

**State of Oklahoma  
House of Representatives**

May 2<sup>nd</sup> – May 6, 2011

**By Rep. Jeannie McDaniel**

**Weekly Wrap #13**

Over three months of a four-month legislative session is now behind us, and this week marked the beginning of conference committees for legislation which requires further deliberation by both chambers. When a House author rejects Senate amendments (or vice versa) the bill is assigned to a conference committee, in which both House and Senate conferees have to agree to a final version of the bill. If this agreement is reached, the bill must again travel through both chambers in order for it to be signed into law by the governor. All of these actions, including drafting a budget and finalizing a redistricting plan, must occur by the Sine Die adjournment deadline of May 27<sup>th</sup>.

Spirits were high this week after hearing news that Osama bin Laden, a terrorist who waged a radical, violent campaign against the United States for over two decades, was finally brought to justice by our Commander-in-Chief President Barack Obama and a dedicated team of tactically proficient U.S. Navy SEALs.

This week we voted to designate and observe May 5, 2011 in the State of Oklahoma as the National Day of Prayer, and reflected on the strength that prayer provides and the role prayer has played in the history of our country. We also voted to proclaim May 5<sup>th</sup> as the *Wear Red Day* in Oklahoma, which represents support of the American Heart Association's efforts to improve heart health and save lives in the state. Participants came from all around the state to the AHA's annual Go Red for Women event at the State Capitol to visit with lawmakers and raise awareness of the effects of Heart Disease and Stroke on women. In 2007, Oklahoma had the 4th highest death rate from cardiovascular disease in the country.

***Education bills signed by the Governor***

***(Described as "reform" measures, the bills below are part of a national slate of objectives new state leaders believe will provide students with better opportunities to thrive and learn. I have confidence in our classroom teachers and administrators that they are doing the best job possible with the socio and economic challenges throughout our community. I am hopeful that our local school board and school leaders can navigate these latest mandates that come without resources or a handshake of encouragement.)***

***Reading Retention:*** Senate Bill 346 was signed by the governor this week and targets children unable to read at grade level. It seeks to end what has been dubbed "social promotion" in public schools by requiring grade school students to have mastered reading before they can advance to the fourth grade

***Schools will be graded:*** House Bill 1456 will now require that Oklahoma's public schools be given an annual grade of "A" to "F" based on student performance on state tests. The legislation is based on a similar plan in Florida and seeks to provide parents a measurable comparison between local schools.

Under the bill, 33% of a school's grade would be based upon test scores, 17% learning gains in reading and mathematics, 17% on improvement of the lowest 25th percentile of students in the school in reading and mathematics, and 33% on whole school improvement. For middle school grades and elementary school grades, total school improvement will be based upon the drop-out rate, the percentage of students taking higher level coursework at a satisfactory or higher level, and any other factors selected by the Superintendent of Public Instruction.

**Vouchers:** On Thursday the Senate gave final approval to the Oklahoma Equal Education Opportunity Scholarship Act, which has been dubbed a school voucher bill in that tax credits would be established to provide money for private school scholarships. SB 969 will provide \$5 million of taxpayer funds each year for private schools by authorizing \$5 million in tax credits to individuals and corporations who contribute to a scholarship-granting organization. House Democrats criticized this measure and others that attack our public education system by labeling our schools as failing while consistently underfunding them, by telling parents that public schools are not good and charter schools are the answer, and by advancing charter schools, which is a thinly veiled effort to privatize education under the guise of providing 'choice'.

### ***Correction changes...***

Receiving bipartisan support this week and now in route to the governor is House Bill 2131, which makes changes to sentencing and parole policies. HB2131 will expand offender eligibility for community sentencing programs. In addition, it limits the governor's role in the parole process for nonviolent offenders.

### ***"Let the Troops Vote Act"***

House Bill 1615 passed the House this week and will soon become law. HB1615 seeks to conform to a federal law that protects the voting rights of military personnel by requiring absentee ballots be sent to them at least 45-days before state and federal elections. Rather than eliminating primary runoffs to meet this 45-day deadline, legislation was drafted to move the candidate filing period from early June to mid-April and moving the Primary Election from late July to late June. The Primary Runoff remains in late August. This bill will now require candidates to file for offices during the legislative session.

### ***COLAs***

By a vote of 64-25 the House of Representatives passed HB 2132, which will require lawmakers to fully fund any cost-of-living adjustments (COLAs) approved in the future. Current law assumes an automatic 2-percent COLA each year without designating a funding source. However, HB2132 will require that the only funding source for COLA's will be direct from general revenue, which will prevent a retirement system that is 100% funded from using dollars paid into the system by their respective employees to give said employees a cost of living increase.

### **Further from House leadership:**

Current law assumes an automatic 2-percent COLA each year without designating a funding source.

The state's seven retirement systems currently have \$16 billion in unfunded liability, a dramatic increase compared to \$6 billion in unfunded liability just a decade ago.

To be considered actuarially sound, pension systems must have a minimum 80-percent funded status. Passage of House Bill 2132 would help improving the status of the state's major pension systems.

According to Legislative Actuary calculations, removal of COLA assumptions will impact the Unfunded Actuarially Accrued Liabilities (UAAL) and the Funded Ratios of the pension systems as follows:

- Oklahoma Teachers Retirement System- UAAL will decrease by approximately \$2.9 billion and increase OTRS's funded ratio from 48 percent to 56 percent;
- Oklahoma Public Employees Retirement System - UAAL will decrease by approximately \$1.4 billion and increase the OPERS funded ratio from 66 percent to 77 percent;
- Uniform Retirement System for Justices and Judges - UAAL will decrease by approximately \$43.4 million and increase the URSJJ funded ratio from 81 percent to 96 percent;
- Oklahoma Firefighters Pension and Retirement System - UAAL will decrease by approximately \$472.4 million and increase the FPRS funded ratio from 53 percent to 63 percent;
- Oklahoma Police Pension And Retirement System - UAAL will decrease by approximately \$414.3 million and increase the PPRS funded ratio from 75 percent to 91 percent; and
- Oklahoma Law Enforcement Retirement System - according to officials at OLEERS their Funded Ratio increase would be minimal because OLEERS has a statutory provision that adjusts retiree benefits, in the place of ad hoc COLAs, based on increases in active employee pay.

House Bill 2132 passed the Oklahoma House of Representatives today on a 64-25 vote. The bill now goes to Gov. Mary Fallin to be signed into law.

### ***Municipal Employee Collective Bargaining Act***

Signed into law late last week was HB 1593, **which repeals** the Oklahoma Municipal Employee Collective Bargaining Act. The Act allows collective bargaining for non-uniformed employees in cities with at least 35,000 residents. Oklahoma City, Tulsa, Norman and Muskogee – all of which had collective bargaining agreements prior to the 2004 passage of the Oklahoma Municipal Employee Collective Bargaining Act – will not be affected by the new law. HB 1593 goes into effect on November 1, 2011.

### ***Increased fees***

The **Oklahoma Highway Patrol Academy** will soon receive new funding dollars once the governor signs two bills into law. After much debate Senate Bill 954 secured enough votes to approve an increase in the cost of collision reports to \$15 from \$7, and SB953, a companion measure, also passed, and will increase the fee for reinstatement of a suspended driver's license to \$50 from \$25.

### ***Ethics Reports will now cover municipal elections***

Signed into law this week was HB 1776, which will now require major candidates to file a campaign contributions and expenditures report electronically with the Ethics Commission, in addition to requiring that the report to be posted online. The bill seeks to increase the public's ability to learn the identities of campaign donors. HB 1776 applies to all candidates for state office, candidates for municipal office in towns with populations greater than 250,000, and candidates for county office in counties with over 250,000 citizens. To find ethics reports: <http://www.ok.gov/oec/> Use the titles "campaign reporting" and the prompt is the picture of the Capitol, and then find public disclosure. Under each candidate name is the year of the reports and the status of our campaign funds.

### ***Bill imposing new consequences on child abusers sent to Governor***

House Bill 1549 would allow any individual who was exploited as a child in the production of pornography to “bring a civil action against the producer, promoter, or intentional possessor of such child pornography, regardless of whether the victim is now an adult.” House Bill 1549 passed unanimously in the Oklahoma House of Representatives on final passage and was sent to Gov. Mary Fallin to be signed into law.