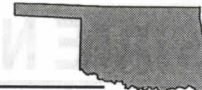


STATE NEWS WEEKLY SUMMARY CONTINUED



veto prevented that — the funds could not be expended.

"We thus conclude," Leader wrote in summarizing his answers to the two questions, "that where funds are appropriated for a program which exists under existing law, the funds appropriated may be spent on the program, even though anticipated amendments in the program failed because of the Governor's veto. On the other hand, where funds are appropriated for the implementation of a new program which never comes into existence, due to the Governor's veto, the appropriated funds may not be spent on that proposed new program, which the Governor vetoed."

On the issue of career teacher pay raises, the schedule for which was part of the vetoed SB1100, Leader determined that it is within the authority of the State Board of Education to "adopt a minimum salary schedule for teachers will 19 or more years of experience."

Specifically, Leader wrote, "As there is no legislation establishing a minimum salary schedule for teachers with 16 years or more experience, and as no law restricting the State Board of Education's power to adopt such a rule exists, we conclude that the Board possesses such power."

Some \$13 million was appropriated in SB800 for career teachers salary increases. Because that money has been distributed to school districts without the mandate of SB1100 that it be used for career teacher salary increases, some districts chose to use the funds in other ways.

—SHAWN ASHLEY
11/04/96

GARRETT PLEASED WITH ATTORNEY GENERAL'S OPINION

■(GIT) State Superintendent of Public Instruction Sandy Garrett said Tuesday that she was "delighted" with the findings by the Attorney General's Office regarding her questions concerning the distribution of certain funds that were held up by a gubernatorial veto.

"There has been \$4.3 million for local teachers' staff development that has been held because of the governor's veto," said Garrett. "We feel strongly that professional development is a major component of teacher growth. We think these funds are necessary for continued education reform in Oklahoma."

The attorney general's opinion, which was released Monday, said that the State Board of Education may expend money to fund an existing program even though amendments to the program were vetoed by the governor. In addition, the attorney general's office concluded, the state board is not precluded from adopting a minimum salary schedule for career teachers.

At issue were two bills, SB800 and SB1100. Governor Frank Keating vetoed SB1100, which, among other things, directed the expenditure of some of the funds appropriated in SB800 and created some new programs to which funds from the appropriation bill were also directed.

As a result of that veto, nearly \$6 million was withheld by the Office of State Finance from the state education board, including \$4.3 million for staff development and \$1.65 million for other programs. The veto also killed a career teachers' salary schedule.

—SHAWN ASHLEY
11/05/96

GOVERNMENT & POLITICS

STATE QUESTIONS WIN VOTER APPROVAL

■(GIT) Oklahoma voters gave their approval Tuesday to six state questions, including all of the three questions developed by a citizens task force charged with examining the need for property tax reform, according to *Legislative Information Network/Capitol Network News* projections.

Computer problems in Oklahoma County made the collection of actual results of Tuesday's election impossible, but with 88 percent of the ballots counted, each of the measures appeared to easily garner more than enough votes for passage.

Voters gave the largest margin of passage — and perhaps an indication of their feelings about crime and corrections issues — to State Question 674, the so-called victims' rights amendment.

State Question 674 establishes constitutional rights for the victims of crime and the family members of victims of crime.

The question also authorizes the legislature, or the people by initiative or referendum, to enact substantive or procedural laws to define, implement, preserve and protect the rights guaranteed to victims by the constitutional amendment, including the author-

ity to extend any of the rights to juvenile proceedings and, if enacted by the legislature, youthful offender proceedings.

Voters also gave their approval to State Question 670, which would increase the number of signatures mandated by the state constitution to call a grand jury. Under the terms of the state question, the number of required signatures will be equal to the number of signatures required to propose legislation by an initiative petition at the county level with the minimum number of signatures increasing to 500 and the maximum number increasing to 5,000.

Additionally, the proposed constitutional amendment requires the legislature to enact laws to prevent corruption in making, filing, circulating and submitting petitions calling for a grand jury.

State Question 671 amends the state constitution to allow multi-year contracts not to exceed three years for school superintendents. The measure was also on its way to easy passage.

Currently, school districts are limited to one-year contracts with their superintendents.

Also receiving voters' approval were three proposals for ad valorem reform — 675, 676 and 677.

State Question 675 caps locally assessed real property tax ratios at 13.5 percent with a floor of 11 percent and places a 10 percent to 15 percent cap on all tangible personal property ratios, including locally assessed businesses. The measure also provides for the stabilization of the assessment ratio on all state assessed property at the level in effect on Jan. 1, 1996 — 22.85 percent, 22.85 percent for public service property and 11.07 percent for airline and railroad property.

The ratio of locally assessed real and tangible personal property would not be increased except with approval of the voters of a county at an election called by the county commissioners or by a petition of the voters. Increases in the assessment ratios also cannot be increased within the limits by more than one percentage point per year.

State Question 676 limits an increase in the fair cash value of any locally assessed real property to five percent in any taxable year. The cap will not apply in any year when title to the property is transferred, changed or conveyed to another person or when improvements have been made on the property.

Additionally, the question, which passed,
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