

State of Oklahoma
House of Representatives

March 28th – April 1st, 2011

By Rep. Jeannie McDaniel

Weekly Wrap #8

This has been the session of **reform**. According to Wikipedia, “*Reform means to put or change into an improved form or condition; to amend or improve by change of color or removal of faults or abuses, beneficial change, more specifically, reversion to a pure original state, to repair, restore or to correct.*” I am hopeful that some of the bills we are passing are truly going to plow new ground that will enable all of us to move ahead in an ever-changing and challenging world. Other bills may change a process; but, if they do not prove to work well, I believe that we will revisit those issues in upcoming years.

Excerpts from House News Releases this past week....

House Committee Passes State Board of Education Reform

This week the House Common Education Committee passed Senate Bill 435, which would allow the governor to appoint new members to the State Board of Education. The House Common Education Committee approved the legislation on a vote of 11-4. Senate Bill 435 provides that governor will appoint one member from each congressional district and one member from the state at-large to the seven-member State Board of Education. Terms will be four years and each member will serve at the pleasure of the governor. Under the terms of the bill, the governor must make new appointments to the Board by August 1 of this year. The bill now moves to the floor of the Oklahoma House of Representatives.

House Sends Lawsuit Reform Bills to the Governor

The Oklahoma House of Representatives passed two bills this week to bring some sanity to the legal system. Senate Bills 862 and 865 would eliminate joint and several liability and require that juries receive accurate information regarding tax impact on awards. The measures are part of the Republican lawsuit reform package supported by Governor Mary Fallin, House Speaker Kris Steele and Senate President Pro-Tempore Brian Bingman.

SB 862 removes a requirement that a defendant, in certain civil actions, will be jointly and severally liable for all damages if the defendant is found to be more than 50 percent at fault. Under current law, defendants can be held responsible for paying a higher portion of awards beyond the percentage of their fault to plaintiffs, based on his or her ability to pay. SB 862 would eliminate this practice, ensuring that individuals pay for their portion of fault and would not be held financial liable for another person’s actions. The measure passed the House by a 64-32 vote.

The House also approved Senate Bill 865 by a vote of 65-30. It would instruct juries that no part of an award for damages for personal injury or wrongful death is subject to federal or state income tax and the jury should not consider income taxes when determining a proper compensation award.

Both bills now go to Gov. Mary Fallin, who is expected to sign them into law.

Department of Corrections -More non-violent offenders in Oklahoma would be eligible for community sentencing and electronic monitoring under a bill making its way through the Oklahoma Senate. A Senate subcommittee this week approved HB2131 which seeks to slow the explosive growth of Oklahoma's prison population. The bill also restricts the governor's role in the parole process, a move expected to result in the release of more non-violent inmates on parole.

Other news....

Education – Watch

Yesterday, budget leaders for the House and Senate said they may have an agreement in a couple weeks. This is good news. With rumors swirling that the \$500M state shortfall will result in more cuts (from 3%-5%) for educators, school leaders around the state are bracing for final figures to draft next year's school budget.

Rep. Earl Sears, House Appropriations and Budget Committee chairman and former school administrator, said an agreement with Republican legislative leadership and Gov. Mary Fallin could be reached in 10 to 15 days.

“We're working in a cooperative effort, side-by-side, to get a budget out as quick as we can, and we think we're going to get a budget out early,” said Sen. David Myers, R-Ponca City, Senate Appropriations Committee chairman. “We're going to get it out very, very soon.”

Other education issues echo through the rotunda:

[SB2](#) - Education Board to adopt graduation rate targets - Coody, Ford

[SB534](#) - School employment - grounds for dismissal - Denney, Ford

[SB346](#) - School assessment - providing criteria for retention - prohibiting social promotion - Kern, Jolley

[SB348](#) - School performance - Ed Dept to grade schools - provide creation of award and develop report card

[SB605](#) - Charter School Sponsoring Commission – creating - Denney, Ford

Redistricting

Work is underway to complete and finalize the House and Senate district boundary lines based on the 2010 Census! Members are scrutinizing commission and council boundaries and precincts each week. Population shifts have required some districts to add to their land mass and others to shrink. Our population has moved to the suburbs while inner -urban and rural districts numbers are shrinking.

From the House website:

HOUSE REDISTRICTING

By law, the Legislature must redraw its district and congressional boundaries to reflect changes in population every 10 years immediately following the decennial Census. According to 2010 Census figures, the state's population increased by 8.7 percent in the past decade. As a result, the ideal population for each state House district will be 37,142 citizens, an increase of 2,977 people compared to the last round of redistricting.

Oklahoma lost one congressional seat in the last reapportionment process, but will retain its five congressional seats for the 2012 election cycle and the next decade. According to the most recent figures, the ideal congressional district population will now be 750,270, an increase of 60,139 per district compared to the last round of redistricting.

Under the Oklahoma Constitution, state legislative redistricting must be completed by the end of the regular session in May. There is not a deadline for the Legislature to redraw the congressional district boundaries, but the goal is to complete the work prior to candidate filing for congressional offices in 2012.

Transportation

A new report released this week ranks Oklahoma second in the nation terms of deteriorating bridges. Despite billions of dollars in federal, state and local funds directed toward the maintenance of existing bridges, 69,223 bridges — 11.5 percent of total highway bridges in the U.S. — are classified as “structurally deficient,” requiring significant maintenance, rehabilitation or replacement.

Health Issues

Published this week was a new set of reports that ranked the health of every county in Oklahoma. For the second year, the County Health Rankings confirm the critical role that factors such as education, jobs, income, and environment play in how healthy people are and how long they live. This year, the Rankings allow people to compare the overall health of their counties against other counties in their state, and also compare their performance on specific health factors against national benchmarks of top-performing counties.

The reports were issued by the University of Wisconsin Population Health Institute and the Robert Wood Johnson Foundation. The summary health outcomes rankings are based on an equal weighting of mortality and morbidity measures. The summary health factors rankings are based on weighted scores of four types of factors: behavioral, clinical, social and economic, and environmental.

According to their report, the following five counties had the best health outcomes and health factors in the state:

Rank	Health Outcomes	Rank	Health Factors
1	Woods	1	Major
2	Texas	2	Grant
3	Cleveland	3	Cleveland
4	Beaver	4	Kingfisher

5 Canadian 5 McClain

The following five counties had the worst health outcomes and health factors in the state:

Rank	Health Outcomes	Rank	Health Factors
73	Latimer	73	Seminole
74	McCurtain	74	Hughes
75	Seminole	75	Adair
76	Greer	76	Pushmataha
77	Harmon	77	Sequoyah

This week five House Bills successfully secured passage through both chambers and were sent to the Governor to be signed into law.

The 5 are as follows:

HB1197 by Jeannie McDaniel (Co-authors Rep. Dorman, Inman, Proctor & Walker)

Creates the 21-member Children of Incarcerated Parents Task Force. Also creates seven subcommittees of the Task Force. Safety protocols; Data collection; Outreach and education; Economic supports; Research; Resource clearinghouse; and Review of existing legislation affecting children of incarcerated parents. The Task Force is to issue a report by January 1, 2012 which reflects the goals, outcomes, and recommendations of the seven subcommittees.

HB 1359 by Rep. Peters (Co-authors Rep. Dorman, Pittman & Walker)

Creates the Foster Care System Improvement Task Force for the purpose of reviewing the state's foster care system and making recommendations to the Legislature and Governor on the areas of the system that need improvement.

HB1666 by Rep. Osborn

Shifts costs associated with placement of signs for named highways and bridges on the state highway system from the Department of Transportation to any group sponsoring or requesting the sign. Thanks to a floor amendment by **Rep. Proctor**, an exemption was made for signs which honor members of the U. S. Armed Forces who were killed in action.

HB1008 by Rep. McNiell (Co-authors Rep. Pittman & Walker)

Shortens the moratorium on the income tax credit for the reimbursement of tuition and compensation of aerospace engineers by one year, which will result in an estimated direct revenue loss of \$5.9 million in FY-12, as estimated by the Tax Commission.

HB1441 by Rep. Cox

Removes the requirement that only pharmacies designated as long-term care pharmacies can maintain emergency medical kits used in long-term care facilities.

Senate Bills which were sent to the Governor this week to be signed into law:

SB16 - County officers salaries - increases optional

SB130 - Counties, financial and performance audits - County Budget Act - establishment of county records.

SB131 - Schools - CLEET hearing procedure

SB137 - Prisons and Reformatories conduct credits
SB157 - Schools - CLEET breaks in service
SB160 - Motor vehicle racing - creating the Municipal Motor Vehicle Racing Act
SB179 - Cigars packaged in glass tubes exempt from law preventing sales of glass tubes.
SB187 - Sheriffs - authorizing to perform duties
SB263 - Schools - CLEET powers and duties - continuing education
SB277 - Pre-lien notice - modifying procedures for pre-lien notices
SB282 - Prisons and reformatories - Sex Offenders Registration Act - document filings
SB443 - Motor vehicles - driver license examination, bicycle and motorcycle safety.
SB576 - Child support arrearages - authorizing DHS to release list
SB862 - Joint tortfeasor liability - civil action based on fault
SB865 - Jury instructions - damage awards to reflect tax ramifications
SB940 - Civil procedure - service of process

In closing – The sun is out and I hear birds through an open window as I write. I hope this signals spring is at our doorstep. Please stay in contact.