

Capitol Network News

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Daily Edition, Thursday, November 21, 1996

TASK FORCE DISCUSSES ELECTRIC UTILITY RESTRUCTURING BLUEPRINTS

By Shawn Ashley
Staff Writer

■(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. Many of those proposals, he added, left certain aspects of implementation of deregulation to the states because of the differences in the customer delivery of electricity from state-to-state.

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.

"No exemptions shall be allowed from the obligation to permit all customers to buy electricity from any supplier," Wilson said,

adding that such access would be required of all electric utilities, including those that are municipally-owned, cooperatively-owned, state-owned, federally-owned, and investor-owned.

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. The move, Wilson explained, would help to determine the costs of assets and operating expenses for their distribution facilities and to establish fees for access to those facilities.

An important component, Wilson said,
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GAS VALUE INFORMATION PROPOSAL GETS MIXED REVIEWS

By Shawn Ashley
Staff Writer

■(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.

"I don't know that it's appropriate that this information be made available to the general public."

A representative from Conoco also ex-
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of any restructuring effort would be tax equalization. Responding to a question from Easley, Wilson explained that it would not be wise to move forward with restructuring without a tax equalization component "because there are so many different entities and so many different needs to be resolved in what would be a competitive environment."

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 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, Wil-

son 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 expansion 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

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pressed 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 cost 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.

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plan, calling for deregulation to begin as soon as possible as opposed to after national or regional action.

"If you look at every industry that has gone through restructuring," said Shelton, "you will be surprised how (other states) can get competitive real quick."

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

ADOPTION REFORM ON THE WAY

**By Brandon Webb
Staff Writer**

■(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. The subcommittee attempted to make waiver of rights by unwed fathers uniform throughout the state. 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 provi-

sions. Some birth parents believe that they have 30 days to revoke their consent, only to find out a Judge is the final arbiter who may or may not grant relief. Making the consent irrevocable will bring consistency and certainty to the process. Birth parents should be advised by the court, as well as any attorney involved in the adoption, that consent is irrevocable.

Tulsa Law Professor, Marianne Blair, unsuccessfully petitioned for revocability for any reason for up to seven calendar days following a birth. Blair said, "Consumer Acts allow you to change your mind after purchasing a refrigerator, but the law won't let you reconsider a child." 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 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 right within 72 hours of the birth of a child. The rationale for this provision is to allow a birth mother three days to recover from the trauma of birth and any drugs that may have been administered before signing her parental rights relinquishment. A majority of the Committee was in favor of this proposal. However,

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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.

STATE BOARD OF EDUCATION MEETS

By Michelle Boyd Waters
Staff Writer

■(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 gubernatorial veto of SB 1100 prevented \$4.3 million from being paid to school districts earlier, Garrett said.

Two bills, SB 800 which allocated funds for staff development, and SB 1100 which included the designation of the monies for staff development, were sent by the 45th legislature to the Governor last June. Keating signed SB 800, but vetoed SB 1100.

Earlier this month — in response to a request by Garrett — the attorney general's office said that the Board may expend the money to fund an existing program, even though amendments to the program were vetoed by the governor.

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.

"We are happy to be providing schools with funds to help their teachers learn more about their specialty areas," Garrett said. "Professional development is important for the continued progress we're making in education in Oklahoma."

However, \$1.65 million for arts and stipends for the Great Expectations program, which were included in SB 1100, cannot be distributed because the money was to be used for programs not yet established, according to the attorney general's opinion.

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.

OCCY DISCUSSES SYSTEM OVERHAUL

By Michelle Boyd Waters
Staff Writer

■(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.

Coffman was the boy authorities found buried in a freezer after suffering injuries from a severe beating. 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.

The Governor's Task Force was called to make specific changes in the system to help

prevent each agency and individual from making decisions without having the benefit of all the information available in a given case.

"We talk a lot and frequently don't act ... systemic changes need to be made," said Thomas Walker, District Judge and member of the commission and the Justice Advisory Committee.

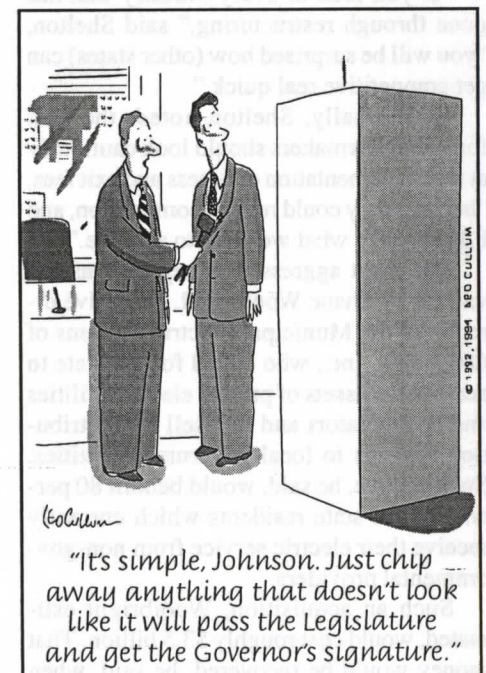
In other business, the commission appointed John Brown, a representative of the Department of Human Services, to the Child Abuse Prevention Training and Coordination Council.

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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.



EAGLES ARE BEING KILLED FOR PROFIT

From U.S. Dept. of Interior

■(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.

"As the agency responsible for protecting this Nation's wildlife, we must put an

end to the commercial killing of eagles and other migratory birds. We decided to move now to stop this slaughter to protect vulnerable eagle populations in the Southwest. By taking this action, we protect birds that are sacred to many Native American cultures," said John Rogers, acting director of the U.S. Fish and Wildlife Service.

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. Killing for profit in New Mexico makes the eagle population vulnerable as these birds migrate south.

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. For example, to make an eagle fan it takes the entire tail from one eagle. To make a single scissor-tailed flycatcher fan, it can take 25 birds.

This case is being prosecuted by the Department of Justice, United States Attorney's Offices in Albuquerque, New Mexico; and Phoenix, Arizona. John J. Kelly, the United States Attorney for the District of New Mexico, congratulated the agents of the Fish and Wildlife Service on their superb investigative work. "The United States government has a strong interest in the preservation of these magnificent animals," Kelly said. "This kind of large-scale commercial trapping must end before the resource is depleted entirely."

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.

"That lies should be necessary to life is part and parcel of the terrible and questionable character of existence."

Nietzsche

The Will to Power
c. 1885

DOE AGREES TO SETTLEMENT IN RADIATION EXPERIMENT CASES

From U.S. Dept. of Energy

■(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 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.

"Our policy of openness, begun during the Clinton Administration, proclaims that we will no longer hide the truth from the American people," said Secretary O'Leary. "This settlement goes to the very heart of the moral accountability the government owes its citizens. We are grateful to these families for the tough lessons they have taught us about trust, responsibility and accountability between the government and the people."

Beginning three years ago, O'Leary made available to the public thousands of documents relating to the 1946-1947 injections of these 18 men and women. 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.

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

From U.S. Dept. of Agriculture

■(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.

"It is fitting that the millionth call was received by the Hotline in November," said Bessie Berry, manager of the Hotline. "Over the years, Thanksgiving holiday food preparation has sparked many food safety questions, with more than 20 percent of the year's calls coming in November."

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.

McCORMICK NAMED CHAIR OF DIRECT LOAN TASK FORCE

From U.S. Dept. of Education

■(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.

"Joe's experience in directing a broad range of student aid programs, coupled with his success in launching a student loan guaranty agency that emphasized customer service, will be tremendous assets to the department and the direct lending team," Riley said.

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.

The task force selects schools for the direct loan program, provides technical assistance and training, and coordinates the administrative aspects to keep the program running smoothly.

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.

Currently, he serves as direct loan liaison officer, supervising direct loan account managers in the department's 10 regional offices, which provide technical assistance to participating schools.

Prior to joining the department, McCormick served as executive director of the Alaska Commission on Postsecondary Education, was president and CEO of the Texas Guaranteed Student Loan Corporation (TGSLLC), served as president of the National Council of Higher Education Loan Programs and was a member of the Texas Legislature's Select Committee on Higher Education.

Previously, McCormick was director of financial aid at three universities: University of Houston, Mississippi State University and Oklahoma State University Okmulgee, and also served as president of the National Association of Student Financial Aid Administrators.

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

From U.S. Consumer Product
Safety Commission

■(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. TBC received reports of consumers receiving burns when the pan tipped off the base.

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. TBC received at least seven re-

ports of consumers who received burns when the pan slipped from the brackets.

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. TBC received at least 13 reports of consumers receiving lacerations while setting up or using the grill. 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. TBC received at least 25 reports of fire or charring allegedly caused by ashes falling through the hole. In September 1994, TBC voluntarily provided a kit to owners of the charcoal smoker to close the hole and replace the sharp brackets.

TBC sold approximately 100,000 cooker/fryers, 100,000 electric smokers, and more than 1,000,000 charcoal water smokers between 1979 and 1993.

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.

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

EDUCATION
SB 1

PROFESSIONS & OCCUPATIONS
SB 2

COUNTIES
SB 3

Calendar of Meetings & Events

Monday, November 25, 1996

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

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

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

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

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

Tuesday, December 10, 1996

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

Calendar of Meetings & Events

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

Thursday, December 19, 1996

9:00 **Horse Racing Commission**
Shepherd Mall Activity Center, 2426 Plaza Prom, Oklahoma City

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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