

SHORT TITLE: Public finance; abolishing Executive Bond Oversight Commission; transferring duties, employees and records of State Bond Advisor to Office of State Finance; codification; repealer; effective date; emergency.

STATE OF OKLAHOMA

1st Session of the 46th Legislature (1997)

SENATE BILL NO. 713

By: Herbert

AS INTRODUCED

An Act relating to public finance; amending 62 O.S. 1991, Sections 695.1, 695.2, 695.3, 695.6, 695.7, 695.8, as last amended by Section 1, Chapter 285, O.S.L. 1994, 695.8a and 695.9, as amended by Sections 24 and 25, Chapter 322, O.S.L. 1994, 695.11 and 695.11A (62 O.S. Supp. 1996, Sections 695.8, 695.8a and 695.9), which relate to the Oklahoma Bond Oversight and Reform Act; clarifying statutory references; modifying statements of legislative finding and declaration; modifying and deleting definitions; abolishing Executive Bond Oversight Commission; deleting references thereto; requiring official action of Legislative Bond Oversight Commission to be taken in public meeting; requiring Office of State Finance to provide certain support staff; modifying duties of Attorney General; transferring duties, employees and records of State Bond Advisor to Office of State Finance; specifying certain duties of Director of State Finance; modifying requirements and procedures for engaging services of certain persons or firms; authorizing certain unclassified position; authorizing employment of certain staff; allowing proprietary inducements to be granted under certain circumstances; modifying persons subject to restrictions on financial or contractual

relationships with certain firms or corporations or personnel thereof; requiring certain disclosure; deleting obsolete language; modifying provisions for certain applications submitted by Oklahoma Development Finance Authority; transferring Bond Oversight Revolving Fund to Office of State Finance; requiring independent approval of certain obligations and independent review of certain documents by Director of State Finance and Legislative Bond Oversight Commission; authorizing Office of State Finance to provide certain advice and assistance and assess fee therefor; providing for codification; repealing 62 O.S. 1991, Section 695.5, which relates to the Executive Bond Oversight Commission; providing an effective date; and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 62 O.S. 1991, Section 695.1, is amended to read as follows:

Section 695.1 Sections ~~92~~ 695.2 through ~~101~~ 695.11 of this ~~act~~ title shall be known and may be cited as the "Oklahoma Bond Oversight and Reform Act".

SECTION 2. AMENDATORY 62 O.S. 1991, Section 695.2, is amended to read as follows:

Section 695.2 The Legislature hereby finds and declares that there is a need to reform current procedures regarding the sale ~~and~~, issuance and investments of proceeds of bonds or other obligations by State Governmental Entities which are hereby declared to be essential to the economic well-being of the state. The Legislature

further declares that there do not currently exist ~~any~~ sufficient procedures, requirements or methods allowing for significant systematic oversight of State Governmental Entity issuers of bonds or other obligations, nor of the vendors providing professional public finance services to the state. The Legislature further declares that there exists a need to establish ~~such minimal~~ improved oversight and technical evaluation of financing proposals to protect the public welfare of the State of Oklahoma.

SECTION 3. AMENDATORY 62 O.S. 1991, Section 695.3, is amended to read as follows:

Section 695.3 As used in the Oklahoma Bond Oversight and Reform Act:

1. ~~"Executive Commission" means the Executive Bond Oversight Commission;~~

2. ~~"Legislative Commission"~~ "Commission" means the Legislative Bond Oversight Commission;

3. ~~"Commissions" means the Executive Bond Oversight Commission and the Legislative Bond Oversight Commission;~~

4. 2. "State Governmental Entity" means the State of Oklahoma or any agency, board, commission, authority, department, public trust of which the state is the beneficiary or other instrumentality of state government, other than a public trust with the state as beneficiary whose jurisdiction is limited to one county, including, but not limited to, the following:

- a. Oklahoma Municipal Power Authority,
- b. Oklahoma Development Authority,
- c. Oklahoma Industrial Finance Authority,
- d. Grand River Dam Authority,
- e. Oklahoma Water Resources Board,
- f. Northeast Oklahoma Public Facilities Authority,
- g. Oklahoma Turnpike Authority,
- h. Oklahoma Housing Finance Authority, and

i. Oklahoma Public, Industrial and Cultural Facilities Authority;

~~5.~~ 3. "Local Governmental Entity" means counties, cities and towns, school districts, public trusts of which a county, city or town or school district is the beneficiary or other political subdivision of the state; and

~~6.~~ 4. "Purpose" means the issuer's principal intended use of the funds derived from the issuance of bonds or other obligations.

SECTION 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 695.5a of Title 62, unless there is created a duplication in numbering, reads as follows:

Effective July 1, 1997, the Executive Bond Oversight Commission is hereby abolished.

SECTION 5. AMENDATORY 62 O.S. 1991, Section 695.6, is amended to read as follows:

Section 695.6 A. The ~~Executive Commission and~~ Legislative Bond Oversight Commission shall meet ~~jointly~~ at least once each month on the last Thursday of each month or on such other day as agreed upon by the ~~chairmen~~ chair of the ~~Commissions~~ Commission. The ~~Commissions~~ Commission may meet, ~~jointly or separately,~~ at such other times at the call of the ~~respective chairmen~~ chair of the ~~Commissions~~ Commission. Any official action of ~~the Executive Commission or the Legislative Commission~~ on any subject ~~requiring action by both Commissions~~ relating to Section 695.1 et seq. of this title shall be taken in a ~~joint~~ public meeting of the ~~Commissions~~ Commission. ~~The lack of a quorum or lack of action of one of the Commissions at a joint meeting shall not prohibit or invalidate any official action taken by the other Commission at the meeting.~~

B. The ~~Oklahoma State Bond Advisor~~ Office of State Finance, as provided in Section 695.7 of ~~Title 62 of the Oklahoma Statutes~~ this title, shall provide support staff necessary to implement the purposes and functions of the ~~Commissions~~ Commission.

The Attorney General shall provide legal counsel to the ~~Commissions~~ Director of State Finance and the Commission.

SECTION 6. AMENDATORY 62 O.S. 1991, Section 695.7, is amended to read as follows:

Section 695.7 A. Effective July 1, 1997, all duties of the Oklahoma State Bond Advisor, as well as all employees and records of the Bond Advisor's office, shall be transferred to the Office of State Finance and shall be under the direction of the Director of State Finance.

B. ~~The Commissions jointly shall~~ Director of State Finance may engage the services of ~~a person~~ one or more persons or firms knowledgeable in the current state of the art of national and international standards for the issuance of obligations by governmental entities and experienced in the negotiation of fees for various goods and services requisite to or deemed desirable in the issuance of such obligations as well as the negotiation of other matters essential to provide the best ~~current~~ overall price and terms of the issuance of such obligations for the benefit of Oklahoma firms, farms, individuals and local communities, ~~with said consultant having the title "Oklahoma State Bond Advisor". The Commissions shall conduct a national search in seeking requests for proposals for the position of Oklahoma State Bond Advisor. The person selected as the Oklahoma State Bond Advisor shall be approved by an affirmative vote of the Executive Commission and the Legislative Commission at a joint meeting of the Commissions. The Oklahoma State Bond Advisor may be removed upon an affirmative vote of the Executive Commission and the Legislative Commission at a joint meeting of the Commissions.~~ Any person or firm so engaged shall serve at the pleasure of the Director of State Finance and may hold the title "Oklahoma State Bond Advisor".

B. C. The Oklahoma State Bond Advisor ~~shall~~ may be an independent unclassified position within the ~~Office of Public~~

~~Affairs Office of State Finance. The Oklahoma State Bond Adviser~~
Office of State Finance may employ the necessary staff to carry out
~~the~~ its ~~duties of the Bond Adviser~~ under the Oklahoma Bond Oversight
and Reform Act and ~~the duties of the Commissions, with approval of~~
~~the Commissions~~ to assist the Commission in the execution of its
duties.

~~C. D.~~ Prior to engaging the services of underwriters, bond or
other legal counsel, financial advisors, consultants, a financial
institution to serve as trustee, paying agent or in any fiduciary
capacity in connection with any program, indenture or general
resolution of the State Governmental Entity, or any other experts,
except as provided in Section 5062.8 of Title 74 of the Oklahoma
Statutes, the State Governmental Entity shall request proposals for
such services from a plurality of persons engaged in the particular
activity for such services and the selection of such persons shall
be made on the basis of the response to the request which ~~is the~~
~~most economical and will provide~~ provides professionally competent
service and which furthers the best interest of the State
Governmental Entity and the state. In negotiating requests for
proposals to engage such services, the State Governmental Entity
shall seek the advice and assistance of the ~~Oklahoma State Bond~~
~~Adviser~~ Director of State Finance. ~~Under no circumstances shall~~
~~proprietary~~ Proprietary inducements may be granted if both the
Director of State Finance and the Legislative Bond Oversight
Commission approve the proposal in advance and the proposal furthers
the best interest of the state. Proposals for services of
underwriters, bond or other legal counsel, financial advisors,
consultants, financial institutions to serve as trustee, paying
agent or in any fiduciary capacity, or other professional services
necessary for the proper execution of the proposal, may be jointly
submitted for all or some of these services, and if submitted
jointly shall be considered as a single proposal for these services.

The ~~Oklahoma State Bond Advisor~~ Director of State Finance shall provide assistance and advice to State Governmental Entities with respect to the issuance of obligations by ~~said~~ such State Governmental Entities, review, negotiate, and approve or disapprove the fees and expenses for goods and services requisite to or deemed desirable in the issuance of State Governmental Entity obligations and represent the interests of the state before rating agencies and credit enhancement providers.

The provisions of this subsection shall apply to any Local Governmental Entity that proposes to issue obligations to fund capital additions or expenditures which obligations are to be retired by rental payments from the state, user fees from the state or any other such payment made by any officer, department, board, commission, institution or agency of the state when such payment is a direct and expressed pledge made by the state for the retirement of debt by a Local Governmental Entity. Provided, funds which are collected by the state for distribution to a Local Governmental Entity or are appropriated or dedicated by the state to a Local Governmental Entity without the expressed purpose of retiring debt of ~~said~~ the Local Governmental Entity shall not constitute a pledge as provided in this subsection.

~~D. E.~~ D. E. The ~~Oklahoma State Bond Advisor~~ Director of State Finance shall serve as an advisor to the Governor and to the Legislature with respect to issuance of indebtedness reviewed by the ~~Commissions~~ Commission and shall prepare an annual report to be submitted to the Governor, the President Pro Tempore of the Senate and the Speaker of the House of Representatives as of January 15 each year. The report shall contain a summary of the issuance of indebtedness by State Governmental Entities and Local Governmental Entities during the preceding year and such other information as the ~~State Bond Advisor~~ Director of State Finance may be required to submit or as may be relevant. The ~~State Bond Advisor~~ Director of State Finance shall

assist Oklahoma Futures with respect to information, advice or assistance as may be required.

E. F. The Oklahoma State Bond Advisor or any member of the immediate family of the Oklahoma State Bond Advisor Neither employees of the Office of State Finance, nor any member of the immediate family of an employee of the Office of State Finance, shall ~~not~~ have any direct or indirect financial or contractual relationship with any firm or corporation or any officer, partner or principal stockholder of any firm or corporation directly involved in public finance. Individuals or principals, employees and affiliates of any firm engaged to provide professional services to the state for purposes of public finance shall be required to disclose all personal and professional direct or indirect financial or contractual relationships to the Director of State Finance as a prerequisite to their engagement. The Director of State Finance shall make reasonable efforts to ascertain that such disclosures are adequate and complete and that no conflicts of interest exist in relation to the services provided to the state.

SECTION 7. AMENDATORY 62 O.S. 1991, Section 695.8, as last amended by Section 1, Chapter 285, O.S.L. 1994 (62 O.S. Supp. 1996, Section 695.8), is amended to read as follows:

Section 695.8 A. The ~~Executive Bond Oversight Commission~~ Director of State Finance and the Legislative Bond Oversight Commission shall independently:

1. Make determinations as to whether the purposes for which obligations proposed to be issued by a state governmental entity are for the furtherance and accomplishment of authorized and proper public functions or purposes of the state or of any county or municipality, as specified in the statutes governing public trusts organized pursuant to Title 60 of the Oklahoma Statutes;

2. Review proposed issuance of debt by State Governmental Entities for compliance with any applicable provisions of federal, state or other laws;

3. Review proposed issuances of obligations to fund capital additions or expenditures by local governmental entities which obligations are to be retired by rental payments from the state, user fees from the state or any other such payment made by any officer, department, board, commission, institution or agency of the state, for compliance with any applicable provisions of federal, state or other laws, when such payment is a direct and expressed pledge for the then current fiscal year made by the state for the retirement of debt by a local governmental entity. Provided, funds which are collected by the state for distribution to a local governmental entity or are appropriated or dedicated by the state to a local governmental entity without the expressed purpose of retiring debt of ~~said~~ the local governmental entity shall not constitute a pledge as provided in this paragraph; and

4. ~~a.~~ Except as otherwise provided in ~~subparagraph b~~ of this paragraph, review the findings of the Program Development and Credit Review Committee to determine if the Rules Regarding the Administration of the Credit Enhancement Reserve Fund and related regulations and policies as implemented by the Oklahoma Development Finance Authority adequately and sufficiently fulfill the intents and purposes of the Credit Enhancement Reserve Fund Act, Section 5063.1 et seq. of Title 74 of the Oklahoma Statutes, ~~provided such provision shall not apply to Credit Enhancement Reserve Fund applications approved by the Bond Oversight Commissions prior to the effective date of this act;~~ and, except as otherwise provided in ~~subparagraph b~~ of this paragraph, approve or

disapprove any bonds or indebtedness being issued by the Oklahoma Development Finance Authority to the extent ~~said~~ such bonds or indebtedness are enhanced or supported pursuant to the Credit Enhancement Reserve Fund Act, Section 5063.1 et seq. of Title 74 of the Oklahoma Statutes.

~~b. The Bond Oversight Commissions~~ Neither the Director of State Finance nor the Commission shall ~~not~~ be required to review or approve individual projects or loans under the Small Business Credit Enhancement Program created by Section 5063.4b of Title 74 of the Oklahoma Statutes, or the Oklahoma Beginning Agricultural Producer Pool Act, Section 5063.21 et seq. of Title 74 of the Oklahoma Statutes, but may approve a package of such projects or loans in advance. Each project or loan shall be individually listed in the package and the dollar amount of the project or loan shall be specifically set out together with the total dollar amount involved in the package. ~~The Commissions or the State Bond Advisor~~ Director of State Finance or the Commission may, ~~in their discretion,~~ remove any such individual project or loan from the package submitted, for individual action. Should the Oklahoma Development Finance Authority submit an application to the ~~Commissions~~ Director of State Finance and the Commission for the approval of an obligation or credit enhancement under these two programs, the application shall be deemed approved if not disapproved by ~~the Commissions~~ either the Director of State Finance or the Commission within forty-five (45) days of filing such an application or, as to an individual project or

loan, removed from the submitted package within such forty-five-day period; ~~and.~~

5. ~~Adopt, amend and repeal~~ B. The Director of State Finance and the Commission shall jointly promulgate rules and regulations to regulate affairs of the ~~Commissions~~ Commission and to implement the powers and purposes of the ~~Commissions~~ Commission.

~~B. C.~~ C. The ~~Commissions~~ Commission may establish ~~budgets~~ a budget in order to fulfill ~~their~~ its duties pursuant to Section 695.1 et seq. of this title and shall be authorized to charge and collect a fee, in accordance with ~~the~~ its rules ~~and regulations of the Commissions,~~ derived from proceeds of bond issues approved by the ~~Commissions~~ Commission.

SECTION 8. AMENDATORY 62 O.S. 1991, Section 695.8a, as amended by Section 24, Chapter 322, O.S.L. 1994 (62 O.S. Supp. 1996, Section 695.8a), is amended to read as follows:

Section 695.8a There is hereby re-created in the State Treasury a revolving fund for the ~~Department of Central Services~~ Office of State Finance, to be designated the "Bond Oversight Revolving Fund". The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of fees collected by ~~the Executive Bond Oversight Commission and~~ the Legislative Bond Oversight Commission as authorized by Section 695.8 of ~~Title 62 of the Oklahoma Statutes~~ this title and any other monies provided for by law. All monies accruing to the credit of ~~said~~ the fund are hereby appropriated and may be budgeted and expended by the ~~Department of Central Services~~ Office of State Finance for expenses related to the Oklahoma Bond Oversight and Reform Act. Expenditures from ~~said~~ the fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of State Finance for approval and payment.

SECTION 9. AMENDATORY 62 O.S. 1991, Section 695.9, as amended by Section 25, Chapter 322, O.S.L. 1994 (62 O.S. Supp. 1996, Section 695.9), is amended to read as follows:

Section 695.9 A. No State Governmental Entity shall issue any obligations unless such obligations have been approved independently by the ~~Executive Bond Oversight Commission~~ Director of State Finance and the Legislative Bond Oversight Commission as provided for in Section 695.8 of this title; provided, however, that in no event shall the ~~Commissions'~~ approval of the Director of State Finance or the Commission be required for the issuance of any obligations pursuant to a remarketing or a change in interest rate or maturity under the terms of indentures or agreements securing obligations heretofore issued prior to July 1, 1987, or pursuant to the provisions of Section 695.1 et seq. of this title.

B. 1. With respect to any financing proposed to be obtained through the issuance of its obligations, any State Governmental Entity shall file with the ~~Executive Commission~~ Director of State Finance and the ~~Legislative~~ Commission a written description of the nature, need and purpose of such proposed financing. The ~~Commissions~~ Director of State Finance and the Commission shall independently review the description of the proposed financing in order to either approve or disapprove the purpose to be served by the issuance of ~~said~~ the State Governmental Entity obligations and for compliance with any applicable provisions of federal, state or other laws. The review as to purpose shall be strictly limited to the determination provided for in Section 695.8 of this title.

2. With respect to bonds or indebtedness proposed to be issued by the Oklahoma Development Finance Authority which will be enhanced or supported pursuant to the Credit Enhancement Reserve Fund Act, Section 5063.1 et seq. of Title 74 of the Oklahoma Statutes, the ~~Commissions~~ Director of State Finance and the Commission shall independently review the description of such proposed financing in

accordance with paragraph 1 of this subsection and additionally shall independently approve or disapprove the proposed financing on a determination of sufficient compliance with the Rules Regarding the Administration of the Credit Enhancement Reserve Fund as implemented by the Oklahoma Development Finance Authority. Such determinations by the ~~Commissions~~ Director of State Finance and the Commission shall be based on a written report prepared for and provided to the ~~Commissions~~ Director of State Finance and the Commission by the Program Development and Credit Review Committee as provided in Section 5062.6a of Title 74 of the Oklahoma Statutes, provided the ~~Commissions~~ Director of State Finance and the Commission shall not be bound to follow the conclusions reached by the committee in such reports. Provided, the provisions of this paragraph shall not apply to Credit Enhancement Reserve Fund applications approved by the Bond Oversight Commissions prior to June 9, 1990.

All orders issued by the ~~Commissions~~ Director of State Finance and the Commission approving or disapproving bonds or indebtedness enhanced or supported pursuant to the Credit Enhancement Reserve Fund Act shall be final and shall not be subject to any type of appeal. Further, the independent approval of both the Director of State Finance and the Commission shall be required before proceeding with the proposed financing.

3. The approval provided for in paragraph 1 of this subsection shall expire one hundred eighty (180) days after such approval. Provided, if such approval expires, nothing shall prevent the State Governmental Entity from refileing with the ~~Commissions~~ Director of State Finance and the Commission for approval of such financing and, if granted, any one subsequent approval of such financing shall be valid for a period, not to exceed one hundred eighty (180) days, as determined by the ~~Commissions~~ Director of State Finance and the Commission.

4. In the event there is a substantial change in the nature or purpose of a proposed financing after approval by the ~~Commissions~~ Director of State Finance and the Commission, the prior approval shall be void and the State Governmental Entity shall be required to seek approval from the ~~Commissions~~ Director of State Finance and the Commission in the manner provided in paragraph 1 of this subsection.

C. Local Governmental Entities that propose to issue obligations to fund capital additions or expenditures which obligations are to be retired by rental payments from the state, user fees from the state or any other such payment made by any officer, department, board, commission, institution or agency of the state, when such payment is a direct and expressed pledge made by the state for the retirement of debt by a Local Governmental Entity, shall be governed by the provisions of subsections A and B of this section. Provided, funds which are collected by the state for distribution to a Local Governmental Entity or are appropriated or dedicated by the state to a Local Governmental Entity without the expressed purpose of retiring debt of ~~said~~ the Local Governmental Entity shall not constitute a pledge as provided in this subsection.

D. Except for the entities specified in subsection C of this section, Local Governmental Entities, within ten (10) days following the date funds become available to the issuer from the sale of any obligation, shall file with the ~~Executive Commission and the~~ Legislative Office of State Finance and the Commission a copy of the official statement or notice of sale and any other information concerning the proposed financing required by either ~~of the~~ Commissions the Office of State Finance or the Commission.

E. Upon the request of a Local Governmental Entity, the ~~State Bond Adviser~~ Office of State Finance may provide advice and assistance to the Local Governmental Entity with respect to the issuance of obligations. The ~~State Bond Adviser~~ Office of State Finance may assess reasonable fees for such services.

SECTION 10. AMENDATORY 62 O.S. 1991, Section 695.11, is amended to read as follows:

Section 695.11 The provisions of the Oklahoma Central Purchasing Act, Section 85.1 et seq. of Title 74 of the Oklahoma Statutes, shall not be applicable to any actions of a State Governmental Entity in regard to the sale and issuance of its obligations, including any contracts and undertakings relating thereto; however such issuance, contracts and undertakings shall be subject to the provisions of ~~this act~~ Section 695.1 et seq. of this title regarding review or approval of such matters by the ~~Oklahoma State Bond Advisor within the Office of Public Affairs~~ Director of State Finance.

SECTION 11. AMENDATORY 62 O.S. 1991, Section 695.11A, is amended to read as follows:

Section 695.11A A. In the event ~~either the Executive or~~ Legislative Bond Oversight Commission is found unconstitutional by a final, unappealed order of a court of competent jurisdiction, all of the powers, duties and responsibilities of the ~~Commissions~~ Commission shall devolve upon the Council of Bond Oversight, and previous ~~joint or individual~~ actions, approvals and disapprovals of the ~~Executive and Legislative Bond Oversight Commissions~~ Commission are hereby confirmed, ratified, validated and deemed incontestable. In the event the ~~Executive or the Legislative Bond Oversight~~ Commission or the Council of Bond Oversight is found unconstitutional by a final, unappealed order of a court of competent jurisdiction, such determination shall not nullify ~~joint or individual~~ actions, approvals and disapprovals of the ~~Executive and Legislative Bond Oversight Commissions~~ Commission or the Council of Bond Oversight and any obligations entered into by the Oklahoma Development Finance Authority pursuant to provisions of the Oklahoma Development Finance Authority Act, Section 5062.1 et seq. of Title 74 of the Oklahoma Statutes, and the Credit Enhancement Reserve Fund

Act, Section 5063.1 et seq. of Title 74 of the Oklahoma Statutes, with approval by the ~~Bond Oversight Commissions~~ Commission or the Council of Bond Oversight and such obligations are hereby confirmed, ratified, validated and deemed incontestable.

B. The Council shall consist of five (5) nonlegislative members. One member shall be appointed by the Speaker of the House of Representatives, one member shall be appointed by the President Pro Tempore of the Senate, two members shall be appointed by the Governor with the advice and consent of the Senate and one member shall be the Director of State Finance. Three members of the Council shall constitute a quorum. The affirmative vote of three members present and voting shall be necessary for any action taken by the Council. Appointed members shall serve a term of two (2) years and may be removed for cause by the appointing authority. Members may be appointed for additional terms.

C. A vacancy on the Council shall be filled in a like manner as the original appointment, but only for the remainder of the term. The Council shall elect one of its members ~~chairman~~ chair and may elect such other officers as it deems necessary. No vacancy in the membership of the Council shall impair the right of the Council to exercise all rights and duties of the Council.

~~D. If the powers, duties and responsibilities of the Commissions devolve upon the Council pursuant to this section, the person serving as the Oklahoma State Bond Advisor on the date of such devolution shall continue to serve in that position until the Governor appoints a new Oklahoma State Bond Advisor from a list of candidates provided by the Council and said appointee has been confirmed by the Senate. Thereafter, and in the case of a vacancy, the Oklahoma State Bond Advisor shall be appointed, subject to the advice and consent of the Senate, by the Governor from a list of candidates provided by the Council and shall serve a term of office coterminous with that of the appointing Governor. The Oklahoma~~

~~State Bond Advisor may be removed by the Council for cause, after a public hearing.~~

SECTION 12. REPEALER 62 O.S. 1991, Section 695.5, is hereby repealed.

SECTION 13. This act shall become effective July 1, 1997.

SECTION 14. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

46-1-0246 CD