

Oklahoma Conservative Index 2006

Bill Descriptions:

(1) Illegal Immigration Restrictions

HB 3119, the **Oklahoma Taxpayer and Citizen Protection Act**, by Rep. **Randy Terrill** (R-Moore), would have required proof of citizenship to get a state-issued identification card, register to vote, or apply for public assistance. It would have required state agencies administering public assistance programs to report illegal immigrants to federal authorities. The bill also would have repealed a 2003 law that granted in-state tuition rates to children of illegal immigrants. The bill passed the House 63-24 on March 14, but died in a Senate committee.

On April 24, Sen. **Jim Williamson** (R-Tulsa) attempted to amend HB 2634, the Paperwork Reduction Act of 2006, on the floor of the Senate to include most of the **Oklahoma Taxpayer and Citizen Protection Act** provisions. To block the amendment, Sen. **Kenneth Corn** (D-Poteau) offered a substitute motion which included less stringent provisions. Williamson moved to table the substitute motion, but the tabling motion failed in a 21-24 vote.

The conservative "Yes" votes in each house get the "C" and the liberal "No" votes get the "L."

(2) Workforce Council

Senate Bill 1734 by Sen. **Mike Morgan** (D-Stillwater) and Rep. **Mike Wilt** (R-Bartlesville) grants legislative recognition to the **Governor's Council for Workforce and Economic Development** established by the governor under Executive Order. The Council is to "*Review and make recommendations that will align the workforce system, including education, with the economic development goals of the state for the purpose of creating workforce and economic development systems that are integrated and shall provide Oklahoma a competitive advantage in the global economy.*" The goal of the legislation is to move students through the educational system into the jobs serving the industries that government planners want to attract to Oklahoma. The legislation passed the House 74-25 on May 10 and the Senate 42-0 on May 24. It was signed by Gov. Brad Henry on June 6. The conservative "No" votes get the "C" and the liberal "Yes" votes deserve the "L."

(3) "Stand Your Ground" Law

House Bill 2615, by state Rep. **Kevin Calvey** (R-Del City) and Sen. **Harry Coates** (R-Seminole) enacts a "Stand Your Ground" law in Oklahoma, expanding Oklahoma's "Make My Day" law. Oklahoma's "Make My Day" law provides citizens the right to protect themselves inside their homes, but that right did not extend to other locations. The new law authorizes residents to use deadly force, if necessary, to defend themselves against attackers inside their homes or, in some cases, vehicles. It declares that an individual does not need to retreat from danger and "*has the right to stand his or her ground and meet force with force ... if force is necessary to prevent death, great bodily harm or the commission of a forcible felony.*" It provides immunity from criminal prosecution or civil action for using justifiable deadly force. The Oklahoma Rifle Association, the state's National Rifle Association (NRA) affiliate, endorsed the bill which is based on a successful Florida law.

The bill passed the Senate in a 39-5 vote on April 25, and the House on May 4 in a 83-4 vote. Gov. Brad Henry signed the bill into law on May 12. The conservative "Yes" votes earn the "C" and the liberal "No" votes get the "L."

(4) Fund Centennial Projects

SB 1193 by Sen. **Johnnie Crutchfield** (D-Ardmore) and Rep. **Chris Benge** (R-Tulsa) was a supplemental appropriation of \$16 million to the **Oklahoma Centennial Commission**. The extra money primarily funds grants for various Centennial projects and celebrations. The bill passed the Senate 44-1 on February 28. It passed the House 79-10 on March 9. It was signed by Gov. Brad Henry on March 16. The conservative "No" votes get the "C" and the liberal "Yes" votes deserve the "L."

(5) Repeal Death Tax

Senate Bill 334, authored by state Sen. **Mike Mazzei** (R-Bixby) and Rep. **Brian Bingman** (R-Sapulpa), proposed gradual reductions to the "estate tax" which is often dubbed as the "death tax." The bill passed the Senate without opposition on March 2. Instead of modifying the tax, the House amended the bill to eliminate the tax. The tax repeal passed the House by a vote of 79 to 17. When the bill returned to the Senate, Sen. Ted Fisher (D-Sapulpa) made a motion to reject the House amendment to repeal the tax. The motion passed 24 to 22 on

May 9. The bill was then sent to a conference committee where it died. The conservative “Yes” votes in the House get the “C” while the liberal “No” votes on the Senate motion to reject the House amendments earn the “L”.

(6) “Opportunity Fund” Subsidies

House Bill 2653, by State Reps. **Susan Winchester** (R-Chickasha) and Sen. **Ted Fisher** (D-Sapulpa), proposed the creation of the “**Oklahoma Opportunity Fund**” to provide subsidies to businesses and industries looking to locate in Oklahoma. Under the current system, the Oklahoma Legislature and governor must approve most major incentive packages. Under the proposal, that decision would be made by the **Oklahoma Opportunity Fund Board of Trustees**. The bill also would establish a revolving fund to disperse the money. The **Oklahoma Opportunity Fund** would help pay for site development, infrastructure, and similar needs. While the bill passed the House and Senate during the regular session, it was sent to a conference committee to work out differences in the bill as it passed each house. The bill died in a conference committee. However, the legislation was resurrected as HB 1169X in the Special Session called by the governor to pass a state budget. The bill passed the House 77-22 on June 21, and the Senate 40-5 on June 23. It was signed into law by Gov. Henry on June 27. The conservative “No” votes get the “C” and the liberal “Yes” votes deserve the ‘L.’

(7) Subsidized Health Insurance

SB 1294 by Sen. **Tom Adelson** (D-Tulsa) and **Rep. Kris Steele** (R-Shawnee) would have expanded the **Insurance Premium Assistance Program** which provides “*public-private cost sharing*” to help the uninsured pay health insurance premiums. The legislation would have expanded the current “pilot” program to include businesses with up to 50 employees. Funding would come from the tobacco tax, which because of Gov. Henry’s failed Tobacco Compacts with Indian tribes, is producing less revenue than projected. The bill passed the Senate 33-12 on March 2. It passed the House 66-28 on April 27. While the bill died in conference, the proposal was later inserted into a bill dealing with reforms to the Medicaid program. The conservative “No” votes get the “C” and the liberal “Yes” votes deserve the ‘L.’

(8) Pro-Life Legislation

After seven pro-life bills were killed in Senate committees, **Senate Bill 1742**, by state Sen. **Don Barrington** (R-Lawton) and Rep. **Lisa Billy** (R-Purcell), revived major provisions of the killed bills. The amended bill provides for parental consent by one parent for minors seeking an abortion. A woman considering an abortion must be informed that her unborn child, if 20 weeks or older, could experience pain during an abortion. A woman considering an abortion must be given the option of seeing her baby through ultrasound. It ensures that Oklahoma’s recognition of the unborn child as a separate victim applies uniformly across various homicide statutes. The bill also allows funds to go to non-governmental agencies offering counseling and support services for pregnant women.

The amended bill passed the House on April 26 in a 84-5 vote and the Senate on May 18 in a 38-8 vote. It was signed into law by Gov. Henry on May 23. The conservative “Yes” votes get the “C” and the liberal “No” votes get the “L.”

(9) Child Molester Death Penalty

Senate Bill 1800, by state Rep. **Fred Morgan** (R-Oklahoma City) and state Sen. **Jonathon Nichols** (R-Norman), would allow the death penalty or life imprisonment to be imposed on individuals convicted of raping children younger than 14 after a prior conviction. The bill also establishes a **Child Abuse Response Team** within the **Oklahoma State Bureau of Investigation**. The bill passed the Senate 39-8 on May 24 and the House on an 88-8 vote on May 26. The bill was signed by Gov. Brad Henry on June 9. The conservative “Yes” votes get the “C” and the liberal “No” votes get the “L.”

(10) Excess Revenue Spending

Senate Bill 90X by Sen. **Johnnie Crutchfield** (D-Ardmore) and Rep. **Chris Benge** (R-Tulsa) spent “Excess Revenue” rather than return the money to taxpayers. After passing a record \$6.6 billion General Appropriations bill, the Legislature decided to spend an additional \$457 million of “excess revenue” for so-called “one-time” expenditures. Legislators filled the “Rainy Day Fund” to the maximum level (which they can tap into later for additional spending) and then proceeded to hand out money for numerous special programs and projects such as \$45 Million to new “Opportunity Fund” (such issue number 6 of this Conservative Index) and \$80 Million for Higher Education capital projects (on top of the \$500 million bond package passed last year). When added to the General Appropriation, the spending in this bill represented a 17 percent increase over the record budget passed in May of last year. The extra spending passed the Senate 45-2 on June 21 in the Special Session and the House 75-15 on June 23. The bill was signed by Gov. Brad Henry on June 27. The conservative “No”

votes get the “C” and the liberal “Yes” votes deserve the ‘L.’”