

1 STATE OF OKLAHOMA

2 1st Session of the 56th Legislature (2017)

3 HOUSE JOINT  
4 RESOLUTION 1015

By: Biggs

5  
6 AS INTRODUCED

7  
8 A Joint Resolution directing the Secretary of State  
9 to refer to the people for their approval or  
10 rejection the repeal of Section 40 of Article X of  
11 the Constitution of the State of Oklahoma and adding  
12 a new Section 44 to Article X; creating the Oklahoma  
13 Rural Health Care Infrastructure Fund; providing for  
14 the transfer of monies held in the Tobacco Settlement  
15 Endowment Trust Fund; creating Board of Investors;  
16 providing for membership; creating Board of  
17 Directors; providing for membership; specifying  
18 allocation of funds to certain entities and for  
19 certain purposes; authorizing Legislature to enact  
20 certain laws; providing ballot title; and directing  
21 filing.

22  
23 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE  
24 1ST SESSION OF THE 56TH OKLAHOMA LEGISLATURE:

25 SECTION 1. The Secretary of State shall refer to the people for  
26 their approval or rejection, as and in the manner provided by law,  
27 the following proposed amendment to the Constitution of the State of  
28 Oklahoma, repealing Section 40 of Article X of the Oklahoma  
29 Constitution and adding a new Section 44 to Article X thereof, to  
30 read as follows:

1       Section 44. A. There is hereby created a trust fund to be  
2 known as the "Oklahoma Rural Health Care Infrastructure Fund". The  
3 trust fund principal from the Tobacco Settlement Endowment Trust  
4 Fund and any monies received by the State of Oklahoma pursuant to  
5 any settlement with or judgment against any tobacco company or  
6 companies after June 30, 2001, shall be transferred to the Oklahoma  
7 Rural Health Care Infrastructure Fund.

8       B. There is hereby created the Board of Investors of the  
9 Oklahoma Rural Health Care Infrastructure Fund. The Board of  
10 Investors shall have the duty of investing monies in the trust fund,  
11 subject to restrictions and limitations provided by law for and in  
12 accordance with laws applicable to the investment of monies in state  
13 retirement funds.

14       The Board of Investors shall consist of five (5) members as  
15 follows:

- 16       1. The State Treasurer who shall be the chair;
- 17       2. An appointee of the Governor;
- 18       3. An appointee of the Speaker of the House of Representatives;
- 19       4. An appointee of the President Pro Tempore of the Senate; and
- 20       5. An appointee of the State Auditor and Inspector.

21       The initial appointees shall serve staggered terms of office as  
22 provided for by law. Thereafter, appointees shall serve four-year  
23 terms of office. No more than two appointees shall be appointed  
24 from any single congressional district. All appointed members shall

1 have demonstrated expertise in public or private investment funds  
2 management.

3 C. There is hereby created the Board of Directors of the  
4 Oklahoma Rural Health Care Infrastructure Fund. The Board of  
5 Directors shall consist of seven (7) members, one appointed by each  
6 of the following appointing authorities:

- 7 1. The Governor;
- 8 2. The President Pro Tempore of the Senate;
- 9 3. The Speaker of the House of Representatives;
- 10 4. The Attorney General;
- 11 5. The State Treasurer;
- 12 6. The State Auditor and Inspector; and
- 13 7. The State Superintendent of Public Instruction.

14 The initial appointed members shall serve staggered terms of  
15 office as provided for by law. Thereafter, the appointed members of  
16 the Board of Directors shall serve seven-year terms of office. At  
17 least one appointee shall be appointed from each congressional  
18 district, and not more than two appointees shall be appointed from  
19 any single congressional district. Not more than four appointees  
20 shall be members of the same political party. An appointee shall  
21 have been a member of the political party to which the appointee  
22 belongs for at least one (1) year prior to the date of appointment.  
23 Appointees shall have demonstrated expertise in public or private  
24 health care.

1       The Board of Directors shall meet at least one time each  
2 calendar quarter.

3       D. Earnings from the trust fund, including but not limited to  
4 interest, dividends, and realized capital gains from investments of  
5 the trust fund shall be allocated in the following manner:

6       1. Forty Million Dollars (\$40,000,000.00) annually to the  
7 Oklahoma Rural Health Care Infrastructure Fund;

8       2. Ten Million Dollars (\$10,000,000.00) annually to the  
9 Physician Manpower Training Commission;

10       3. One Million Dollars (\$1,000,000.00) annually to the Oklahoma  
11 Center for Rural Development;

12       4. Programs other than those specified in paragraphs 1 through  
13 3 of this subsection designed to maintain or improve the health of  
14 Oklahomans or to enhance the provision of health care services to  
15 Oklahomans; and

16       5. Authorized administrative expenses of the Board of  
17 Directors.

18       E. Each fiscal year, the Board of Directors may expend the  
19 amount of earnings which actually accrued to the trust fund during  
20 the preceding fiscal year. Any amount not so expended shall remain  
21 in the trust fund. The Board shall direct specific expenditures to  
22 be made in the manner specified in subsection D of this section.

23       F. The Legislature may enact laws to further implement the  
24 provisions of this section.

1       SECTION 2. The Secretary of State shall refer to the people for  
2 their approval or rejection, as and in the manner provided by law,  
3 the repeal of Section 40 of Article X of the Constitution of the  
4 State of Oklahoma which relates to the Tobacco Settlement Endowment  
5 Trust Fund.

6       SECTION 3. The Ballot Title for the proposed Constitutional  
7 amendment as set forth in SECTIONS 1 and 2 of this resolution shall  
8 be in the following form:

9                               BALLOT TITLE

10 Legislative Referendum No. \_\_\_\_\_ State Question No. \_\_\_\_\_

11 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

12       This measure amends the Oklahoma Constitution. It adds Section  
13 44 to Article 10. The measure creates the Oklahoma Rural Health  
14 Care Infrastructure Fund. The trust fund principal and monies  
15 received by the state for the Tobacco Settlement Endowment Trust  
16 Fund will be transferred to the Oklahoma Rural Health Care  
17 Infrastructure Fund. The trust fund would be managed by the  
18 Board of Directors. The Board of Directors would consist of  
19 members appointed by various state officials. The trust fund  
20 monies could be invested according to certain standards. A  
21 Board of Investors would have the duty of investing the trust  
22 fund monies. The chair of the Board of Investors would be the  
23 State Treasurer. Other members would be appointed by various  
24 state officials. The earnings from the trust fund may be

1 allocated by the Board of Directors to certain entities and for  
2 certain purposes. The purposes include maintaining or improving  
3 the health of Oklahomans or enhancing the provision of health  
4 care services to Oklahomans. The measure allows the Legislature  
5 to pass laws to further implement this section. This measure  
6 would also abolish the Tobacco Settlement Endowment Trust, its  
7 Board of Investors and Board of Directors.

8 SHALL THE PROPOSAL BE APPROVED?

9 FOR THE PROPOSAL — YES \_\_\_\_\_

10 AGAINST THE PROPOSAL — NO \_\_\_\_\_

11 SECTION 4. The Chief Clerk of the House of Representatives,  
12 immediately after the passage of this resolution, shall prepare and  
13 file one copy thereof, including the Ballot Title set forth in  
14 SECTION 3 hereof, with the Secretary of State and one copy with the  
15 Attorney General.

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17 56-1-5070 GRS 01/09/17  
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