

Capitol Network News

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

Weekly Edition, Friday, November 22, 1996

STATE GOP GAIN BREAKS NATIONAL TREND

By Shawn Ashley
Staff Writer

■(GIT) State Republicans didn't pull off the big upset for which they had hoped — control of the House and control of significantly more seats in the Senate — but the results of this month's general election bode better for Oklahoma's GOP than the party's affiliates in other parts of the country.

Republicans lost control of 100 of the 5,989 seats up for grabs in the Nov. 5 general election, and in doing so, transferred control of five legislative chambers to their Democratic opponents. Before the general election, Republicans completely controlled 18 state legislatures, while Democrats held 16 and 15 were split. After the election, Democrats had won control of the larger block — 20 — while Republican holdings

remained at 18. Ten remained split and one, Texas, will not be decided until early next month.

In terms of legislative chambers, Republicans had control of 50 of the 99, Democrats controlled 46, including Oklahoma's House and Senate, and two were tied going into the election. The Nov. 5 results, however, gave the Democrats control of 51 state chambers, while the Republicans held on to 45. Two chambers are tied and a December election will decide which party takes over a one-vote advantage in the Texas Senate.

Democrats outnumber Republicans 65 to 36 in the state House, although the parties exchanged two seats, and 33 to 15 in the Senate, where the state GOP wrested away two seats.

To gain their national advantage, Democrats reclaimed the Connecticut Senate, the Illinois House and the Michigan House, as well as the California Assembly, where Republicans had held a one-seat advantage. Democrats also won the Maine Senate, the Vermont Senate and the Nevada Assembly, which had been tied before the general elec-

tion. Additionally, they regained control of the Tennessee Senate, which the party had lost due to party switches after the 1994 elections.

Republicans, however, notched some important victories. The GOP won control of the Florida Senate in 1994 and took control of the state House with victories in the general election, giving the party control of that state's legislature for the first time since Reconstruction. Also changing to Republican hands were the Iowa and Washington senates.

In addition to the tie in the Texas Senate, two chambers are tied: The Indiana House, which the Republicans had previously controlled, and the Virginia Senate.

Recently-reelected minority floor leader Rep. Larry Ferguson, R-Cleveland, said last week that the Oklahoma results had left his delegation in a "surprisingly good mood," despite seeing their hopes of significant gains in legislative membership beaten back during the general election.

"When you look at what happened across the country," said Ferguson, "where there were so many states in which the Democrats

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PANEL TOLD STATE READY FOR ENERGY COMPETITION

By Shawn Ashley
Staff Writer

■(GIT) Oklahoma has the infrastructure and is ready for competition in the natural gas industry, members of the Commission on Natural Gas Policy were told Thursday.

Doug Burton made the comments during a discussion of SB959, the Natural Gas Competitiveness Act, which failed to win legislative approval last year. A similar proposal may be introduced during the 46th legislature.

Burton said, "There were a lot of Chicken Little stories" when the Federal Energy Regulatory Commission (FERC) deregulated the natural gas market, "but the sky didn't fall." Burton said he expected similar results if the state moved to promote competition in the natural gas industry in Oklahoma.

Burton said his idea was supported by what he called "one of the state's best kept secrets — its pipeline infrastructure." Five pipelines, Burton said, reach into practically every corner of the state, and those pipelines, he added, make up only a small portion of the pipelines criss-crossing the state.

"This gives us the ability to deliver natural gas throughout Oklahoma," he said.

By allowing and promoting competition at the city gate, Burton said, "It will lead to innovation in service delivery and ultimately lower prices" for the consumer. Such a move would also benefit the economy, he added, by expanding natural gas markets and reducing the likelihood that large industries might have to shutdown during the peak gas usage times in the winter.

To help promote competition in the in-

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SCOTT: JESUS HOUSE SITUATION PROBABLY NOT UNUSUAL

By Shawn Ashley
Staff Writer

■(GIT) Oklahoma's auditor and inspector believes the findings of his investigation into an Oklahoma City charity would probably be replicated across the country.

"It's probably not unusual," said Clifton Scott, the state's auditor and inspector, of his investigation into the Oklahoma City-based Jesus House that found inadequate procedures in place to assure accountability in the handling of public funds. "The problem is that when someone works with a ministry or organization of this sort they sometimes put people in leadership positions who may not be qualified or have the skills they need to properly oversee (government) programs.

"I think problems like this are probably widespread all across the country."

In an investigative report of the Jesus House's handling of the federal HOME program, Scott recommended that a new board of directors be appointed for the organization and that stringent accountability procedures be put in place to oversee government-related programs.

"Before the (Oklahoma) Department of Commerce, U.S. Housing and Urban Development, the city of Oklahoma City or anyone else gives the Jesus House a program to administer, the organization needs to have assurances that the board of directors is qualified to administer such programs in accordance with the program's guidelines," Scott said.

"That," he added, "was the main reason for a foul-up here — the board did not have

the expertise to oversee the program."

Scott also urged the organization to use more stringent accountability procedures in a variety of areas, ranging from the verification of employees' qualifications for their jobs to the administration of programs.

"There's an old saying that says when your mother tells you she loves you that you'd better check it out," Scott said. "That's true here — when you're dealing with public funds you have to have checks and balances over your employees, as well as in the administration of your programs."

Scott said he has been assured by the Jesus House's leader, Ruth Wynne, who is affectionately called Sister Ruth, that the recommended changes will be made.

"It's not reflected in the report," Scott said, "but I have talked with Ruth Wynne and she has assured me that she will take the steps necessary to put the proper internal controls in place, including appointing a new board of directors made up of professionals and people more experienced in handling matters like those the Jesus House is involved in."

Ultimately, Scott said, the organization's problem boiled down to trust being put in people without appropriate expertise. That, he added, was unfortunate.

"I've known of the Jesus House for a

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gained seats, I think we had reason to feel good. While we didn't gain any seats in the House, we didn't lose any, and we picked up two seats in the Senate."

Additionally, Ferguson noted, the party completed a sweep of the state's congressional delegation when Wes Watkins reclaimed the Third District seat, this time under the Republican banner.

The results, however, did not please Oklahoma City businessman Greg Brown, who announced earlier this week that he would seek the state GOP's top leadership post. That post is currently held by Quineta Wiley, who previously defeated Brown to win the seat.

"Despite a record number of candidates and lots of money, the '96 results were dismal: No net gain in the state House where just a few years ago there was great promise of a 15-seat gain to achieve a Republican majority," Brown said.

Control of the state GOP will be decided during its April convention.

number of years," said Scott. "I even made some modest contributions to its efforts. I believe that what happened was Ruth Wynne put her trust in the wrong people, people without the expertise needed to oversee programs like this, while she focused her attention on other efforts, like feeding the hungry who come to the Jesus House."

Scott said it is unfortunate that the problem, which has reportedly affected contributions to the organization, may mean the Jesus House will have to shut its doors.

"That would be unfortunate," said Scott, "because it does so much good work. It provides a much needed ministry."

Energy, continued from page 1

dusty, Burton proposed that the legislature adopt a competition model similar to the one employed by FERC, which unbundled gas services, establish a program allowing for the purchase of natural gas by competitive bidding and remove anti-competitive rules and statutes relating to sole source providers.

Shane Woolbright, executive director of Municipal Electric Systems of Oklahoma, Inc., offered support for Burton's proposals, while also expressing one concern — that a strong definition of competition be adopted by the Corporation Commission.

Without such a definition in place, Woolbright told the commission, some communities, particularly smaller ones, might find themselves having to make large capital investments to pipe gas from what appears to be a lower cost distributor.

"Some little towns wouldn't be able to do that, and they may be happy and feel that the gas they're getting is priced competitively," Woolbright said.

Capitol Network News will only be published Monday, Tuesday and Wednesday of next week because of the Thanksgiving holiday. The Weekly Edition, normally published on Friday, will be published on Wednesday instead.

The staff of *Capitol Network News* wishes you a safe and happy Thanksgiving.

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STATE SUPERINTENDENT RECEIVES COMMENTS REGARDING "PASS"

By Linda J. Maxey
Staff Writer

■ (GIT) In an announcement during Thursday's meeting of the State Board of Education, State Superintendent of Public Instruction Sandy Garrett advised pursuant to 70 O.S. Section 11-103.6(a) the State Board of Education is required to review the core curriculum every three years and implement "any revisions in such curriculum deemed necessary to achieve further improvements in the quality of education for the students of this state." Garrett said, "The core curriculum was implemented during the 1993-94 school year, therefore, we will be reviewing the Priority Academic Student Skills (PASS) this year."

Garrett said the goal is to complete the process by January so that an updated curriculum can be delivered to every public school teacher no later than April 1997. School districts need time to review and make local instructional changes Garrett said.

"As you recall," Garrett said in her November 21, letter to the Board, "I initiated this process last spring by asking Oklahoma Futures to review the state's core curriculum."

Oklahoma Futures organized the Futures Workforce Training Task Force led by Greg Main. Other members of the committee included Dick Rush, Bill Harrison, Dr. James Halligan, Wayne Rowley, and Dr. Joy Reed Belt.

Team Leader of Effective Schools/Curriculum, Martha Michael, has also been collecting information from state curriculum associations and expects to have proposed document changes ready for the State Board's review later this month. Briefly, Michael has received the following remarks:

- Health, Safety, and Physical Education committees have proposed no changes to their curriculum areas.

- Only minor changes have been suggested for kindergarten, language arts, languages, mathematics and science.

- Social studies and technology education/hands-on career exploration educators are finalizing their proposed edits this week.

- Instructional technology, information skills, and the arts sections have proposed changes that are consistent with technological advancements, current research information and/or concerns.

- Student Assessment section has been updated by removing all references to the Literacy Passport and reflecting the legislative changes made in 1995 and 1996 to the

Oklahoma School Testing Program.

Comments from educators across the state were provided to the members of the Board regarding the PASS program.

Linda Bailey, Mathematics Coordinator for Putnam City Schools, said in comments provided to the Board, "The Mathematics PASS objectives have served my district as a framework for our curriculum. The document outlined the skills needed at each grade level and set benchmarks for the students to achieve at those grade indicators." Until there are changes in the NCTM "Standards," Oklahoma needs to keep the PASS objectives.

"I believe defined skills reflect much thought on how students learn mathematics and sound educational decisions on the minimal mathematical competencies all students should possess," Pat Morgan, Mathematics Coordinator for Moore Public Schools said. "We must strive for continued improvement in the success rate of our students in attaining the standards described in the PASS document."

Laura Barlow, Coronado Heights Elementary School, said she felt there should be development of the sense of number value. "The students need to go beyond rote memorization and algebraic equations and have the ability to develop an understanding of the value of a number," Barlow said.

Linda Atkinson, Science Director of Norman Public Schools, said science curriculum development has been a major priority

in both time and financial commitment in the Norman Public Schools since the late 1960s. "When the Oklahoma State Department of Education provided the school systems with PASS, we began teacher inservice to integrate the PASS into our curriculum," Atkinson said. First teachers identified areas of the curriculum that addressed the PASS document. Next, we listed the PASS areas in which we needed additional curriculum. Finally, the teachers added objectives and activities to our curriculum to address these areas. Our curriculum document now lists our objectives and which portion of the PASS document is emphasized, Atkinson said.

"This has been a valuable educational process," Atkinson said. "The teachers have had opportunities for discussions with their peers and through these discussions the curriculum has been improved."

"I have been involved in arts education in the Oklahoma Public School System for twenty-six years," Jo Ellen Crow, Fine Arts Coordinator for Broken Arrow Public Schools said. "I was very pleased to see a document that included the fine arts as core curriculum." Our students will have great educational opportunities because of your commitment to the arts Crow said.

Core curriculum review is important because it allows us the opportunity to continue to update and clarify the skills and knowledge that educators, parents and businesses want all of our students to learn Garrett said.



KEATINGS UNVEIL NEW HOLIDAY TRADITION

By Shawn Ashley
Staff Writer

■(GIT) Governor Frank Keating and First Lady Cathy Keating unveiled the plans for a ceremony they hope will become an annual tradition — the lighting of two capitol Christmas trees, the bathing of the state capitol in red and green holiday lights and the lighting of the governor's mansion with decorative holiday lights.

"We hope that this is going to be a wonderful tradition for Oklahoma that will last, and as the trees grow, the tradition will grow with us as well," said First Lady Cathy Keating.

The event will take place Monday, Dec. 2, in the State Capitol Park located just north of the Connors and Hodges state office buildings. Governor and Mrs. Keating will light two live trees, donated by Weyerhaeuser, on the north grounds of the State Capitol Complex. The event begins at 5:30 p.m. and the tree lighting will take place at approximately 6:10 p.m. A public reception featuring entertainment and refreshments will be held at the governor's mansion, where an open house will be held, from 6:30 to 8:30 p.m.

State employees and the general public are invited to attend and to bring a non perishable food item for donation to the Oklahoma City Food bank.

"The holiday season is such a momentous and spiritual occasion for Oklahomans and their families," said Governor Keating. "The holiday season has always been a special time for our family and Cathy and I hope the public will joins us December 2 as we celebrate the holiday season with our Oklahoma family."

NATIONAL ADOPTION MONTH/ WEEK PROCLAIMED

From Okla. Dept. of Human Services

■(OKLAHOMA CITY) Gov. Frank Keating has proclaimed the month of November as National Adoption Month and the week of November 24-30 as National Adoption Week in Oklahoma.

The Keating family has asked that all Oklahomans join them in focusing on the family and how important family life is in our society. Every child deserves to have a permanent home they can call their own, and the child who comes into state custody for many reasons is no different.

Jane Morgan, programs supervisor for Oklahoma Department of Human Services Adoption Services, said "A few of the words the children who are waiting to be adopted would love to hear are commitment, love, caring, belonging and family. They are waiting for someone to come forward and provide a safe, healthy and caring home where they can live, belong and grow up."

DHS George A. Miller said, "National Adoption month and week are set aside nationally during the Thanksgiving holiday season to focus attention on the things that many people take for granted, i.e., how important it is to have a family to love us and care for us, in good times and bad. My wife and I have been blessed with four fine children who are responsible adults today with families of their own. When I see them and our grandchildren, it's difficult to imagine what it would be like for any one of them to be without us as their family and support system.

"We have too many children in state fos-

ter care who deserve the same love, care and attention we give our own family. There are Oklahoma families who can adopt a child or sibling group and provide them a permanent place to call home.

"I believe that a caring family is a better parent for a child than the government or any foster home could ever be; however, we are mandated to care for these children until prospective adoptive families come forward to open their hearts and homes to these children who want so desperately a place to belong."

Many children in state custody have been abused, neglected or abandoned by their parents of birth and by law, are being cared for in foster homes. Foster homes are only a short-term solution for these children. These children need families who will provide loving and caring homes for them permanently.

Both public and private social services groups work throughout the year to find persons who would be willing to adopt these children with special needs. The groups join together in November to host a variety of public education events to highlight the need for adoptive homes across the state.

DHS, along with the One Church, One Child Interdenominational Ministerial Advisory Council, the Metropolitan Tulsa Urban League, the Urban League of Greater Oklahoma City, the Indian Child Welfare Association and the Oklahoma Adoption Coalition are working with parent groups to recruit adoptive parents.

DHS Child Welfare Specialists placed
See *Adoption*, page 5

NORMAN VETERANS CENTER OPENING

From Division of Veterans Affairs

■(OKLAHOMA CITY) The Oklahoma Department of Veterans Affairs opened its new Norman facility Monday, Nov. 18, consisting of 239,000 square-feet with a 301-bed capacity to serve both male and female Oklahoma wartime veterans.

Total cost of the facility was \$29 million, with 65 percent of the funding provided by the Federal Veterans Administration and the remaining 35 percent funded by the State of Oklahoma.

Gralla/Rees Associates, architects and planners of Oklahoma City, designed the facility to create a cheery, comfortable atmosphere for the residents. Hardwood floors, wood trim and columns, combined with plenty of light from several skylights are just some of the home-like touches found throughout the facility. Three two-story patients' wings originate from a central area encompassing a physical therapy room, recreation area with pool tables, pinball machines and a canteen. The veterans can also enjoy a dining room with a balcony and terrace, as well as a gallery displaying the works of local artists. The spacious facility also features additional exterior activity areas, such as pavilions along the walking trails, a fishing dock, scattered ponds and natural hillside with plenty of vegetation.

Oklahoma leads all other states in the number of institutions providing intermediate-to-skilled nursing care and domiciliary care for wartime veterans. Veterans centers are located in Ardmore, Claremore, Clinton, Norman, Sulphur and Tahlequah, as well as the Rehabilitation Institute of Okmulgee for treatment of physically disabled veterans and dependents and other eligible patients.

"No soldier starts a war — they only give their lives to it. Wars are started by you and me, by bankers and politicians, excitable women, newspaper editors, clergymen who are ex-pacifists, and Congressmen with vertebrae of putty. The youngsters yelling in the streets, poor kids, are the ones who pay the price."

Father Francis P. Duffy
sermon, Marshall Joffre memorial
service
New York City, Jan., 1931

ASSISTANCE WITH HOME HEATING COSTS AVAILABLE FOR LOW INCOME HOUSEHOLDS

From Okla. Dept. of Human Services

■(OKLAHOMA CITY) Help with home heating costs will be available across the state this winter through the federal Low-Income Energy Assistance Program (LIHEAP) administered by the Oklahoma Department of Human Services.

The application period for assistance is Dec. 2 through Dec. 13.

Federal funding for the current LIHEAP program in Oklahoma is \$7.1 million. Last year funding was \$6.4 million, and more than 72,000 households received assistance.

Ron Amos, DHS LIHEAP Coordinator said, "Many households which receive public assistance through DHS will be automatically authorized for the LIHEAP program and will not need to make application."

Amos said DHS would notify these households of their eligibility by mail.

Most other households which receive some type of public assistance — food stamps, Temporary Assistance for Needy Families (TANF), or state supplemental payments to the aged, blind, or disabled — will be mailed LIHEAP applications.

"Anyone who thinks they may be eligible because of their income may contact the DHS county office in the county in which they live," Amos said. "And they should have available their latest heating bill and verification of income."

All completed applications must be returned by December 13 to the county office in the county where the applicant resides, he said.

OKLAHOMA'S CHILD SUPPORT ENFORCEMENT PROGRAM REACHES TO MONTANA FOR ARREST

From Okla. Dept. of Human Services

■(OKLAHOMA CITY) An Oklahoma man named on the state's 10 Most Wanted List of parents owing delinquent child support was arrested in Montana in October and extradited to Oklahoma.

Roger W. Simms, 37, was arrested on a Custer County warrant, returned to Oklahoma and arraigned on a felony charge of failure to provide for a minor child. Simms, formerly of Quinton in Pittsburgh County, owes more than \$24,000 in delinquent court-ordered child support. His name first appeared on Oklahoma's 10 Most Wanted in March.

More than 180 absent parents have been apprehended after being named on the Ten Most Wanted List begun in 1989. The ten parents named on the list for November collectively owe more than \$217,000 in unpaid child support.

10 MOST WANTED — NOVEMBER 1996

Ronnie Blackshere	DOB 12/03/46
Owes: \$17,800	
Charles Erwin	DOB 05/15/42
Owes: \$38,500	
Richard Mark Miller	DOB 03/08/55
Owes: \$12,875	
Charles White	DOB 04/11/55
Owes: \$27,555	
Robert Hogshooter	DOB 02/26/51
Owes: \$13,500	
Jerry O. Smith	DOB 10/24/63
Owes: \$28,617	
Paul Knight	DOB 12/25/58
Owes: \$41,730	
James Sanmann	DOB 04/08/57

Owes: \$18,752

Victor S. Costilla DOB 05/14/58

Owes: \$10,950

Vernon Kuykendall DOB 12/10/54

Owes: \$ 7,062

If you have any information regarding the whereabouts, employment, or assets of any of these individuals, please contact either your local child support office or the Department of Human Services, Child Support Enforcement Division, 1-800-522-2922. You do not have to reveal your name.

INHOFE PLEDGES LEGISLATION TO HELP FARMERS ADDRESS TAX PROBLEMS

From Sen. James Inhofe

■(WASHINGTON) Sen. James Inhofe announced Friday that he will help introduce legislation in January to solve a burdensome tax problem facing many family farmers. The bill will relieve farmers from being whipsawed by the Internal Revenue Service regarding collections of the Alternative Minimum Tax (AMT).

"Recent IRS rulings have burdened farmers with unfair and unintended tax liabilities," Inhofe said. "This legislation will clarify the intent of Congress and get the IRS off farmers' backs and out of their pockets on this issue. It will restore common sense and fairness."

Inhofe said the bill will make it clear to the Internal Revenue Service that farmers will not be liable for taxes on commodity sales until full payment for those sales has been received, essentially overturning recent IRS rulings concerning how taxes are collected on deferred payment contracts which farmers routinely use in their businesses.

Under the recent rulings that attempted to interpret provisions of the 1986 tax law, a farmer would be liable for full tax payments in the same year in which the sales contracts were signed rather than in the year payments were received. This means, for example, that a commodity sales contract signed in Dec. 1996, with installment payments due in 1997 would incur full tax liability in the 1996, not the 1997, year. This is a significant change, Inhofe said, from previous practice.

Inhofe and other senators believe this IRS provision is wrong and will result in farmers

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417 children in adoptive homes last year, which was an increase of 49 percent over the 279 placed in fiscal year 1995. With more than 6,000 children in state foster care, there are still 1,000 who are in permanent custody who have a goal of adoption. They will not be returning to their families of birth, and adoption is the ultimate permanent goal for them. Most are special needs children.

These special needs children include sibling groups who would do better if placed together, teen-agers and children with health problems. Some are black, Hispanic, Indian or of mixed heritage.

"These children have all the needs of any child. They want to be loved and they want to share the love that they have with some-

one who cares about them," Morgan said. "All they really need is a chance."

Prospective adoptive parents don't have to own their own homes, be married or wealthy. They do have to be at least age 21, willing to care for the special needs of the child they want to adopt and be able to manage their financial resources well enough to care for themselves and the child they wish to adopt.

Subsidies are available to help an adoptive parent care for some special needs children who qualify for such assistance.

"You must lose a fly to catch a trout."
George Herbert

INTERNATIONAL MATH-SCIENCE COMPARISON FINDS U.S. BETTER IN SCIENCE

From U.S. Dept. of Education

■(WASHINGTON) According to the most thorough international study of math and science education ever conducted, U.S. students are above average in science and below in math.

"Pursuing Excellence: A Study of U.S. Eighth Grade Mathematics and Science Teaching, Learning, Curriculum and Achievement in International Context," released this week by the U.S. Education Department's National Center for Education Statistics, reports U.S. scores in both math and science as not significantly different from those of England or Germany. In science, among participating G 7 countries — America's major economic and political allies — only Japan scored significantly higher than the U.S. [G 7 countries include the United Kingdom, Canada, France, Germany, Japan and Italy. Italy did not participate in the test.]

Overall, American students are above average in life sciences and environmental issues, average in fractions, algebra and physics, but struggle with measurement and geometry.

"If we see the news in the report as simply a horse race story of who finished first and who finished second we miss the point," said U.S. Secretary of Education Richard W. Riley. "The issues are much deeper — the content and rigor of what we are teaching — how we go about teaching — the fact that we continue to shortchange America's teachers by not giving them the preparation and help they need to do the best job possible in the classroom. One of the clear messages of this report is that we need to take a good, hard look at what we teach and how we teach math."

Among the findings drawn from the Third International Mathematics and Science Study (TIMSS):

- eighth grade mathematics classes in the

U.S. are not as advanced and not as focused as those in Japan and Germany;

- topics taught in U.S. eighth grade mathematics classrooms are at a seventh grade level by international standards;

• the content of U.S. mathematics classes requires less high level thought than classes in Germany and Japan;

- U.S. mathematics teachers' typical goal is to teach students how to do something, while Japanese teachers' goal is to help them understand mathematical concepts.

The international comparison suggests a general improvement in U.S. science from a 1991 assessment that placed American students below average, though the tests and the set of participating nations have changed. U.S. mathematics performance, however, remains slightly below the international average.

Riley said states and local school districts should review and toughen their academic standards, and cited materials prepared by the National Council of Teachers of Mathematics as an example of how to improve the teaching of math.

According to the report, U.S. teachers are generally familiar with the tougher standards suggested by the council, but it appears that other nations, notably Japan, are doing a better job of actually teaching tougher material. Based on videotapes of actual classroom instruction, the researchers found that U.S. math classes still largely focus on how to solve problems, while Japanese teachers do a much better job at helping students understand the concepts behind the solutions.

Riley said the department will sponsor a series of regional and state workshops on the results of the study, with an emphasis on successful practices that illustrate more rigorous content and teaching methods. Riley also said the department will prepare and send a summary of the report to business and education leaders and the nation's local PTA chapters. The department also will work with communities and states, as well as the National Science Foundation, the National Academy of Sciences, and the nation's math and science teachers to share what works to boost achievement.

The study found that common culprits such as television watching and lack of time devoted to study could not account for the below average U.S. math scores. Heavy TV watching was found to be about as common in Japan — one of the highest scorers — and U.S. students actually spend more class-

room time on math and science than students in both Japan and Germany.

Riley said colleges and universities should examine how teachers are prepared and suggested that guidelines from the National Commission on Teaching and America's Future be considered as a "blueprint" of how to proceed. The commission has called for high standards, more opportunities for apprenticeships, mentoring by master teachers and work schedules that permit ongoing professional development.

"Every student should enter middle school and junior high school with a firm grasp of arithmetic," Riley said, "but clearly employers want problem solvers, people who have mastered the basics and can apply that knowledge to new situations. Our math curriculum in middle schools and junior high schools lacks focus and too much class time is spent memorizing formulas at the expense of understanding useful concepts."

Other findings in the TIMSS report include:

- There was little difference in how U.S. boys and girls scored in both math and science;

- Japanese teachers have more opportunities to discuss teaching related issues with their colleagues than do U.S. teachers;

- U.S. teachers assign more homework and spend more class time discussing it than teachers in Germany and Japan. U.S. students report about the same amount of out of school math and science study as their Japanese and German counterparts;

- U.S. teachers generally receive more formal education, but not as much hands on training and daily support for quality teaching as their Japanese colleagues;

- Although most U.S. math teachers report familiarity with reform recommendations, few apply the key points in their classrooms.

Additional TIMSS reports, examining the math and science achievement of fourth and 12 grade students, are being prepared. In all, nearly 500,000 students participated in TIMSS — 40,000 in the U.S.

Printed copies of the report are available while they last from the National Library of Education at 1/800/424/1616. The report also will be available from the U.S. Government Printing Office.

"If you think education is expensive — try ignorance."

Derek Bok

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being hit with huge tax bills they are not expecting. The bill Inhofe and others will introduce in January when Congress returns will simply make clear that family farmers may continue to receive the tax benefits which Congress originally intended them to have. Under the cash method of accounting, using installment sales for their deferred payment commodities, farmers will not be liable for tax payments until the year in which the payments are received.

SCIENTISTS TRY TO MATCH RODENT RESULTS IN TESTING CHEMICALS

From U.S. Department of Health
& Human Services

■(WASHINGTON) If you love horse races, you'll appreciate an international collaboration in which groups of scientists are trying to predict whether 30 chemicals cause cancer — before the results are in from a series of standard tests in rats and mice.

The effort is sponsored by the National Institute of Environmental Health Sciences, one of the federal National Institutes of Health, to stimulate a search for cheaper and faster tests that could help it catch up with some of the 100,000 chemicals estimated to be in use in the world. While it has been called "Beat the Mouse," its formal title is the Predictive Toxicology Evaluation Experiment.

In the current supplement of the NIEHS journal, "Environmental Health Perspectives," the participating scientists are making predictions of carcinogenicity using methods they hope will prove to be useful alternatives or supplements to the standard tests of the federal National Toxicology Program, which rely on dosing both mice and rats for as long as two years. The scientists are predicting the results of 30 of these NTP rodent tests for carcinogenesis by using computer machine-learning, comparisons of the test substances' molecular structures with those of known carcinogens, tissue or cell-culture tests, including the Ames test for mutagenicity, and logic and educated guesses made by experts.

The scientists in this evaluation experiment may help answer the question: Can chemicals be tested faster, cheaper and accurately, using fewer or no rats and mice?

"The answer is important because we need information on more chemicals in our environment than we can get using the standard tests," Kenneth Olden, Ph.D., director of both the NIEHS and the National Toxicology Program, said. "A two-year rodent exposure study actually can require five years to reach final conclusions when you add in the planning time and the extensive analysis of results. It can cost \$2-4 million. So we can't currently do nearly enough tests — when you consider that there are thousands of chemicals which we swallow as drugs, use as pesticides and cleaners, and breathe, drink or eat.

"We need accurate methods that are shorter, cheaper and quicker."

As a result, NIEHS capitalized on the testing being performed by NTP and invited scientists to look at the same chemicals us-

ing whatever method they thought promising — and to publish their predictions of their potential to cause cancer before the final results from standard testing are in.

The resulting predictive papers fill more than a hundred pages of the NIEHS journal supplement volume 104.

Final results from some of the standard, two-year bioassays are beginning to come out, but not enough to indicate which predictive approaches worked best. But the purpose is not winning so much as "focusing the intellectual resources of different research groups on a common problem," NIEHS' Douglas W. Bristol, Joseph T. Wachman and Arnold Greenwell write in an introduction to the journal. They, along with NIEHS carcinogenesis and mutagenesis lab chief Ray Tennant, shepherded the effort. (In another effort, Tennant and others are deter-

mining if two lines of transgenic mice — mice which have been given a human gene implicated in many human cancers, will provide accurate results in six months of tests, rather than the conventional 24.)

The organizers acknowledge that when the results of the conventional two-year tests are in, researchers may initially check to see how accurate their predictions were.

But Bristol said the more important questions will follow: Can we adjust our methods to make our predictions 100 percent? Did we get the right answers for correct reasons? What can we learn by comparing our results, and reasons, with the different approaches of Ashby, Benigni or Moriguchi?

When the results of the 30 NTP bioassays are completed, a final tally will be prepared for a subsequent journal, Bristol, Wachman and Greenwell said.

FAA OFFERS GUIDANCE AGAINST PASSENGER MISCONDUCT

Federal Aviation Administration

■(WASHINGTON) To protect the safety of the flying public and flight crews, the Federal Aviation Administration is issuing additional guidance to airlines to help guard against passenger misconduct aboard aircraft. Federal Aviation Regulations prohibit passengers from assaulting, threatening, intimidating or interfering with crewmembers or their duties.

"We will not tolerate any interference with the vital safety functions performed by crewmembers," said FAA Acting Administrator Linda Hall Daschle. "The FAA's actions will help achieve the goal of providing travelers with a safe aircraft environment."

Working with representatives from flight attendant unions, airlines and others, the FAA's guidance, issued as an advisory circular, contains examples for managing and reducing instances of passenger interference with crewmembers. The agency recommends that air carriers take these steps to manage passenger misconduct:

- form employee, government and law enforcement partnerships to develop procedures for handling violence and providing assistance to victims;
- clearly communicate to employees the course of action to be taken;
- establish policies that define a zero tolerance philosophy toward passenger misconduct;
- inform the public about the seriousness of passenger misconduct and emphasize the

consequences such as fines and incarceration;

- encourage employees to report cases of misconduct and provide information on how to file complaints;
- provide information to employees about company liaisons to law enforcement and the FAA; and
- provide training to crewmembers on handling conflict situations.

Passenger misconduct may warrant a response from local law enforcement or the Federal Bureau of Investigation and can result in imprisonment. Reports forwarded to the FAA can result in joint investigative efforts by the agency and FBI. Cases that the FBI declines to investigate still will be pursued by the FAA and could result in a substantial fine.

Additional federal regulations to guard against passenger misconduct include: prohibiting the boarding of passengers or serving alcohol to passengers who appear to be intoxicated; requiring that passengers obey information signs, such as "no smoking" and "fasten seat belts"; and requiring that passengers obey the instructions of the crewmembers regarding compliance with these signs.

"Whisky drowns some troubles and floats a lot more."

Robert C. Edwards

CONFERENCE ON LAND TRANSPORTATION SECURITY TO BE HELD

From U.S. Dept. of Transportation

■(WASHINGTON) Secretary of Transportation Federico Peña announced this week that security officials representing the United States and seven other countries will meet next spring to improve ground transportation anti-terrorism activities.

"More than ever, transportation systems are being singled out as targets of terrorism," said the Secretary, stressing the need for improved international consultations on this problem. The meeting will focus on improving the prevention, investigation and response to terrorism and enhanced communication among governments.

In 1995, approximately 20 percent of the

more than 2,000 identified terrorist acts worldwide were aimed at transportation systems.

The Secretary said next spring's meeting in Washington would discuss "an international network for exchanging information and technology to strengthen the global battle to prevent terrorist attacks on land transportation systems."

Agreement to hold such a meeting came at the conclusion of a two-day meeting of land transportation officials of the group of seven plus Russia (G-7/P-8) in Washington. Attending this week's meeting were representatives from Canada, France, Germany, Italy, Japan, Russia, the United Kingdom and the United States. The participants shared information on land transportation security and what can be done to reduce the threat of terrorism. The development of a system for international cooperation was also preliminarily discussed.

Highlighting significant attacks against transportation in 1995, Secretary Peña noted:

- A series of bombing attacks against the subway system in Baku, Azerbaijan, which killed dozens and injured hundreds;
- The October derailment of an Amtrak passenger train near Hyder, Ariz., which killed one and injured 78;
- The July bombing of a Paris subway station, which killed seven and wounded over 80;
- The April bus bombing in Israel which killed eight and injured 50; and
- The March sarin gas attack in the Tokyo subway, which killed 12 and injured 5,500.

FAA TO ALLOW WAIVERS TO INSULIN-TREATED DIABETIC AIRMEN

From Federal Aviation Administration

■(WASHINGTON) Waivers for individuals with insulin-treated diabetes will now be considered in order to grant limited third-class airman medical certificates, the Federal Aviation Administration (FAA) announced this week.

FAA regulations currently prohibit insulin-treated diabetics from qualifying for medical certificates. While that regulation will remain in place, the FAA will, for the first time, allow limited waivers in some cases. Individuals who use oral hypoglycemic drugs have been eligible for waivers for more than 10 years.

The new protocol states that, among other criteria, only individuals at low risk for hypoglycemia are eligible for the waivers. Pilots who receive waivers will be restricted to student, recreational and private-pilot operations and will be closely monitored to determine the effectiveness of the new policy. The new policy will not authorize any waivers to commercial pilots.

The evaluation and monitoring protocol that forms the basis for this policy change was developed by a panel of distinguished endocrinologists at the request of the FAA's federal air surgeon. The protocol was first published for public comment in December 1994.

The new policy statement is on display at the Federal Register.

FRAMEWORK ANNOUNCED FOR PIPELINE RISK MANAGEMENT PROJECTS

From U.S. Dept. of Transportation

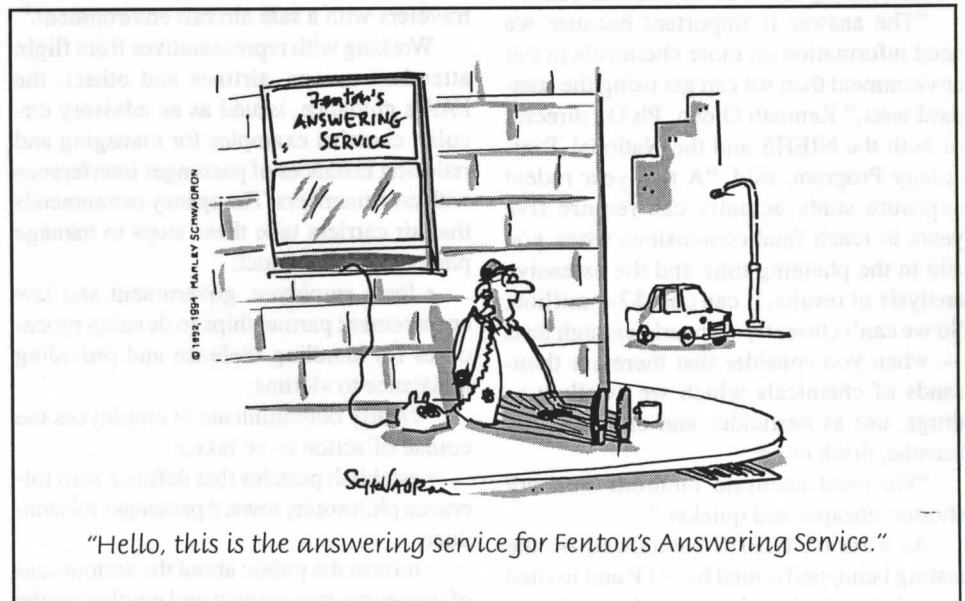
■(WASHINGTON) The U.S. Department of Transportation this week unveiled the framework for a four-year pipeline risk management demonstration program and invited natural gas and hazardous liquid pipeline operators to submit proposals for projects that increase operator flexibility, improve industry safety and advance environmental protection efforts.

"Risk management is one way we can efficiently and effectively work with industry to protect public and environmental needs," said RSPA Administrator Dr. D.K. Sharma.

A public notice published in the Nov. 15 Federal Register outlines the demonstration program objectives, provides guidelines for operators interested in conducting demonstration projects and invites public involvement in a one-day public meeting Jan. 28, 1997, to be held in New Orleans. The department's Research and Special Programs Administration (RSPA), which regulates the pipeline industry, will administer the demonstration projects. Up to 10 projects will be approved.

The risk management demonstration projects will allow industry and RSPA to explore new standards, technologies and communication strategies that better identify and address risks to pipeline integrity. The eligibility process for the program will begin in the first quarter of 1997.

For additional information on the risk management framework, or the public meeting, contact RSPA's Office of Pipeline Safety by phone at (202) 366-4595.



That's Good for Oklahoma!®

CITY RESCUE MISSION RESCUES SOULS AS WELL AS BODIES

(GIT) Your heart beats a little faster as you walk past the dilapidated yellow walls of the City Rescue Mission. But what the Mission lacks in appearance, it makes up for in substance. A man in a black sweatshirt with Mickey Mouse emblazoned across the front, is quick to greet you with a firm handshake and a friendly hello as you enter the building.

The gentleman shares the same name and enduring smile of the famous cartoon character on his chest. Reverend Mickey Kalman is the Director of the City Rescue Mission located at S.W. 5th and Robinson just south of downtown Oklahoma City. Mickey, his wife Beverly and their three children took the job with the mission 20 years ago. The salary was only \$250 per month and the director and his family lived in the mission.

As the weather turns colder, many of the city's homeless abandon the nearby bridges they normally occupy and head for the Rescue Mission. The facility consists of three shelters; a men's, women's and family. The men's shelter is the largest building and also contains the dinning hall and chapel. The family shelter only has room

for 12 to 15 families and unfortunately must turn away twice that number each month. The mission provides beds for over 130 men, women and children every night. The only requirements to stay at the mission are that you must shower and attend chapel.

"People can stay at the mission as long as they

need to," Beverly stressed "The shelter gives them the opportunity they need to straighten out their problems, work and put away money so they can go out and make it on their own."

The mission supplies basic needs such as food, a warm place to sleep and a clean shower. In addition, a Regeneration Program is offered in which individuals participate in a 90 day rebuilding schedule. The program helps people deal with drug problems, alcohol addictions, child and spouse abuse or any other difficulty they may be struggling with. Counseling is given, spiritual worth is administered and everyone gets a chance to build self esteem and confidence by working in the mission.

Tim, a gentleman who has been helping with and helped by the mission for three weeks, says, "This place gives a guy that's down-and-out the opportunity and guidance he needs."

City Rescue Mission provides their big Thanksgiving dinner on Sunday Nov. 24 this year, and will be serving food on Thursday the 28th, just like they do 365 days of the year. Three hot meals are

served in the mission's dinning hall, feeding 300 to 400 hungry people every day. The number attending the Thanksgiving meal can reach upwards of 700. A turkey dinner with all the trimmings is served to anyone who comes in the door and the mission offers those in need a chance to make free phone calls to friends and loved ones.

For the Thanksgiving dinner over 40 volunteers, from students to grandparents and anyone with a kind soul, dedicate their time.

Beverly says, "Most people don't care what their job is, peeling potatoes, serving or cleaning up, they just want to be a part."

Throughout the year nearly 2,000 individuals volunteer their time for the mission. "If it wasn't for the volunteers we couldn't make it," Mickey remarks while holding a paintbrush he is using to refurbish a wall.

The mission's budget runs around \$900,000 a year. Every penny comes from donations. No federal funds are administered to the center. Most of the funds used to operate the mission are donated in November and December. Beverly said, "This is the benevolent time of the year and the money we take in gets us through the lean summer months."

Mickey quickly pointed out, "We need money all year round. We get plenty on Thanksgiving, Christmas and Easter, but the rest of the year nothing."

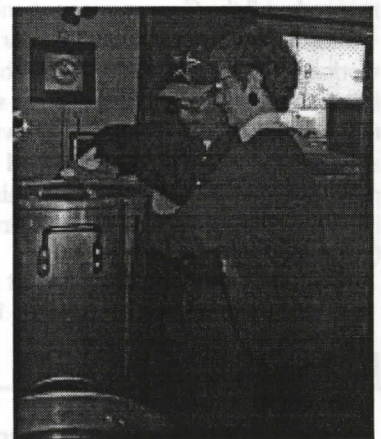
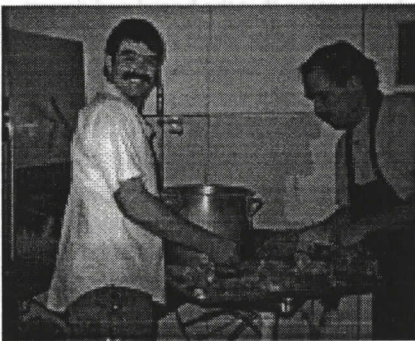
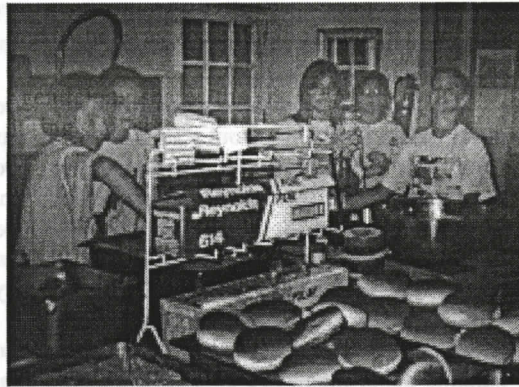
One method the mission uses to generate funds is by sponsoring a "Tour de Soup" bicycle race. Every July over 350 riders from all over the country come to the mission to participate in the big event.

Currently the Rescue Mission is engaging in a fund raising campaign to renovated the dormitories and showers and build new housing facilities for children and families.

Larry, who also takes part in the mission's kindness, says with a smile, "The regeneration program is the top of the line for me. I get to know Jesus and a safe place off the street. These people really make a difference for me."

Larry is right. Mickey, Beverly and everyone helping the City Rescue Mission is making a difference. If you get the chance, visit the City Rescue Mission and contribute a little time or money. It's good for Tim and Larry. It's good for your soul. And that's good for Oklahoma!

Happy Thanksgiving and God Bless,
from the entire staff of GIT, Inc.



STATE NEWS WEEKLY SUMMARY

AWARDS

GOVERNOR ATTENDS AWARDS ANNOUNCEMENT AT GM PLANT

■(OKLAHOMA CITY) Governor Frank Keating attended a ceremony Wednesday at the General Motors Plant in Oklahoma City where *Motor Trend Magazine* awarded its most prestigious honor — The 1997 Car of the Year Award — to the Chevrolet Malibu, being built solely at the Oklahoma City GM plant.

The Governor also addressed a crowd of state officials, auto industry representatives and General Motors employees who gathered for the ceremony.

"This is a tremendous honor for the state of Oklahoma and more specifically the Oklahoma City General Motors plant to host this landmark event and it's a credit to the thousands of local GM employees involved in the production of the new Chevrolet Malibu. The Malibu is produced solely by Oklahomans and it's obvious by today's honor from *Motor Trend* that the new Malibu is a quality product," the Governor commented.

"Oklahomans are known for their intense work ethic and the productivity of the Oklahoma City GM plant is certainly no surprise to me. I'm honored to have the privilege to assist in showcasing our plant and its employees to the rest of the country. This award is a true compliment to their efforts," the Governor said.

—THE GOVERNOR'S OFFICE
11/20/96

BANKING & FINANCE

BANKERS SEEK MORE FUNDS FROM LEGISLATURE

■(GIT) The Oklahoma Legislature is essentially assessing an additional tax on state banks by keeping surplus funds for its own uses, said Banking Commissioner Mick Thompson at the State Banking Board meeting on Wednesday.

State bankers are working on a legislative proposal as part of a code review bill to change the law so that the department can keep a greater percentage of the fees the banks pay.

Thompson said the extra funds would be used to fund the understaffed and underfunded Oklahoma State Banking De-

partment. He said that the federal government recently mandated an increase in salaries and travel compensation, but did not provide additional funds to pay for them.

The banking department assesses fees on each state-chartered bank based on the amount of 21 cents per \$1,000 of asset value.

Thompson said the department collects the fees and then writes a check to be deposited in the general fund. The legislature then appropriates a dollar amount of money back to the department's budget.

The banking department collected approximately \$3 million from state banks for fiscal year 1996. However, the legislature appropriated 72.62 percent of the funds back to the department, or approximately \$2.2 million. The government kept \$828,003 in the general fund for its own use.

In FY 1995, the legislature appropriated 76.86 percent of the deposited back to the banking department. In FY 1990, the legislature appropriated 90.84 percent of the funds to the department.

—MICHELLE BOYD WATERS
11/20/96

CORRECTIONS

CORRECTIONS BOARD DISCUSSES NUMBERS

■(GIT) Oklahoma's Department of Corrections seemingly found 79 empty beds Monday when department staff members outlined their findings in a recently conducted capacity study.

The findings, which must be reviewed internally before being accepted by the Board of Corrections, were the result of a study requested by board chairman Michael Roark, who asked that department staff review the board's so-called certified capacity number.

The results, Roark and other board members admitted Monday, were both confusing and disturbing.

Using a formula specified in state statutes in combination with the administrative code produced by the Department of Central Services and a nationally-accepted fire and safety code, David Miller, chief of state and operations, told the board that the department has the capacity to house 11,619 inmates. That number, Miller explained, was based on an assumption present in the fire and safety code which required 120-square-foot or gross floor area per person.

However, Miller noted, the standard outlined in the code is often exceeded because the department cannot refuse to accept offenders sentenced to its custody. Working with regional directors, facility wardens and superintendents, the director of the department has established another number reflective of the ability of each facility to take in inmates above the 120-square-foot standard. That figure, Miller told the board, is 15,011 inmates.

Roark summarily rejected the first number, saying its foundation — the 120-square-foot requirement — was unrealistic. The board chairman said he placed greater faith in the second number, which reflected the department director's and facility wardens' hands-on determination of facilities' capacity.

Other members, too, expressed reservations about accepting the first number, citing the 120-square-foot requirement.

Board member Calvino Muse, Sr., however, warned his fellow board members not to look only at the numbers as a solution to the department's problem.

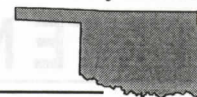
Roark said the study was important to establish credibility with the governor and the legislature, noting that the board and department had talked of overcrowding while the study revealed that more beds were available than previously assumed. Referring to Friday's population count of 14,932 inmates in department facilities, Roark said the new figure means there are 79 empty beds available. Miller noted, however, that more than 300 inmates are awaiting transfer from county jails to department facilities at the present time.

Board member Beverly Young asked whether the department had the staff to adequately supervise the higher number of inmates. Miller and interim department director James Saffle said it did not, saying that the department would ask the legislature to fund an additional three percent of its approved FTE, bringing that funding to 97 percent, and to add and fund 693 correctional officers to its FTE.

Saffle said the department "cannot continue to pack people in its prisons," and that something more than "dropping down" the number of square-feet per inmate would have to be considered. Saffle also said the department was not saying that 15,011 inmates were easy to handle, "but based on the situ-

Continued on next page

STATE NEWS WEEKLY SUMMARY CONTINUED



ation, it's what we can handle."

The board will decide next month what course of action to take regarding its new certified number. According to Roark, it could either accept the lower number, based on the statutorily-cited regulations, or attempt to have the statute altered to more truly reflect department practice.

In a related development, Saffle announced at the beginning of the meeting that he had ordered that inmates be removed from Oklahoma State Penitentiary's east cellhouse. As many as 271 inmates have been housed in the condemned cellhouse. Some 40 inmates were removed from the facility last week, Saffle said, and distributed to other facilities within the system.

—SHAWN ASHLEY
11/18/96

DEPARTMENT OF CORRECTIONS: PAINTING BY NUMBERS

■(GIT) Numbers are not a game for the Department of Corrections.

According to a facility capacity report released Monday, the comments of the department's interim director and its governing board, numbers are the most important factor influencing the agency's decision making. Under current conditions, the report, staff and board agreed, that generally means making do with less than what is needed.

That situation was reflected in a supplemental budget request and fiscal year 1998 budget request recently approved by the board for the department. In order to meet the department's anticipated population growth by the end of the current fiscal year, officials say \$25.3 million will be needed. For fiscal year 1998, the department is seeking its largest state appropriation in history — \$350.5 million for operations and \$326.9 million for capital outlay, including the construction of additional prison space.

Currently, department records show, the agency is responsible for the supervision of 51,284 convicted criminals, including:

- ✓ 19,918 inmates;
- ✓ 28,589 probationers; and
- ✓ 2,777 parolees.

Of the inmates, 14,932 are locked up in Department of Corrections facilities, while 1,510 are housed in private prisons in Oklahoma and Texas. An additional 316 are backed up in county jails, waiting to be introduced in the department's system. The remaining inmates are housed in county jails

and other contract facilities, such as halfway houses.

The average inmate in Department of Corrections custody is allotted 94-square-feet of space. That is particularly true for the system's male inmates, whose average space assignment is 95.6-square-feet. Women, however, fare worse, averaging just 77-square-feet.

In the cases of both male and female inmates there are wide swings in the amount of allotted space. Male inmates assigned to the restrictive housing unit at Clara Waters Community Corrections Center in Oklahoma City get an average of 16.7-square-feet per inmate, while inmates locked in the medical unit at the Oklahoma State Penitentiary in McAlester have an average assigned space of 238.5-square-feet.

The space difference is somewhat less for women inmates. Female offenders incarcerated at the administrative unit of the Mabel Bassett Correctional Center in Oklahoma City have an average of 37.6-square-feet of space, while those at Hollis Community Work Center are afforded 175-square-feet per inmate.

Within the department, those numbers are compared to a state-accepted standard, which may be modified to reflect actual practices, that stipulates a minimum of 120-square-feet per inmate. The facility report, however, recognized that current population trends prevent the department from adhering to that standard.

—SHAWN ASHLEY
11/19/96

EDUCATION

GARRETT ANNOUNCES STATE SCHOOLS CONSIDERED AMONG BEST IN NATION

■(OKLAHOMA CITY) State Superintendent Sandy Garrett announced Monday that she is nominating six Oklahoma schools for the 1996-97 Blue Ribbon Schools Elementary Recognition Program. The program is coordinated by the U.S. Department of Education and recognizes outstanding schools.

"These schools are models of excellence and are recognized as being six of the top 300 best schools in the nation," Garrett said.

The schools nominated for Blue Ribbon status are:

- Almor West Elementary, Lawton Public Schools

- Clara Reynolds Elementary, Harrah Public Schools

- Coronado Heights Elementary, Putnam City Public Schools

- Pershing Elementary, Muskogee Public Schools

- Pioneer Park Elementary, Lawton Public Schools

- Western Oaks Middle School, Putnam City Public Schools

A state review committee comprised of educators reviewed the state Blue Ribbon applications and presented Garrett with its six recommendations. The USDE allows each state to submit six nominations.

Now that the state nominations have been announced, the USDE will arrange to visit and evaluate each school this spring.

Those schools receiving the most favorable evaluations will be named Blue Ribbon Schools by the White House in May.

Edmond's Sequoyah Middle School and Woodward Middle School were selected for the honor last year.

—OKLAHOMA DEPT. OF EDUCATION
11/19/96

ATTORNEY GENERAL: SCHOOL FUND PRINCIPAL INVIOLEATE

■(GIT) The principal in the constitutionally-established permanent school fund should not be diminished but can be used to guarantee bonds issued by state school districts when certain conditions are met, according to a recently-released opinion from the Attorney General's office.

Rob Johnson, secretary of the Commissioners of the Land Office, posed two questions in his request for the Attorney General's opinion:

- Whether the principal of the permanent school fund is inviolate and not subject to being diminished or diverted for any other use or purpose than for the benefit of the state's common schools; and

- Whether the Commissioners of the Land Office's bond guarantee is legal and binding upon the permanent school fund.

According to the opinion prepared by Senior Assistant Attorney General Neal Leader:

- Sections 7 and 9 of the Oklahoma Enabling Act, 34 Stat. 267, 272, 274 (1906), and Section 2 of Article Eleven of the Oklahoma Constitution provide that the permanent school fund consist of all proceeds from

Continued on next page

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

Continued on next page

STATE NEWS WEEKLY SUMMARY CONTINUED

Committee will be led by Sen. Penny Williams, D-Tulsa. Henry takes over the post vacated by Bernice Shedrick when she resigned from the Senate, while Williams' appointment comes on the heels of committee chairman Ed Long's defeat during the Nov. 5 general election.

The appointments were made by President Pro Tempore Stratton Taylor, D-Claremore.

As chair of the committee, Henry will oversee legislation relating to civil laws and most constitutional amendments. The panel is also responsible for bills dealing with the state judicial system and pension programs.

"I'm very honored to have this opportunity to take on yet another challenge in the state Senate," Henry said, "and look forward to working with the public and fellow lawmakers as we strive to develop policies and legislation that will protect our citizens and continue to strengthen our great state."

As chair of the Education Committee, Williams will lead the panel through its work on bills dealing with common education, higher education and vocational-technical education.

"We need to renew and strengthen our commitment to public education to create a dramatically greater range of educational choices for students and parents," Williams said. "We've made some great strides in education in just the past few years, but we have to continue those efforts if our children are truly going to be ready for the challenges of the 21st Century."

Henry and Williams will assume their duties as committee chairs following their swearing in on Tuesday.

Other Senate committee members will remain unchanged, including:

- Appropriations: Enoch Kelly Haney, D-Seminole
- Agriculture and Rural Development: Paul Muegge, D-Tonkawa;
- Business and Labor: Lewis Long, D-

Glenpool;

- Deregulation: Herb Rozell, D-Tahlequah;

- Economic Development: Ted Fisher, D-Sapulpa;

- Energy, Environmental Resources and Regulatory Affairs, Kevin Easley, D-Broken Arrow;

- Finance: Dick Wilkerson, D-Atwood;

- General Government: Trish Weedn, D-Purcell;

- Government Operations and Agency Oversight: Maxine Horner, D-Tulsa;

- Human Resources: Bernest Cain, D-Oklahoma City;

- Rules: Robert Kerr, D-Altus;

- Sunset Review: J. Berry Harrison, D-Fairfax;

- Tourism and Recreation: Dave Herbert, D-Midwest City;

- Transportation: Gene Stipe, D-McAlester;

- Veterans and Military Affairs: Sam Helton, D-Lawton; and

- Wildlife: Frank Shurden, D-Henryetta.

The futures of the Infrastructure and Strategic Planning Committee, formerly chaired by Williams, and the Science, Technology and Telecommunications, which was previously chaired by Jack Bell, who lost his reelection bid in the August primary, have not yet been determined.

—SHAWN ASHLEY
11/18/96

SENATOR FISHER FILES 46TH LEGISLATURE'S FIRST BILLS

■(GIT) Sapulpa's Democratic Sen. Ted Fisher laid claim to the Senate's first and second bill numbers Friday by prefiling two pieces of legislation.

SB1 would create a new section of law that would require the Oklahoma School of Science and Mathematics to solicit proposals and award grants for pilot projects that develop and establish model programs implementing advanced science and math curriculum at local vo-tech or school sites by distance learning. The bill would also create an advisory council made up of local superintendents to establish student participation criteria in such pilot programs, determining the curriculum needs and to work in the recruitment and hiring of faculty for the pilot program, all in conjunction with the School of Science and Mathematics.

The bill carries an emergency clause.

SB2, which has a proposed Nov. 1, 1997 effective date, would increase the membership of the Physical Therapy Committee from three to five and would require that foreign-trained applicants for a license to practice physical therapy or as an assistant to a physical therapist would have to satisfy the State Board of Medical Licensure that they have completed the necessary education and training. The bill would also require the licensure board to establish a program of continuing education for physical therapists and their assistants.

—SHAWN ASHLEY
11/18/96

ELECTION BOARD CERTIFIES FINAL RESULTS

■(GIT)The State Election Board certified the results of the final two races from the Nov. 5 general election on Monday, setting the stage for the swearing-in Tuesday of all the 46th Legislature's members.

At issue were the results in House District 21, where incumbent Sean Voskuhl, D-Marshall, defeated Curt Roggow, R-Enid, and Senate District 41, where Mike Morgan, D-Stillwater, defeated Randy Wedel, R-Stillwater.

Decisions were reached last week in challenges of those results filed by Roggow and Wedel, respectively, clearing the way for the election board to certify the results as final Monday.

Roggow had requested a recount of the ballots cast in the three counties in the district and also alleged irregularities in some of the votes cast for Voskuhl. In the recount, Voskuhl actually gained seven votes, while Roggow's total was unaffected, giving the incumbent an 18-vote advantage over his opponent.

In a ruling issued last Wednesday, Roggow's irregularities allegations were dismissed.

The situation was similar in Senate District 21, where Wedel alleged voting irregularities. A Lincoln County judge agreed with Wedel on some of the ballots identified in his filing, but it was not enough to overcome the 32-vote difference by which Morgan originally won the contest.

Roggow and Wedel could have appealed those decisions to the Oklahoma Supreme Court.

—SHAWN ASHLEY
11/18/96

"Good breeding consists in concealing how much we think of ourselves and how little we think of other persons."

Mark Twain
Notebooks
later 19th century

STATE NEWS WEEKLY SUMMARY CONTINUED

OKLAHOMA 2000: GOVERNMENT MAY CHANGE TO ACCOMMODATE SQ 640 REQUIREMENTS

■(GIT) Oklahomans can expect to see increases in fees, public enterprise activity and privatization; reductions in government employees and services; and the shifting of costs from the state government to government employees and local governments in the wake of State Question 640, according to an Oklahoma 2000, Inc. study released on Monday.

"Oklahoma's search for limited government may be over. As the state moves toward the 21st century, the quest will be to identify the most rational and creative pattern of response to the new budget realities," states the two-year study of the implications to Oklahoma state government entitled "In Search of Smaller Government: The Case of State Finance in Oklahoma."

SQ 640 limits tax increases, so the authors do not expect any growth from the tax receipts revenue. They also do not expect growth from federal aid, since the federal government is also attempting to streamline itself and may give one of its programs — such as Medicaid — back to the states, without much federal aid.

Income from sources that tend to grow with the economy include 33.8 percent of the state tax revenue for 1996 from personal income tax and 11.4 percent from motor vehicle tags. However, the state question limits increases for those taxes.

Inelastic income revenues include 26.5 percent of the 1996 revenue from sales and use taxes, 7.5 percent from motor fuels excise taxes, 6.9 percent from gross production taxes, 3.8 percent from corporate income taxes, 3.0 percent from tobacco and alcohol taxes and 7.1 percent from other taxes.

Warner said there will be a tendency for those revenues to lag behind the state's economy.

"There can hardly be a stranger commodity in the world than books. Printed by people who don't understand them; sold by people who don't understand them; bound, criticized and read by people who don't understand them; and now even written by people who don't understand them."

*Lichtenberg
Aphroisms, 1764-99*

Corporate taxes do not respond rapidly to the economy and the tobacco and alcohol taxes will not grow significantly with today's emphasis on leading cleaner lives, the authors said.

The authors projected that in the year 2002, Oklahoma general fund revenue expenditures will have risen to \$5,523 million while the revenues will only be \$5,081 million, leaving a shortfall of \$442 million.

Despite seeming doomsday theorizing, the authors said they are not trying to claim "the sky is falling."

"One of the healthiest things in government has been a conservative revolution — 'Let's worry about efficiency, cutting costs.'" Larkin Warner, professor of economics at Oklahoma State University, said at Monday's news conference. "It's a nationwide trend.

"We will have a complete shift in the way we do business," Warner said.

The study also looks at the conflicting pressures between Oklahomans' desire for services and their emphasis on lower taxes. For the future, the study projects that events will undoubtedly heighten the fundamental tension between these two polar desires.

By identifying and tracking revenue enhancing actions of state government since the passage of SQ 640, the study identifies wide-range methods to increase funding for state projects that would skirt the constitutional requirements of SQ 640.

This indicates that state officials have already adapted to SQ 640 in ways that maintain the level of government spending.

Areas that may see increases in fees may include higher education, medical services and parks and recreation.

The Oklahoma state government may turn to public enterprise activities such as a lottery to raise revenue. They may also turn over some governmental responsibilities to other organizations, such as giving responsibility for state highways to the Oklahoma Turnpike Authority.

Oklahoma may experience an increase in privatization of services.

The state government may also continue to reduce the number of government employees and also reduce services.

Shrinking revenue may also cause the state to shift the cost of running the government on to government employees and on to local governments.

An important question raised in the study

is whether SQ 640 has created the conditions for a structural or long-term deficit and whether this is insufficient to maintain the existing level of services.

Although revenues will grow with economic expansion, the rigidity of the present tax structure is a further limiting factor. From a review of the tax structure and the changing program emphasis in Oklahoma, the study finds that it is most likely that revenues will grow less rapidly than both the overall economy and expenditure needs, according to the study.

The textbook format publication is sale from Oklahoma 2000, Inc.

—MICHELLE BOYD WATERS
11/18/96

LAWMAKERS TAKE OATH OF OFFICE

■(GIT) With their right hands raised, 23 recently-elected and reelected members of the state Senate and all 101 members of the House of Representatives took their oaths of office and began the move toward the opening of the 46th Legislature.

Oklahoma Supreme Court Chief Justice Alma Wilson administered the oath to members of both legislative houses, reminding the legislators of the importance of their job.

"There is probably no greater trust than yours that you enact laws that preserve the rights provided in the constitution and that they be retained by the people," Wilson said in the Senate, adding that she knew of no better state constitution than that of Oklahoma.

Sen. Charley Ford, R-Tulsa, was absent from the Senate proceeding, but had already been administered the oath of office, Senate Pro Tempore Stratton Taylor, D-Claremore, told those on hand, which included a gallery full of well-wishers for those on the floor.

Absent was the usual seriousness of the legislative day as members introduced their family members, friends, neighbors and campaign workers.

Sen. Penny Williams, D-Tulsa, took the time to get to know the son of a new member, Sen. Jeff Rabon, D-Idabel, trading play punches with the young boy as he was held by his father and allowing him to briefly wear the trademark glasses dangling around her neck.

Sen. Trish Weedn, D-Purcell, was joined on the floor by her grandson, which the senator dubbed the "sine day baby" for his birth on the last day of 1994's legislative session.

Continued on next page

STATE NEWS WEEKLY SUMMARY CONTINUED

It was a tearful Weedn who explained that Tuesday's swearing-in ceremony was the first missed by her mother and father. Her father, she explained, passed away on the first day of the last legislative session and her mother was too ill to make the trip.

"This campaign," she said, "was for my dad."

Sen. Gene Stipe, D-McAlester, who has been serving in the legislature since 1948, told those gathered for the ceremony that he had attempted to convince members of his family to attend but without success.

"My granddaughter is having a ballet recital today," he said, "so I was kind of pre-empted."

Sen. Bill Mickle, D-Durant and majority floor leader, will not face reelection until 1998, but he joined his fellow lawmakers on the floor, taking advantage of the time to announce his reelection bid and to comment on Stipe's tenure.

"I was three-years-old," Mickle said, "when Sen. Stipe entered the Senate. I grew up in his district, but I had to move out of it to get elected."

The scene was much the same in the House, where Speaker-elect Loyd Benson, D-Frederick, presided over his first gathering of all 101 representatives.

Rep. Sean Voskuhl, D-Marshall, joked about the narrow margin by which he won reelection, 18-votes, saying he was "back by popular demand."

Rep. Mike Mass, D-Hartshorne, said his wife and daughter had come to the capitol, "because they heard they could get a free airplane ride," referring to the controversy surrounding the recently-purchased governor's airplane.

Ironically, Benson then called on Rep. Russ Roach, D-Tulsa and the most outspoken critic of the airplane purchase. The laughter in the House soon died as Roach described a recent conversation with his wife in which she, citing personal attacks during the recent election, said she hoped their son never sought public office.

"That's something we should think about," Roach said, wiping away tears. "That's something we can change."

Only moments earlier, Roach's son appeared to become the youngest person ever to take the oath of office, standing beside his father with his hand raised, reciting the oath along with his father.

The impact of the general election was also evident in places other than the House and Senate floor. A notecard placed on the House pressboard, for example advertised a cottage for rent, where "Rep. Stottlemire stayed (here) for three terms."

Stottlemire, D-Tulsa, lost his District 77 reelection bid to Mark Liotta, R-Tulsa.

—SHAWN ASHLEY
11/19/96

BILL TO PROTECT PUBLIC WORKERS FILED

■(GIT) Two state lawmakers filed a measure on Monday which would forbid municipalities and counties from adopting rules or policies for employees who act to defend their family or home that are more harsh than those applied to other citizens.

SB3, by Sen. Charley Ford, R-Tulsa and Rep. Ray Vaughn, R-Edmond, follows publicity during the summer about the case of John Jerkins, a Stillwater police officer who was demoted and disciplined after refusing to admit that he was wrong when he slapped a 17-year-old boy he found in his home and who had just had sex with his daughter.

Ford said neither a city nor a county has a right to tell its employees how to parent their children in their own homes.

The bill is third to be filed in anticipation of the 46th legislative session and the first to carry both a House and Senate author.

—SHAWN ASHLEY
11/19/96

LIBERTARIAN PARTY SUES STATE ELECTION BOARD

■(GIT) The state chapter of the Libertarian Party asked a federal judge on Monday to prevent the state election board from enforcing a law that would put an end to the party's official recognition, effectively removing them from future ballots.

The party's presidential candidate, Harry Browne, garnered only 5,005 votes in the general election, a little less than one-half of one percent and well below the 10 percent of the votes cast in a general election needed to remain a recognized political party.

"The law requires that political parties receive at least 10 percent of the vote in a general election," said Lance Ward, state election board secretary, "and that if they do not, they will cease to exist as a recognized

party. That is exactly what happened here."

The statute, the lawsuit alleges, favors the established and more entrenched political parties — Republicans, Democrats and Reformers — over smaller, fledgling organizations.

"I would say the fact that we've had three federal suits filed against us this year is a bit odd," Ward said. "It's not unusual to have a candidate, particularly a defeated candidate, bring an action in district court and to see that move to the Oklahoma Supreme Court during a major election season, but that didn't happen this time."

When the Reform and Libertarian parties' suits are decided, Ward added, essentially every aspect of Oklahoma's election laws will have been touched in one way or another.

"The Natural Law Party took issue with the requirements to get on the ballot," Ward explained. "Then, the Reform Party is challenging the process involved in registering people. This lawsuit addresses the requirements to remain on the ballot. After this, I'm not sure what is left."

—SHAWN ASHLEY
11/19/96

HOUSE DEADLINES SET; SENATE WAITING

■(GIT) The official start of the 46th Legislature is still 2 1/2 months away, but that does not mean the lawmaking process is not already underway.

Members of both the state House and Senate face certain deadlines in order for their ideas about the state's public policy to become law.

In the House, which will hold an organizational meeting Jan. 7, representatives must meet the following deadlines;

✓ Dec. 13, deadline for requesting bill drafting;

✓ Jan. 10, deadline for introduction of bills; and

✓ Jan. 20 to 31, committee work on bills.

In the Senate, the deadlines are less certain, pending a decision by Sen. Bill Mickle, D-Durant and majority floor leader, who is responsible for setting that legislative house's deadlines. It is expected, however, that the Senate will follow its traditional deadlines, requiring bill drafting requests to be submitted by the middle of January and setting an end of January deadline for bills' filings.

Continued on next page

STATE NEWS WEEKLY SUMMARY CONTINUED

How many bills will cross lawmakers' desks is uncertain, even among those who deal with the measures.

"It's just too hard to guess" how many measures will be filed, Larry Warden, chief House of Representatives clerk, said. "Each of the past few years they have set a new record, but that doesn't mean it's been a tremendous increase, just a slight increase."

"With only 15 new members in the House," added Warden, "we could see the number being held down, because the already established members are more focused and know which issues they want to deal with."

Of the 1,884 measures introduced during the second session of the 45th Legislature:

- ✓ The governor signed 355 bills and 12 joint resolutions, including 207 House bills and 148 Senate bills, eight House and four Senate joint resolutions;

- ✓ An additional 132 simple and concurrent House and Senate resolutions were adopted and filed with the Secretary of State; and

- ✓ One House bill and one Senate joint resolution were sent to the Secretary of State rather than the governor because they called for statewide elections on constitutional amendments, including the recently-adopted ad valorem reform proposals and Crime Victims' Bill of Rights.

At the same time, Governor Frank Keating issued a total of 52 vetoes, including 17 line-item vetoes, during the 45th's second session and his second legislative term as governor. When added to Keating's single-year record of 57 vetoes at the end of the 45th's first meeting, the governor's two-year total stands at 109, outpacing many of the state's former chief executives.

—SHAWN ASHLEY
11/20/96

ELECTION BOARD BEGINNING PURGE PROCESS

■(GIT) The enactment of the so-called Motor Voter Law put an end to voter registration purges in Oklahoma as they were once known, but now the State Election Board is gearing up to implement a new process that could result in some voters having their names dropped from the rolls.

Three groups of non-voters, Ward said, have been identified and will be sent letters that, combined with the voter registrants' own actions, will determine whether their names remain on the voting rolls.

The first group, Ward explained, are the potential duplicates, individuals who for one reason or another are registered in two or more different precincts.

Those individuals, the state election board secretary explained, will be asked to identify their correct place of residence. If they fail to respond and fail to vote in the next two general elections — 1998 and 2000 — their names will be removed from the voter rolls, Ward said.

The second group will be made up of those to whom the election board has sent first class mail, including such things as voter registration cards and absentee ballots, and the mail has been returned. If they fail to respond to a letter from the board and fail to vote in the next two general elections, Ward said, their names, too, will be removed from the voting rolls.

The final group is made up of those registered voters who have not voted in the past two general elections, 1994 and 1996. They will receive a letter, according to Ward, asking that they confirm their place of residence.

"Everyone who responds to that letter," Ward said, "will remain on the voter rolls. If, however, they fail to respond and do not vote in the next two general elections, they, like those in the other two groups, will be removed from the rolls."

Once a person is removed from the rolls, Ward added, they are not completely removed from the election process. They are free, he explained, to re-register and to vote in future elections.

—SHAWN ASHLEY
11/20/96

PHILLIPS: LAWMAKERS CAN'T HELP PROTECT CROSSES

■(GIT) A state lawmaker would like to see the state legislature consider a measure that would protect municipalities with crosses on their city seals, but admits such an effort would likely be "moot."

"I believe the state legislature would pass something like that," Rep. Richard Phillips, R-Warr Acres, said. "I think the overwhelming majority of Oklahomans would support it, and I hope a majority of Americans would support it."

"But in the end, I don't think there's anything we could do. I think it would be moot, because the separation of church and state is something ultimately left to the Supreme Court."

While legislative action is unlikely and would probably prove unfruitful, Phillips is urging municipalities to protect such seals. On Tuesday, the Warr Acres lawmaker urged members of the Bethany city council to "reject the pressure of liberal courts" and ignore demands to alter that city's seal.

In a letter to Bethany mayor Don Willis and members of the city council, Phillips asked officials to stand up to "a small vocal group of morally destructive attack dogs to influence a city that was originally created and made great by true believers in human decency and a love for the life God has bestowed upon us."

At issue is a demand by Rev. James Shields that the words "Southern Nazarene University" be removed from Bethany's city seal. Shields, a retired Methodist minister, says he thinks the phrase violates constitutional provisions for separation of church and state.

A similar dispute in Edmond resulted in a ruling by the U.S. Supreme Court which required that city to remove a Christian cross from its city seal earlier this year.

—SHAWN ASHLEY
11/20/96

HEALTH & HUMAN SERVICES

THE DIABETES THREAT TO OKLAHOMA

■(OKLAHOMA CITY) In a 1994 report on Oklahoma, it was estimated that 183,000 Oklahomans have diabetes, and only half have been diagnosed. Oklahomans with diabetes face not only a shortened life span but also suffer significant diabetes related complications.

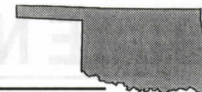
"The 1993 data reflected that 641 deaths were due to diabetes," said J.R. Nida, M.D., commissioner of health, "and the cost of diabetes to Oklahoma was estimated at \$1.2 billion in both medical care (direct) and lost productivity (indirect) costs." Diabetes is a chronic disease that impairs the body's ability to use food properly.

"While there is no cure for diabetes as yet, it can be controlled," said Nida. "The main goal of diabetes treatment is to control blood glucose levels and keep them in the target range. The specific kind of treatment used to control blood glucose depends on the type of diabetes a person has."

Type I (insulin dependent) Diabetes oc-

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STATE NEWS WEEKLY SUMMARY CONTINUED



curs when a person's pancreas produces no insulin.

Type II (non-insulin dependent) Diabetes occurs when a person's pancreas still produces insulin, but for some reason the body is not able to use it effectively.

Gestational Diabetes can suddenly appear in pregnant women who have never exhibited any signs of high blood glucose.

For more information about diabetes, contact your doctor, your county health department, or call the American Diabetes Association toll free at 1-800-259-6553 or Juvenile Diabetes Foundation toll free at 1-800-544-2873.

—OKLAHOMA DEPT. OF HEALTH
11/18/96

HEALTH DEPARTMENT CONFIRMS FIRST HANTAVIRUS CASE IN OKLAHOMA

■(GIT) Oklahoma Health Department officials recently confirmed the first case of Hantavirus Pulmonary Syndrome in a resident of Texas County in the state's Panhandle, said J.R. Nida, M.D., Oklahoma State Department of Health commissioner.

"HPS is a newly discovered viral disease, considered to be an emerging pathogen," Nida said. "The virus is present in the excreta (urine or droppings) of infected mice. Persons may become exposed to the virus by breathing airborne particles of dust containing the virus. Cases are associated with exposure to rodents, rodent excreta and contaminated dust."

The best way to avoid exposure to the virus is to avoid areas that may be infested with rodents.

Dr. Mike Crutchers, state epidemiologist, said Hantavirus does not affect its rodent carriers. It is transmitted to humans through an environment contaminated by rodent urine, droppings or saliva, but cannot be transferred from person to person.

The disease was first reported in the United States in an outbreak in the Four Corners region of New Mexico and Arizona in 1993.

Crutchers said many varieties of Hantavirus exist around the world, but the strain found in the United States is known as *Sin Nombre*.

If one suspects one has been in an area contaminated by the virus, one should see a doctor. Crutchers said a chest x-ray will be able to help a doctor distinguish between

Hantavirus and the flu. The first symptoms of the disease appear approximately two weeks after contact with the virus. There is no evidence of person-to-person spread of the disease.

Hantavirus is characterized by high fever, muscle aches and stomach complaints. Crutchers said that these symptoms do sound a lot like the ordinary flu, but the infected person then develops a dry cough followed by an abrupt onset of pneumonia.

People who are infected with the virus must be hospitalized under intensive care, Crutchers said. Hospital personnel treat the person aggressively, which may require careful management of electrolytes and respiratory support.

The doctor said no cures or treatments have been developed to date.

—MICHELLE BOYD WATERS
11/19/96

GOVERNOR RECEIVES TRAUMA TASK FORCE REPORT

■(OKLAHOMA CITY) Governor Frank Keating Tuesday received a report and final recommendations from the Governor's Task Force on Trauma Systems Development for Oklahoma. The task force was formed after questions arose over the state's lack of a formal, comprehensive trauma care system.

Among the recommendations of the task force: establishment of a statewide trauma system that matches minor or major trauma hospital recourses with an injured person's treatment needs; implementation of standardized guidelines for patient triage, transport and transfer statewide; implementation of a trauma registry in all hospitals and rehabilitation centers statewide; exploration and implementation of digital and communications technology (telemedicine); promotion of statewide access to 9-1-1 service; and implementation of widespread injury prevention education programs.

The task force was formed following the airing of a national TV news program which pointed out apparent flaws in Oklahoma's system.

—THE GOVERNOR'S OFFICE
11/19/96

*"It is easier to know man in general
than to understand one man in
particular."*

*La Rochefoucauld
Maxims, 1665*

ADOPTION REFORM ON THE WAY

■(GIT) Nine members of the Adoption Law Reform Committee met at the Capitol Thursday. Representative Russ Roach, D-Tulsa, chaired the four hour meeting to discuss proposed changes in state adoption laws. The Committee debated recommendations and amendments to several adoption law proposals, before submitting a report to the House staff for bill drafting.

The first issue considered was a Putative Fathers Subcommittee Report. A procedure was established permitting a putative father of a child conceived out of wedlock to consent to adoption prior to or after the birth of a child. If the consent was executed before a District Court Judge, the consent would be irrevocable except for fraud or duress by the adoptive parents or adoptive agency.

Current law allows a birth parent to petition a court to withdraw consent within 30 days. The court may grant this request if they find it is in the best interest of the child. Due to Judges' varying opinions about what constitutes the best interest, there have been inconsistencies in application of the provisions. Making the consent irrevocable will bring consistency and certainty to the process.

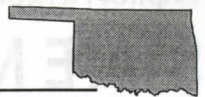
Tulsa Law Professor, Marianne Blair, unsuccessfully petitioned for revocability for any reason for up to seven calendar days following a birth. Committee member John O'Connor suggested future committees discuss whether a Judge must confirm that a biological parent has spoken with an attorney and is aware of all the consequences of relinquishing their rights, before a waiver may be granted.

An affidavit could be signed before a notary public if the father did not want to avail himself of the court. In the event of an affidavit being signed the consent could be revoked for any reason for fifteen calendar days following execution. The affidavit would constitute a waiver of the right to receive notice of any adoption proceeding or any proceeding to terminate parental rights regarding the child. In addition, signing the document would be considered a denial of interest in the child. Therefore, the court could terminate any parental rights the putative father had to the child and approve an adoption without his consent.

Consent executed before the birth of a child would not extinguish the birth father's duty to support the mother or child during

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STATE NEWS WEEKLY SUMMARY CONTINUED



the pregnancy or prior to entry of the adoptive parents. In the event that the biological parents' rights are not severed, the birth father's parental rights would remain intact and his duty of support would not be extinguished.

Next, a Subcommittee recommended a statutory requirement that a birth mother may not be able to execute a consent to adoption or relinquish her parental rights within 72 hours of the birth of a child. A majority of the Committee was in favor of this proposal. However, chairman Roach suggested that the Committee consider if a better solution would be to only let a mother give consent after a doctor has said she is capable. This would allow consent to be given before 72 hours, or extended if needed, depending on the patient's condition. Michael Normura with Dillon International, Inc. suggested the possibility of the time period being set at 24 hours after a doctor discharges the new mother.

A final recommendation was made addressing hospitals practice of withholding discharge of a child for non-payment. The Committee unanimously agreed that "holding the adoptee hostage" is unacceptable. Propositions to remedy the problem ranged from creating a statutory tort of false imprisonment of a child to criminal sanctions. The suggestion of statutory language making it clear that pre-adoption expenses remain the responsibility of the natural parents or a framework for reimbursement of adoptive parents by natural parents if the adoption is not completed seemed to be the most plausible answer.

The Adoption law Reform Committee will reconvene on December 12th to discuss further recommendations including discussion of the limits on expenses paid by adoptive parents to the biological parents.

—BRANDON WEBB
11/21/96

"To buy books would be a good thing if we could also buy the time to read them; as it is, the mere act of purchasing them is often mistaken for the assimilation and mastering of their contents."

Schopenhauer
"On Reading and Books"
Parerga and Paralipomena, 1851

OCCY DISCUSSES SYSTEM OVERHAUL

■(GIT) Following an extended executive session Thursday, members of the Commission on Children and Youth tackled several of the complicated issues and concerns shared by the members and the public regarding an apparent breakdown in the current system responsible for addressing child abuse and foster care problems.

"The best we can hope to do is fix pieces and hope it results in a systemic change," Thomas S. Kemper, director of the Commission, said.

Members agreed that the juvenile system which handles child abuse cases needs to be changed to eliminate situations like the death of Shane Coffman from occurring again.

Kemper said the Coffman case was an example of each person involved doing only what was minimally required of them by law.

The case slipped through the cracks until Coffman's death because the authorities and citizens involved had no way to compare their information and see all of what was happening.

Details of the recommendations from the Governor's task force on overhauling the juvenile system will be discussed by the commission at its Dec. 19 meeting.

In other business, the commission appointed John Brown, a representative of the Department of Human Services, to the Child Abuse Prevention Training and Coordination Council.

—MICHELLE BOYD WATERS
11/21/96

TRANSPORTATION

CORPORATION COMMISSION APPROVES 10 RAILROAD CROSSING UPGRADES

■(GIT) The Oklahoma Corporation Commission recently approved applications by the Burlington Northern Railroad for safety and facility upgrades of 10 railroad crossings.

G. R. (Buddy) Combs, Corporation Commission railroad manager, said that the intersections ranged from being too rough to being dangerous. He said that each railroad crossing in Oklahoma is given a priority. When the crossing reaches the top of the priority list, it is repaired, Combs said.

ODOT and Burlington worked on terms agreeable to both organizations and then

ODOT sent the application to the commission.

Federal railroad grade crossing improvement funds will pay 90 percent of the estimated \$840,825 cost of the upgrades. Cities, counties and the railroad will provide the required 10 percent matching funds.

The upgrade applications approved are:

- **ALTUS:** flashing-light signals with gate arms and a 40 foot concrete crossing surface at Ridgecrest Road. The estimated project cost is \$103,000. The city of Altus will pay \$10,300.

- **BEGGS:** flashing-light signals with gate arms at a county road approximately two miles south and two miles east of Beggs. The estimated project cost is \$76,800. Okmulgee County will pay \$7,680.

- **ENID:** flashing-light signals with gate arms and a 70 foot concrete crossing surface at East Chestnut Avenue. The estimated project cost is \$71,500. The City of Enid will pay \$7,150.

- **FOYIL:** flashing-light signals with gate arms and a 48 foot concrete crossing surface at State Highway 66. The estimated project cost is \$90,000. Rogers County will pay approximately \$9,000.

- **HENRYETTA:** flashing-light signals with gate arms and a 40 foot concrete crossing surface at Corporation Street. The estimated project cost is \$100,000. The City of Henryetta will pay \$10,000.

- **HOLDENVILLE:** two 32 foot timber crossing surfaces and two railroad crossing advance warning signs at a county road about 1 mile south of Holdenville. The estimated project cost is \$32,845. The Burlington Northern Railroad will pay about \$3,285.

- **OKMULGEE:** flashing-light signals with gate arms and a 32 foot concrete crossing surface at Auction Barn Road. The estimated project cost is \$52,000. Okmulgee County will pay \$5,200.

- **OKMULGEE:** flashing-light signals with gate arms and a 56 foot concrete crossing surface at Sixth Street (State Highway 56). The project cost is estimated at \$156,400. Of the 10 percent required matching funds, the state will pay \$12,360 and the Burlington Northern will pay \$3,280.

- **SAPULPA:** flashing-light signals with gate arms, two railroad crossing advance warning signs and two sets of pavement markings at Armory Road. The estimated project cost is \$75,780. The City of Sapulpa

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STATE NEWS WEEKLY SUMMARY CONTINUED



and Creek County will share equally matching fund costs of \$7,578.

- **SUMNER:** flashing-light signals with gate arms and a 32 foot timber crossing surface at Red Rock Road near Sumner. The project cost is estimated at \$82,500. The Burlington Northern will pay \$8,250.

Combs said the upgrade projects comply with all state railroad crossing safety regulations. Crossing upgrades financed 90 percent by federal grade crossing improvement funds must be completed within 12 months, he added.

—MICHELLE BOYD WATERS
11/19/96

UTILITIES

TWO COMPANIES APPROVED FOR LOCAL TELEPHONE SERVICE

■(GIT) The Oklahoma Corporation Commission has approved the applications of Western Oklahoma Long Distance Inc., Clinton, and U.S. Long Distance Inc., San Antonio, Texas, to provide local-exchange telephone service in Oklahoma.

They are the sixth and seventh companies approved to compete for local-exchange customers since the Corporation Commission adopted Oklahoma local competition rules in March.

Application information filed with the Corporation Commission indicates Western Oklahoma Long Distance has been a reseller of long-distance services in Oklahoma since 1988.

The five companies approved earlier to compete for local-service telephone customers are AT&T Communications of the Southwest, two Oklahoma subsidiaries of Brooks Fiber Properties, St. Louis; Spring Communications, Kansas City; Dobson Wireless, Oklahoma City; and Chickasaw Telecommunications, Sulphur.

—MICHELLE BOYD WATERS
11/18/96

TASK FORCE DISCUSSES ELECTRIC UTILITY RESTRUCTURING BLUEPRINTS

■(GIT) The legislature's Joint Interim Committee on Electric Utility Task Force turned its attention Thursday to possible blueprints for electric utility restructuring.

Such restructuring, which is expected to lead to electric retail wheeling, is expected to "ultimately occur," said task force chairman Sen. Kevin Easley, D-Broken Arrow.

"The purpose of looking at these blueprints is to see how the state might go about implementing that."

The three blueprints offered Thursday varied in the degree of reform proposed, ranging from the slight to the sweeping.

Jim Wilson, manager of governmental affairs for OG&E, outlined the components he said that he and others with the company believed would be necessary to shape the move, a move he said his company did not endorse, but because it felt such a move was inevitable, believed it should play a role in shaping the move.

To be effective, Wilson told the task force, "The state of Oklahoma should enact customer choice in the selection of electric energy supply for all electric consumers when mandated by federal laws or when all surrounding states that touch Oklahoma borders have implemented retail wheeling or consumer choice."

If Oklahoma moves first, Wilson contended, it could allow out-of-state companies to "cherry pick" certain areas, leaving Oklahoma-based firms with stranded or unrecoverable investments in certain areas. Additionally, Wilson noted, Congress has considered and is likely to consider again electric utility deregulation legislation.

Asked by Easley whether waiting to implement restructuring might hurt economic development efforts in the state as industries located in other states where deregulation had reduced electricity costs, Wilson said, "No," adding that Oklahoma's electric rates were low, even in comparison to some states that had experimented with deregulation, such as California.

Wilson's blueprint also called for universal or open access to electric distribution systems.

Additionally, Wilson said, distribution access would be regulated by the Corporation Commission, having jurisdiction limited

to establishing distribution fees which would include stranded costs, social costs, access fees and exit fees for all electricity customers. Under the proposal, the Federal Energy Regulatory Commission (FERC) would continue to regulate charges for transmission access, while the generation of electricity and its marketing would remain unregulated.

In order to determine the cost of distributing electricity, Wilson proposed unbundling of distribution facilities.

An important component, Wilson said, of any restructuring effort would be tax equalization.

Specifically, Wilson proposed the repeal of all existing state taxes on electric utilities and on the sales of electricity. Those taxes would then be replaced with a 4.75 percent gross receipts tax on the retail sales of electricity. Two-and-three-quarters percent of that revenue would be allocated to schools and vo-techs on the basis of average daily attendance, he added, while one percent of the tax revenue would be allocated to the counties on the basis of revenue obtained from each county on electricity sales. One percent of the revenue would be deposited in the state's general fund.

Admitting that such a proposal might not be politically popular, Wilson advanced a second tax equalization proposal to repeal the state sales tax applicable to retail sales of electricity and exempt sales tax on the purchase of goods and services for all electric utilities. In place of those taxes, Wilson suggested the implementation of a 1.75 percent electric service tax on all electricity sold to the ultimate customer, including total energy sales, transmission fees and distribution access fees. Additionally, Wilson proposed, all electric service generating, transmitting and distributing entities would be subject to ad valorem taxes or a two percent tax on their gross receipts.

Under the terms of Wilson's blueprint, "Certain costs shall be allowed to be recovered as part of the restructuring of the electric industry," including costs associated with federally mandated contracts and debt or assets that are not competitive. Such costs, Wilson explained, would be recovered through an access or an exit fee, which would be charged at the consumer level when an electric customer leaves the electric utility transmission or distribution system. A fee to recover stranded utility costs would be added

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"What truly indicates excellent knowledge, is the habit of constant, sudden, and almost unconscious allusion, which implies familiarity, for it can arise from that alone."

Walter Bagehot
Literary Studies
1879

STATE NEWS WEEKLY SUMMARY CONTINUED

to the FERC access fee for customers served at a transmission voltage, Wilson added.

In a related area, Wilson said, the Corporation Commission would determine certain social benefits, such as residential low usage rate programs, peak saving programs, energy audits, third-party notification programs prior to non-payment cutoffs, adverse weather cutoff moratoriums and others, and implement those programs on a statewide basis for all customers to fund through a social benefits fee. Additionally, a charge to recover stranded social costs should be added to the FERC access fee, Wilson said. If FERC would not allow such a fee, Wilson added, then a one-time cost similar to an exit fee would be charged.

To prevent municipalities from losing revenue due to deregulation, Wilson said, "City franchise fees and the two percent in-lieu of franchise fees shall be based on the total billing of electricity to the ultimate consumer." To capture revenue from out-of-state distributors, Wilson proposed that city and county sales taxes would be levied on the total billing for electricity to the ultimate consumer.

"The only exemption from this tax will be by statute for the ultimate consumer," said Wilson, adding that "no exemption will be given on the basis of who is providing electric generation, transmission or distribution services."

Wilson also advanced two proposals addressing the issue of customers who switch distribution providers. Under the first proposal, customers would be allowed to choose other distribution service providers, but would be required to pay an exit fee to their original distribution provider.

"The exit fee shall cover any stranded costs, plus an amount to recover the investment of the losing distribution provider," Wilson explained. Such a fee, he added, would be set by the Corporation Commission.

If that proposal was not acceptable, Wilson suggested, "New customers would be served by the electric distribution provider who could provide the least cost service according to a formula on file and approved by the Oklahoma Corporation Commission," while existing electric customers would be required to remain with their current electric distribution provider.

Asked by Easley whether such requirements could possibly stifle competition,

Wilson said electricity distributors would need some guarantee that they could recover investments made to deliver their service to end-line customers. Wilson distinguished between switching suppliers and distributors, saying customers would not be assessed a fee for changing suppliers, only distributors.

Speaking on behalf of the state's industrial energy consumers, Scott Shelton, vice president of energy for Terra Nitrogen, laid out a more expansive restructuring blueprint. Like Wilson's, the plan was aimed at providing customer choice and price competition at the retail level.

Shelton's plan called for the deregulation of electric generation and the creation of a so-called independent system operator (ISO), which would control electricity's transmission, provide or coordinate ancillary services, provide dispatching services and maintain and ensure system reliability. Unregulated affiliates of electric utilities would be separated from the utility under Shelton's proposal.

Like Wilson's plan, Shelton's proposal called for a continued roll for the Corporation Commission in electric utility regulation. Specifically, Shelton said the commission would provide a framework for transmission access; regulate distribution assets; protect against market power abuse; provide oversight of utility affiliate relationships; and qualify electric power suppliers.

A restructured electric utility industry, Shelton said, would be made up of independent generation resources; an Independent System Operator; a regulated, nondiscriminatory transmission grid; a regulated distribution system; and industrial, commercial and residential customers.

In response to questions from Easley, Shelton said his proposal differed from the one advanced by Wilson in a number of ways, including:

- Prohibiting the passing on of stranded costs to the consumer unless the consumer agrees to pay such costs; and
- A more aggressive implementation plan, calling for deregulation to begin as soon as possible as opposed to after national or regional action.

Additionally, Shelton noted, the task force and lawmakers should look cautiously at the implementation of access and exit fees, "because they could restrict competition, and I think that's what we want to achieve."

The most aggressive blueprint was advanced by Shane Woolbright, executive director of the Municipal Electric Systems of Oklahoma, Inc., who called for the state to acquire the assets of private electric utilities and cogenerators and to resell the distribution systems to local government entities. Such a move, he said, would benefit 80 percent of the state residents which currently receive their electric service from non-governmental providers.

Such an acquisition, Woolbright estimated, would cost roughly \$3.5 billion. That money would be recovered, he said, when the state spun off the distribution systems to local government entities.

The generation of electricity, Woolbright said, would be the responsibility of new state agencies, while transmission would be transferred to a single system operator.

In the long run, Woolbright said consumers would pay less for electricity because tax exempt bonds could be used for expansion of generation, transmission and distribution services.

Woolbright said such a plan would take at least one year to put in place, with the sale of the distribution system taking perhaps a bit longer.

Easley, who plans to carry a restructuring bill during the upcoming legislative session, joked that such a plan might invite comparisons to Hillary Clinton, whose work with health care was criticized for growing the size of government.

The blueprints presented Thursday, Easley said, would be evaluated and a bill made up of the best suggestions would be presented to the task force for its consideration when it meets in December.

—SHAWN ASHLEY
11/21/96

"Some have wondered that disputes about opinions should so often end in personalities; but the fact is, that such disputes begin with personalities; for our opinions are a part of ourselves. Besides, after the first contradiction it is ourselves, and not the thing, we maintain."

Edward Fitzgerald
Polonius
1852

FEDERAL NEWS WEEKLY SUMMARY



AGRICULTURE

USDA'S MEAT AND POULTRY HOTLINE: MORE THAN 1 MILLION SERVED

■(WASHINGTON) From novice cooks wondering how long to roast a chicken to more experienced bakers unsure about what kind of cutting board to use, the home economists on the U.S. Department of Agriculture's Meat and Poultry Hotline have heard it all — one million times.

This month, the Hotline answered its one-millionth call, a milestone for the toll-free service providing food safety information to consumers.

"Since its beginning in 1985, the Hotline has provided cooks across the country with help providing meals — safely — for their families," said Agriculture Secretary Dan Glickman. "The Hotline is a vital part of USDA's consumer food safety education efforts and this one-millionth call is a milestone that celebrates these efforts and honors the talented, dedicated staff."

Calls to Hotline have changed through the years, according to Susan Conley, Food Safety and Inspection Service's Education and Communications Staff Director. Conley, one of the first home economists answering calls when the Hotline was established in 1985, said that in the mid-eighties, calls were more general in nature concerning safe handling of food. Today, kitchen sanitation is a frequent topic with callers more familiar with specific foodborne bacteria and technology.

The Meat and Poultry Hotline operates year-round, Mon.-Fri. from 10 am to 4 pm, Eastern Time. The Hotline staff also handle caller's last minute concerns on Thanksgiving Day from 8 am to 2 pm ET. Recorded messages on a wide variety of food safety topics are available 24 hours a day. The toll-free number is 1-800-535-4555 and is TDD-accessible.

—U.S. DEPT. OF AGRICULTURE
11/21/96

AWARDS

OSHA, OTHERS COMMENDED FOR DEVELOPING EMERGENCY RESPONSE PLAN

■(WASHINGTON) A plan that improves responses to oil spills and hazardous chemical releases received special recognition from the Clinton Administration.

Vice President Gore's prestigious Hammer Award was presented to representatives of the Occupational Safety and Health Administration (OSHA) and other federal and state agencies and private organizations on Monday in ceremonies at the Dow Chemical Co. facility in Freeport, Texas.

The Integrated Contingency Plan is a guide for reacting to spills and releases under existing federal laws and regulations. It was developed under the auspices of the National Response Team (NRT), a federal inter-agency group with responsibility for establishing national policies and procedures to prepare and respond to emergencies in-

volving oil and hazardous chemicals. The integrated plan is designed to consolidate various agency response requirements, improve coordination, avoid duplication, and simplify response planning.

Assistant Secretary of Labor for Occupational Safety and Health Joseph A. Dear, said, "The new plan makes it easier for businesses and government agencies to do what is necessary to deal with emergencies involving oil spills and the release of hazardous chemicals. Implementation of this plan will save lives. It is another example of how federal reinvention efforts benefit the public."

In addition to OSHA personnel, staff members from the Environmental Protection Agency, the U.S. Coast Guard, the Department of Interior, the Department of Transportation, General Services Administration, the Department of Energy, the Department of Defense, the Department of Agriculture, the Federal Emergency Management Association, the Department of Health and Human Services, and the State of Texas received Hammer Awards for their participation in developing the plan.

Hammer Awards also were presented to representatives of Dow Chemical, Phillips Petroleum Co., International Bird Rescue, Phillip Cartner Co., Inc., the Inner City Fund, and Ecology and Environment, the private sector organizations that assisted in the plan.

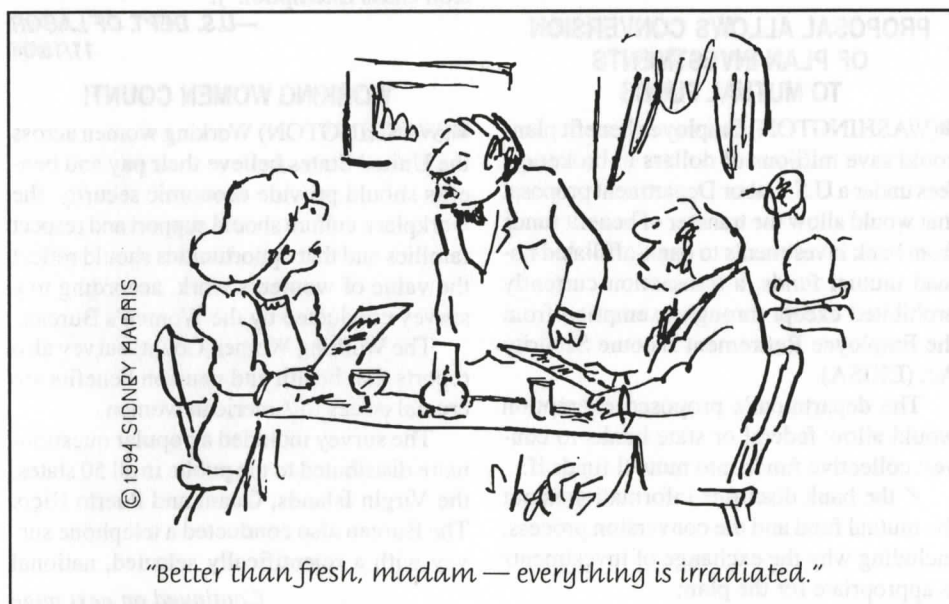
—U.S. DEPT. OF LABOR
11/18/96

EPA RECEIVES VICE-PRESIDENTIAL "HAMMER" AWARD

■(WASHINGTON) On Nov. 18, the Environmental Protection Agency received a Vice-Presidential "Hammer" Award which recognizes teams or individuals for contributions to building a government that works better and costs less.

The Hammer went to EPA's Use and Exposure Team in the Office of Prevention, Pesticides and Toxic Substances, for establishing a partnership with the chemical industry in which up-to-date chemical data are provided to EPA voluntarily, eliminating the need for information collection regulations and improving EPA's ability to assess and act on potential chemical risks to human health and the environment. Over 100 companies have provided new data on 40 chemicals of concern.

—ENVIRONMENTAL PROTECTION AGENCY
11/19/96



"Better than fresh, madam — everything is irradiated."

FEDERAL NEWS WEEKLY SUMMARY CONTINUED



DOE WINS POPULAR SCIENCE "BEST OF WHAT'S NEW" AWARDS

■(WASHINGTON) Flexible solar electric shingles, a desert tower that stores the sun's energy, an inexpensive device to disinfect water, and a new aerosol-based technology for sealing air leaks in heating, cooling, and ventilation (HVAC) ducts — all developed with support from the Department of Energy's Office of Energy Efficiency and Renewable Energy — are winners of *Popular Science* magazine's "Best of What's New" awards for 1996. The Grand Award in Environmental Technology went to the solar shingles.

The solar electric shingle roofing modules were developed by United Solar Systems Corp., in collaboration with Energy Conversion Devices Inc., both of Troy, Mich. They are solar electric modules, resembling conventional asphalt roofing shingles, that are composed of amorphous silicon photovoltaic (PV) cells deposited on flexible stainless steel. These overlapping shingles replace ordinary architectural roofing materials. The modules can produce 5-6 watts AC/square foot peak power in full sun conditions and produce approximately 25 watt-hours/square foot on average for daily energy output.

Solar Two is the world's most technically advanced solar power plant. It uses an innovative molten salt technology to capture and store the sun's energy — a technology vastly different from other solar technologies because it allows the practical storage of solar energy, generating electricity when needed, including at night and in bad weather. Located in California's Mojave Desert, Solar Two uses 1,926 heliostats (mirrors) in a circular formation around a 300-foot tower. The mirrors track the sun's path, focusing sunlight onto a central receiver to generate a clean, inexhaustible supply of energy. Solar Two is a joint effort of DOE and a consortium of electric utilities and high tech companies led by Southern California Edison.

Scientist Ashok Gadgil of DOE's Lawrence Berkeley National Laboratory (LBNL) in Berkeley, Calif., was cited for his development of UV Waterworks. This inexpensive device uses ultraviolet light to cheaply disinfect water from the viruses and bacteria that every year kill millions of people in developing nations. The UV Waterworks is a purification system that uses an off-the-shelf ultraviolet light to kill bacterial and viral contaminants. Running on a

car battery if necessary, one unit can provide water for a village of 1,000 people. Each unit should cost between \$250 and \$600.

A new aerosol-based technology for sealing air leaks in HVAC ducts was developed by LBNL scientist Mark Modera. In typical homes, sealing these leaks can reduce heating and cooling energy costs from 15 to 30 percent. Using Modera's system, grilles are temporarily sealed, aerosolized adhesive particles are blown into the duct system and flow to the leakage sites, creating a sealant. The research to develop aerosol sealing was supported as well by the California Institute for Energy Efficiency, the U.S. Environmental Protection Agency, and the Electric Power Research Institute.

Each year, the editors of *Popular Science* magazine review thousands of new products, technology developments, and scientific achievements to select 100 for distinction as the "Best of What's New." This year's winners were announced at an awards event last week in New York City. A 24-page special editorial section highlighting the award winners is the cover story for the December 1996 issue of *Popular Science*. This year the "Best of What's New" will also extend to millions of computer users on the Internet's World Wide Web. These viewers will choose from the 100 winners for the Reader's Choice Award, to be announced on January 3, 1997.

—U.S. DEPT. OF ENERGY
11/19/96

BUSINESS & LABOR

PROPOSAL ALLOWS CONVERSION OF PLAN INVESTMENTS TO MUTUAL FUNDS

■(WASHINGTON) Employee benefit plans could save millions of dollars in brokerage fees under a U.S. Labor Department proposal that would allow the transfer of benefit funds from bank investments to bank-affiliated no-load mutual funds, a transaction currently prohibited except through exemption from the Employee Retirement Income Security Act (ERISA).

The department's proposed exemption would allow federal or state banks to convert collective funds into mutual funds if:

- ✓ the bank discloses information about the mutual fund and the conversion process, including why the exchange of investments is appropriate for the plan;

- ✓ an independent plan fiduciary gives the bank advance written authorization for each transfer of CIF assets in exchange for shares of a mutual fund;

- ✓ plan clients pay no commissions or other fees in connection with the purchase of mutual fund shares;

- ✓ written confirmation is provided to the independent plan fiduciary within 105 days of the transactions;

- ✓ within 30 days information is furnished which discloses the identity of each security not listed on a national exchange or NASDAQ and the identity of the pricing service or market-maker contacted to determine the value of such securities;

- ✓ combined total fees received by a bank from a client plan for services received cannot exceed reasonable compensation;

- ✓ the value of mutual fund shares received by a plan equals the current market value of its pro-rata share of assets in the CIF on the date of the exchange; and

- ✓ the independent plan fiduciary receives ongoing disclosure of information such as an updated prospectus and a report or statement of fees paid to the bank.

The proposed exemption is in the Nov. 13 Federal Register or via the Internet at <http://www.dol.gov/dol/pwba> after Nov 20. Public comments or requests for a hearing should be submitted in writing to the Office of Exemption Determinations, Pension and Welfare Benefits Administration, Room N-5649, 200 Constitution Avenue N.W., Washington, DC 20210, (Attention: "CIF Conversion Class Exemption").

—U.S. DEPT. OF LABOR
11/18/96

WORKING WOMEN COUNT!

■(WASHINGTON) Working women across the United States believe their pay and benefits should provide economic security, the workplace culture should support and respect families and that opportunities should reflect the value of women's work, according to a survey conducted by the Women's Bureau.

The Working Women Count! survey also reports that health and pension benefits are crucial issues to American women.

The survey included a popular questionnaire distributed to the public in all 50 states, the Virgin Islands, Guam and Puerto Rico. The Bureau also conducted a telephone survey with a scientifically selected, national

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FEDERAL NEWS WEEKLY SUMMARY CONTINUED



random sample, from which it drew specific results for its report.

According to the survey report, many women in the United States are the breadwinners and some the sole support of their families. However, the women are not getting the pay and benefits commensurate with the work they do, the level of responsibility they hold or the societal contribution they make.

Women make up half of the American workforce and many of those women have families that are very important to them, according to survey results.

"(The women) feel that neither their employers nor public policy adequately recognize or support women's family responsibilities," the survey report states. "They report that problems with child care are deep and pervasive, affecting families across the economic spectrum."

Working women reported that they have valuable skills and on-the-job experience, but often do not get recognition and credit for what they can do. The women also report they do not have access to training to build their skills and increase their marketability.

Of critical concern to many women are health and pension benefits. Forty-three percent of women who work part-time and 34 percent of women over 55 years old lack health care insurance. These percentages far exceed the 18 percent of the general population who lack health insurance, the report states.

Fifty-seven percent of the women surveyed give their pension plans negative ratings, including 23 percent who have no pension at all.

—U.S. DEPT. OF LABOR
11/20/96

"Are we to look at cherry blossoms only in full bloom, the moon only when it is cloudless? To long for the moon while looking on the rain, to lower the blinds and be unaware of the passing of the spring — these are even more deeply moving. Branches about to blossom or gardens strewn with flowers are worthier of our admiration."

Yoshida Kenko
Essays in Idleness, c. 1340

EDUCATION

EDUCATION INITIATIVES

■ (WASHINGTON) A weekly look at progress on the U.S. Department of Education Secretary Richard Riley's priorities as of November 14, 1996

Goals 2000

Utah is using Goals 2000 funds to support 32 projects this school year, including a Professional Inquiry Center serving secondary schools in 5 school districts. For information on Utah's previous Goals 2000 grants, please see: www.usoe.k12.ut.us/pubs/goalprof.html

School-to-Work

The School-to-Work National Employer Leadership Council (NELC) recently posted on its web site a tool employers can use to support activities that connect students & teachers to the workplace & enhance company practices: the "Employer Participation Model." For more information on NELC & to see the Employer Participation Model, please visit: www.nelc.org

FCC Decision on Universal Service

Secretary Riley hailed the November 7 recommendation from the Federal-State Joint Board to the Federal Communications Commission (FCC) as "good news for American education." Under the recommendation, which is based on 8 months of deliberation over a 40,000-page record, Secretary Riley said that "Almost 70 percent of all schools will get at least a 50 percent discount on a wide range of telecommunications services. By providing the deepest discounts to schools with the largest number of poor children — discounts of up to 90 percent — the Joint Board begins to give these schools a real start to being part of the ongoing telecommunications revolution."

The full text of the Board's recommended decision & related information are available at: www.fcc.gov/Bureaus/Common_Carrier/Reports/decision.html

Preventing Youth Crime & Violence

"Preventing Crime & Promoting Responsibility: 50 Programs That Help Communities Help Their Youth" is available from the President's Crime Prevention Council. Descriptions of 50 federal prevention programs & lists of federal resource centers, clearinghouses, and publications are included. For a copy or to be placed on the Council's mailing list please call (202) 395-5555, fax (202)

395-5567 or write the President's Crime Prevention Council, 736 Jackson Place, NW, Washington, D.C. 20503.

Hammer Award

Six teams in the Department received the Vice President's 1996 Hammer Award this month in recognition of their contributions to the President's National Performance Review principles of putting customers first, cutting red tape, empowering employees, & getting back to basics. The award went to: the Office for Civil Rights serving the Cleveland region, the Office for Civil Rights serving the Kansas City region, the Cooperative Audit Resolution & Oversight Initiative (a partnership among 4 ED offices and 3 states — Florida, Mississippi, & Washington — to streamline the audit resolution process), the Multi-Input Performance Appraisal System (GPAS) Team (for the performance appraisal system which combines "Pass or Fail" with 360 degree evaluations of employees by their supervisors, co-workers, & customers), the Rehabilitation Services Administration partnership with the Council of State Administrators of Vocational Rehabilitation (for streamlining the process of providing services to rehabilitation agency customers), and the Reinvention Coordinating Council & the 14 teams it chartered (for fostering a climate of reinvention & positive change for the Department & its customers).

Online Library

Recent additions to our Online Library from the National Center for Education Statistics include:

✓ Remedial Education at Higher Education Institutions in Fall 1995

✓ Out of the Lecture Hall & Into the Classroom: 1992-93 College Graduates & Elementary/Secondary School Teaching, With an Essay on Undergraduate Academic Experiences

✓ National Postsecondary Student Aid Study, 1995-96: Student Financial Aid Estimates for Federal Aid Recipients, 1995-96

✓ Report in Brief: National Assessment of Educational Progress (NAEP) 1994 Trends in Academic Progress

✓ Overview of Public Elementary & Secondary Schools & Districts: School Year 1994-95

✓ A Descriptive Summary of 1992-93 Bachelor's Degree Recipients One Year Later: With an Essay on Time to Degree

✓ How Different, How Similar? Com-

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FEDERAL NEWS WEEKLY SUMMARY CONTINUED



paring Key Organizational Qualities of American Public & Private Secondary Schools

✓ Historically Black Colleges & Universities: 1976-1994

✓ Degrees & Other Awards Conferred by Institutions of Higher Education, 1993-94.

—U.S. DEPT. OF EDUCATION
11/18/96

EDUCATION PANEL RELEASES REPORT ON PROGRESS TOWARD GOALS

■(WASHINGTON) This week the National Education Goals Panel issued its 6th annual report on progress towards the eight National Education Goals. This year's report focuses on academic standards and student assessment.

To get a copy of the report call (202) 632-0952, e-mail (LLawrenc@inet.ed.gov), or write the National Education Goals Panel at 1255 22nd Street, NW, Suite 502, Washington, D.C. 20037.

Following are the goals.

GOAL 1: Ready to Learn — All children in America will start school ready to learn.

- The United States was successful in reducing the proportion of infants born with one or more health risks between 1990 and 1994, from 37 percent to 34 percent.

- The United States was also successful in reducing disparities between White and minority infants born with one or more health risks.

- Seventy-five percent of all 2-year-olds were fully immunized against preventable childhood diseases in 1994.

- Only two-thirds of preschoolers were read to or told stories regularly in 1993. By 1996, the proportion had increased to 72 percent.

- In 1991, 45 percent of 3- to 5-year-olds from low-income families were enrolled in preschool programs, compared to 73 percent of those from high-income families.

GOAL 2: School Completion — The high school graduation rate will increase to at least 90 percent.

- In 1990, 86 percent of 18- to 24-year-olds had completed a high school credential. By 1995, the overall completion rate had not increased.

- Disparities in high school completion rates between White and minority young adults did not improve between 1990 and 1995.

GOAL 3: Student Achievement and Citi-

zenship — All students will leave grades 4, 8, and 12 having demonstrated competency over challenging subject matter including English, mathematics, science, foreign languages, civics and government, economics, the arts, history, and geography, and every school in America will ensure that all students learn to use their minds well, so they may be prepared for responsible citizenship, further learning, and productive employment in our Nation's modern economy.

- In 1992, approximately one-fourth of 4th and 8th graders and more than one-third of 12th graders met the Goals Panel's performance standard in reading. Reading achievement remained unchanged among 4th and 8th graders, and decreased significantly among 12th graders by 1994.

- Disparities in reading performance between White and minority students did not improve between 1992 and 1994.

- In 1992, over half of 4th graders and over three-fourths of 8th graders could produce basic, extended, developed, or elaborated responses to narrative writing tasks.

- In 1990, only one out of every seven students in Grade 8, and only one out of every eight students in Grades 4 and 12, had met the Goals Panel's performance standard in mathematics. Mathematics achievement increased significantly in 1992 among 4th and 8th graders, but not among 12th graders.

- Between 1990 and 1992, the gaps in mathematics performance widened between Hispanic and White students and between Black and White students in Grades 4 and 8.

- In 1994, approximately one in six 4th graders, one in seven 8th graders, and only one out of every ten 12th graders met the Goals Panel's performance standard in U.S. history.

- In 1994, the proportions of White and minority students who met the Goals Panel's performance standard in U.S. history differed by 8 to 18 percentage points.

"The firmest line that can be drawn upon the smoothest paper is still jagged edges if seen through a microscope. This does not matter until important deductions are made on the supposition that there are no jagged edges."

Samuel Butler (II)
Notebooks, 1912

- In 1994, approximately one in four 4th, 8th, and 12th graders met the Goals Panel's performance standard in geography.

- In 1994, the proportions of White and minority students who met the Goals Panel's performance standard in geography differed by 19 to 31 percentage points.

GOAL 4: Teacher Education and Professional Development — The Nation's teaching force will have access to programs for the continued improvement of their professional skills and the opportunity to acquire the knowledge and skills needed to instruct and prepare all American students for the next century.

- In 1991, 66 percent of secondary school teachers held an undergraduate or graduate degree in their main teaching assignment. By 1994, this percentage had decreased to 63 percent.

- In 1994, 85 percent of teachers reported that they participated in various in-service or professional development programs on one or more topics.

GOAL 5: Mathematics and Science — United States students will be first in the world in mathematics and science achievement.

- In 1991, American 13-year-olds were outperformed by students in Korea, Switzerland, and Taiwan in all areas tested on an international mathematics assessment, and by students in France and Hungary in four out of the five areas tested.

- In 1991, American 13-year-olds were outperformed by students in Hungary, Korea, and Taiwan in 3 out of 4 areas tested on an international science assessment.

- In 1991, 39 percent of all Bachelor's degrees were earned in mathematics or science, compared to 39 percent of degrees earned by minorities and 35 percent of degrees earned by women. By 1994, the percentages of mathematics and science degrees had increased among all students and among women, but remained unchanged among minorities.

GOAL 6: Adult Literacy and Lifelong Learning — Every adult American will be literate and will possess the knowledge and skills necessary to compete in a global economy and exercise the rights and responsibilities of citizenship.

- Nearly half of all American adults read and write at the two lowest of five levels of English proficiency; 52 percent scored at or above Level 3.

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FEDERAL NEWS WEEKLY SUMMARY CONTINUED



- In 1991, the gap in adult education participation rates between adults who had a high school diploma or less and those with additional postsecondary education or technical training was 27 percentage points. In 1995, the gap had increased to 32 percentage points.

- Disparities in college enrollment between White and minority students did not improve between 1990 and 1994.

- Disparities in college completion between White and Black students did not improve between 1992 and 1995, and worsened between White and Hispanic students.

GOAL 7: Safe, Disciplined, and Alcohol and Drug-Free Schools — Every school in the United States will be free of drugs, violence, and the unauthorized presence of firearms and alcohol and will offer a disciplined environment conducive to learning.

- Between 1991 and 1995, the percentage of 10th graders who reported that they had used an illicit drug during the previous year increased significantly, from 24 percent to 36 percent.

- Between 1993 and 1995, there was no change in the percentage of 10th graders who reported that they had used alcohol during the previous year.

- Attempted drug sales at school increased significantly between 1992 and 1995, according to student reports.

- In 1991, four out of ten 10th graders reported that they had been threatened or injured at school during the previous year. By 1995, the percentage had been significantly reduced.

- One out of every ten public school teachers reported in 1991 that he or she had been threatened or physically attacked by a student from his or her school during the previous year. By 1994, that proportion had increased to about one out of every seven.

- In 1992, 17 percent of 10th graders reported that other students interfered with their own learning at least six times a week. No reduction in class disruptions was seen over the next three years

- In 1991, over one-third of all secondary school teachers felt that student misbehavior interfered with their teaching. This percentage had risen to 46 percent by 1994.

GOAL 8: Parental Participation — Every school will promote partnerships that will increase parental involvement and participation in promoting the social, emotional, and academic growth of children.

- In 1996, 78 percent of public elementary and middle schools reported that more than half of their parents attended regularly scheduled parent-teacher conferences during the school year.

- In 1996, 41 percent of public elementary and middle schools reported that parent input is considered when making policy decisions in three or more areas.

- In 1993, 63 percent of parents of students in Grades 3-12 reported that they participated in two or more activities in their child's school. By 1996, the percentage of participating parents had not increased.

—U.S. DEPT. OF EDUCATION
11/20/96

McCORMICK NAMED CHAIR OF DIRECT LOAN TASK FORCE

■(WASHINGTON) U.S. Secretary of Education Richard W. Riley has selected Joe L. McCormick to serve as chairperson of the Education Department's Direct Loan Task Force.

In his new duties, McCormick will oversee the activities of the William D. Ford Federal Direct Loan Program, under which the federal government issues loans directly to students through schools rather than through private lenders. More than 1,600 postsecondary institutions are now signed up to issue direct loans for nearly two million students. In the program's first two years, more than \$10 billion in direct loans were issued, and another \$12 billion will be made in this, its third year.

McCormick brings more than 29 years of experience in student financial aid management to his new post. He will replace the current chair, Diane Sedicum Voigt, who retires in December. The task force is under the Office of Student Financial Assistance in the Office of Postsecondary Education.

—U.S. DEPT. OF EDUCATION
11/21/96

"Scholars are men of peace, they bear no arms, but their tongues are sharper than Actius his razor; their pens carry farther and give a louder report than thunder; I had rather stand in the shock of a basilico [a large cannon] than in the fury of a merciless pen."

Sir Thomas Browne
Religio Medici, 1643

ENERGY

NEW ENERGY TECHNOLOGIES GIVEN COMMERCIAL BOOST

■(WASHINGTON) Eight projects utilizing renewable energy technologies have been selected for negotiation by the Department of Energy to receive up to \$14 million in grants or cooperative agreements. These projects, which include support for a "green pricing" utility project, commercialization of a new type of thin-film solar cell and ethanol production from potato wastes, will leverage an additional \$37 million from companies in California, Massachusetts, Colorado, Pennsylvania, New York, Florida, Michigan, and Wisconsin.

In announcing the selections, DOE's Assistant Secretary for Energy Efficiency and Renewable Energy Christine A. Ervin said, "The winning projects have high potential for commercial success and environmental benefit. They also demonstrate that financial barriers to commercializing renewable energy technologies can be overcome with appropriate partnerships and leadership."

DOE's Commercialization Ventures Program was started in 1989 to help viable, emerging renewable energy technologies enter the marketplace by reducing financial barriers to commercialization and by leveraging private sector funding. The eight winning projects were selected out of 76 applications submitted by state energy offices.

—U.S. DEPT. OF ENERGY
11/18/96

DOE AGREES TO SETTLEMENT IN RADIATION EXPERIMENT CASES

■(WASHINGTON) In New York this week at the American Public Health Association annual meeting, Secretary of Energy Hazel R. O'Leary announced the final settlement in 12 of 18 human radiation experiment cases involving the injection of plutonium and uranium. Family members of 11 persons injected with plutonium and as well as one woman injected with uranium as part of Cold War-era research experiments will share a total of \$4.8 million as part of a settlement agreed to by the Department of Energy and the Department of Justice.

In addition to providing financial compensation, as part of the settlement Secretary O'Leary plans to personally meet with

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FEDERAL NEWS WEEKLY SUMMARY CONTINUED



family members of the individuals subjected to these experiments and the one uranium survivor in January.

In October 1995, a Presidential Advisory Committee on Human Radiation Experiments recommended that financial compensation be made to the surviving family members of the persons who received these injections. The details of these experiments and hundreds of others were released by Secretary O'Leary in late 1993, which resulted in investigation, review and recommendations by the advisory committee.

Since that time, legal claims have been made against the government and other parties involved in the experiments in 17 of the 18 cases. In addition to the 12 claims resolved in this settlement, one other plutonium claim was settled earlier this summer. The four additional plutonium claims continue to be negotiated by representatives from the Department of Energy and the Department of Justice.

—U.S. DEPT. OF ENERGY
11/21/96

ENVIRONMENT

COMMENTS INVITED ON REQUEST BY ROSE GROWERS

■ (WASHINGTON) The Environmental Protection Agency is inviting comments on a request from rose growers to allow workers to harvest roses by hand earlier than would otherwise be permitted under the Worker Protection Standard (WPS).

Among other things, the WPS prohibits agricultural workers from entering pesticide-treated areas for specified periods of time ranging from four to 72 or more hours (depending upon the toxicity of the pesticide) following pesticide applications.

The request by Roses Inc. covers all cut-rose production in greenhouses throughout the United States. According to Roses Inc. without an early-entry exception allowing for harvest of cut roses two times per day, cut-rose growers will lose a significant portion of their crop and therefore suffer substantial economic harm. Roses Inc. also maintains that health risks to workers would not be increased.

In 1994, EPA granted an exception that allowed, under specified conditions, early entry into pesticide-treated areas to harvest roses by hand for a maximum of three hours

during a 24-hour period. The exception expired in June of this year. In granting the 1994 exception, EPA noted that if rose growers needed an exception beyond the two years, the industry would need to provide additional information concerning economic hardship, as well as measures to mitigate risks to workers.

EPA is soliciting comments on whether the data submitted are adequate to support granting the requested exception.

Comments on the request by Roses Inc. are due to the Agency by Nov. 29 and should be sent to: Public Response and Program Resources Branch, Field Operations Division (7506C), U.S. EPA, 401 M St. S.W., Washington, D.C. 20460. The Federal Register notice of this announcement appeared on Oct. 30.

—ENVIRONMENTAL PROTECTION AGENCY
11/19/96

FOREIGN AFFAIRS

BIPARTISAN PRESIDENTIAL COMMISSION CALLS FOR A 'NEW DIPLOMACY'

■ (WASHINGTON) America needs a new diplomacy rooted in the Information Age and designed to engage increasingly powerful foreign publics, the U.S. Advisory Commission on Public Diplomacy said in its report to the President and Congress.

The Commission said America's foreign affairs agencies have yet to take advantage of the growing role of foreign publics and the revolutionary advances in technology.

"We have an immense edge in a world where people and information matter more," said Chairman Lewis Manilow. "To ignore this edge would waste an incredible opportunity. To exploit this edge requires a complete rethinking of U.S. foreign affairs agencies."

The report urges foreign affairs agencies to engage publics outside foreign ministries through wider personal contacts and by creative use of the Internet, the World Wide Web, and digital video conferencing. The Commission recognizes the effectiveness of non-governmental organizations with those publics and urges diplomats to seek out ways to work together with the non-governmental organization (NGO) sector.

The Commission also recommended:

- Building a global, high-speed interactive digital network for communication

within and between Washington agencies and U.S. missions abroad, and with NGOs and populations worldwide.

- Increasing polling and research studies to gain a better understanding of foreign attitudes; making these studies more broadly available to policymakers.

- Installing "firewalls" in the budgeting process so that foreign affairs agencies will not compete with domestic programs for funding.

- Decreasing foreign language radio broadcasting; plowing the savings into interactive digital communications.

- Institutionalizing inter-agency coordination on public diplomacy efforts; building a surge capacity that would allow inter-agency teams of public diplomacy experts to act quickly in crisis areas.

The bipartisan United States Advisory Commission on Public Diplomacy is an independent, presidentially appointed citizens panel created by Congress to advise the President, Secretary of State, and U.S. Information Agency Director.

The full text of the report is available at <http://www.usia.gov> on the Internet.

—U.S. INFORMATION AGENCY
11/20/96

HEALTH & HUMAN SERVICES

CHILD PROTECTION WAIVER APPROVED FOR NORTH CAROLINA

■ (WASHINGTON) U.S. Department of Health & Human Services Secretary Donna E. Shalala last week announced approval of a demonstration project to improve child protection services in North Carolina. This is the third waiver approved by the Clinton administration for states to undertake innovations in their child protection programs.

Under the demonstration, North Carolina can use title IV-E foster care funds to provide a broad range of new services to children and families. Funds can be used for services that can prevent the need for placement of children in foster care or to relieve the problems that caused the child to be removed from the home. Previously, these funds could be used primarily to pay for the room and board of children in out-of-home care.

In as many as five counties, the additional funding flexibility will be combined with a

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FEDERAL NEWS WEEKLY SUMMARY CONTINUED



Kellogg Foundation initiative, "Families for Kids" which is designed to reform the non-financial aspects of the foster care system, such as policy formulation, legal process, communications infrastructure, and advocacy.

North Carolina's project consists of two parts. In part one, the state will change foster care financing to create incentives for participating county agencies to improve performance, making North Carolina the first state to use performance bonuses as part of a child welfare waiver. When a participating county achieves savings through better management or better service delivery, including reducing the number of children in foster care; how long they stay there; and increasing the number of children diverted from foster care through kinship placement with relatives, they will retain the value of the savings and reinvest them in child welfare services and prevention. For example, this bonus can be used for intensive family preservation and reunification services, respite care, family mediation, court-approved assisted guardianship, and post-placement support.

In the second part, participating counties will use federal IV-E maintenance funds to develop effective strategies for preventing out-of-home placement of children without jeopardizing their safety. County departments of social services will be encouraged to shift expenditures away from foster care maintenance to prevention, returning children to their families, and adoption. Emphasis will be placed on kinship ties when making decisions on long-term placement of children.

The demonstration will operate for five years and include a rigorous evaluation.

—U.S. DEPT. OF HEALTH & HUMAN SERVICES
11/18/96

MIDICARE PHYSICIAN FEES SET FOR 1997

■(WASHINGTON) The average fee Medicare pays to physicians for primary care services in 1997 will be 5 percent higher than the average 1996 fee, the Department of Health and Human Services announced last Friday.

The average fee Medicare pays to physicians for surgical services will decrease 1.6 percent while the average fee for all other services will decrease by 1.8 percent. Over-

all, the changes announced by HHS will result in an average fee decrease of 0.3 percent.

These fee changes, contained in regulations to be published in the Federal Register on Nov. 22, are primarily the result of a comprehensive five-year review of the Medicare fee schedule required by law. Recommendations received from physicians and the public were considered as part of this review.

The conversion factor used in setting fees for surgical services will increase by 1.9 percent, the conversion factor for primary care services will increase by 2.5 percent and the conversion factor for all other physician services will decrease by 0.8 percent.

The starting point of the statutory formula for updating conversion factors is the inflation rate for the costs of operating a medical practice, which for 1997 is projected to be 2 percent. This rate is then adjusted based on how Medicare spending for physician services compares with targets set for that spending. These targets are referred to as the Medicare volume performance standards.

The regulations also set the 1997 spending targets for physician services. These targets allow for a 4.5 percent increase in spending for primary care services, a 3.7 percent decrease in spending for surgical services, and a 0.5 decrease in spending for all other physician services.

—U.S. DEPT. OF HEALTH & HUMAN SERVICES
11/18/96

PUBLIC SAFETY

NHTSA WILL CRASH TEST 43 MODEL YEAR 1997 VEHICLES

■(WASHINGTON) The National Highway Traffic Safety Administration (NHTSA) last week announced that it will frontally crash test 43 model year 1997 vehicles to provide consumers with information that they can use to help guide their new vehicle purchase decisions.

The federal safety agency said it will

crash test 21 passenger cars, 10 sport utility vehicles, four vans, and eight pickups in the frontal crash test portion of its New Car Assessment Program (NCAP). Each will be crashed head on into a fixed barrier at 35 mph. NHTSA also will provide consumers with the results from previous tests of models that have not been redesigned for 1997. Together, the tests will account for about 86 percent of the vehicles to be sold in 1997.

The 35 mph crash test speed is 5 mph faster than the speed prescribed for compliance with several existing federal motor vehicle safety standards, including Federal Motor Vehicle Safety Standard No. 208, "Occupant Crash Protection." The crash tests are conducted at the higher speed to demonstrate differences that are more apparent at 35 mph than at 30 mph. They indicate relative levels of occupant protection and safety performance among vehicles of the same type and similar weight.

Consumers can request test results and additional information on the NCAP program and other safety topics by calling the agency's toll-free Auto Safety Hotline at (800) 424- 9393.

—NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION
11/18/96

NHTSA CONCERNED ABOUT CHRYSLER HATCH LATCH REPLACEMENT RATES

■(WASHINGTON) While reporting good progress overall on the repair campaign under which 1984-1995 Chrysler minivans can receive a stronger, safer rear liftgate latch, the National Highway Traffic Safety Administration (NHTSA) said that the response rate by owners of the oldest models continues to be very low.

NHTSA Administrator Ricardo Martinez, M.D., said that the repair campaign began in September 1995 on a phased-in basis. The completion rate for the later-model year vehicles is high — 62 percent of the 1993-95 models with the remote latch release feature and 60 percent of the 1993-95 models with a manual latch release have had new latches installed. However, NHTSA is concerned that only about 26 percent of the 1984-89 minivans without the remote release feature and 14 percent of the 1984-89 minivans with the remote release feature have had new latches installed.

Continued on next page

"No written law has ever been more binding than unwritten custom supported by popular opinion."

Carrie Chapman Catt
testimony at U.S. Senate hearing
Feb. 13, 1900

FEDERAL NEWS WEEKLY SUMMARY CONTINUED



At the insistence of NHTSA, Chrysler made a commitment to undertake a number of measures to encourage owners to bring the vehicles to their dealers for repairs. This included follow-up owner notification letters, phone calls and advertising. These activities will continue in an effort to boost the completion rate for the older vehicles.

—**NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION**
11/19/96

BRINKMANN CORP. TO PAY \$175,000 TO SETTLE CIVIL PENALTY CASE

■(WASHINGTON) The U.S. Consumer Product Safety Commission announced Wednesday that the Brinkmann Corp. (TBC) of Dallas, Texas, has agreed to pay a civil penalty of \$175,000 to settle allegations that it violated the U.S. Consumer Product Safety Act by failing to report defects associated with its charcoal smoker, electric smoker, and cooker/fryer.

CPSC alleges that TBC failed to report information indicating that its cooker/fryer, distributed under the name "Country Cooker," was susceptible to spillage of hot liquids and foods. The base lacked a protective lip around the burner grate allowing the cooking pan to become dislodged during use. Also, the basket of the cooker/fryer could be hung on the outside of the appliance, which could result in the pan and basket tipping and spilling its hot contents.

CPSC also alleges that TBC failed to report information indicating that its electric smoker, sold under the name "Smoke 'N Grill Electric," had loose brackets allowing the water pan to become dislodged and spill hot water.

Finally, CPSC alleges that TBC failed to report information indicating that its charcoal smoker, distributed under the "Brinkmann" and "COOK'N CAJUN" labels, had brackets and other parts with sharp edges. Also, CPSC alleges that TBC failed to report information indicating that the charcoal smoker had a hole in the bottom of the

charcoal pan that allowed hot ash to fall through creating a fire hazard. In September 1994, TBC voluntarily provided a kit to owners of the charcoal smoker to close the hole and replace the sharp brackets.

In agreeing to settle this matter, TBC denies that its products were defective or unreasonably dangerous. TBC also denies that it knowingly violated the reporting requirements of the U.S. Consumer Product Safety Act.

—**U.S. CONSUMER PRODUCT SAFETY COMMISSION**
11/21/96

TRANSPORTATION

NEW SAFETY RULES FOR AIRCRAFT CARGO COMPARTMENTS

■(WASHINGTON) New rules to require fire detection and suppression systems in the cargo compartments of all commercial passenger aircraft and to ban the transportation of oxidizing materials will be proposed as part of a continuing comprehensive aviation safety initiative, it was announced last week.

The actions to be taken strengthen other measures adopted earlier this year by the Federal Aviation Administration (FAA) and the Research and Special Programs Administration (RSPA) to improve passenger air cargo safety.

The decisions announced last week would build on the previous safety initiatives. A first rulemaking, to be issued shortly, would propose banning oxidizing materials from commercial passenger aircraft cargo compartments.

A second rulemaking would propose requiring the retrofit of fire detection and suppression equipment on approximately 2,800 older commercial aircraft. Currently, most long-range passenger planes include the detection and suppression systems in the cargo compartments. On older planes, these compartments have been required to be virtually air-tight and lined with fire containment materials. However, while numerous complex issues remain outstanding, newly-concluded analysis has determined that such systems could be extended to all passenger aircraft cargo compartments.

A public notice and comment process will be required for both rulemakings.

—**FEDERAL AVIATION ADMINISTRATION**
11/18/96

\$2.6 MILLION AWARDED TO NORTHWESTERN UNIVERSITY FOR TRANSPORTATION RESEARCH

■(CHICAGO) U.S. Secretary of Transportation Federico Pena last Friday announced a \$2.6 million Research and Special Programs Administration (RSPA) grant to Northwestern University for transportation research.

RSPA Administrator Dr. D.K. Sharma was joined by Congressman William O. Lipinski as he awarded the \$2.6 million grant in a check-presentation ceremony here. The grant will be used to operate the Infrastructure Technology Institute, a Transportation University Research Institute established by the Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991.

In the coming year, the Infrastructure Technology Institute will conduct research and educational projects on several issues including nondestructive bridge testing, surface-tolerant paint coatings, new weldable high-strength steel and automated pavement repair vehicles.

Northwestern University, located in Evanston, is one of six schools comprising the department's University Transportation Centers, which advance U.S. technology and expertise in transportation through education, research and technology transfer programs at the university level. The research grants received by the universities must be matched on a dollar-for-dollar basis.

—**U.S. DEPT. OF TRANSPORTATION**
11/18/96

FAA OFFERS HOLIDAY TRAVEL TIPS

■(WASHINGTON) Thanksgiving and December holidays, traditionally the busiest time of the year for the nation's airlines and airports, are fast approaching. With heightened security levels still in effect, the FAA this week issued seven simple suggestions to help passengers avoid delays as they travel.

✓ Arrive early. Large holiday crowds coupled with heightened security measures may increase the time you need to check in.

✓ Do not leave your car unattended in front of the terminal, it may be towed.

✓ Bring picture identification with you. You will be asked to show it. If you do not have a photo ID, make sure you have two pieces of identification, one of which must be issued by a government authority. However, minor children will not require identification.

"To be just is not simply doing right, the governed must be convinced that it is right."

*Napoleon I
remarks in the Council of State
March 12, 1803*

FEDERAL NEWS WEEKLY SUMMARY CONTINUED



✓ Put your name on your bags, and be prepared to answer questions about who packed your bags and whether you left them unattended. Keep an eye on your bags, and do not accept packages from strangers.

✓ Carry-on as well as checked bags are subject to being hand-searched, so it's a good idea not to wrap your presents until after you arrive at your destination.

✓ Do not joke about having a bomb or firearm in your possession.

✓ Be prepared to turn on electronic devices such as tape players or computers to verify they are what they seem.

Also, keep in mind it is against the law to bring a loaded gun or hazardous materials aboard an airplane, so leave your firearms at home, and do not pack fireworks, flammable materials, household cleaners, or pressure containers.

If you are flying domestically and want to find out if there are any special travel advisories in effect, call the Department of Transportation Travel Advisory Line at 1-800-221-0673.

—FEDERAL AVIATION ADMINISTRATION
11/20/96

WILDLIFE

EAGLES ARE BING KILLED FOR PROFIT

■(WASHINGTON) Special agents from the Interior Department's U.S. Fish and Wildlife Service Thursday carried out Federal search and arrest warrants in New Mexico, Arizona, and Colorado, ending a 2-year undercover investigation into the killing and selling of bald and golden eagles, and other migratory birds. In all, approximately 35 individuals and businesses are expected to be charged with selling protected migratory bird parts in a highly profitable illegal market.

Posing as traders of Indian artifacts, undercover agents were able to infiltrate a commercial trapping ring. They were told that in one pueblo during last year's winter migration, more than 60 eagles were intentionally killed either by being shot or caught in leg-hold traps baited with fresh meat. The agents located trap lines and were sold dead eagles with trap marks on their legs and feet. The Service decided to end this investigation, dubbed "Operation 4-Corners Feather Sales," prematurely to prevent more eagles from being killed. Some of those eagles were offered for sale from \$850-\$1,000 each.

Undercover agents discovered an illegal market for migratory bird parts in which whole eagle skins, wings, tails, and wing bones; whole hawks, wings, and tails; and owl wings were sold throughout New Mexico, Arizona, and parts of Colorado and Utah. The investigation revealed that the illegal feathers were being sold to make popular Native American-style items such as fans, Kachina dolls, and bustles. Many of these items were sold to trading posts, collectors, tourists, and individuals participating in powwows. Items being offered for sale were made with feathers from at least 25 different species, including eagles, hawks, kestrels, magpies, flickers, scissor-tailed flycatchers, and anhingas. These birds are all protected under the Migratory Bird Treaty Act. Most are native to the Southwest (the anhinga is a waterbird found in Florida and Louisiana).

Eagles are also protected under the Bald and Golden Eagle Protection Act and the bald eagle is listed as a threatened species under the Endangered Species Act.

Illegal commerce in eagle feathers and migratory bird feathers is enormously profitable. In recent years, the increased popularity and demand for feathers has resulted

in soaring prices. Compared to a similar case from 1988, the price of an intact golden eagle tail, which has 12 feathers, has quadrupled from approximately \$100 to \$400. During this investigation, special agents learned that in today's market, a single golden eagle feather could sell for about \$100; a red-tailed hawk peyote fan, \$150; and an anhinga feather fan, \$300.

The popularity of Native American items made with migratory bird feathers has resulted in alarmingly high numbers of birds being killed for profit.

This case is being prosecuted by the Department of Justice, United States Attorney's Offices in Albuquerque, New Mexico; and Phoenix, Arizona.

The evidence in this case will be forwarded to the U.S. Fish and Wildlife Service's National Eagle Repository near Denver, Colorado. Eagles are available to Native Americans by permit through the Repository. The Service receives nearly 2,000 requests per year to distribute eagle carcasses, parts, and feathers to Native Americans for recognized religious, cultural, and ceremonial purposes.

—U.S. DEPT. OF INTERIOR
11/21/96



Prefiled Bills

SB 1 Principal Author(s): Fisher, Ted V. Requires the Oklahoma School of Science and Mathematics to solicit proposals and award grants for pilot projects that develop and establish model programs implementing advanced science and math curriculum at local vocational-technical school sites or at local school sites via distance learning.; Emergency. Prefiled

SB 2 Principal Author(s): Fisher, Ted V. Modifies membership and powers and duties of Physical Therapy Committee. Provides for licensure of foreign-trained applicants. Requires State Board of Medical Licensure and Supervision to establish by rule requirements for continuing education.; Effective Date: 11/01/97. Prefiled

SB 3 Principal Author(s): Ford, Charles R.; Vaughn, Ray Prohibits policies, rules and ordinances that place a greater burden on a municipal or county officer or employee than the burden that is placed on any other person who acts to defend the person's family, home, or property.; Emergency. Prefiled

Statutory Citation Cross Reference

Title	Section	Motion	Bill	Title	Section	Motion	Bill	Title	Section	Motion	Bill
51	24.5	NEW LAW	SB 3	59	887.4	AMEND	SB 2	70	1210.404	NEW LAW	SB 1
59	887.12	AMEND	SB 2	59	887.6	AMEND	SB 2				

Bill Subject Cross Reference

CITIES & TOWNS

SB 3

COUNTIES

SB 3

EDUCATION

SB 1

PROFESSIONS & OCCUPATIONS

SB 2



1996 Interim Studies - House

Interim Study 96H-01, Ad Valorem Tax Reform, Don Weese

Intent of this study is to look at possible means for providing for both constitutional and statutory repeal of ad valorem taxes not related to any bonded indebtedness and replacing any lost revenue through another source (i.e. an income tax surcharge or local sales tax); Revenue and Taxation Committee.

Interim Study 96H-02, Workers Comp Insurance, Terry Matlock

Classification by hazard and job description and title; Insurance Committee.

Interim Study 96H-03, Zoning Ordinances — Manufactured Homes, Jerry W. Hefner

Prohibiting cities, counties, and political subdivisions from enacting or enforcing zoning ordinances excluding mobile homes; County and Municipal Government Committee.

Interim Study 96H-04, Motor Vehicle Registration Avoidance, Shelby Satterfield

I would like to request a Joint Interim Study in conjunction with Sen. Lewis Long on the issue of motor vehicle registration avoidance. Several categories of avoidance can be identified: 1. A vehicle owner may register in a neighboring state where registration fees are lower; 2. A person may simply overlook their deadline and thus be "in arrears" rather than deliberately avoiding registration; 3. A vehicle owner may constitute the always present "hard core" avoider who, for one or more reasons, avoids deliberately and indefinitely. For whatever reason, this person knowingly accepts the risks associated with this avoidance. With an average passenger vehicle registration fee approaching \$100, Oklahoma's relatively high yearly fee means that even a small percentage of avoiding motorists creates a severe economic loss. Since Oklahoma has not conducted a complete reissuance since 1980, some estimate vehicle registration evasion to be anywhere from 5% to 10%. Using these figures, Oklahoma could be losing upwards of \$40 million annually; House Committee on Public Safety, in conjunction with the Senate.

Interim Study 96H-05, Economics of Oklahoma Agriculture, M.C. Leist

Agriculture in Oklahoma in the mid 1990s has reached a negative economic condition unequaled within the last fifty years. Unseasonable freezes, extreme drought coupled with extremely low cattle prices have caused many facets of agriculture to experience this financial crisis. In the past the State House of Representatives has been responsive to the needs of agriculture primarily in the areas of property rights, tax exemptions, and favorable operating latitudes. The Ag Link Program, Beginning Farmer Program and the Ag Mediation Program are precursors of the increased state government direct assistance to the ag sector. Value added has become important as evidenced by the state commitment to the Food Processing Center, Made in Oklahoma program and cooperative development program. Recent developments in ag necessitate an analysis of the direct economics of agriculture. This analysis will con-

sist of three basic factors: 1. The current conditions of agricultural support (by topical area); 2. Change factors in ag both internal and external; and 3. State policy responses; Agriculture Committee.

Interim Study 96H-06, Weather Modification, Elmer L. Maddux

To study, as an on-going program, cloud reseeding and hail suppression. Research the possibility of matching funds from county government; Appropriations and Budget Committee.

Interim Study 96H-07, Transfer of Forestry Division, Mike Mass

Study the feasibility of transferring the Forestry Division from the State Department of Agriculture; Appropriations and Budget Subcommittee on Natural Resources.

Interim Study 96H-08, Rural Water Training, Mike Mass

Monitor and evaluate rural water system program administered by the Oklahoma Water Resources Board; House Committee on Energy, Environment and Natural Resources.

Interim Study 96H-09, International Bluegrass Festival, Joe J. Hutchison

Meet with Guthrie Chamber of Commerce, TNN, Gaylord Productions, Lazy E and meetings with private corporations as sponsorship. Attend International Bluegrass Music Awards and workshops in Owensboro, Ky., September 25, 1996, through September 28, 1996; Tourism and Recreation Committee.

Interim Study 96H-10, Disability Fishing License, James H. Dunegan

Interim study to study fish license, specifically in the disability category; Wildlife Committee.

Interim Study 96H-11, Sex Offender Registration, Jack Bonny

Examine recent federal legislation regarding sex offender registration and the impact of community notification requirements on current state law; Criminal Justice Committee.

Interim Study 96H-12, Business Issues, Jack Bonny

The purpose of the study proposal is to review and assess the economic impact that research and development, telecommunications and technological advancements have on Oklahoma businesses and how this type of activity can be enhanced; Development Committee.

Interim Study 96H-13, Worker's Comp, Bill Settle

Specific revisions regarding injuries; policies of the State Insurance Fund; and review the nominating process of appointing workers' comp judges; Judiciary Committee.

Interim Study 96H-14, Oklahoma Indigent Defense Fund, Dwayne Steidley and Jerry L. Smith

Comprehensive joint study of the Oklahoma Indigent Defense System which includes study of the funding of the system; Assigned to the House Appropriations and Budget Subcommittee on Judiciary and Law Enforcement in conjunction with the Senate.

Interim Study 96H-15, Tax Incremental Financing, Ray Vaughn

Tax incremental financing techniques for use in economic development, tourism and recreation projects; Economic Development Committee.

Interim Study 96H-16, ODOT Infrastructure Bank, Ray Vaughn

Use of funds deposited in the Infrastructure Bank of the Oklahoma Department of Transportation; Appropriations and Budget Committee.

Interim Study 96H-17, Public Utility Property Taxes, Jack Begley

Defining public utility central and local assessment for public utility property taxation; Appropriations and Budget Subcommittee on Education.

Interim Study 96H-18, Oklahoma Wineries and Vineyards, Tommy Thomas and Mike Mass

Oklahoma laws as they relate to vineyards and small in-state wineries; Appropriations and Budget Subcommittee on Natural Resources.

Interim Study 96H-19, Medicaid and Welfare Reform, Tommy Thomas and Mike Mass

Federal reform of Medicaid and Welfare programs; Human Services Committee and the Appropriations and Budget Subcommittee on Human Services.

Interim Study 96H-20, Revenue and Taxation, Dan Webb

Review and formulate a more equitable state tax system for state taxes, including a review of a flat or single tax rate; Revenue and Taxation Committee.

Interim Study 96H-21, Administrative Rules, Charles Gray and Dan Webb

To review and study the administrative rule making process and procedure of any state agency, board or commission; House Committee on Administrative Rule Review.

Interim Study 96H-22, DOC and Department of Mental Health, Joe Eddins

A comprehensive study of the Department of Corrections and Department of Mental Health and Substance Abuse Services emphasizing the cost effectiveness of treatment as it pertains to those individuals who are under the care and custody of the Department of Corrections. The study will address two areas of concern: the cost effectiveness of treatment of those individuals who are confined in correctional facilities as incarcerated felons and those individuals who are under the direct supervision of the Department of Corrections in the community that are supervised by Probation and

1996 Interim Studies - House

Parole. The study will also include, but not be limited to, current treatment programs that are operated by the Department of Corrections and the Department of Mental Health and Substance Abuse Services, to include operating budgets, staffing patterns, client-staff ratios, treatment modalities and the effectiveness of programs to include improvement of negative behaviors and/or impact on recidivism; Appropriations and Budget Committee.

Interim Study 96H-23, Full Tax Exemption for Goodland Boys Home, Randall L. Erwin.

Research DHS contract policies for children's homes. Feasibility of amending tax exemption for Goodland Boys Home to 100%; Revenue and Taxation Committee.

Interim Study 96H-24, Court Costs Collection, Ray Vaughn

Methods of collecting outstanding court costs and fees; Appropriations and Budget Subcommittee on Judiciary and Law Enforcement.

Interim Study 96H-25, National Veterans Cemetery Site, Ron M. Kirby and Sam Helton

After pursuing legislation to create a state veterans cemetery, it has been documented that the proposed site should be a national veterans cemetery site. This will facilitate expenditures, possibly by the state, involving improvements to the actual site, entrances to and exits off of Interstate 44 or H.E. Bailey turnpike, and possible improvements to State Highway 277. All of this is contained in the National Environmental Impact Studies for the cemetery site provided by the Veterans Administration; House Committee on Veterans and Military Affairs.

Interim Study 96H-26, Review Capital Needs of OETA, Betty Boyd

Due to age of equipment and scope of statewide services, request a review of Oklahoma Educational Television Authority (OETA) agency capital needs to address future quality transmission. Would request this study be assigned to the A&B Education Subcommittee; and **Interim Study 96H-60, OETA, James E. Hamilton.** Request a joint House and Interim Study Committee to study the operational and capital needs of OETA; Appropriations and Budget Subcommittee on Education in conjunction with the Senate.

Interim Study 96H-27, Final Disposition of Hissom, Russ Roach

Joint Interim Study on the final disposition of Hissom; Assigned to a special joint committee whose members will include Roach as House chairman, along with Reps. Larry Ferguson, James Hager, Bill Mitchell, Shelby Satterfield, Mark Seikel, Bill Settle, Dwayne Steidley, Tommy Thomas and Mike Thornbrugh.

Interim Study 96H-28, Managed Care, Tommy Thomas, Randall Erwin

To discuss implementation of managed care in the rural portions of Oklahoma; Appropriations and Budget Subcommittee on Human Services.

Interim Study 96H-29, Equine Infectious Anemia (EIA), Randy Beutler, Terry Matlock

The purpose of this study is to discuss and review the rules promulgated by the Department of Agriculture on Equine Infectious Anemia (EIA). This proposal would be the subject of a joint study by the House Agriculture Committee and the Senate interim study to be chaired by Sen. Lewis Long; Joint study of the House and Senate Agriculture Committees.

Interim Study 96H-30, Early Childhood, Joe Eddins

Study the needs and programs available for low income children age 3 through 6, with special emphasis on 3 and 4 year old children in Head Start, 4 & 5 year old children in public schools, and 6 year old children in transition first grade. How Title I money is used for these in extended day or full day programs; Education Committee.

Interim Study 96H-31, CASA, Randall Erwin

To research all aspects of CASA including needs, merits, and possible funding; Appropriations and Budget Committee.

Interim Study 96H-32, Study of Community Action Agencies, Randall Erwin

Study the feasibility of the agencies merging with the State Insurance Department. Research on the impact of joint state retirement and insurance benefits; Appropriations and Budget Subcommittee on Natural Resources.

Interim Study 96H-33, Federal Discharge Permits and Concentrated Animal Feed Yard Operations, Elmer Maddux

Examination of requirements for state assumption of federal N.P.D.E.S. program for agricultural jurisdictional areas (State Department of Agriculture) and concentrated animal feeding operations; House Agriculture Committee.

Interim Study 96H-34, Ad Valorem, James Hager

Examine issues related to revision of the ad valorem funding system for schools and governmental entities; Appropriations and Budget Subcommittee on Education; Agriculture Committee.

Interim Study 96H-35, Education - Residency, James Hager

Study issues relating to student residency for school purposes; Education Committee.

Interim Study 96H-36, Education - Common Education, James Hager

Study current issues relating to Oklahoma common education system including issues related to curriculum; Education Committee.

Interim Study 96H-37, Education - Vo-Tech, James Hager

Study current issues relating to Oklahoma's vocational-technical education system; Education Committee.

Interim Study 96H-38, Education - Higher Education, James Hager

Study current issues relating to Oklahoma's Higher Education System; Education Committee

Interim Study 96H-39, Health Insurance Issues, Betty Boyd

A study to determine what new medical procedures and/or equipment should be included in health insurance coverage and attendant fiscal impact; House Committee on Insurance.

Interim Study 96H-40, Implementation of HCR1108, Abe Deutschendorf

As a follow-up to the passage of HCR1108, study will review reports requested from each state agency. HCR1108 directed each agency to submit a report/plan identifying millennium computer conversion problems brought into place by the year 2000. This study will begin in November after the agencies have submitted their reports. Hopefully this early study can help the state to save a great deal of money; and **Interim Study 96H-59, Millennium 2000 Problem, Fred Perry.** Exploration aspects of problem acknowledged by HCR1108; House Committee on Science and Technology.

Interim Study 96H-41, Reading Programs in Oklahoma, Abe Deutschendorf, Jack Begley

Study the successful reading programs in Oklahoma. This study proposal includes site visits to schools with outstanding reading programs successes. In addition a study of Reading Remediation Programs of exemplary success. This study will shed some light on some little known new insight to the age old question, "How best does a child learn Read;" Education Committee.

Interim Study 96H-42, Family Centered and Community Designed Services, Sean Voskuhl

Determine appropriate methods for coordinated delivery of family and early childhood development services; House Committee on Children, Youth and Family Services.

Interim Study 96H-43, Ostrich and Emu Processing Facilities, Bob Ed Culver

Study the creating and financing of ostrich meat processing and tanning facilities and of emu meat processing and oil extraction facilities. Review the experience of such facilities in the surrounding states; Agriculture Committee

Interim Study 96H-44, Review or Joint Rules, Dwayne Steidley, Don Kinnamon

Requesting a joint special committee to review procedures in the joint rules which relate to deadlines and other matters that impact the flow of legislation between the two houses; Assigned to a special joint committee whose House members are Benson, Adair, Askins, Bastin, Begley, Hamilton, Hilliard, Rice Thomas, Toure, Kinnamon and Steidley.

1996 Interim Studies - House

Interim Study 96H-45, Chiropractic Services, Charles Gray

Review issues relating to chiropractic services including: (1) any willing provider laws; (2) prescription authority; (3) minor surgery; (4) other relevant concerns; Public Health Committee.

Interim Study 96H-46, Local Control of Community Services, Sean Voskuhl

Review of the issues included in HB2231; Youth and Family Services Committee.

Interim Study 96H-47, Revision of Title 43A, Mental Health Code, Joe Eddins

Continuation of the 1995 study, to complete the revision and updating of the title; Mental Health Committee.

Interim Study 96H-48, Predatory Sex Offender, Bill Paulk

Study to review Predatory Sex Offender laws (per HB2617); Criminal Justice Committee.

Interim Study 96H-49, Truth in Sentencing, Bill Paulk

Truth in Sentencing (as per final draft by Rep. Steidley) and **Interim Study 96H-64, Truth in Sentencing / Community Corrections, Dwayne Steidley**

A Special Joint study to evaluate the community corrections recommendations provided in SB1200 and truth in sentencing proposals in HB1138. Purpose is to propose a new bill for 1997 session; Assigned to a special committee comprised of Steidley, Paulk and Reps. Jari Askins, Flint Breckenridge, Bob Ed Culver, Danny Hilliard, Larry Rice, Bill Settle and Opio Toure.

Interim Study 96H-50, Motor Vehicles and Insurance, Jack Bonny

Review insurance and financial responsibility requirements for motor vehicles; Public Safety Committee.

Interim Study 96H-51, Resource Centers, Mark Seikel

Study on the status and impact of downsizing on Northern Resource Center and Greer Center Facility at Enid and Southern Resource Center of Pauls Valley; Human Services Committee.

Interim Study 96H-52, Ritualistic Child Abuse, Mark Seikel

Study to review prohibiting Ritualistic Child Abuse with DHS, Youth & Family and Criminal Justice; Human Services Committee.

Interim Study 96H-53, Corporation Commission Jurisdiction in Guymon-Hugoton Field, Larry Rice

To review the relevancy of the Guymon-Hugoton field rules to current field conditions. Topics to be addressed include infill drilling and proration limits; Assigned to the Commission on Natural Gas Policy.

Interim Study 96H-54, Public Trusts and Tax Exempt Financing, Robert Weaver

Interim study to discuss the disclosure and accountability requirements surrounding Public Trusts and tax exempt financing; Banking and Finance Committee.

Interim Study 96H-55, Inmate Trust Accounts, Robert Weaver

Interim study to discuss the feasibility of exploring funding options for the victims of crime in Oklahoma. The study should address inmate trust accounts and other funding options; Appropriations and Budget Subcommittee on Judiciary and Law Enforcement.

Interim Study 96H-56, Jet Ski and Boating Legislation, Robert Weaver

Interim study pursuant to HCR1110 regarding jet ski and boating legislation, requesting coordination with specified state agencies and proposing legislation; Public Safety Committee.

Interim Study 96H-57, OK Indian Affairs Commission Funding, Robert Weaver

Interim study to discuss the feasibility of various Indian tribes in the State of Oklahoma contributing to the funding of the Oklahoma Indian Affairs Commission; Appropriations and Budget Subcommittee on Health and Social Services.

Interim Study 96H-58, Recreational Vehicle Tags, Fred Perry

Study to discuss recreational vehicle tag costs and taxes; Revenue and Taxation Committee.

Interim Study 96H-59, Millennium 2000 Problem, Fred Perry

Combined with Interim Study 96H-40.

Interim Study 96H-60, OETA, James E. Hamilton

Combined with Interim Study 96H-26.

Interim Study 96H-61, Feasibility of constructing a State Office Building, James E. Hamilton

Identify space being rented in Oklahoma City area by state agencies or Higher Education, determine the amount of annual lease and rent payments being made for such space and investigate the possibility of building one or two new buildings in the Capitol Complex and use rent money for pay out of bond issue; Appropriations and Budget.

Interim Study 96H-62, Sole Source Contract Procedures, James E. Hamilton

To review Sole Source contract procedures involving state agencies and higher education, and to review the Fuelman contract now being administered through the Department of Central Services; Appropriations and Budget.

Interim Study 96H-63, State Banking Regulatory Fees, Abe Deutschendorf, Bob Weaver

A comparative view of charges assessed to the credit unions and banks as it relates to the State Banking regulatory fees; Banking and Finance Committee.

Interim Study 96H-64, Truth in Sentencing / Community Corrections, Dwayne Steidley

Combined with Interim Study 96H-49.

Interim Study 96H-65, Workers' Comp, Chris Hastings

Evaluate the performance of the recent works' comp reform (special session 1994) in relation to its impact on insurance rates and safety programs and results. Look at further reforms in workers' comp to reduce rates; lower risks; and increase safety; Assigned to a special committee comprised of Rep Don Kinnamon, chairman; House Majority Leader Loyd Benson, House Majority Leader Larry Ferguson, Rep. Don McCorkell and Rep Bill Settle.

Interim Study 96H-66, Rules of Conduct, Chris Hastings

Set-up bipartisan committee to outline and create Rules of Conduct on House floor by members / staff / guests; House Committee on Rules.

Interim Study 96H-67, OK Housing Finance Agency, Chris Hastings

Review whether the Oklahoma House Finance Agency (OHFA) is acting in compliance in monitoring and enforcing the rules under the IRS Code under the Low Income Housing Tax Credit Program; Appropriations and Budget.

Interim Study 96H-68, State Insurance Fund, Chris Hastings

Explore the possibility of privatizing the State Insurance Fund; Assigned to a special committee consisting of Kinnamon as chairman, Benson, Hastings, McCorkell, Settle and Reps. Howard Cotner and Fred Morgan.

Interim Study 96H-69, Funding for Aids Research, Don Ross

Appropriations and Budget Subcommittee on Health and Social Services.

Interim Study 96H-70, Impact of Prevention and/or Intervention Programs, Don Ross

The impact of prevention and/or intervention as they relate to Oklahoma's delinquency and youth gang intervention and deterrence grant program; Appropriations and Budget Subcommittee on Health and Social Services.

1996 Interim Studies - Senate

Interim Study 96S-004, Motor Vehicle Registration Avoidance

Special Joint Interim Committee, Co-Chair, Sen. Lewis Long. Senate Members: Sens. Mike Fair, Keith Leftwich, Angela Monson, Ben Robinson, Mark Snyder and Dick Wilkerson.

Interim Study 96S-006, Weather Modification

Special Joint Interim Committee, Co-Chair Sen. Paul Muegge. Senate Members: Senate Agriculture Committee.

Interim Study 96S-007, Department of Agriculture, Transfer of Forestry Division

Special Joint Interim Committee, Co-Chair Sen. Rick Littlefield. Senate Members: Appropriations Subcommittee on Natural Resources & Regulatory Services.

Interim Study 96S-014, Oklahoma Indigent Defense System

Special Joint Interim Committee. Co Chair Sen. Jerry Smith. Senate Members: Sens. Cal Hobson, Billy Mickle and Herb Rozell.

Interim Study 96S-027, Possible Uses and Sales Opportunities for Hissom Center

Special Joint Interim Committee. Co-Chair Sen. Lewis Long. Senate Members: Sens. Larry Dickerson, Mike Fair, Jerry Smith and Penny Williams.

Interim Study 96S-029, State Department of Agriculture Rules on Testing for Equine Infectious Anemia

Special Joint Interim Committee. Co-Chair Sen. Lewis Long. Senate Members: Sens. Dick Wilkerson and Paul Muegge.

Interim Study 96S-042, Family Centered and Community Designed Services

Special Joint Interim Committee. Co-Chair Sen. Penny Williams. Senate Members: Sens. Ben Brown, Larry Dickerson, Ted Fisher, Angela Monson and Ged Wright. Non-legislative Members: Ken Lackey, Human Services Cabinet Secretary (ex officio); Tom Kemper, Director, OCCY (ex officio); Bill Doenges, Co-Chair, Children's Task Force; Ann Johnstone, Co-Chair, Children's Task Force; Dan Arthrell, Coordinator, Children First; Sharon Terry, Director, Tulsa Youth Services; Anne Roberts, Executive Director, Oklahoma Child Advocate; Karen Rhoads; Sandy Ingraham; Cindy Seay, NE Oklahoma Regional Advisory Board for Children with Special Needs; Barbara Parker; Pat Chambliss; Judge D. Post; Dave King, Executive Director, Wings of Freedom Women's Facility of the Correctional Counseling Institute; and Phil Rhoades.

Interim Study 96S-064, Truth in Sentencing

Special Joint Interim Committee. Co-Chair Sen. Larry Dickerson. Senate Members: Sens. Cal Hobson, Herb Rozell and Ged Wright.

Interim Study 96S-101, Agriculture Product Processing

Assigned to Senate Agriculture Committee, Sen. Paul Muegge, Chairman.

Interim Study 96S-102, Tourism Infrastructure

Assigned to Appropriation Subcommittee on Natural Resources & Regulatory Services, Sen. Rick Littlefield, Chairman.

Interim Study 96S-103, Law Enforcement Policy Study

Special Senate Interim Committee. Sen. Sam Helton, Chairman. Senate Members: Sens. Dick Wilkerson and Keith Leftwich. Non-legislative Members: Bob Ricks, Commissioner of DPS; Malcolm Atwood, Dir. of BNDD; DeWade Langley, Dir. of OSBI; Captain Steve Cain, Norman PD; Kenny Stradley, Commanche Co. Sheriff; Asst. Chief Ron Ward, Lawton PD; Lt. Melvin Murdock, Lawton PD; Chief Sam Gonzolas, OKC Chief of Police; Chief Ron Palmer, Tulsa Chief of Police; Dep. Chief Lawrence Johnson, OKC PD.

Interim Study 96S-104, Daytime Use of Auto Headlights

Senate General Government Committee plus Senator Mark Snyder. Chair Sen. Trish Weedn.

Interim Study 96S-105, English as Official Language

Special Senate Interim Committee. Sen. Ben Brown, Chairman. Senate Members: Sens. Bernest Cain, Brooks Douglass, Howard Hendrick, Carol Martin and Ben Robinson.

Interim Study 96S-106, Interest Rates on Small Loans

Senate Deregulation Committee. Sen. Herb Rozell, Chairman.

Interim Study 96S-107, Motor Carrier Registration and Enforcement

Senate Transportation Committee. Sen. Gene Stipe, Chairman.

Interim Study 96S-108, Oklahoma Parents as Teachers Oversight Committee

Special Senate Interim Committee. Sen. Penny Williams, Chairman. Senate Members: Sens. Howard Hendrick, Maxine Horner, Ed Long and Trish Weedn.

Interim Study 96S-110, Turnpikes

Special Senate Interim Committee. Chairman Sen. Keith Leftwich. Senate Members: Sens. Bill Gustafson, Brad Henry, Dave Herbert, Cal Hobson, Bruce Price and Mark Snyder.

Interim Study 96S-111, Capitol Funding Needs

Special Senate Interim Committee. Chairman Sen. Enoch Kelly Haney. Senate Members: Sens. Ben Brown, Larry Dickerson, Charles Ford, Howard Hendrick, Cal Hobson, Rick Littlefield, Billy Mickle, Ben Robinson, Jerry Smith and Don Williams.

State Questions

State Question Number	Initiative Petition Number	Legislative Referendum Number	Resolution or Bill Number	Filed By and Date Filed	Subject	Election Date
672	363			"BOOST" Better Opportunities for Oklahoma Students and Taxpayers 6-30-95	<p>This measure adds a new Article to the Oklahoma Constitution. The new Article deals with gambling. The new Article legalizes:</p> <ol style="list-style-type: none"> Slot machines and roulette, Craps, keno and video gambling All gambling played with cards, dice, mechanical devices or computers, and Other forms of gambling. <p>For the first five years there could only be four non-Indian gambling facilities. Those facilities are:</p> <ol style="list-style-type: none"> 1. Remington Park Racetrack 2. Blue Ribbon Downs Racetrack 3. A facility in Tulsa, and 4. A facility in Love County. <p>An appointed Commission would regulate and license this gambling. After five years, other gambling facilities could be licensed. There could not be more than one facility in any county. Gambling facilities would have to meet minimum standards.</p> <p>The measure opens the door for Indian tribes to engage in the new forms of gambling. The measure would allow Indian tribes to request an agreement to operate a gambling casino. State limits and standards would have limited or no effect on Indian gambling. The State could not tax Indian gambling.</p> <p>The measure makes gambling debts incurred at authorized casinos legal and enforceable.</p> <p>State taxes on the new gambling would fund the Commission, and help education prisons. Some tax funds would go to local governments where State licensed gambling is conducted.</p>	Okayed by Supreme Court on Nov. 5, 1996 to be placed on ballot

State Questions

State Question Number	Initiative Petition Number	Legislative Referendum Number	Resolution or Bill Number	Filed By and Date Filed	Subject	Election Date
673	364			Joe Windes 9-29-95	<p>This measure amends the State Constitution. The amendment instructs State legislators. The amendment instructs legislators to request a National Constitutional Convention. The Convention would occur if thirty-four states request it. There has never been such a Convention. There are many unanswered questions about such a Convention's limits, membership and powers.</p> <p>The Convention's purpose is the setting of congressional term limits. This would be by proposing an Amendment to the United States Constitution. The Amendment would become law if thirty-eight states approved it.</p> <p>The suggested term limits would limit members of the United States House Representatives to three terms of office. Each House term is a two-year term. The suggested term limits would limit a United States Senator to two terms of office. Each Senate term is a six-year term.</p> <p>A notice would tell voters when a legislator failed to request a Convention. This notice would be on election ballots. The notice would be next to a legislator's name. The ballot notice would appear when an incumbent legislator sought a legislative office.</p>	Pending in Supreme Court Appeals and Protest filed

Calendar of Meetings & Events

Monday, November 25, 1996

- | | |
|--------------|---|
| 10:00 | Rehabilitation Services Commission
3535 NW 58th Street, Second Floor Large Conference Room, Oklahoma City |
| | <hr/> Senate Committee on Veterans & Military Affairs
State Capitol, Room 511-A |
| 1:00 | Joint School Residency Funding Task Force
State Capitol, Room 432-A |
| 2:00 | Senate Interim Study 96S-105, English as Official Language
State Capitol, Room 419-C |
| | <hr/> Cash Mgt. & Inv. Oversight Committee
State Capitol, Governor's Large Conference Room |

Tuesday, November 26, 1996

- | | |
|--------------|--|
| 9:30 | Environmental Quality Board
SW Technology Center, Altus |
| 10:00 | Commission on Children & Youth
4545 N. Lincoln Blvd., Suite 114, Oklahoma City |
| | <hr/> House Interim Study 96H-25, Ft. Sill State/National Cemetery Site
State Capitol, House Chamber |

Monday, December 2, 1996

- | | |
|--------------|---|
| 10:00 | State Board of Equalization
State Capitol, Governor's Conference Room |
| 11:00 | Oklahoma Transportation Commission
200 NE 21 St., Commission Room, 1st Floor, Oklahoma City |
| 1:00 | Senate Wildlife Committee
Groendyke Lodge, Lake Helllums Road, NW of Enid |

Calendar of Meetings & Events

Tuesday, December 3, 1996

- | | |
|-------|--|
| 9:00 | State Government Internal Affairs Investigation Review Committee
State Capitol, Room 512-A |
| 9:30 | Oklahoma Commission for Human Services
Room 214, Sequoyah Office Bldg., Oklahoma City |
| 10:00 | Joint State-Tribal Relations Committee
State Capitol, Room 419-C |
| 1:30 | Senate Interim Study 96S-111, Capital Funding Needs
Second Floor Boardroom of Oklahoma Historical Society, Oklahoma City |

Thursday, December 5, 1996

- | | |
|-------|---|
| 10:00 | Senate Interim Study 96S-102, Tourism & Recreation Infrastructure Funding Needs
State Capitol, Room 419-C |
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Tuesday, December 10, 1996

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

Thursday, December 12, 1996

- | | |
|------|---|
| 1:00 | Oklahoma Commission for Teacher Prep
Dyer Room, Oklahoma Education Association, 323 E. Madison, Oklahoma City |
|------|---|

Friday, December 13, 1996

- | | |
|-------|---|
| 10:00 | War Veterans Commission
Conference Room, Oklahoma Department of Veterans Affairs, Oklahoma City |
| 1:00 | Board of Corrections
Lexington Correctional Center, Lexington, OK |

Tuesday, December 17, 1996

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

Calendar of Meetings & Events

Thursday, December 19, 1996**9:00****Horse Racing Commission**

Shepherd Mall Activity Center, 2426 Plaza Prom, Oklahoma City

10:00**Senate Energy Administration Reform Task Force**

Per SB 911

University Center at Tulsa/Rogers State College, BS Robert Room, North Hall, Tulsa

Friday, December 20, 1996**10:00****Ethics Commission**

Public Hearing followed by regular meeting

Auditorium of the Wiley Post Historical Building, 2100 N. Lincoln Blvd., Oklahoma City

Fire Marshal Commission

4545 Lincoln Blvd., Suite 280, Oklahoma City

Monday, December 30, 1996**10:00****Board of Equalization**

State Capitol, Governor's Conference Room, Oklahoma City

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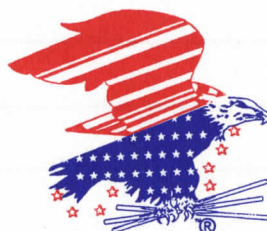
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