



# Capitol Network News

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## ATTORNEY GENERAL ISSUES EDUCATION OPINION

By Shawn Ashley  
Staff Writer

■(GIT) State education officials won two and lost one on Monday when the Oklahoma Attorney General's Office issued its response to a request for a formal opinion concerning the expenditure of certain funds.

The opinion, prepared by Assistant Attorney General Neal Leader, follows a request from Superintendent of Public Instruction Sandy Garrett.

The state superintendent asked:

- Whether the State Board of Education could expend appropriated money for existing programs which were to have been amended by legislation that was vetoed;

- Whether the board could expend monies for programs which were named specifically in an approved piece of legislation but for which the legislation creating the program was vetoed; and

- Whether the board has the authority to extend the state's minimum salary schedule to include years of experience beyond those set out in law.

At the heart of the questions were SB800 and SB1100. SB800, which appropriated more than \$116.5 million to the State Board of Education was passed by the legislature

and signed by the governor. SB1100, however, was vetoed by Governor Frank Keating.

As a result of that action, funds appropriated in SB800 which would have gone to new programs created by SB1100 were withheld from the state board. Additionally, money allocated for career teachers' pay raises, the schedule of which was included in SB1100, was sent directly to districts for use as they saw fit, leaving career teachers without a guarantee of a pay increase.

Leader determined that the board could legally expend funds appropriated for a program which would have been amended by a separate piece of legislation which was vetoed, noting that despite the veto of a bill which would have altered the program, the program continues to exist.

On the issue of whether appropriated

funds could be spent on a program that was created by legislation that was vetoed, although the expenditure of the funds was approved, Leader determined that because the program does not exist — the governor's 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,

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## WILDLIFE COMMISSION DISCUSSES LITIGATION, PERSONNEL

By Gerry Cherry  
Staff Writer

■(GIT) At the regular monthly business meeting in Oklahoma City, Monday, the Oklahoma Wildlife Conservation Commission honored longtime staffers, discussed legal issues, voted to provide a new home for the Durant Fish Hatchery manager and approved acquisition and exchange of real property in Deep Fork and Packsaddle Wildlife Management Areas (WMAs).

Eugene Wheeler, a fisheries technician with the Fisheries Division, received a 25-year pin from Director Greg Duffy. Wheeler works at the Medicine Fork Fishery.

Robert Fleenor, a warden with the law enforcement division in Creek County since 1982, was awarded a 20-year pin.

Pat Alt, of Shikar-Safari International, awarded the Officer of the Year Award to Harry Steele, Beckham County area game warden for 16 years. Steele, Alt said, averages 85 arrests per year, 30 special investigations, 7,500 certifications for hunter education students and 1,500 school programs. Steele received a silver dish, pin, plaque and a \$10,000 award to his family if he is killed

while executing his duties.

Shikar-Safari International is an organization limited to 200 members worldwide, devoted to conservation, hunting and education. Alt, a big game hunter, is one of the first two women elected to the Boone & Crockett Club and a member of the Board of Directors of the National Rifle Association for 25 years. Shikar-Safari International funds conservation studies and provides anti-poaching equipment to conservation organizations all over the world.

The STEP (shotgun training education program) got a helping hand from the National Rifle Association Foundation of Oklahoma, with a \$1,983 donation to buy shotguns for youth in the program.

Director Duffy reported on a meeting in Texas last week between Texas and Oklahoma legislators. The Wildlife Conservation Department will ask Governor Keating's assistance in opposing the Red River Chloride Project. Currently, release of the draft supplement of the Environmental Impact Statement (EIS) for public comment on the project has been put on hold in Washington,

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