

**TITLE 90. COUNCIL OF BOND OVERSIGHT
CHAPTER 1. ADMINISTRATIVE OPERATIONS**

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 1. General Provisions

90:1-1-1 [AMENDED]

Subchapter 3. General Operations of the Council

90:1-3-1 [AMENDED]

90:1-3-5 [AMENDED]

90:1-3-7 [AMENDED]

Subchapter 5. Procedures for Adoption, Amendment and Repeal of Rules

90:1-5-1 [AMENDED]

Subchapter 9. Severability and Interpretation

90:1-9-2 [AMENDED]

SUMMARY:

The proposed rule amendments replace references to the State Bond Advisor with the amended statutory title of Deputy Treasurer for Debt Management and corrects the permanent office address and phone number.

AUTHORITY:

Oklahoma Bond Oversight and Reform Act. 62 O.S., Section 695.1 through Section 695.11. Council of Bond Oversight.

COMMENT PERIOD:

Persons wishing to present their views in writing may do so before 5:00 p.m. on March 17, 2023, at the following address: 2300 N. Lincoln Blvd., Room 217, Oklahoma City, Oklahoma, 73105 or by email to alexandra.edwards@treasurer.ok.gov.

PUBLIC HEARING:

A public hearing will be held at 9:45 a.m. on Thursday, March 30, 2023, at the following address: 2300 N. Lincoln Blvd., MP Room 100 Oklahoma City, Oklahoma, 73105. Anyone who wishes to speak must sign in at the door prior to the start of the hearing.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

The Deputy Treasurer for Debt Management requests that business entities affected by these proposed rules provide, within the comment period (in dollar amounts if possible), information about the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the particular business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Alexandra Edwards, at the above email address, before the close of the comment period on March 17, 2023.

COPIES OF PROPOSED RULES:

Copies of the proposed rules may be obtained from the State Treasurer's Office at 2300 N. Lincoln Blvd., Room 217 Oklahoma City, Oklahoma, 73105. The proposed rules are also available on the Council of Bond Oversight's website at <http://www.oklahoma.gov/bonds>.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S., §303(D), a rule impact statement will be prepared and may be obtained from the State Treasurer's Office at the above address or Council of Bond Oversight's website listed above.

CONTACT PERSON:

Alexandra Edwards, Deputy Treasurer for Debt Management, (405) 522-3096,
alexandra.edwards@treasurer.ok.gov.

**TITLE 90. COUNCIL OF BOND OVERSIGHT
CHAPTER 1. ADMINISTRATIVE OPERATIONS**

SUBCHAPTER 1. GENERAL PROVISIONS

90:1-1-1. Purpose and scope

The Council of Bond Oversight was created to implement the Oklahoma Bond Oversight and Reform Act found at 62 O.S., Section 695.1 et seq. The Council is responsible for providing systematic oversight of debt issuances by State Governmental Entities. The rules of this Chapter establish the operations of the Council in order to facilitate the business of the Council and ~~State Bond Advisor~~ Deputy Treasurer for Debt Management and of such entities.

SUBCHAPTER 3. GENERAL OPERATIONS OF THE COUNCIL

90:1-3-1. Official office

The ~~Offices~~ offices of the Council of Bond Oversight and the ~~State Bond Advisor~~ Deputy Treasurer for Debt Management are located at ~~9220 N. Kelley Avenue, Oklahoma City, Oklahoma 73134~~ 2300 N. Lincoln Blvd., Suite 217, Oklahoma City, Oklahoma 73105. The telephone number is ~~(405) 602-3100~~ (405) 521-3191 and telecopier number is ~~(405) 848-3314~~. The office hours are from 8:00 a.m. to 5:00 p.m. Central Time, Monday through Friday, except legal holidays.

90:1-3-5. Agenda items

The ~~State Bond Advisor~~ Deputy Treasurer for Debt Management prepares an agenda on behalf of the Council for each meeting of the Council. The agenda is filed and posted in accordance with the Open Meeting Act, supra. Members of the public may request the Council to place matters on the agenda for a meeting. The Council may adopt such procedures from time to time as it deems necessary for the orderly and efficient conduct of meetings.

90:1-3-7. Open records

The records of the Council are subject to the Open Records Act. All requests for the public records of the Council will be made through the ~~State Bond Advisor~~ Deputy Treasurer for Debt Management who will be charged with making the public records of the Council available for inspection by or copying to the requesting party during normal hours. The Council will charge \$0.25 per page for each copy of a public record made upon written request. The ~~State Bond Advisor~~ Deputy Treasurer for Debt Management will decide if the request is for a record not otherwise made confidential under Oklahoma Law. The ~~State Bond Advisor~~ Deputy Treasurer for Debt Management is authorized to discuss this decision with the Office of the Attorney General of the State of Oklahoma as may become necessary. Except information that is confidential or commercially sensitive as described in 90:1-3-6, or specifically kept confidential under Oklahoma or federal law, all documents or other records of the Council will be open for public inspection and copying.

SUBCHAPTER 5. PROCEDURES FOR ADOPTION, AMENDMENT AND REPEAL OF RULES

90:1-5-1. Procedures for adoption, amendment and repeal of rules

- (a) The Council may adopt, amend or repeal a rule on its own initiative, and may adopt, amend or repeal a rule at the request or recommendation of the ~~State Bond Advisor~~ Deputy Treasurer for Debt Management.
- (b) The Council may on its own motion, conduct hearings on proposed new rules, amendments or repeal of rules.
- (c) Any interested person may petition the Council, requesting the adoption, amendment, or repeal of a rule. All such petitions shall be in writing, and be filed with the principal office. The petition shall include the name and address of the petitioning party and shall state clearly and concisely all matters pertaining to the requested action and the reasons for the request.
- (d) The time and location of hearings shall be stated in the notice as required under the Open Meeting Act and shall be conducted in accordance with the Administrative Procedures Act.
- (e) Any person who is interested or affected by proposed actions may appear at the hearing. An appearance may be made individually, by an attorney, or by an authorized agent.
- (f) Prior to the adoption, amendment or repeal of a rule, the Council shall afford any interested person a reasonable opportunity to submit data, views and arguments either oral or written. If the rule under consideration affects the substantive rights of any person, the Council shall grant any person or entity a reasonable opportunity to participate in an oral hearing if requested by the person or entity.

SUBCHAPTER 9. SEVERABILITY AND INTERPRETATION

90:1-9-2. Interpretation of Title

This Title and procedures are adopted to simplify procedure, avoid delays, save expenses and facilitate implementation of the Oklahoma Bond Oversight and Reform Act and the Oklahoma Private Activity Bond Allocation Act by the Council of Bond Oversight and the ~~State Bond Advisor~~ Deputy Treasurer for Debt Management. To that end, this Title will be given a fair and impartial construction. This Title shall be cumulative to the Oklahoma Administrative Procedures Act [75 O.S., Section 250 et seq.].