

1 STATE OF OKLAHOMA

2 1st Session of the 55th Legislature (2015)

3 SENATE JOINT  
4 RESOLUTION 15

By: Crain

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6  
7 AS INTRODUCED

8 A Joint Resolution directing the Secretary of State  
9 to refer to the people for their approval or  
10 rejection a proposed amendment to the Constitution of  
11 the State of Oklahoma by adding a new Section 45 to  
12 Article X; authorizing issuance of obligations;  
13 specifying maximum amount of net proceeds; directing  
14 use of net proceeds; prescribing maximum maturity;  
15 providing for issuance by the Oklahoma Building Bonds  
16 Commission; providing method for repayment of  
17 obligations; prescribing repayment to be made from  
18 levy of certain sales tax; providing exemption from  
19 certain statutory limits; prescribing procedures for  
20 repayment; providing exemption from certain taxation;  
21 imposing duties upon the Oklahoma Building Bonds  
22 Commission; directing certain investment; providing  
23 ballot title; and directing filing.  
24

18 BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE  
19 1ST SESSION OF THE 55TH OKLAHOMA LEGISLATURE:

20 SECTION 1. The Secretary of State shall refer to the people for  
21 their approval or rejection, as and in the manner provided by law,  
22 the following proposed amendment to the Oklahoma Constitution by  
23 adding a new Section 45 to Article X to read as follows:  
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1 Section 45. A. The State of Oklahoma shall be authorized to  
2 become indebted in an amount not to exceed Two and One-Half Billion  
3 Dollars (\$2,500,000,000) in order to:

4 1. Supplement teacher salaries;

5 2. Recruit and retain common education teachers certified to  
6 teach science, technology, engineering, mathematics or medicine  
7 courses;

8 3. Recruit and retain faculty and staff certified to teach  
9 science, technology, engineering, mathematics or medicine courses in  
10 technology center schools;

11 4. Fund programs and opportunities that benefit all students in  
12 the State of Oklahoma; and

13 5. Support other educational endeavors as directed by the  
14 Legislature.

15 B. The maximum maturity for any obligation issued pursuant to  
16 the provisions of this section shall not exceed thirty (30) years.

17 C. The Oklahoma Building Bonds Commission shall be the entity  
18 responsible for issuance of the obligations authorized pursuant to  
19 the provisions of this section.

20 D. The payment and discharge of the principal of such debt,  
21 together with principal and interest on such indebtedness, shall be  
22 paid from the levy of sales tax imposed as authorized pursuant to  
23 Section 1350 et seq. of Title 68 of the Oklahoma Statutes, as  
24

1 amended. Such debt service shall be exempt from any statutory  
2 limits.

3 E. To the extent funds are available from the proceeds of the  
4 borrowing authorized by this section, the Oklahoma Building Bonds  
5 Commission shall provide for the payment of professional fees and  
6 associated costs related to the issuance of obligations authorized  
7 in subsection A of this section.

8 F. The Commission may issue obligations in one or more series.  
9 The Commission is authorized to hire bond counsel, financial  
10 consultants, and such other professionals as it may deem necessary  
11 to provide for the efficient sale of the obligations and may utilize  
12 a portion of the proceeds of any borrowing to create such reserves  
13 as may be deemed necessary and to pay costs associated with the  
14 issuance and administration of such obligations.

15 G. The obligations authorized under this section may be sold at  
16 either competitive or negotiated sale, as determined by the  
17 Commission, and in such form and at such prices as may be authorized  
18 by the Commission. The Commission may enter into agreements with  
19 such credit enhancers and liquidity providers as may be determined  
20 necessary to efficiently market the obligations. The obligations  
21 may mature and have such provisions for redemption as shall be  
22 determined by the Commission, but in no event shall the final  
23 maturity of such obligations occur later than thirty (30) years from  
24 the first principal maturity date.

1 H. Any interest earnings on funds or accounts created for the  
2 purposes of this section may be utilized as provided for in  
3 subsection A of this section.

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

9 J. The Commission may direct the investment of all monies in  
10 any funds or accounts created in connection with the offering of the  
11 obligations authorized under this section. In making such  
12 investments, judgment and care shall be exercised, under  
13 circumstances then prevailing, which persons of prudence, discretion  
14 and intelligence exercise in the management of their own affairs,  
15 not for speculation, but with regard to the permanent disposition of  
16 their funds, considering the probable safety of their capital as  
17 well as the probable income to be derived. The Commission may place  
18 additional restrictions on the investment of such monies if  
19 necessary to enhance the marketability of the obligations.

20 K. Insofar as they are not in conflict with the provisions of  
21 this section, the provisions of Section 151 et seq. of Title 73 of  
22 the Oklahoma Statutes shall apply to this section.

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

4 BALLOT TITLE

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

6 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

7 This measure amends the Oklahoma Constitution. It would add a  
8 new Section 45 to Article 10. It would authorize the State of  
9 Oklahoma to incur debt. The debt would be for the purpose of  
10 supporting teacher salaries, recruiting and retaining teachers,  
11 funding programs, and other opportunities that benefit all  
12 students in the state, and other educational endeavors directed  
13 by the Legislature. Bonds or other obligations could be issued  
14 in an amount not exceeding \$2,500,000,000.00 for this purpose.  
15 The bonds or other obligations would have to be repaid in not  
16 more than thirty (30) years. The repayment would be made using  
17 monies from the sales tax.

18 SHALL THE PROPOSAL BE APPROVED?

19 FOR THE PROPOSAL - YES \_\_\_\_\_

20 AGAINST THE PROPOSAL - NO \_\_\_\_\_

21 SECTION 3. The President Pro Tempore of the Senate shall,  
22 immediately after the passage of this resolution, prepare and file  
23 one copy thereof, including the Ballot Title set forth in SECTION 2  
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1 hereof, with the Secretary of State and one copy with the Attorney  
2 General.

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