



LEGISLATIVE UPDATE

Friday, June 4, 1999

OKLAHOMA STATE REGENTS FOR HIGHER EDUCATION

From: Bryce Fair & Carolyn McCoy

Highlights This Week:

[Note: The Governor has until June 12 to act on bills that passed the Legislature within the last 5 days of the session. We will distribute another legislative update after that date.]

Special Session Scheduled; Capital Bond Issue May Wait: The Governor and legislative leaders will be back in special session on Monday, June 14, to address the truth-in-sentencing issue and begin the process on a capital bond proposal. According to Senate President Pro Tempore Stratton Taylor, final agreement on a capital bond proposal is not expected by the time the special session convenes. However, “shell” bills that have already been introduced will likely be moved through the legislative process and into a conference committee. This would allow the Legislature to recess the special session and come back later for as little as one day to approve any agreement reached by the Governor and legislative leaders.

Regents Allocate Appropriations: On Friday, May 28, the State Regents allocated \$771 million appropriated to higher education by the 1999 Oklahoma Legislature. A press release from the State Regents about the allocation, including a table showing the funding by institution, is available at:
<http://www.okhighered.org/whatsnew/archives/99-00appropriations.html>

Regents Approve Tuition Increases: Also on Friday, the State Regents officially approved tuition increases authorized by HB 1296, contingent upon the Governor’s expected approval of the bill. The action will increase tuition by 8% at the comprehensive universities and 7% at the four-year and two-year colleges. Tuition for professional programs will increase from 5% to 10%. A State Regents’ press release about the tuition increase is available at:
<http://www.okhighered.org/whatsnew/archives/tuitionratesapproved.html>

Bills on the Governor’s Desk: A total of 138 bills still await action by the Governor, including 23 bills that we are tracking. Following is a selected list of some of those bills; a complete list of the 23 pending bills is contained further in the report.

- SB 34 – **Speech Pathology** – The bill creates a Task Force on Speech-Language Pathologists in the Public Schools; one of the duties of the Task Force is to study the availability of masters level programs in speech-language pathology. Bill text: http://www2.lsb.state.ok.us/1999-00SB/sb34_enr.rtf
- SB 151 – **Presidents’ Contracts / Master Lease Program / Petty Cash** – The bill calls for a state question to amend the Oklahoma Constitution to allow multi-year contracts for state college presidents up to three years. The bill also contains language authorizing a master lease program and making statutory changes related to institutional petty cash funds. Bill text: http://www2.lsb.state.ok.us/1999-00SB/sb151_enr.rtf
- SB 196 – **OTAG** – amendments to the Oklahoma Tuition Aid Grant Program Bill text: http://www2.lsb.state.ok.us/1999-00SB/sb196_enr.rtf
- SB 361 – **OTRS Contributions for Externally Funded Employees** – The bill modifies the process for making matching contributions to the Oklahoma Teachers Retirement System for employees funded by external grants or contracts. Bill text: http://www2.lsb.state.ok.us/1999-00SB/sb361_enr.rtf
- HB 1296 – **Tuition** – This is the tuition increase bill. Bill text: http://www2.lsb.state.ok.us/1999-00HB/hb1296_enr.rtf
- HB 1458 – **Health Insurance** – The bill allows an employee to cover children/dependents without covering their spouse. Bill text: http://www2.lsb.state.ok.us/1999-00HB/hb1458_enr.rtf
- HB 1511 – **Revenue Bonds** – Section 19 deletes the requirement for a legislative resolution to refund or defease existing revenue bonds. Bill text: http://www2.lsb.state.ok.us/1999-00HB/hb1511_enr.rtf
- HB 1527 – **Nigh Rehabilitation Institute Transfer** – The bill transfers the George Nigh Rehabilitation Institute from the Department of Veterans Affairs to the State Regents for Higher Education. Bill text: http://www2.lsb.state.ok.us/1999-00HB/hb1527_enr.rtf
- HB 1565 – **Rainy Day Fund** – The bill appropriates \$23.5 million to the State Regents for Higher Education. Bill text: http://www2.lsb.state.ok.us/1999-00HB/hb1565_enr.rtf
- HB 1571 – **Appropriations** – Section 19 appropriates \$100,000 to establish the George and Donna Nigh Scholarship program. Section 20 appropriates \$445,000 for higher education. Bill text: http://www2.lsb.state.ok.us/1999-00HB/hb1571_enr.rtf
- HB 1622 – **Strategic Planning** – The bill requires all state agencies, including higher education institutions, to develop a five-year strategic plan. The plans will be utilized by the Joint Legislative Committee on Budget and Program Oversight and the Joint Committee on Accountability in Government. Bill text: http://www2.lsb.state.ok.us/1999-00HB/hb1622_enr.rtf
- HB 1759 – **Tuition Scholarships/Forgivable Loans for Teachers** – The bill creates the Oklahoma Tuition Scholarship Act and amends existing law for forgivable teacher loans. The implementation of the programs is contingent upon K-12 per pupil expenditures reaching 90% of the regional average. Bill text: http://www2.lsb.state.ok.us/1999-00HB/hb1759_enr.rtf

Text of Bills: To review a text of any bill, go to: <http://www2.lsb.state.ok.us/docs/billtext.html>

Status of Bills: To find the current status of any bill, go to: <http://www2.lsb.state.ok.us/>

Upcoming Meetings/Events

- Wednesday, June 30, Meeting of the State Regents for Higher Education at Southeastern Oklahoma State University in Durant.

Upcoming Legislative Deadlines:

June 12, 1999Deadline for Governor's Action on Bills

Actions on Bills This Week:

GOVERNOR'S ACTIONS

Bills on the Governor's Desk:

- SB 151 - Appropriations - State Regents
- SB 178 - Deferred savings
- SB 196 - OTAG/Tuition Trust/College Savings
- SB 361 - Retirement
- SB 373 - Health insurance
- SB 391 - Oil revenue
- SB 504 - Teachers' Retirement System
- SB 680 - Workers' Compensation
- HB 1152 - Livestock activities liability
- HB 1296 - Tuition/fees
- HB 1318 - Health Care Freedom of Choice
- HB 1458 - Health insurance
- HB 1511 - Appropriations
- HB 1527 - George Nigh Rehabilitation Institute
- HB 1565 - Appropriations
- HB 1571 - Appropriations
- HB 1580 - Reappropriations
- HB 1584 - Sales tax exemption

HB 1592 - Core curriculum
HB 1599 - School testing
HB 1622 - Long range plans
HB 1681- Health insurance - accountability
HB 1759 - Education reform

Bills Signed by the Governor:

SB 34 - Teacher certification; speech-language pathology
SB 89 - Education Oversight Board
HB 1364 - Education Leadership Oklahoma
HB 1748 - Health insurance - behavioral health

CHANGES TO THE LIST

Bills Added to the List:

SB 2X - Bonds
SB 3X - Tobacco settlement fund
SJR 1X - Bonds
HB 1005X - Bonds
HJR 1001X - Bonds
SB 391 - Oil revenue
HB 1565 - Appropriations
HB 1571 - Appropriations
HB 1580 - Reappropriations

Bills Deleted from the List:

SB 19 - Answering machines/voice mail
SB 108 - Health insurance - freedom of choice
SB 123 - Appropriations
SB 152 - Appropriations - Physician Manpower Training Commission
SB 177 - Flexible benefits
SB 180 - Program budgeting
SB 182 - Capitol improvement
SB 183 - Purchasing
SB 366 - Technology Advisory Board
SB 411 - Health insurance
SB 441 - Life insurance
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SB 517 - Campus safety
SB 552 - Technology transfer
SB 610 - Retirement
SB 697 - Testing
SB 713 - Technology Incentive Fund
SB 721 - Child support - health insurance and income assignment
SB 747 - Academy Schools
SB 784 - Educational standards
SB 787 - Tuition incentive
SJR 25 - Space technology
SCR 9 - OU Memorial Union

SCR 33 - OU revenue bonds
SCR 59 - Health insurance enrollment period
HB 1002 - Retirement - Tobacco settlement
HB 1119 - Tax exemption for interest income
HB 1130 - Administrative procedures
HB 1293 - Purchasing - bids/contracts
HB 1300 - Workers' Compensation
HB 1351 - Dental faculty
HB 1377 - Workforce Training Incentive Act
HB 1399 - Health insurance
HB 1413 - Computer malfunction liability
HB 1469 - Income tax adjustments for technology transfer
HB 1515 - Appropriations - Teacher Preparation
HB 1537 - Asbestos abatement
HB 1564 - Appropriations
HB 1566 - Appropriations
HB 1649 - School technology/OneNet
HB 1846 - Leave sharing/disaster leave
HCR 1052 - Larkin Warner
HR 1011 - OU College of Medicine

If you need copies of any of the bills, go to the website: <http://www.lsb.state.ok.us/docs/billtext.html>, or contact Carolyn McCoy at (405) 524-9165 [e-mail: cmccoy@osrhe.edu].

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BILLS OF INTEREST TO HIGHER EDUCATION

OKLAHOMA STATE REGENTS FOR HIGHER EDUCATION

Forty-Seventh Legislature
Status Reported as of June 3, 1999

SPECIAL SESSION 1999

SENATE BILLS

SB 2X (Taylor/Benson) - **BONDS**. "Oklahoma Education and Infrastructure Bond Act". (62 § 57.400)
5/28/99 Senate Introduced

SB 3X (Taylor/Benson) - **TOBACCO SETTLEMENT**. Creates a Tobacco Settlement Fund. (62 § 52)
5/28/99 Senate Introduced

SJR 1X (Taylor/Benson) - **BONDS**. Proposes a constitutional amendment authorizing the issuance of general obligation bonds.
5/28/99 Senate Introduced

HOUSE BILLS

HB 1005X (Benson/ Taylor) - **BONDS**. "Oklahoma General Obligation Bonds Act of 1999".
5/28/99 House Introduced

HJR 1001X (Benson/ Taylor) - **BONDS**. Proposes a constitutional amendment authorizing the state to issue an unspecified amount in general obligation bonds.
5/28/99 House Introduced

FIRST SESSION 1999

SENATE BILLS

SB 2 (Taylor/Benson) - **HEALTH INSURANCE/MENTAL ILLNESS**. Defines "severe mental illness" as schizophrenia, bipolar disorder (manic-depressive illness), major depression, panic disorder, obsessive-compulsive disorder and schizoaffective disorder; requires health benefit plans to provide benefits for treatment of severe mental illness; requires that such benefits be equal to benefits for treatment of and subject to the same preauthorization and utilization review mechanisms as all other physical diseases and disorders; provides an exemption for coverage provided by health benefit plans for small employers; exempts a health benefit plan that, at the end of its base period, experiences a greater than 2-percent increase in premium costs; requires the Insurance Commissioner to analyze the direct incremental impact on premium costs for requiring health plans to include severe mental illness benefits; requires the Commissioner to submit a report by May 1, 2000; requires that the final report include, to the extent possible, an analysis of direct or indirect benefit of requiring benefits for treatment of severe mental illness; pro-

vides that, if the report shows that the cumulative average premium increase during the first three years of implementation of the act that is directly attributable to the mental illness benefits is greater than 6 percent, the requirements shall terminate May 1, 2003. (36 §§ 6060.10/6060.13)

5/13/99 Signed by Governor

SB 10 (Ford/Adair) - BOARD EMPLOYEES. Permits a state board or commission to employ a state employee who is an ex officio member of that board or commission and who is required by law to be a member of that entity; provides that the bill shall not apply to a statewide elected official who is an ex officio member of a board or commission. (74 § 4257)

4/19/99 Signed by Governor

SB 34 (Crutchfield/Boyd) - CURRICULUM EXAMINATIONS/SPEECH PATHOLOGY. Authorizes teacher certification in administration of persons who successfully completed the curriculum examination prior to May 1, 1999, and completes a masters degree in school administration or education administration from an accredited institution of higher education prior to Dec. 31, 1999; provides for a three-year extension of a provisional certificate in speech-language pathology for individuals who held a provisional certificate during the 1998-99 school year in speech-language pathology; allows annual renewal of such provisional certification, beginning July 1, 2002, subject to documentation of admission to and progress toward completion of the relevant master's degree program; creates the Task Force on Speech-Language Pathologists in the Public Schools; includes on the task force the Chancellor or designee and a representative from each degree-granting speech-language pathology higher education program within the state.

6/4/99 Signed by Governor

SB 36 (Herbert/Glover) - SCHOOL LAND FUNDS. Requires monthly distribution from permanent school funds, other educational funds and public building funds; requires that the percentage of annual distribution from the trust funds held by the Commissioners of the Land Office be 5 percent of the average of the fiscal-year-end market value for the preceding three fiscal years; requires that the market value of the trust funds be established using the fiscal-year-end-balance of the total trust funds held by the custodial bank; provides that the act will become effective upon passage of the constitutional amendment proposed in SJR 2. (64 § 51.A)

4/26/99 Signed by Governor

SB 37 (Herbert/Glover) - SCHOOL LAND FUNDS. Removes restrictions on the investment of permanent school funds and other educational funds; allows investment of permanent school and other educational funds only in bonds issued in the U.S. and U.S.-dollar-denominated or other investments settled in U.S. dollars or traded on the U.S. exchange markets; prohibits the Commissioners of the Land Office from investing more than 45 percent of the permanent common school fund, other educational funds and public building funds in equity securities; requires that the 45-percent-limitation be increased by 5 percent over a three-year period, until it reaches 50 percent; requires the Commissioners to reserve and retain forever title to all oil, gas and other mineral rights in and under all lands to be sold or designated for certain purposes; prohibits the Commissioners from selling any oil, gas or other mineral interest under their jurisdiction without prior legislative approval. (64 § 51)

4/26/99 Signed by Governor

SB 38 (Morgan/Corn) - SURPLUS EQUIPMENT. Authorizes state agencies to dispose of obsolete or surplus equipment to entities within the State System. (62 § 120.1)

4/7/99 Signed by Governor

SB 43 (Helton/Kirby) - **POW/MIA RECOGNITION DAY**. Designates the third Friday of September of each year as POW/MIA Recognition Day; authorizes and requests the Governor to authorize all state agencies to fly the flag of the National League of Families of American Prisoners of War and Missing in Action. (25 § 90.13)

4/5/99 Signed by Governor

SB 60 (Herbert/Glover) - **SCHOOL LAND FUNDS**. Changes the nature of funds to be distributed by the Commissioners of the Land Office. (70 §§ 614, 3904)

4/26/99 Signed by Governor

SB 66 (Williams/Boyd) - **TEACHER PREPARATION/COMPETENCY EXAMS**. Modifies requirements for taking teacher competency examinations to remove language requiring that teacher candidates be eligible following completion of the junior year or after having completed 90 college credit hours; repeals a section relating to certain course requirements. (70 §§ 6-187, 6-128)

4/7/99 Signed by Governor

SB 86 (Weedn/Hilliard) - **FUNERAL DIRECTORS/EMBALMERS/ EDUCATION**. Changes the accreditation entity for approved programs of mortuary science from the Conference of Funeral Service Examining Boards of the United States to the American Board of Funeral Service Education; specifies qualifications for funeral directors; modifies requirements for reciprocal licensing of embalmers and funeral directors. (59 § 396.3)

4/7/99 Signed by Governor

SB 89 (Williams/Roberts) - **EDUCATION OVERSIGHT BOARD**. Modifies residency requirements for members of the Education Oversight Board to require that at least one appointed member reside in each congressional district. (70 § 3-116)

6/4/99 Signed by Governor

SB 102 (Horner/Stites) - **OKLAHOMA HIGHER LEARNING ACCESS PROGRAM (OHLAP)**. Modifies eligibility for the Oklahoma Higher Learning Access Program; removes language that required eligible students to maintain a 2.5 cumulative grade point average “irrespective of honor points”; allows financial need to be established during the eighth-grade year as well as the ninth- or tenth-grade year; prohibits allocations from the Oklahoma Higher Learning Access Trust Fund for students enrolled in a postsecondary vo-tech program or course from exceeding the amount a student would have received for comparable enrollment at a two-year State System institution; requires that a student be eligible for financial assistance under the program if the student's family income does not exceed \$32,000, instead of the current \$24,000. (70 §§ 2603/2605)

5/21/99 Signed by Governor

SB 121 (Haney/Settle) - **APPROPRIATIONS/OKLAHOMA CENTER FOR THE ADVANCEMENT OF SCIENCE AND TECHNOLOGY (OCAST)**. Sections 11 and 21 pertain to appropriations to the Department of Commerce, allocating funds for contracts with Southeastern Oklahoma State University for its statewide Small Business Development Centers Network and the Bid Assistance Program/Computer-Assisted Technology Transfer program at Oklahoma State University-Okmulgee; Sections 36 through 39 appropriate \$16,963 from the General Revenue Fund to the Oklahoma Center for the Advancement of Science and Technology (OCAST); redesignate \$100,000 in FY'99 funds appropriated to the agency to be used for a study of the activities of OCAST; set budget limitations, and designate a certain portion of funds appropriated in SB 161 to be deposited into the Research Support Revolving Fund.

5/27/99 Signed by Governor

SB 150 (Haney/Settle) - APPROPRIATIONS/STATE REGENTS/PHYSICIAN MANPOWER TRAINING COMMISSION. Section 1 appropriates \$1.6 million to the State Regents; Section 2 appropriates \$127,398 to the State Regents; Section 3 authorizes the State Regents to expend \$12 million of funds allocated in Section 18 of SB 161; Section 4 transfers between \$840,000 and \$850,000 from the Department of Human Services Revenue Bonds, Series 1987, issued by the Enid Improvement and Redevelopment Authority to the State Regents; Section 5 states legislative intent that funds appropriated in Section 1 of this act be allocated to the OSU Agriculture Extension Program; Section 6 requires the State Regents to develop outcome-based performance measures for each program and activity administered by the State Regents; Sections 7 authorizes the provision of resources to the branch campus of Eastern State College in McAlester; Section 8 authorizes the Board of Regents of Oklahoma Colleges to provide resources to the Woodward campus of Northwestern Oklahoma State University; Section 9 deletes the requirement for locally provided physical plant accommodations for the Enid Higher Education Program and allows the Board of Regents of Oklahoma Colleges to provide resources to the Enid program; Section 10 authorizes the Carl Albert State College Board of Regents to provided resources to the Carl Albert branch campus at Sallisaw; Sections 11 - 13 pertain to and allocate \$130,784 to the Physician Manpower Training Commission.

5/27/99 Signed by Governor

SB 151 (Haney/Settle) - PRESIDENTS' CONTRACTS/MASTER LEASE. Proposes a constitutional amendment and enacts new law to authorize multi-year contracts for presidents of State System institutions, limiting the term of such contracts to three years; authorizes the State Regents to establish a master lease program to finance acquisition of items of personal property to enable institutions and entities to achieve cost-saving efficiencies; authorizes lease transactions of from \$50,000 to \$5 million; authorizes the Regents to reduce the allocation of funds that otherwise could be made to an institution in order to make payments for leases within the lease financing program; increases amount of expenditures that may be made from petty cash funds from \$300 to \$500; broadens exemption from certain expenditure prohibitions. (62 § 41.14, 70 §§ 3206.5, 3210, 3903, 74 § 840-2.7)

5/21/99 CCR Adopted - Senate, Bill Passed - Senate (33-5)

5/25/99 CCR Adopted, Bill Passed - House (51-45)

5/25/99 Emergency Passed - House (68-27)

5/25/99 Signed and Transmitted to Governor

SB 161 (Haney/Settle) - APPROPRIATIONS/STATE REGENTS/PMTC/OCAST/TEACHER PREP/UNIVERSITY HOSPITALS. This is a general appropriations bill. Section 13 appropriates \$677,259,679 to the State Regents from the General Revenue Fund; Section 14 appropriates \$9,475,532 to the State Regents from the Special Cash Fund; Section 15 appropriates \$37,853,842 to the State Regents from the General Revenue Fund; Section 16 appropriates \$4,369,968 to the State Regents from the General Revenue Fund; Section 17 appropriates \$4,844,262 to the State Regents from the General Revenue Fund; Section 18 appropriates \$12 million to the State Regents from the General Revenue Fund; Section 21 appropriates \$4,908,000 to the Physician Manpower Training Commission; Section 22 appropriates \$400,000 to the Physician Manpower Training Commission; Section 24 appropriates \$4,516,000 to the Oklahoma School of Science and Mathematics; Section 25 appropriates \$11,607,550 to the Oklahoma Center for the Advancement of Science and Technology (OCAST), Section 26 appropriates \$1,554,000 to the Teacher Preparation Commission; Section 28 appropriates \$135,828,803 to the Oklahoma Teachers' Retirement System; Section 87 appropriates \$26,576,556 to the University Hospitals Authority. *Section 18 was amended by HB 1511; Section 25 was amended by SB 121; Section 28 was repealed in HB 1574. See also SB 150, HB 1510 and HB 1523 for designation or redesignation of funds.*

4/8/99 Signed by Governor

SB 164 (Haney/Settle) - **ROGERS STATE UNIVERSITY**. Transfers the governance of Rogers State University from the Board of Regents of Oklahoma Colleges to the Board of Regents for the University of Oklahoma.

5/27/99 Signed by Governor

SB 178 (Haney/Settle) - **DEFERRED SAVINGS**. Authorizes the use of funds in the Oklahoma State Employees Deferred Savings Incentive Plan Fund, when specifically authorized by the Legislature, for administration of the Deferred Savings Incentive Plan and the Oklahoma State Employees Deferred Compensation Plan; authorizes the Oklahoma Public Employees Retirement System (OPERS) to expend up to \$300,000 for administration of the two plans. (74 § 1707)

5/25/99 CCR Adopted, Bill Passed - Senate (43-0)

5/25/99 CCR Adopted, Bill Passed - House (99-0)

5/25/99 Signed and Transmitted to Governor

SB 196 (Williams/Braddock) - **OKLAHOMA TUITION AID GRANT (OTAG)/TUITION TRUST/COLLEGE SAVINGS PLAN**. Removes language requiring that, in order to receive a tuition aid grant, a student must be enrolled in a minimum of six semester hours; requires the State Regents to determine by rules the annual maximum award amount based on an annual assessment of funds availability; requires that the percentage of aid be based on a need analysis system consistent with federal student financial aid regulations; requires the Regents to set an annual award payment schedule based on a maximum grant of 75 percent of tuition and fees, with grants based on lower percentages of tuition and fees being awarded to students who demonstrate lower financial need; provides that no student who receives an award for the 1999-2000 academic year shall be denied additional awards because of inability to meet the financial standards established in this act as long as other eligibility criteria continue to be met and the student's award status is renewed annually; creates the Oklahoma Task Force on Qualified State Tuition Plans until Feb. 1, 2000, to study and prepare recommendations concerning the viability of the Oklahoma Tuition Trust Act and its potential for enhancing or detracting from implementation of the Oklahoma College Savings Plan; includes the Chancellor or designee on the Task Force and requires the Chancellor to call the first meeting; requires study of certain items, including how the Tuition Trust Act can be coordinated with the Oklahoma College Savings Plan Act and recommendations on amendments of or repealing the Tuition Trust Act (70 §§ 626.4, 626.7)

5/24/99 CCR Adopted, Bill Passed - Senate (43-0)

5/25/99 CCR Adopted, Bill Passed - House (98-1)

5/25/99 Signed and Transmitted to Governor

SB 224 (Williams/Braddock) - **STUDENT LOANS**. Requires licensing agencies to provide to the State Regents information indexed by social security number, when requested for use in the default prevention efforts or collection of defaulted student loans guaranteed by the Regents; provides for confidentiality of such information; requires the Oklahoma Bar Association, if it receives notice that a licensed attorney is in default, to begin proceedings by which the attorney may be suspended pursuant to Rules Governing Disciplinary Proceedings. (70 §§ 623, 623.1)

4/7/99 Signed by Governor

SB 272 (Herbert/Adair) - **RETIREMENT/LIFE INSURANCE**. Allows a person receiving a vested benefit under the provisions of the State of Oklahoma retirement systems and who is participating in a health insurance plan, the dental insurance plan, or the life insurance plan offered by the State and Edu-

cation Employees Group Insurance Board or the spouse of such person to purchase life insurance benefits not to exceed \$50,000. (74 § 1316.1)

5/25/99 Signed by Governor

SB 296 (Morgan/Stanley) - **DENTISTRY**. Adds definition of “accredited dental college” and “accredited dental hygiene program” to the State Dental Act; amends language applying to acts regarded as practicing dentistry within the meaning of the Act; amends language relating to securing a license or certificate of ability to practice dentistry or dental hygiene; amends language relating to faculty permits. (59 §§ 328.3, 328.19, 328.20, 328.21, 328.27, 328.36, 328.39, 328.39a, 328.41)

5/27/99 Signed by Governor

SB 323 (Muegge/Lindley) - **SICK LEAVE**. Allows state employees to donate to another employee any amount of unused sick leave at the time of termination of employment. (74 § 840-2.23)

4/5/99 Vetoed by Governor

4/21/99 Veto override fails - Senate (31-14)

SB 354 (Monson/Askins) - **HEALTH INSURANCE AUTHORITY**. Removes authority for the Oklahoma Health Care Authority to purchase health care benefits and develop health care plans for state and education employees. (63 §§ 5006, 5011; 74 § 1364)

4/13/99 Signed by Governor

SB 361 (Monson/Toure) - **RETIREMENT**. Requires school districts, colleges and universities and other agencies whose employees are members of the Teachers’ Retirement System to charge all of their externally sponsored agreements such as grants, contracts and cooperative agreements an amount for contributions to the System; provides for calculation of amount. (70 § 17-108)

5/18/99 CCR Adopted, Bill Passed - Senate (40-0)

5/24/99 CCR Adopted, Bill Passed - House (98-1)

5/24/99 Signed and Transmitted to Governor

SB 372 (Henry/Blackburn) - **COLLEGE SAVINGS PLAN**. Sets term limits of membership of the Board of Trustees of the College Savings Plan; exempts Board from the Central Purchasing Act for purposes of selecting depository institutions and account managers; requires the Board to develop a competitive process by which the institutions and managers will be selected; exempts the Board from Article I of the Administrative Procedures Act. (70 §§ 3970.4, 3970.5; 75 § 250.4)

5/3/99 Signed by Governor

SB 373 (Monson/Askins) - **HEALTH INSURANCE**. Allows health maintenance organizations (HMOs) under contract with the state to offer coverage through a point-of-service plan, subject to guidelines established by the Board; requires that health benefit plan contracts for state employees provide for a risk adjustment factor for adverse selection that may occur based on generally accepted actuarial principles; authorizes the State Employee Benefits Council to negotiate for best and final offer through competitive negotiation and to keep confidential certain proposal-related documents. (74 §§ 1306, 1365)

5/19/99 CCR Adopted, Bill Passed - Senate (41-0)

5/24/99 CCR Adopted, Bill Passed - House (98-0)

5/24/99 Signed and Transmitted to Governor

SB 376 (Leftwich/Paulk) - **PRIVATIZATION OF STATE FUNCTIONS**. Creates the “Oklahoma Privatization of State Functions Act”; declares purpose of act to set guidelines for privatization of state services to ensure that, if approved, privatization is cost effective and in the best interest of state citizens;

requires agencies to allow employees to submit proposals for improving operations, efficiency or organization of the entity; prohibits present and former state officers or employees with discretionary or decision-making authority in awarding privatization contracts from becoming an officer or employee of a business organization that is a party to such a contract with the subject state agency for a period of one year. (74 §§ 595/595.4)

5/27/99 Signed by Governor

SB 380 (Stipe/Gray) - **LICENSED BEHAVIORAL PRACTITIONERS.** Creates the “Licensed Behavioral Practitioner Act”; provides exemption of certain professionals, including employees of accredited higher education institutions, from act; requires certain course work for license. (59 §§ 1930/1948)

4/28/99 Signed by Governor

SB 391 (Easley/Rice) - **OIL REVENUES.** Amends HB 1003X which relates to gross production taxes; modifies the method of calculation of oil price for certain purposes. (68 § 1001)

5/28/99 CCR Adopted, Bill Passed - Senate

5/28/99 CCR Adopted, Bill Passed - House

5/28/99 Signed and Transmitted to Governor

SB 409 (Mickle/Dunegan) - **BONDS/TECHNOLOGY TRANSFER.** Modifies criteria for issuance of debt by public trust authorities for the benefit of a nonprofit corporation; modifies criteria for allocations under the state ceiling for private activity bond allocations; provides exemption from legislative approval requirements for certain bonds; designates Rural Enterprises of Oklahoma Inc., a technology transfer center and an instrumentality of the state. (18 § 868; 62 §§ 695.23, 695.24; 70 §§ 4002.1; 6002)

5/26/99 Vetoed by Governor

SB 439 (Monson/Roberts) - **HEALTH INSURANCE REIMBURSEMENT RATES.** Changes the date for submission of an annual report by the Payment Rate Review Task Force from Sept. 1 to Jan. 1; requires the State and Education Employees Group Insurance Board to schedule a hearing 30 days prior to adopting any major change of reimbursement rates or methodology; requires the Board to notify health care providers at least 15 days prior to the hearing; requires the Board to provide an open forum for health care providers to comment on proposed changes; requires the Board to make available, upon request, copies of relevant fee schedules to participating health care providers. (74 §§ 1306.3, 1325, 1326)

5/25/99 Signed by Governor

SB 480 (Hobson/Toure) - **TECHNOLOGY/CONFIDENTIALITY.** Allows a public body to keep as confidential any information relating to state-owned or -controlled technology or the development, transfer or commercialization of the technology, and any other information relating to such technology which, if disclosed, will adversely affect or give other persons or entities an advantage over public bodies in negotiating terms and conditions for the development, transfer or commercialization of the technology; Provides specific reporting requirements for research activities at State System institutions; makes such reports subject to the Open Records Act. (51 § 24A.19)

5/27/99 Signed by Governor

SB 504 (Henry/Weaver) - **RETIREMENT.** Authorizes a retired member of the Teachers’ Retirement System who has been retired for 36 or more months and who is employed to teach in a public school to receive annualized earnings from the school not to exceed \$25,000. (70 § 17-116.10)

5/20/99 CCR Adopted - Senate, Bill Passed - Senate (34-5)

5/25/99 CCR Adopted, Bill Passed - House (93-6)

5/25/99 Signed and Transmitted to Governor

SB 505 (Williams/Braddock) - **TRAVEL REIMBURSEMENT.** Authorizes state officers and employees to receive travel reimbursement through direct deposit if the officer or employee is receiving his or her payroll claims pursuant to the State Employees' Direct Deposit Act. (74 § 500.37)

4/28/99 Signed by Governor

SB 508 (Dickerson/Askins) - **PURCHASING.** Exempts the State Regents, the institutions, centers, or other constituent agencies of the State System and OneNet from compliance with the provisions of the Central Purchasing Act; removes redundant exemptions relating to the State System; increases from \$2,500 to \$10,000 the contract threshold for requirement that state agency heads, whether or not the agency is subject to Central Purchasing, report annually to the State Purchasing Director. (74 § 85.43)

5/27/99 Signed by Governor

SB 589 (Smith/Askins) - **TRADEMARK ANTI-COUNTERFEITING.** Enacts the "Trademark Anti-Counterfeiting Act"; criminalizes the reproduction or copy of trademarks or intellectual property; requires a law enforcement officer, after forfeiture has been ordered, to destroy all seized items that bear a counterfeit mark. (21 §§ 1990/1990.2, 1738)

4/5/99 Signed by Governor

SB 602 (Hobson/Roberts) - **RETIREMENT.** Modifies maximum compensation levels to be used for calculating benefits for members of the Teachers Retirement System. (70 §§ 17-101, 17-116.2B)

4/19/99 Signed by Governor

SB 647 (Mickle/Askins) - **STATE AGENCY ACCOUNTS.** Authorizes the State Treasurer to waive the counter-signature requirement for vouchers against agency clearing accounts and special accounts if an agency certifies that controls are in place and will be followed to prevent the unauthorized issuance of its vouchers and if the vouchers are generated and signed by automated processes; authorizes a state agency, if the State Treasurer has an agreement with a financial institution to provide services, to pay the institution directly for services performed for the agency under the same terms, if the services are services not previously provided to the agency through the State Treasurer; allows the State Treasurer to permit treasurers of local governmental entities to place public funds under their control into investments used by the State Treasurer for state funds, if the local treasurer has appropriate investment authority; repeals sections relating to designation of fiscal agencies. (62 §§ 7.5a, 71)

5/27/99 Signed by Governor

SB 669 (Smith/Toure) - **PUNITIVE DAMAGES.** Prohibits the state or political subdivisions from paying punitive or exemplary damages rendered against an employee; provides that the state or political subdivisions may indemnify employees for actual damages, fees and costs in certain cases; repeals provisions related to application of certain provisions. (51 § 162)

4/22/99 Signed by Governor

SB 680 (Henry/Settle) - **WORKERS' COMPENSATION.** Removes the requirement that workers' compensation coverage for state employees be through the State Insurance Fund; requires that such insurance be obtained from the lowest and best bidder pursuant to the Central Purchasing Act; provides that a claimant whose injury does not prevent returning to employment with the same employer at the same or greater rate of pay will be ineligible for a permanent disability award; modifies penalty for failure to secure workers' compensation coverage. The conference committee substitute requires the State Insurance Fund to declare and pay a dividend to policyholders if the ratio of direct premiums to surplus

exceeds 1:1.75; requires that any dividend paid to a state agency be deposited in the Multiple Injury Trust Fund; allows state agencies to obtain private-sector workers' compensation coverage if it can be obtained at a premium the same or lower than that offered by the State Insurance Fund; changes the name of the Special Indemnity Fund to the Multiple Injury Trust Fund; provides that reopening a prior injury claim other than the last employer injury claim shall not give a claimant the right to additional multiple industry trust fund benefits; provides that Multiple Injury Trust Fund awards shall accrue from the file date of the court order finding the claimant to be permanently and totally disabled; provides that awards not claimed within two years of the date on which the award first becomes available shall be returned to the trust fund; provides for payment of interest on claims made on awards returned to the Multiple Injury Trust Fund after two years, if the claimant is subsequently found and claims an award; provides that for actions filed on or after Nov. 1, 1999, the Multiple Injury Trust Fund shall not be liable for payment of permanent partial disability awards. (85 §§ 2b, 3.10, 22, 42)

5/28/99 CCR Adopted, Bill Passed - Senate (41-0)

5/28/99 CCR Adopted, Bill Passed - House (100-1)

5/28/99 Signed and Transmitted to Governor

SB 685 (Cain/Blackburn) - **HEALTH INSURANCE**. Requires certain health insurance policies to include coverage for audiological services and hearing aids for children up to the age of 13; provides an exemption for policies that provide coverage for specified disease or other limited benefit coverage and groups with 50 or fewer employees. (36 § 6060.7)

4/28/99 Signed by Governor

SB 715 (Crutchfield/McCarter) - **TEACHER PREPARATION**. Requires teacher preparation pre-service programs to include a study of substance-abuse symptoms identification and prevention, classroom management skills and classroom safety and discipline techniques. (70 § 6-185)

5/24/99 Signed by Governor

SB 720 (Taylor/Benson) - **SPACE INDUSTRY DEVELOPMENT**. "Oklahoma Space Industry Development Act"; creates an Oklahoma Space Industry Development Authority to plan spaceport systems and projects in the state, promote development and improvement of space exploration and spaceport facilities, to stimulate development of space commerce and education, including the commercialization of the space industry and development of space-related industries, to promote research and development related to space and space-related industry and to promote tourism in connection with the foregoing; permits the authority to cooperate with municipalities, counties, regional authorities, state agencies and organizations, appropriate federal agencies and organizations and other interested persons and groups; creates a seven-member Board of Directors appointed by the Governor with advice and consent of the Senate; requires that all but one board member be a state resident; requires that members have experience in the aerospace or commercial space industry or finance, or other significant relevant experience; permits the authority to acquire real property for the purpose of establishing, constructing, maintaining or operating a spaceport and spaceport facilities; creates a Spaceport Territory Advisory Council consisting of one person appointed by the board of county commissioners of each county located within the area defined as a spaceport territory and one person appointed by the municipal governing body of any incorporated city or town located partially or wholly within the area; specifies geographic area within which the spaceport territory is to be established; provides procedures for landowners to exclude their land from spaceport territory; provides for bonding authority; provides for motor fuel and sales tax exemptions for the Space Industry Development Authority and spaceport users. (74 §§ 5201/5237; 68 §§ 500.10, 500.13, 1356, 3202)

5/17/99 Signed by Governor

SB 750 (Rozell/Paulk) - **GRANT FUND REPORTS.** Requires all governmental entities to report grant funds received, administered, used or under the direct or indirect control of such entity or its employees; requires that a copy of the report be filed with the State Auditor and Inspector and the Director of the Office of State Finance within four months after the end of the fiscal year. (74 § 212A)

5/21/99 Signed by Governor

SB 758 (Horner/Ross) - **SOCIAL STUDIES CURRICULUM.** Requires that the State Board of Education adopt a social studies core curriculum with courses of instruction for all students enrolled in the public schools that reflects the racial, ethnic, religious and cultural diversity of the U.S.; directs that the U.S. history and Oklahoma history components required in the social studies curriculum for all students include African Americans, Native Americans and Hispanic Americans; states legislative intent that a portion of state funds appropriated for professional development in local school districts be used for workshops, seminars, guest lecturers and other methods that further the purposes of the act. (70 § 11-103.6b)

5/27/99 Signed by Governor

SB 763 (Williams/Blackburn) - **PUBLIC SCHOOL PARAPROFESSIONALS.** States legislative intent that public school paraprofessionals be afforded career opportunities and economic incentives through a career development program; requires the State Board of Education to adopt such a program based on education and training advancement to encourage excellence among such paraprofessionals; makes participation by such persons voluntary. (70 § 6-127A)

5/27/99 Signed by Governor

SENATE JOINT RESOLUTIONS

SJR 2 (Herbert/Glover) - **SCHOOL LAND FUNDS.** Proposed constitutional amendment removing restrictions on use of the permanent school fund for common schools; requires that all earnings, interest, dividends and capital gains from investment of the fund shall be credited to the principal of the fund; provides that the amount of annual distribution shall be between 4.75 percent and 5.5 percent of the average of the year-end market value of the funds for the immediately preceding three fiscal years.

4/5/99 To Secretary of State

SJR 21 (Pruitt/Hefner) - **WILLIAM B. BRIGHT/NORTHEASTERN STATE UNIVERSITY.** Designates State Highway 51 between Broken Arrow and Coweta as the Dr. William R. Bright Bypass. Dr. Bright, founder of the Campus Crusade for Christ International, is a graduate of Northeastern State University.

3/24/99 Signed by Governor

SENATE CONCURRENT RESOLUTIONS

SCR 3 (Leftwich/Nations) - **CONSUMER CREDIT PROGRAM.** Requests that Oklahoma public higher education institutions include a consumer credit education program as part of new student orientation.

5/28/99 To Secretary of State

SCR 11 (Snyder/Askins) - **UCO STUDENTS IN FREE ENTERPRISE.** Supports the University of Central Oklahoma Students in Free Enterprise Team in conjunction with Economic Security 2000's mission and goals.

5/28/99 To Secretary of State

SCR 17 (Taylor/Benson) - **BOB ALLEN/OETA/OU**. Praises Bob Allen for the enthusiastic manner in which the Oklahoma Educational Television Authority (OETA) has been developed. When Bob Allen became Executive Director of OETA in 1972, the system was operating in a basement of a building at the University of Oklahoma.

4/13/99 To Secretary of State

SCR 18 (Maddox/Deutschendorf) - **CAMPUS SAFETY**. Recalls SB 517 from the Governor's desk.

4/6/99 To Secretary of State

SCR 19 (Snyder/Vaughn) - **UCO/REVENUE BONDS**. Authorizes the Board of Regents of Oklahoma Colleges, on behalf of the University of Central Oklahoma, to apply to the Oklahoma Development Finance Authority for issuance of revenue bonds in the amount of \$4,910,000 to refund certain revenue bonds.

5/28/99 To Secretary of State

SCR 20 (Snyder/Vaughn) - **UCO/REVENUE BONDS**. Authorizes the Board of Regents of Oklahoma Colleges, on behalf of the University of Central Oklahoma, to issue \$32 million in revenue bonds to refund Series 1993 Library Bonds and Series 1993 University Center and Parking Revenue Bonds.

5/28/99 To Secretary of State

SCR 21 (Snyder/Vaughn) - **UCO/REVENUE BONDS**. Authorizes the Board of Regents of Oklahoma Colleges, on behalf of the University of Central Oklahoma, to issue \$9.5 million in revenue bonds for constructing a Wellness Center and funding of any required reserves and payments of costs associated with the issuance of said bonds.

5/28/99 To Secretary of State

SCR 22 (Leftwich) - **OCCC/REVENUE BONDS**. Authorizes the Board of Regents of Oklahoma City Community College, on behalf of OCCC, to issue \$8 million in revenue bonds for constructing, remodeling, and equipping student-related facilities, including remodeling the interior of the main building and completing the third and fourth floors of the library.

5/28/99 To Secretary of State

SCR 24 (Morgan/Ingmire) - **ROY PETERS DAY**. Proclaims April 20, 1999, as "Roy Peters Day"; thanks Roy Peters Jr., the director of the Department of Vocational and Technical Education, for his years of public service to vocational education; Peters received his bachelor's degree from the University of Oklahoma and his master's degree and doctorate from Oklahoma State University.

4/21/99 To Secretary of State

SCR 25 (Hobson/Begley) - **HEALTH INSURANCE ENROLLMENT**. Extends until May 21, 1999, the enrollment period for education employees participating in a plan offered by the State and Education Employees Group Insurance Board.

4/26/99 To Secretary of State

SCR 34 (Hobson/Nations) - **REVENUE BONDS/OU**. Authorizes the OU Board of Regents to issue \$10 million in revenue bonds, loan agreements and notes for constructing, renovating, remodeling, expanding, and equipping several capital projects including student usage facilities, laboratory facilities, auditorium facilities, additions to other revenue-producing facilities and other renovations including fur-

nishings, equipment and related landscaping and exterior amenities on the University's various campuses.

5/28/99 To Secretary of State

SCR 37 (Taylor/Benson) - **SEN. GENE STIPE**. Honors Sen. Gene Stipe for his many years of dedicated public service to his legislative district, state and nation; congratulates Sen. Stipe on the 50th anniversary of receiving his LL.B. from the University of Oklahoma and admission to the Oklahoma Bar.

5/6/99 To Secretary of State

SCR 38 (Leftwich/Paulk) - **PAID ADMINISTRATIVE LEAVE**. Requests that the Governor adopt an executive order providing paid administrative leave for certain employees affected by the May 3 tornadoes.

5/12/99 To Secretary of State

SCR 39 (Mickle/Dunegan) - **DURANT/SOUTHEASTERN OKLAHOMA STATE UNIVERSITY**. Designates Durant as the "Magnolia Capital of Oklahoma"; memorializes the Governor to do the same. Professor E.B. Robbins brought with him seedlings of magnolia trees when he joined the faculty of Southeastern Normal School, now Southeastern Oklahoma State University. The University became known as "The Campus of a Thousand Magnolias."

5/18/99 To Secretary of State

SCR 58 (Monson/Wells) - **LANGSTON UNIVERSITY**. Approves the statewide plan for Langston University.

5/28/99 To Secretary of State

SENATE RESOLUTIONS

SR 2 (Ford) - **LYNN PEACHER/NORTHEASTERN STATE UNIVERSITY**. Congratulates Oklahoma's 1998-99 Teacher of the Year Lynn Peacher. Ms. Peacher earned her Bachelor's degree at Oklahoma State University and has continued her education at Northeastern State University.

2/10/99 To Secretary of State

SR 4 (Kerr) - **SEN. EDWIN BERRONG/SOUTHWESTERN OKLAHOMA STATE UNIVERSITY/OU**. Praises the life and career of public service of the late State Senator Edwin Berrong. Sen. Berrong attended Southwestern Oklahoma State University and the University of Oklahoma.

2/16/99 To Secretary of State

SR 17 (Robinson) - **SCIENCE AND TECHNOLOGY MONTH**. Proclaims April 1999 as "Oklahoma Science and Technology Month".

4/15/99 To Secretary of State

SR 20 (Monson) - **OCCUPATIONAL THERAPY DAY**. Designates April 27, 1999, as Oklahoma Occupational Therapy Day. Distribution list for copies of the resolution includes the OU Health Sciences Center.

4/28/99 To Secretary of State

SR 21 (Taylor) - **DEFERRED COMPENSATION/RETIREMENT**. Memorializes the President of the United States and the U.S. Congress to support legislation that enhances Section 457 deferred compensation plans and increases portability between retirement plans.

4/14/99 To Secretary of State

SR 28 (Leftwich) - **LIONS CLUBS MOBILE SCREENING UNIT.** Praises the concept and operation of the Lions' Mobile Screening Unit (MSU) and everyone who has contributed to its success. Screening includes tests for visual acuity, hearing, glaucoma, blood sugar, and blood pressure. If a visitor to the Lions' MSU fails one of the five screenings, he or she is contacted by a research worker from Oklahoma State University to ascertain whether the visitor has sought medical advice.

5/24/99 To Secretary of State

SR 29 (Williamson) - **L. BEAUCHAMP 'BEAU' SELMAN.** Praises the life and career of the late State Senator L. Beauchamp Selman and offers condolences to his family and friends. Senator Selman attended Cameron State University and graduated from the University of Oklahoma. While in the state Senate he was principal sponsor of legislation creating Tulsa Junior College. He served on the OU Board of Visitors and was a life member of the OU Alumni Association.

5/10/99 To Secretary of State

SR 32 (Henry) - **OKLAHOMA SCHOOL OF SCIENCE AND MATHEMATICS.** Praises the Oklahoma School of Science and Mathematics. State Regents scholarships have been offered to 217 OSSM seniors, and approximately 60 percent of the graduating seniors attend Oklahoma colleges and universities.

5/13/99 To Secretary of State

SR 33 (Fisher) - **GEORGE WASHINGTON COMMEMORATION.** Calls upon the State of Oklahoma to remember the life of George Washington and his contributions to the Nation; requests the Governor to issue a proclamation calling upon the people of the state to commemorate the death of George Washington with appropriate ceremonies and activities and to cause and encourage patriotic and civic associations, veterans and labor organizations, schools, universities and communities of study and worship, together with citizens everywhere, to develop programs and research projects that concentrate upon the life and character of Washington as it relates to the future of the nation and the development and welfare of the lives of free people everywhere.

5/24/99 To Secretary of State

SR 34 (Fisher) - **CHARLES B. DODSON.** Honors Dr. Charles B. Dodson upon his retirement as Superintendent of Sapulpa Public Schools; Dr. Dodson received an Associate degree from Eastern A&M, and BS, MS and EdD degrees from Oklahoma State University.

5/24/99 To Secretary of State

SR 36 (Horner) - **JAY MCSHANN.** Honors Jay McShann for his selection to receive a Lifetime Achievement Award from the Jazz Hall of Fame in Tulsa. McShann, who has received an award from the National Association of Jazz Education, enjoys conducting workshops at colleges, universities and high schools and has done so in Tulsa and Oklahoma City.

5/21/99 To Secretary of State

HOUSE BILLS

HB 1001X (Settle/Haney) - **AGENCY BUDGET REDUCTION.** Reduces state agency budgets for the remainder of FY'99 by an average of 1.2 percent or a total of about \$25 million.

2/9/99 Signed by Governor

HB 1003X (Rice/Easley) - **OIL PRODUCTION TAX/EDUCATION CAPITAL FUNDS**. Relates to lowering the gross production tax rate on oil production; provides that when the tax is at 7 percent, the tuition fund, common education fund and higher education capital fund, would be allocated 25.72 percent each; at a 4-percent tax, tuition, education technology and higher education capital would get 22.5 percent each; at 1 percent, revenues would be evenly split to county government and local schools; revenues going into the funds would be capped at \$100 million; excess amounts would be deposited in the General Revenue Fund; creates a Common Education Technology Fund, a Higher Education Capital Fund, and an Oklahoma Tuition Scholarship Fund. (62 § 41.29c/41.29e)

2/5/99 Signed by Governor

HB 1005 (Adair/Morgan) - **RETIREMENT/REAUTHORIZATION**. Deletes requirement for annual reauthorization of retirement benefits for certain members of OTRS. (70 § 17-116.13)

5/13/99 Signed by Governor

HB 1048 (Adair/Littlefield) - **THISTLE ERADICATION/OSU**. Adds counties to those in which thistles may be eradicated; requires that the results of a survey detailing the degree of infestation of such thistles across the state be reported annually to Oklahoma State University. (2 § 3-220)

5/27/99 Signed by Governor

HB 1063 (Benson/Haney) - **ENDOWMENT FUNDS**. Permits adjustments by a trustee who is a beneficiary of a trust, if the trustee is a tax-exempt charitable, religious or educational organization and, as a beneficiary, will hold the beneficial interest as an institutional endowment fund as defined in the Oklahoma Uniform Management of Institutional Endowment Funds Act for the benefit of one or more tax-exempt charitable, religious or educational organizations. (60 § 175.104)

4/19/99 Signed by Governor

HB 1069 (Thomas/Mickle) - **MURRAY STATE COLLEGE**. Declares certain state property in Tishomingo to be the property of Murray State College; requires the Department of Central Services to implement a transfer of the property from the State of Oklahoma to Murray State College.

4/13/99 Signed by Governor

HB 1118 (Turner/Rozell) - **DONATION OF VEHICLES**. Authorizes the board of regents of a State System institution to enter into written agreements for the donation to the board of motor vehicles by any person or business entity for use by the institution in connection with any technical education, training, maintenance or other similar education program or in administering such program operated under the Regents' direction; provides for a special license plate to be issued for a \$1 fee for use on such vehicles; authorizes the State Regents, if such a vehicle is donated, to carry liability insurance; specifies limits of liability. (70 §§ 2115/2118)

5/21/99 Signed by Governor

HB 1136 (Hilliard/Crutchfield) - **ADMINISTRATIVE PROCEDURES**. Modifies the criteria for state agency rule impact statement waivers to remove impracticability as grounds; requires that if the agency determines that the rule affects business entities the agency must include in the notice of intended action a request that the affected entities provide the agency, in dollar amounts if possible, the increase in the level of direct costs and indirect costs expected to be incurred by a particular entity due to compliance with the proposed rule; requires that rule impact statements include any information on cost impacts received by the agency from any private or public entities, probable costs and benefits, the source of revenue to be used for implementation and enforcement of the proposed rule, an explanation of the measures the agency has taken to minimize compliance costs, a determination of the effect of the proposed rule on

public health, safety and environment and a determination of any detrimental effect on the public health, safety and environment if the rule is not implemented; authorizes the Governor, upon agency request, to waive the rule impact statement if the agency is required to implement a statute or federal requirement, under certain circumstances. (75 §§ 253, 303)

5/26/99 Signed by Governor

HB 1140 (Easley/Monson) - **HEALTH INSURANCE**. Provides that state employees who are on leave without pay due to a job-related injury or illness shall continue to receive basic plan insurance coverage and dependent insurance benefit allowance; provides that any state officer or employee in the executive branch of state government authorized by the employing agency to volunteer in a disaster relief activity during a presidentially declared natural disaster in Oklahoma after May 1, 1999, for a period of not more than six months after the declaration shall not have to use accrued leave or need to make up any time due to the performance of such volunteer activities; makes state officers and employees directed to participate in their official capacity during such disaster relief activity eligible for reimbursement of meal and lodging costs pursuant to the State Travel Reimbursement Act. (74 §§ 840-2.21, 840-2.24, 500.7)

5/21/99 Signed by Governor

HB 1152 (Clay Pope/Henry) - **LIVESTOCK ACTIVITIES LIABILITY**. Enacts the “Oklahoma Livestock Activities Liability Limitation Act;” recognizes that persons who participate in livestock activities may incur injuries as a result of the risks involved in such activities; finds that the state and its citizens derive numerous economic and personal benefits from livestock activities; states legislative intent to encourage livestock activities in the state. The conference committee substitute adds new sections that provide that, with certain exceptions, a livestock activity sponsor or participant shall not be liable for injuries to any person engaged in such activities which result from the inherent risks of livestock activities and outline exceptions; permits extension of written waiver of liability. (76 §§ 50.1)

5/26/99 Second CCR Adopted, Bill Passed - House (95-1)

5/27/99 Second CCR Adopted, Bill Passed - Senate (41-0)

5/28/99 Signed and Transmitted to Governor

HB 1197 (Leist/Price) - **AGRICULTURE ENHANCEMENT DIVERSIFICATION**. Enacts the “Agriculture Enhancement and Diversification Act;” authorizes the State Board of Agriculture to establish and administer an Oklahoma Agricultural Enhancement and Diversification Program to promote and encourage the interests of agriculture through allocation of funds, by grant or loan, to individuals, cooperatives and other agricultural entities to provide assistance to projects dealing with development of new or expanded uses of agriculture products and to increase productivity, provide added value to agricultural products and benefit the agricultural producer; creates a seven-member Oklahoma Agriculture Enhancement and Diversification Advisory Board; provides that the President of Oklahoma State University or a designee shall serve as an ex officio member of the Board. (2 § 5-3.5)

5/17/99 Signed by Governor

HB 1201 (Ross/Horner) - **ACADEMIC SCHOLARS**. States that the purpose of the Academic Scholars Program is to retain top-ranked Oklahoma students in Oklahoma colleges, enable Oklahoma higher education institutions to compete aggressively for top Oklahoma scholars, attract high-caliber out-of-state students to Oklahoma, and enhance the academic quality in Oklahoma colleges and universities; abolishes categories of qualification for scholarships; provides for qualification of Presidential Scholars, National Merit Scholars, National Merit Finalists and Institutional Nominees; requires the State Regents to annually report on the number of former Academic Scholars who stay in state as compared to those who leave Oklahoma within five years of leaving the program; repeals section relating to certain low-performance schools. (70 §§ 2402/2404, 1210.542)

5/27/99 Signed by Governor

HB 1203 (Roberts/Rozell) - **DANGEROUS SUBSTANCES**. Modifies language relating to the Uniform Controlled Dangerous Substances Act; specifies penalties for violations of the Act committed within 2,000 feet of various educational institutions, including a public or private college or university, or other higher education institution, a recreation center, a public park or a public housing project; authorizes law enforcement agencies to destroy seized controlled dangerous substances when the amount seized in a single incident exceeds 10 pounds; outlines procedure; provides for written notice to defendant or suspect. (63 §§ 2-401, 2-508)

5/13/99 Signed by Governor

HB 1210 (Ross/Horner) - **HEALTH INSURANCE/PROSTATE CANCER**. Requires health benefit plans to offer coverage for prostate cancer screening for men over the age of 50 years and men over the age of 40 who are in high-risk categories; exempts such coverage from policy deductibles; prohibits such coverage from exceeding the actual cost of the prostate-cancer-screening up to a maximum \$65 per screening; provides guidelines for screening. (36 § 6060.7)

5/3/99 Signed by Governor

HB 1296 (Settle/Hobson) - **FEES/NONRESIDENT TUITION**. Changes “general enrollment fee” to “tuition”; increases resident and nonresident tuition at state colleges and universities and post-graduate professional institutions. (70 §§ 3218.1, 3218.7/3218.9, 3218.12)

5/26/99 CCR Adopted, Bill Passed - House (71-27)

5/26/99 CCR Adopted, Bill Passed - Senate (44-2)

5/27/99 Signed and Transmitted to Governor

HB 1318 (Stanley/Henry) - **HEALTH INSURANCE/FREEDOM OF CHOICE**. Modifies the Health Care Freedom of Choice Act; exempts from the Act contracts with a preferred provider organization (PPO) to provide services for certain plans; includes definitions for ambulatory surgical centers, home care agencies and preferred provider organizations (PPOs) in the Health Care Freedom of Choice Act; modifies provisions relating to health plan deductibles; expands application of Health Care Freedom of Choice Act to include additional providers; authorizes the Insurance Commissioner to issue a cease and desist order to an insurer in violation of the Act; authorizes the Commissioner to levy administrative penalties; provides for judicial review of orders issued by the Commissioner. (36 §§ 6053/6057.4, 3624)

5/20/99 CCR Adopted, Bill Passed - House (96-1)

5/24/99 CCR Adopted, Bill Passed - Senate (44-0)

5/25/99 Signed and Transmitted to Governor

HB 1344 (Leist/Shurden) - **VETERINARY SCHOOLS**. Pertains to the Oklahoma Veterinary Practice Act; adds to the definition of “veterinary technician” the requirement that the technician has graduated from a school of animal technology that conforms to the standards required for accreditation by the American Veterinary Medical Association and recognized and approved by the Board; adds “telemedicine” to list of terms included in the practice of veterinary medicine; removes authority for the Board of Veterinary Medical Examiners to issue certificates to practice for a short period of time in the state with no anticipation of permanent practice in the state or to practice while in the employ of an approved school of veterinary medicine and while doing limited veterinary work for said school; authorizes the Veterinary Board to refuse to renew a license or certification, seek injunctions or other civil actions, prosecution or administrative penalties; authorizes the Board to place an individual on probation for unprofessional conduct. (59 §§ 698.8a, 698.14b)

4/19/99 Signed by Governor

HB 1364 (Begley/Hobson) - **EDUCATION LEADERSHIP**. Authorizes selection of up to 200 teachers for the 1999-00 Education Leadership Oklahoma program and up to 400 beginning with the 2000-01 class. (70 § 6-204.2)

6/4/99 Signed by Governor

HB 1368 (Boyd/Brown) - **GENETIC RESEARCH**. Creates the "Genetic Research Studies Nondisclosure Act"; requires that all records of individual subjects in a genetic research study be confidential, not subject to subpoena or discovery in civil suits and not disclosed to employers or health insurers without the informed consent of the subject; provides that the act shall not apply to an insurer or to an individual or third party dealing with an insurer in the ordinary course of underwriting life, disability income or long-term care insurance; requires informed consent for disclosure of stored tissues that arise from surgery, other diagnostic or therapeutic steps or autopsy for genetic or other research studies; allows such informed consent to be obtained as a part of consent for treatment or admission to a hospital or clinic; permits publication or other use of the results of a genetic research study for research or educational purposes if the study does not identify individual subjects, unless specific informed consent has been obtained. (36 § 3614.4)

4/13/99 Signed by Governor

HB 1411 (Perry/Robinson) - **ELECTRONIC SIGNATURES**. Delays the reporting date for the electronic commerce pilot program until Dec. 15, 1999; authorizes the Office of State Finance, in conjunction with the Department of Central Services, to implement electronic signature certification authority technology and to issue or cause to be issued certificates of authority for electronic or digital signatures used in conjunction with electronic business and commerce transactions in state government; creates a 38-member Task Force on Electronic Commerce until June 1, 2000, to study the technology of and applications for electronic commerce and to prepare recommendations for legislative and other action needed to assure the availability and use of electronic commerce technology in the state; includes the Chancellor on the task force; provides for members who were serving on the Electronic Signature Task Force, as of Feb. 1, 1999, to automatically be appointed to serve on the Electronic Commerce Task Force; requires the Task Force to issue a final report by Jan. 1, 2000. (74 §§ 5060.50, 5060.51)

5/24/99 Signed by Governor

HB 1428 (Staggs/Rozell) - **RETIREMENT**. Establishes the Teachers' Deferred Savings Incentive Plan Fund; requires the Teachers' Retirement System to match up to \$25 per month of amount each active member is contributing to a plan account. (70 § 17-121)

5/21/99 Signed by Governor

HB 1458 (Miller/Dunlap) - **HEALTH INSURANCE**. Relates to State and Education Employees Group Insurance; allows eligible employees to elect to cover all dependent children and not cover a spouse; provides for subsequent enrollment; requires the employee to file an affidavit acknowledging the choice. (74 §§ 1303, 1309)

5/24/99 CCR Adopted, Bill Passed - House (98-0)

5/24/99 CCR Adopted, Bill Passed - Senate (45-0)

5/25/99 Signed and Transmitted to Governor

HB 1510 (Settle/Haney) - **APPROPRIATIONS/EDUCATION ENTITIES**. Appropriates to various education entities; Sections 7 and 15 reappropriate and redesignate funds for Advanced Placement Initiatives; Section 20 states purposes for funds allocated for the Advanced Placement Program; Section 23 states purposes for funds allocated for Staff Development which includes funds for scholarships to Great

Expectations Summer Institutes and for Professional Development Institutes; Section 24 apportions funds for telecommunications and for implementing telecommunications curriculum; Section 25 states that a portion of funds allocated for Community Education Grants be expended on a contractual basis to a community education consortium group which is associated with a State System institution for providing coordination services for community education programs; Section 27 apportions funds allocated for Education Leadership Oklahoma, including funds to be used to provide program development and evaluation by the Teacher Preparation Commission and curriculum enhancement and monitoring programs for teacher applicants on a contract basis with a State System institute; Section 35 apportions funds for contracting with the Oklahoma Alliance for Geographic Education; Sections 46 - 56 pertain to the Oklahoma School of Science and Mathematics; Section 46 appropriates \$102,734 to the school; Section 47 apportions funds for developing and offering pilot outreach programs in science and mathematics; Sections 48 - 52 reappropriate and redesignate funds for the school; Sections 57 - 59 appropriate \$35,601 to the Teacher Preparation Commission and set budget limitations. *Amended by HB 1511.*

5/27/99 Signed by Governor

HB 1511 (Settle/Haney) - **APPROPRIATIONS.** Section 2 amends Section 52 of HB 1510 which relates to the Oklahoma Educational Television Authority reappropriation and redesignation; Section 11 appropriates \$589,648 to the State Regents; Section 12 states Legislative intent that the funds appropriated in Section 11 be used for the George Nigh Rehabilitation Institute; Sections 13 and 14 authorize the Board of Regents of Oklahoma Colleges to provide resources to Northwestern Oklahoma State University's branch campuses at Woodward and Enid to maintain facilities; Section 15 amends Section 18 of SB 161 by changing \$12 million to \$5,501,547 to be expended pursuant to Section 3 of SB 150; Section 16 appropriates \$5,513,192 from the Special Cash Fund to the State Regents; Section 17 appropriates \$657,221 to the State Regents from the proceeds of the sale of bonds; Section 18 appropriates \$328,040 to the State Regents from the proceeds of the sale of building bonds; Section 19 exempts from legislative approval requirements for certain bonds; Section 22 provides that contingent upon availability of funds, the State Board of Education shall continue to administer the criterion-referenced test in geography to students in the 11th grade.

5/28/99 CCR Adopted, Bill Passed - House (92-1)

5/28/99 CCR Adopted, Bill Passed - Senate (31-11)

5/28/99 Signed and Transmitted to Governor

HB 1523 (Settle/Haney) - **APPROPRIATIONS/UNIVERSITY HOSPITALS.** Appropriates to various health service agencies; Section 18 states legislative intent that certain funds appropriated in SB 161 be used for contractual services with the Perinatal Continuing Education Program within the OU College of Medicine's Department of Obstetrics and Gynecology and for the OU Health Sciences Center for health services programs for women and children who are uninsured, underinsured, or otherwise unable to pay for services; requires the OUHSC to file a monthly report with the State Department of Health detailing the services provided to such patients; Sections 19 and 20 transfer funds from SB 161 to be used for establishing family resource programs, known as the Children First Program and require the State Department of Health to contract with a university-related program for a performance-based evaluation of programs; Section 29 sets budgetary limitations for the University Hospitals Authority.

5/27/99 Signed by Governor

HB 1527 (Settle/Haney) - **GEORGE NIGH REHABILITATION INSTITUTE.** Transfers the George Nigh Rehabilitation Institute from the Department of Veterans Affairs to the State Regents; requires the agencies to enter into an interagency agreement during the transfer; requires the State Regents to conduct a study to determine which higher education institution has an education program that would best en-

hance the institute's mission; requires the State Regents to transfer the Institute to the appropriate higher education institution by Nov. 1, 1999. (72 §§ 63.18, 222.1; 70 §§ 17-116.15, 3427; 74 § 918.7)

5/27/99 CCR Adopted - House, Bill Passed - House (99-1)

5/27/99 CCR Adopted - Senate, Bill Passed - Senate (44-1)

5/28/99 Signed and Transmitted to Governor

HB 1565 (Settle/Haney) - **APPROPRIATIONS/STATE REGENTS**. Section 6 appropriates \$23.5 million to the State Regents.

5/28/99 Second CCR Adopted, Bill Passed - House (76-20)

5/28/99 Second CCR Adopted, Bill Passed - Senate (45-0)

5/28/99 Signed and Transmitted to Governor

HB 1571 (Settle/Haney) - **FLEXIBLE BENEFITS/UNIVERSITY HOSPITALS/NIGH SCHOLARSHIPS/SEOSU SMALL BUSINESS DEVELOPMENT**. Modifies state employee flexible benefit amount for a spouse or children; authorizes the Native American Cultural and Educational Authority to conduct meetings by teleconference; exempts certain contracts of the University Hospitals Trust from competitive bidding; appropriates \$100,000 for the establishment of George and Donna Nigh Scholarships; appropriates \$445,000 to the State Regents; appropriates \$30,000 to the Commerce Department for contracting with Southeastern Oklahoma State University for its statewide Small Business Development Centers Network.

5/28/99 CCR Adopted - House, Bill Passed - House (83-8)

5/28/99 CCR Adopted - Senate, Bill Passed - Senate (37-6)

5/28/99 Signed and Transmitted to Governor

HB 1574 (Settle/Haney) - **RETIREMENT FUNDING**. Directs the Director of State Finance to transfer certain funds to the Special Cash Fund; requires the Office of State Finance to separately account for revenues deposited to the credit of the Teachers' Retirement System Dedicated Revenue Revolving Fund; requires that 3.54 percent of sales and use tax and income tax revenues be placed to the credit of said fund until deposits to the fund exceed \$136 million for FY 00; repeals Section 28 of SB 161 which appropriates \$135,828,803 to the Teachers' Retirement System and Section 38 which appropriates to the Department of Central Services.

5/27/99 Signed by Governor

HB 1580 (Settle/Haney) - **REAPPROPRIATIONS**. Makes reappropriation of public funds; Sections 1 - 11 make reappropriations to the State Regents in the following amounts (less the amounts that have already been expended) for the following institutions: \$4 million for Oklahoma State University; \$5,075,000 for Oklahoma State University - Veterinary Medicine; \$7,765,106 for the University of Central Oklahoma; \$3,104,376 for the University of Science and Arts of Oklahoma; \$7,990,000 for Northeastern State University; \$2,873,000 for Carl Albert State College; \$1,750,983 for Eastern Oklahoma State College; \$1,470,000 for Murray State College; \$5,035,100 for Rogers State College; \$1,774,195 for Seminole Junior College; and \$619,123 for Idabel (McCurtain County) Higher Education Program; Sections 19 - 25 reappropriate to the State Regents in the following amounts (less the amounts that have already been expended) for the following institutions: \$12,744,500 for the University of Oklahoma; \$823,400 for Northeastern State University; \$256,617 for Eastern Oklahoma State College; \$575,000 for Murray State College; \$351,729 for Seminole Junior College; \$946,050 for Tulsa Community College; and \$1,980,877 for the Enid Higher Education Program; Section 31 reappropriates \$4,669,898 to the State Regents for the University of Oklahoma.

5/28/99 CCR Adopted, Bill Passed - House (93-0)

5/28/99 CCR Adopted, Bill Passed - Senate (45-0)

5/28/99 Signed and Transmitted to Governor

HB 1584 (Settle/Haney) - **SALES TAX EXEMPTION**. Exempts sales by accredited colleges or universities from the tourism promotion tax. (68 § 50012)

5/26/99 CCR Adopted, Bill Passed - House (99-0)

5/26/99 CCR Adopted, Bill Passed - Senate (42-1)

5/27/99 Signed and Transmitted to Governor

HB 1588 (Sellers/Monson) - **HEALTH INSURANCE**. Provides that plan years for purposes of State and Education Employees Group Insurance shall commence on Jan. 1 beginning in 2002; adjusts other state health insurance plan years accordingly; requires that the bid submission date be set no later than the third Friday of June of the previous year; allows a retiree who is receiving a benefit or terminates employment with a vested benefit from Teachers' Retirement and who becomes enrolled in the health insurance plan offered by the Oklahoma State and Education Employees Group Insurance Act, may elect to purchase life insurance benefits in certain amounts and at a certain cost; requires OTRS to provide OSEEGIB information concerning the employers of retired and vested members necessary to allow OSEEGIB to track eligibility for continued coverage; provides that for the affected state health plans, for the plan year beginning July 1, 2001, and ending Dec. 31, 2001, deductible amounts shall be reduced by one-half of the full one-year deductible amount. (74 §§ 1306, 1316.1, 1316.3, 1321, 1363, 1369/1371).

5/27/99 Signed by Governor

HB 1592 (Eddins/Williams) - **CORE CURRICULUM**. Amends Section 1 of HB 1759 by changing the implementation date for high-school graduation requirements to beginning with the 2003-2004 school year. (70 § 11-103.6)

5/27/99 CCR Adopted, Bill Passed - House (96-1)

5/28/99 CCR Adopted, Bill Passed - Senate (31-9)

5/28/99 Signed and Transmitted to Governor

HB 1599 (Staggs/Williams) - **SCHOOL TESTING**. Requires the State Board of Education to post on the Internet criterion-referenced sample tests that reflect the actual tests administered to students and may contain questions used on actual tests given in previous years; deletes norm-referenced tests at the third- and seventh-grade level; requires, beginning with 2001-2002 school year, that a norm-referenced test be administered to every fourth-grade student; deletes 12th-grade level criterion-referenced test; modifies scope of criterion-referenced tests; makes third-grade test contingent upon the availability of funds; institutes a series of end-of-instruction tests at the secondary level; provides for recognition and incentive awards, contingent on the availability of funds; lists information used to identify low-performing and high-challenge schools, including secondary student participation in and completion of the Oklahoma Higher Learning Access Program (OHLAP) and student college entrance and preparatory test-taking rates. (70 §§ 1210.507, 1210.508,, 1210.13, 1210.531, 1210.541, 1210.542)

5/27/99 CCR Adopted, Bill Passed - House (90-5)

5/27/99 CCR Adopted, Bill Passed - Senate (42-0)

5/28/99 Signed and Transmitted to Governor

HB 1622 (Askins/Hobson) - **LONG-RANGE PLANS**. Creates the Oklahoma Program Performance Budgeting and Accountability Act to prioritize state funding needs, reduce program duplication, enhance budgeting information necessary to improve the efficiency of state operations and improve state services to the public; includes constitutionally created boards and higher education institutions in the act; requires state agencies to make five-year strategic plans for operations; prescribes contents of plans; requires certain forms; requires the Office of State Finance and the Joint Committee on Budget and Pro-

gram Oversight to work with state agencies to determine acceptable measures of output, outcome, unit cost, and cost-effectiveness for use in each agency's plan; authorizes the Governor and Legislature to compile a long-range strategic plan for state government using the state agency plans; requires the Auditor and Inspector, when conducting a performance audit of a state agency, to consider in the evaluation the extent to which the agency conforms to the agency's strategic plan; repeals sections relating to a certain initiative and procedures governing certain federal funds. (62 §§ 45.1/45.9, 41.47, 41.44, 41.13b)

5/28/99 Second CCR Adopted, Bill Passed - House (100-0)

5/28/99 Second CCR Adopted, Bill Passed - Senate (43-0)

5/28/99 Signed and Transmitted to Governor

HB 1647 (Deutschendorf/Williams) - **INTERNET HOMEWORK TUTORING**. Requires the State Board of Education to solicit proposals for and, if funds are available, make grants to local boards of education for establishment of pilot projects to aid in development of Internet homework tutoring chatrooms; requires that proposals for Internet chatrooms create a mechanism to allow students to contact and interact with teachers or other professionals when they are not at school, when the student needs assistance with courses or homework; directs the Board to determine pilot project criteria and establish a process for consideration of proposals; requires that proposals for pilot projects be considered on a statewide competitive basis; requires the Board, by Jan. 1, 2000, subject to availability of funds, to develop and implement a school testing assistance Internet web page to help students prepare for tests required under the Oklahoma School Testing Program Act and to provide remediation assistance to students who do not perform satisfactorily on such tests; requires that the web page contain information, materials and example questions that may be used by teachers, students and parents to assist students in preparing for the required tests; requires the web page also to identify the most difficult concepts incorporated in the tests and provide specific information, materials and example questions that will assist students in those areas. (70 §§ 1210.556, 1210.557)

5/17/99 Signed by Governor

HB 1650 (Deutschendorf/Williams) - **SCHOOL TECHNOLOGY**. Creates the "Virtual Internet School in Oklahoma Network (VISION) Act"; establishes, if funds are available, a Virtual Internet School in Oklahoma Network (VISION) Pilot Program for development of a virtual Internet school in the state to provide verifiable information on the advantages of web-based instructional programs; requires that the program also enable development and testing of procedures and standards so that implementation of a statewide virtual Internet school network will progress smoothly; designates the State Department of Education as the coordinating agency for the pilot program; gives Oklahoma Educational Television Authority (OETA) the responsibility for the delivery of instructional content; requires that nine public school districts, each representing a different area of the state, be selected to participate in the pilot program; specifies selection criteria; creates a Virtual Internet School Pilot Program Coordinating Committee to oversee the program; outlines the Committee's responsibilities. (70 §§ 1210.721/1210.726)

5/26/99 Signed by Governor

HB 1659 (Newport/Crutchfield) - **AMERICAN SIGN LANGUAGE**. Requires that American Sign Language be granted the same credit as a foreign language in public schools. (70 § 11-103.1)

4/5/99 Signed by Governor

HB 1664 (Eddins/Cain) - **HEALTH INSURANCE/DENTAL**. Requires that insurance coverage for dental procedures for certain minors and severely disabled persons include coverage for anesthesia practitioner expenses for the administration of anesthesia. (36 § 6060.6)

4/19/99 Signed by Governor

HB 1681 (Seikel/Monson) - **HEALTH INSURANCE/ACCOUNTABILITY**. Requires a managed care plan, in any case in which the plan has no participating provider for a covered benefit requiring a specialist, to arrange for a referral to a specialist with expertise in treating the covered benefit; requires the specialist to agree to abide by the terms of the plan provider's contract if the terms are commensurate with the terms of contracts for similar specialists; requires that plans have a procedure by which covered persons with a life-threatening or a degenerative and disabling condition or disease may be referred to a specialist with expertise in such treatment, who shall be responsible for and capable of coordinating the insured's primary and specialty care; requires a managed care plan to implement procedures for a standing referral to a specialist; requires plans to establish procedures for governing termination of participating providers that provide for continuing treatment of a covered person by a terminated provider under certain conditions; provides procedure for requests for nonformulary drugs and drugs requiring preauthorization; amends the Oklahoma managed Care Act. (63 §§ 2550.1/2550.4, 2525.3/2525.7)

5/26/99 CCR Adopted, Bill Passed - House (98-0)

5/27/99 CCR Adopted, Bill Passed - Senate (32-1)

5/28/99 Signed and Transmitted to Governor

HB 1745 (Frame/Stipe) - **HEALTH INSURANCE/ACCOUNTABILITY**. Adds to list of acts which constitute an unfair claim settlement the act of requesting a refund of all or a portion of payment of a claim made to a claimant or health care provider more than 24 months after the payment is made, with certain exceptions. (36 § 1250.5)

5/27/99 Signed by Governor

HB 1748 (Blackburn/Monson) - **HEALTH INSURANCE/BEHAVIORAL**. Creates a 24-member Task Force on Behavioral Health to make recommendations regarding the cooperative and coordinated delivery of behavioral health services by state agencies responsible for providing such services. (43A § 3-113)

6/4/99 Signed by Governor

HB 1759 (Benson/Taylor) - **EDUCATION REFORM**

High School Graduation and Math Teachers (Sections 1-4)

Section 1 - Amends current law to require the ACT recommended core curriculum for high school graduation beginning 2002-2003; specifies required courses with options; requires students to attend a rigorous six-period school day or its equivalent in block scheduling. *Section 1 was amended by HB 1592.*
Sections 2&3 - Amend current law to provide for a diploma of honor (ACT core with no options plus 1/2 unit of technology, 3.0 GPA).

Section 4 - Requires intermediate or secondary level certification for certain math teachers in grades 6, 7, and 8 beginning July 1, 2000; grandfathers in current teachers until 2003-2004.

Charter Schools (Section 5-18)

Section 5 - Titles the Oklahoma Charter Schools Act.

Section 6 - Gives the purpose of the act for improvement, innovation and choice.

Section 7 - Sets qualifications of and defines charter school; limits to districts of 5,000 or more ADM in OK and Tulsa Counties as pilot programs to demonstrate the potential for expansion around the state; ties to federal definition, specifically prohibits sectarian schools; grandfathers in current enterprise schools.

Section 8 - Adds in other districts of 5,000 or more ADM in counties that are contiguous to OK or Tulsa, with two exceptions.

Section 9 - Gives procedures for charter school proposal (a school board, public body, public or private college, private person, or private organization), sponsorship (local district board or area vo-tech board), application and appeal (to mediation or binding arbitration through the state Dispute Resolution Act).

Section 10 - Sets the contractual requirements for a charter school.

Section 11 - Gives conditions for compliance and operation of charter schools; prohibits charter school for purpose of offering a curriculum for deaf or blind students that is similar to that of the Oklahoma State School for the Deaf or Blind; prohibits charging tuition or fees.

Section 12 - Sets the length of the charter contract (three years) and details conditions for renewal or termination; appeal is to the State Board of Education.

Section 13 - Prohibits certain actions by school districts toward certain employees.

Section 14 - Addresses re-employment of former school district employees from chartered schools.

Section 15 - Provides for student selection; enrollment preference to residents of the school district, then may allow transferees from other districts. If applications outnumber the capacity, a lottery is required. Allows academic enterprise zones for concentrations of free or reduced school lunch students; specifies nondiscrimination on ethnicity, national origin, gender, income level, disability, English proficiency, and measures of achievement, aptitude or athletic ability.

Section 16 - Addresses transportation (voluntary, as for school districts).

Section 17 - Provides for charter-school funding from school district's public funds; allows school district to retain up to 5 percent for administration, reporting services, etc.; specifies charter schools may receive funds from other sources.

Section 18 - Requires an annual report on charter schools from the State Board of Education; requires annual report by charter schools to the Office of Accountability.

Open Transfer (Sections 19-29)

Section 19 - Titles the Education Open Transfer Act.

Section 20 - Creates open transfer for students among the school districts beginning January 1, 2000; limits to one transfer per year; ties in siblings of the transferred student.

Section 21 - Amends current law to provide for open transfer, sets application and notification deadlines.

Section 22 - Requires local district policy specifying its criteria and standards on acceptance of transfers; allows for refusal in accordance with the provisions of the policy; requires that acceptance of transfers be on a first-come, first-served basis, and specifies nondiscrimination of student transfers.

Section 23 - Prohibits participation in school-related extramural athletic activities for one year following a transfer; leaves it up to the OSSAA in emergency transfers.

Section 24 - Amends current law to modify provisions for emergency student transfers, which can occur outside of the application deadline; allows for transfers outside of the application deadlines if approved by both the sending and receiving districts.

Section 25 - Amends current law on special education transfer fees to make exception for open transfer.

Section 26 - Amends current law to allow for student transportation; prohibits buses from crossing district lines, with exceptions for transportation areas for secondary students in dependent districts.

Section 27 - 29 - Amends current law to provide for equal protection of children with disabilities in open transfer. Basically, the open transfers (initiated by the parents) of IEP students function the same as other open transfers, except that a joint IEP conference is required. Any extraordinary costs for the student may be applied to the Special Education Assistance Fund. Transfers initiated by the resident school district or required by the State Board of Education will leave the funding responsibilities with the district of residence.

Support Personnel Benefits (Sections 30-31)

Section 30 - Amends current law to modify the collection procedure of certain withholding tax.

Section 31 - States legislative intent for purpose of Section 30 to fund benefits for education support personnel.

Administrative Costs

Section 32 - Amends current law to strengthen restrictions on school administrative costs.

School Safety (Sections 33-34)

Section 33 - Requires notification to the school of arrest of an employee or student on a felony warrant.

Section 34 - Amends current law to clarify local school board power to adopt dress codes which include use of school uniforms.

Academic Performance Index (Sections 35-36)

Section 35 - Requires the State board of Education to develop an Academic Performance Index to assess school improvement in a context of multiple factors with a minimum expected annual percent growth target of 5 percent.

Section 36 - Requires the State Board of Education to report annually on the Academic Performance Index program.

Tuition Scholarship (Sections 37-43)

Section 37 - Titles the Oklahoma Tuition Scholarship Act.

Section 38 - States the purpose of the Oklahoma Tuition Scholarship Program to increase preparedness for and attendance at a public or private institution of higher education or a vocational-technical/higher education cooperative course.

Section 39 - Sets eligibility for participation in the program, to include a minimum ACT score of 22, a high school diploma of honor, and a maximum adjusted gross family income of \$70,000; stipulates the student must maintain a college GPA of 2.75 to remain eligible for the scholarship.

Section 40 - Provides for payment of general enrollment fees under the program, limited to a maximum of 60 credit hours; limits fees at private institutions to the tuition rate at public institutions; prohibits scholarship funding for remedial courses; requires consideration of other grants and scholarships.

Section 41 - Creates the Oklahoma Tuition Scholarship Trust Fund to fund the Act; makes the Oklahoma State Regents for Higher Education the trustee.

Section 42 - Amends current law to list the trustee duty among the State Regents statutory duties and to require annual reporting on the Trust fund.

Section 43 - Amends current law to specify fiduciary responsibilities with regard to the Trust Fund.

Math, Teacher Quality and Teacher Shortages (Sections 44-47)

Section 44 - Amends current law to provide for remediation in math as part of the Oklahoma State Testing Program.

Section 45 - States legislative intent on funding of continuing education for math teachers.

Section 46 - Increases bonus for teachers achieving National Board Certification from \$5,000 to \$7,000.

Section 47 - Amends current law to modify the teacher forgivable loan program for prospective teachers in areas of shortage; allows the Oklahoma State Regents for Higher Education to utilize the Oklahoma Guaranteed Student Loan Program to collect outstanding loans.

At-Risk Populations (Sections 48-51)

Section 48 - Amends current law to provide for grants to before-school, after-school and summer programs for at-risk or disadvantaged urban school districts.

Section 49 - Amends current law to provide for the expansion of alternative education in middle school and its extension into urban elementary schools with high populations of at-risk students.

Section 50 - Amends current law to expand student needs assessment for alternative education to the elementary level in urban districts with high populations of at-risk students.

Section 51 - States legislative intent to fund elementary school counselors for at-risk populations in urban districts.

Performance Awards, Kindergarten and Social Promotion (Sections 52-54)

Section 52 - Requires the State Board of Education to develop an Academic Performance Award Program based on the Academic Performance Index required in Section 35.

Section 53 - Amends current law to require school districts to offer full-day kindergarten, to be phased-in over a three-year period, and sets a state aid formula pupil weight for full-day.

Section 54 - Addresses social promotion in the third through eighth grades to require summer remediation and possible retention.

Contingencies (Sections 55-56)

Section 55 - Makes Section 30 contingent upon appropriations for support personnel benefits in HB 1513.

Section 56 - Makes implementation of Sections 37 through 54, which have significant fiscal impacts, contingent upon Oklahoma's per pupil average expenditure reaching 90 percent of the regional average as determined by the State Board of Education according to the National Center for Education Statistics.

Repealer

Section 57 - Repeals an obsolete student transfer provision re open transfer.

5/27/99 Second CCR Adopted - House, Bill Passed - House (68-26)

5/27/99 Second CCR Adopted - Senate, Bill Passed - Senate (28-16)

5/28/99 Signed and Transmitted to Governor

HB 1767 (Ervin/Robinson) - **TELEMEDICINE**. Authorizes the Health Department, contingent upon the appropriation of funds designated for Telemedicine Services Programs, to award competitive grants to hospitals or health care facilities that deliver medical and other health care services through a telemedicine system; requires matching funds or in-kind contributions from the grant recipient. (63 § 1-2703)

5/21/99 Signed by Governor

HB 1771 (Ervin/Henry) - **WORKERS' COMPENSATION**. Requires the State Insurance Fund to declare and pay a dividend to policyholders if the ratio of direct premiums to surplus exceeds 1:1.75; requires that any dividend paid to a state agency be deposited in the Multiple Injury Trust Fund; allows state agencies to obtain private-sector workers' compensation coverage if it can be obtained at the same cost or at a lower cost than that offered by the State Insurance Fund; changes the name of the Special Indemnity Fund to the Multiple Injury Trust Fund; provides that for actions filed on or after Nov. 1, 1999, the Multiple Injury Trust Fund shall not be liable for payment of permanent partial disability awards; provides that Multiple Injury Trust Fund awards shall accrue from the file date of the court order finding the claimant to be permanently and totally disabled; provides that a reopening of any prior injury claim other than the last employer injury claim shall not give a claimant the right to additional Multiple Injury Trust Fund benefits; provides that awards not claimed within two years of the date on which the award first becomes available shall be returned to the trust fund. (85 §§ 2b, 3.10, 22, 42)

5/26/99 Vetoed by Governor

HB 1809 (Plunk/Shurden) - **CHIROPRACTIC EDUCATION SCHOLARSHIPS**. Authorizes the Board of Chiropractic Examiners to impose penalties on chiropractic physicians who violate the Unfair Claims Settlement Practices Act or any related rule, or who willfully aids or assists an insurer or administrator to deny claims which under the terms of an insurance contract are covered services and are medically necessary; increases the scholarship amounts per student that may be awarded under the Chiropractic Education Scholarship Program from \$3,000 to \$6,000. (59 §§ 161.12, 161.16)

5/26/99 Signed by Governor

HB 1826 (Boyd/Fisher) - **HEALTH INSURANCE/EXTERNAL REVIEW**. Creates the "Oklahoma Managed Care External Review Act"; provides that any person insured through a health benefit plan shall have the right to an external review by an independent review organization of a decision under the plan to deny coverage of or reimbursement for a medical treatment or service to the insured that is otherwise a covered plan when all applicable internal appeals procedures have been exhausted, the denial is based on a determination by the health benefit plan that the service or treatment is not medically necessary, medically appropriate or medically effective, the usual, customary and reasonable charge or allowable charge, as shown in the plan's fee schedule, of the service or treatment for which coverage or reimbursement was denied by the plan exceeds \$1,000 and the insured person or designee agrees to the terms and conditions of external review; provides exemptions; requires the State Board of Health and the Insurance Commissioner to promulgate rules for internal review procedures for plans subject to licensure or

regulation by the applicable agency; requires the insured to pay \$50 to the health benefit plan toward the cost of an external review, with the plan being responsible for the remaining costs of the review process; limits appeals by an insured; prohibits a plan from removing a physician from its plan, refusing to renew a physician or otherwise disciplining a physician for advocating on behalf of an insured in either an internal review or external review; requires certification by the Board of Health for independent review organizations. (63 §§ 2528.1/2528.10)

5/17/99 Signed by Governor

HB 1841 (Rice/Easley) - HAZARD MITIGATION. Authorizes the Department of Civil Emergency Management to develop and maintain a comprehensive mitigation plan to reduce or eliminate the effects of a natural disaster in a cost-effective manner; creates the State Hazard Mitigation Team composed of the administrative heads of 14 agencies or their designees; includes on the team the head of the Oklahoma Climatological Survey; allows the Team Coordinator, during certain circumstances, to require participation of the heads of any other state agencies as deemed appropriate. (63 § 683.6)

4/6/99 Signed by Governor

HOUSE CONCURRENT RESOLUTIONS

HCR 1021 (Benson/Rabon) - JOB TRAINING. Directs the State Workforce Investment Board authorized by federal law, however denominated, to exercise the most deliberate consideration prior to implementing modifications to the system by which and the designated areas through which federal job training and related federal block grant funds are distributed; directs that the existing network and system of Service Delivery Areas that have demonstrated positive results in administration of federal job training programs be continued in force for purposes of implementing provisions of the federal Workforce Investment Act of 1998; directs that the existing network and Service Delivery Area system be used in their current configuration either alone or in conjunction with local workforce investment boards in order to avoid harm to the mechanism by which job training skills are provided to state citizens; directs all state agencies charged with responsibility for management, distribution, expenditure and accounting of both federal and state funds for implementation of federal block grants related to job training to exercise the most extreme care in modifying the existing system for management of federal job training programs and refrain from action that could jeopardize existing job training programs in the state.

3/23/99 To Secretary of State

HCR 1024 (Ervin/Robinson) - TELEMEDICINE. Memorializes the U.S. Congress to enact laws or otherwise cause the Health Care Financing Administration to revise the current Medicare payment structure to make appropriate payments to health care providers that would encourage the development and use of telemedicine technology.

5/17/99 To Secretary of State

HCR 1027 (Taylor/Muegge) - INTERNATIONAL STUDENTS. Declares Monday, April 5, 1999, as "International Student Awareness Day".

4/6/99 To Secretary of State

HCR 1034 (Leist/Muegge) - 4-H DAY. Declares April 21, 1999, as "4-H Day at the Legislature"; traces 4-H back to the enactment in 1914 of the Smith-Lever Act which established the Cooperative Extension System within the United States Department of Agriculture, the state land-grant universities and the counties.

4/27/99 To Secretary of State

HCR 1035 (Fields/Stipe) - **MCALESTER'S 100TH ANNIVERSARY.** Honors the City of McAlester, Oklahoma, upon the occasion of its 100th anniversary; mentions the higher education facility, an extension of Eastern Oklahoma State College, that recently opened with an enrollment the first week of over 1,200 students.

5/26/99 To Secretary of State

HCR 1038 (Sweeden/Harrison) - **FAREN LEE REVARD/OSU STUDENT.** Congratulates Faren Lee Revard, 1999 Miss Indian Oklahoma, on her outstanding accomplishments and successes. Ms. Revard is scheduled to graduate in the summer of 1999 from Oklahoma State University where she has participated in the Multicultural Leadership Development Project, the Collegiate CattleWomen, the American Indian Science and Engineering Society, the Native American Student Association, the President's Leadership Council and the Freshmen Representative Council.

4/29/99 To Secretary of State

HCR 1045 (Braddock/Robinson) - **VIRTUAL UNIVERSITY TASK FORCE.** Creates the Virtual University Task Force to work with the State Regents to study the virtual university concept and the offering of online courses by higher education institutions in Oklahoma and to collaborate with the Regents to make recommendations on the development of actions and policies needed to ensure the effectiveness and quality of online education; requires that a report of findings and recommendations be issued by Feb. 1, 2000.

5/27/99 To Secretary of State

HCR 1047 (Lindley/Leftwich) - **NEUROFIBROMATOSIS AWARENESS MONTH.** Declares May to be Neurofibromatosis Awareness Month in Oklahoma; recognizes the research efforts of John J. Mulvihill, M.D., and Rosita Kirshman, M.D., at the University of Oklahoma Health Sciences Center.

5/27/99 To Secretary of State

HCR 1059 (Toure/Horner) - **AFRICAN-AMERICAN GRADUATE STUDENTS.** Recognizes African-American students who integrated the graduate schools of the University of Oklahoma and Oklahoma State University.

5/25/99 To Secretary of State

HCR 1065 (Begley/Morgan) - **HEALTH INSURANCE.** Extends the State and Education Employees Group Insurance Program enrollment period for education employees to June 15, 1999.

5/28/99 To Secretary of State

HOUSE RESOLUTIONS

HR 1012 (Boyd) - **OSU/OU/NCAA INVITATIONS.** Commends Oral Roberts Golden Eagles, the OSU Cowboys, the University of Tulsa Golden Hurricane and the OU Sooners on their successful basketball seasons and their invitations to the NCAA Division I basketball tournaments.

3/11/99 To Secretary of State

HR 1014 (Benson) - **ANTHONY PHARMACY LECTURE AT OU.** Celebrates the inaugural of the Linda H. and Calvin J. Anthony Distinguished Entrepreneur in Pharmacy Lecture Series at the University of Oklahoma on March 29, 1999.

3/29/99 To Secretary of State

HR 1015 (Bonny) - **SCIENCE AND TECHNOLOGY MONTH.** Proclaims April 1999 as “Oklahoma Science and Technology Month”.

3/31/99 To Secretary of State

HR 1026 (Beutler) - **AGRICULTURAL EDUCATION.** Expresses the House of Representatives’ intent that certain agricultural education courses be used as core curriculum course requirements for high school graduation; expresses the House’s concern that both the State Board of Education and the State Regents have not allowed for the flexibility of accepting agricultural education courses as qualifying courses for high school graduation requirements and for college admission requirements and strongly directs that such consideration be given in the future.

4/28/99 To Secretary of State

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