

1 STATE OF OKLAHOMA

2 1st Session of the 52nd Legislature (2009)

3 SENATE BILL 44

By: Anderson

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5
6 AS INTRODUCED

7 An Act relating to public finance and the Oklahoma
8 State Regents for Higher Education; amending Section
9 2, Chapter 115, O.S.L. 2004, as last amended by
10 Section 2, Chapter 430, O.S.L. 2008 (70 O.S. Supp.
11 2008, Section 4019), which relates to authorizing the
12 issuance of certain obligations for contributions to
13 certain endowment accounts; imposing certain
14 restriction on timing of issuance of certain
15 obligations; and declaring an emergency.

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

17 SECTION 1. AMENDATORY Section 2, Chapter 115, O.S.L.
18 2004, as last amended by Section 2, Chapter 430, O.S.L. 2008 (70
19 O.S. Supp. 2008, Section 4019), is amended to read as follows:

20 Section 4019. A. The Oklahoma Capitol Improvement Authority is
21 hereby authorized, consistent with the statutes pertaining to the
22 Oklahoma State Regents' Endowment Trust Fund, to establish a program
23 to provide for the advance funding of the state's contribution to
24 endowed chairs, professorships, lectureships and positions for
artists in residence as provided in Section 3952 of this title at
the various institutions in The Oklahoma State System of Higher

1 Education. The Oklahoma State Regents for Higher Education are
2 authorized to enter into agreements with the Authority to provide
3 security for any obligations issued for such purpose.

4 B. The Except as otherwise provided in this subsection, the
5 Authority is hereby authorized to issue and sell obligations in such
6 amounts as shall be needed from time to time for the purposes of
7 obtaining funds for the state's matching contribution for endowed
8 chairs, professorships, lectureships and positions for artists in
9 residence; provided, however, that the total principal amount of
10 such obligations shall not exceed in the aggregate One Hundred Fifty
11 Million Dollars (\$150,000,000.00) outstanding at any one time for
12 the purpose of funding endowed chairs. At least fifty percent (50%)
13 of the endowed chair, professorship or lectureship positions funded
14 as provided for in this subsection shall be for positions that
15 involve research and development. No obligations shall be issued
16 for any endowment account for which matching monies specified in
17 subsection E of Section 3952 of this title have not been received.
18 After the effective date of this act, no further obligations
19 authorized by this subsection shall be issued until after August 1,
20 2010.

21 C. It is the intent of the Legislature that payments for the
22 purpose of retiring the obligations created pursuant to this section
23 be made by the State Regents from the lump-sum appropriation made
24 pursuant to Section 3 of Article XIII-A of the Oklahoma

1 Constitution. Further, it is the intent of the Legislature to
2 appropriate to the State Regents sufficient monies to allow the
3 State Regents to make payments for the purpose of retiring the
4 obligations created pursuant to this section.

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

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

17 F. 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. 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
23 taxation of any kind by the State of Oklahoma, or by any county,
24 municipality or political subdivision therein.

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

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

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