

EHB 2247

THE STATE SENATE
Monday, April 7, 2008

ENGROSSED

House Bill No. 2247

As Amended

ENGROSSED HOUSE BILL NO. 2247 - By: Shoemake, Turner and Sherrer of the House and Ballenger of the Senate.

[schools - changing name of the Oklahoma State University Technical Branch at Okmulgee - codification - effective date -

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 3401.1 of Title 70, unless there is created a duplication in numbering, reads as follows:

A. The state educational agency of Oklahoma State University located in Okmulgee, Oklahoma, shall continue at the same location and is hereby officially named and shall be designated in all future references as "Oklahoma State University Institute of Technology - Okmulgee".

B. The name change prescribed in this section shall not affect in any manner whatsoever any legal relationships, bonds, contracts, supervisory authority of Oklahoma State University or the Board of Regents for the Oklahoma Agricultural and Mechanical Colleges, or title to property, obligations or any other aspect of the legal

1 status of the named agency for any purpose, except that the agency
2 shall be referred to as "Oklahoma State University Institute of
3 Technology - Okmulgee" in all future references to the agency.

4 SECTION 2. AMENDATORY 62 O.S. 2001, Section 57.122, is
5 amended to read as follows:

6 Section 57.122 The State of Oklahoma Building Bonds Commission,
7 acting for and on behalf of the State of Oklahoma, shall be the
8 agency by and through which the State of Oklahoma shall incur
9 indebtedness to the extent of the sum of Ninety-nine Million Eight
10 Hundred Eight Thousand Dollars (\$99,808,000.00) for the purpose of
11 planning and constructing new buildings or additions to existing
12 state buildings and other capital improvements for remodeling,
13 modernizing and repairing existing buildings and capital
14 improvements and purchase of land, equipment and furnishings
15 necessary for construction or remodeling for the following
16 departments and agencies of state government in the amounts and for
17 the purposes set forth as follows:

- 18 1. The constituent institutions of The Oklahoma
19 State System of Higher Education \$34,250,000.00
20 2. Medical Center of the University of Oklahoma.... 26,870,000.00
21 3. A new junior college at Tulsa 4,000,000.00
22 4. A new junior college at Midwest City and new
23 or existing community junior colleges 2,000,000.00

| | | | |
|----|-----|---|--------------|
| 1 | 5. | Griffin Memorial Hospital, | |
| 2 | | Eastern State Hospital, Western State | |
| 3 | | Hospital and Taft State Hospital, and | |
| 4 | | for community mental health centers, | |
| 5 | | provided not more than \$1,200,000.00 | |
| 6 | | may be spent on community mental health | |
| 7 | | centers | 8,000,000.00 |
| 8 | 6. | Administrative offices and laboratories | |
| 9 | | of the State Health Department | 4,516,000.00 |
| 10 | 7. | Oklahoma General Hospital | 500,000.00 |
| 11 | 8. | Acquisition of land and completion of | |
| 12 | | streets and highways in the State | |
| 13 | | Capitol Complex | 1,875,000.00 |
| 14 | 9. | Equipment and remodeling at Wiley Post | |
| 15 | | Building and acquisition and improvement | |
| 16 | | of historic sites | 125,000.00 |
| 17 | 10. | Technology center schools | |
| 18 | | and technical institutes and equipment | 5,750,000.00 |
| 19 | 11. | Oklahoma State University School of | |
| 20 | | Technical Training at <u>Institute of Technology</u> | |
| 21 | | <u>- Okmulgee</u> | 1,500,000.00 |
| 22 | 12. | Southern Oklahoma Resource Center of | |
| 23 | | Pauls Valley, the Northern Oklahoma | |

1 Resource Center of Enid, Hisson
 2 Memorial Center, School for the
 3 Blind, School for the Deaf,
 4 Whitaker State Children's Home, Taft
 5 State Children's Home, Helena State
 6 School for Boys, Boley State School for
 7 Boys, Taft State School for Girls and
 8 Tecumseh Girls' Town 4,375,000.00
 9 13. Construction of a Juvenile Diagnostic
 10 Evaluation and Receiving Center 1,000,000.00
 11 14. Construction of a Plans and Training
 12 Building and for district headquarters
 13 of the Department of Public Safety 497,000.00
 14 15. Construction of headquarters, warehouse
 15 and armory buildings of State Military
 16 Department 1,500,000.00
 17 16. State Bureau of Investigation
 18 headquarters building 200,000.00
 19 17. Construction and equipping of a
 20 reception and diagnostic center
 21 and other capital improvements
 22 at the State Penitentiary 1,000,000.00
 23 18. Constructing, renovating and

| | | |
|----|---|------------|
| 1 | equipping academic and vocational | |
| 2 | school facilities and other capital | |
| 3 | projects at the State Reformatory | 750,000.00 |
| 4 | 19. Eastern Oklahoma Tuberculosis | |
| 5 | Sanatorium | 250,000.00 |
| 6 | 20. Western Oklahoma Tuberculosis | |
| 7 | Sanatorium | 250,000.00 |
| 8 | 21. Constructing community social | |
| 9 | service centers at Ada, Shawnee, | |
| 10 | Lawton and other communities | |
| 11 | approved by the State Department | |
| 12 | of Health | 500,000.00 |
| 13 | 22. Cerebral Palsy Institute | 100,000.00 |

14 SECTION 3. AMENDATORY 70 O.S. 2001, Section 3103, as
15 last amended by Section 1, Chapter 400, O.S.L. 2004 (70 O.S. Supp.
16 2007, Section 3103), is amended to read as follows:

17 Section 3103. A. For the purposes of this Code, each of the
18 following shall be deemed an agency and an integral part of the
19 University of Oklahoma: ~~the~~

- 20 1. ~~The~~ Health Sciences Center, ~~the~~;
- 21 2. ~~The~~ Law Center, ~~the~~;
- 22 3. ~~The~~ Oklahoma Geological Survey, ~~;~~ and
- 23 4. ~~OU-Tulsa,~~ ~~and~~.

1 B. For the purposes of this Code, each of the following shall
2 be deemed an agency and an integral part of Oklahoma State
3 University: ~~the~~

4 1. The College of Veterinary Medicine, ~~the;~~i

5 2. The College of Osteopathic Medicine, ~~the;~~

6 3. The Agricultural Experiment Station, ~~the;~~

7 4. The Agricultural Extension Division, ~~the;~~i

8 5. The campus located at Oklahoma City, ~~and the Technical~~
9 ~~Branch located at~~

10 6. The Oklahoma State University Institute of Technology -
11 Okmulgee.

12 SECTION 4. AMENDATORY 70 O.S. 2001, Section 14-103, as
13 last amended by Section 1, Chapter 319, O.S.L. 2006 (70 O.S. Supp.
14 2007, Section 14-103), is amended to read as follows:

15 Section 14-103. The State Board of Career and Technology
16 Education shall have the following powers and duties:

17 1. Have the supervision of the Oklahoma Department of Career
18 and Technology Education of the State Board of Career and Technology
19 Education, which department shall keep its principal offices at
20 Stillwater, and appoint and fix the compensation and duties of the
21 Director and other personnel of such Department;

22 2. Have the supervision of the technology center schools and
23 colleges of Oklahoma, except Oklahoma State University ~~of Technical~~

1 ~~Training at~~ Institute of Technology - Okmulgee and the Oklahoma
2 State University Technical Institutes at Oklahoma City and
3 Stillwater, which, however, shall be eligible to participate in
4 federal programs administered by the State Board of Career and
5 Technology Education as hereinafter provided;

6 3. Cooperate with, and enter into agreements with, and
7 administer programs of, and receive federal funds from, the United
8 States Department of Education and other federal agencies in matters
9 relating to vocational and technical education, youth apprenticeship
10 programs, and manpower training, and be the sole state agency for
11 such purposes. Provided that, programs and funds made available
12 through the Job Training Partnership Act, or its successor programs,
13 shall be excluded;

14 4. Provide for the formulation and adoption of curricula,
15 courses of study, and other instructional aids necessary for the
16 adequate instruction of students in the technology center schools
17 and colleges of this state. It is the intent of the Legislature
18 that instructional models for vocational students should include
19 higher standards of academic work with increased emphasis on
20 communication, computation and applied science;

21 5. Develop a plan to provide adequate vocational offerings
22 accessible to all students having the ability to benefit;

1 6. Purchase or otherwise acquire equipment, materials, supplies
2 and other property, real or personal, as may be necessary for the
3 operation of the technology center schools of this state, and
4 provide for the maximum utilization of such property through a
5 coordinated and cooperative use thereof, including transfer of title
6 to real and personal property to a technology center school district
7 for a reasonable cash consideration if said property is to be
8 utilized in a vocational-technical program administered by the
9 technology center district board of education. Any conveyance of
10 real property for a reasonable consideration shall contain a
11 reversionary clause by which the real property shall revert to the
12 State Board of Career and Technology Education if the property
13 ceases to be used in a vocational-technical program administered by
14 the technology center district board of education;

15 7. Enter into such agreements and contracts with the State
16 Board of Education, boards of trustees of community junior colleges,
17 boards of education of independent and elementary school districts,
18 boards of education of school districts for technology center
19 schools, private educational or training institutions, public or
20 private industry, and boards of directors of community action
21 programs, as may be necessary or feasible for the furtherance of
22 vocational and technical training within this state;

- 1 8. Cooperate and enter into agreements with the Oklahoma State
2 Regents for Higher Education;
- 3 9. Cooperate with the State Department of Education in
4 developing hands-on career exploration activities for students in
5 grades 6 through 10, integrating academic competencies into
6 vocational instruction, and ensuring counseling of all students in
7 order to minimize the number of students graduating from high school
8 without having completed either a vocational-technical program or
9 college preparation;
- 10 10. Develop and periodically update a plan to allow teacher
11 training and the purchase and installation of technological
12 equipment necessary to modernize vocational educational programs;
- 13 11. Accept and provide for the administration of any land,
14 money, buildings, gifts, funds, donations or other things of value
15 which may be offered or bequeathed to the schools or colleges under
16 the supervision or control of said Board;
- 17 12. Enter into cooperative arrangements with one or more other
18 states for the conduct and administration of programs, services and
19 activities;
- 20 13. Cooperate whenever possible, to avoid any duplication of
21 training programs with any established training program registered
22 by the Bureau of Apprenticeship and Training, United States
23 Department of Labor;

1 14. Accept and expend funds from any source in order to market,
2 advertise or promote programs and services available through the
3 Career and Technology Education system; and

4 15. Participate in activities pertaining to the recruitment of
5 companies to locate or expand operations in the state, and
6 participate in activities that will increase the competitiveness of
7 companies with headquarters or branch operations located in the
8 state. These activities may require agency staff to travel, train,
9 or provide technical assistance outside the State of Oklahoma.

10 SECTION 5. AMENDATORY 70 O.S. 2001, Section 17-101, as
11 last amended by Section 3, Chapter 46, 2nd Extraordinary Session,
12 O.S.L. 2006 (70 O.S. Supp. 2007, Section 17-101), is amended to read
13 as follows:

14 Section 17-101. The following words and phrases as used in this
15 act, unless a different meaning is clearly required by the context,
16 shall have the following meanings:

17 (1) "Retirement system" shall mean the Teachers' Retirement
18 System of Oklahoma, as defined in Section 17-102 of this title.

19 (2) "Public school" shall mean a school district, a state
20 college or university, the State Board of Education, the State Board
21 of Career and Technology Education and any other state educational
22 entity conducted within the state supported wholly or partly by
23 public funds and operating under the authority and supervision of a

1 legally constituted board or agency having authority and
2 responsibility for any function of public education.

3 (3) "Classified personnel" shall mean any teacher, principal,
4 superintendent, supervisor, administrator, librarian, certified or
5 registered nurse, college professor, or college president whose
6 salary is paid wholly or in part from public funds. An employee of
7 any state department, board, board of regents or board of trustees,
8 who is in a supervisory or an administrative position, the function
9 of which is primarily devoted to public education, shall be
10 considered classified personnel under the meaning of this act, at
11 the discretion of the Board of Trustees of the Teachers' Retirement
12 System. The term "teacher" shall also include instructors and
13 counselors employed by the Department of Corrections and holding
14 valid teaching certificates issued by the State Department of
15 Education. Provided, that a person employed by the Department of
16 Corrections as an instructor or counselor shall have been actively
17 engaged in the teaching profession for a period of not less than
18 three (3) years prior to employment to be eligible to participate in
19 the Oklahoma Teachers' Retirement System. The Department of
20 Corrections shall contribute the employer's share to the Oklahoma
21 Teachers' Retirement System.

22 (4) "Nonclassified optional personnel" shall include cooks,
23 janitors, maintenance personnel not in a supervisory capacity, bus

1 drivers, noncertified or nonregistered nurses, noncertified
2 librarians, and clerical employees of the public schools, state
3 colleges, universities or any state department, board, board of
4 regents or board of trustees, the functions of which are primarily
5 devoted to public education and whose salaries are paid wholly or in
6 part from public funds.

7 (5) "Employer" shall mean the state and any of its designated
8 agents or agencies with responsibility and authority for public
9 education, such as boards of education of elementary and independent
10 school districts, boards of regents, boards of control or any other
11 agency of and within the state by which a person may be employed for
12 service in public education.

13 (6) "Member" shall mean any teacher or other employee included
14 in the membership of the system as provided in Section 17-103 of
15 this title.

16 (7) "Board of Trustees" shall mean the board provided for in
17 Section 17-106 of this title to administer the retirement system.

18 (8) "Service" shall mean service as a classified or
19 nonclassified optional employee in the public school system, or any
20 other service devoted primarily to public education in the state.

21 (9) "Prior service" shall mean service rendered prior to July
22 1, 1943.

1 (10) "Membership service" shall mean service as a member of the
2 classified or nonclassified personnel as defined in paragraphs (3)
3 and (4) of this section.

4 (11) "Creditable service" shall mean membership service plus
5 any prior service authorized under this title.

6 (12) "Annuitant" shall mean any person in receipt of a
7 retirement allowance as provided in this title.

8 (13) "Accumulated contributions" shall mean the sum of all
9 amounts deducted from the compensation of a member and credited to
10 his individual account in the Teacher Savings Fund, together with
11 interest as of June 30, 1968.

12 (14) "Earnable compensation" shall mean the full rate of the
13 compensation that would be payable to a member if he worked the full
14 normal working time.

15 (15) "Average salary":

16 (a) for those members who joined the System prior to July
17 1, 1992, shall mean the average of the salaries for
18 the three (3) years on which the highest contributions
19 to the Teachers' Retirement System was paid not to
20 exceed the maximum contribution level specified in
21 Section 17-116.2 of this title or the maximum
22 compensation level specified in subsection (28) of
23 this section. Provided, no member shall retire with

1 an average salary in excess of Twenty-five Thousand
2 Dollars (\$25,000.00) unless the member has made the
3 required election and paid the required contributions
4 on such salary in excess of Twenty-five Thousand
5 Dollars (\$25,000.00), or unless an eligible member
6 fulfills the requirements of Section ~~2~~ 17-116.2C of
7 this ~~act~~ title in order to have pre-cap removal
8 service included in the retirement benefit computation
9 of the member using the regular annual compensation of
10 the member for any pre-cap removal year of service so
11 included subject to the maximum average salary amount,
12 and

13 (b) for those members who join the System after June 30,
14 1992, shall mean the average of the salaries for five
15 (5) consecutive years on which the highest
16 contribution to the Teachers' Retirement System was
17 paid. Only salary on which required contributions
18 have been made may be used in computing average
19 salary.

20 (16) "Annuity" shall mean payments for life derived from the
21 "accumulated contributions" of a member. All annuities shall be
22 payable in equal monthly installments.

1 (17) "Pension" shall mean payments for life derived from money
2 provided by the employer. All pensions shall be payable in equal
3 monthly installments.

4 (18) "Monthly retirement allowance" is one-twelfth (1/12) of
5 the annual retirement allowance which shall be payable monthly.

6 (19) "Retirement Benefit Fund" shall mean the fund from which
7 all retirement benefits shall be paid based on such mortality tables
8 as shall be adopted by the Board of Trustees.

9 (20) "Actuary" shall mean a person especially skilled through
10 training and experience in financial calculation respecting the
11 expectancy and duration of life.

12 (21) "Actuarial equivalent" shall mean a benefit of equal value
13 when computed upon the basis of such mortality and other tables as
14 shall be adopted by the Board of Trustees.

15 (22) The masculine pronoun, whenever used, shall include the
16 feminine.

17 (23) "Actuarially determined cost" shall mean the single sum
18 which is actuarially equivalent in value to a specified pension
19 amount as determined on the basis of mortality and interest
20 assumptions adopted by the Board of Trustees.

21 (24) "Normal retirement age" means age sixty-two (62) or the
22 age at which the sum of a member's age and number of years of
23 creditable service total eighty (80) or ninety (90), for those who

1 became a member after June 30, 1992, pursuant to Section 17-105 of
2 this title, whichever occurs first.

3 (25) "Regular annual compensation" means salary plus fringe
4 benefits, excluding the flexible benefit allowance pursuant to
5 Section 26-105 of this title and for purposes pursuant to Section
6 17-101 et seq. of this title. For purposes of this definition,
7 regular annual compensation shall include all payments as provided
8 in subsection D of Section 17-116.2 of this title.

9 (26) "Teacher" means classified personnel and nonclassified
10 optional personnel.

11 (27) "Active classroom teacher" means a person employed by a
12 school district to teach students specifically identified classes
13 for specifically identified subjects during the course of a
14 semester, and who holds a valid certificate or license issued by and
15 in accordance with the rules and regulations of the State Board of
16 Education.

17 (28) "Maximum compensation level" shall, except as otherwise
18 authorized pursuant to the provisions of Section ~~2~~ 17-116.2C of this
19 ~~act~~ title, mean:

20 (a) Twenty-five Thousand Dollars (\$25,000.00) for
21 creditable service authorized and performed prior to
22 July 1, 1995, for members not electing a higher
23 maximum compensation level,

- 1 (b) Forty Thousand Dollars (\$40,000.00) for creditable
2 service authorized and performed prior to July 1,
3 1995, for members electing a maximum compensation
4 level in excess of Twenty-five Thousand Dollars
5 (\$25,000.00),
- 6 (c) Twenty-seven Thousand Five Hundred Dollars
7 (\$27,500.00) for members who, as of June 30, 1995, had
8 elected to have a maximum compensation level not in
9 excess of Twenty-five Thousand Dollars (\$25,000.00),
10 and who were employed by an entity or institution
11 within The Oklahoma State System of Higher Education
12 for creditable service authorized and performed on or
13 after July 1, 1995, but not later than June 30, 1996,
14 if such member does not elect a higher maximum
15 compensation level for this period as authorized by
16 Section 17-116.2A of this title,
- 17 (d) Thirty-two Thousand Five Hundred Dollars (\$32,500.00)
18 for members employed by a comprehensive university if
19 the member meets the requirements imposed by Section
20 17-116.2A of this title and the member elects to
21 impose a higher maximum compensation level for service
22 performed on or after July 1, 1995, but not later than
23 June 30, 1996,

1 (e) Forty-four Thousand Dollars (\$44,000.00) for members
2 who, as of June 30, 1995, had elected to have a
3 maximum compensation level in excess of Twenty-five
4 Thousand Dollars (\$25,000.00), and who were employed
5 by an entity or institution within The Oklahoma State
6 System of Higher Education for creditable service
7 authorized and performed on or after July 1, 1995, but
8 not later than June 30, 1996, if such member does not
9 elect a higher maximum compensation level for this
10 period as authorized by Section 17-116.2A of this
11 title,

12 (f) Forty-nine Thousand Dollars (\$49,000.00) for members
13 employed by a comprehensive university if the member
14 meets the requirements imposed by Section 17-116.2A of
15 this title and the member elects to impose a higher
16 maximum compensation level for service performed on or
17 after July 1, 1995, but not later than June 30, 1996,

18 (g) the following amounts for creditable service
19 authorized and performed by members employed by a
20 comprehensive university, based upon the election of
21 the member in effect as of June 30, 1995:

- 1 1. for members who elected a maximum compensation
2 level not in excess of Twenty-five Thousand
3 Dollars (\$25,000.00):
- 4 (i) Thirty-two Thousand Five Hundred Dollars
5 (\$32,500.00) for service authorized and
6 performed on or after July 1, 1996, but not
7 later than June 30, 1997,
- 8 (ii) Thirty-seven Thousand Five Hundred Dollars
9 (\$37,500.00) for service authorized and
10 performed on or after July 1, 1997, but not
11 later than June 30, 1998,
- 12 (iii) Forty-two Thousand Five Hundred Dollars
13 (\$42,500.00) for service authorized and
14 performed on or after July 1, 1998, but not
15 later than June 30, 2000,
- 16 (iv) Forty-seven Thousand Five Hundred Dollars
17 (\$47,500.00) for service authorized and
18 performed on or after July 1, 2000, but not
19 later than June 30, 2001,
- 20 (v) Fifty-two Thousand Five Hundred Dollars
21 (\$52,500.00) for service authorized and
22 performed on or after July 1, 2001, but not
23 later than June 30, 2002,

- 1 (vi) Fifty-seven Thousand Five Hundred Dollars
2 (\$57,500.00) for service authorized and
3 performed on or after July 1, 2002, but not
4 later than June 30, 2003,
- 5 (vii) Sixty-two Thousand Five Hundred Dollars
6 (\$62,500.00) for service authorized and
7 performed on or after July 1, 2003, but not
8 later than June 30, 2004,
- 9 (viii) Sixty-seven Thousand Five Hundred Dollars
10 (\$67,500.00) for service authorized and
11 performed on or after July 1, 2004, but not
12 later than June 30, 2005,
- 13 (ix) Seventy-two Thousand Five Hundred Dollars
14 (\$72,500.00) for service authorized and
15 performed on or after July 1, 2005, but not
16 later than June 30, 2006,
- 17 (x) Seventy-seven Thousand Five Hundred Dollars
18 (\$77,500.00) for service authorized and
19 performed on or after July 1, 2006, but not
20 later than June 30, 2007,
- 21 (xi) the full amount of regular annual
22 compensation for service authorized and
23 performed on or after July 1, 2007, and

- 1 2. for members who elected a maximum compensation
2 level in excess of Twenty-five Thousand Dollars
3 (\$25,000.00):
- 4 (i) Forty-nine Thousand Dollars (\$49,000.00) for
5 service authorized and performed on or after
6 July 1, 1996, but not later than June 30,
7 1997,
- 8 (ii) Fifty-four Thousand Dollars (\$54,000.00) for
9 service authorized and performed on or after
10 July 1, 1997, but not later than June 30,
11 1998,
- 12 (iii) Fifty-nine Thousand Dollars (\$59,000.00) for
13 service authorized and performed on or after
14 July 1, 1998, but not later than June 30,
15 2000,
- 16 (iv) Sixty-four Thousand Dollars (\$64,000.00) for
17 service authorized and performed on or after
18 July 1, 2000, but not later than June 30,
19 2001,
- 20 (v) Sixty-nine Thousand Dollars (\$69,000.00) for
21 service authorized and performed on or after
22 July 1, 2001, but not later than June 30,
23 2002,

- 1 (vi) Seventy-four Thousand Dollars (\$74,000.00)
2 for service authorized and performed on or
3 after July 1, 2002, but not later than June
4 30, 2003,
- 5 (vii) Seventy-nine Thousand Dollars (\$79,000.00)
6 for service authorized and performed on or
7 after July 1, 2003, but not later than June
8 30, 2004,
- 9 (viii) Eighty-four Thousand Dollars (\$84,000.00)
10 for service authorized and performed on or
11 after July 1, 2004, but not later than June
12 30, 2005,
- 13 (ix) Eighty-nine Thousand Dollars (\$89,000.00)
14 for service authorized and performed on or
15 after July 1, 2005, but not later than June
16 30, 2006,
- 17 (x) Ninety-four Thousand Dollars (\$94,000.00)
18 for service authorized and performed on or
19 after July 1, 2006, but not later than June
20 30, 2007,
- 21 (xi) the full amount of regular annual
22 compensation for service authorized and
23 performed on or after July 1, 2007,

- 1 (h) the full amount of regular annual compensation of:
- 2 1. a member of the retirement system not employed by
- 3 an entity or institution within The Oklahoma
- 4 State System of Higher Education for all
- 5 creditable service authorized and performed on or
- 6 after July 1, 1995,
- 7 2. a member of the retirement system first employed
- 8 on or after July 1, 1995, by an entity or
- 9 institution within The Oklahoma State System of
- 10 Higher Education for all creditable service
- 11 authorized and performed on or after July 1,
- 12 1995, but not later than June 30, 1996,
- 13 3. a member of the retirement system employed by an
- 14 entity or institution within The Oklahoma State
- 15 System of Higher Education, other than a
- 16 comprehensive university, if the member elects to
- 17 impose a higher maximum compensation level for
- 18 service performed on or after July 1, 1995, but
- 19 not later than June 30, 1996, pursuant to
- 20 subsection B of Section 17-116.2A of this title,
- 21 4. a member of the retirement system who is first
- 22 employed on or after July 1, 1996, by any entity
- 23 or institution within The Oklahoma State System

1 of Higher Education, including a comprehensive
2 university, for creditable service authorized and
3 performed on or after July 1, 1996,

4 5. a member of the retirement system who, as of July
5 1, 1996, is subject to a maximum compensation
6 level pursuant to paragraph (g) of this
7 subsection if the member terminates service with
8 a comprehensive university and is subsequently
9 reemployed by a comprehensive university,

10 6. a member of the retirement system employed by a
11 comprehensive university for all service
12 performed on and after July 1, 2007, or

13 7. an eligible member of the retirement system who
14 fulfills the requirements of Section 2 of this
15 act with respect to pre-cap removal service
16 included in the retirement benefit computation of
17 the member at the average salary of the member
18 subject to the maximum average salary amount.

19 (29) "Comprehensive university" shall mean:

20 (a) the University of Oklahoma and all of its constituent
21 agencies, including the University of Oklahoma Health
22 Sciences Center, the University of Oklahoma Law Center
23 and the Geological Survey, and

1 (b) Oklahoma State University and all of its constituent
2 agencies, including the Oklahoma State University
3 Agricultural Experiment Station, the Oklahoma State
4 University Agricultural Extension Division, the
5 Oklahoma State University College of Veterinary
6 Medicine, the Oklahoma State University Center for
7 Health Sciences, the Technical Branch at Oklahoma
8 City, the ~~Technical Branch at~~ Oklahoma State
9 University Institute of Technology - Okmulgee and
10 Oklahoma State University-Tulsa.

11 SECTION 6. AMENDATORY Section 12, Chapter 2, O.S.L.
12 2005, as last amended by Section 7, Chapter 402, O.S.L. 2005 (70
13 O.S. Supp. 2007, Section 3980.12), is amended to read as follows:
14 Section 3980.12 A. For the purpose of paying the costs for
15 acquisition, reimbursement and construction of real and personal
16 property and making repairs, refurbishments and improvements to real
17 and personal property, and providing funding for the herein
18 enumerated capital projects at institutions of higher education
19 which are part of The Oklahoma State System of Higher Education and
20 for the purpose authorized in subsection B of this section, the
21 Oklahoma Capitol Improvement Authority is hereby authorized to
22 borrow monies on the credit of the income and revenues to be derived
23 from the leasing of such real and personal property and improvements

1 and, in anticipation of the collection of such income and revenues,
2 to issue negotiable obligations in a total amount sufficient, after
3 deduction of costs of issuance, reserves and cost of any credit
4 enhancement, to generate Four Hundred Seventy-five Million Dollars
5 (\$475,000,000.00) in net proceeds to be expended on the projects
6 enumerated herein whether issued in one or more series. Insofar as
7 not in conflict with the provisions of this section, the provisions
8 of Section 151 et seq. of Title 73 of the Oklahoma Statutes shall
9 apply to the obligations issued under this section by the Oklahoma
10 Capitol Improvement Authority. It is the intent of the Legislature
11 to appropriate to the Oklahoma State Regents for Higher Education
12 for allocation to the various institutions enumerated herein from
13 the Oklahoma Education Lottery Trust Fund and from such other
14 sources as may be necessary sufficient monies to make rental
15 payments for the purposes of retiring the obligations created
16 pursuant to this section. Bonds issued pursuant to this section
17 shall be used for financing for the following projects in the
18 indicated amounts:

19 1. Projects at the University of Oklahoma of approximately One
20 Hundred Eight Million One Hundred Eighty Thousand Nine Hundred
21 Fifty-six Dollars (\$108,180,956.00) to include:

22 a. construction of a chemistry and biochemistry teaching
23 and research-laboratory complex,

- 1 b. installation of fire detection and suppression systems
2 in library areas,
3 c. classroom renovation and improvements,
4 d. construction of library and learning center facilities
5 and parking structure at the OU-Tulsa campus,
6 e. construction of a College of Allied Health Phase II
7 Building and parking structure,
8 f. infrastructure improvements for the University
9 Research Campus,
10 g. construction of new engineering and technology
11 facilities,
12 h. construction of a student learning center for
13 University College,
14 i. renovation and expansion of Gould Hall,
15 j. renovation of Hester Hall,
16 k. renovation of Rhyne Hall,
17 l. renovation of Science Hall,
18 m. completion of construction of weather center,
19 n. renovation of Ellison Hall,
20 o. construction of a cancer center,
21 p. construction of a speech and hearing facility, and
22 q. renovation of Schusterman Center at OU-Tulsa;

1 2. Projects at the Oklahoma State University of approximately
2 Seventy-six Million One Hundred Sixty-eight Thousand Two Hundred
3 Sixty-two Dollars (\$76,168,262.00) to include:

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

9 3. Projects at ~~OSU-Okmulgee~~ Oklahoma State University Institute
10 of Technology - Okmulgee of approximately Six Million Four Hundred
11 Sixty-two Thousand Three Hundred Seventy Dollars (\$6,462,370.00) to
12 include:

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

17 4. Projects at the OSU College of Veterinary Medicine of
18 approximately One Million One Hundred Seven Thousand Eight Hundred
19 Thirty-five Dollars (\$1,107,835.00) to include:

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

1 5. Projects at OSU-Oklahoma City of approximately Seven Million
2 Three Hundred Eighty-five Thousand Five Hundred Sixty-six Dollars
3 (\$7,385,566.00) to include:

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

10 6. Projects at the OSU-Center for Health Science of
11 approximately Four Million Sixty-two Thousand Sixty-one Dollars
12 (\$4,062,061.00) to include renovation of existing facilities;

13 7. Projects at OSU-Tulsa of approximately Twelve Million Nine
14 Hundred Ninety-four Thousand Eight Hundred Sixty-two Dollars
15 (\$12,994,862.00) to include construction of an advanced technology
16 research center;

17 8. Projects at the University of Central Oklahoma of
18 approximately Nineteen Million Six Hundred Ninety-five Thousand
19 Three Hundred Twenty-nine Dollars (\$19,695,329.00) to include:

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

1 9. Projects at East Central University of approximately Ten
2 Million Eight Hundred Ten Thousand One Hundred Eighty-two Dollars
3 (\$10,810,182.00) to include:

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

7 10. Projects at Northeastern State University of approximately
8 Twenty-two Million Nine Hundred Seventy-two Thousand Seven Hundred
9 Sixty Dollars (\$22,972,760.00) to include:

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

15 11. Projects at Northwestern Oklahoma State University of
16 approximately Six Million Eight Hundred Thirteen Thousand Four
17 Hundred Thirty-two Dollars (\$6,813,432.00) to include:

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

1 12. Projects at Rogers State University of approximately
2 Thirteen Million Nine Hundred Twenty-two Thousand Seven Hundred Two
3 Dollars (\$13,922,702.00) to include:

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

14 13. Projects at Southeastern Oklahoma State University of
15 approximately Ten Million Sixty-two Thousand Seven Hundred Fifty-
16 eight Dollars (\$10,062,758.00) to include:

- 17 a. renovation of the Aviation Science Building,
- 18 b. installation of an ADA elevator within the athletic
19 facility,
- 20 c. construction and renovation of classrooms,
- 21 d. renovation and construction of Academic Support
22 Services Building,
- 23 e. improvements to the Administration Building,

- 1 f. renovation of the Theatre Building,
- 2 g. renovation of the Science Building, and
- 3 h. renovation of the Morrison Building;

4 14. Projects at Southwestern Oklahoma State University of
5 approximately Twelve Million Three Thousand Sixty-five Dollars
6 (\$12,003,065.00) to include:

- 7 a. renovation of the Chemistry, Pharmacy and Physics
8 Building,
- 9 b. renovation of existing theatre and construction of new
10 theatre,
- 11 c. upgrade of instructional equipment and elevators,
- 12 d. energy efficiency improvements for various buildings,
- 13 e. renovation and improvements to buildings on the Sayre
14 campus,
- 15 f. construction of outdoor classroom area, relocation of
16 university observatory and other improvements,
- 17 g. renovation of the Art Building, and
- 18 h. renovation and addition to the Industrial Technology
19 and Engineering Building;

20 15. Projects at Cameron University of approximately Twelve
21 Million Fifty-nine Thousand Two Hundred Forty-seven Dollars
22 (\$12,059,247.00) to include:

- 1 a. either construction or renovation and expansion of
- 2 Business Building,
- 3 b. improvements to the Shepler Center and the Fitness
- 4 Center,
- 5 c. improvements on campus-wide scale needed to achieve
- 6 ADA compliance,
- 7 d. improvements to parking areas and access roads,
- 8 e. improvements to campus buildings, and
- 9 f. improvements to gymnasium;

10 16. Projects at Langston University of approximately Eighteen
11 Million Three Hundred Seventy Thousand One Hundred Eighty-seven
12 Dollars (\$18,370,187.00) to include:

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

18 17. Projects at Oklahoma Panhandle State University of
19 approximately Seven Million Two Hundred Eighty Thousand Dollars
20 (\$7,280,000.00) to include:

- 21 a. construction of a science and agriculture building,
- 22 and

1 b. construction of the Noble Activity and Cultural
2 Center;

3 18. Projects at the University of Science and Arts of Oklahoma
4 of approximately Six Million Sixty-eight Thousand Eight Hundred
5 Thirty-two Dollars (\$6,068,832.00) to include:

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

14 19. Projects at Carl Albert State College of approximately
15 Eight Million Six Hundred Forty-seven Thousand Six Hundred One
16 Dollars (\$8,647,601.00) to include:

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

1 20. Projects at Connors State College of approximately Seven
2 Million Twenty-five Thousand Dollars (\$7,025,000.00) to include:

- 3 a. renovation of the Classroom Building, Library and
4 Education Buildings,
- 5 b. renovation of the Fine Arts Building,
- 6 c. renovation of a building to become one-stop enrollment
7 center,
- 8 d. renovation and addition to Haskell Building on
9 Muskogee campus, and
- 10 e. renovation and expansion of existing buildings for the
11 expansion of Allied Health and Technical programs;

12 21. Projects at Eastern Oklahoma State College of approximately
13 Seven Million Nine Hundred Ten Thousand One Hundred One Dollars
14 (\$7,910,101.00) to include:

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

19 22. Projects at Murray State College of approximately Seven
20 Million Twenty-five Thousand Dollars (\$7,025,000.00) to include:

- 21 a. renovation and improvements to various campus
22 facilities,

- 1 b. construction of a building for customer service and
- 2 laboratory facilities,
- 3 c. construction of a maintenance building,
- 4 d. landscaping and parking and street improvements,
- 5 e. acquisition of technology equipment, and
- 6 f. acquisition of equipment to address instructional
- 7 needs and campus security and safety issues;

8 23. Projects at Northern Oklahoma College of approximately
9 Fourteen Million Two Hundred Ninety-three Thousand Two Hundred
10 Thirty-five Dollars (\$14,293,235.00) to include:

- 11 a. renovation and repair of buildings, parking areas and
- 12 infrastructure on Enid campus,
- 13 b. renovation of and furnishing and equipment for Wilkin
- 14 Hall,
- 15 c. construction of Allied Health and Educational
- 16 Communication Center,
- 17 d. renovation and expansion of the Vineyard Library
- 18 Administration Building, and
- 19 e. construction in conjunction with OSU of a new
- 20 classroom building in Stillwater;

21 24. Projects at Northeastern Oklahoma A&M College of
22 approximately Six Million Dollars (\$6,000,000.00) to include:

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

5 25. Projects at Oklahoma City Community College of
6 approximately Fifteen Million Three Hundred Thirty-five Thousand One
7 Hundred One Dollars (\$15,335,101.00) to include:

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

10 26. Projects at Redlands Community College of approximately Six
11 Million Seven Hundred Seventy Thousand Dollars (\$6,770,000.00) to
12 include:

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

21 27. Projects at Rose State College of approximately Eleven
22 Million Seven Hundred Seventy-five Thousand Dollars (\$11,775,000.00)
23 to include construction of a Health Sciences Center;

1 28. Projects at Seminole State College of approximately Six
2 Million Seven Hundred Fifty Thousand Dollars (\$6,750,000.00) to
3 include:

- 4 a. construction of a wellness and athletic training
5 facility,
- 6 b. renovation and equipment acquisition necessary to
7 accommodate persons with disabilities,
- 8 c. acquisition and improvement of computer network
9 equipment,
- 10 d. renovation and expansion of facilities to develop a
11 student success center,
- 12 e. construction of maintenance building and affiliated
13 roads and parking,
- 14 f. acquisition of building for office space and storage,
15 and
- 16 g. construction and expansion of roads and parking
17 facilities;

18 29. Projects at Tulsa Community College of approximately
19 Sixteen Million Twenty-five Thousand Dollars (\$16,025,000.00) to
20 include:

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

1 30. Projects at Western Oklahoma State College of approximately
2 Six Million Dollars (\$6,000,000.00) to include:

3 a. construction of a cooperative higher education and
4 training center,

5 b. construction and repair of parking lots, roads and
6 walkways, and

7 c. acquisition of software and information technology
8 equipment;

9 31. Projects at the Ardmore Higher Education Center of
10 approximately Six Hundred Thousand Dollars (\$600,000.00) to include:

11 construction of classrooms in a new facility;

12 32. Projects at the McCurtain County Higher Education Center of
13 approximately Six Hundred Thousand Dollars (\$600,000.00) to include
14 renovation and expansion of chemistry laboratory and classroom and
15 acquisition of equipment;

16 33. Projects at the Quartz Mountain Arts and Conference Center
17 of approximately Three Million One Hundred Seventy-three Thousand
18 Five Hundred Fifty-six Dollars (\$3,173,556.00) to include:

19 a. renovation and remediation of lodge, walkways, parking
20 lots and sidewalks,

21 b. construction of a student dormitory and family reunion
22 center,

- 1 c. repair and renovation of Performing Arts Hall and Arts
- 2 Pavilions,
- 3 d. completion of construction of a comprehensive
- 4 pedestrian trail system,
- 5 e. improvements and upgrades of infrastructure, and
- 6 f. improvement and acquisition of land; and

7 34. Projects for the Oklahoma Climatological Survey of
8 approximately Six Hundred Fifty Thousand Dollars (\$650,000.00) to
9 include acquisition and installation of equipment for the Oklahoma
10 Mesonet to monitor atmospheric conditions in and around Oklahoma
11 City.

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

17 C. The Oklahoma Capitol Improvement Authority may issue
18 obligations in one or more series and in conjunction with other
19 issues of the Oklahoma Capitol Improvement Authority. The Oklahoma
20 Capitol Improvement Authority may issue short-term obligations in
21 anticipation of the sale of the bonds authorized by this section and
22 enter into such liquidity and other agreements as may be necessary
23 to provide for the efficient financing of the projects. The

1 Oklahoma Capitol Improvement Authority is authorized to hire bond
2 counsel, financial consultants, and such other professionals as it
3 may deem necessary to provide for the efficient sale of the
4 obligations and may utilize a portion of the proceeds of any
5 borrowing to create such reserves as may be deemed necessary and to
6 pay costs associated with the issuance and administration of such
7 obligations.

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

18 E. Any interest earnings on funds or accounts created for the
19 purposes of this section may be utilized as partial payment of the
20 annual debt service or for the purposes directed by the Oklahoma
21 Capitol Improvement Authority. The interest earnings in the
22 construction funds created pursuant to this section shall be used by

1 the Oklahoma Capitol Improvement Authority for the projects
2 enumerated herein.

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

8 G. The Oklahoma Capitol Improvement Authority may direct the
9 investment of all monies in any funds or accounts created in
10 connection with the offering of the obligations authorized under
11 this section. Such investments shall be made in a manner consistent
12 with the investment guidelines of the State Treasurer. The Oklahoma
13 Capitol Improvement Authority may place additional restrictions on
14 the investment of such monies if necessary to enhance the
15 marketability of the obligations.

16 H. The Oklahoma Capitol Improvement Authority is authorized to
17 issue bonds, notes, or other obligations for the purpose of
18 refinancing or restructuring obligations issued pursuant to this
19 section. To the extent funds are available from the proceeds of the
20 borrowing authorized by this subsection, the Oklahoma Capitol
21 Improvement Authority shall provide for the payment of professional
22 fees and associated costs approved by the Oklahoma State Bond
23 Advisor. The Oklahoma Capitol Improvement Authority is authorized

1 to hire bond counsel, financial consultants, and such other
2 professionals as may be deemed necessary to provide for the
3 efficient sale of the obligations and may utilize a portion of the
4 proceeds of any borrowing to create such reserves as may be deemed
5 necessary and to pay costs associated with the issuance and
6 administration of such obligations. An issuance of bonds under this
7 subsection may be undertaken to achieve an overall debt service
8 savings, modify restrictive bond document covenants, or reduce
9 payment requirements during periods of fiscal stress. To achieve
10 these objectives, the Oklahoma Capitol Improvement Authority is
11 authorized to extend the final maturity of outstanding obligations
12 if necessary, but in no event shall the final maturity of an
13 individual bond issue be extended more than ten (10) years without
14 the approval of the Council of Bond Oversight. The obligations
15 authorized under this subsection may be sold at either competitive
16 or negotiated sale, as determined by the Oklahoma Capitol
17 Improvement Authority, and in such form and at such prices as may be
18 authorized by the Oklahoma Capitol Improvement Authority. The
19 Oklahoma Capitol Improvement Authority may issue obligations in one
20 or more series and may set such other terms and conditions as may be
21 necessary in its judgment to achieve an efficient refinancing. The
22 Oklahoma Capitol Improvement Authority may enter into agreements
23 with such credit enhancers and liquidity providers as may be

1 determined necessary to efficiently market the obligations,
2 including the purchase of surety policies or other financial
3 instruments to be utilized in lieu of reserve funds. The
4 obligations may mature and have such provisions for redemption as
5 shall be determined by the Oklahoma Capitol Improvement Authority.
6 The Oklahoma Capitol Improvement Authority is hereby specifically
7 authorized to purchase surety policies or other financial
8 instruments to replace existing debt service reserves. Any payment
9 for such policies or other instruments may be made from the cash
10 reserves being replaced or any other legally available source.

11 I. Bonds issued pursuant to this section shall not be subject
12 to the provisions of Section 4 3980.4 of ~~Enrolled House Bill No.~~
13 ~~1191 of the 1st Session of the 50th Oklahoma Legislature~~ this title.

14 SECTION 7. AMENDATORY 72 O.S. 2001, Section 302, is
15 amended to read as follows:

16 Section 302. ~~From and after July 1, 1974, any~~ Any Oklahoma
17 veteran, or the child of any Oklahoma veteran who is missing in
18 action or a prisoner of war, shall be entitled to attend any
19 state-supported technology center school in the State of Oklahoma
20 operating under the State Board of Career and Technology Education
21 without the payment of tuition. ~~Provided, further, that~~ The
22 Oklahoma State University ~~School of Technical Training at~~ Institute

1 of Technology - Okmulgee, Oklahoma, shall be excluded from the
2 provisions of this act.

3 SECTION 8. AMENDATORY 74 O.S. 2001, Section 130.12, is
4 amended to read as follows:

5 Section 130.12 It is the intent of the Oklahoma Legislature
6 that the State Board of Career and Technology Education develop
7 curriculum for the training of technicians for the installation and
8 conversion of engines to be fueled by alternative fuels as the
9 technologies are developed. It is further the intent of the
10 Oklahoma Legislature that Oklahoma State University/ Institute of
11 Technology - Okmulgee develop curriculum for the training of
12 technicians for the installation, service, modification, repair or
13 renovation of fill stations. It is further the intent of the
14 Oklahoma Legislature to enact legislation which promotes the
15 development of technology in a manner that ensures the health and
16 safety of the citizens of this state.

17 SECTION 9. This act shall become effective July 1, 2008.

18 SECTION 10. It being immediately necessary for the preservation
19 of the public peace, health and safety, an emergency is hereby
20 declared to exist, by reason whereof this act shall take effect and
21 be in full force from and after its passage and approval.

22 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS, dated 4-2-08 - DO
23 PASS, As Amended.