

STATE OF OKLAHOMA

1st Session of the 46th Legislature (1997)

HOUSE JOINT  
RESOLUTION NO. 1018

By: Leist

AS INTRODUCED

A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection a proposed amendment to Section 6 of Article XI of the Constitution of the State of Oklahoma; removing investment authority from Commissioners of the Land Office; imposing duty upon State Treasurer for investment of funds; providing ballot title; and directing filing.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE  
1ST SESSION OF THE 46TH OKLAHOMA LEGISLATURE:

SECTION 1. The Secretary of State shall refer to the people for their approval or rejection, as and in the manner provided by law, the following proposed amendment to Section 6 of Article XI of the Constitution of the State of Oklahoma to read as follows:

Section 6. A. The permanent common school and other educational funds may be invested in first mortgages upon good and improved farm lands within the state (and in no case shall more than fifty per centum (50%) of the reasonable valuation of the lands without improvements be loaned on any tract) and any other investments as authorized by law.

B. The ~~Commissioners of the Land Office~~ State Treasurer shall be responsible for the investment of the permanent common school and

other educational funds, and public building funds solely in the best interests of the beneficiaries and:

1. For the exclusive purpose of providing maximum benefits to current and future beneficiaries, and defraying reasonable expenses of administering the trust funds;

2. With the care, skill, prudence, and diligence under the circumstances then prevailing that a prudent person acting in a like enterprise of a like character and like aim would use;

3. By diversifying the investments of the trust funds so as to minimize the risk of large losses; and

4. In accordance with the law, documents and instruments governing the administration and investment of the permanent common school and other educational funds and public building funds.

C. The Legislature shall provide by law conditions upon which the permanent common school fund, other educational funds and public building funds may be loaned or invested and shall do all things necessary for the safety of the funds and permanency of the investment.

SECTION 2. The Ballot Title for the proposed Constitutional amendment as set forth in SECTION 1 of this resolution shall be in the following form:

BALLOT TITLE

Legislative Referendum No. \_\_\_\_\_ State Question No. \_\_\_\_\_

THE GIST OF THE PROPOSITION IS AS FOLLOWS:

This measure amends the Oklahoma Constitution. It amends Section 6 of Article 11. The Commissioners of the Land Office have the legal duty to invest certain public funds and income from public assets. This measure would remove that duty from the Commissioners of the Land Office. It would place the duty for investment of the funds and income from public assets upon the State Treasurer. The State Treasurer would be required to

follow the same investment standard as the Commissioners of the Land Office are required to follow under current law.

SHALL THIS AMENDMENT BE APPROVED BY THE PEOPLE?

   / YES, FOR THE AMENDMENT

   / NO, AGAINST THE AMENDMENT

SECTION 3. The Chief Clerk of the House of Representatives, immediately after the passage of this resolution, shall prepare and file one copy thereof, including the Ballot Title set forth in SECTION 2 hereof, with the Secretary of State and one copy with the Attorney General.

46-1-6406

MAH