

1 THE STATE SENATE
2 Monday, March 29, 2010

3 ENGROSSED

4 House Bill No. 3031

5 As Amended

6 ENGROSSED HOUSE BILL NO. 3031 - By: Benge and Hickman of the House
7 and Coffee of the Senate.

8 [higher education - issuance of obligations for endowed
9 chairs and positions - modifying date - authorizing
10 refinance or restructure obligations -
11 emergency]

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

13 SECTION 1. AMENDATORY Section 2, Chapter 115, O.S.L.
14 2004, as last amended by Section 2, Chapter 430, O.S.L. 2008 (70
15 O.S. Supp. 2009, Section 4019), is amended to read as follows:

16 Section 4019. A. The Oklahoma Capitol Improvement Authority is
17 hereby authorized, consistent with the statutes pertaining to the
18 Oklahoma State Regents' Endowment Trust Fund, to establish a program
19 to provide for the advance funding of the state's contribution to
20 endowed chairs, professorships, lectureships and positions for
21 artists in residence as provided in Section 3952 of this title at
22 the various institutions in The Oklahoma State System of Higher
23 Education. The Oklahoma State Regents for Higher Education are
24 authorized to enter into agreements with the Authority to provide
25 security for any obligations issued for such purpose.

1 B. The Authority is hereby authorized to issue and sell
2 obligations in such amounts as shall be needed from time to time for
3 the purposes of obtaining funds for the state's matching
4 contribution for endowed chairs, professorships, lectureships and
5 positions for artists in residence; provided, however, that the
6 total principal amount of such obligations shall not exceed in the
7 aggregate One Hundred Fifty Million Dollars (\$150,000,000.00)
8 outstanding at any one time for the purpose of funding endowed
9 chairs. At least fifty percent (50%) of the endowed chair,
10 professorship or lectureship positions funded as provided for in
11 this subsection shall be for positions that involve research and
12 development. No obligations shall be issued for any endowment
13 account for which matching monies specified in subsection E of
14 Section 3952 of this title have not been received.

15 C. It is the intent of the Legislature that payments for the
16 purpose of retiring the obligations created pursuant to this section
17 be made by the State Regents from the lump-sum appropriation made
18 pursuant to Section 3 of Article XIII-A of the Oklahoma
19 Constitution. Further, it is the intent of the Legislature to
20 appropriate to the State Regents sufficient monies to allow the
21 State Regents to make payments for the purpose of retiring the
22 obligations created pursuant to this section.

1 D. The Authority may issue obligations in one or more series
2 and in conjunction with other issues of the Authority.

3 E. The obligations authorized under this section may be sold at
4 either competitive or negotiated sale, as determined by the
5 Authority, and in such form and at such prices as may be authorized
6 by the Authority. The Authority may enter into agreements with such
7 credit enhancers and liquidity providers as may be determined
8 necessary to efficiently market the obligations. The obligations
9 may mature and have such provisions for redemption as shall be
10 determined by the Authority, but in no event shall the final
11 maturity of such obligations occur later than ~~fifteen (15)~~ twenty
12 (20) years from the first principal maturity date of any given
13 series.

14 F. The authority is authorized to issue bonds, notes, and other
15 obligations for the purpose of refinancing or restructuring the
16 outstanding obligations authorized under this section.

17 G. Any interest earnings on funds or accounts created for
18 purposes of this section may be utilized as partial payment of the
19 annual debt service or for purposes directed by the Authority.

20 ~~G.~~ H. The obligations issued under this section, the transfer
21 thereof and the interest earned on such obligations, including any
22 profit derived from the sale thereof, shall not be subject to

1 taxation of any kind by the State of Oklahoma, or by any county,
2 municipality or political subdivision therein.

3 ~~H.~~ I. The Authority may direct the investment of all monies in
4 any funds or accounts created in connection with the offering of the
5 obligations authorized under this section. This shall not include
6 monies in the Oklahoma State Regents Endowment Trust Fund. The
7 State Regents may place additional restrictions on the investment of
8 such monies if necessary to enhance the marketability of the
9 obligations.

10 SECTION 2. It being immediately necessary for the preservation
11 of the public peace, health and safety, an emergency is hereby
12 declared to exist, by reason whereof this act shall take effect and
13 be in full force from and after its passage and approval.

14 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS, dated 3-24-10 - DO
15 PASS, As Amended.