An Act

ENROLLED HOUSE
BILL NO. 3031

By: Benge and Hickman of the House

and

Coffee, Gumm, Nichols and Sparks of the Senate

An Act relating to higher education; amending Section 2, Chapter 115, O.S.L. 2004, as last amended by Section 2, Chapter 430, O.S.L. 2008 (70 O.S. Supp. 2009, Section 4019), which relates to the issuance of obligations for endowed chairs and positions; modifying the maturity date of obligations issued for funding endowed chairs and positions; authorizing the Oklahoma Capitol Improvement Authority to refinance or restructure obligations; and declaring an emergency.

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

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

Section 4019. A. The Oklahoma Capitol Improvement Authority is hereby authorized, consistent with the statutes pertaining to the Oklahoma State Regents' Endowment Trust Fund, to establish a program to provide for the advance funding of the state's contribution to 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 Education. The Oklahoma State Regents for Higher Education are authorized to enter into agreements with the Authority to provide security for any obligations issued for such purpose.

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

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

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

E. The obligations authorized under this section may be sold at either competitive or negotiated sale, as determined by the Authority, and in such form and at such prices as may be authorized by the Authority. The 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 Authority, but in no event shall the final maturity of such obligations occur later than ~~fifteen (15)~~ twenty (20) years from the first principal maturity date of any given series.

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

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

~~G.~~ H. 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.

~~H.~~ I. The 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. This shall not include monies in the Oklahoma State Regents Endowment Trust Fund. The State Regents may place additional restrictions on the investment of such monies if necessary to enhance the marketability of the obligations.

SECTION 2. 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.

Passed the House of Representatives the 8th day of March, 2010.

Presiding Officer of the House of Representatives

Passed the Senate the 7th day of April, 2010.

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Governor this 8th

day of April, **20**10,

at 2:45 **o'clock** P **M.**

By:

Approved by the Governor of the State of Oklahoma the 13th **day of** April, **20**10, **at** 6:06 **o'clock** P **M.**

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Secretary of State this

14th **day of** April, **20**10,

at 3:15 **o'clock** P **M.**

By: