

# STATE NEWS WEEKLY SUMMARY CONTINUED

the sale of public lands given by the United States for the use and benefit of the common schools; all per centum as may be granted by the United States on the sale of public lands; \$5 million appropriated to the state for the use and benefit of the common schools; the proceeds of all property that fall to the state by escheat; the proceeds of all gifts or donations to the state for the common schools; and such other appropriations, gifts or donations that shall be made by the legislature for the benefit of the common schools;

• "In accepting the grants made by the federal government in establishing the permanent school fund, the state in Article Eleven, subsection 2 of the Oklahoma Constitution required that the permanent school fund may only be used for the purpose and benefit of the state's common schools, and that the principal of the fund shall be deemed a trust which shall 'forever remain inviolate' — that is, it shall forever remain intact." That provision also requires that the state reimburse the fund for all losses which may in any manner occur, and that no portion of the fund shall be converted for any other use or purpose;

• Article Ten, subsection 15(E) of the Oklahoma Constitution and legislation enacted in accordance with that provision — 70 O.S. Supp. 1995, subsections 15-202 through 15-211, permits the principal of the permanent school fund, when the conditions required in those provisions are met, to be used to guarantee bonds issued by school districts; and

• Bond guarantees issued by the Commissioners of the Land Office in compliance with the previously mentioned constitutional provisions and state statutes are binding legal obligations which pledge the permanent school fund to guarantee bond issues of the school districts of the state.

(Opinion No. 96-77)

—SHAWN ASHLEY  
11/20/96

## STATE BOARD OF EDUCATION MEETS

■(GIT) Monies for staff development funding previously held up by a veto from Gov. Frank Keating are now being distributed to schools statewide, said Sandy Garrett, state superintendent, at the State Board of Education meeting Thursday.

The staff development funds are being distributed to schools in three payments

based on average daily attendance, Garrett said. Schools will receive the first installment on Nov. 25.

In other business, the board approved a request to submit a proposal to the legislature regarding criteria for the identification of High Challenge/Low Performing schools.

The board tabled a resolution requesting funding for local teachers' retirement until further information could be obtained.

Board members also approved a request to set hearings for Jan. 23, concerning permanent rule changes to parts of Title 210.

Garrett called an executive session to discuss William Grant v. The State Board of Education, a case pending in Oklahoma County District Court.

The board allowed members of the public to express views on proposed full competencies for licensure and certification. Teachers from across the state, including the Moore, Putnam City and Bartlesville school systems, spoke about their concerns.

*Copies of materials distributed at the meeting are available from Legislative Information Network/Capitol Network News. Call, fax or e-mail your request.*

—MICHELLE BOYD WATERS  
11/21/96

## ENERGY

### GAS VALUE INFORMATION PROPOSAL GETS MIXED REVIEWS

■(GIT) A proposal on the release of gas value information reported on natural gas production received mixed reviews Thursday during a meeting of the Commission on Natural Gas Policy.

The proposal, which would amend 68 O.S. Supp. 1996, Section 1024, is simple, according to House attorney Kim Bishop. "It adds the words 'and value' to the existing statute."

The existing statute, Bishop told the commission, allows the Oklahoma Tax Commission, which collects the information, to release to any person "the volume of production, during any specified available period of time, of any substance taxable pursuant to the provision of this article from any lease lawfully plugged, pursuant to the laws of this state after certification of said plugging by the Oklahoma Corporation Commission."

Values information, Bishop added, is not available to the general public under the statute, but is limited to those who can show an

interest in a specific well. Generally, Bishop and members of the commission said, that limits access to the information to royalty owners.

Commission member Rick Chamberlain, a proponent of the measure, said he saw such information as non-proprietary and reflective of the efficiency of the specific well.

Commission member Doug Jacobson, however, disagreed, saying some companies would consider such information proprietary.

A representative from Conoco also expressed reservations about the proposal, saying that it could force some companies to have to deal with numerous requests for information about legitimate transactions and might inspire "treasure hunters" to research the records in hopes of collecting money from an underpaid royalty owner.

Speaking on behalf of royalty owners, Paul Barby said the availability of such information would make performance audits easier to conduct. He, too, rejected the idea that such information should be considered proprietary.

"I'm sympathetic to your concerns," said Jacobson, "and I would agree that if the existing language is not adequate to provide the information to those with an interest in it, then we need to look at that."

"One of the biggest costs for mineral and royalty owners," added Barby, "is getting information like this in a usable manner. We don't always know that a royalty owner is being paid, but usually the Tax Commission is."

Rice asked the commission members to review a copy of the proposal, which was presented in the form of a House bill draft, and be prepared to suggest changes in its language when the commission meets next month.

—SHAWN ASHLEY  
11/21/96

## GOVERNMENT & POLITICS

### HENRY, WILLIAMS TAKE COMMITTEE POSTS

■(GIT) Two of the Senate's most powerful committees will be lead by new faces when the 46th Legislature convenes.

Sen. Brad Henry, D-Shawnee, will assume leadership of the Senate's Judiciary Committee, while the Senate's Education

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