

An Act

ENROLLED HOUSE
BILL NO. 3079

By: Murphey and Tibbs of the
House

and

David of the Senate

An Act relating to state agency consolidation; consolidating the Department of Central Services, Office of Personnel Management, Oklahoma State Employees Benefits Council, the Oklahoma Merit Protection Commission, the Office of the State Bond Advisor, the State and Education Employees Group Insurance Board, and the Office of State Finance into the Office of Management and Enterprise Services; amending 1 O.S. 2011, Section 26, which relates to the Oklahoma Abstractors Act; modifying references; amending 2 O.S. 2011, Sections 2-12 and 2-26, which relate to the State Board of Agriculture; modifying references; amending 2 O.S. 2011, Sections 5-3.3 and 5-11, which relate to the Oklahoma Agriculture Enhancement and Diversification Act; modifying references; amending 2 O.S. 2011, Section 6-405, which relates to the Animal Disease Outbreak Temporary Emergency Act; modifying references; amending 2 O.S. 2011, Section 7-416, which relates to the Milk and Milk Products Inspection Revolving Fund; modifying references; amending 2 O.S. 2011, Section 10-9.6, which relates to the Poultry Waste Education Revolving Fund; modifying references; amending 2 O.S. 2011, Section 10-9.24, which relates to the Agriculture Regulation Revolving Fund; modifying references; amending 2 O.S. 2011, Section 15-60.3, which relates to the Oklahoma County Fair Enhancement Fund; modifying references; amending 2 O.S. 2011, Sections 16-8, 16-11 and 16-83, which relate to the Oklahoma Forestry Code; modifying references; amending 2 O.S. 2011, Sections 18-40 and 18-42, which relate to the Oklahoma Beef Improvement and Market

Development Act; modifying references; amending 2 O.S. 2011, Section 18-243, which relates to the Oklahoma Sorghum Resources Act; modifying references; amending 2 O.S. 2011, Section 18-273, which relates to the Oklahoma Oilseed Resources Act; modifying references; amending 2 O.S. 2011, Section 18-314, which relates to the Oklahoma Wheat Resources Act; modifying references; amending 2 O.S. 2011, Section 18-407, which relates to the Eastern Red Cedar Revolving Fund; modifying references; amending 3 O.S. 2011, Sections 84 and 91, which relate to the Oklahoma Aeronautics Commission Act; modifying references; amending 3A O.S. 2011, Sections 204.1B and 208.3a, which relate to the Oklahoma Horse Racing Act; modifying references; amending 3A O.S. 2011, Sections 281 and 282, which relate to the State-Tribal Gaming Act; modifying references; amending 3A O.S. 2011, Section 616, which relates to the Oklahoma State Athletic Commission Revolving Fund; modifying references; amending 3A O.S. 2011, Sections 713, 719 and 733, which relate to the Oklahoma Education Lottery Act; modifying references; amending 6 O.S. 2011, Section 211.1, which relates to the Banking Department Revolving Fund; modifying references; amending 7 O.S. 2011, Section 22, which relates to the Adult Blind Market Revolving Fund; modifying references; amending 10 O.S. 2011, Section 175.12, which relates to the Children's Hospital of Oklahoma; modifying references; amending 10 O.S. 2011, Section 410.1, which relates to the Quality of Care Development Fund; modifying references; amending 10 O.S. 2011, Sections 601.6b and 601.10, which relate to the Oklahoma Commission on Children and Youth; modifying references; amending 10 O.S. 2011, Section 630.2, which relates to the Coordinated Database System for Children Act; modifying references; amending 10 O.S. 2011, Section 1430.42, which relates to the Group Homes for Persons with Developmental or Physical Disabilities Act; modifying references; amending 10A O.S. 2011, Sections 1-9-103 and 1-9-109, which relate to the Oklahoma Children's Code; modifying references; amending 10A O.S. 2011, Sections 2-2-806, 2-7-202, 2-7-306, 2-7-401 and 2-7-606, which relate to the Oklahoma Juvenile Code; modifying references; amending 11 O.S. 2011, Section

24-115, which relates to the Oklahoma Municipal Power Authority Act; modifying references; amending 11 O.S. 2011, Sections 49-100.3, 49-100.5 and 49-100.8, which relate to the Firefighters Pension and Retirement System; modifying references; amending 11 O.S. 2011, Sections 50-103.1 and 50-105.3, which relate to the Police Pension and Retirement System; modifying references; amending 11 O.S. 2011, Section 51-104a, which relates to Fire and Police Arbitration; modifying references; amending 12 O.S. 2011, Section 921.1, which relates to the Legal Services Revolving Fund; modifying references; amending 12A O.S. 2011, Section 1-9-320.6, which relates to secured transactions; modifying references; amending 14A O.S. 2011, Section 6-301, which relates to the Consumer Credit Administrative Expenses Revolving Fund; modifying references; amending 15 O.S. 2011, Section 775B.7, which relates to the Telemarketer Revolving Fund; modifying references; amending 17 O.S. 2011, Section 39, which relates to a petty cash fund for the Corporation Commission; modifying references; amending 17 O.S. 2011, Section 57, which relates to the Oil and Gas Division Revolving Fund; modifying references; amending 17 O.S. 2011, Sections 180.7, 180.10 and 180.11, which relate to the miscellaneous provisions of the Corporation Commission; modifying references; amending 17 O.S. 2011, Sections 315, 322 and 323, which relate to the Oklahoma Storage Tank Regulation Act; modifying references; amending 17 O.S. 2011, Section 365, which relates to the Oklahoma Leaking Underground Storage Tank Trust Fund; modifying references; amending 18 O.S. 2011, Sections 552.20 and 552.21, which relate to the Oklahoma Solicitation of Charitable Contributions Act; modifying references; amending 19 O.S. 2011, Sections 215.28, 215.30 and 215.40, which relate to district attorneys; modifying references; amending 19 O.S. 2011, Section 547.2, which relates to the Sheriffs' Personnel Task Force; modifying references; amending 19 O.S. 2011, Section 746.1, which relates to the Medical Expense Liability Revolving Fund; modifying references; amending 19 O.S. 2011, Section 901.58, which relates to the Rural Fire Defense Equipment Revolving Fund; modifying references; amending 19 O.S. 2011, Sections 1501, as amended by Section 1 of

Enrolled Senate Bill No. 1000 of the 2nd Session of the 53rd Oklahoma Legislature and 1505, as amended by Section 1 of Enrolled Senate Bill No. 221 of the 2nd Session of the 53rd Oklahoma Legislature, which relate to purchasing; modifying references; amending, merging and consolidating multiple versions of a statute; amending, merging and consolidating multiple versions of a statute; amending 20 O.S. 2011, Section 4, which relates to the Supreme Court; modifying references; amending 20 O.S. 2011, Section 61, which relates to the Court of Criminal Appeals Revolving Fund; modifying references; amending 20 O.S. 2011, Section 1104, which relates to judicial retirement compensation; modifying references; amending 20 O.S. 2011, Section 1227, which relates to the Law Library Revolving Fund; modifying references; amending 20 O.S. 2011, Sections 1304, 1307, 1310.1, 1310.2, 1310.3, 1315 and 1316, which relate to the court fund; modifying references; amending 20 O.S. 2011, Sections 1662 and 1663, which relate to the Council on Judicial Complaints; modifying references; amending 21 O.S. 2011, Sections 142.17 and 142.32, which relate to the Oklahoma Crime Victims Compensation Act; modifying references; amending 21 O.S. 2011, Section 1247, which relates to smoking in public places; modifying references; amending 21 O.S. 2011, Section 1290.14, which relates to the Oklahoma Self-Defense Act; modifying references; amending 21 O.S. 2011, Section 1379.1, which relates to other crimes against public peace; modifying references; amending 22 O.S. 2011, Sections 1368, 1369 and 1370.1, which relate to criminal procedure; modifying references; amending 25 O.S. 2011, Sections 82.1 and 90.19, which relate to holidays; modifying references; amending 26 O.S. 2011, Section 2-118, which relates to compensation of secretaries; modifying references; amending 26 O.S. 2011, Sections 3-107, 3-107.1 and 3-107.2, which relate to revolving funds of the State Election Board; modifying references; amending 26 O.S. 2011, Section 6-120, which relates to advertising for bids; modifying references; amending 27A O.S. 2011, Sections 2-3-401 and 2-3-403, which relate to fund and general fees; modifying references; amending 27A O.S. 2011, Section 2-7-304, which relates to the Hazardous Waste Fund;

modifying references; amending 27A O.S. 2011, Section 2-11-610, which relates to the Oklahoma Computer Equipment Recovery Act; modifying references; amending 27A O.S. 2011, Sections 3-2-103, 3-2-106a, 3-2-106b, 3-2-109, 3-2-110 and 3-3-115, which relate to the Oklahoma Conservation Commission; modifying references; amending 27A O.S. 2011, Section 3-3-406, which relates to the Small Watersheds Flood Control Fund; modifying references; amending 27A O.S. 2011, Section 3-3-502, which relates to the Oklahoma Conservation Commission Municipal Infrastructure Cost-Share Revolving Fund; modifying references; amending 29 O.S. 2011, Sections 3-103, 3-302, 3-310 and 3-313, which relate to the Wildlife Conservation Commission; modifying references; amending 29 O.S. 2011, Sections 4-132 and 4-134, which relate to licenses; modifying references; amending 36 O.S. 2011, Sections 307.3 and 307.5, which relate to funds of the Insurance Department; modifying references; amending 36 O.S. 2011, Section 7202, which relates to the Health Carrier Access Payment Revolving Fund; modifying references; amending 37 O.S. 2011, Sections 506.1, 510A, 563.1 and 567, which relate to the Oklahoma Alcoholic Beverage Control Act; modifying references; amending 37 O.S. 2011, Section 608, which relates to the Prevention of Youth Access to Alcohol Revolving Fund; modifying references; amending 40 O.S. 2011, Sections 4-312, 4-314, 4-508, as amended by Section 15 of Enrolled House Bill No. 2204 of the 2nd Session of the 53rd Oklahoma Legislature and 4-901, which relate to the Employment Security Act of 1980; modifying references; amending 40 O.S. 2011, Section 6-101, which relates to the OESC Computer Fund; modifying references; amending 40 O.S. 2011, Sections 141.19 and 141.20, which relate to the Boiler and Pressure Vessel Safety Act; modifying references; amending 43A O.S. 2011, Sections 2-104, 2-107, 2-111, 2-302, 2-303, 2-306, 2-310, 2-311, 3-102, 3-103, 3-105, 3-106, 3-107, 3-107b, 3-453 and 3-460, as amended by Section 1 of Enrolled Senate Bill No. 1247 of the 2nd Session of the 53rd Oklahoma Legislature, which relate to the Mental Health Law of 1986; modifying references; amending 44 O.S. 2011, Section 25, which relates to the rank of Adjutant General; modifying references; amending 44 O.S. 2011,

Section 209, which relates to leave of absence; modifying references; amending 44 O.S. 2011, Section 233.7, which relates to the Oklahoma Military Department Revolving Fund; modifying references; amending 44 O.S. 2011, Sections 235.1 and 235.2, which relate to the 45th Infantry Division Museum; modifying references; amending 45 O.S. 2011, Section 938.1, which relates to the Oklahoma Miner Training Institute Revolving Fund; modifying references; amending 47 O.S. 2011, Sections 2-101, 2-104, 2-105, 2-105.7, 2-108.1, 2-122, as amended by Section 2 of Enrolled Senate Bill No. 1247 of the 2nd Session of the 53rd Oklahoma Legislature, 2-124, 2-142, 2-143, 2-144.1, as amended by Section 4 of Enrolled Senate Bill No. 1247 of the 2nd Session of the 53rd Oklahoma Legislature, 2-145 and 2-146, which relate to the Department of Public Safety; modifying references; amending 47 O.S. 2011, Sections 2-303, 2-307 and 2-310.1, which relate to the Law Enforcement Retirement System; modifying references; amending 47 O.S. 2011, Section 11-403.2a, which relates to the Motorcycle Safety and Drunk Driving Awareness Fund; modifying references; amending 47 O.S. 2011, Section 40-123, which relates to the Motorcycle Safety and Education Program Revolving Fund; modifying references; amending 47 O.S. 2011, Sections 156.3 and 158.2, which relate to automobiles owned by the state; modifying references; amending 47 O.S. 2011, Section 577, which relates to administration of motor vehicle dealers; modifying references; amending 47 O.S. 2011, Sections 582 and 587, which relate to the Oklahoma Used Motor Vehicle and Parts Commission; modifying references; amending 47 O.S. 2011, Section 759, which relates to the Board of Tests for Alcohol and Drug Influence Revolving Fund; modifying references; amending 47 O.S. 2011, Sections 1104.3, 1104.4, 1104.5, 1104.7, 1104.8, 1104.9, 1104.10, 1104.11, 1104.12, 1104.13, 1104.14, 1104.15, 1104.16, 1104.17, 1104.18, 1104.19, 1104.20, 1104.21, 1104.22, 1115.1, 1132.2 and 1143.1, which relate to the Oklahoma Vehicle License and Registration Act; modifying references; amending 47 O.S. 2011, Sections 1167 and 1168, which relate to the Trucking One-Stop Shop Act; modifying references; amending 51 O.S. 2011, Sections 156, 159, 162 and 163, which relate to The

Governmental Tort Claims Act; modifying references; amending 52 O.S. 2011, Sections 132, 139, 140 and 206, which relate to oil and gas conservation; modifying references; amending 52 O.S. 2011, Sections 288.5B and 288.7, which relate to the Oklahoma Energy Education and Marketing Act; modifying references; amending 52 O.S. 2011, Sections 310 and 317.1, which relate to the regulation of wells; modifying references; amending 52 O.S. 2011, Section 420.11, which relates to the Liquefied Petroleum Gas Fund; modifying references; amending 52 O.S. 2011, Section 420.26, which relates to the LP Gas Research, Marketing and Safety Revolving Fund; modifying references; amending 52 O.S. 2011, Section 705, which relates to the Commission on Marginally Producing Oil and Gas Wells Revolving Fund; modifying references; amending 53 O.S. 2011, Sections 1.10, 1.10a and 1.12, which relate to the Oklahoma Historical Preservation Act; modifying references; amending 53 O.S. 2011, Section 7.4, which relates to the Buffalo Soldiers Heritage Corridor Fund; modifying references; amending 53 O.S. 2011, Sections 47 and 47.4A, which relate to the Will Rogers Museum; modifying references; amending 53 O.S. 2011, Section 175, which relates to the Oklahoma Arts Council Arts Education Revolving Fund; modifying references; amending 53 O.S. 2011, Section 232, which relates to the Oklahoma Music Hall of Fame Revolving Fund; modifying references; amending 53 O.S. 2011, Section 403, which relates to the Oklahoma American Civil War Sesquicentennial Revolving Fund; modifying references; amending 56 O.S. 2011, Section 26.17, which relates to general assistance and emergency relief; modifying references; amending 56 O.S. 2011, Section 59.1, which relates to the Indigent Health Care Revolving Fund; modifying references; amending 56 O.S. 2011, Section 189a, which relates to board of county commissioners; amending 56 O.S. 2011, Section 198.11b, which relates to the Oklahoma Consumer-Directed Personal Assistance and Support Services (Oklahoma CD-PASS) Act; modifying references; amending 56 O.S. 2011, Section 202, which relates to payment of premiums; modifying references; amending 56 O.S. 2011, Sections 213, 224 and 226, which relate to budget and finances; modifying references;

amending 56 O.S. 2011, Section 230.70, which relates to One-stop Career/Employment Centers; modifying references; amending 56 O.S. 2011, Section 260, which relates to the Individual Development Account (IDA) Revolving Fund; modifying references; amending 56 O.S. 2011, Section 1003, which relates to the Medicaid fraud control unit; modifying references; amending 56 O.S. 2011, Sections 2002 and 2004, which relate to the Oklahoma Health Care Authority; modifying references; amending 56 O.S. 2011, Section 3002, which relates to the Coordination of Services for Older Oklahomans Act; modifying references; amending 57 O.S. 2011, Sections 508.2c, 509 and 510.6a, which relate to the Oklahoma Corrections Act of 1967; modifying references; amending 57 O.S. 2011, Sections 513.1, 521.1, 521.2, 537.1, 541, 549.1, 557, 557.2, 561, 561.1, 561.2 and 561.4, which relate to the Oklahoma Inmate Literacy Act; modifying references; amending 57 O.S. 2011, Section 613, which relates to probation and parole offices; modifying references; amending 59 O.S. 2011, Section 154, which relates to the Board of Podiatric Medical Examiners' Revolving Fund; modifying references; amending 59 O.S. 2011, Section 161.20, which relates to the Board of Chiropractic Examiners' Revolving Fund; modifying references; amending 59 O.S. 2011, Section 199.15, which relates to the Oklahoma Cosmetology Act; modifying references; amending 59 O.S. 2011, Section 328.42, which relates to the State Dental Fund; modifying references; amending 59 O.S. 2011, Section 396.1C, which relates to the Fund of the Oklahoma Funeral Board; modifying references; amending 59 O.S. 2011, Section 587, which relates to the Optometry Board Revolving Fund; modifying references; amending 59 O.S. 2011, Section 644, which relates to the State Board of Osteopathic Examiner's Revolving Fund; modifying references; amending 59 O.S. 2011, Section 698.28, which relates to the Veterinary Medical Examiners Fund; modifying references; amending 59 O.S. 2011, Sections 858-205, 858-601, 858-626 and 858-730, which relate to the Oklahoma Real Estate License Code; modifying references; amending 59 O.S. 2011, Section 1000.4, which relates to the Construction Industries Board Act; modifying references; amending 59 O.S. 2011, Section 1000.28,

which relates to the Oklahoma Uniform Building Code Commission Revolving Fund; modifying references; amending 59 O.S. 2011, Section 1018, which relates to the Plumbing Licensing Revolving Fund; modifying references; amending 59 O.S. 2011, Section 1042, which relates to the Oklahoma Inspectors Revolving Fund; modifying references; amending 59 O.S. 2011, Section 1113, which relates to the Certification Fund; modifying references; amending 59 O.S. 2011, Section 1150.5, which relates to the Sanitarian and Environmental Specialist Registration Advisory Council; modifying references; amending 59 O.S. 2011, Section 1151.20, which relates to the Roofing Contractor Registration Revolving Fund; modifying references; amending 59 O.S. 2011, Section 1203, which relates to the State Board of Registration for Foresters; modifying references; amending 59 O.S. 2011, Section 1455, which relates to the Polygraph Examiners Act; modifying references; amending 59 O.S. 2011, Section 1694, which relates to the Electrical Revolving Fund; modifying references; amending 59 O.S. 2011, Sections 1800.14 and 1800.15, which relate to the Alarm and Locksmith Industry Act; modifying references; amending 59 O.S. 2011, Sections 1820.17 and 1820.18, which relate to the Fire Extinguisher Licensing Act; modifying references; amending 59 O.S. 2011, Section 1850.13, which relates to the Oklahoma Mechanical Licensing Revolving Fund; modifying references; amending 59 O.S. 2011, Section 1883, which relates to the Licensed Alcohol and Drug Counselors Revolving Fund; modifying references; amending 59 O.S. 2011, Section 1918, which relates to the Licensed Professional Counselors Revolving Fund; modifying references; amending 59 O.S. 2011, Section 1925.17, which relates to the Licensed Marital and Family Therapist Revolving Fund; modifying references; amending 59 O.S. 2011, Section 1946, which relates to the Licensed Behavioral Practitioners Revolving Fund; modifying references; amending 59 O.S. 2011, Section 2058, which relates to the Perfusionists Licensure Fund; modifying references; amending 59 O.S. 2011, Section 2095.20, which relates to the Oklahoma Mortgage Broker and Mortgage Loan Originator Recovery Fund; modifying references; amending 59 O.S. 2011, Section 3024,

which relates to the Elevator Safety Act; modifying references; amending 59 O.S. 2011, Section 3118, which relates to the Consumer Credit Counseling Revolving Fund; modifying references; amending 59 O.S. 2011, Section 5009, which relates to the Commercial Pet Breeders Enforcement Fund; modifying references; amending 60 O.S. 2011, Sections 383, 384, 385, 386, 387 and 389, which relate to gifts to the state; modifying references; amending 61 O.S. 2011, Sections 1, as amended by Section 1 of Enrolled Senate Bill No. 1053 of the 2nd Session of the 53rd Oklahoma Legislature, 11 and 12, which relate to public buildings; modifying references; amending 61 O.S. 2011, Sections 60, 61, 62, 62.2, 63 and 65, which relate to state consultants; modifying references; amending 61 O.S. 2011, Sections 102, 103, 107, 113, 121, 125 and 130, which relate to the Public Competitive Bidding Act of 1974; modifying references; amending 61 O.S. 2011, Sections 202, 202.1, 203, 204, 205, 207.2, 208, 208.1, 208.2, 209, 210, 211, 212, 213 and 220, which relate to the Public Building Construction and Planning Act; modifying references; amending 62 O.S. 2011, Sections 34.2, 34.4, 34.5, 34.6, 34.7, 34.8, 34.9, 34.10, 34.11, 34.11.1, 34.11.6, 34.11.9, 34.12, 34.13, 34.15, 34.16, 34.17, 34.18, 34.19, 34.20, 34.21, 34.22, 34.23, 34.24, 34.24.1, 34.25, 34.26, 34.27, 34.28, 34.30, 34.31, 34.32, 34.33, 34.34, 34.35, 34.36, 34.37, 34.40, 34.41, 34.42, 34.43, 34.45, 34.47, 34.49, 34.50, 34.51, 34.52, 34.53, 34.54, 34.55, 34.56, 34.58, 34.62, 34.63, 34.64, 34.65, 34.66, 34.67, 34.68, 34.69, 34.70, 34.71, 34.72, 34.74, 34.75, 34.77, 34.78, 34.80, 34.81, 34.82, 34.83, 34.87, 34.90, 34.91, 34.92, 34.93, 34.94, 34.95, 34.96 and 34.100, which relate to the Oklahoma State Finance Act; modifying references; amending 62 O.S. 2011, Sections 35.3, 35.5, 35.6, 35.7, 35.8 and 35.9, which relate to the Information Technology Consolidation and Coordination Act; modifying references; amending 62 O.S. 2011, Sections 41.5a-4, 45.3, 45.4, 45.5 and 45.6, which relate to the Oklahoma Program Performance Budgeting and Accountability Act; modifying references; amending 62 O.S. 2011, Sections 46, as amended by Section 18 of Enrolled Senate Bill No. 1704 of the 2nd Session of

the 53rd Oklahoma Legislature, 46.1, 46.3, 48, 48.2 and 49, which relate to the Taxpayer Transparency Act; modifying references; amending 62 O.S. 2011, Sections 57.39, 57.69, 57.89, 57.109 and 57.189, which relate to certain bond funds; modifying references; amending 62 O.S. 2011, Sections 57.303, as amended by Section 5 of Enrolled Senate Bill No. 1111 of the 2nd Session of the 53rd Oklahoma Legislature, and 57.306, which relate to the Oklahoma Building Bond and College Savings Bond Act; modifying references; amending 62 O.S. 2011, Sections 71.1 and 71.2, which relate to the Security for Public Deposits Act; modifying references; amending 62 O.S. 2011, Sections 89.2, 89.5 and 90, which relate to the Oklahoma Small Business Linked Deposit Act; modifying references; amending 62 O.S. 2011, Section 90.8, which relates to the Rural Economic Development Loan Revolving Fund; modifying references; amending 62 O.S. 2011, Sections 139.45, 139.48, 139.49, 155, 156, 157, 158, 159, 159.1, 159.2, 160.1, 160.2, 166d, 178, 193 and 195, which relate to various funds; modifying references; amending 62 O.S. 2011, Section 221, which relates to the Oklahoma Tax Commission Fund; modifying references; amending 62 O.S. 2011, Sections 275.8 and 275.9, which relate to records of warrants; modifying references; amending 62 O.S. 2011, Sections 276.1, 276.3 and 276.4, which relate to the Revolving Fund for the Office of the Secretary of State; modifying references; amending 62 O.S. 2011, Section 555, which relates to lost or destroyed warrants or vouchers; modifying references; amending 62 O.S. 2011, Sections 695.8a and 695.11A, which relate to the Oklahoma Bond Oversight and Reform Act; modifying references; amending 62 O.S. 2011, Section 891.15, which relates to the Community Economic Development Pooled Finance Revolving Fund; modifying references; amending 62 O.S. 2011, Section 901, as amended by Section 1 of Enrolled House Bill No. 2262 of the 2nd Session of the 53rd Oklahoma Legislature, which relates to the State Capital Improvement Planning Act; modifying references; amending 62 O.S. 2011, Section 2310, which relates to the Tobacco Settlement Endowment Trust Fund Act; modifying references; amending 62 O.S. 2011, Section 3112, which relates to the Oklahoma Pension Legislation Actuarial Analysis

Act; modifying references; amending 63 O.S. 2011, Sections 1-105d, 1-107, 1-107.1A, 1-107.2, 1-107.3 and 1-110.1, which relate to the Oklahoma Public Health Code; modifying references; amending 63 O.S. 2011, Section 1-229.3, which relates to the Tobacco Use Reduction Fund; modifying references; amending 63 O.S. 2011, Section 1-240, which relates to the Office of Child Care; modifying references; amending 63 O.S. 2011, Sections 1-557 and 1-559, which relate to the Oklahoma Breast and Cervical Cancer Act; modifying references; amending 63 O.S. 2011, Section 1-570, which relates to the Genetic Counseling Licensure Revolving Fund; modifying references; amending 63 O.S. 2011, Section 1-604, which relates to the transfer of Oklahoma General Hospital; modifying references; amending 63 O.S. 2011, Section 1-723, which relates to the Primary Health Care Development Revolving Fund; modifying references; amending 63 O.S. 2011, Section 1-740.12, which relates to the Alternatives-to-Abortion Services Revolving Fund; modifying references; amending 63 O.S. 2011, Section 1-857.6, which relates to the abolishment of the Oklahoma Health Planning Commission; modifying references; amending 63 O.S. 2011, Section 1-860.16, which relates to the Hospice Revolving Fund; modifying references; amending 63 O.S. 2011, Section 1-1971, which relates to the Home Health Care Revolving Fund; modifying references; amending 63 O.S. 2011, Sections 1-2505.2 and 1-2512.1, which relate to the Oklahoma Emergency Response Systems Development Act; modifying references; amending 63 O.S. 2011, Section 1-2523, which relates to the Oklahoma Institute for Disaster and Emergency Medicine Revolving Fund; modifying references; amending 63 O.S. 2011, Section 1-2530.9, which relates to the Trauma Care Assistance Revolving Fund; modifying references; amending 63 O.S. 2011, Section 1-2603, which relates to the Kidney Health Revolving Fund; modifying references; amending 63 O.S. 2011, Section 1-2714, which relates to the Dental Loan Repayment Revolving Fund; modifying references; amending 63 O.S. 2011, Sections 2-103, 2-106.1, 2-107 and 2-107b, which relate to the Uniform Controlled Dangerous Substances Act; modifying references; amending 63 O.S. 2011, Section 2-417, which relates

to the Drug Abuse Education Revolving Fund; modifying references; amending 63 O.S. 2011, Sections 2-503.2 and 2-512, which relate to the Drug Money Laundering and Wire Transmitter Act; modifying references; amending 63 O.S. 2011, Section 79, which relates to the Oklahoma Sports Eye Safety Program Revolving Fund; modifying references; amending 63 O.S. 2011, Section 330.62, which relates to the Oklahoma State Board of Examiners for Long-Term Care Administrators Revolving Fund; modifying references; amending 63 O.S. 2011, Sections 485.11 and 485.12, which relate to the J.D. McCarty Center for Children with Developmental Disabilities Revolving Fund; modifying references; amending 63 O.S. 2011, Section 683.4, which relates to the Oklahoma Emergency Management Act of 2003; modifying references; amending 63 O.S. 2011, Section 683.27, which relates to the Oklahoma Volunteerism Act; modifying references; amending 63 O.S. 2011, Section 954, which relates to the Chief Medical Examiner Revolving Fund; modifying references; amending 63 O.S. 2011, Sections 2056 and 2058, which relate to the Oklahoma Community Social Service Centers Act; modifying references; amending 63 O.S. 2011, Section 2220.3, which relates to the Oklahoma Organ Donor Education and Awareness Program Revolving Fund; modifying references; amending 63 O.S. 2011, Section 2418, which relates to the Telecommunications for the Deaf and Hard-of-Hearing Revolving Fund; modifying references; amending 63 O.S. 2011, Sections 3208, 3211, 3212, 3221.1, 3223 and 3227.1, which relate to the University Hospitals Authority Act; modifying references; amending 63 O.S. 2011, Section 3240.6, which relates to the Community Hospitals Authority Act; modifying references; amending 63 O.S. 2011, Sections 3276 and 3287, which relate to the Oklahoma State University Medical Authority Act; modifying references; amending 63 O.S. 2011, Section 4236, which relates to the Boating Safety Education Fund; modifying references; amending 63 O.S. 2011, Sections 5016, 5017 and 5020, which relate to the funds of the Oklahoma Health Care Authority; modifying references; amending 64 O.S. 2011, Sections 1036 and 1078, which relate to the Commissioners of the Land Office; modifying references; amending 65 O.S. 2011, Section

2-107, which relates to the Oklahoma Local Library Support Revolving Fund; modifying references; amending 65 O.S. 2011, Section 4-107.1, which relates to the Oklahoma Local Library Capital Revolving Fund; modifying references; amending 68 O.S. 2011, Sections 113, 117 and 118, which relate to the Oklahoma Tax Commission; modifying references; amending 68 O.S. 2011, Sections 205.6, 238.2, 263, 265 and 270, which relate to the Uniform Tax Procedure Code; modifying references; amending 68 O.S. 2011, Section 305.2, which relates to the revolving fund for the Office of the Attorney General; modifying references; amending 68 O.S. 2011, Section 451, which relates to the Oklahoma Capital Improvement Fund; modifying references; amending 68 O.S. 2011, Sections 1353 and 1356, which relate to the Oklahoma Sales Tax Code; modifying references; amending 68 O.S. 2011, Section 1403, which relates to the Use Tax Code; modifying references; amending 68 O.S. 2011, Sections 2352, 2355.2, 2357.1A-1, 2357.1A-2 and 2357.65A, which relate to the Oklahoma Income Tax Act; modifying references; amending 68 O.S. 2011, Section 2357.76A, which relates to the Rural Venture Capital Formation Incentive Act; modifying references; amending 68 O.S. 2011, Sections 2368.3, 2368.3a, 2368.5, 2368.6, 2368.7, 2368.13, 2368.14, 2368.15, 2368.16, 2368.17, 2368.19, 2368.20, 2368.21, 2368.22, 2368.23, 2368.24 and 2368.26, which relate to the Oklahoma Equal Opportunity Education Scholarship Act; modifying references; amending 68 O.S. 2011, Section 2702, which relates to municipal taxation; modifying references; amending 68 O.S. 2011, Section 3603, which relates to the Oklahoma Quality Jobs Program Act; modifying references; amending 68 O.S. 2011, Section 3625, which relates to the Oklahoma Film Enhancement Rebate Program Revolving Fund; modifying references; amending 68 O.S. 2011, Section 50001, which relates to the Fire Marshal Fund; modifying references; amending 68 O.S. 2011, Section 50014, which relates to the Oklahoma Tourism Promotion Revolving Fund; modifying references; amending 69 O.S. 2011, Section 306, which relates to the State Highway Administration; modifying references; amending 69 O.S. 2011, Sections 404, 421, 506 and 507, which relate to funds of the Department of

Transportation; modifying references; amending 69 O.S. 2011, Section 636.3, which relates to leasing of equipment; modifying references; amending 69 O.S. 2011, Sections 687.2 and 687.3, which relate to Circuit Engineering District; modifying references; amending 69 O.S. 2011, Section 708.2, which relates to solicitation to construction managers; modifying references; amending 69 O.S. 2011, Section 1001, which relates to equipment and property; modifying references; amending 69 O.S. 2011, Sections 1507, 1512 and 1521, which relate to financing; modifying references; amending 69 O.S. 2011, Section 1736, which relates to the Honor the Fallen Revolving Fund; modifying references; amending 69 O.S. 2011, Section 1963, which relates to the Highway Construction Materials Technician Certification Board Revolving Fund; modifying references; amending 69 O.S. 2011, Section 4031, which relates to the Public Transit Revolving Fund; modifying references; amending 70 O.S. 2011, Section 1-123, which relates to the Public School Classroom Support Revolving Fund; modifying references; amending 70 O.S. 2011, Sections 3-109 and 3-110, which relate to funds for the State Board of Education; modifying references; amending 70 O.S. 2011, Section 3-118, as amended by Section 6 of Enrolled Senate Bill No. 1797 of the 2nd Session of the 53rd Oklahoma Legislature, which relates to the Educational Accountability Reform Act; modifying references; amending 70 O.S. 2011, Sections 3-163, 3-164, 3-165 and 3-166, which relate to the Oklahoma Charter Schools Act; modifying references; amending 70 O.S. 2011, Section 3-173, which relates to the Oklahoma Advisory Council on Indian Education; modifying references; amending 70 O.S. 2011, Section 5-117a, which relates to school district contracts; modifying references; amending 70 O.S. 2011, Section 6-191, which relates to the Oklahoma Teacher Preparation Act; modifying references; amending 70 O.S. 2011, Section 6-201, which relates to joint funding; modifying references; amending 70 O.S. 2011, Sections 6-204.3, 6-204.4, 6-204.5 and 6-206.1, which relate to the Education Leadership Oklahoma Act; modifying references; amending 70 O.S. 2011, Section 13-114.1, which relates to the Oklahoma Special Education Assistance Fund; modifying references;

amending 70 O.S. 2011, Section 13-124.1, which relates to the Oklahoma Early Intervention Revolving Fund; modifying references; amending 70 O.S. 2011, Sections 17-106 and 17-121, which relate to the Teachers' Retirement System of Oklahoma; modifying references; amending 70 O.S. 2011, Sections 18-105 and 18-118.1, which relate to school district funds; modifying references; amending 70 O.S. 2011, Section 18-162, which relates to the Schools Capital Improvements Budget; modifying references; amending 70 O.S. 2011, Section 18-400, which relates to the Education Reform Revolving Fund; modifying references; amending 70 O.S. 2011, Section 21-116, which relates to the Oklahoma Board of Private Vocational Schools Revolving Fund; modifying references; amending 70 O.S. 2011, Section 23-126, which relates to the purchase of television programs; modifying references; amending 70 O.S. 2011, Section 625.4a, which relates to the Oklahoma Rural Medical Education Loan and Scholarship Fund; modifying references; amending 70 O.S. 2011, Sections 697.7, 697.8, 697.10, 697.11, 697.17, 697.18, 697.19 and 697.21, which relate to the funds of the Physician Manpower Training Commission; modifying references; amending 70 O.S. 2011, Section 1210.402, which relates to the Oklahoma School of Science and Mathematics Revolving Fund; modifying references; amending 70 O.S. 2011, Section 1210.452, which relates to the Oklahoma School for the Visual and Performing Arts Revolving Fund; modifying references; amending 70 O.S. 2011, Sections 3205, 3210 and 3213, as amended by Section 2 of Enrolled Senate Bill No. 1111 of the 2nd Session of the 53rd Oklahoma Legislature, which relate to The Oklahoma State System of Higher Education; modifying references; amending 70 O.S. 2011, Sections 3311.3, 3311.6, 3311.7, 3311.8 and 3311.13, which relate to funds of the Council on Law Enforcement Education and Training; modifying references; amending 70 O.S. 2011, Sections 3407.3, 3426 and 3431, which relate to agricultural and mechanical colleges; modifying references; amending 70 O.S. 2011, Section 3509, which relates to the Board of Regents of Oklahoma Colleges; modifying references; amending 70 O.S. 2011, Sections 3903, 3905 and 3953.1, which relate to

finance; modifying references; amending 70 O.S. 2011, Section 4452, which relates to property transferred to the Board of Trustees; modifying references; amending 70 O.S. 2011, Section 4663, which relates to the Board of Trustees for Oklahoma State University/Tulsa; modifying references; amending 70 O.S. 2011, Section 4713, which relates to the Funds for Excellence Fund; modifying references; amending 71 O.S. 2011, Sections 1-601 and 1-612, which relate to the Oklahoma Uniform Securities Act of 2004; modifying references; amending 72 O.S. 2011, Section 48, which relates to leave of absence; modifying references; amending 72 O.S. 2011, Sections 63.11a, 63.16, 63.19 and 65.1, which relate to the Department of Veterans Affairs; modifying references; amending 72 O.S. 2011, Section 67.13, which relates to the W.V.C. Revolving Fund; modifying references; amending 72 O.S. 2011, Section 164, which relates to the transfer of property; modifying references; amending 72 O.S. 2011, Sections 221.5, 222, 223 and 240, which relate to the Oklahoma Veterans Centers; modifying references; amending 72 O.S. 2011, Sections 403 and 404, which relate to the Special Disabled Veterans Employment Act; modifying references; amending 73 O.S. 2011, Sections 15, 15.1, 15.2, 15.4, 15.5, 22, 24, 26, 62.2, 83.1, 83.10, 83.14, 92, 96 and 97, which relate to the Capitol grounds and buildings; modifying references; amending 73 O.S. 2011, Section 98.5, which relates to the Oklahoma Centennial Act; modifying references; amending 73 O.S. 2011, Section 99.6, which relates to the Oklahoma Centennial County Courthouses Preservation Act Revolving Fund; modifying references; amending 73 O.S. 2011, Section 99.15, which relates to the Oklahoma Historic Capitols Preservation Act Revolving Fund; modifying references; amending 73 O.S. 2011, Sections 163, 163.3, 168.7, 168.8, 173, 176, 179, 180, 181, 184, 206, 209, 301, 301.1, 310, 321 and 336, which relate to the Oklahoma Capitol Improvement Authority; modifying references; amending 74 O.S. 2011, Section 9.33, which relates to the Office of Disability Concerns Revolving Fund; modifying references; amending 74 O.S. 2011, Section 10.3, which relates to the Executive Branch Reform Act of 1986; modifying references; amending 74 O.S. 2011, Sections 18c, 181,

19.1, 19.3 and 20, which relate to the Attorney General; modifying references; amending 74 O.S. 2011, Sections 51.1a, 51.2 and 51.2c, which relate to the Oklahoma Homeland Security Act; modifying references; amending 74 O.S. 2011, Sections 61.3, 61.4, 61.7, as amended by Section 2 of Enrolled House Bill No. 2262 of the 2nd Session of the 53rd Oklahoma Legislature, 62.2, 62.3, 62.6, 62.7, 63, 63.1, 63.1a, 63.2, 63.3, 63.4, 66, 71, 72, 74.1, 75, 75a, 76, 76a, 76b, 76c, 77c, 77d, 78, 78a, 78b, 78c, 78e, 78f, 80.1, 85.3, 85.4, 85.5, 85.7, 85.7a, 85.7d, 85.7e, 85.8, 85.9B, 85.9D, 85.9E, 85.12a, 85.12b, 85.13, 85.26, 85.29, 85.31, 85.33, 85.33A, 85.33B, 85.39, 85.43, 85.44D, 85.45b, 85.45e, 85.45f, 85.45g, 85.45h, 85.45j, 85.45k, 85.45l, 85.45r, 85.45s, 85.47a, 85.47b, 85.47c, 85.47d, 85.47f, 85.47g, 85.47i, 85.51, 85.52, 85.53, 85.54, 85.55a, 85.56, 85.57, 85.58A, 85.58D, 85.58G, 85.58H, 85.58J, 85.58K, 85.58L, 85.58M, 85.58N, 85.58P, 85.60, 90.1, 94, 95, 96, 96.1, 97, 98, 99, 103, 104, 107, 108.1, 109.1, 109.2, 110.1, 110.2, 110.3, 111, 114, 121, 123f, 126.1, 128.1, 128.2, 128.3, 129.4, 129.4f, 129.6, 129.8, 130, 130.4, 130.9, 130.14, 130.15, 130.16, 130.17, 130.18, 130.19, 130.21 and 130.22, which relate to the Department of Central Services; modifying references; amending 74 O.S. 2011, Sections 150.19a, 150.25, 150.32 and 150.35, which relate to funds of the Oklahoma State Bureau of Investigation; modifying references; amending 74 O.S. 2011, Section 152.5, which relates to the Oil and Gas Theft Recovery Revolving Fund; modifying references; amending 74 O.S. 2011, Sections 166.5, 166.7 and 166.9, which relate to the State Department of Rehabilitation Services; modifying references; amending 74 O.S. 2011, Section 168, which relates to the transfer of property; modifying references; amending 74 O.S. 2011, Sections 212, 212A, 213.2 and 227.9, which relate to the State Auditor and Inspector; modifying references; amending 74 O.S. 2011, Section 291.2, which relates to the Board on Legislative Compensation; modifying references; amending 74 O.S. 2011, Section 292.12, which relates to the Oklahoma State Employees' Direct Deposit Act; modifying references; amending 74 O.S. 2011, Section 324.20b and 325.4, which relate to the State Fire Marshal;

modifying references; amending 74 O.S. 2011, Section 452.10, which relates to audits; modifying references; amending 74 O.S. 2011, Sections 452.12 and 456.7, which relate to the Legislative Review of State Audits Act; modifying references; amending 74 O.S. 2011, Sections 500.2, 500.6A, 500.9, 500.14, 500.15, 500.16, 500.16A, 500.18 and 500.54, which relate to the State Travel Reimbursement Act; modifying references; amending 74 O.S. 2011, Sections 588, 588.1, 589 and 589.1, which relate to the Oklahoma Privatization of State Functions Act; modifying references; amending 74 O.S. 2011, Sections 666 and 669.1, which relate to the Oklahoma Commission on the Status of Women; modifying references; amending 74 O.S. 2011, Sections 840-1.3, 840-1.18, 840-2.3, 840-2.4, 840-2.7, 840-2.10, 840-2.13, 840-2.14, 840-2.17, 840-2.18, 840-2.19, 840-2.20, 840-2.20A, 840-2.21, 840-2.22, 840-2.26, 840-2.27C, 840-2.27D, 840-2.27E, 840-2.27F, 840-2.27G, 840-2.28, 840-2.28A, 840-2.28B, 840-3.1, 840-3.2, 840-3.4, 840-3.5, 840-3.11, 840-3.13, 840-3.15, 840-3.16, 840-4.2, 840-4.3, 840-4.6, 840-4.7, 840-4.8, 840-4.10, 840-4.11, 840-4.12, 840-4.13, 840-4.14, 840-4.15, 840-4.17, 840-5.1, 840-5.1A, 840-5.2A, 840-5.2B, 840-5.3, 840-5.5, 840-5.16, 840-6.2, 840-6.5, 840-6.9, 841.30, 842 and 845, which relate to the Oklahoma Personnel Act; modifying references; amending 74 O.S. 2011, Section 865, which relates to the Oklahoma Industrial Finance Authority Act; modifying references; amending 74 O.S. 2011, Sections 905, 907, 913, 920, 941 and 943, which relate to the Oklahoma Public Employees Retirement System; modifying references; amending 74 O.S. 2011, Section 952, which relates to the Oklahoma Human Rights Commission; modifying references; amending 74 O.S. 2011, Sections 1224, 1226.4A and 1226.17, which relate to state-tribal relations; modifying references; amending 74 O.S. 2011, Sections 1305.1, 1306.1, 1306.2, 1306.5, 1306.6, 1307, 1307.1, 1307.2, 1307.3, 1308, 1308.1, 1309, 1310, 1310.1, 1310.2, 1311, 1311.1, 1312, 1312.1, 1312.2, 1312.3, 1314.3, 1314.5, 1315, 1315.1, 1316.1, 1316.2, 1316.3, 1317, 1318, 1321, 1323, 1324, 1325, 1326, 1327, 1328, 1329 and 1329.1, which relate to the State and Education Employees Group Insurance Act; modifying references;

amending 74 O.S. 2011, Section 1343, which relates to the State Employees Flexible Benefits Act; modifying references; amending 74 O.S. 2011, Sections 1366, 1366.1, 1366.2, 1371, 1372, 1373 and 1374, which relate to the Oklahoma State Employees Benefits Act; modifying references; amending 74 O.S. 2011, Section 1384, which relates to the Wellness Program Fund; modifying references; amending 74 O.S. 2011, Sections 1701, 1705 and 1707, which relate to tax-deferred compensation plans; modifying references; amending 74 O.S. 2011, Sections 1811.4A, 1811.4C, 2215, 2216, 2243, 2244, 2251, 2252, 2253, 2254, 2254.1 and 2255, which relate to the Oklahoma Tourism, Parks and Recreation Enhancement Act; modifying references; amending 74 O.S. 2011, Section 2288, which relates to the Oklahoma Recreation and Development Revolving Fund; modifying references; amending 74 O.S. 2011, Sections 3001, 3004.1, 3004.2 and 3007, which relate to the State Use Committee; modifying references; amending 74 O.S. 2011, Section 3119, which relates to annual mailing to state employees; modifying references; amending 74 O.S. 2011, Section 3200.2, which relates to the Health Care Workforce Resources Act; modifying references; amending 74 O.S. 2011, Section 3317, which relates to CompSource Oklahoma; modifying references; amending 74 O.S. 2011, Sections 3601.2 and 3605, which relate to the State Employment Review Board; modifying references; amending 74 O.S. 2011, Sections 3909 and 3920, which relate to the Oklahoma Sunset Law; modifying references; amending 74 O.S. 2011, Sections 4103, 4104, 4105 and 4109, which relate to the State Capitol Preservation Commission; modifying references; amending 74 O.S. 2011, Sections 4112, 4119, 4120 and 4121, which relate to the Incentive Awards for State Employees Act; modifying references; amending 74 O.S. 2011, Sections 4190, 4191 and 4192, which relate to child care centers for state employees; modifying references; amending 74 O.S. 2011, Sections 4258 and 4260, which relate to the Ethics Commission; modifying references; amending 74 O.S. 2011, Sections 5001, 5008.3, 5009.16, 5012, 5013, 5013.1, 5013.3, 5019, 5020.1, 5028 and 5030, which relate to the Department of Commerce; modifying references; amending 74 O.S. 2011, Sections 5060.2, 5060.11,

5060.21, 5060.24 and 5060.30, which relate to the Oklahoma Science and Technology Research and Development Act; modifying references; amending 74 O.S. 2011, Section 5063.17, which relates to the Credit Enhancement Reserve Fund Act; modifying references; amending 74 O.S. 2011, Section 5064.8, which relates to the Inventors and Entrepreneurs Program Fund; modifying references; amending 74 O.S. 2011, Section 5066.6, which relates to the Product Development Program Fund; modifying references; amending 74 O.S. 2011, Section 5085.11, which relates to the Oklahoma Capital Formation Revolving Fund; modifying references; amending 74 O.S. 2011, Section 5208.1, which relates to the Oklahoma Space Industry Development Authority Revolving Fund; modifying references; amending 74 O.S. 2011, Sections 6201, 6202, 6203 and 6204, which relate to the Hissom Memorial Treatment Center; modifying references; amending 74 O.S. 2011, Section 7005, which relates to the Oversight Committee for State Employee Charitable Contributions; modifying references; amending 74 O.S. 2011, Section 8121, which relates to the Task Force on Electronic Commerce; modifying references; amending 74 O.S. 2011, Section 8201.2, which relates to The 1921 Tulsa Race Riot Memorial of Reconciliation Revolving Fund; modifying references; amending 74 O.S. 2011, Sections 8401, 8402 and 8403, which relate to memorials; modifying references; amending 74 O.S. 2011, Sections 9030.3, 9030.6 and 9030.7, which relate to the Oklahoma Art in Public Places Act; modifying references; amending 80 O.S. 2011, Sections 34.2, 34.3 and 34.6, which relate to surplus property; modifying references; amending 82 O.S. 2011, Sections 864 and 866, which relate to the Grand River Dam Authority; modifying references; amending 82 O.S. 2011, Section 1020.16, as amended by Section 1 of Enrolled House Bill No. 1910 of the 2nd Session of the 53rd Oklahoma Legislature, which relates to license to drill; modifying references; amending 82 O.S. 2011, Sections 1085.2, 1085.7 and 1085.7A, which relate to the Oklahoma Water Resources Board; modifying references; amending 82 O.S. 2011, Section 1087.6, which relates to the Oklahoma Weather Modification Act; modifying references; amending 82 O.S. 2011, Sections 1462A, 1462B and 1462C, which

relate to the Scenic Rivers Act; modifying references; amending 82 O.S. 2011, Sections 1501-205.1 and 1501-205.2, which relate to the State Geographic Information Council; modifying references; amending 82 O.S. 2011, Section 1801.4, which relates to funding; modifying references; amending 85 O.S. 2011, Sections 303, 361, 365, 370, 376, 384, 387, 389, 403 and 412, which relate to the Workers' Compensation Code; modifying references; and repealing 19 O.S. 2011, Section 1501, as amended by Section 1 of Enrolled House Bill No. 2619 of the 2nd Session of the 53rd Oklahoma Legislature and 19 O.S. 2011, Section 1501, as amended by Section 1 of Enrolled Senate Bill No. 1051 of the 2nd Session of the 53rd Oklahoma Legislature, which are duplicate sections.

SUBJECT: State agency consolidation

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 1 O.S. 2011, Section 26, is amended to read as follows:

Section 26. There is hereby created in the State Treasury a revolving fund for the Oklahoma Abstractors Board to be designated the "Oklahoma Abstractors Board Revolving Fund". Beginning July 1, 2007, any monies collected pursuant to the Oklahoma Abstractors Law shall be deposited into the Oklahoma Abstractors Board Revolving Fund. Beginning January 1, 2008, any monies collected pursuant to the Oklahoma Abstractors Act shall be deposited into the Oklahoma Abstractors Board Revolving Fund. The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of all monies received by the Oklahoma Abstractors Board from any transfers, fees, bonds, penalties or fines paid to the Board pursuant to the Oklahoma Abstractors Act. All monies accruing to the credit of said fund are hereby appropriated and may be budgeted and expended by the Oklahoma Abstractors Board for the purpose of effectuating the purposes of the Oklahoma Abstractors Act and to pay all costs and expenses heretofore and hereafter incurred in connection therewith. Expenditures from said fund shall be made upon warrants issued by the State Treasurer against claims filed as

prescribed by law with the Director of ~~State Finance~~ the Office of Management and Enterprise Services for approval and payment.

SECTION 2. AMENDATORY 2 O.S. 2011, Section 2-12, is amended to read as follows:

Section 2-12. A. For accounting purposes only, when any check has been received by the State Board of Agriculture, or the State Department of Agriculture, Food, and Forestry, and has remained unpaid for a period of more than five (5) years, and the Board determines that the check cannot be collected, the amount of the check shall not be included or carried as an asset of the Board or any of its funds.

B. If all appropriate collection remedies have been exhausted in the collection of any debt owed to the Department, the debt shall be considered uncollectable. A list of all uncollectable debts and persons who owed the debts, shall be reported to the Oklahoma Legislature, the ~~Office of State Finance~~ Office of Management and Enterprise Services, and the Oklahoma Tax Commission no later than May 1 of each calendar year.

SECTION 3. AMENDATORY 2 O.S. 2011, Section 2-26, is amended to read as follows:

Section 2-26. A. The Agriculture Emergency Insect Control Special Fund is hereby created in the State Treasury for the ~~State Oklahoma~~ Department of Agriculture, Food, and Forestry. The fund consists of monies transferred to it from funds appropriated to the Department for this purpose. The fund shall be a continuing fund, not subject to fiscal year limitations, and shall be under the control and management of the administrative authority of the Department. Expenditures from the fund shall be pursuant to the laws of this state and rules promulgated by the State Board of Agriculture.

B. The fund shall be for emergency controls that lack legislative appropriation of emergency grasshopper and range caterpillar control within the state or for the general operations of the Department, and may be used for matching purposes for those programs in which the United States Department of Agriculture participates.

C. All expenditures shall be approved by the Board. Warrants for expenditures from the fund shall be based on claims signed by an

authorized employee of the Department and approved for payment by the Director of ~~State Finance~~ the Office of Management and Enterprise Services.

SECTION 4. AMENDATORY 2 O.S. 2011, Section 5-3.3, is amended to read as follows:

Section 5-3.3 A. There is hereby created within the State Treasury a fund for the State Board of Agriculture to be designated the "Oklahoma Agriculture Enhancement and Diversification Fund". The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of all monies received by the State Board of Agriculture to implement and maintain the Oklahoma Agriculture Enhancement and Diversification Program.

B. The Oklahoma Agriculture Enhancement and Diversification Fund shall consist of:

1. Money received by the State Department of Agriculture in the form of gifts, grants, appropriations, reimbursements, donations, industry contributions, funds allocated by federal agencies for marketing, research and agricultural development programs and such other monies specifically designated for the Oklahoma Agriculture Enhancement and Diversification Program. All monies accruing to the credit of the fund are hereby appropriated and may be budgeted and expended by the State Board of Agriculture for the Oklahoma Agriculture Enhancement and Diversification Program; and

2. Interest attributable to investment of money in the fund.

C. All donations or other proceeds received by the Department pursuant to the provisions of this section shall be deposited with the State Treasurer to be credited to the Oklahoma Agriculture Enhancement and Diversification Fund. Expenditures from the fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of ~~State Finance~~ the Office of Management and Enterprise Services for approval and payment.

D. The monies deposited in the fund shall at no time become part of the general budget of the Department or any other state agency. Except for any administration costs incurred in development and implementation of the Oklahoma Agriculture Enhancement and Diversification Program, no monies from the fund shall be transferred for any purpose to any other state agency or to any

account of the State Board of Agriculture or the Department or be used for the purpose of contracting with any other state agency or reimbursing any other state agency for any expense.

SECTION 5. AMENDATORY 2 O.S. 2011, Section 5-11, is amended to read as follows:

Section 5-11. A. As part of the "Made in Oklahoma" and "Grown in Oklahoma" programs established within the ~~State~~ Oklahoma Department of Agriculture, Food, and Forestry, the Department, in cooperation with the ~~Department of Central Services Office of Management and Enterprise Services~~ and the State Purchasing Director, shall develop and expand new markets and identify the needs of state agencies, institutions, universities, and other entities of state, municipalities, counties, and other political subdivisions of this state and federal agencies and institutions for Oklahoma-made and Oklahoma-grown agricultural products.

B. The Department shall serve as a communication link between the producers of Oklahoma agricultural products and the ~~Department of Central Services Office of Management and Enterprise Services~~ and the State Purchasing Director or directly between the producers and the state, local, and federal entities for determining and satisfying the needs of the state, local, and federal entities for agricultural products. Special emphasis shall be given by the program for the development of opportunities for distribution and sale of surplus and oversupply of perishable products.

C. The Department, the ~~Department of Central Services Office of Management and Enterprise Services~~, and the State Purchasing Director shall provide an expeditious process for the sale to and purchase of Oklahoma grown and produced agricultural products by state, local, and federal entities.

D. The Department shall inform producers of the identified needs of agricultural products by the state, local, and federal entities and shall assist the producers in contract procedures with or through the ~~Department of Central Services Office of Management and Enterprise Services~~ and the State Purchasing Director or directly with the state, local, or federal entity needing the agricultural products.

SECTION 6. AMENDATORY 2 O.S. 2011, Section 6-405, is amended to read as follows:

Section 6-405. A. When it is determined by the State Board of Agriculture that it is necessary to eradicate any dangerous, infectious or communicable disease among domestic animals in the state, the presence of which constitutes an emergency declared pursuant to the Animal Disease Outbreak Temporary Emergency Act or declared by the United States Department of Agriculture, the Board may take reasonable and necessary steps to suppress and eradicate the disease. The Board may cooperate with the Animal and Plant Health Inspection Service (APHIS) of the United States Department of Agriculture, federally recognized Indian tribes, state or local government agencies, or any other private or public entity in the suppression and eradication of the disease.

B. When an emergency has been declared, the Board or the State Veterinarian may order:

1. Animals destroyed which are infected with the disease, exposed to the disease, or are highly susceptible to exposure to the disease because of proximity to diseased animals affected by the disease;

2. Personal property to be destroyed in order to remove the infection;

3. The cleaning and disinfection of any premises, exposed to the disease, or are highly susceptible to exposure to the disease because of proximity to diseased animals affected by the disease; and

4. Any act and incur any other expense reasonably necessary to destroy or suppress the disease.

C. The Governor, at the request of the Board, may take any other emergency action necessary to ensure the health of the public and the state livestock industry.

D. 1. The Board may:

a. accept on behalf of the state, the regulations adopted by the Animal and Plant Health Inspection Service of the United States Department of Agriculture pertaining to the disease authorized under an act of Congress, or the portion of the regulations deemed necessary, suitable, or applicable, and

- b. cooperate with the Animal and Plant Health Inspection Service of the United States Department of Agriculture, in the enforcement of such regulations.

2. Alternatively, the Board may follow the procedure only as to quarantine, inspection, condemnation, appraisal, compensation, destruction, burial of animals, disinfection, or other acts the Board considers reasonably necessary for the destruction or suppression of the disease as adopted by the Board.

E. 1. For the purpose of determining compensation as provided by subsection F of this section, appraisals of animals or personal property destroyed pursuant to the Animal Disease Outbreak Temporary Emergency Act must be made by a Board-approved appraiser or by an appraisal committee consisting of an appraiser representing the Board, an appraiser representing the Animal and Plant Health Inspection Service of the United States Department of Agriculture, and an appraiser representing the owner. When, in the judgment of the Board or the State Veterinarian, the animals to be killed or personal property to be destroyed poses a disease threat, appraisals may be conducted after the animals are killed based on documents, testimony, or other relevant evidence.

2. Appraisals must be:

- a. in writing and signed by the appraisers or appraisal committee, and
- b. made at the fair market value of all animals and personal property appraised, unless otherwise provided by applicable federal law or regulation when compensation is paid by federal funds.

F. Upon destruction of animals or personal property, burial or other disposition of the carcasses of the animals, and the completion of the cleaning and disinfection of the premises in accordance with the provisions of the Animal Disease Outbreak Temporary Emergency Act, the Board or its authorized agent shall certify the appraisal to the Director of ~~State Finance~~ the Office of Management and Enterprise Services. If funds are available for this purpose, the Director shall then file a claim with the State Treasurer for a warrant in the amount payable to the owner, excluding any compensation received by the owner from other sources.

G. A person who believes that the Board's certified appraisal is not sufficient may apply for a temporary restraining order or injunctive relief from the appropriate district court.

H. 1. No person or other legal entity may initiate any proceeding to collect a debt from the owner relating to animals or personal property destroyed pursuant to this section, until the owner has received compensation under paragraph F of this section.

2. If a person or other legal entity refuses to comply with this subsection after being informed that the owner qualifies for relief pursuant to the Animal Disease Outbreak Temporary Emergency Act, the owner may apply to the district court in the county in which the owner resides for a court order directing the person or other legal entity to comply with this subsection and to reimburse the owner for reasonable attorney fees incurred in obtaining the court order.

3. The provisions of this subsection shall not affect the validity of a mortgage foreclosure, contract for deed cancellation or other proceeding involving the title to real property, unless the owner records in the office of the county clerk where the real property is located, prior to completion of the proceeding to collect the debt, a certified copy of the court order determining that the owner qualifies for relief pursuant to the Animal Disease Outbreak Temporary Emergency Act, and the legal description of the real property.

4. a. For purposes of proceedings involving title to real property pursuant to paragraph 3 of this subsection, the court order must provide that the order expires ninety (90) days after the date of application for the court order, unless the court extends the court order prior to that date for good cause shown.

b. A certified copy of any extension of the court order must be filed in the office of the county clerk in order to affect the validity of a proceeding affecting the title to real property.

5. For purposes of this subsection:

a. "completion of a proceeding to collect a debt" means, in the case of a mortgage foreclosure or of a foreclosure of any other lien on real property, the

filing or recording of the sheriff's certificate of sale, and, in the case of a contract for deed cancellation, the end of the cancellation period provided in that law, and

- b. "proceeding to collect a debt" includes foreclosure, repossession, garnishment, levy, contract for deed cancellation, an action to obtain a court judgment, a proceeding to collect real estate taxes or special assessments, eviction, and any other in-court and out-of-court proceedings to collect a debt. The term shall not include sending bills or other routine communications to the owner.

SECTION 7. AMENDATORY 2 O.S. 2011, Section 7-416, is amended to read as follows:

Section 7-416. There is hereby created in the State Treasury a revolving fund to be known as the "Milk and Milk Products Inspection Revolving Fund". The fund shall be a continuing fund not subject to fiscal year limitations and is appropriated and may be budgeted and expended by the Commissioner of Agriculture for the purpose of administering and enforcing the Oklahoma Milk and Milk Products Act. Expenditures from the fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of ~~State Finance~~ the Office of Management and Enterprise Services for approval and payment.

SECTION 8. AMENDATORY 2 O.S. 2011, Section 10-9.6, is amended to read as follows:

Section 10-9.6 A. There is hereby created in the State Treasury a revolving fund for the ~~State~~ Oklahoma Department of Agriculture, Food, and Forestry to be designated the "Poultry Waste Education Revolving Fund". The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of all monies donated to the fund, and any other monies deposited in the fund pursuant to law.

B. All monies accruing to the credit of the fund are hereby appropriated and may be budgeted and expended by the ~~State~~ Oklahoma Department of Agriculture, Food, and Forestry to contract with Oklahoma State University to provide the educational courses required by the Oklahoma Poultry Waste Applicators Certification Act.

C. Expenditures from the fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of ~~State Finance~~ the Office of Management and Enterprise Services for approval and payment.

SECTION 9. AMENDATORY 2 O.S. 2011, Section 10-9.24, is amended to read as follows:

Section 10-9.24 There is hereby created in the State Treasury a revolving fund for the ~~State~~ Oklahoma Department of Agriculture, Food, and Forestry to be designated the "Agriculture Regulation Revolving Fund". The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of fees and fines assessed on concentrated animal feeding operations, registered poultry feeding operations, and any other monies deposited in this fund pursuant to law. All monies accruing to the credit of the fund are hereby appropriated and may be budgeted and expended by the ~~State~~ Oklahoma Department of Agriculture, Food, and Forestry for the regulation, enforcement, and administration of the ~~State~~ Oklahoma Department of Agriculture, Food, and Forestry Water Quality Division. Expenditures from the fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of ~~State Finance~~ the Office of Management and Enterprise Services for approval and payment.

SECTION 10. AMENDATORY 2 O.S. 2011, Section 15-60.3, is amended to read as follows:

Section 15-60.3 A. There is hereby created within the State Treasury a fund for the State Board of Agriculture to be designated the "Oklahoma County Fair Enhancement Fund". The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of all monies received by the State Board of Agriculture to implement and maintain the Oklahoma County Fair Enhancement Program.

B. The Oklahoma County Fair Enhancement Fund shall consist of:

1. Money received by the ~~State~~ Oklahoma Department of Agriculture, Food, and Forestry in the form of gifts, grants, appropriations, reimbursements, donations, industry contributions, and such other monies specifically designated for the Oklahoma County Fair Enhancement Program. All monies accruing to the credit of the fund are hereby appropriated and may be budgeted and expended

by the State Board of Agriculture for the Oklahoma County Fair Enhancement Program; and

2. Interest attributable to investment of money in the fund.

C. All donations or other proceeds received by the Department pursuant to the provisions of this section shall be deposited with the State Treasurer to be credited to the Oklahoma County Fair Enhancement Fund. Expenditures from the fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of ~~State Finance~~ the Office of Management and Enterprise Services for approval and payment.

D. The monies deposited in the fund shall at no time become part of the general budget of the Department or any other state agency. Except for any administration costs incurred in development and implementation of the Oklahoma County Fair Enhancement Program, no monies from the fund shall be transferred for any purpose to any other state agency or to any account of the State Board of Agriculture or the Department or be used for the purpose of contracting with any other state agency or reimbursing any other state agency for any expense.

SECTION 11. AMENDATORY 2 O.S. 2011, Section 16-8, is amended to read as follows:

Section 16-8. A. The Forestry Division, in connection with the enforcement of the Oklahoma Forestry Code, shall have the following powers, authority, and duties:

1. To enforce the provisions of this code and other forest and forest protection laws of this state;

2. To prevent, detect, extinguish, and investigate wildfires in this state;

3. To provide wildfire fighting crews, who shall be under the control and direction of forest rangers and other designated agents of the Division;

4. To appoint district foresters, assistant district foresters, investigators, rangers, and other employees;

5. To use the resources of the Division on state-owned parks and other state-administered lands to prevent and suppress fires and

to establish fire fighting crews who shall be authorized to suppress fires on state lands;

6. To be reimbursed on an actual cost basis for all services provided to state parks and other lands administered by the State of Oklahoma;

7. To investigate cases of forest timber theft;

8. To make available for sale surplus state vehicles directly to rural fire departments or municipal fire departments, in cities or towns under ten thousand (10,000) population. State vehicles may be offered for sale only after approval is given in writing by the Department of Central Services Office of Management and Enterprise Services and an evaluation is made of each vehicle and a price set by the Department of Central Services Office of Management and Enterprise Services. The Forestry Division may only receive the amount authorized by the Department of Central Services Office of Management and Enterprise Services for the sale of the vehicle;

9. To purchase equipment from the Rural Fire Defense Equipment Revolving Fund's inventory, when advantageous to the state, and to reimburse the Revolving Fund; and

10. To plan and conduct prescribed burning at the request and expense of landowners on public or private lands for the purpose of controlling Eastern Red Cedar and other invasive species, for hazardous fuel reduction, wildlife habitat manipulation, ecosystem restoration, or achieving silvicultural objectives. Forestry Division employees shall be protected under The Governmental Tort Claims Act and shall not be personally liable beyond the limits established therein for activities pursuant to this paragraph unless gross negligence is established in a competent court of law.

B. Forest rangers, and the fire fighting crews under their control and direction, may enter upon any lands for the purpose of preventing and suppressing wildfires and to enforce the provisions of the Oklahoma Forestry Code and other wildfire and forest protection laws of this state.

C. Forest rangers, employees of the Division, and all persons under contract or agreement with the Division to assist in fire fighting operations, as well as persons called upon by forest rangers or other authorized employees of the Division to assist in fire fighting under the direction or supervision of employees of the

Division, may, in the performance of their duties, set backfires, dig trenches, cut firelines, and carry on all customary activities in the fighting of wildfires without incurring liability to any person.

D. 1. The Director may appoint, subject to the approval of the Board, special officers who shall have the power and authority to arrest. The special officers shall have power and authority throughout the state, under the direction and control of the Division, to enforce the criminal provisions contained in the Oklahoma Forestry Code, other laws relating to forests and wildfires, and the Oklahoma Agricultural Code.

2. The special officers shall have power and authority to make arrests with or without warrants for violations of the criminal provisions of the Oklahoma Forestry Code, other laws relating to forests and wildfires, and the Oklahoma Agricultural Code to the same extent and under the same limitations and duties as peace officers under the provisions of Title 22, Chapter 3 of the Oklahoma Statutes.

3. In connection with the enforcement of the criminal provisions, the special officers and other state investigators or law enforcement officers may go upon all premises when necessary for the enforcement of laws. All special officers shall be ex officio forest rangers and shall be under the control and direction of the Division; except, the Director may at any time, for cause, remove any powers and authority of arrest conferred. Special officers shall have the same right and authority to carry arms as the sheriffs of this state. The compensation of special officers shall be fixed and paid by the Division from its funds.

SECTION 12. AMENDATORY 2 O.S. 2011, Section 16-11, is amended to read as follows:

Section 16-11. A. There is created within the State Treasury a cost-share fund for the State Board of Agriculture to be designated the "Forestry Cost-Share Fund". The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of all monies received by the Board to implement and maintain the forestry cost-share program.

B. The Forestry Cost-Share Fund shall consist of:

1. Money received by the State Oklahoma Department of Agriculture, Food, and Forestry in the form of gifts, grants, reimbursements, donations, forest industry contributions, funds allocated by federal agencies for landowner forestry cost-share programs, and other monies specifically designated for the forestry cost-share program. All monies accruing to the credit of the fund are appropriated and may be budgeted and expended by the Board for the forestry cost-share program; and

2. Interest attributable to investment of money in the Forestry Cost-Share Fund.

C. All donations or other proceeds received by the Department pursuant to the provisions of this section shall be deposited with the State Treasurer to be credited to the Forestry Cost-Share Fund. Expenditures from the fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of ~~State Finance~~ the Office of Management and Enterprise Services for approval and payment.

D. The monies deposited in the Forestry Cost-Share Fund shall at no time become part of the general budget of the Department or any other state agency. Except for any administration costs incurred in development and implementation of the forestry cost-share program, no monies from the Fund shall be transferred for any purpose to any other state agency or any account of the Board or Department or be used for the purpose of contracting with any other state agency or reimbursing any other state agency for any expense.

SECTION 13. AMENDATORY 2 O.S. 2011, Section 16-83, is amended to read as follows:

Section 16-83. There is hereby created in the State Treasury a revolving fund for the Oklahoma Department of Agriculture, Food, and Forestry to be designated the "Rural Fire Equipment Grant Revolving Fund". The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of all monies received by the Oklahoma Department of Agriculture, Food, and Forestry and designated for deposit thereto. All monies accruing to the credit of said fund are hereby appropriated and may be budgeted and expended by the Oklahoma Department of Agriculture, Food, and Forestry for the purpose of purchasing and repairing equipment used by rural fire departments for firefighting efforts. The Oklahoma Department of Agriculture, Food, and Forestry shall work with the Rural Fire Coordinators to establish suitable criteria for

application and approval of grants awarded to rural fire departments from said fund. Priority of grants awarded from said fund shall be given to rural fire departments which suffered damaged equipment from wildfire suppression efforts related to drought-related fires and fire control. The activities associated with the duties of said fund shall be known as the "Rural Fire Equipment Grant Program". Expenditures from said fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of ~~State Finance~~ the Office of Management and Enterprise Services for approval and payment.

SECTION 14. AMENDATORY 2 O.S. 2011, Section 18-40, is amended to read as follows:

Section 18-40. The Oklahoma Beef Council shall not be subject to the ~~laws of this state dealing with the:~~

1. ~~Office of Personnel Management~~ Oklahoma Personnel Act; or
2. Competitive Bidding Act administered by the ~~Department of Central Services~~ Office of Management and Enterprise Services.

SECTION 15. AMENDATORY 2 O.S. 2011, Section 18-42, is amended to read as follows:

Section 18-42. There is hereby created in the State Treasury a revolving fund for the Oklahoma Beef Council to be designated the "Oklahoma Beef Council Revolving Fund". The Fund shall be a continuing fund, not subject to fiscal year limitations and shall consist of all monies received by the Oklahoma Beef Council from assessments received and collected pursuant to the Oklahoma Beef Improvement and Market Development Act, donations, grants, contributions and gifts from any public or private source. The Council may expend funds as provided for by law. Expenditures from said fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of ~~State Finance~~ the Office of Management and Enterprise Services for approval and payment.

SECTION 16. AMENDATORY 2 O.S. 2011, Section 18-243, is amended to read as follows:

Section 18-243. A. Pursuant to the Oklahoma Sorghum Resources Act, the Oklahoma Sorghum Commission shall have the power and duty to:

1. Elect Commission officers to provide leadership and organization;
2. Call and conduct meetings as necessary in carrying out the provisions of the Oklahoma Sorghum Resources Act;
3. Formulate basic objectives and the general policies and programs of the State of Oklahoma respecting the discovery, promotion, and development of markets and industries for the utilization of sorghum;
4. Approve financial matters;
5. Maintain and enforce provisions of the Oklahoma Sorghum Resources Act;
6. Promulgate rules as are necessary to promptly and effectively administer the provisions of the Oklahoma Sorghum Resources Act;
7. Conduct assessment referenda pursuant to the Oklahoma Sorghum Resources Act;
8. Conduct programs consistent with the Oklahoma Sorghum Resources Act;
9. Develop bylaws for the due and orderly administration of the affairs of the Commission and for its responsibilities specified pursuant to the provisions of the Oklahoma Sorghum Resources Act;
10. Advise, consult, and cooperate with agencies of this state and its political subdivisions, other states, the federal government, and with affected groups;
11. Collect and disseminate information relating to sorghum production;
12. Contract with agencies of this state and its political subdivisions, other states, the federal government, and other organizations or persons to comply and fulfill its mission pursuant to the provisions of the Oklahoma Sorghum Resources Act;
13. Hold public hearings for any purposes consistent with the provisions of the Oklahoma Sorghum Resources Act;

14. Identify and coordinate industry-wide programs for sorghum, sorghum resources, sorghum market development, sorghum promotion, and education relating to sorghum;

15. Seek information from sorghum producers and users for purposes of planning and prioritizing expenditures of Commission funds;

16. Protect or represent the best interests of the industry; conduct production, utilization, and policy research that affects the sorghum industry and benefits producers' profitability; disseminate reliable information; cooperate with agencies of this state and other states and governmental entities to implement joint programs; receive gifts and grants; and implement, or cause to be implemented, programs to increase the commercial value of Oklahoma sorghum; and

17. Take any other actions deemed necessary by the Commission to implement the provisions of the Oklahoma Sorghum Resources Act.

B. In addition, the Commission shall:

1. Make available for inspections during an annual independent audit each fiscal year by a competent accountant or auditor, all books, records of account, and minutes of proceedings maintained by the Commission. The Commission shall provide to the State Oklahoma Department of Agriculture, Food, and Forestry a copy of the annual audit performed pursuant to this section;

2. Not later than forty-five (45) days after the last day of the fiscal year, submit to the President of the State Board of Agriculture a report itemizing all income and expenditures and describing all activities of the Commission during the fiscal year;

3. Provide surety bonds in amounts determined by the ~~Department of Central Services~~ Office of Management and Enterprise Services for any members who handle funds for the Commission; and

4. Receive, hold in trust, and disburse all assessments and other funds collected pursuant to the Oklahoma Sorghum Resources Act as trust funds of the Commission.

C. Any funds received by the Commission pursuant to the provisions of the Oklahoma Sorghum Resources Act shall not be used,

directly or indirectly, or as a result of contract or agreement, with other persons or organizations in supporting or opposing political candidates or political office holders, either state or national.

D. 1. Except for instances of gross negligence, individual criminal actions, or acts of dishonesty, the Commission and employees of the Commission are not individually liable to a sorghum producer or other person for actions or omissions taken pursuant to this act that are:

- a. errors in judgment, or
- b. mistakes.

2. A member of the Commission is not individually liable for an act or omission of another member of the Commission.

SECTION 17. AMENDATORY 2 O.S. 2011, Section 18-273, is amended to read as follows:

Section 18-273. A. Pursuant to the Oklahoma Oilseed Resources Act, the Oklahoma Oilseed Commission shall have the power and duty to:

1. Elect Commission officers to provide leadership and organization;
2. Call and conduct meetings as necessary in carrying out the provisions of the Oklahoma Oilseed Resources Act;
3. Appoint subcommittees for each oilseed represented such as canola and any other oilseeds to formulate basic objectives and the general policies and programs of the State of Oklahoma respecting the discovery, promotion, and development of markets and industries for the utilization of oilseed;
4. Approve financial matters;
5. Maintain and enforce provisions of the Oklahoma Oilseed Resources Act;
6. Promulgate rules as are necessary to promptly and effectively administer the provisions of the Oklahoma Oilseed Resources Act;

7. Conduct assessment referenda pursuant to the Oklahoma Oilseed Resources Act;

8. Conduct programs consistent with the Oklahoma Oilseed Resources Act;

9. Develop bylaws for the due and orderly administration of the affairs of the Commission and for its responsibilities specified pursuant to the provisions of the Oklahoma Oilseed Resources Act;

10. Advise, consult, and cooperate with agencies of this state and its political subdivisions, other states, the federal government, and with affected groups;

11. Collect and disseminate information relating to oilseed production;

12. Contract with agencies of this state and its political subdivisions, other states, the federal government, and other organizations or persons to comply and fulfill its mission pursuant to the provisions of the Oklahoma Oilseed Resources Act;

13. Hold public hearings for any purposes consistent with the provisions of the Oklahoma Oilseed Resources Act;

14. Identify and coordinate industry-wide programs for oilseed, oilseed resources, oilseed market development, oilseed promotion, and education relating to oilseed;

15. Seek information from oilseed producers and users for purposes of planning and prioritizing expenditures of Commission funds;

16. Protect or represent the best interests of the industry; conduct production, utilization, and policy research that affects the oilseed industry and benefits the profitability of producers; disseminate reliable information; cooperate with agencies of this state and other states and governmental entities to implement joint programs; receive gifts and grants; and implement, or cause to be implemented, programs to increase the commercial value of Oklahoma oilseed; and

17. Take any other actions deemed necessary by the Commission to implement the provisions of the Oklahoma Oilseed Resources Act.

B. In addition, the Commission shall:

1. Make available for inspections during an annual independent audit each fiscal year by a competent accountant or auditor, all books, records of account, and minutes of proceedings maintained by the Commission. The Commission shall provide to the Oklahoma Department of Agriculture, Food, and Forestry a copy of the annual audit performed pursuant to this section;

2. Not later than forty-five (45) days after the last day of the fiscal year, submit to the President of the State Board of Agriculture a report itemizing all income and expenditures and describing all activities of the Commission during the fiscal year;

3. Provide surety bonds in amounts determined by the ~~Department of Central Services~~ Office of Management and Enterprise Services for any members who handle funds for the Commission; and

4. Receive, hold in trust, and disburse all assessments and other funds collected pursuant to the Oklahoma Oilseed Resources Act as trust funds of the Commission.

C. Any funds received by the Commission pursuant to the provisions of the Oklahoma Oilseed Resources Act shall not be used, directly or indirectly, or as a result of contract or agreement with other persons or organizations, in supporting or opposing political candidates or political office holders, either state or national.

D. 1. Except for instances of gross negligence, individual criminal actions, or acts of dishonesty, the Commission and employees of the Commission are not individually liable to an oilseed producer or other person for actions or omissions taken pursuant to this act that are:

- a. errors in judgment, or
- b. mistakes.

2. A member of the Commission is not individually liable for an act or omission of another member of the Commission.

SECTION 18. AMENDATORY 2 O.S. 2011, Section 18-314, is amended to read as follows:

Section 18-314. All monies received by the Oklahoma Wheat Utilization, Research and Market Development Commission from the fees assessed pursuant to the Oklahoma Wheat Resources Act shall be deposited in the State Treasury to the credit of the Commission's Revolving Fund, and shall be disbursed by order of the Commission upon warrants issued by the State Treasurer against claims submitted to the Director of ~~State Finance~~ the Office of Management and Enterprise Services for ~~audit~~ approval and payment.

SECTION 19. AMENDATORY 2 O.S. 2011, Section 18-407, is amended to read as follows:

Section 18-407. There is hereby created in the State Treasury a revolving fund for the Eastern Red Cedar Registry Board to be designated the "Eastern Red Cedar Revolving Fund". The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of all monies received by the State Board of Agriculture for the Eastern Red Cedar Registry Board from the state income tax checkoff as provided for in Section 9 18-408 of this act title, the special license plate issued pursuant to Section 1135.5 of Title 47 of the Oklahoma Statutes, any state-appropriated funds, federal funds, donations, grants, contributions, and gifts from any public or private source. All monies accruing to the credit of said fund are hereby appropriated and may be budgeted and expended by the State Board of Agriculture as directed by the Eastern Red Cedar Registry Board for the purposes set forth in the Eastern Red Cedar Registry Board Act. Expenditures from said fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of the ~~Office of State Finance~~ Office of Management and Enterprise Services for approval and payment.

SECTION 20. AMENDATORY 3 O.S. 2011, Section 84, is amended to read as follows:

Section 84. A. There is hereby created the Oklahoma Aeronautics Commission, which shall be the successor to the Oklahoma Aviation Commission created by Section 81 et seq. of this title. The Oklahoma Aeronautics Commission shall consist of seven (7) members, who shall be appointed by the Governor and who shall continue in office, as designated by the Governor at the time of appointment, through the last day of the second, third, fourth, fifth, sixth, and seventh calendar years, respectively, following the passage of this act, with the initial seventh member remaining in office until the end of the calendar year 1979. The successors

of the members initially appointed shall be appointed for terms of six (6) years in the same manner as the members originally appointed under this act, except that any person appointed to fill a vacancy shall be appointed only for the remainder of such term. Each member shall serve until the appointment and qualification of a successor. One member shall be appointed from each congressional district and any remaining members shall be appointed from the state at large. However, when congressional districts are redrawn each member appointed prior to July 1 of the year in which such modification becomes effective shall complete the current term of office and appointments made after July 1 of the year in which such modification becomes effective shall be based on the redrawn districts. Appointments made after July 1 of the year in which such modification becomes effective shall be from any redrawn districts which are not represented by a board member until such time as each of the modified congressional districts are represented by a board member. No appointments may be made after July 1 of the year in which such modification becomes effective if such appointment would result in more than two members serving from the same modified district. To qualify for appointment to the Commission, an appointee shall have the following minimum qualifications:

1. A citizen and bona fide resident of the state;
2. Three (3) years' experience in aeronautical activities, such as general aviation, agricultural aviation, airport management, or air carrier operation.

Members of the Commission shall receive no salary but shall be entitled to be reimbursed for necessary travel expenses pursuant to the State Travel Reimbursement Act. The members of the Commission may be removed by the Governor for inefficiency, neglect of duty, or malfeasance in office in the manner provided by law for the removal of officers not subject to impeachment.

B. 1. A Director of Aeronautics shall be appointed by the Commission, who shall serve at the pleasure of the Commission. The Director shall be appointed with due regard to such person's fitness, by aeronautical education and by knowledge of and recent practical experience in aeronautics for the efficient dispatch of the powers and duties duly vested in and imposed upon the Director. The Director shall devote full time to the duties of the office and shall not be actively engaged or employed in any other business, vocation, or employment, nor shall the Director have any pecuniary interest in or any stock in or bonds of any civil aeronautics

enterprise. The Director shall be reimbursed for all traveling and other expenses incurred in the discharge of the official duties of the Director, subject to general statutory limitations on such expenses as contained in the State Travel Reimbursement Act.

2. The Director shall be the executive officer of the Commission and under its supervision shall administer the provisions of this act and rules, regulations, and orders established thereunder and all other laws of the state relative to aeronautics. The Director shall attend all meetings of the Commission, but shall have no vote. The Director shall be in charge of the offices of the Commission and responsible to the Commission for the preparation of reports and the collection and dissemination of data and other public information relating to aeronautics. The Director is hereby empowered to execute all contracts entered into by the Commission.

3. The Commission may, by written order filed in its office, delegate to the Director any of the powers or duties vested in or imposed upon it by this act. Such delegated powers and duties may be exercised by the Director in the name of the Commission.

4. The Director shall appoint, subject to the approval of the Commission, such experts, field and office assistants, clerks, and other employees as may be required and authorized for the proper discharge of the functions of the Commission.

C. The Commission shall, within thirty (30) days after its appointment, organize, adopt a seal, and make such rules and regulations for its administration, not inconsistent herewith, nor inconsistent with, or contrary to, any act of the Congress of the United States or regulations promulgated or standards established pursuant thereto, as it may deem expedient and from time to time amend such rules and regulations. At such organizational meeting it shall elect from among its members a chair, a vice chair, and a secretary, to serve for one (1) year, and annually thereafter shall elect such officers, all to serve until their successors are appointed and qualified. The Commission shall schedule meetings at a convenient time and place as they become necessary. Four (4) members shall constitute a quorum, and no action shall be taken by less than a majority of the Commission. Special meetings may be called as provided by the rules and regulations of the Commission. Regular meetings shall be held at the established offices of the Commission, but, whenever the convenience of the public or of the parties may be promoted, or delay or expense may be prevented, the Commission may hold meetings, hearings, or proceedings at any other

place designated by it. The Commission shall report in writing to the Governor on or about January 31 of each year. The report shall contain a summary of the proceedings of the Commission during the preceding fiscal year, a detailed and itemized statement of all revenue and of all expenditures made by or in behalf of the Commission, such other information as it may deem necessary or useful, and any additional information which may be requested by the Governor.

D. Suitable office space shall be provided by the ~~Department of Central Services~~ Office of Management and Enterprise Services for the Commission in the City of Oklahoma City, and the Commission may incur the necessary expense for office rent, furniture, stationery, printing, incidental expenses, and other necessary expenses needed for the administration of this act.

SECTION 21. AMENDATORY 3 O.S. 2011, Section 91, is amended to read as follows:

Section 91. There is hereby created in the State Treasury a revolving fund for the Oklahoma Aeronautics Commission to be designated as the Oklahoma Aeronautics Commission Revolving Fund. The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of a monthly allocation by the Oklahoma Tax Commission of Three Thousand Dollars (\$3,000.00) from the motor fuel excise tax levied and collected pursuant to the provisions of Title 68 of the Oklahoma Statutes, such amount being a part of the estimated amount of tax paid on gasoline consumed by engines to propel aircraft in Oklahoma, sale of surplus property, fees and receipts collected pursuant to the Oklahoma Open Records Act, donations, gifts, bequests, contribution, devices, interagency reimbursements, federal funds unless otherwise provided by federal law or regulation, sale of leases and aircraft registration fees and taxes, or any other source. All monies accruing to said fund are hereby appropriated and may be budgeted and expended by the Oklahoma Aeronautics Commission for airport construction and rehabilitation programs and general operations of the agency. Expenditures from said fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of ~~State Finance~~ the Office of Management and Enterprise Services for approval and payment.

SECTION 22. AMENDATORY 3A O.S. 2011, Section 204.1B, is amended to read as follows:

Section 204.1B There is hereby created in the State Treasury a revolving fund for the Oklahoma Horse Racing Commission, to be designated the "Equine Drug Testing Revolving Fund". The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of all monies received by the Oklahoma Horse Racing Commission, from appropriations made to the Commission for deposit in the fund and monies paid by organization licensees to the Commission pursuant to assessments made by the Commission for equine drug testing. All monies accruing to the credit of said fund are hereby appropriated and may be budgeted and expended by the Oklahoma Horse Racing Commission for the purpose specified in paragraph 14 of subsection A of Section 204 of ~~Title 3A of the Oklahoma Statutes~~ this title. Expenditures from said fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of ~~State Finance~~ the Office of Management and Enterprise Services for approval and payment.

SECTION 23. AMENDATORY 3A O.S. 2011, Section 208.3a, is amended to read as follows:

Section 208.3a A. There is hereby created in the State Treasury a revolving fund for the Oklahoma Horse Racing Commission, to be designated the "Oklahoma Breeding Development Administration Revolving Fund". The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of all monies received by the Commission from transfers made pursuant to paragraph 6 of subsection B of Section 208.3 of this title. All monies accruing to the credit of said fund are hereby appropriated and may be budgeted and expended by the Commission for the purpose of administering the Oklahoma Breeding Development Program, or additions to purses of Oklahoma-bred races, and for no other purpose. Expenditures from said fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of ~~State Finance~~ the Office of Management and Enterprise Services for approval and payment.

B. Monies received by and expenditures from said fund shall be subject to an annual audit pursuant to paragraph 6 of subsection B and subsection E of Section 208.3 of this title.

At the close of each fiscal year any unencumbered, unobligated, and unexpended monies in the Oklahoma Breeding Development Administration Revolving Fund shall be transferred to the Oklahoma Breeding Development Fund Special Account.

SECTION 24. AMENDATORY 3A O.S. 2011, Section 281, is amended to read as follows:

Section 281. This section sets forth the provisions of the Model Tribal Gaming Compact.

MODEL TRIBAL GAMING COMPACT
Between the [Name of Tribe]
and the STATE OF OKLAHOMA

This Compact is made and entered into by and between the [Name of Tribe], a federally recognized Indian tribe ("tribe"), and the State of Oklahoma ("state"), with respect to the operation of covered games (as defined herein) on the tribe's Indian lands as defined by the Indian Gaming Regulatory Act, 25 U.S.C., Section 2703(4).

Part 1. TITLE

This document shall be referred to as the "[Name of Tribe] and State of Oklahoma Gaming Compact".

Part 2. RECITALS

1. The tribe is a federally recognized tribal government possessing sovereign powers and rights of self-government.

2. The State of Oklahoma is a state of the United States of America possessing the sovereign powers and rights of a state.

3. The state and the tribe maintain a government-to-government relationship, and this Compact will help to foster mutual respect and understanding among Indians and non-Indians.

4. The United States Supreme Court has long recognized the right of an Indian tribe to regulate activity on lands within its jurisdiction.

5. The tribe desires to offer the play of covered games, as defined in paragraphs 5, 10, 11 and 12 of Part 3 of this Compact, as a means of generating revenues for purposes authorized by the Indian Gaming Regulatory Act, 25 U.S.C., Section 2701, et seq., including without limitation the support of tribal governmental programs, such as health care, housing, sewer and water projects, police, corrections, fire, judicial services, highway and bridge

construction, general assistance for tribal elders, day care for the children, economic development, educational opportunities and other typical and valuable governmental services and programs for tribal members.

6. The state recognizes that the positive effects of this Compact will extend beyond the tribe's lands to the tribe's neighbors and surrounding communities and will generally benefit all of Oklahoma. These positive effects and benefits may include not only those described in paragraph 5 of this Part, but also may include increased tourism and related economic development activities.

7. The tribe and the state jointly wish to protect their citizens from any criminal involvement in the gaming operations regulated under this Compact.

Part 3. DEFINITIONS

As used in this Compact:

1. "Adjusted gross revenues" means the total receipts received from the play of all covered games minus all prize payouts;

2. "Annual oversight assessment" means the assessment described in subsection B of Part 11 of this Compact;

3. "Central computer" means a computer to which player terminals are linked to allow competition in electronic bonanza-style bingo games;

4. "Compact" means this Tribal Gaming Compact between the state and the tribe, entered into pursuant to ~~Sections 21 and 22~~ Section 280 of the State-Tribal Gaming Act this title;

5. "Covered game" means the following games conducted in accordance with the standards, as applicable, set forth in Sections ~~11 270~~ through ~~18 277~~ of the ~~State-Tribal Gaming Act~~ this title: an electronic bonanza-style bingo game, an electronic amusement game, an electronic instant bingo game, nonhouse-banked card games; any other game, if the operation of such game by a tribe would require a compact and if such game has been: (i) approved by the Oklahoma Horse Racing Commission for use by an organizational licensee, (ii) approved by state legislation for use by any person or entity, or (iii) approved by amendment of the State-Tribal Gaming Act; and upon

election by the tribe by written supplement to this Compact, any Class II game in use by the tribe, provided that no exclusivity payments shall be required for the operation of such Class II game;

6. "Covered game employee" means any individual employed by the enterprise or a third party providing management services to the enterprise, whose responsibilities include the rendering of services with respect to the operation, maintenance or management of covered games. The term "covered game employee" includes, but is not limited to, the following: managers and assistant managers; accounting personnel; surveillance and security personnel; cashiers, supervisors, and floor personnel; cage personnel; and any other person whose employment duties require or authorize access to areas of the facility related to the conduct of covered games or the maintenance or storage of covered game components. This shall not include upper level tribal employees or tribe's elected officials so long as such individuals are not directly involved in the operation, maintenance, or management of covered game components. The enterprise may, at its discretion, include other persons employed at or in connection with the enterprise within the definition of covered game employee;

7. "Documents" means books, records, electronic, magnetic and computer media documents and other writings and materials, copies thereof, and information contained therein;

8. "Effective date" means the date on which the last of the conditions set forth in subsection A of Part 15 of this Compact have been met;

9. "Electronic accounting system" means an electronic system that provides a secure means to receive, store and access data and record critical functions and activities, as set forth in the State-Tribal Gaming Act;

10. "Electronic amusement game" means a game that is played in an electronic environment in which a player's performance and opportunity for success can be improved by skill that conforms to the standards set forth in the State-Tribal Gaming Act;

11. "Electronic bonanza-style bingo game" means a game played in an electronic environment in which some or all of the numbers or symbols are drawn or electronically determined before the electronic bingo cards for that game are sold that conforms to the standards set forth in the State-Tribal Gaming Act;

12. "Electronic instant bingo game" means a game played in an electronic environment in which a player wins if his or her electronic instant bingo card contains a combination of numbers or symbols that was designated in advance of the game as a winning combination. There may be multiple winning combinations in each game and multiple winning cards that conform to the standards set forth in the State-Tribal Gaming Act;

13. "Enterprise" means the tribe or the tribal agency or section of tribal management with direct responsibility for the conduct of covered games, the tribal business enterprise that conducts covered games, or a person, corporation or other entity that has entered into a management contract with the tribe to conduct covered games, in accordance with IGRA. The names, addresses and identifying information of any covered game employees shall be forwarded to the SCA at least annually. In any event, the tribe shall have the ultimate responsibility for ensuring that the tribe or enterprise fulfills the responsibilities under this Compact. For purposes of enforcement, the tribe is deemed to have made all promises for the enterprise;

14. "Facility" means any building of the tribe in which the covered games authorized by this Compact are conducted by the enterprise, located on Indian lands as defined by IGRA. The tribe shall have the ultimate responsibility for ensuring that a facility conforms to the Compact as required herein;

15. "Game play credits" means a method of representing value obtained from the exchange of cash or cash equivalents, or earned as a prize, in connection with electronic gaming. Game play credits may be redeemed for cash or a cash equivalent;

16. "Player terminals" means electronic or electromechanical terminals housed in cabinets with input devices and video screens or electromechanical displays on which players play electronic bonanza-style bingo games, electronic instant bingo games or electronic amusement games;

17. "Independent testing laboratory" means a laboratory of national reputation that is demonstrably competent and qualified to scientifically test and evaluate devices for compliance with this Compact and to otherwise perform the functions assigned to it in this Compact. An independent testing laboratory shall not be owned or controlled by the tribe, the enterprise, an organizational

licensee as defined in the State-Tribal Gaming Act, the state, or any manufacturer, supplier or operator of gaming devices. The selection of an independent testing laboratory for any purpose under this Compact shall be made from a list of one or more laboratories mutually agreed upon by the parties; provided that the parties hereby agree that any laboratory upon which the National Indian Gaming Commission has relied for such testing may be utilized for testing required by this Compact;

18. "IGRA" means the Indian Gaming Regulatory Act, Pub. L. 100-497, Oct. 17, 1988, 102 Stat. 2467, codified at 25 U.S.C., Section 2701 et seq. and 18 U.S.C., Sections 1166 to 1168;

19. "Nonhouse-banked card games" means any card game in which the tribe has no interest in the outcome of the game, including games played in tournament formats and games in which the tribe collects a fee from the player for participating, and all bets are placed in a common pool or pot from which all player winnings, prizes and direct costs are paid. As provided herein, administrative fees may be charged by the tribe against any common pool in an amount equal to any fee paid the state; provided that the tribe may seed the pool as it determines necessary from time to time;

20. "Patron" means any person who is on the premises of a gaming facility, for the purpose of playing covered games authorized by this Compact;

21. "Principal" means, with respect to any entity, its sole proprietor or any partner, trustee, beneficiary or shareholder holding five percent (5%) or more of its beneficial or controlling ownership, either directly or indirectly, or any officer, director, principal management employee, or key employee thereof;

22. "Rules and regulations" means the rules and regulations promulgated by the Tribal Compliance Agency for implementation of this Compact;

23. "Standards" means the descriptions and specifications of electronic amusement games, electronic bonanza-style bingo games and electronic instant bingo games or components thereof as set forth in Sections ~~11 270~~ through ~~18 277~~ of ~~the State-Tribal Gaming Act~~ this title as enacted in 2004 or as amended pursuant to paragraph 27 of this Part or subsection D of Part 13 of this Compact, including technical specifications for component parts, requirements for

cashless transaction systems, software tools for security and audit purposes, and procedures for operation of such games;

24. "State" means the State of Oklahoma;

25. "State Compliance Agency" ("SCA") means the state agency that has the authority to carry out the state's oversight responsibilities under this Compact, which shall be the ~~Office of State Finance~~ Office of Management and Enterprise Services or its successor agency. Nothing herein shall supplant the role or duties of the Oklahoma State Bureau of Investigation under state law. The Oklahoma Horse Racing Commission and the Oklahoma Tax Commission shall have no role in regulating or oversight of any gaming conducted by a tribe;

26. "Tribal Compliance Agency" ("TCA") means the tribal governmental agency that has the authority to carry out the tribe's regulatory and oversight responsibilities under this Compact. Unless and until otherwise designated by the tribe, the TCA shall be the [Name of Tribe] Gaming Commission. No covered game employee may be a member or employee of the TCA. The tribe shall have the ultimate responsibility for ensuring that the TCA fulfills its responsibilities under this Compact. The members of the TCA shall be subject to background investigations and licensed to the extent required by any tribal or federal law, and in accordance with subsection B of Part 7 of this Compact. The tribe shall ensure that all TCA officers and agents are qualified for such position and receive ongoing training to obtain and maintain skills that are sufficient to carry out their responsibilities in accordance with industry standards;

27. "State-Tribal Gaming Act" means the legislation in which this Model Tribal Gaming Compact is set forth and, at the tribe's option, amendments or successor statutes thereto;

28. "Tribal law enforcement agency" means a police or security force established and maintained by the tribe pursuant to the tribe's powers of self-government to carry out law enforcement duties at or in connection with a facility; and

29. "Tribe" means the [Name of Nation].

Part 4. AUTHORIZATION OF COVERED GAMES

A. The tribe and state agree that the tribe is authorized to operate covered games only in accordance with this Compact. However, nothing in this Compact shall limit the tribe's right to operate any game that is Class II under IGRA and no Class II games shall be subject to the exclusivity payments set forth in Part 11 of this Compact. In the case of electronic bonanza-style bingo games, there have been disagreements between tribes and federal regulators as to whether or not such games are Class II. Without conceding that such games are Class III, the tribe has agreed to compact with the state to operate the specific type of electronic bonanza-style bingo game described in this Compact to remove any legal uncertainty as to the tribe's right to lawfully operate the game. Should the electronic bonanza-style bingo game or the electronic instant bingo game described in this act be determined to be Class II by the NIGC or a federal court, then the tribe shall have the option to operate such games outside of this Compact; provided, any obligations pursuant to subsection F of Part 11 of this Compact shall not be affected thereby.

B. A tribe shall not operate an electronic bonanza-style bingo game, an electronic instant bingo game or an electronic amusement game pursuant to this Compact until such game has been certified by an independent testing laboratory and the TCA as meeting the standards set out in the State-Tribal Gaming Act for electronic bonanza-style bingo games, electronic instant bingo games or electronic amusement games, as applicable or any standards contained in the Oklahoma Horse Racing Commission rules issued pursuant to subsection B of Section ~~9 the State-Tribal Gaming Act~~ 268 of this title that modify the standards for such games that may be conducted by organizational licensees. Provided, the tribe may rely on any certification of an electronic bonanza-style bingo game, an electronic instant bingo, or electronic amusement games by the Oklahoma Horse Racing Commission which was obtained by an organization licensee pursuant to the State-Tribal Gaming Act to establish certification compliance under this Compact. The tribe may also rely on any certification of an electronic bonanza-style bingo game, electronic instant bingo or an electronic amusement game by the TCA obtained by another tribe which has entered into the model compact to establish certification compliance under this Compact.

Part 5. RULES AND REGULATIONS; MINIMUM REQUIREMENTS FOR OPERATIONS

A. Regulations. At all times during the Term of this Compact, the tribe shall be responsible for all duties which are assigned to it, the enterprise, the facility, and the TCA under this Compact. The tribe shall promulgate any rules and regulations necessary to implement this Compact, which at a minimum shall expressly include or incorporate by reference all provisions of Part 5 and the procedural requirements of Part 6 of this Compact. Nothing in this Compact shall be construed to affect the tribe's right to amend its rules and regulations, provided that any such amendment shall be in conformity with this Compact. The SCA may propose additional rules and regulations related to implementation of this Compact to the TCA at any time, and the TCA shall give good faith consideration to such suggestions and shall notify the SCA of its response or action with respect thereto.

B. Compliance; Internal Control Standards. All enterprises and facilities shall comply with, and all covered games approved under the procedures set forth in this Compact shall be operated in accordance with the requirements set forth in this Compact, including, but not limited to, those set forth in subsections C and D of this Part. In addition, all enterprises and facilities shall comply with tribal internal control standards that provide a level of control that equals or exceeds those set forth in the National Indian Gaming Commission's Minimum Internal Control Standards (25 C.F.R., Part 542).

C. Records. In addition to other records required to be maintained herein, the enterprise or tribe shall maintain the following records related to implementation of this Compact in permanent form and as written or entered, whether manually or by computer, and which shall be maintained by the enterprise and made available for inspection by the SCA for no less than three (3) years from the date generated:

1. A log recording all surveillance activities in the monitoring room of the facility, including, but not limited to, surveillance records kept in the normal course of enterprise operations and in accordance with industry standards; provided, notwithstanding anything to the contrary herein, surveillance records may, at the discretion of the enterprise, be destroyed if no incident has been reported within one (1) year following the date such records were made. Records, as used in this Compact, shall include video tapes and any other storage media;

2. Payout from the conduct of all covered games;

3. Maintenance logs for all covered games gaming equipment used by the enterprise;

4. Security logs as kept in the normal course of conducting and maintaining security at the facility, which at a minimum shall conform to industry practices for such reports. The security logs shall document any unusual or nonstandard activities, occurrences or events at or related to the facility or in connection with the enterprise. Each incident, without regard to materiality, shall be assigned a sequential number for each such report. At a minimum, the security logs shall consist of the following information, which shall be recorded in a reasonable fashion noting:

- a. the assigned number of the incident,
- b. the date of the incident,
- c. the time of the incident,
- d. the location of the incident,
- e. the nature of the incident,
- f. the identity, including identification information, of any persons involved in the incident and any known witnesses to the incident, and
- g. the tribal compliance officer making the report and any other persons contributing to its preparation;

5. Books and records on all covered game activities of the enterprise shall be maintained in accordance with generally accepted accounting principles (GAAP); and

6. All documents generated in accordance with this Compact.

D. Use of Net Revenues. Net revenues that the tribe receives from covered games are to be used for any one or more of those purposes permitted under IGRA:

1. To fund tribal government operations or programs;
2. To provide for the general welfare of the tribe and its members;

3. To promote tribal economic development;
4. To donate to charitable organizations; or
5. To help fund operations of local government agencies.

E. 1. The tribe's rules and regulations shall require the enterprise at a minimum to bar persons based on their prior conduct at the facility or who, because of their criminal history or association with criminal offenders, pose a threat to the integrity of the conduct of covered games.

2. The TCA shall establish a list of the persons barred from the facility.

3. The enterprise shall employ its best efforts to exclude persons on such list from entry into its facility; provided, neither persons who are barred but gain access to the facility, nor any other person, shall have any claim against the state, the tribe or the enterprise or any other person for failing to enforce such bar.

4. Patrons who believe they may be playing covered games on a compulsive basis may request that their names be placed on the list. All covered game employees shall receive training on identifying players who have a problem with compulsive playing and shall be instructed to ask them to leave. Signs and other materials shall be readily available to direct such compulsive players to agencies where they may receive counseling.

F. Audits. 1. Consistent with 25 C.F.R., Section 571.12, Audit Standards, the TCA shall ensure that an annual independent financial audit of the enterprise's conduct of covered games subject to this Compact is secured. The audit shall, at a minimum, examine revenues and expenses in connection with the conduct of covered games in accordance with generally accepted auditing standards and shall include, but not be limited to, those matters necessary to verify the determination of adjusted gross revenues and the basis of the payments made to the state pursuant to Part 11 of this Compact.

2. The auditor selected by the TCA shall be a firm of known and demonstrable experience, expertise and stature in conducting audits of this kind and scope.

3. The audit shall be concluded within five (5) months following the close of each calendar year, provided that extensions may be requested by the tribe and shall not be refused by the state where the circumstances justifying the extension request are beyond the tribe's control.

4. The audit of the conduct of covered games may be conducted as part of or in conjunction with the audit of the enterprise, but if so conducted shall be separately stated for the reporting purposes required herein.

5. The audit shall conform to generally accepted auditing standards. As part of the audit report, the auditor shall certify to the TCA that, in the course of the audit, the auditor discovered no matters within the scope of the audit which were determined or believed to be in violation of any provision of this Compact.

6. The enterprise shall assume all costs in connection with the audit.

7. The audit report for the conduct of covered games shall be submitted to the SCA within thirty (30) days of completion. The auditor's work papers concerning covered games shall be made available to the SCA upon request.

8. Representatives of the SCA may, upon request, meet with the auditors to discuss the work papers, the audit or any matters in connection therewith; provided, such discussions are limited to covered games information and pursue legitimate state covered games interests.

G. Rules for Play of and Prizes for Covered Games. Summaries of the rules for playing covered games and winning prizes shall be visibly displayed in the facility. Complete sets of rules shall be available in pamphlet form in the facility.

H. Supervisory Line of Authority. The enterprise shall provide the TCA and SCA with a chart of the supervisory lines of authority with respect to those directly responsible for the conduct of covered games, and shall promptly notify those agencies of any material changes thereto.

I. Sale of Alcoholic Beverages. The sale and service of alcoholic beverages in a facility shall be in compliance with state,

federal and tribal law in regard to the licensing and sale of such beverages.

J. Age Restrictions. No person who would not be eligible to be a patron of a pari-mutuel system of wagering pursuant to the provisions of subsection B of Section 208.4 of ~~Title 3A of the Oklahoma Statutes~~ this title shall be admitted into any area in a facility where covered games are played, nor be permitted to operate, or obtain a prize from or in connection with the operation of, any covered game, directly or indirectly.

K. Destruction of Documents. Enterprise books, records and other materials documenting the conduct of covered games shall be destroyed only in accordance with rules and regulations adopted by the TCA, which at a minimum shall provide as follows:

1. Material that might be utilized in connection with a potential tort claim pursuant to Part 6 of this Compact, including, but not limited to, incident reports, surveillance records, statements, and the like, shall be maintained at least one (1) year beyond the time which a claim can be made under Part 6 of this Compact or, if a tort claim is made, beyond the final disposition of such claim;

2. Material that might be utilized in connection with a prize claim, including but not limited to incident reports, surveillance records, statements, and the like, shall be maintained at least one hundred eighty (180) days beyond the time which a claim can be made under Part 6 of this Compact or, if a prize claim is made, beyond the final disposition of such claim; and

3. Notwithstanding anything herein to the contrary, all enterprise books and records with respect to the conduct of covered games or the operation of the enterprise, including, but not limited to, all interim and final financial and audit reports and materials related thereto which have been generated in the ordinary course of business, shall be maintained for the minimum period of three (3) years.

L. Location. The tribe may establish and operate enterprises and facilities that operate covered games only on its Indian lands as defined by IGRA. The tribe shall notify the SCA of the operation of any new facility following the effective date of this Compact. Nothing herein shall be construed as expanding or otherwise altering the term "Indian lands", as that term is defined in the IGRA, nor

shall anything herein be construed as altering the federal process governing the tribal acquisition of "Indian lands" for gaming purposes.

M. Records of Covered Games. The TCA shall keep a record of, and shall report at least quarterly to the SCA, the number of covered games in each facility, by the name or type of each and its identifying number.

PART 6. TORT CLAIMS; PRIZE CLAIMS; LIMITED CONSENT TO SUIT

A. Tort Claims. The enterprise shall ensure that patrons of a facility are afforded due process in seeking and receiving just and reasonable compensation for a tort claim for personal injury or property damage against the enterprise arising out of incidents occurring at a facility, hereinafter "tort claim", as follows:

1. During the term of this Compact, the enterprise shall maintain public liability insurance for the express purposes of covering and satisfying tort claims. The insurance shall have liability limits of not less than Two Hundred Fifty Thousand Dollars (\$250,000.00) for any one person and Two Million Dollars (\$2,000,000.00) for any one occurrence for personal injury, and One Million Dollars (\$1,000,000.00) for any one occurrence for property damage, hereinafter the "limit of liability", or the corresponding limits under the Governmental Tort Claims Act, whichever is greater. No tort claim shall be paid, or be the subject of any award, in excess of the limit of liability;

2. The tribe consents to suit on a limited basis with respect to tort claims subject to the limitations set forth in this subsection and subsection C of this Part. No consents to suit with respect to tort claims, or as to any other claims against the tribe shall be deemed to have been made under this Compact, except as provided in subsections B and C of this Part;

3. The enterprise's insurance policy shall include an endorsement providing that the insurer may not invoke tribal sovereign immunity in connection with any claim made within the limit of liability if the claim complies with the limited consent provisions of subsection C of this Part. Copies of all such insurance policies shall be forwarded to the SCA;

4. Any patron having a tort claim shall file a written tort claim notice by delivery to the enterprise or the TCA. The date the

tort claim notice is filed with the enterprise or the TCA shall be deemed the official date of filing the tort claim notice. The tort claim notice shall be filed within one (1) year of the date of the event which allegedly caused the claimed loss. Failure to file the tort claim notice during such period of time shall forever bar such tort claim; provided that a tort claim notice filed with the enterprise or the TCA more than ninety (90) days, but within one (1) year, after the event shall be deemed to be timely filed, but any judgment thereon shall be reduced by ten percent (10%).

5. If the tort claim notice is filed with the TCA, the TCA shall forward a copy of the tort claim to the enterprise and the SCA within forty-eight (48) hours of filing, and if the tort claim notice is filed with the enterprise, the enterprise shall forward a copy of the tort claim to the TCA and the SCA within forty-eight (48) hours of filing;

6. The tort claim notice shall state the date, time, place and circumstances of the incident upon which the tort claim is based, the identity of any persons known to have information regarding the incident, including employees or others involved in or who witnessed the incident, the amount of compensation and the basis for said relief; the name, address and telephone number of the claimant, and the name, address and telephone number of any representative authorized to act or settle the claim on behalf of the claimant;

7. All tort claim notices shall be signed by the claimant. The rules and regulations may additionally require that the tort claim notices be signed under oath. The rules and regulations may also require that as a condition of prosecuting tort claims, the claimant shall appear to be interviewed or deposed at least once under reasonable circumstances, which shall include the attendance of the claimant's legal counsel if requested; provided that the enterprise shall afford claimant at least thirty (30) days' written notice of the interview or deposition; and provided further that the claimant's failure to appear without cause for any interview or deposition properly noticed pursuant to this paragraph shall be deemed a voluntary withdrawal of the tort claim;

8. The enterprise shall promptly review, investigate, and make a determination regarding the tort claim. Any portion of a tort claim which is unresolved shall be deemed denied if the enterprise fails to notify the claimant in writing of its approval within ninety (90) days of the filing date, unless the parties by written agreement extend the date by which a denial shall be deemed issued

if no other action is taken. Each extension shall be for no more than ninety (90) days, but there shall be no limit on the number of written agreements for extensions; provided, that no written agreement for extension shall be valid unless signed by the claimant and an authorized representative of the enterprise. The claimant and the enterprise may continue attempts to settle a claim beyond an extended date; provided, settlement negotiations shall not extend the date of denial in the absence of a written agreement for extension as required by this paragraph;

9. A judicial proceeding for any cause arising from a tort claim may be maintained in accordance with and subject to the limitations of subsection C of this Part only if the following requirements have been met:

- a. the claimant has followed all procedures required by this Part, including, without limitation, the delivery of a valid and timely written tort claim notice to the enterprise,
- b. the enterprise has denied the tort claim, and
- c. the claimant has filed the judicial proceeding no later than the one-hundred-eightieth day after denial of the claim by the enterprise; provided, that neither the claimant nor the enterprise may agree to extend the time to commence a judicial proceeding; and

10. Notices explaining the procedure and time limitations with respect to making a tort claim shall be prominently posted in the facility. Such notices shall explain the method and places for making a tort claim, that this procedure is the exclusive method of making a tort claim, and that claims that do not follow these procedures shall be forever barred. The enterprise shall make pamphlets containing the requirements in this subsection readily available to all patrons of the facility and shall provide such pamphlets to a claimant within five (5) days of the filing of a claim.

B. Prize Claims. The enterprise shall ensure that patrons of a facility are afforded due process in seeking and receiving just and reasonable compensation arising from a patron's dispute, in connection with his or her play of any covered game, the amount of any prize which has been awarded, the failure to be awarded a prize,

or the right to receive a refund or other compensation, hereafter "prize claim", as follows:

1. The tribe consents to suit on a limited basis with respect to prize claims against the enterprise only as set forth in subsection C of this Part; no consents to suit with respect to prize claims, or as to any other claims against the tribe shall be deemed to have been made under this Compact, except as provided in subsections A and C of this Part;

2. The maximum amount of any prize claim shall be the amount of the prize which the claimant establishes he or she was entitled to be awarded, hereafter "prize limit";

3. Any patron having a prize claim shall file a written prize claim notice by delivery to the enterprise or the TCA. The date the prize claim is filed with the enterprise or the TCA shall be deemed the official date of filing the prize claim notice. The prize claim notice shall be filed within ten (10) days of the event which is the basis of the claim. Failure to file the prize claim notice during such period of time shall forever bar such prize claim;

4. If the prize claim notice is filed with the TCA, the TCA shall forward a copy of the prize claim to the enterprise and the SCA within forty-eight (48) hours of its filing; and if the prize claim notice is filed with the enterprise, the enterprise shall forward a copy of the tort claim to the TCA and the SCA within forty-eight (48) hours of filing;

5. The written prize claim notice shall state the date, time, place and circumstances of the incident upon which the prize claim is based, the identity of any persons known to have information regarding the incident, including employees or others involved in or who witnessed the incident, the amount demanded and the basis for said amount, the name, address and telephone number of the claimant, and the name, address and telephone number of any representative authorized to act or settle the claim on behalf of the claimant;

6. All notices of prize claims shall be signed by the claimant. The rules and regulations may additionally require that the prize claim notices be signed under oath;

7. The enterprise shall promptly review, investigate and make a determination regarding the prize claim. Claimants shall cooperate in providing information, including personal sworn statements and

agreeing to be interviewed, as the enterprise shall reasonably request. The claimant is permitted to have counsel present during any such interview;

8. If the prize claim is not resolved within seventy-two (72) hours from the time of filing the claim in accordance with paragraph 5 of this subsection, the TCA shall immediately notify the SCA in writing that the claim has not been resolved;

9. In the event the claim is resolved, the TCA shall not be obligated to report that fact to the SCA, but shall make TCA reports available for review;

10. Any portion of a prize claim which is unresolved shall be deemed denied if the enterprise fails to notify the claimant in writing of its approval within thirty (30) days of the filing date, unless the parties agree by written agreement to extend the date. Each extension shall be for no more than thirty (30) days, but there shall be no limit on the number of written agreements for extensions; provided, that no written agreements for extension shall be valid unless signed by the claimant and an authorized representative of the TCA. The claimant and the enterprise may continue attempts to settle a claim beyond an extended date; provided, settlement negotiations shall not extend the date of denial in the absence of a written extension required by this paragraph;

11. A judicial proceeding for any cause arising from a prize claim may be maintained in accordance with and subject to the limitations of subsection C of this Part only if the following requirements have been met:

- a. the claimant has followed all procedures required by this Part, including without limitation, the delivery of a valid and timely written prize claim notice to the enterprise,
- b. the enterprise has denied the prize claim, and
- c. the claimant has filed the judicial proceeding no later than one hundred eighty (180) days after denial of the claim by the enterprise; provided that neither the claimant nor the enterprise may extend the time to commence a judicial proceeding; and

12. Notices explaining the procedure and time limitations with respect to making a prize claim shall be prominently posted in the facility. Such notices shall explain the method and places for making claims, that this procedure is the exclusive method of making a prize claim, and that claims that do not follow this procedure shall be forever barred. The enterprise shall make pamphlets containing the requirements in this subsection readily available to all patrons of the facility and shall provide such pamphlets to a claimant by the TCA within five (5) days of the filing date of a claim.

C. Limited Consent to Suit for Tort Claims and Prize Claims. The tribe consents to suit against the enterprise in a court of competent jurisdiction with respect to a tort claim or prize claim if all requirements of paragraph 9 of subsection A or all requirements of paragraph 11 of subsection B of this Part have been met; provided that such consent shall be subject to the following additional conditions and limitations:

1. For tort claims, consent to suit is granted only to the extent such claim or any award or judgment rendered thereon does not exceed the limit of liability. Under no circumstances shall any consent to suit be effective as to any award which exceeds such applicable amounts. This consent shall only extend to the patron actually claiming to have been injured. A tort claim shall not be assignable. In the event any assignment of the tort claim is made in violation of this Compact, or any person other than the patron claiming the injury becomes a party to any action hereunder, this consent shall be deemed revoked for all purposes. Notwithstanding the foregoing, consent to suit shall not be revoked if an action on a tort claim is filed by (i) a court appointed representative of a claimant's estate, (ii) an indispensable party, or (iii) a health provider or other party subrogated to the claimant's rights by virtue of any insurance policy; provided, that nothing herein is intended to, or shall constitute a consent to suit against the enterprise as to such party except to the extent such party's claim is:

- a. in lieu of and identical to the claim that would have been made by the claimant directly but for the appointment of said representative or indispensable party, and participation of such other party is in lieu of and not in addition to pursuit of the claim by the patron, and

- b. the claim of such other party would have been subject to a consent to suit hereunder if it had been made by the claimant directly; and

2. For prize claims, consent is granted only to the extent such claim does not exceed the prize limit. Under no circumstances shall any award exceed the prize limit. This consent shall only extend to the patron actually claiming to have engaged in the play of a covered game on which the claim is based. Prize claims shall not be assignable. In the event any assignment of the prize claim is made, or any person other than the claimant entitled to make the claim becomes a party to any action hereunder, this consent shall be deemed revoked for all purposes. Notwithstanding the foregoing, consent to suit shall not be revoked if an action on a prize claim is filed by (i) a court-appointed representative of a claimant's estate, or (ii) an indispensable party, provided that nothing herein is intended to, or shall constitute a consent to suit against the enterprise as to such party except to the extent such party's claim is:

- a. in lieu of and identical to the claim that would have been made by the claimant directly but for the appointment of said representative or indispensable party, and participation of such other party is in lieu of and not in addition to pursuit of the claim by the patron, and
- b. the claim of such other party would have been subject to a consent to suit hereunder if it had been made by the claimant directly.

D. Remedies in the Event of No or Inadequate Insurance for Tort Claim. In the event a tort claim is made and there is no, or inadequate, insurance in effect as required under this Compact, the enterprise shall be deemed to be in default hereunder unless, within ten (10) days of a demand by the SCA or a claimant to do so, the enterprise has posted in an irrevocable escrow account at a state or federally chartered bank which is not owned or controlled by the tribe, sufficient cash, a bond or other security sufficient to cover any award that might be made within the limits set forth in paragraph 1 of subsection A of this Part, and informs the claimant and the state of:

- 1. The posting of the cash or bond;

2. The means by which the deposit can be independently verified as to the amount and the fact that it is irrevocable until the matter is finally resolved;

3. The right of the claimant to have this claim satisfied from the deposit if the claimant is successful on the claim; and

4. The notice and hearing opportunities in accordance with the tribe's tort law, if any, otherwise in accordance with principles of due process, which will be afforded to the claimant so that the intent of this Compact to provide claimants with a meaningful opportunity to seek a just remedy under fair conditions will be fulfilled.

Part 7. ENFORCEMENT OF COMPACT PROVISIONS

A. The tribe and TCA shall be responsible for regulating activities pursuant to this Compact. As part of its responsibilities, the tribe shall require the enterprise do the following:

1. Operate the conduct of covered games in compliance with this Compact, including, but not limited to, the standards and the tribe's rules and regulations;

2. Take reasonable measures to assure the physical safety of enterprise patrons and personnel, prevent illegal activity at the facility, and protect any rights of patrons under the Indian Civil Rights Act, 25 U.S.C., Sec. 1302-1303;

3. Promptly notify appropriate law enforcement authorities of persons who may be involved in illegal acts in accordance with applicable law;

4. Assure that the construction and maintenance of the facility meets or exceeds federal and tribal standards for comparable buildings; and

5. Prepare adequate emergency access plans to ensure the health and safety of all covered game patrons. Upon the finalization of emergency access plans, the TCA or enterprise shall forward copies of such plans to the SCA.

B. All licenses for members and employees of the TCA shall be issued according to the same standards and terms applicable to

facility employees. The TCA shall employ qualified compliance officers under the authority of the TCA. The compliance officers shall be independent of the enterprise, and shall be supervised and accountable only to the TCA. A TCA compliance officer shall be available to the facility during all hours of operation upon reasonable notice, and shall have immediate access to any and all areas of the facility for the purpose of ensuring compliance with the provisions of this Compact. The TCA shall investigate any such suspected or reported violation of this Compact and shall require the enterprise to correct such violations. The TCA shall officially enter into its files timely written reports of investigations and any action taken thereon, and shall forward copies of such reports to the SCA within fifteen (15) days of such filing. Any such violations shall be reported immediately to the TCA, and the TCA shall immediately forward the same to the SCA. In addition, the TCA shall promptly report to the SCA any such violations which it independently discovers.

C. In order to develop and foster a positive and effective relationship in the enforcement of the provisions of this Compact, representatives of the TCA and the SCA shall meet, not less than on an annual basis, to review past practices and examine methods to improve the regulatory scheme created by this Compact. The meetings shall take place at a location mutually agreed to by the TCA and the SCA. The SCA, prior to or during such meetings, shall disclose to the TCA any concerns, suspected activities, or pending matters reasonably believed to possibly constitute violations of this Compact by any person, organization or entity, if such disclosure will not compromise the interest sought to be protected.

Part 8. STATE MONITORING OF COMPACT

A. The SCA shall, pursuant to the provisions of this Compact, have the authority to monitor the conduct of covered games to ensure that the covered games are conducted in compliance with the provisions of this Compact. In order to properly monitor the conduct of covered games, agents of the SCA shall have reasonable access to all areas of the facility related to the conduct of covered games as provided herein:

1. Access to the facility by the SCA shall be during the facility's normal operating hours only; provided that to the extent such inspections are limited to areas of the facility where the public is normally permitted, SCA agents may inspect the facility without giving prior notice to the enterprise;

2. Any suspected or claimed violations of this Compact or of law shall be directed in writing to the TCA; SCA agents shall not interfere with the functioning of the enterprise; and

3. Before SCA agents enter any nonpublic area of the facility, they shall provide proper photographic identification to the TCA. SCA agents shall be accompanied in nonpublic areas of the facility by a TCA agent. A one-hour notice by SCA to the TCA may be required to assure that a TCA officer is available to accompany SCA agents at all times.

B. Subject to the provisions herein, agents of the SCA shall have the right to review and copy documents of the enterprise related to its conduct of covered games. The review and copying of such documents shall be during normal business hours or hours otherwise at tribe's discretion. However, the SCA shall not be permitted to copy those portions of any documents of the enterprise related to its conduct of covered games that contain business or marketing strategies or other proprietary and confidential information of the enterprise, including, but not limited to, customer lists, business plans, advertising programs, marketing studies, and customer demographics or profiles. No documents of the enterprise related to its conduct of covered games or copies thereof shall be released to the public by the state under any circumstances. All such documents shall be deemed confidential documents owned by the tribe and shall not be subject to public release by the state.

C. At the completion of any SCA inspection or investigation, the SCA shall forward a written report thereof to the TCA. The TCA shall be apprised on a timely basis of all pertinent, nonconfidential information regarding any violation of federal, state, or tribal laws, the rules or regulations, or this Compact. Nothing herein prevents the SCA from contacting tribal or federal law enforcement authorities for suspected criminal wrongdoing involving the TCA. TCA may interview SCA inspectors upon reasonable notice and examine work papers and SCA in the same fashion that SCA inspectors may examine auditors' notes and make auditor inquiry unless providing such information to the TCA will compromise the interests sought to be protected. If the SCA determines that providing the information to the TCA will compromise the interests sought to be protected, then the SCA shall provide such information to the tribe in accordance with Part 13 of this Compact.

D. Nothing in this Compact shall be deemed to authorize the state to regulate the tribe's government, including the TCA, or to interfere in any way with the tribe's selection of its governmental officers, including members of the TCA; provided, however, the SCA and the tribe, upon request of the tribe, shall jointly employ, at the tribe's expense, an independent firm to perform on behalf of the SCA the duties set forth in subsections A and B of this Part.

Part 9. JURISDICTION

This Compact shall not alter tribal, federal or state civil adjudicatory or criminal jurisdiction.

Part 10. LICENSING

A. 1. Except as provided in paragraph 4 6 of Part 3 of this Compact, no covered game employee shall be employed at a facility or by an enterprise unless such person is licensed in accordance with this Compact. In addition to the provisions of this Part which are applicable to the licensing of all covered game employees, the requirements of 25 C.F.R., Part 556, Background Investigations for Primary Management Officials and Key Employees, and 25 C.F.R., Part 558, Gaming Licenses for Key Employees and Primary Management Officials, apply to Key Employees and Primary Management Officials of the facility and enterprise.

2. All prospective covered game employees shall apply to the TCA for a license. Licenses shall be issued for periods of no more than two (2) years, after which they may be renewed only following review and update of the information upon which the license was based; provided, the TCA may extend the period in which the license is valid for a reasonable time pending the outcome of any investigation being conducted in connection with the renewal of such license. In the event the SCA contends that any such extension is unreasonable, it may seek resolution of that issue pursuant to Part 11 of this Compact.

3. The application process shall require the TCA to obtain sufficient information and identification from the applicant to permit a background investigation to determine if a license should be issued in accordance with this Part and the rules and regulations. The TCA shall obtain information about a prospective covered game employee that includes:

- a. full name, including any aliases by which applicant has ever been known,
- b. social security number,
- c. date and place of birth,
- d. residential addresses for the past five (5) years,
- e. employment history for the past five (5) years,
- f. driver license number,
- g. all licenses issued and disciplinary charges filed, whether or not discipline was imposed, by any state or tribal regulatory authority,
- h. all criminal arrests and proceedings, except for minor traffic offenses, to which the applicant has been a party,
- i. a set of fingerprints,
- j. a current photograph,
- k. military service history, and
- l. any other information the TCA determines is necessary to conduct a thorough background investigation.

4. Upon obtaining the required initial information from a prospective covered game employee, the TCA shall forward a copy of such information to the SCA, along with any determinations made with respect to the issuance or denial of a temporary or permanent license. The SCA may conduct its own background investigation of the applicant at SCA expense, shall notify the TCA of such investigation within a reasonable time from initiation of the investigation, and shall provide a written report to the TCA of the outcome of such investigation within a reasonable time from the receipt of a request from the TCA for such information. SCA inspector field notes and the SCA inspector shall be available upon reasonable notice for TCA review and inquiry.

5. The TCA may issue a temporary license for a period not to exceed ninety (90) days, and the enterprise may employ on a

probationary basis, any prospective covered game employee who represents in writing that he or she meets the standards set forth in this Part, provided the TCA or enterprise is not in possession of information to the contrary. The temporary license shall expire at the end of the ninety-day period or upon issuance or denial of a permanent license, whichever event occurs first. Provided that the temporary license period may be extended at the discretion of the TCA so long as good faith efforts are being made by the applicant to provide required information, or the TCA is continuing to conduct its investigation or is waiting on information from others, and provided further that in the course of such temporary or extended temporary licensing period, no information has come to the attention of the TCA which, in the absence of countervailing information then in the record, would otherwise require denial of license. A permanent license shall be issued or denied within a reasonable time following the completion of the applicant's background investigation.

6. In covered gaming the tribe shall not employ and shall terminate, and the TCA shall not license and shall revoke a license previously issued to, any covered game employee who:

- a. has been convicted of any felony or an offense related to any covered games or other gaming activity,
- b. has knowingly and willfully provided false material, statements or information on his or her employment application, or
- c. is a person whose prior activities, criminal record, or reputation, habits, and associations pose a threat to the public interest or to the effective regulation and control of the conduct of covered games, or create or enhance the dangers of unsuitable, unfair, or illegal practices, methods, and activities in the conduct of covered games or the carrying on of the business and financial arrangements incidental thereto.

7. The SCA may object to the employment of any individual by the enterprise based upon the criteria set forth in paragraph 6 of subsection A of this Part. Such objection shall be in writing setting forth the basis of the objection. The SCA inspector's work papers, notes and exhibits which formed the SCA conclusion shall be available upon reasonable notice for TCA review. The enterprise

shall have discretion to employ an individual over the objection of the SCA.

8. The TCA shall have the discretion to initiate or continue a background investigation of any licensee or license applicant and to take appropriate action with respect to the issuance or continued validity of any license at any time, including suspending or revoking such license.

9. The TCA shall require all covered game employees to wear, in plain view, identification cards issued by the TCA which include a photograph of the employee, his or her first name, a four-digit identification number unique to the license issued to the employee, a tribal seal or signature verifying official issuance of the card, and a date of expiration, which shall not extend beyond such employee's license expiration date.

B. 1. Any person or entity who, directly or indirectly, provides or is likely to provide at least Twenty-five Thousand Dollars (\$25,000.00) in goods or services to the enterprise in any twelve-month period, or who has received at least Twenty-five Thousand Dollars (\$25,000.00) for goods or services provided to the enterprise in any consecutive twelve-month period within the immediately preceding twenty-four-month period, or any person or entity who provides through sale, lease, rental or otherwise covered games, or parts, maintenance or service in connection therewith to the tribe or the enterprise at any time and in any amount, shall be licensed by the TCA prior to the provision thereof. Provided, that attorneys or certified public accountants and their firms shall be exempt from the licensing requirement herein to the extent that they are providing services covered by their professional licenses.

2. Background investigations and licensing shall follow the same process and apply the same criteria as for covered game employees set forth in paragraph 6 of subsection A of this Part.

3. In the case of a license application of any entity, all principals thereof shall be subjected to the same background investigation required for the licensing of a covered game employee, but no license as such need be issued; provided, no license shall be issued to the entity if the TCA determines that one or more of its principals will be persons who would not be qualified to receive a license if they applied as covered game employees.

4. Nothing herein shall prohibit the TCA from processing and issuing a license to a principal in his or her own name.

5. Licenses issued under this subsection shall be reviewed at least every two (2) years for continuing compliance, and shall be promptly revoked if the licensee is determined to be in violation of the standards set forth in paragraph 6 of subsection A of this Part. In connection with such a review, the TCA shall require the person or entity to update all information provided in the previous application.

6. The enterprise shall not enter into, or continue to make payments pursuant to, any contract or agreement for the provision of goods or services with any person or entity who does not meet the requirements of this Part including, but not limited to, any person or entity whose application to the TCA for a license has been denied, or whose license has expired or been suspended or revoked.

7. Pursuant to 25 C.F.R., Part 533, all management contracts must be approved by the Chair of the National Indian Gaming Commission. The SCA shall be notified promptly after any such approval.

8. In addition to any licensing criteria set forth above, if any person or entity seeking licensing under this subsection is to receive any fee or other payment based on the revenues or profits of the enterprise, the TCA may take into account whether or not such fee or other payment is fair in light of market conditions and practices.

C. 1. Subject to the exceptions set forth in paragraph 4 of this subsection, any person or entity extending financing, directly or indirectly, to the facility or enterprise in excess of Fifty Thousand Dollars (\$50,000.00) in any twelve-month period shall be licensed prior to providing such financing. Principals thereof shall be subjected to background investigations and determinations in accordance with the procedures and standards set forth in subsection A of this Part. Licenses issued under this section shall be reviewed at least every two (2) years for continuing compliance, and shall be promptly revoked if the licensee is determined to be in violation of the standards set forth in paragraph 6 of subsection A of this Part. In connection with such a review, the TCA shall require the person or entity to update all information provided in the previous application.

2. The SCA shall be notified of all financing and loan transactions with respect to covered games or supplies in which the amount exceeds Fifty Thousand Dollars (\$50,000.00) in any twelve-month period, and shall be entitled to review copies of all agreements and documents in connection therewith.

3. A supplier of goods or services who provides financing exclusively in connection with the sale or lease of covered games equipment or supplies shall be licensed solely in accordance with licensing procedures applicable, if at all, to such suppliers herein.

4. Financing provided by a federally regulated or state-regulated bank, savings and loan, or trust, or other federally or state-regulated lending institution; any agency of the federal, state, tribal or local government; or any person or entity, including, but not limited to, an institutional investor who, alone or in conjunction with others, lends money through publicly or commercially traded bonds or other commercially traded instruments, including but not limited to the holders of such bonds or instruments or their assignees or transferees, or which bonds or commercially traded instruments are underwritten by any entity whose shares are publicly traded or which underwriter, at the time of the underwriting, has assets in excess of One Hundred Million Dollars (\$100,000,000.00), shall be exempt from the licensing and background investigation requirements in subsection B of this Part or this subsection.

D. In the event the SCA objects to a lender, vendor or any other person or entity within subsection B or C of this Part seeking to do business with the enterprise, or to the continued holding of a license by such person or entity, it may notify the TCA of its objection. The notice shall set forth the basis of the objection with sufficient particularity to enable the TCA to investigate the basis of the objection. The SCA inspector and SCA inspector field notes shall be available for TCA review and inquiry. Within a reasonable time after such notification, the TCA shall report to the SCA on the outcome of its investigation and of any action taken or decision not to take action.

Part 11. EXCLUSIVITY AND FEES

A. The parties acknowledge and recognize that this Compact provides tribes with substantial exclusivity and, consistent with the goals of IGRA, special opportunities for tribal economic

opportunity through gaming within the external boundaries of Oklahoma in respect to the covered games. In consideration thereof, so long as the state does not change its laws after the effective date of this Compact to permit the operation of any additional form of gaming by any such organization licensee, or change its laws to permit any additional electronic or machine gaming within Oklahoma, the tribe agrees to pay the following fees:

1. The tribe covenants and agrees to pay to the state a fee derived from covered game revenues calculated as set forth in paragraph 2 of this subsection. Such fee shall be paid no later than the twentieth day of the month for revenues received by the tribe in the preceding month; and

2. The fee shall be:

- a. four percent (4%) of the first Ten Million Dollars (\$10,000,000.00) of adjusted gross revenues received by a tribe in a calendar year from the play of electronic amusement games, electronic bonanza-style bingo games and electronic instant bingo games,
- b. five percent (5%) of the next Ten Million Dollars (\$10,000,000.00) of adjusted gross revenues received by a tribe in a calendar year from the play of electronic amusement games, electronic bonanza-style bingo games and electronic instant bingo games,
- c. six percent (6%) of all subsequent adjusted gross revenues received by a tribe in a calendar year from the play of electronic amusement games, electronic bonanza-style bingo games and electronic instant bingo games, and
- d. ten percent (10%) of the monthly net win of the common pool(s) or pot(s) from which prizes are paid for nonhouse-banked card games. The tribe is entitled to keep an amount equal to state payments from the common pool(s) or pot(s) as part of its cost of operating the games.

Payments of such fees shall be made to the Treasurer of the State of Oklahoma. Nothing herein shall require the allocation of such fees to particular state purposes, including, but not limited

to, the actual costs of performing the state's regulatory responsibilities hereunder.

B. Annual oversight assessment. In addition to the fee provided for in subsection A of this Part, the state shall be entitled to payment for its costs incurred in connection with the oversight of covered games to the extent provided herein, "annual oversight assessment". The annual oversight assessment, which shall be Thirty-five Thousand Dollars (\$35,000.00), shall be determined and paid in advance on a fiscal year basis for each twelve (12) months ending on June 30 of each year.

C. Upon the effective date of this Compact, the tribe shall deposit with the SCA the sum of Fifty Thousand Dollars (\$50,000.00) ("start-up assessment"). The purpose of the start-up assessment shall be to assist the state in initiating its administrative and oversight responsibilities hereunder and shall be a one-time payment to the state for such purposes.

D. Nothing in this Compact shall be deemed to authorize the state to impose any tax, fee, charge or assessment upon the tribe or enterprise except as expressly authorized pursuant to this Compact; provided that, to the extent that the tribe is required under federal law to report prizes awarded, the tribe agrees to copy such reports to the SCA.

E. In consideration for the covenants and agreements contained herein, the state agrees that it will not, during the term of this Compact, permit the nontribal operation of any machines or devices to play covered games or electronic or mechanical gaming devices otherwise presently prohibited by law within the state in excess of the number and outside of the designated locations authorized by the State-Tribal Gaming Act. The state recognizes the importance of this provision to the tribe and agrees, in the event of a breach of this provision by the state, to require any nontribal entity which operates any such devices or machines in excess of such number or outside of the designated location to remit to the state at least quarterly no less than fifty percent (50%) of any increase in the entities' adjusted gross revenues following the addition of such excess machines. The state further agrees to remit at least quarterly to eligible tribes, as liquidated damages, a sum equal to fifty percent (50%) of any increase in the entities' adjusted gross revenues following the addition of such excess machines. For purposes of this Part, "eligible tribes" means those tribes which have entered into this Compact and are operating gaming pursuant to

this Compact within forty-five (45) miles of an entity which is operating covered game machines in excess of the number authorized by, or outside of the location designated by, the State-Tribal Gaming Act. Such liquidated damages shall be allocated pro rata to eligible tribes based on the number of covered game machines operated by each Eligible Tribe in the time period when such adjusted gross revenues were generated.

F. In consideration for the covenants and agreements contained herein, the tribe agrees that in the event it has currently or locates in the future a facility within a radius of twenty (20) miles from a recipient licensee as that term is defined in subsection K of Section 4 263 of the ~~State-Tribal Gaming Act~~ this title that it shall comply with the requirements of subsection K of Section 4 263 of the ~~State-Tribal Gaming Act~~ this title.

Part 12. DISPUTE RESOLUTION

In the event that either party to this Compact believes that the other party has failed to comply with any requirement of this Compact, or in the event of any dispute hereunder, including, but not limited to, a dispute over the proper interpretation of the terms and conditions of this Compact, the following procedures may be invoked:

1. The goal of the parties shall be to resolve all disputes amicably and voluntarily whenever possible. A party asserting noncompliance or seeking an interpretation of this Compact first shall serve written notice on the other party. The notice shall identify the specific Compact provision alleged to have been violated or in dispute and shall specify in detail the asserting party's contention and any factual basis for the claim. Representatives of the tribe and state shall meet within thirty (30) days of receipt of notice in an effort to resolve the dispute;

2. Subject to the limitation set forth in paragraph 3 of this Part, either party may refer a dispute arising under this Compact to arbitration under the rules of the American Arbitration Association (AAA), subject to enforcement or pursuant to review as provided by paragraph 3 of this Part by a federal district court. The remedies available through arbitration are limited to enforcement of the provisions of this Compact. The parties consent to the jurisdiction of such arbitration forum and court for such limited purposes and no other, and each waives immunity with respect thereto. One arbitrator shall be chosen by the parties from a list of qualified

arbitrators to be provided by the AAA. If the parties cannot agree on an arbitrator, then the arbitrator shall be named by the AAA. The expenses of arbitration shall be borne equally by the parties.

A party asserting noncompliance or seeking an interpretation of this Compact under this section shall be deemed to have certified that to the best of the party's knowledge, information, and belief formed after reasonable inquiry, the claim of noncompliance or the request for interpretation of this Compact is warranted and made in good faith and not for any improper purpose, such as to harass or to cause unnecessary delay or the needless incurring of the cost of resolving the dispute. If the dispute is found to have been initiated in violation of this Part, the Arbitrator, upon request or upon his or her own initiative, shall impose upon the violating party an appropriate sanction, which may include an award to the other party of its reasonable expenses incurred in having to participate in the arbitration; and

3. Notwithstanding any provision of law, either party to the Compact may bring an action against the other in a federal district court for the de novo review of any arbitration award under paragraph 2 of this Part. The decision of the court shall be subject to appeal. Each of the parties hereto waives immunity and consents to suit therein for such limited purposes, and agrees not to raise the Eleventh Amendment to the United States Constitution or comparable defense to the validity of such waiver.

Nothing herein shall be construed to authorize a money judgment other than for damages for failure to comply with an arbitration decision requiring the payment of monies.

Part 13. CONSTRUCTION OF COMPACT; FEDERAL APPROVAL

A. Each provision, section, and subsection of this Compact shall stand separate and independent of every other provision, section, or subsection. In the event that a federal district court shall find any provision, section, or subsection of this Compact to be invalid, the remaining provisions, sections, and subsections of this Compact shall remain in full force and effect, unless the invalidated provision, section or subsection is material.

B. Each party hereto agrees to defend the validity of this Compact and the legislation in which it is embodied. This Compact shall constitute a binding agreement between the parties and shall survive any repeal or amendment of the State-Tribal Gaming Act.

C. The parties shall cooperate in seeking approval of this Compact from an appropriate federal agency as a tribal-state compact under the Indian Gaming Regulatory Act.

D. The standards for electronic bonanza-style bingo games, electronic instant bingo games and electronic amusement games established in the State-Tribal Gaming Act as enacted in 2004, and, at the election of the tribe, any standards contained in the Oklahoma ~~Horse racing~~ Horse Racing Commission rules issued pursuant to subsection B of Section ~~9 268~~ 268 of the ~~State-Tribal Gaming Act~~ this title are hereby incorporated in this Compact and shall survive any repeal of the State-Tribal Gaming Act, or any games authorized thereunder. In the event that any of said standards are changed by amendment of the State-Tribal Gaming Act, the tribe shall have the option to incorporate said changes into this Compact by delivery of written notice of said changes to the Governor and the SCA.

Part 14. NOTICES

All notices required under this Compact shall be given by certified mail, return receipt requested, commercial overnight courier service, or personal delivery, to the following persons:

Governor

Chair, State-Tribal Relations Committee

Attorney General

[Principal Chief, Governor or Chair]

[Name of Tribe]

[Address]

With copies to:

Part 15. DURATION AND NEGOTIATION

A. This Compact shall become effective upon the last date of the satisfaction of the following requirements:

1. Due execution on behalf of the tribe, including obtaining all tribal resolutions and completing other tribal procedures as may be necessary to render the tribe's execution effective;

2. Approval of this Compact by the Secretary of the Interior as a tribal-state compact within the meaning of IGRA and publication in the Federal Register or satisfaction of any other requirement of federal law; and

3. Payment of the start-up assessment provided for in subsection C of Part 11 of this Compact.

B. This Compact shall have a term which will expire on January 1, 2020, and at that time, if organization licensees or others are authorized to conduct electronic gaming in any form other than pari-mutuel wagering on live horse racing pursuant to any governmental action of the state or court order following the effective date of this Compact, the Compact shall automatically renew for successive additional fifteen-year terms; provided that, within one hundred eighty (180) days of the expiration of this Compact or any renewal thereof, either the tribe or the state, acting through its Governor, may request to renegotiate the terms of subsections A and E of Part 11 of this Compact.

C. This Compact shall remain in full force and effect until the sooner of expiration of the term or until the Compact is terminated by mutual consent of the parties.

D. This Compact may be terminated by state upon thirty (30) days' prior written notice to the tribe in the event of either (1) a material breach by the tribe of the terms of a tobacco Compact with the state as evidenced by a final determination of material breach from the dispute resolution forum agreed upon therein, including exhaustion of all available appellate remedies therefrom, or (2) the tribe's failure to comply with the provisions of Section 346 et seq. of Title 68 of the Oklahoma Statutes, provided that the tribe may cure either default within the thirty-day notice period, or within such additional period as may be reasonably required to cure the default, in order to preserve continuation of this Compact.

The state hereby agrees that this subsection is severable from this Compact and shall automatically be severed from this Compact in

the event that the United States Department of the Interior determines that these provisions exceed the state's authority under IGRA.

Part 16. AUTHORITY TO EXECUTE

This Compact, as an enactment of the people of Oklahoma, is deemed approved by the State of Oklahoma. No further action by the state or any state official is necessary for this Compact to take effect upon approval by the Secretary of the Interior and publication in the Federal Register. The undersigned tribal official(s) represents that he or she is duly authorized and has the authority to execute this Compact on behalf of the tribe for whom he or she is signing.

APPROVED:

[Name of Tribe]

Date _____

[CHIEF EXECUTIVE OFFICER]

SECTION 25. AMENDATORY 3A O.S. 2011, Section 282, is amended to read as follows:

Section 282. A. The Oklahoma Horse Racing Commission is authorized to charge an application fee of Fifty Thousand Dollars (\$50,000.00) to each organization licensee which desires to conduct gaming pursuant to the State-Tribal Gaming Act or which receives any funds as a "recipient licensee" as that term is defined by the State Tribal Gaming Act and desires to conduct pari-mutuel wagering in this state. Such fee must be paid prior to any organization licensee being authorized by the Oklahoma Horse Racing Commission to conduct gaming pursuant to the State-Tribal Gaming Act.

B. In addition to the application fee authorized in subsection A of this section and the fees authorized in subsection G of this section, the Oklahoma Horse Racing Commission is hereby authorized to assess a fee upon each organization licensee authorized by the State-Tribal Gaming Act to conduct gaming authorized by the State-Tribal Gaming Act to provide adequate funding to the Oklahoma Horse Racing Commission for the regulation of such gaming in this state.

C. The assessment authorized by subsection B shall be proportional to the number of player terminals an organization

licensee is licensed to operate pursuant to the State-Tribal Gaming Act.

D. The Commission may provide that each licensee shall pay any assessment levied pursuant to subsection B of this section on a quarterly, semi-annual or annual basis. Notice of the assessment shall be sent by certified mail, return receipt requested, to each licensee. Each licensee shall pay the amount assessed to the Commission for deposit to the Oklahoma Horse Racing Commission Gaming Regulation Revolving Fund created in subsection E of this section. The Commission shall establish the dates by which such assessment shall be due.

E. The application fee authorized in subsection A of this section and any assessment authorized in subsection B of this section and any fee authorized in subsection G of this section collected by the Commission shall be deposited in the "Oklahoma Horse Racing Commission Gaming Regulation Revolving Fund" hereby created. The fund shall be a continuing fund not subject to fiscal year limitations and shall consist of the monies received by the Commission from any assessment and fee levied pursuant to the provisions of this section and any other monies designated for deposit thereto. All monies accruing to the credit of the fund are hereby appropriated and may be budgeted and expended by the Commission to pay the costs, both direct and indirect, of the Commission incurred to regulate gaming conducted by an organization licensee pursuant to the State-Tribal Gaming Act. Expenditures from said fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of State Finance the Office of Management and Enterprise Services for approval and payment.

F. The Legislature shall establish budgetary limits for the regulation of such gaming by the Commission. For the fiscal year ending June 30, 2005, the total of all assessments levied pursuant to subsection B of this section shall not exceed Two Hundred Fifty Thousand Dollars (\$250,000.00). For subsequent fiscal years, the total of all assessments levied pursuant to this section shall not exceed the amount of the total budgetary limits minus the amount of any monies appropriated by the Legislature for such purpose.

G. The Oklahoma Horse Racing Commission shall issue occupation gaming licenses and charge to the applicants therefore the related license application fees, investigative fees and fingerprint fees

authorized in this subsection. An occupation gaming license is any of the following gaming licenses issued by the Commission.

Manufacturer License	\$10,000.00
Distributor License	\$5,000.00
Manufacturer/Distributor License	\$10,000.00
Independent Testing Laboratory License	\$5,000.00
Vendor License	\$500.00
Key Executive License	\$250.00
Gaming Employee License	\$50.00
Manufacturer, Distributor, or Manufacturer/ Distributor Employee License	\$50.00
Vendor Employee License	\$50.00

Background Investigative fee for the following occupation gaming license categories:

Manufacturer, Distributor, Manufacturer/Distributor, Independent Testing Laboratory, Racetrack Gaming Operator, Key Executive	\$50.00 per hour plus expenses
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Background Investigative fee for the following occupation gaming license categories:

Gaming Employee, Vendor Employee	\$50.00
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Fingerprint fees shall be charged as required by the Oklahoma State Bureau of Investigation and the Federal Bureau of Investigation.

SECTION 26. AMENDATORY 3A O.S. 2011, Section 616, is amended to read as follows:

Section 616. A. There is hereby created in the State Treasury a revolving fund for the Oklahoma State Athletic Commission to be

designated the "Oklahoma State Athletic Commission Revolving Fund". The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of all monies received from fees, administrative fines, reimbursements, bond proceeds, and sale of materials, and shall include grants and gifts, pursuant to the Oklahoma State Athletic Commission Act. All monies accruing to the credit of said fund are hereby appropriated and may be budgeted and expended by the State Department of Health as directed by the Commission for the purpose of implementing the provisions of the Oklahoma State Athletic Commission Act. Expenditures from said fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of ~~State Finance~~ the Office of Management and Enterprise Services for approval and payment.

B. The "Professional Boxing Licensing Revolving Fund" created for the Department of Health is hereby abolished. On July 1, 2008, any unencumbered funds remaining in the Professional Boxing Licensing Revolving Fund shall be transferred to the credit of the Oklahoma State Athletic Commission Revolving Fund. Any unexpended funds remaining in the Professional Boxing Licensing Revolving Fund after November 1, 2008, shall be transferred to the credit of the Oklahoma State Athletic Commission Revolving Fund.

SECTION 27. AMENDATORY 3A O.S. 2011, Section 713, is amended to read as follows:

Section 713. A. All gross proceeds shall be the property of the Oklahoma Lottery Commission. From its gross proceeds, the Commission shall pay the operating expenses of the Commission. At least forty-five percent (45%) of gross proceeds shall be made available as prize money. However, the provisions of this subsection shall be deemed not to create any lien, entitlement, cause of action, or other private right, and any rights of holders of tickets or shares shall be determined by the Commission in setting the terms of its lottery or lotteries. For each fiscal year, net proceeds shall equal at least thirty-five percent (35%) of the gross proceeds. However, for the purpose of repaying indebtedness issued pursuant to Section 732 of this title, for the first two (2) full fiscal years and any partial first fiscal year of the Commission, net proceeds need only equal at least thirty percent (30%) of the gross proceeds. All of the net proceeds shall be transferred to the Oklahoma Education Lottery Trust Fund as provided in subsection B of this section.

B. There is hereby created in the State Treasury a fund to be designated the "Oklahoma Education Lottery Trust Fund". Except as otherwise provided in subsections H and I of this section, on or before the fifteenth day of each calendar quarter, the Commission shall transfer to the State Treasurer, for credit to the Oklahoma Education Lottery Trust Fund, the amount of all net proceeds accruing during the preceding calendar quarter. Expenditures from the fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of ~~State Finance~~ the Office of Management and Enterprise Services for approval and payment.

Upon their deposit into the State Treasury, any monies representing a deposit of net proceeds shall then become the unencumbered property of this state, and neither the Commission nor the board of trustees shall have the power to agree or undertake otherwise. The monies shall be invested by the State Treasurer in accordance with state investment practices. All earnings attributable to such investments shall likewise be the unencumbered property of the state and shall accrue to the credit of the fund.

C. Monies in the Oklahoma Education Lottery Trust Fund shall only be appropriated as follows:

1. Forty-five percent (45%) for the following:
 - a. kindergarten through twelfth grade public education, including but not limited to compensation and benefits for public school teachers and support employees, and
 - b. early childhood development programs, which shall include but not be limited to costs associated with prekindergarten and full-day kindergarten programs;
2. Forty-five percent (45%) for the following:
 - a. tuition grants, loans and scholarships to citizens of this state to enable such citizens to attend colleges and universities located within this state, regardless of whether such colleges and universities are owned or operated by the Oklahoma State Regents for Higher Education, or to attend institutions operated under the authority of the Oklahoma Department of Career and Technology Education; provided such tuition grants, loans and scholarships shall not be made to a citizen

of this state to attend a college or university which is not accredited by the Oklahoma State Regents for Higher Education,

- b. construction of educational facilities for elementary school districts, independent school districts, the Oklahoma State System of Higher Education, and career and technology education,
- c. capital outlay projects for elementary school districts, independent school districts, the Oklahoma State System of Higher Education, and career and technology education,
- d. technology for public elementary school district, independent school district, state higher education, and career and technology education facilities, which shall include but not be limited to costs of providing to teachers at accredited public institutions who teach levels kindergarten through twelfth grade, personnel at technology centers under the authority of the Oklahoma State Department of Career and Technology Education, and professors and instructors within the Oklahoma State System of Higher Education, the necessary training in the use and application of computers and advanced electronic instructional technology to implement interactive learning environments in the classroom and to access the state-wide distance learning network and costs associated with repairing and maintaining advanced electronic instructional technology,
- e. endowed chairs for professors at institutions of higher education operated by the Oklahoma State System of Higher Education, and
- f. programs and personnel of the Oklahoma School for the Deaf and the Oklahoma School for the Blind;

3. Five percent (5%) to the School Consolidation and Assistance Fund. When the total amount in the School Consolidation and Assistance Fund from all sources equals Five Million Dollars (\$5,000,000.00), all monies appropriated pursuant to this paragraph which would otherwise be deposited in the School Consolidation and Assistance Fund in excess of Five Million Dollars (\$5,000,000.00)

shall be allocated by the State Department of Education to public schools based on the audited end-of-year average daily membership in grades 8 through 12 during the preceding school year for the purpose of purchasing technology equipment in order to conduct on-line testing as required by the Achieving Classroom Excellence Act of 2005. If at any time the total amount in the School Consolidation and Assistance Fund drops below Five Million Dollars (\$5,000,000.00), the monies appropriated pursuant to this paragraph shall be deposited in the School Consolidation and Assistance Fund until the Fund again reaches Five Million Dollars (\$5,000,000; and

4. Five percent (5%) to the Teachers' Retirement System Dedicated Revenue Revolving Fund.

D. The Legislature shall appropriate funds from the Oklahoma Education Lottery Trust Fund only for the purposes specified in subsection C of this section. Even when funds from the trust fund are used for these purposes, the Legislature shall not use funds from the trust fund to supplant or replace other state funds supporting common education, higher education, or career and technology education.

E. In order to ensure that the funds from the trust fund are used to enhance and not supplant funding for education, the State Board of Equalization shall examine and investigate appropriations from the trust fund each year. At the meeting of the State Board of Equalization held within five (5) days after the monthly apportionment in February of each year, the State Board of Equalization shall issue a finding and report which shall state whether appropriations from the trust fund were used to enhance or supplant education funding. If the State Board of Equalization finds that education funding was supplanted by funds from the trust fund, the Board shall specify the amount by which education funding was supplanted. In this event, the Legislature shall not make any appropriations for the ensuing fiscal year until an appropriation in that amount is made to replenish the trust fund.

F. Except as otherwise provided by this subsection, no deficiency in the Oklahoma Education Lottery Trust Fund shall be replenished by reducing any nonlottery funds, including specifically but without limitation, the General Revenue Fund, the Constitutional Reserve Fund or the Education Reform Revolving Fund of the State Department of Education. No program or project started specifically from lottery proceeds shall be continued from the General Revenue Fund, the Constitutional Reserve Fund or the Education Reform

Revolving Fund of the State Department of Education. Such programs must be adjusted or discontinued according to available lottery proceeds unless the Legislature by general law establishes eligibility requirements and appropriates specific funds therefor. No surplus in the Oklahoma Education Lottery Trust Fund shall be reduced or transferred to correct any nonlottery deficiencies in sums available for general appropriations. The provisions of this subsection shall not apply to bonds or other obligations issued pursuant to or to the repayment of bonds or other obligations issued pursuant to the Oklahoma Higher Education Promise of Excellence Act of 2005.

G. There is hereby created in the State Treasury a revolving fund to be designated the "Oklahoma Education Lottery Revolving Fund". The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of all monies received by the Commission. The Commission shall make payments of net proceeds from the fund to the Oklahoma Education Lottery Trust Fund on or before the fifteenth day of each calendar quarter as provided in subsection B of this section. All monies accruing to the credit of the Oklahoma Education Lottery Revolving Fund are hereby appropriated and may be budgeted and expended for the payment of net proceeds, prizes, commissions to retailers, administrative expenses and all other expenses arising out of the operation of the education lottery, subject to the limitations provided in the Oklahoma Education Lottery Act. Expenditures from the fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of ~~State Finance~~ the Office of Management and Enterprise Services for approval and payment.

The monies in the fund shall be invested by the State Treasurer in accordance with state investment practices. All earnings attributable to such investments shall likewise accrue to the credit of the fund.

H. When appropriations from the Oklahoma Education Lottery Trust Fund are made to common education pursuant to the provisions of paragraph 1 of subsection C of this section, the appropriations shall be made available on a monthly basis. In addition to the provisions of subsection B of this section, the following process shall be used to insure that the appropriations are made available to common education in a timely manner:

1. Beginning in July of the fiscal year in which appropriations are made to common education from the Oklahoma Education Lottery

Trust Fund, the Commission, on or before the ninth day of each month, shall transfer to the State Treasurer, for credit to the Oklahoma Education Lottery Trust Fund, the amount of net proceeds accruing during the preceding month equal to the amount of total monthly collections due to common education as required by paragraph 1 of subsection C of this section;

2. The Director of the ~~Office of State Finance~~ Office of Management and Enterprise Services shall allocate the transfers provided for in paragraph 1 of this subsection to the State Department of Education on a monthly basis, not to exceed one-twelfth (1/12) of the annual apportionment for the fiscal year; and

3. The total amount of transfers to the Oklahoma Education Lottery Trust Fund of net lottery proceeds made pursuant to this subsection shall not exceed the total appropriations made to common education from the Oklahoma Education Lottery Trust Fund for the specific fiscal year.

I. When appropriations from the Oklahoma Education Lottery Trust Fund are made to The Oklahoma State System of Higher Education, the appropriations shall be made available to the System on a monthly basis. In addition to the provisions of subsection B of this section, the following process shall be used to ~~insure~~ ensure that the appropriations are made available to The Oklahoma State System of Higher Education in a timely manner:

1. Beginning in July of the fiscal year in which appropriations are made to The Oklahoma State System of Higher Education from the Oklahoma Education Lottery Trust Fund, the Commission, on or before the ninth day of each month, shall transfer to the State Treasurer, for credit to the Oklahoma Education Lottery Trust Fund, the amount of net proceeds accruing during the preceding month equal to the amount of total monthly collections due to the Oklahoma State Regents for Higher Education as required by paragraph 2 of subsection C of this section;

2. The Director of the ~~Office of State Finance~~ Office of Management and Enterprise Services shall allocate the transfers provided for in paragraph 1 of this subsection to the Oklahoma State Regents for Higher Education on a monthly basis, not to exceed one-twelfth (1/12) of the annual apportionment for the fiscal year; and

3. The total amount of transfers to the Oklahoma Education Lottery Trust Fund of net lottery proceeds made pursuant to this

subsection shall not exceed the total appropriations made to The Oklahoma State System for Higher Education from the Oklahoma Education Lottery Trust Fund for the specific fiscal year.

SECTION 28. AMENDATORY 3A O.S. 2011, Section 719, is amended to read as follows:

Section 719. A. There is hereby created in the State Treasury a revolving fund for the Oklahoma Lottery Commission to be designated the "Fidelity Revolving Fund". The fund shall be a continuing fund, not subject to fiscal year limitations. All monies accruing to the credit of the fund are hereby appropriated and may be budgeted and expended by the Commission as provided in this section. Expenditures from the fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of ~~State Finance~~ the Office of Management and Enterprise Services for approval and payment. The Commission shall assess each retailer an annual fee not to exceed One Hundred Dollars (\$100.00) per sales location, to be deposited to the Fidelity Revolving Fund. The monies in the fund shall be invested by the State Treasurer in accordance with state investment practices. All earnings attributable to such investments shall likewise accrue to the credit of the fund. Monies deposited to the fund shall be used to contract with the Oklahoma State Bureau of Investigation and the State Auditor and Inspector for the investigations, reviews and audits provided for herein. Any full-time employees retained by the Oklahoma State Bureau of Investigation or the State Auditor and Inspector for the purpose of performing duties pursuant to such contracts shall not be counted against any limits on full-time employees for such agencies. Monies deposited to the fund may also be used to cover losses the Commission experiences due to nonfeasance, misfeasance, or malfeasance of a lottery retailer. In addition, the funds may be used to purchase blanket bonds covering the Commission against losses from all retailers. At the end of each fiscal year, the Commission shall pay to the Oklahoma Education Lottery Trust Fund any amount in the Fidelity Revolving Fund which exceeds the budgeted expenses from the fund for the next fiscal year plus Five Hundred Thousand Dollars (\$500,000.00), and such funds shall be commingled with and treated as net proceeds from the lottery.

B. A reserve account may be established as a general operating expense to cover amounts deemed uncollectible. The Commission shall establish procedures for minimizing any losses that may be experienced for the foregoing reason and shall exercise and exhaust

all available options in such procedures prior to amounts being written off to this account.

C. Except as otherwise provided in subsection D of this section, the Commission shall require all retailers to post an appropriate bond, as determined by the Commission, using an insurance company acceptable to the Commission.

D. 1. In its discretion, in lieu of the bond required in subsection C of this section, the Commission may allow a retailer to deposit and maintain with the Commission securities that are interest bearing or accruing. Securities eligible under this paragraph shall be limited to:

- a. certificates of deposit issued by solvent banks or savings associations organized and existing under the laws of this state or under the laws of the United States,
- b. United States bonds, notes, and bills for which the full faith and credit of the United States is pledged for the payment of principal and interest, and
- c. federal agency securities issued by an agency or instrumentality of the United States government.

2. The securities shall be held in trust in the name of the Oklahoma Lottery Commission.

SECTION 29. AMENDATORY 3A O.S. 2011, Section 733, is amended to read as follows:

Section 733. To ensure the financial integrity of the lottery, the Oklahoma Lottery Commission through its board of trustees shall:

1. Submit quarterly and annual reports to the Governor, State Auditor and Inspector, Oklahoma State Bureau of Investigation, Attorney General, and the oversight committee created by Section ~~35~~ 734 of this ~~act~~ title, disclosing the total lottery revenues, prize disbursements, operating expenses, and administrative expenses of the Commission during the reporting period. The annual report shall additionally describe the organizational structure of the Commission and summarize the functions performed by each organizational division within the Commission;

2. Adopt a system of internal audits;

3. Maintain weekly or more frequent records of lottery transactions, including the distribution of tickets or shares to retailers, revenues received, claims for prizes, prizes paid, prizes forfeited, and other financial transactions of the Commission;

4. Contract with a certified public accountant or firm for an annual financial audit of the Commission. The certified public accountant or firm shall have no financial interest in any vendor with whom the Commission is under contract. The certified public accountant or firm shall present an audit report not later than seven (7) months after the end of the fiscal year. The certified public accountant or firm shall evaluate the internal auditing controls in effect during the audit period. The cost of this annual financial audit shall be an operating expense of the Commission. The State Auditor and Inspector may at any time conduct an audit of any phase of the operations of the Commission at the expense of the Commission and shall receive a copy of the annual independent financial audit. A copy of any audit performed by the certified public accountant or firm or the State Auditor and Inspector shall be transmitted to the Governor, the President Pro Tempore of the Senate, and the Speaker of the House of Representatives, the State Auditor and Inspector, and the cochairs of the oversight committee created in Section ~~35~~ 734 of this act title;

5. Submit to the ~~Office of State Finance~~ Office of Management and Enterprise Services and the State Auditor and Inspector by June 30 of each year a copy of the annual operating budget for the Commission for the next fiscal year. This annual operating budget shall be approved by the board and be on such forms as prescribed by the ~~Office of State Finance~~ Office of Management and Enterprise Services; and

6. For informational purposes only, submit to the ~~Office of State Finance~~ Office of Management and Enterprise Services on September 1 of each year a proposed operating budget for the Commission for the succeeding fiscal year. The budget proposal shall also be accompanied by an estimate of the net proceeds to be deposited into the Oklahoma Education Lottery Trust Fund during the succeeding fiscal year. The budget shall be on such forms as prescribed by the ~~Office of State Finance~~ Office of Management and Enterprise Services.

SECTION 30. AMENDATORY 6 O.S. 2011, Section 211.1, is amended to read as follows:

Section 211.1 There is hereby created in the State Treasury a revolving fund for the Oklahoma State Banking Department. The revolving fund shall consist of all fees and assessments paid to or collected by the Department, including all monies received by the Commissioner under Sections 104, 204, 303, 415, 501.1 and 501.2 of this title and Section 381.16 of Title 18 of the Oklahoma Statutes and those payments required to be deposited in the revolving fund pursuant to Sections 211, 1103, 1206, 2001.2, 2008, 2107 and 2113 of this title, Section 381.15 of Title 18 of the Oklahoma Statutes, and Section ~~166~~ 7106 of Title ~~8~~ 36 of the Oklahoma Statutes. The revolving fund shall be a continuing fund, not subject to fiscal year limitations. Expenditures from the fund shall be made pursuant to the laws of this state and the statutes relating to the Department, and without legislative appropriation. Warrants for expenditures from the fund shall be drawn by the State Treasurer, based on claims signed by an authorized employee or employees of the Department and approved for payment by the Director of ~~State Finance~~ the Office of Management and Enterprise Services.

SECTION 31. AMENDATORY 7 O.S. 2011, Section 22, is amended to read as follows:

Section 22. There is hereby created in the State Treasury a revolving fund to be known as the Adult Blind Market Revolving Fund of the Oklahoma Public Welfare Commission to be administered by and under the direction of the Oklahoma Public Welfare Commission. Said fund shall consist of all appropriations made for such purpose and all net earnings or profits derived from its use as authorized by law. Said fund shall be used for the purpose of creating, establishing and maintaining a market for the product of blind workers of Oklahoma and may be used to purchase such products for resale, and for no other purpose. Expenditures from said fund shall be made upon warrants issued by the State Treasurer against claims submitted to the Director of ~~State Finance~~ the Office of Management and Enterprise Services for ~~audit~~ approval and payment.

SECTION 32. AMENDATORY 10 O.S. 2011, Section 175.12, is amended to read as follows:

Section 175.12 (a) The Children's Hospital of Oklahoma, including its clinics and laboratories, is hereby designated as a service institution for the physically handicapped children of this

state, which also serves as a teaching and training hospital for the School of Medicine of the University of Oklahoma. Payment for services by the Commission to the Children's Hospital of Oklahoma shall be based on the actual per diem cost of patient care exclusive of professional instructional expense. In the event that the Commission and Board of Regents of the University of Oklahoma cannot agree on a per diem charge for patients of the Commission, the Director of ~~State Finance~~ the Office of Management and Enterprise Services, with the approval of the Governor, is hereby authorized to establish a rate of pay which shall prevail. The Children's Hospital of Oklahoma shall grant the Commission a priority in the assignment of hospital services, which are to be distributed as equitably as is possible among the counties of this state.

(b) The Commission shall be obligated, insofar as practicable, to use the available facilities of the Children's Hospital of Oklahoma to a degree that will enable the University of Oklahoma School of Medicine to maintain its proper patient ratio for accreditation; Provided, that this provision shall not cause undue hardship to a patient.

SECTION 33. AMENDATORY 10 O.S. 2011, Section 410.1, is amended to read as follows:

Section 410.1 There is established in the State Treasury a revolving fund to be known as the "Quality of Care Development Fund". The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of all fines collected by the Department of Human Services pursuant to Section 407 of ~~Title 10 of the Oklahoma Statutes~~ this title and shall, in addition to any other monies made available for such purpose, be available to the Director solely to support the continued improvement of the child care facilities in this state. Expenditures from the fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of ~~State Finance~~ the Office of Management and Enterprise Services for approval and payment.

SECTION 34. AMENDATORY 10 O.S. 2011, Section 601.6b, is amended to read as follows:

Section 601.6b A. On or before July 1 of each year, the Oklahoma Commission on Children and Youth shall transmit to the Director of ~~State Finance~~ the Office of Management and Enterprise Services and to the director of each affected agency a copy of the

State Plan for Services to Children and Youth for the next fiscal year.

B. The Office of Planning and Coordination shall on or before January 1 of each year provide a written report to the Legislature on its expenditures to community partnership boards.

C. The Office of Planning and Coordination, with the assistance of the ~~Office of State Finance~~ Office of Management and Enterprise Services and affected agencies, may assemble topic-specific reports regarding services to children, youth, and families to include program descriptions, past and current expenditures, future budget requests, and a description of program outcomes as directed by the Legislature or the Commission.

SECTION 35. AMENDATORY 10 O.S. 2011, Section 601.10, is amended to read as follows:

Section 601.10 There is hereby created in the State Treasury a revolving fund for the Oklahoma Commission on Children and Youth, to be designated the "Oklahoma Commission on Children and Youth Revolving Fund". The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of all monies received by the Oklahoma Commission on Children and Youth, from contracts with other state agencies or institutions, and not excluding any other source of revenue. All monies accruing to the credit of said fund are hereby appropriated and may be budgeted and expended by the Director of the Oklahoma Commission on Children and Youth for the purpose of paying for operating expenses of the Oklahoma Commission on Children and Youth. Expenditures from said fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of ~~State Finance~~ the Office of Management and Enterprise Services for approval and payment.

SECTION 36. AMENDATORY 10 O.S. 2011, Section 630.2, is amended to read as follows:

Section 630.2 A. Entities which shall jointly design and implement the coordinated database system shall include, but not be limited to:

1. The Oklahoma Commission on Children and Youth;
2. The Department of Human Services;

3. The State Department of Health;
4. The Department of Mental Health and Substance Abuse Services;
5. The Oklahoma Health Care Authority;
6. The State Department of Education;
7. The Office of State Finance Office of Management and Enterprise Services;
8. The Office of Juvenile Affairs;
9. The State Department of Rehabilitation Services;
10. The Oklahoma Department of Commerce; and
11. Consumer representatives.

B. 1. The Oklahoma Commission on Children and Youth shall serve as the lead agency in initiating the collaborative process among entities identified in subsection A of this section in order to design and implement the system required by the Coordinated Database System for Children Act. The Commission shall be responsible for convening meetings and providing meeting space, administrative staff and other necessary support services. The Commission shall schedule meetings in conjunction with the Coordination of Services for Older Oklahomans Task Force.

2. The remaining agencies listed in subsection A of this section shall be responsible for providing information, staff and other assistance as necessary to design and implement the system required by the Coordinated Database System for Children Act.

C. On or before February 1, 1998, the agencies listed in subsection A of this section shall jointly submit to the Governor, the Speaker of the House of Representatives, the President Pro Tempore of the Senate, and the chairs of the appropriate legislative committees, a report which shall include, but not be limited to:

1. A statement of progress regarding the design and implementation of the system required by the Coordinated Database System for Children Act; and

2. Identification of any statutory changes and funding necessary to implement the system.

SECTION 37. AMENDATORY 10 O.S. 2011, Section 1430.42, is amended to read as follows:

Section 1430.42 A. There is hereby created the Advantage Waiver and Developmental Disability Services Rate Review Committee. The Committee shall:

1. Review the reimbursement rates provided for in the Advantage and Home- and Community-Based Waivers and all other reimbursement rates to providers of services to the aged and developmentally disabled and administered by the Aging Services Division and Developmental Disability Services Division of the Department of Human Services;

2. Calculate reimbursement rates which provide a level of care to the aged and developmentally disabled of the state enabling them, to the greatest extent possible, to function, live, and work in their own homes or a community-based setting; and

3. Make a recommendation in the report of the Committee regarding an increase in funding specifically dedicated to providing services to persons not currently receiving services but who have formally requested those services from the Department of Human Services.

B. In no event shall the recommendations of the Committee be binding on the Oklahoma State Legislature, Governor, or Department of Human Services. Recommendations shall be advisory only and may not be used as evidence in any court of law or legal proceeding.

C. The Committee shall convene no later than July 15, 2007, and shall meet no fewer than three times every odd year. By September 1, 2007, and every odd year thereafter, the Committee shall submit to the Governor, Legislature, Department of Human Services and the Office of State Finance Office of Management and Enterprise Services a report containing the following:

1. A description of the rates reviewed by the Committee as well as an explanation of their purpose;

2. A recommended rate calculated by the Committee for the rates;

3. A description of how the individual rates were calculated including a list of the factors and variables considered when calculating the rates;

4. A specific recommendation of funding for providing services to persons not currently receiving services from the Department of Human Services but who have requested those services pursuant to the policy of the Developmental Disability Services Division. To the best of its ability, the Committee shall indicate the number of persons it believes could be served by the recommended increase in funding;

5. A calculation of the total dollars required from the State Treasury to fund the recommended rates at the current level of services provided by the Department of Human Services; and

6. A calculation of the total dollars leveraged, if any, from the federal government through the Advantage and Home- and Community-Based Waivers or any other relevant source, if the recommended rates were enacted.

D. The Committee shall convene every odd year and shall be charged with the same responsibilities and duties as provided in subsection C of this section.

E. The members of the Committee shall serve four-year terms and may be reappointed to the Committee by the appointing authorities as provided in subsection F of this section.

F. The members of the Committee shall be appointed as follows:

1. The Governor shall appoint three members of the Committee as follows:

- a. a parent or legal guardian of a developmentally disabled child currently receiving services from the Developmental Disability Services Division of the Department of Human Services,
- b. a parent or legal guardian of a developmentally disabled child not currently receiving services from the Developmental Disability Services Division of the Department of Human Services but who has applied for

the services pursuant to Department of Human Services policy, and

- c. a person or legal guardian of a person receiving services under the Advantage Waiver;

2. The Speaker of the Oklahoma House of Representatives shall appoint five members of the Committee as follows:

- a. a provider of services to the developmentally disabled who has contracted with the Developmental Disability Services Division of the Department of Human Services to provide such services and who employs more than fifty-five persons,
- b. a provider of services to the developmentally disabled who has contracted with the Developmental Disability Services Division of the Department of Human Services to provide such services and who employs fewer than fifty-five persons,
- c. a provider of services to the aged under the Advantage Waiver who employs more than fifty-five persons,
- d. a provider of services to the aged under the Advantage Waiver who employs fewer than fifty-five persons, and
- e. one member of the House of Representatives;

3. The President Pro Tempore of the Oklahoma State Senate shall appoint four members of the Committee as follows:

- a. an independent auditor of providers of services to the developmentally disabled who has contracted to provide the services with the Developmental Disability Services Division of the Department of Human Services,
- b. a Certified Public Accountant who has particular expertise in the day-to-day financial operations of businesses that provide services to the developmentally disabled which contracts with the Developmental Disability Services Division of the Department of Human Services,

- c. a Certified Public Accountant who has particular expertise in the day-to-day financial operations of businesses that provide services to the aged under the Advantage Waiver, and
- d. one member of the Senate;

4. The Director of the Aging Services Division of the Department of Human Services or a designee;

5. The Director of the Developmental Disability Services Division of the Department of Human Services or a designee;

6. The Director of the Oklahoma Health Care Authority or a designee; and

7. The Director of the ~~Office of State Finance~~ Office of Management and Enterprise Services or a designee.

G. The Department of Human Services shall provide necessary staffing for the Committee as required.

H. At the first meeting, the Committee shall elect a chair and cochair from among the members of the Committee. The chair shall be responsible for setting the agenda for the Committee meetings, determining the meeting dates after consultation with the members of the Committee, and ensuring that the final report of the Committee is submitted as required by subsection C of this section. In the absence of the chair, the cochair of the Committee shall be responsible for convening the meetings.

SECTION 38. AMENDATORY 10A O.S. 2011, Section 1-9-103, is amended to read as follows:

Section 1-9-103. A. 1. There is hereby created in the Department of Human Services a revolving fund to be designated the "Child Abuse Multidisciplinary Account".

2. The account shall be a continuing fund, not subject to fiscal year limitations, and shall consist of all monies received by the Department pursuant to the provisions of this section and Section 1-9-104 of this title.

3. All monies accruing to the credit of the fund are hereby appropriated and shall be budgeted and expended by the Department

for the purposes provided in Sections 1-9-102 and 1-9-104 of this title.

4. Expenditures from the account shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of ~~State Finance~~ the Office of Management and Enterprise Services for approval and payment.

B. The account shall be administered by the Department for the benefit of children of Oklahoma and made available to eligible:

1. Coordinated multidisciplinary child abuse teams;
2. Nonurban child advocacy centers;
3. Mid-level nonurban child advocacy centers; and
4. Urban child advocacy centers.

C. 1. The Child Abuse Multidisciplinary Account shall consist of:

- a. all monies received by the Department pursuant to the provisions of Section 1-9-104 of this title,
- b. interest attributable to investment of money in the Account, and
- c. money received by the Department in the form of gifts, grants, reimbursements, or from any other source intended to be used for the purposes specified or collected pursuant to the provisions of this section and Section 1-9-102 of this title.

2. The monies deposited in the Child Abuse Multidisciplinary Account shall at no time become monies of the state and shall not become part of the general budget of the Department or any other state agency. Except as otherwise authorized by this section, no monies from the Account shall be transferred for any purpose to any other state agency or any account of the Department or be used for the purpose of contracting with any other state agency or reimbursing any other state agency for any expense.

SECTION 39. AMENDATORY 10A O.S. 2011, Section 1-9-109, is amended to read as follows: