

ENROLLED HOUSE JOINT RESOLUTION 1085
ENACTED BY THE SECOND REGULAR SESSION OF THE
53RD LEGISLATURE OF THE STATE OF OKLAHOMA
NUMBERED BY THE SECRETARY OF STATE

STATE QUESTION NUMBER 764
LEGISLATIVE REFERENDUM NUMBER 361

RECEIVED: APRIL 30, 2012

Resolution

ENROLLED HOUSE

JOINT

RESOLUTION NO. 1085

By: Richardson, Hickman and
Roan of the House

and

Crain and Fields of the
Senate

A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection a proposed amendment to the Constitution of the State of Oklahoma by adding a new Section 39A to Article X; creating the Water Infrastructure Credit Enhancement Reserve Fund; specifying use of the credit enhancement reserve fund; requiring use of certain other monies, funds and sources for repayment prior to issuance of bonds; authorizing the Oklahoma Water Resources Board to issue general obligation bonds for a credit enhancement reserve fund; stating purpose; limiting the amount of bonds issued; directing certain appropriations; providing for establishment of method for issuance of bonds; providing for administration of reserve fund; providing ballot title; and directing filing.

SUBJECT: Water Infrastructure Credit Enhancement Reserve Fund

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE 2ND SESSION OF THE 53RD OKLAHOMA LEGISLATURE:

SECTION 1. The Secretary of State shall refer to the people for their approval or rejection, as and in the manner provided by law, the following proposed amendment to the Constitution of the State of Oklahoma by adding a new Section 39A to Article X thereof, to read as follows:

Section 39A. A. There is hereby created within the Oklahoma Water Resources Board the Water Infrastructure Credit Enhancement Reserve Fund to be used by the Oklahoma Water Resources Board solely to secure the payment of principal, interest and premiums, if any, on bonds and other financial obligations issued or incurred to provide for the financial assistance programs as authorized in Section 39 of Article X of the Oklahoma Constitution.

B. The Oklahoma Water Resources Board shall issue bonds as authorized in subsection C of this section to provide for the Water Infrastructure Credit Enhancement Reserve Fund only after the following have been used, to the extent allowed by law, to repay the bonds and other financial obligations:

1. All other pledged monies;
2. Any reserved funds required of borrowers;
3. Any reserved funds required of the Oklahoma Water Resources Board; and
4. Any surety bond payments.

C. The Oklahoma Water Resources Board is hereby authorized to issue general obligation bonds, in an amount not to exceed a cumulative total of Three Hundred Million Dollars (\$300,000,000.00), for the purpose of providing for the Water Infrastructure Credit Enhancement Reserve Fund for the water resource and sewage treatment financial assistance programs for municipalities, political subdivisions and other public entities of the state provided by the Board as authorized in Section 39 of Article X of the Oklahoma Constitution.

D. The Legislature shall provide sufficient appropriations from any monies of the state not otherwise obligated, committed or appropriated to pay the principal and interest of any general obligation bond issued pursuant to this section.

E. The Legislature shall establish a method by law to provide for the issuance of the general obligation bonds authorized pursuant to this section and to provide for the administration of the Water Infrastructure Credit Enhancement Reserve Fund.

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

BALLOT TITLE

Legislative Referendum No. _____

State Question No. _____

THE GIST OF THE PROPOSITION IS AS FOLLOWS:

This measure amends the Oklahoma Constitution. It adds a new Section 39A to Article 10. It would allow the Oklahoma Water Resources Board to issue bonds. Any bonds issued would be used to provide a reserve fund for the Board. The fund would be a reserve fund for certain water resource and sewage treatment funding programs. The fund could only be used to pay other bonds and obligations for the funding programs. The bonds could only be issued after other monies and sources are used for repayment. The bonds would be general obligation bonds. Not more than Three Hundred Million Dollars worth of bonds could be issued. The Legislature would provide the monies to pay for the bonds. The Legislature would provide for methods for issuing the bonds. The Legislature would provide for how the fund is administered.

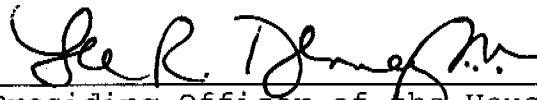
SHALL THE PROPOSAL BE APPROVED?

FOR THE PROPOSAL - YES _____


AGAINST THE PROPOSAL - NO _____

SECTION 3. The Chief Clerk of the House of Representatives, immediately after the passage of this act, shall prepare and file one copy thereof, including the Ballot Title set forth in SECTION 2 hereof, with the Secretary of State and one copy with the Attorney General.

Passed the House of Representatives the 12th day of March, 2012.


Presiding Officer of the House of
Representatives

Passed the Senate the 25th day of April, 2012.


Presiding Officer of the Senate

OFFICE OF THE SECRETARY OF STATE

Received by the Secretary of State this _____
30th day of April, 2012,
at 3:07 o'clock P M.

By: Michelle R Day

V. Glenn Coffee
Secretary of State



Mary Fallin
Governor

OKLAHOMA SECRETARY OF STATE

May 2, 2012

The Honorable E. Scott Pruitt
Attorney General
313 NE 21st Street
Oklahoma City, Oklahoma 73105

Dear Attorney General Pruitt:

You are hereby notified that Enrolled House Joint Resolution 1085 was received in the Office of the Secretary of State on April 30, 2012. This resolution has been designated as **State Question Number 764, Legislative Referendum Number 361.**

Pursuant to 34 O.S. §9(C), this office is submitting the proposed ballot title to you for review.

If our office may be of further assistance, please let us know.

Sincerely,

V. Glenn Coffee
Secretary of State

A handwritten signature in black ink, reading "Michelle R. Day".

Michelle R. Day
Assistant Secretary of State

Enclosure: State Question Number 764, Legislative Referendum Number 361

V. Glenn Coffee
Secretary of State



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MAY 02 2012

OFFICE OF THE
GOVERNOR

Mary Fallin
Governor

OKLAHOMA SECRETARY OF STATE

May 2, 2012

The Honorable Mary Fallin
Governor, State of Oklahoma
State Capitol, Room 212
Oklahoma City, Oklahoma 73105

Dear Governor Fallin:

You are hereby notified that Enrolled House Joint Resolution 1085 was received in the Office of the Secretary of State on April 30, 2012. This resolution has been designated as **State Question Number 764, Legislative Referendum Number 361**.

This office has submitted the proposed ballot title to the Attorney General for review as required by 34 O.S. §9(C). The official ballot title will be submitted to you upon completion of the review.

If this office may be of further assistance, please advise.

Sincerely,

V. Glenn Coffee
Secretary of State

A handwritten signature in black ink that reads "Michelle R. Day".

Michelle R. Day
Assistant Secretary of State

Enclosure: State Question Number 764, Legislative Referendum Number 361

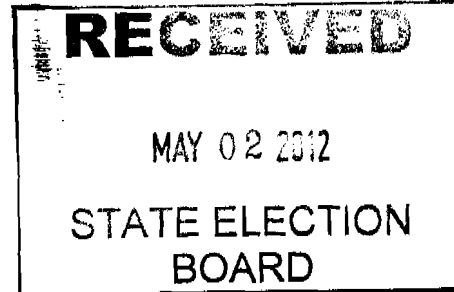
V. Glenn Coffee
Secretary of State



Mary Fallin
Governor

OKLAHOMA SECRETARY OF STATE

May 2, 2012



The Honorable Paul Ziriak
Secretary, State Election Board
State Capitol, Room 3
Oklahoma City, Oklahoma 73105

Dear Secretary Ziriak:

You are hereby notified that Enrolled House Joint Resolution 1085 was received in the Office of the Secretary of State on April 30, 2012. This resolution has been designated as **State Question Number 764, Legislative Referendum Number 361.**

This office has submitted the proposed ballot title to the Attorney General for review as required by 34 O.S. §9(C). The official ballot title will be submitted to you upon completion of the review.

If our office may be of further assistance, please let us know.

Sincerely,

V. Glenn Coffee
Secretary of State

A handwritten signature in cursive script, reading "Michelle R. Day".

Michelle R. Day
Assistant Secretary of State

Enclosure: State Question Number 764, Legislative Referendum Number 361



E. SCOTT PRUITT
ATTORNEY GENERAL OF OKLAHOMA

FILED

MAY 10 2012

**OKLAHOMA SECRETARY
OF STATE**

May 7, 2012

Glenn Coffee, Secretary of State
Office of the Secretary of State
2300 N. Lincoln Blvd., Room 101
Oklahoma City, OK 73105-4897

Senator Brian Bingman
President Pro Tempore
Oklahoma Senate
2300 N. Lincoln Blvd., Room 422
Oklahoma City, Oklahoma 73105-4897

Representative Kris Steele
Speaker
Oklahoma House of Representatives
2300 N. Lincoln Blvd., Room 401
Oklahoma City, Oklahoma 73105-4897

Re: Ballot Title for State Question No. 764, Legislative Referendum No. 361

Dear Secretary Coffee, Senator Bingman and Speaker Steele:

In accordance with the provisions of 34 O.S.2011, § 9(C), we have reviewed the Ballot Title for the above referenced State Question and conclude that it complies with applicable law. As a Title 34 Ballot Title Review, this letter does not constitute an Attorney General Opinion on the merits or constitutionality of the underlying proposed changes in the law, nor on the ability of federal law to preempt the changes in the law.

Respectfully submitted,

A handwritten signature in black ink that reads "Scott Pruitt".

E. SCOTT PRUITT
ATTORNEY GENERAL

ESP/ab





E. SCOTT PRUITT
ATTORNEY GENERAL OF OKLAHOMA

May 7, 2012

FILED

MAY 10 2012

**OKLAHOMA SECRETARY
OF STATE**

Senator Brian Crain
Oklahoma Senate
2300 N. Lincoln Blvd., Room 417B
Oklahoma City, Oklahoma 73105-4897

Representative Phil Richardson
Oklahoma House of Representatives
2300 N. Lincoln Blvd., Room 438
Oklahoma City, Oklahoma 73105-4897

Re: Ballot Title for State Question No. 764, Legislative Referendum No. 361

Dear Senator Crain and Representative Richardson:

In accordance with the provisions of 34 O.S.2011, § 9(C), we have reviewed the Ballot Title for the above referenced State Question and conclude that it complies with applicable law. As a Title 34 Ballot Title Review, this letter does not constitute an Attorney General Opinion on the merits or constitutionality of the underlying proposed changes in the law, nor on the ability of federal law to preempt the changes in the law.

Respectfully submitted,

A handwritten signature in cursive script, reading "Scott Pruitt", is written over a horizontal line.

E. SCOTT PRUITT
ATTORNEY GENERAL

ESP/ab

V. Glenn Coffee
Secretary of State



Mary Fallin
Governor

OKLAHOMA SECRETARY OF STATE

May 15, 2012

RECEIVED

MAY 15 2012

OFFICE OF THE
GOVERNOR

The Honorable Mary Fallin
Governor, State of Oklahoma
Room 212, State Capitol
Oklahoma City, Ok 73105

Re: State Question 764, Legislative Referendum 361
Proposed Constitutional Amendment – Water Infrastructure
Credit Enhancement Reserve Fund

Dear Governor Fallin:

Pursuant to 34 O.S. § 9(C)(2), the Secretary of State has transmitted to the Secretary of the State Election Board an attested copy of the above referenced measure. A copy of the transmittal letter and the Attorney General's Ballot Title review are enclosed for your information and records.

If there are any questions, please do not hesitate to contact this office.

Sincerely,

V. Glenn Coffee
Secretary of State

A handwritten signature in black ink that reads 'Michelle R. Day'.

Michelle R. Day
Assistant Secretary of State

Enclosures: Attorney General's Ballot Title review
Transmittal letter to Secretary of the State Election Board

V. Glenn Coffee
Secretary of State



Mary Fallin
Governor

OKLAHOMA SECRETARY OF STATE

May 15, 2012

The Honorable Paul Ziriaux
Secretary, State Election Board
State Capitol, Room 3
Oklahoma City, Oklahoma 73105

Re: State Question No. 764, Legislative Referendum 361
Proposed Constitutional Amendment – Water Infrastructure
Credit Enhancement Reserve Fund

Dear Secretary Ziriaux:

In accordance with the provisions of 34 O.S. § 9(C)(2), I herewith transmit State Question 764, Legislative Referendum 361 and attest that the enclosed copy of House Joint Resolution 1085 is a true and accurate copy of the measure filed with this office. Also enclosed is the Attorney General's letter concluding the Ballot Title as written in the measure complies with applicable law.

If our office may be of further assistance, please let us know.

Sincerely,

V. Glenn Coffee
Secretary of State

A handwritten signature in cursive script that reads "Michelle R. Day".

Michelle R. Day
Assistant Secretary of State

Enclosures: State Question 764, Legislative Referendum 361
Attorney General's Ballot title review

