

# State chamber gives Legislature an 'A'

BUSINESS • 1B

## Session graded

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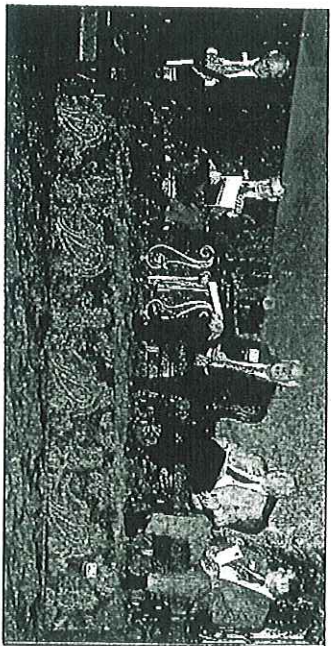
Lobbyists for the State Chamber of Oklahoma gave the 2009 legislative session an A, saying lawsuit reform and its positive effect on business played a significant role in their decision.

Ron Cupp, Mike Seney, Jim Mason and Matt Robison, state chamber lobbyists, and H.J. Reed, legislative affairs committee chairman, discussed their grades as they recapped the session for a packed room of chamber members during the organization's annual meeting last week at Fort Sill. Lawsuit reform and a water bill that supporters say will pass judicial review received the bulk of their attention.

Mike Seney, noting he gave the 2008 legislative session an F, was happier this year, granting the session that ended in May an A or A-.

"We got significant legislation passed in the state," he said, noting lawsuit reform came about because of a cooperative strategy in the House and Senate, where members rolled up their sleeves and got to work.

Seney said that, by the end of the



Stephen Roeberson/Staff

legislative lobbyists for the State Chamber of Oklahoma share their views on the 2009 session during last week's chamber meeting on Fort Sill. Discussing bills important for business are, from left, Mike Seney, Ronn Cupp, H.J. Reed (chairman of the chamber's legislative affairs committee and panel moderator), Matt Robison and Jim Mason.

day, the state chamber got 85-90 percent of what it wanted and a strong piece of legislation that caps noneconomic damages.

"It's a model," he said, noting state physicians got the cap they were looking for, while a plaintiff who is truly hurt and damaged will be compensated.

Reed said while state leaders were able to negotiate tort reform, they

didn't address worker's compensation. Seney said while state chamber officials knew at the beginning of the session that worker's compensation wouldn't be addressed, a group has met every Monday morning since January, pulling in the best of bills from other states to craft a reform package that will be taken up in 2010.

Along those same lines, Seney noted support for the idea of requiring Senate confirmation on judges, saying he heard about one judge in a worker's compensation case who told an attorney "I don't need to know the law. That's your job."

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CONTINUED FROM 1A

The lobbyists also touched on other labor-related issues, including a proposal to give state veterans the day off on Veterans' Day. The intent was good, but would have had a bad effect on businesses, they said, and a compromise yielded a resolution that thanked veterans for their sacrifices and urged employers to be flexible in giving time off to employees who are veterans.

## Water politics

Cupp said the water bill passed in the 2009 session is significant. He said the bill sets a formula that takes the needs (current and future) of state users into account. He said legislators saw seven drafts of the bill in the waning days of the session before accepting a bill that supporters say will protect the state against a lawsuit. That's a good sign for state leaders who are carefully watching a Tarrant County, Texas, challenge on Oklahoma's moratorium on out-of-state water sales.

The law crafted by legislators protects Oklahoma water by giving Oklahomans priority, Cupp said, noting the goal is to ensure "nothing negative" happens before the Oklahoma Water Resources Board completes its statewide water master plan.

## Immigration, education

Immigration and common education also drew the attention of the state chamber.

Seney said there wasn't much activity on immigration reform in 2009 because the state's last reform bill still is on appeal. Oral arguments were held in Denver in May; a ruling is expected by fall. Seney said there will be activity next year, including a proposal he called "English as a common language" but conceded will become known as "English only."

Seney said that the original English-only bill was crafted so tightly that once it was approved, no changes could be made except for those associated with federal mandates. He said there also were fears the bill would jeopardize federal funding to the state's hospitals, to the tune of \$150 million. The new law only specifies English is the common and unifying language of Oklahoma, he said.

Robison said the Legislature will have to focus attention on common education, noting national groups have given Oklahoma an F in areas such as academic activities and a D in data gathering. He said while the state says 85 percent of its students are passing scores in reading and mathematics, national grading shows the figure is 20-25 percent.

## Data gathering, student mentoring

Robison also highlighted Senate Bill 1111, which would have taken data-gathering duties from the Department of Education and given them to a newly created accounting board. Gov. Brad Henry vetoed the bill because he had constitutional concerns about removing the Department of Education from the process, Robison said. He said Senate Bill 222 tried to remedy the problem by creating a data-gathering council, but giving the Department of Education oversight.

Robison also said the state chamber will be supporting efforts to strengthen student mentorship programs, by encouraging business owners to get involved, and an alternative teacher-certification program that will allow former business people to "fast track" into the teaching profession.

Mason said state leaders must continue supporting the EDGE initiative, whose original goal was to create a \$1 billion research base. While the Legislature provided \$150 million initially, there hasn't been much financial ground gained since then, Mason said. He also said five companies have received significant research funding under EDGE, to create "real change" in Oklahoma.

## Other highlights:

- State chamber officials suggested Oklahoma adopt the orange construction cone as its new symbol, noting roads and bridges projects funded in coming years will make dramatic improvements.

- Why the chamber opposes a common education funding formula tied to a six-state regional average: Seney said Oklahomans don't know how other states appropriate their dollars. He also said as Oklahoma increases its funding, that would increase the regional average, forcing still more increases. If that formula had been in place during the 2009 session, it would have forced the Legislature to appropriate another \$850 million to common education "and the state didn't have it," Seney said.

## THE SUNDAY CONSTITUTION

JUNE 21, 2009