture REI		\$442,864
17. Agriculture Youth Expo		\$100,000
18. Total Subcommittee State Employee Pay Raise		\$1,486,364
	Subtotal	\$158,943,983

Public Safety and Judiciary Subcommittee Base Budget	\$729,518,533
1. DOC Annualizations	\$13,082,412
2. CLEET Annualization of Supplemental	\$746,000
3. CLEET Operations	\$380,000
4. OBNDP Annualization of Pay Raises and Personnel Increases	\$429,910
5. OSBI Agent Salary and ICAC Annualizations	\$911,083
6. OSBI Operations	\$2,000,000
7. OSBI CART	\$250,000
8. OSBI Forensic Center	\$745,000
9. DPS Trooper Pay Raise Annualization	\$4,440,500
10. DPS Truck Permit Phone Bank	\$400,000
11. DPS Operations	\$2,000,000
12. DPS Troop Headquarters Capital Funding	\$1,200,000
13. DPS Board of Alcohol Tests	\$100,000
14. DPS Homeland Security	\$100,000
15. Court of Criminal Appeals Supplemental Annualization	\$125,000
16. Court of Criminal Appeals	\$258,000
17. Supreme Court Debt Service for New Building	\$1,077,682
18. Supreme Court	\$1,396,830
19. Workers Comp Court Reporter Salary Increase	\$15,427
20. Workers Comp Court	\$299,252
21. District Court Court Reporter Salary Increase	\$116,612
22. District Courts	\$3,025,280
23. District Attorneys Operations	\$500,000
24. Medical Examiner Salary Annualization	\$225,894
25. Council on Firefighter Training	\$200,000
26. AG Domestic Violence Programs	\$500,000
27. AG Operations	\$400,000
28. AG CASA	\$175,000
29. Total Subcommittee State Employee Pay Raise	\$9,674,790
Subtotal	\$774,293,205

TOTAL EXPENDITURES IN SB 334 **\$6,931,912,766**

HB 1105 RAINY DAY SPILLOVER ALLOCATIONS

1. Teacher Retirement	\$10,000,000
2. State Emergency Fund	\$10,000,000
3. Teacher Pay Raise (additional \$400)	\$22,000,000
4. Higher Education Operations	\$20,000,000
5. OU/OSU /Regional Universities and 2-Year Colleges	\$16,500,000
6. Centennial Projects	\$15,000,000
7. Interoperable Communication System Study/Towers	\$5,500,000
8. UCO Forensics Building	\$4,000,000
9. OCAST	\$500,000
10. Bio-Diesel Fuel Center	\$6,000,000
11. Langston University	\$1,800,000
12. Fire Department Equipment	\$2,500,000
13. Conservation Districts Water Projects	\$6,500,000
14. Corrections Private Prison/Halfway Houses Per Diem	\$5,000,000
15. Educare	\$5,000,000
16. Youth Expo	\$1,000,000
17. Spaceport Authority	\$2,000,000
18. Ag Lab Equipment	\$250,000
19. DPS Vehicle Replacement	\$1,000,000
20. Human Services Subcommittee AC/Fences/Other Capital	\$2,000,000
21. MetroTech	\$1,200,000
22. Smart On Crime Initiative	\$2,000,000
23. Gang Violence	\$50,000

TOTAL ALLOCATIONS IN HB 1105 **\$139,800,000**

TOTAL EXPENDITURES AND AUTHORIZATIONS FOR FY'08 **\$7,071,712,766**

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