

STATE OF OKLAHOMA

1st Session of the 50th Legislature (2005)

CONFERENCE COMMITTEE SUBSTITUTE
FOR ENGROSSED
SENATE BILL 64

By: Morgan and Crutchfield of
the Senate

and

Benge and Newport of the
House

CONFERENCE COMMITTEE SUBSTITUTE

An Act relating to higher education; transferring governance, supervision, management and control of the McCurtain County Higher Education Program from Board of Trustees for McCurtain County Higher Education Program to the Board of Regents of Oklahoma Colleges; transferring all interests and obligations of the Board of Trustees; requiring assumption of obligations for tenure and retirement by Board of Regents of Oklahoma Colleges; requiring certain facilities to serve as branch campus in McCurtain County of Southeastern Oklahoma State University; authorizing Board of Regents of Oklahoma Colleges to provide resources to branch campus for certain purpose; requiring Oklahoma State Regents for Higher Education to make resident college credit courses and programs available to people of Enid; requiring establishment of branch campus of Northern Oklahoma College at Enid; providing for governance of Enid branch campus by Board of Regents of Northern Oklahoma College; authorizing Board of Regents of Northern Oklahoma College to provide resources to branch campus for certain purpose; amending 70 O.S. 2001, Section 3517.2, which relates to the Enid Higher Education Program; modifying reference to Enid Campus; amending 70 O.S. 2001, Sections 4425 and 4427, which relate to McCurtain County Higher Education Program; authorizing Board of Regents of Oklahoma Colleges to accept certain property from the Oklahoma State Regents for Higher Education; providing for use of property; modifying function and duties of certain board of trustees; amending 70 O.S. 2001, Section 4428, which relates to the merger of Sayre Junior College with Southwestern Oklahoma State University; modifying reference to Sayre branch campus; amending Section 12 of Enrolled House Bill No. 1191 of the 1st Session of the 50th Oklahoma Legislature, which relates to the Oklahoma Higher Education Promise of Excellence Act of 2005; modifying authorized use of certain funds for Ardmore Higher Education Center; repealing 70 O.S. 2001, Sections 4424 and 4426, which relate to the McCurtain County Higher Education Program; providing for

codification; providing an effective date; and declaring an emergency.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 3514.1 of Title 70, unless there is created a duplication in numbering, reads as follows:

A. The governance, supervision, management and control of the McCurtain County Higher Education Program is hereby transferred from the Board of Trustees for the McCurtain County Higher Education Program to the Board of Regents of Oklahoma Colleges, and all interests in real property, facilities, equipment and appurtenances, state-appropriated monies and all duties, obligations and liabilities of the McCurtain County Higher Education Program and any and all obligations of the Board of Trustees of the McCurtain County Higher Education Program for and on behalf of the McCurtain County Higher Education Program are transferred to the Board of Regents of Oklahoma Colleges. Obligations for any and all plans for tenure or retirement of employees of the McCurtain County Higher Education Program, either through the McCurtain County Higher Education Program, or the Board of Trustees for the McCurtain County Higher Education Program shall be assumed by the Board of Regents of Oklahoma Colleges.

B. The facilities of the McCurtain County Higher Education Program shall serve as the branch campus in McCurtain County of Southeastern Oklahoma State University. The Board of Regents of Oklahoma Colleges may provide resources to the branch campus in McCurtain County of Southeastern Oklahoma State University to maintain its facilities in accordance with its function and mission as provided by law.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 3707 of Title 70, unless there is created a duplication in numbering, reads as follows:

A. The Oklahoma State Regents for Higher Education shall make resident college credit courses and programs available to the people of Enid.

B. The Oklahoma State Regents for Higher Education shall provide courses and programs through a branch campus of Northern Oklahoma College, which shall be established and located in Enid. The branch campus of Northern Oklahoma College at Enid shall be governed by the Board of Regents of Northern Oklahoma College and administered through Northern Oklahoma College. The Board of Regents of Northern Oklahoma College may provide resources to the branch campus of Northern Oklahoma College at Enid to maintain its facilities in accordance with its function and mission as provided by law.

SECTION 3. AMENDATORY 70 O.S. 2001, Section 3517.2, is amended to read as follows:

Section 3517.2 A. The governance, supervision, management and control of the Enid Higher Education Program is hereby transferred from the Board of Trustees for the Enid Higher Education Program to the Board of Regents of Oklahoma Colleges, and all interests in real property, facilities, equipment and appurtenances, state-appropriated monies and all duties, obligations and liabilities of the Enid Higher Education Program and any and all obligations of the Board of Trustees of the Enid Higher Education Program for and on behalf of the Enid Higher Education Program are hereby transferred to the Board of Regents of Oklahoma Colleges. Obligations for any and all plans for tenure or retirement of employees of the Enid Higher Education Program, either through the Enid Higher Education Program or the Board of Trustees for the Enid Higher Education

Program, shall be assumed by the Board of Regents of Oklahoma Colleges.

B. The Enid Higher Education Program shall serve as the Enid campus of Northwestern Oklahoma State University. The Board of Regents of Oklahoma Colleges may provide resources to the ~~Enid Higher Education Program~~ and the Enid Campus branch campus of Northwestern Oklahoma State University to maintain its facilities in accordance with its function and mission as provided by law.

SECTION 4. AMENDATORY 70 O.S. 2001, Section 4425, is amended to read as follows:

Section 4425. A. The Oklahoma State Regents for Higher Education are authorized to accept from McCurtain County the property used for accommodating the McCurtain County Higher Education Program located near Idabel and known as the E. T. Dunlap Higher Education Center, including the land, buildings, equipment and other appurtenances. The facility shall be accepted on behalf of the State of Oklahoma and it together with the higher education program operated therein shall become an integral part of The Oklahoma State System of Higher Education and shall continue to be maintained and operated for the purpose and in the same manner as at present.

B. The Board of Regents of Oklahoma Colleges are authorized to accept from the Oklahoma State Regents for Higher Education all property acquired by the Oklahoma State Regents for Higher Education pursuant to subsection A of this section. The property shall be used as part of the Southeastern Oklahoma State University branch campus in McCurtain County.

SECTION 5. AMENDATORY 70 O.S. 2001, Section 4427, is amended to read as follows:

Section 4427. ~~There~~ A. Until the effective date of this act, there is hereby created a board of nine (9) trustees to be appointed by the Governor by and with the consent of the Senate to serve as

the administrative agency for the McCurtain County Higher Education Program. The initial nine (9) members shall serve their terms for the period to which originally appointed, in numbered positions having dates of expiration identical to the dates of expiration of the original appointments:

Position No. 1. The term of office of one member shall expire on the 30th day of June, 1986, and each nine (9) years thereafter;

Position No. 2. The term of office of one member shall expire on the 30th day of June, 1987, and each nine (9) years thereafter;

Position No. 3. The term of office of one member shall expire on the 30th day of June, 1988, and each nine (9) years thereafter;

Position No. 4. The term of office of one member shall expire on the 30th day of June, 1989, and each nine (9) years thereafter;

Position No. 5. The term of office of one member shall expire on the 30th day of June, 1990, and each nine (9) years thereafter;

Position No. 6. The term of office of one member shall expire on the 30th day of June, 1991, and each nine (9) years thereafter;

Position No. 7. The term of office of one member shall expire on the 30th day of June, 1992, and each nine (9) years thereafter;

Position No. 8. The term of office of one member shall expire on the 30th day of June, 1993, and each nine (9) years thereafter;

Position No. 9. The term of office of one member shall expire on the 30th day of June, 1994, and each nine (9) years thereafter.

The board so created shall have the same powers and duties as members of the board of trustees for the Ardmore Higher Education Program. The board shall organize and elect a chair, vice-chair and secretary annually.

B. Beginning with the effective date of this act the board of trustees created by this section shall serve as an advisory board to the Board of Regents of Oklahoma Colleges and the President of Southeastern Oklahoma State University for the Southeastern Oklahoma State University branch campus in McCurtain County. The advisory

board shall make recommendations on courses and programs, student services, student financial services, and services to the community to be furnished by the Southeastern Oklahoma State University branch campus in McCurtain County.

SECTION 6. AMENDATORY 70 O.S. 2001, Section 4428, is amended to read as follows:

Section 4428. Sayre Junior College is hereby merged with Southwestern Oklahoma State University, which shall have administrative responsibility for the programs of higher education henceforth to be offered at the Sayre ~~site~~ branch campus.

SECTION 7. AMENDATORY Section 12 of Enrolled House Bill No. 1191 of the 1st Session of the 50th Oklahoma Legislature, is amended to read as follows:

Section 12. A. For the purpose of paying the costs for acquisition and construction of real and personal property and making repairs, refurbishments and improvements to real and personal property, and providing funding for the herein enumerated capital projects at institutions of higher education which are part of The Oklahoma State System of Higher Education and for the purpose authorized in subsection B of this section, the Oklahoma Capitol Improvement Authority is hereby authorized to borrow monies on the credit of the income and revenues to be derived from the leasing of such real and personal property and improvements and, in anticipation of the collection of such income and revenues, to issue negotiable obligations in a total amount sufficient to generate Four Hundred Seventy-five Million Dollars (\$475,000,000.00) to be expended on the projects enumerated herein whether issued in one or more series. It is the intent of the Legislature to appropriate to the Oklahoma State Regents for Higher Education for allocation to the various institutions enumerated herein from the Oklahoma Education Lottery Trust Fund and from such other sources as may be necessary sufficient monies to make rental payments for the purposes

of retiring the obligations created pursuant to this section. Bonds issued pursuant to this section shall be used for financing for the following projects in the indicated amounts:

1. Projects at the University of Oklahoma not to exceed One Hundred Eight Million One Hundred Eighty Thousand Nine Hundred Fifty-six Dollars (\$108,180,956.00) to include:

- a. construction of a chemistry and biochemistry teaching and research-laboratory complex,
- b. installation of fire detection and suppression systems in library areas,
- c. classroom renovation and improvements,
- d. construction of library and learning center facilities and parking structure at the OU-Tulsa campus,
- e. construction of a College of Allied Health Phase II Building and parking structure,
- f. infrastructure improvements for the University Research Campus,
- g. construction of new engineering and technology facilities,
- h. construction of a student learning center for University College,
- i. renovation and expansion of Gould Hall,
- j. renovation of Hester Hall,
- k. renovation of Rhyne Hall,
- l. renovation of Science Hall,
- m. completion of construction of weather center,
- n. renovation of Ellison Hall,
- o. construction of a cancer center,
- p. construction of a speech and hearing facility, and
- q. renovation of Schusterman Center at OU-Tulsa;

2. Projects at the Oklahoma State University not to exceed Seventy-six Million One Hundred Sixty-eight Thousand Two Hundred Sixty-two Dollars (\$76,168,262.00) to include:

- a. construction of a new science and technology research center and renovation of existing research laboratory and office space,
- b. restoration and renovation of South Murray Hall, and
- c. construction of a new classroom building;

3. Projects at OSU-Okmulgee not to exceed Six Million Four Hundred Sixty-two Thousand Three Hundred Seventy Dollars (\$6,462,370.00) to include:

- a. creation of a rural health science and technology center,
- b. renovation and expansion of culinary facility, and
- c. resurfacing of campus streets and parking lots;

4. Projects at the OSU College of Veterinary Medicine not to exceed One Million One Hundred Seven Thousand Eight Hundred Thirty-five Dollars (\$1,107,835.00) to include:

- a. renovation of McElroy Hall, and
- b. renovation of Boren Veterinary Teaching Hospital;

5. Projects at OSU-Oklahoma City not to exceed Seven Million Three Hundred Eighty-five Thousand Five Hundred Sixty-six Dollars (\$7,385,566.00) to include:

- a. construction of an addition to the agriculture resource center,
- b. construction of a physical plant building,
- c. acquisition of real property within existing campus area, and
- d. construction of a public safety training facility;

6. Projects at the OSU-Center for Health Science not to exceed Four Million Sixty-two Thousand Sixty-one Dollars (\$4,062,061.00) to include renovation of existing facilities;

7. Projects at OSU-Tulsa not to exceed Twelve Million Nine Hundred Ninety-four Thousand Eight Hundred Sixty-two Dollars (\$12,994,862.00) to include construction of an advanced technology research center;

8. Projects at the University of Central Oklahoma not to exceed Nineteen Million Six Hundred Ninety-five Thousand Three Hundred Twenty-nine Dollars (\$19,695,329.00) to include:

- a. renovation of Old North Building,
- b. construction of a new classroom building, and
- c. construction of a forensic science building;

9. Projects at East Central University not to exceed Ten Million Eight Hundred Ten Thousand One Hundred Eighty-two Dollars (\$10,810,182.00) to include:

- a. construction of a fine arts center, and
- b. construction of a criminal justice skills training center;

10. Projects at Northeastern State University not to exceed Twenty-two Million Nine Hundred Seventy-two Thousand Seven Hundred Sixty Dollars (\$22,972,760.00) to include:

- a. renovation of the Science Building,
- b. renovation and repair of classroom buildings,
- c. renovation of the Industrial Arts Building, and
- d. completion of construction on classrooms, other buildings and parking lots at the Broken Arrow campus;

11. Projects at Northwestern Oklahoma State University not to exceed Six Million Eight Hundred Thirteen Thousand Four Hundred Thirty-two Dollars (\$6,813,432.00) to include:

- a. construction of Education Building,
- b. renovation of Science Building and upgrading of science equipment, and
- c. renovation of the Health and Physical Education Building;

12. Projects at Rogers State University not to exceed Thirteen Million Nine Hundred Twenty-two Thousand Seven Hundred Two Dollars (\$13,922,702.00) to include:

- a. construction and renovation of classrooms and other buildings at the Bartlesville campus,
- b. construction and furnishing of a classroom building and parking lot,
- c. general infrastructure upgrades and improvements,
- d. expansion and renovation of Thunderbird and Post Hall, including furnishings and parking lot improvements,
- e. construction of a building and parking lot at the Pryor Campus, and
- f. renovation and repairs to other buildings on campus;

13. Projects at Southeastern Oklahoma State University not to exceed Ten Million Sixty-two Thousand Seven Hundred Fifty-eight Dollars (\$10,062,758.00) to include:

- a. renovation of the Aviation Science Building,
- b. installation of an ADA elevator within the athletic facility,
- c. construction and renovation of classrooms,
- d. renovation and construction of Academic Support Services Building,
- e. improvements to the Administration Building,
- f. renovation of the Theatre Building,
- g. renovation of the Science Building, and
- h. renovation of the Morrison Building;

14. Projects at Southwestern Oklahoma State University not to exceed Twelve Million Three Thousand Sixty-five Dollars (\$12,003,065.00) to include:

- a. renovation of the Chemistry, Pharmacy and Physics Building,

- b. renovation of existing theatre and construction of new theatre,
- c. upgrade of instructional equipment and elevators,
- d. energy efficiency improvements for various buildings,
- e. renovation and improvements to buildings on the Sayre campus,
- f. construction of outdoor classroom area, relocation of university observatory and other improvements,
- g. renovation of the Art Building, and
- h. renovation and addition to the Industrial Technology and Engineering Building;

15. Projects at Cameron University not to exceed Twelve Million Fifty-nine Thousand Two Hundred Forty-seven Dollars (\$12,059,247.00) to include:

- a. renovation and expansion of Business Building,
- b. improvements to the Shepler Center and the Fitness Center,
- c. improvements on campus-wide scale needed to achieve ADA compliance,
- d. improvements to parking areas and access roads,
- e. improvements to campus buildings, and
- f. improvements to gymnasium;

16. Projects at Langston University not to exceed Eighteen Million Three Hundred Seventy Thousand One Hundred Eighty-seven Dollars (\$18,370,187.00) to include:

- a. construction of a Student Success Center,
- b. renovation and construction of the Allied Health Complex,
- c. construction of a Performing Arts Center, and
- d. construction of an Oklahoma African-American Museum;

17. Projects at Oklahoma Panhandle State University not to exceed Seven Million Two Hundred Eighty Thousand Dollars (\$7,280,000.00) to include:

- a. construction of a science and agriculture building,
and
- b. construction of the Noble Activity and Cultural Center;

18. Projects at the University of Science and Arts of Oklahoma not to exceed Six Million Sixty-eight Thousand Eight Hundred Thirty-two Dollars (\$6,068,832.00) to include:

- a. renovation of Canning Hall,
- b. improvements to parking areas and roofing of various buildings,
- c. renovation of performing arts and academic lecture venues,
- d. renovation of art annex, and
- e. acquisition of classroom, laboratory and library equipment;

19. Projects at Carl Albert State College not to exceed Eight Million Six Hundred Forty-seven Thousand Six Hundred One Dollars (\$8,647,601.00) to include:

- a. construction of a new classroom building and parking lot,
- b. construction of CASC Sallisaw Classroom and Library,
- c. renovation and expansion of Joe E. White Library, and
- d. renovation and expansion of the Mick Thompson Convocational Center;

20. Projects at Connors State College not to exceed Seven Million Twenty-five Thousand Dollars (\$7,025,000.00) to include:

- a. renovation of the Classroom Building, Library and Education Buildings,
- b. renovation of the Fine Arts Building,

- c. renovation of a building to become one-stop enrollment center,
- d. renovation and addition to Haskell Building on Muskogee campus, and
- e. renovation and expansion of existing buildings for the expansion of Allied Health and Technical programs;

21. Projects at Eastern Oklahoma State College not to exceed Seven Million Nine Hundred Ten Thousand One Hundred One Dollars (\$7,910,101.00) to include:

- a. construction of a student life and learning center,
- b. repair and improvements to various campus facilities, and
- c. campus-wide software replacement;

22. Projects at Murray State College not to exceed Seven Million Twenty-five Thousand Dollars (\$7,025,000.00) to include:

- a. renovation and improvements to various campus facilities,
- b. construction of a building for customer service and laboratory facilities,
- c. construction of a maintenance building,
- d. landscaping and parking and street improvements,
- e. acquisition of technology equipment, and
- f. acquisition of equipment to address instructional needs and campus security and safety issues;

23. Projects at Northern Oklahoma College not to exceed Fourteen Million Two Hundred Ninety-three Thousand Two Hundred Thirty-five Dollars (\$14,293,235.00) to include:

- a. renovation and repair of buildings, parking areas and infrastructure on Enid campus,
- b. renovation of and furnishing and equipment for Wilkin Hall,

- c. construction of Allied Health and Educational Communication Center,
- d. renovation and expansion of the Vineyard Library Administration Building, and
- e. construction in conjunction with OSU of a new classroom building in Stillwater;

24. Projects at Northeastern Oklahoma A&M College not to exceed Six Million Dollars (\$6,000,000.00) to include:

- a. renovation, expansion and equipment for Health Science Building,
- b. renovation of Commons Hall, and
- c. renovation and restoration of Science Building;

25. Projects at Oklahoma City Community College not to exceed Fifteen Million Three Hundred Thirty-five Thousand One Hundred One Dollars (\$15,335,101.00) to include:

- a. construction of the Arts Education Center, and
- b. expansion of the Health Professions Education Center;

26. Projects at Redlands Community College not to exceed Six Million Seven Hundred Seventy Thousand Dollars (\$6,770,000.00) to include:

- a. construction of the Darlington Agricultural Center,
- b. construction of a health, math and science facility,
- c. renovation and automation of library,
- d. acquisition of real property for Darlington Production facility,
- e. construction of facility to house International and Entrepreneurship Business Institute, and
- f. infrastructure improvements and upgrades;

27. Projects at Rose State College not to exceed Eleven Million Seven Hundred Seventy-five Thousand Dollars (\$11,775,000.00) to include construction of a Health Sciences Center;

28. Projects at Seminole State College not to exceed Six Million Seven Hundred Fifty Thousand Dollars (\$6,750,000.00) to include:

- a. construction of a wellness and athletic training facility,
- b. renovation and equipment acquisition necessary to accommodate persons with disabilities,
- c. acquisition and improvement of computer network equipment,
- d. renovation and expansion of facilities to develop a student success center,
- e. construction of maintenance building and affiliated roads and parking,
- f. acquisition of building for office space and storage, and
- g. construction and expansion of roads and parking facilities;

29. Projects at Tulsa Community College not to exceed Sixteen Million Twenty-five Thousand Dollars (\$16,025,000.00) to include:

- a. construction of a distance learning center, and
- b. construction of a math and science building;

30. Projects at Western Oklahoma State College not to exceed Six Million Dollars (\$6,000,000.00) to include:

- a. construction of a cooperative higher education and training center,
- b. construction and repair of parking lots, roads and walkways, and
- c. acquisition of software and information technology equipment;

31. Projects at the Ardmore Higher Education Center ~~not to exceed~~ of approximately Six Hundred Thousand Dollars (\$600,000.00) to include:

- ~~a. construction of classrooms to be connected to existing in a new facility, and~~
- ~~b. renovation and remodeling of existing facility;~~

32. Projects at the McCurtain County Higher Education Center not to exceed Six Hundred Thousand Dollars (\$600,000.00) to include renovation and expansion of chemistry laboratory and classroom and acquisition of equipment;

33. Projects at the Quartz Mountain Arts and Conference Center not to exceed Three Million One Hundred Seventy-three Thousand Five Hundred Fifty-six Dollars (\$3,173,556.00) to include:

- a. renovation and remediation of lodge, walkways, parking lots and sidewalks,
- b. construction of a student dormitory and family reunion center,
- c. repair and renovation of Performing Arts Hall and Arts Pavilions,
- d. completion of construction of a comprehensive pedestrian trail system,
- e. improvements and upgrades of infrastructure, and
- f. improvement and acquisition of land; and

34. Projects for the Oklahoma Climatological Survey not to exceed Six Hundred Fifty Thousand Dollars (\$650,000.00) to include acquisition and installation of equipment for the Oklahoma Mesonet to monitor atmospheric conditions in and around Oklahoma City.

B. To the extent funds are available from the proceeds of the borrowing authorized by subsection A of this section, the Oklahoma Capitol Improvement Authority shall provide for the payment of professional fees and associated costs related to the projects authorized in subsection A of this section.

C. The Oklahoma Capitol Improvement Authority may issue obligations in one or more series and in conjunction with other issues of the Oklahoma Capitol Improvement Authority. The Oklahoma

Capitol Improvement Authority may issue short-term obligations in anticipation of the sale of the bonds authorized by this section and enter into such liquidity and other agreements as may be necessary to provide for the efficient financing of the projects. The Oklahoma Capitol Improvement Authority is authorized to hire bond counsel, financial consultants, and such other professionals as it may deem necessary to provide for the efficient sale of the obligations and may utilize a portion of the proceeds of any borrowing to create such reserves as may be deemed necessary and to pay costs associated with the issuance and administration of such obligations.

D. The obligations authorized under this section may be sold at either competitive or negotiated sale, as determined by the Oklahoma Capitol Improvement Authority, and in such form and at such prices and bearing interest at a fixed or variable rate as may be authorized by the Oklahoma Capitol Improvement Authority. The Oklahoma Capitol Improvement Authority may enter into agreements with such credit enhancers and liquidity providers as may be determined necessary to efficiently market the obligations. The obligations may mature and have such provisions for redemption as shall be determined by the Oklahoma Capitol Improvement Authority.

E. Any interest earnings on funds or accounts created for the purposes of this section may be utilized as partial payment of the annual debt service or for the purposes directed by the Oklahoma Capitol Improvement Authority.

F. The obligations issued under this section, the transfer thereof and the interest earned on such obligations, including any profit derived from the sale thereof, shall not be subject to taxation of any kind by the State of Oklahoma, or by any county, municipality or political subdivision therein.

G. The Oklahoma Capitol Improvement Authority may direct the investment of all monies in any funds or accounts created in

connection with the offering of the obligations authorized under this section. Such investments shall be made in a manner consistent with the investment guidelines of the State Treasurer. The Oklahoma Capitol Improvement Authority may place additional restrictions on the investment of such monies if necessary to enhance the marketability of the obligations.

H. The Oklahoma Capitol Improvement Authority is authorized to issue bonds, notes, or other obligations for the purpose of refinancing or restructuring obligations issued pursuant to this section. To the extent funds are available from the proceeds of the borrowing authorized by this subsection, the Oklahoma Capitol Improvement Authority shall provide for the payment of professional fees and associated costs approved by the Oklahoma State Bond Advisor. The Oklahoma Capitol Improvement Authority is authorized to hire bond counsel, financial consultants, and such other professionals as may be deemed necessary to provide for the efficient sale of the obligations and may utilize a portion of the proceeds of any borrowing to create such reserves as may be deemed necessary and to pay costs associated with the issuance and administration of such obligations. An issuance of bonds under this subsection may be undertaken to achieve an overall debt service savings, modify restrictive bond document covenants, or reduce payment requirements during periods of fiscal stress. To achieve these objectives, the Oklahoma Capitol Improvement Authority is authorized to extend the final maturity of outstanding obligations if necessary, but in no event shall the final maturity of an individual bond issue be extended more than ten (10) years without the approval of the Council of Bond Oversight. The obligations authorized under this subsection may be sold at either competitive or negotiated sale, as determined by the Oklahoma Capitol Improvement Authority, and in such form and at such prices as may be authorized by the Oklahoma Capitol Improvement Authority. The

Oklahoma Capitol Improvement Authority may issue obligations in one or more series and may set such other terms and conditions as may be necessary in its judgment to achieve an efficient refinancing. The Oklahoma Capitol Improvement Authority may enter into agreements with such credit enhancers and liquidity providers as may be determined necessary to efficiently market the obligations, including the purchase of surety policies or other financial instruments to be utilized in lieu of reserve funds. The obligations may mature and have such provisions for redemption as shall be determined by the Oklahoma Capitol Improvement Authority. The Oklahoma Capitol Improvement Authority is hereby specifically authorized to purchase surety policies or other financial instruments to replace existing debt service reserves. Any payment for such policies or other instruments may be made from the cash reserves being replaced or any other legally available source.

SECTION 8. REPEALER 70 O.S. 2001, Sections 4424 and 4426, are hereby repealed.

SECTION 9. This act shall become effective July 1, 2005.

SECTION 10. 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.

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