

Capitol Network News

Today's news from Oklahoma's best government information resource

Daily Edition, Thursday, October 17, 1996

JAIL TASK FORCE HEARS PROBLEMS, LOOKS FOR SOLUTIONS

By Gerry Cherry
Staff Writer

■(GIT) At the first meeting of the state legislative task force on jails Thursday, county sheriffs willingly discussed their common problems.

A county jail built in 1934, designed to house 15 prisoners, holds 39. Some sleep on the floor.

A multi-million dollar drug dealer is guarded by a minimum wage employee, in county jail.

Checking other counties for outstanding warrants on a suspect involves calls to 76 other counties, because there is no network from county to county.

Some sheriffs' deputies qualify for, and use, food stamps. Others are eligible. One county sheriff takes home \$800 a month.

No one knows how many escapes from county jails happen each year. Records are kept separately, by hand, in most cases.

These are only a few of the problems brought up at the first meeting.

The task force, mandated by Senate Joint Resolution 34, is made up of ten house and senate members and ten county sheriffs, who will study the situation at the county jails and sheriffs' offices and make recommendations to the legislature on the first day of the 46th session.

Legislators listened, sometimes in disbelief, as sheriffs outlined the stumbling blocks to law enforcement that make their day.

Seminole County Sheriff Charles Sisco drives 100 miles to pick up a prisoner at McCloud Correctional Center in Farris and bring him back to Wewoka for a two-minute hearing. Then the prisoner is driven back to Farris — a round trip of 400 miles, and it all comes out of the sheriff's budget.

His story was just one of several. Mental patients who need to go to a mental hospital for a 72-hour observation must be taken by the sheriff's department. After 72 hours, they are brought back to the county of residence, by the sheriff's department, and brought before a judge. If the judge rules the mental patient needs treatment, the sheriff's department takes the patient back to the mental hospital for a 28-day treatment. Even if the patient has been previously certified as having mental problems, the 72-hour observa-

tion, then a hearing before the judge are necessary, every time. "A lot of things can be changed to save wear and tear," Sisco said. Although legislation is in place to provide for video arraignments and hearings, no funding was appropriated with the legislation to allow counties to buy the equipment.

Technologically, John Walsh Jr., executive director of the Oklahoma Sheriff's Association said, county sheriffs' offices need computers just to "bring us into the 20th century." Along the same line, each county needs a coordinated communications system and a statewide network for checking outstanding warrants. The NCIC system is too restrictive; many individuals and warrants do not fit the criteria to be put into the system, Walsh said.

Other problems listed were unsafe, crumbling facilities; untrained staff, low salaries and small budgets.

Most jails in Oklahoma were built be-

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MANAGED CARE TASK FORCE CONSIDERS REGULATIONS

By Shawn Ashley
Staff Writer

■(GIT) Members of the Senate's Managed Care Task Force were urged to place regulatory responsibility for managed care programs under one state agency and to focus much of their regulator efforts on solvency, rather than quality issues.

David Randel, deputy director of the Ohio Department of Insurance and a representative of the National Association of Insurance Commissioners, made the comments during Thursday's meeting of the task force at the state capitol. Randel said that the Ohio General Assembly was currently considering two pieces of legislation with such a focus.

The comments stand in contrast to those made earlier in the meeting by the panel's co-chair, Mike Duncan, and by task force members during the group's Oct. 2 meeting. Most of the issues identified by the task force for discussion, such as quality assessment, access and information sharing, are what its chairmen have called "quality issues," rather

than financial considerations.

Randel said a key component of the Ohio proposals is that they will impose regulations on "anyone bearing (financial) risk." Part of the problem in the managed care area, several speakers noted Thursday, was that there is no clear definition of what qualifies as a managed care program. In Oklahoma, for example, only four health care plans — health maintenance organizations (HMOs), pre-paid health plans, provider service networks and workplace medical plans — are regulated by the State Department of Health, Mike Hartsell, executive director of the department told the panel. At the same time, he noted, Oklahoma law does not define what constitutes a managed care program, leaving a number of health care programs, such as preferred provider programs and many others, unregulated.

Randel said legislation which addresses the managed care issue from the standpoint of "anyone bearing risk" should cover all

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existing health care programs, as well as those which may develop in the future.

That idea was not readily embraced by members of the panel, many of whom argued that only those entities which sell insurance products should be regulated, while those which are not involved in the insurance industry should not be regulated.

Randel also argued that only one state agency, particularly the state insurance commission, should be charged with regulating the managed care industry. Randel pointed to the assumption that "anyone bearing risk" would be regulated to say that the insurance commission would be best suited to serve as the regulatory agency. The sharing of regulatory responsibility, Randel said, has historically led to problems in states such as California, New York and Minnesota.

According to Hartsell, his department bears the primary responsibility of enforcing regulations on the health care industry. When dealing with HMOs, he noted, the Oklahoma Insurance Commission evaluates the organizations' finances, but only makes recommendations to the health department. In Ohio, Randel said, the insurance commission would take the lead in regulation of the managed care industry and the health department would take a subservient role.

Randel said the primary regulatory focus of the legislation proposed in Ohio is solvency.

"Solvency," he said, "should be paramount in any regulatory scheme."

That, he said, is because the failure of a health care organization "is one of the worst things you can imagine."

Quality issues, Randel indicated, are important to consumers, but are best addressed by the market place, rather than by regulatory agencies.

That approach, however, Randel said, has drawn objections from those within the health care industry.

"Many of them would like to see low or no solvency requirements," said Randel.

As members turned their attention to the task force's future discussions, some reluctance was expressed about taking action without hearing from representatives of some of the health care provider groups, such as provider service networks, preferred provider organizations and others.

That desire left one major issue unresolved by the panel — a determination of what entities would be regulated under any law proposed for Oklahoma. After hearing from representatives of additional health care provider groups, the task force's members indicated that they felt they would be better suited for arriving at a decision on the issue.

In informal balloting near the end of the meeting, however, 18 of the 30 task force members attending the meeting expressed a

preference for dividing the regulatory responsibility in Oklahoma between two or more agencies, while 12 of the members expressed a preference for having only one regulatory authority.

In votes on other regulatory issues:

- Twenty-nine of the panel's members voiced support for regulations dealing with solvency;

- Twenty said the capacity to meet a network's obligations should be regulated, while 5 panel members disagreed;

- Nineteen of the panel's members said they believe provider selection and access should be regulated, compared to six who said that it should not;

- Twenty voted that the process of credentialing should be regulated, while two voted that it should not;

- Twenty-six panel members said quality assurance should be regulated;

- Twenty-seven voted that utilization review, data reporting and outcome information should also be regulated; and

- Nine said profit should be regulated by a legislatively-imposed limit, while 15 said that it should not.

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fore 1950, Walsh said, and many counties do not have the funds to build a jail. Jail standards cannot be met, he said.

Quality staff is at a critical low in most counties. Salaries are too low to draw top applicants. Seminole County pays their jailer \$1,050 per month. Deputies there draw \$1,234 per month. Sheriff Dayle James of Okmulgee hires retired jailers and deputies. They can live on the meager salary because they already draw retirement James said. Wagoner County's jailer does triple duty — as jailer, dispatcher and teletype operator — Sheriff Elmer Shepherd said.

Legislators and law enforcement officials at the meeting agreed budgets and funding for county law enforcement needs some fundamental changes. Right now, each county office — court clerk, county clerk, sheriff, appraiser and county treasurer — is apportioned a part of the millage collected in ad valorem taxes. Sheriffs' offices get one-tenth of one-tenth of the taxes collected to run two important offices — investigation and detention. If the highway patrol or Oklahoma State Bureau of Investigation arrests someone, the sheriff in that county is responsible for everything that happens to that prisoner, and the cost of his keep, Sheriff Sisco said.

Compared to 1993, Walsh said, the 51 Oklahoma counties he has studied so far rank below the national average in everything. "We're probably in the bottom two or three," he said. "We need to look at where the sheriff fits in with the correctional department; make structural changes. We've allowed the infrastructure to slip so long it will take drastic measures to fix," he added.

Task force chairman Sen. Lewis Long, D-Glenpool, wanted to know what other states are doing to solve some of the same problems. Regional jails are one solution, Sheriff Glanz said, with perhaps a 48-hour holding facility in each county. An additional statewide tax, to be used just for county law enforcement was mentioned. "People are saying they want more protection and they're willing to pay for it," Sheriff Sisco said. Using statewide computer systems already in place, such as the Department of Human Services or Oklahoma libraries was a solution mentioned to take advantage of video hearings.

No matter what, Sheriff Dayle James of Okmulgee County said, "we need to keep law enforcement local." In rural counties, the sheriff is the bottom line in law enforcement, one sheriff said, "the thin blue line."

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AN OMNIDOME IN OKLAHOMA'S FUTURE?

By Gerry Cherry
Staff Writer

■(GIT) The score, Rep. Jack Bonny, D-Burns Flat said, is Texas 7, Oklahoma 0. Bonny was speaking at the first meeting of House Interim Study 96-15, Thursday. He was referring to the fact that Texas has seven IMAX theaters, Oklahoma has none, a situation Omniplex hopes to remedy.

The meeting was held at the Omniplex, Oklahoma's premier science museum. Omniplex trustees and representatives of the interim study are working together to figure out a

way to help Omniplex fund a \$7.3 million IMAX theater for Oklahoma. "Omniplex wants to ask Oklahoma to invest in a world class educational facility of benefit to its citizens," Chairman of the Board of Trustees Jerry Austin said.

Listing some of the reasons why Omniplex is the obvious site for the state-of-the-art theater, Austin said:

- Omniplex is among the largest and best attended museums in the U.S., Austin said. It ranks in the top three percent of more than 8,500 museums.

- Among science museums, average attendance is 95,000 per year, according to the American Association of Museums (AAM). Omniplex averages 350,000 visitors a year.

- *Parents Magazine* recently recognized Omniplex as one of the nation's best museums for children.

- Omniplex is one of 743 fully accredited by the above-mentioned AAM. Only nine Oklahoma museums are so accredited.

Another measure of respect, Austin said, is Omniplex' charge to develop educational programs for NASA.

Now, Austin said, the museum is planning the largest project in their 40-year history, the OmniDome. It will be the first in Oklahoma

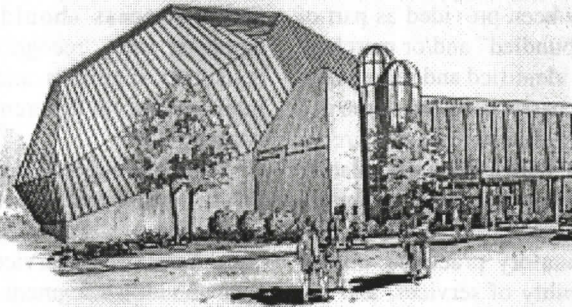
and one of only 80 in the U.S. Surrounding states have 15 IMAX theaters. Omniplex has already raised more than \$3.2 million of the money needed, and plans on a total of \$5 million in private donations. "We've never asked for state help before," Austin said, "but we'll not be able to fully fund the project through private donations."

Trustees of the museum are hoping for a loan of about \$2 million from the state, to be repaid — they hope — from sales taxes collected at Omniplex, in the amount of \$200,000 annually.

State statute 68 OS

1991, Section 1356, allows for tax exemptions for colleges and universities. Omniplex trustees hope to add "accredited museums" to the exempted facilities. The statute reads, in part: "The amount of proceeds received from the sales of admission tickets . . . for the repayment of money borrowed . . . for the purpose of construction or enlarging any facility . . . not limited to athletic fields, athletic stadiums, field houses, amphitheaters and theaters. To be eligible for this sales tax exemption, the amount separately stated shall be a surcharge imposed, collected and used for the sole purpose of servicing . . . the debt incurred by the college or university to effect the capital improvements herein before described."

Rep. Ray Vaughn, R-Edmond, agreed a bill would be drafted to change the statute if the committee feels it would be advantageous.



TRANSPORTATION COMMISSION HITS THE ROAD

By Shawn Ashley
Staff Writer

■(GIT) Members of the Oklahoma Transportation Commission will hit the road in October and November to conduct nine transportation summits designed to discuss Oklahoma's current and forecasted transportation demand.

"These meetings will initiate useful dialogue between transportation commissioners and their communities," said commission chairman Herschal Crow. "Certainly, the information compiled from the summits will act as a catalyst to aid the commission and department in gauging the transportation needs of each area."

The summits are scheduled on Mondays and Tuesdays, beginning Oct. 21 and 22. Each commissioner will attend his multi-county area summit and the entire commission will attend the statewide summit set for Okla. City.

Department of Transportation officials will present a 45-minute overview of Oklahoma's current funding versus projected needs at each summit, followed by a 45-minute feedback or public comment session. Citizens will be encouraged to present specific transportation goals for their area either in person or in writing.

The dates and locations of the meetings include:

- Oct. 21, Lawton, 5 to 6:30 p.m.;
- Oct. 22, Altus, 2 to 3:30 p.m.;
- Oct. 28, Durant, 5:30 to 7 p.m.;
- Oct. 29, Ada, 1 to 2:30 p.m.;
- Nov. 4, Oklahoma City (statewide summit) 3 to 4:30 p.m.;
- Nov. 18, Enid, 5 to 6:30 p.m.;
- Nov. 19, Woodward, 10 to 11:30 a.m.;
- Nov. 25, Muskogee, 2 to 3:30 p.m.; and
- Nov. 26, Tulsa, time to be announced.

APPOINTMENTS TO STATE BOARDS AND COMMISSIONS

From the Governor's Office

■(OKLAHOMA CITY) Governor Frank Keating Thursday announced several appointments to state boards and commissions.

The Governor named John Brock of Tulsa to the Oklahoma Capital Investment Board to serve a term ending Dec. 31, 1998. He succeeds David Johnson who resigned. Senate confirmation is required.

Virgil Jurgensmeyer of Miami, Don Ramsey of Jones, Dean Smith of Hydro and Michael Wright of Minco were named to the Industry Advisory Board. Jurgensmeyer will serve a term ending July 1, 1997. Ramsey and Smith will serve terms ending July 1, 1998. Wright will serve a term ending July 1, 1999. This is a new position created by SB 1030.

Steve Kelley and Joe McGraw of Tulsa, Bob Rollins, Willis Wheat and Nancy Leonard of Oklahoma City were named to the Oklahoma Capitol Complex Centennial Commission to serve terms expiring at the pleasure of the Governor. This is a new position created by SB 823.

★★ Important Date ★★

General Election
Tuesday, November 5

NATURAL GAS POLICY COMMISSION HOLDS SECOND MEETING

By Linda J. Maxey
Staff Writer

■(GIT) BTUs and molecules; practices and policies; regulation and legislation were all brought before the second meeting of the Joint Commission on Natural Gas Policy Thursday at the State Capitol.

BACKGROUND

The Commission was created to study the policies, laws, agency rules, and economics affecting the natural gas industry and make recommendations on any issue determined to be of great importance to the natural gas industry in Oklahoma. In addition, the Commission was directed, in cooperation with the Oklahoma Corporation Commission, to provide data and assistance to the Governor and the Legislature in the formation of an Oklahoma energy plan and policy statements to present to the Congress and the President of the United States with regard to a national energy strategy. The 20-member Commission is comprised of representatives from the executive, legislative, and regulatory branches of state government as well as industry and royalty owner representatives.

STATUS OF RESTRUCTURING STATE GAS UTILITIES

David Brammer, Coordinator of Economic Policy, Public Utility Division of the Oklahoma Corporation Commission provided an update on the status of state gas utility restructuring efforts.

"Restructuring the gas utility industry in Oklahoma will require a combination of rule making by the Corporation Commission as well as enabling legislation," Brammer said. "The Commission must identify the services that are part of the utility industry that can and cannot be made competitive."

The first Notice of Inquiry to address energy industry restructuring was issued under PUD960000133 on May 17, 1996. Since that time, the Corporation Commission held technical conferences to discuss the industry's concerns and recommendations for bringing the benefits of the marketplace into the utilities industry as soon as possible. The final hearing before the Commission en banc is scheduled for December 4, 1996.

Brammer explained that the Commission must define competitive services; that is, services that are to be unbundled and regulated in a different manner. Examples include wholesale gas supply, retail gas supply, gathering, storage (except for field operations), transmission, customer services, and distri-

bution (unbundled services where competition exists). Brammer also noted uniform taxation on all service providers; equal regulation for all similar service providers where there is competition; and an obligation to serve, as policy issues related to competitive services that must be resolved.

In its comments to the Commission under PUD96000133, Oklahoma Natural Gas Company defined "restructuring" as the process by which services or products which have traditionally been provided as part of the Company's "bundled" and/or merchant sales services are identified and segregated, to be offered as separate services, some in a competitive marketplace and some in a regulated environment. It includes the regulatory and legislative changes required to implement unbundling, foster competition, discourage discriminatory practices, ensure quality and reliability of services, and address other issues not present in today's "bundled" utility environment. Oklahoma Natural Gas is a natural gas public utility which, together with its affiliated companies, is engaged in the gathering, storage, transportation, and distribution of gas, serving more than 700,000 residential, commercial, and industrial customers.

Brammer continued with his summary of objectives for restructuring, stating utilities should fully unbundled, depending upon the different needs and choices of consumers and that non-traditional service providers should be allowed and encouraged to provide competitive services. "There is, however, some disagreement regarding the issue of distribution capacity as it relates to FERC Order No. 636," Brammer said. "Some consumers support the FERC Order 636 approach for the distribution system while utilities have raised issues regarding the reliability of service in the intrastate market under this scenario."

Williams Energy Services Company, a subsidiary of The Williams Companies, submitted in its comments under PUD960000133, "Although FERC Order 636 cannot be imposed simplistically upon retail services, Order 636 represents the proper general model for restructuring. The cornerstone of any restructuring should be the unbundling of transmission and distribution functions from marketing functions. Such unbundling should include an obligation to provide non-discriminatory open access to all qualified marketers, regardless of whether such marketers are affiliated with

the transmission or distribution service provider. Corporation Commission oversight with a viable complaint process will be vital to any unbundling."

In order to implement unbundling, Brammer explained, utilities will file an application to provide unbundled services, which will be subject to review and comment by all parties. Applications should address cost allocation, rate design, and plans for the unbundled services. "The implementation process should be expedited," Brammer said, "recognizing that different consumer segments and services can be implemented on different schedules where appropriate."

The Corporation Commission will establish reporting and information disclosure requirements which will be applied on an equal basis for all service providers within each unbundled segment. Further the Commission will prohibit affiliate preferential treatment in all areas and will monitor compliance with the prohibition.

Under the notice of inquiry, the Commission determined that there should be open access to all unbundled services which will be "provided on a not unduly discriminatory basis." Information systems for all transmission and distribution systems; capacity release mechanisms and secondary release market development; and competitive bidding requirements must be established to provide open access to all unbundled services.

TRANSOK, Inc., an intrastate natural gas pipeline and storage company, stated "The Commission must establish a framework which will enable competition to govern all aspects of service except for residential service. In Phase I, the Commission must require the complete unbundling of utility services except for local distribution service. It must remedy the monopolistic situations such as sole source suppliers and full requirements provisions, allow direct connect customers an alternative to obtaining gas services from traditional utilities, and require utilities to obtain bids for gas supply including gas to be delivered by a third party pipeline into each city-gate for the utility's distribution service. In a competitive market, TRANSOK would envision the Commission acting as an arbitrator, but continuing to regulate the distribution of gas to residential customers. As an arbitrator, the Commission would mediate and resolve complaints rather

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than actively regulate utility service."

Brammer noted several consumer issues related to the restructuring of the natural gas industry:

- Consumers should have service choices, but should be willing to assume any associated costs, risks, and/or benefits.

- All consumers, especially small-load consumers, should have the opportunity to aggregate.

- Possible impacts of consumer choice, e.g. higher/lower rates, changing quality of service, change in number of service options.

ONG described among the primary objectives of restructuring the need to allow utilities the "opportunity to compete on a "level playing field" with alternate energy sources or service providers in those areas where competition exists or can be developed. As competition develops, the need for regulatory oversight diminishes. The product or service then becomes deregulated and is driven entirely by market forces rather than being constrained by regulation which, while appropriate in certain areas, is often too slow to be fully responsive to customer demands or utility needs. Restructuring will better enable the utility to meet those demands and needs."

Brammer explained one concern of restructuring is providing universal service and establishing an obligation to serve. In other words, methods must be defined to meet social needs.

"Who is going to be the service provider of last resort when the local gate might not be appealing in the pure marketplace analysis," Brammer said. "The Corporation Commission wants to move towards the restructuring of the natural gas industry. The Commission wants a competitive market — we just don't want Granny to freeze in it."

GROSS PRODUCTION TAX REPORTING

Mike Boyd of Boyd, Rosene and Associates, began the discussion of gross production tax reporting issues. "The reporting of gross production taxes and the filing of amended tax reports is difficult if not impossible given the relatively recent changes in the natural gas industry and the rules, regulations, practices, and procedures of the Oklahoma Tax Commission (OTC)," Boyd said.

Boyd explained the first purchasers now rely on others for data necessary to prepare and file gross production tax reports. The first purchaser is now dependent on the pro-

ducer, operator and pipeline for the necessary information with regard to purchases. Therefore, the first purchasers are forced to prepare the initial tax return using the best available information and to prepare an amended return when more complete and final information becomes available. Under the OTC's current procedures, a hand-prepared amended report is required for each instance where the originally reported information regarding volume, price, exempt interest production, tax exempt code, produce code, county, production unit number, production month operator reporting number is erroneous.

In order to meet these reporting requirements, an analysis of each possible adjustment must first be done to determine whether it has to be submitted. Once it is determined that an adjustment must be submitted to the OTC, the original entry must be reversed. Each amended entry must be manually researched to determine what information was originally reported and compared to all current information for accuracy. The amended returns are then handwritten, manually totaled, and appropriate documentation attached.

"Our firm, just one of the many gas purchasers in Oklahoma, has nearly 750 correcting adjustments every month," Boyd said. "An undue burden on both the remitter of taxes and the OTC benefits no one and changes must be considered in light of changes in the purchasing practices in the natural gas industry."

Bob Wilkinson, Amoco Production, said, "Due to current Oklahoma Regulations (OTC Section 227b) industry must manually prepare a report for each property that we adjust the taxable value downward. In addition to having to prepare this manual report, industry must also write a cover letter requesting the refund, and attach supporting documentation for the refund." Then the OTC reviews the report and issues a refund check for each property where the taxable value was adjusted downward.

"Other oil and gas states allow for the severance taxpayer to report the claim for refund on the same tax return as their current month tax report," Wilkinson said. "The refund is then deducted against the current month's tax payment. This streamlines the processing and payments for these adjustments as they can be handled automatically by our computer systems." Further, the OTC would dramatically reduce the number of

refund checks it must process and issue.

Wilkinson, on behalf of Amoco Production, made the following recommendations to the Commission:

1. That the state review reporting requirements and make the appropriate legislative and regulatory change. This would reduce the number of payments/reports from 36 per year to 13. This would also simplify/streamline the interest/penalty calculations by reducing the number of transactions and causing the report and payment dates to be the same.

2. The state should also consider allowing prior period adjustments to be made on a net basis.

Wilkinson said none of these recommendations would result in a reduction of tax dollars paid to the State of Oklahoma, nor would they have any negative cash flow impacts. They would simply require legislative/regulatory changes and some changes to the internal practices of the Oklahoma Tax Commission. "Industry recognizes that some changes could be implemented fairly quickly (no requirement for support documentation for claims for refunds) while others will probably require a little more time to address programming changes needed at the OTC," Wilkinson said.

One attendee noted, "When reporting to the IRS as individuals, we report our earnings for the previous year and then the IRS can audit us if they want to. In Oklahoma, in terms of natural gas producers, the state assumes we are lying to begin with and then we must prove through redundant reporting procedures that we have accurately reported our sales."

Tony Maston, Oklahoma Tax Commission, said the OTC is fully aware and understands that the industry has changed significantly while reporting procedures for the OTC have remained fairly static over the years. "We recognize this is causing an unnecessary burden for the industry," Maston said. "However, we are bound by our own system capabilities and limitations. We are looking at system enhancements throughout the OTC and are hopeful that our infrastructure can be updated to facilitate a more modern and efficient approach to document handling."

Maston further explained that many of the records that are required by the OTC are dictated by statute. Legislation will be needed to change these policies and requirements.

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HORSE RACING COMMISSION REQUESTS OSBI CHECK OF APPOINTEES

By Gerry Cherry
Staff Writer

■(GIT) At the meeting of the Oklahoma Horse Racing Commission Thursday, Commission member Ralph "Butch" Choate suggested submitting to the Legislature a recommendation to include a specific Oklahoma State Bureau of Investigation background check for commissioners. Additional appropriations to the OSBI were also suggested to cover the cost of the additional duties. A level three or equivalent check was recommended. After minimal discussion, members voted to recommend an amendment to Title 3A, Sec. 201 of the Oklahoma Statutes, setting forth requirements for becoming a member of the horse racing commissioner.

When the statute was created in 1983, potential members were required to be:

- a U.S. citizen;
- an Oklahoma resident for the five years immediately preceding the appointment; and
- have never been convicted of a felony.

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"It is the intent of this Commission to help the industry and also the agency (OTC) by reducing unnecessary reporting procedures," Maston said.

"This Commission must determine what needs to be done — it is a matter of practice by the industry that needs to change — it is a matter of policy that needs to be changed by the tax commission or the corporation commission — and finally legislation must be written to enable the restructuring to be complete," Maston said.

RELEASE OF AND ENHANCED ACCESSIBILITY TO GAS VALUES

After a brief discussion, the Joint Commission unanimously voted to make gross production tax values public record and through OTC rule making determine how to facilitate efficient public access to that information.

Maston advised some legislation will be needed to implement this recommendation. The Commission moved to present draft legislation to the members at the November meeting.

The next meeting of the Joint Commission on Natural Gas Policy is set for 2 p.m., November 21. The chairman also scheduled the December meeting for 10 a.m., December 17. Materials distributed at the meeting are available on request from GIT.

RACE DAYS SET FOR SOME TRACKS

Commission members okayed 1997 race day schedules for Remington Park, Blue Ribbon Downs and the Tulsa County and State Fair venues; but tabled the Cottonwood Racing Corporation schedule — at Cottonwood's request — until the November meeting. The schedules are:

- Remington Park will hold a 40-day quarter horse race meeting (March 28-June 1) and a 112-day thoroughbred race meeting (July 11-Dec. 14) totaling 152 live race days.

- Race Horses, Inc. dba Blue Ribbon Downs will hold a 163-live race day meet from Jan. 18 to Dec. 21.

- Tulsa County Public Facilities Authority (Tulsa County Fair) was approved for one of two schedules, either May 30-June 20 (Tuesdays-Saturdays) or May 30-June 20 (Thursdays-Mondays), with a final selection between the two schedules with notification to the commission no later than 60 days prior to the beginning of the Tulsa County Fair Meet.

- Tulsa County Public Facilities Authority (Tulsa State Fair) will also select from two schedules, either June 21-July 12 (Tuesdays-Saturdays) and June 21-July 13 (Thursdays-Mondays), with the final dates set and the commission notified no later than 60 days prior to the beginning of the season.

- Cottonwood Racing Corporation at Will Rogers Downs in Claremore requested an organization license. A portion of the public hearing for the request was held at the HRC September meeting and commissioners were scheduled to hear the final portion, deliberate and vote on the application for 1997 racing today. At the request of Cottonwood counsel Clark O. Brewster, the remainder of the public hearing was postponed due to the absence of vice chair Tom Drummond.

In other commission action, members added a requirement to the license for Blue Ribbon Downs. Because of their record of delinquent reimbursements to the HRC for race officials and equine testing, Blue Ribbon Downs — in addition to the \$200,000 bond required of all race tracks — will be required to provide personal guarantees. Either the board of directors or the principal owners must sign a personal guarantee for obligations owed to the Oklahoma Racing Commission. In a four to five month period, BRD has been behind up to \$81,000 in reimbursements to HRC. Choate questioned granting a license to delinquent tracks. "If they don't have proper payment," he said, "why do we give them a license in the first

place? Do you want to do business with somebody who never pays you?"

Gordon L. Hare, executive director of the racing commission, said "denying a license is much more draconian than requiring a guarantee."

Public comment will be received on a change in rule 325:25-1-10, Horses Ineligible to Start in a Race, with notice of publication set for November 15.

The Horse Racing Commission is a seven-member board appointed by the governor with the advice and consent of the Oklahoma Senate. One member is appointed from each congressional district and one at-large member experienced in the horse industry. Members serve a term of six years.

LT. GOVERNOR FALLIN MARKS OKLAHOMA/MEXICO WHEELCHAIR EXCHANGE

From The Lt. Governor's Office

■(OKLAHOMA CITY) Lt. Governor Mary Fallin celebrated the partnership between Oklahoma and Sonora, Mexico as the two states begin a wheelchair exchange program. Wheels for the World and Partners of the Americas donated nine refurbished wheelchairs to Sonora during ceremonies held in the Lt. Governor's office Thursday.

"I'm so happy that my office was able to bring these parties together. Now two American organizations with a strong Oklahoma presence will be able to provide much-needed assistance to Sonora," Fallin said.

Jonie and Friends (JAF) Ministries, the parent organization for Wheels for the World, were introduced to the Oklahoma chapter of Partners of the Americas by Lt. Governor Fallin earlier this year.

Wheels for the World, and its local organization, Wheels for Oklahoma City, are organizations dedicated to refurbishing used wheelchairs for distribution to those who cannot afford them. The group began several years ago with a wheelchair drive in Oklahoma City. They now provide wheelchairs to disadvantaged people throughout the U.S., and in several foreign countries.

Partners of the Americas is a partnership of 48 American and 20 South American states that have come together to share trade, economic, cultural, and educational ideas. Through Wheels for America, the partnership hopes to donate as many as 100 wheelchairs this year.

KEATING OUTLINES EDUCATION PLANS TO APOE

By Shawn Ashley
Staff Writer

■(GIT) Governor Frank Keating pledged on Thursday to pursue an agenda he said he believes will make Oklahoma schools great and will promote further economic development in the state.



Gov. Frank Keating

Speaking in Norman before more than 100 teachers at the first Association of Professional Oklahoma Educators

statewide convention, the governor said the idea that "if we spend more, we'll get more" has been proven false. Rattling off a lengthy list of statistics, Keating said despite increases in funding for education at both the state and national levels that there has been no improvement in the students leaving public schools. In fact, the governor said, more and more students seem to know less and less.

Pointing to an educational summit of government and business leaders that he attended earlier this year, the governor said three key areas of focus were pinpointed: strong academic standards, assessments and accountability.

Keating said the issue of strong academic standards is one which has become blurred in recent years. The focus, he said, should be on the basics, such as the historical chronologies, the ability to do mathematical calculations and ultimately the ability to think. Assessment of those academic standards, the governor said, "should measure what every child is learning or should be learning," rather than focus on obscure teaching objectives.

Finally, Keating said, there should be accountability in public education. Students, he said, should be accountable for learning, teachers should be held accountable for teaching and administrators should be held accountable for creating an environment in which teachers can teach and students can learn. Parents, too, he said, should share in that accountability.

Those objectives, Keating said, could be accomplished by embracing his plans for education. One such proposal, which he advanced earlier this year, would increase the teaching of basic subjects — math, science, English and social studies — and gradua-

tion requirements. Called "4 by 4," the program would require four years of high school education in each of the subjects.

The governor said he was "bewildered by the lack of response" to the proposal from those in the education community.

"If learning has suffered in our public schools," the governor said, "it is because we have abandoned these basic subjects in favor of more obscure learning theories."

Other components of Keating's education plan included:

- ✓ School choice;
- ✓ Charter schools;

- ✓ Career teacher pay raises; and
- ✓ Increased emphasis on teaching what he called the state's "best and brightest."

Ultimately, the governor said, the way to improve public schools is "to return to what works and discard what doesn't."

The APOE was formed in 1989 and currently has approximately 500 members. The association's self-proclaimed "common bond" is described as "our shared concern for Oklahoma's children and the culture they will inherit." It is affiliated with the Association of American Educators and membership is open to any employee of an education entity.

TOP STATE OFFICIALS ENDORSE TAX QUESTIONS

By Shawn Ashley
Staff Writer

■(GIT) Four top state officials announced Thursday their support for three state questions designed to lower and impose limits on property tax increases in Oklahoma.

Governor Frank Keating, Senate President Pro Tempore Stratton Taylor and House Speaker Glen D. Johnson said they have agreed to serve as honorary co-chairs of a campaign to win passage of State Questions 675, 676 and 677. Joining the three in their support of the questions was State Treasurer Robert Butkin.

Keating, Taylor and Johnson will work with Oklahomans for Property Tax Relief, a coalition of state business leaders from both sides of the fight over State Question 669, the failed property tax reform effort from the spring.

"The legislative leadership and I wisely sought help from a group of citizens to come up with these meaningful reforms of Oklahoma's antiquated property tax system," said Keating. "These three state questions are exactly the direction we need to go to bring real relief to taxpayers."

The governor refused to take a position during the 669 debate, claiming at one point that "being neutral is a position."

Taylor called the state questions the result of a bipartisan effort and urged their approval.

"We put aside any political differences and focused on what's important — bringing relief to Oklahoma taxpayers," Taylor said. "These state questions will stop property tax rates from being raised without a vote of the people, will prevent county assessors from raising assessments by more than five percent per year and will freeze the tax value of homes owned by most senior citizens."

Speaker Johnson said he supports the questions because they offer taxpayers a well-deserved and larger voice in the taxation process.

"We finally have a good plan to bring property taxes under control," he said. "These three state questions bring solid change to the state property tax system by easing the tax burden on the elderly and giving the people greater control over their taxes."

Butkin, too, praised the bipartisan effort that put the questions on the ballot and urged approval of the questions.

"Unlike State Question 669," the State Treasurer said, "these three new questions are the result of a bipartisan effort to equally apply the benefits to everyone. These three questions will encourage economic development by limiting increases in property taxes on businesses and homes. In addition, these common sense reforms preserve an important funding source for local governments, public schools and vo-techs."

"I am most pleased with the provision that freezes property tax values on homes owned by senior citizens earning \$25,000 or less per year."

The three questions make up one-half of the state questions which will go before voters during next month's general election.

"For the saddest epitaph which can be carved in memory of a vanished liberty is that it was lost because its possessors failed to stretch a saving hand while yet there was time."

*George Sutherland
dissenting opinion
Associated Press v. NLRB
1938*

Calendar of Meetings & Events

Friday, October 18, 1996

8:00 State Regents for Higher Education
Information Commerce Bldg., Room 232, Tulsa Community College, West Campus
7505 W. 41st, Tulsa
Regular meeting and public hearing

10:00 Alcoholic Beverage Laws Enforcement Commission
Lincoln Plaza Office Center, Suite 270, 4545 N. Lincoln Blvd., Oklahoma City

Tuesday, October 22, 1996

8:00 Oklahoma Center for Advancement of Science & Technology Applied Research Committee
301 NW 63, Suite 110, Oklahoma City

Wednesday, October 23, 1996

9:30 Joint Legislative Oversight Committee for the Oklahoma Medicaid Healthcare Options System
State Capitol, Room 512-A

Truth in Sentencing Policy Advisory Commission
Special Meeting
State Capitol, Room 432-A

Thursday, October 24, 1996

10:00 Senate Energy Administration Reform Task Force
Created by SB 911
State Capitol, Senate Chamber

House Appropriations and Budget Subcommittee on Natural Resources
Economic development of the beef, poultry and swine industry in rural Oklahoma
Eastern Oklahoma State College, Student Union Ballroom, Second Floor, 1301 West Main, Wilburton

Friday, October 25, 1996

8:15 Capitol-Medical Center Improvement and Zoning Commission
Conference Room, 50 NE 23, Oklahoma City

Monday, October 28, 1996

10:00 Rehabilitation Services Commission
3535 NW 58 Street, Second Floor Large Conference Room, Oklahoma City

Calendar of Meetings & Events

Tuesday, October 29, 1996

10:00 **Commission on Children & Youth**
4545 N. Lincoln, Suite 114, Oklahoma City

Wednesday, October 30, 1996

10:00 **Senate Committee on Small Business**
Public hearing on small business issues and concerns
Metro Tech Vo-Tech, Big Dipper Room, 1900 Springlake Dr., Oklahoma City

Friday, November 1, 1996

9:00 **Oklahoma Fire Marshal Commission**
Oklahoma City Fire Training Center, 850 N. Portland, Classroom C, Oklahoma City

Monday, November 4, 1996

11:00 **Transportation Commission**
Okla. Dept. of Transportation, 200 NE 21, Commission Room, Oklahoma City

Tuesday, November 5, 1996

7 am - 7 pm **General Election**

Thursday, November 7, 1996

8:00 **Asset Forfeiture Seminar for CLEET Certified Local, State & Federal Law Enforcement**
Oklahoma City Police Training Center, 800 N. Portland, Oklahoma City

10:00 **Senate Committee on Small Business**
Public hearing on small business issues and concerns
High Plains Institute of Technology, Seminar A Room, 3921 34th St., Woodward

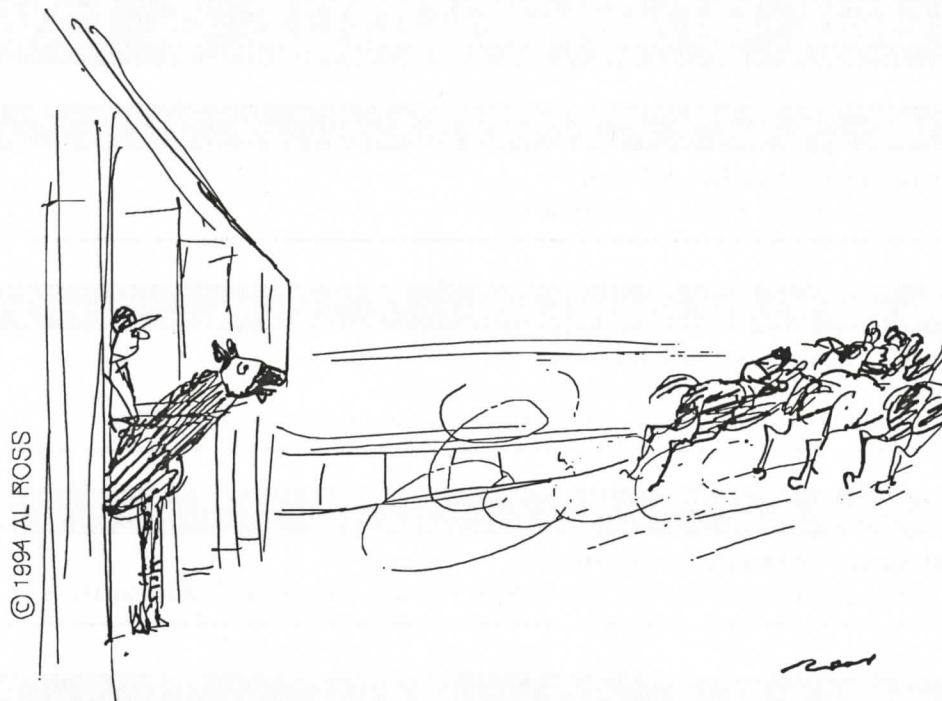
4:00 **Commission for Teacher Preparation**
Reading Room of Oklahoma School of Science & Math, 1141 N. Lincoln, Oklahoma City

Friday, November 8, 1996

10:00 **War Veterans Commission**
Conference Room, Oklahoma Veterans Center, Sulphur, OK

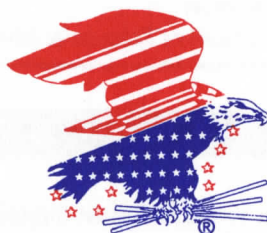
Tuesday, November 12, 1996

9:00 **Commissioners of the Land**
State Capitol, Governor's Large Conference Room



"OK, I'll go, but haven't you heard about the race between the tortoise and the hare?"

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