



Brad Henry
Governor

FILED

JUL 15 2010

**OKLAHOMA SECRETARY
OF STATE**

EXECUTIVE DEPARTMENT

EXECUTIVE ORDER 2010-34

I, Brad Henry, Governor of the State of Oklahoma, pursuant to the authority vested in me by Sections 1 and 2 of Article VI of the Oklahoma Constitution, hereby direct and order as follows:

Section 301(a) of Tax Extenders and Alternative Minimum Tax Relief Act of 2008, Division C of Pub. L. 110-343, 122 Stat. 1365 (2008) ("Act"), added new § 54D to the Internal Revenue Code of 1986, as amended ("Code"), to provide program provisions for qualified energy conservation bonds ("QECBs").

The Act amended § 54A(d)(1) to provide that the term "qualified tax credit bond" means, in part, a qualified energy conservation bond that is part of an issue that meets the requirements of § 54A(d)(2), (3), (4), (5), and (6) regarding expenditures of bond proceeds, information reporting, arbitrage, maturity limitations, prohibitions against financial conflicts of interest and qualified purposes.

The Act added § 54D(d) to provide a national bond limitation ("national bond volume cap") authorization for QECBs of \$800 million. Section 1112 of Title 1 of Division B of the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, 123 Stat. 115 (2009) ("ARRA") amended § 54D(d) to increase the national bond volume cap authorization for QECBs from \$800 million to \$3.2 billion.

Section 54D(d)(1) provides that the \$3.2 billion in total national bond volume cap shall be allocated by the Department of the Treasury among the States in proportion to the population of the States. Section 54D(e)(2)(A) provides that in the case of any State where there is a municipality or county that has a population of 100,000 or more ("Large Local Government"), each Large Local Government shall be allocated a portion of the State's allocation that bears the same ratio to the State's allocation as the population of the Large Local Government bears to the population of the State for 2008.

Section 54D(h) provides that an Indian tribal government shall be treated as a Large Local Government for purposes of the State's QECB allocation, except that (a) an Indian tribal government shall be treated as located within a State to the extent of the population of such government that resides within the State, and (b) any bond issued by an Indian tribal government shall be treated as a qualified energy conservation bond only if issued as part of an issue for which the available project proceeds are used for purposes that such Indian tribal government could issue bonds to which § 103(a) applies.

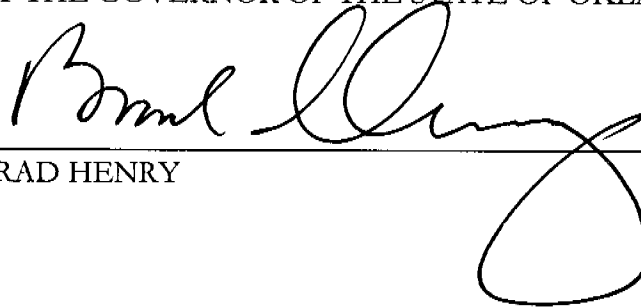
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The State received a total QECB allocation of \$37,787,000 and hereby allocates a portion of its national bond volume cap to each Large Local Government in the State in the amounts set forth in Exhibit "A".

This Executive Order shall be distributed to all members of the ARRA Coordinating Council, all members of the Governor's Executive Cabinet, and the chief executives of all appropriate and affected state agencies, who shall cause the provisions of this order to be implemented by all appropriate officials and agencies of state government.


IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Oklahoma to be affixed at Oklahoma City this 14th day of July, 2010.

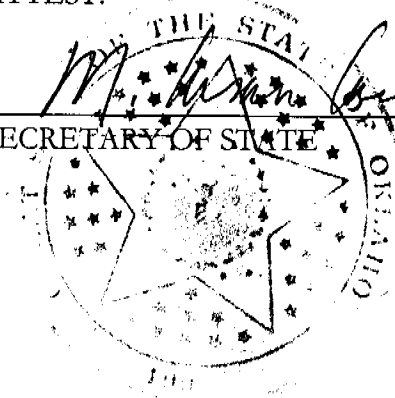
BY THE GOVERNOR OF THE STATE OF OKLAHOMA



BRAD HENRY

ATTEST:




SECRETARY OF STATE

Energy Conservation Bond Allocations for 2009

	June 1, 2008 Population	Percentage of State Population	Bond Cap
State of Oklahoma Totals	3,642,361	100.00%	\$ 37,787,000
Amount Going to State Government		45.50%	\$ 17,193,819
Cumulative Subtotal Of Cities/Counties/Tribes Below		54.50%	\$ 20,593,181
Cities			
Oklahoma City	551,789	15.15%	\$ 5,724,433
Tulsa	385,635	10.59%	\$ 4,000,699
Norman	106,957	2.94%	\$ 1,109,606
City Subtotal		28.67%	\$ 10,834,737
Counties			
Comanche County	111,772	3.07%	\$ 1,159,558
Oklahoma County (Less Oklahoma City and Norman Population)	248,881	6.77%	\$ 2,558,939
Tulsa County (Less Tulsa Population)	134,301	3.69%	\$ 1,393,281
County Subtotal		13.53%	\$ 5,111,778



Tribes	Cumulative Population	In-State Population	Percentage	Bond Cap
Absentee Shawnee Tribe: SB	3,048	2,310	0.06%	\$ 23,965
Apache Tribe: SD	2,019	1,700	0.05%	\$ 17,636
Caddo Tribe: SD	5,435	2,938	0.08%	\$ 30,480
Cheyenne-Arapaho Tribes: SD	12,185	8,664	0.24%	\$ 89,883
Citizen Potawatomi Nation: SG	27,386	10,247	0.28%	\$ 106,306
Comanche Nation: SD	14,105	N/A	0.39% *	\$ 146,330
Delaware Nation: SG	1,412	845	0.02%	\$ 8,766
Fort Sill Apache Tribe: SD	830	300	0.01%	\$ 3,112
Iowa Tribe of Oklahoma: SD	567	413	0.01%	\$ 4,285
Kaw Nation of Oklahoma: SG	2,940	1,291	0.04%	\$ 13,393
Kickapoo Tribe of Oklahoma: SG	2,713	1,779	0.05%	\$ 18,456
Kiowa Tribe: SD	11,500	6,958	0.19%	\$ 72,184
Otoe-Missouria Tribe: SD	1,393	668	0.02%	\$ 9,005
Pawnee Nation of Oklahoma: SD	3,134	2,082	0.06%	\$ 21,392
Ponca Nation: SG	3,466	2,700	0.07%	\$ 28,011
Sac & Fox Nation: SG	3,400	N/A	0.09% *	\$ 35,273
Tonkawa Tribe: SD	588	459	0.01%	\$ 4,762
Wichita & Affiliated Tribes: SD	2,476	1,812	0.05%	\$ 18,798
Alabama Quassart: SD	380	360	0.01%	\$ 3,735
Cherokee Nation: SG	287,434	180,952	4.87%	\$ 1,877,253
Chickasaw Nation: SG	44,000	27,000	0.74%	\$ 280,107
Chodew Nation: SG	210,660	79,371	2.18%	\$ 823,420
Eastern Shawnee Tribe: SG	2,656	774	0.02%	\$ 8,030
Kialegee Tribal Town: SD	350	347	0.01%	\$ 3,600
Miami Nation: SG	3,859	1,800	0.04%	\$ 16,699
Modoc Tribe of Oklahoma: SG	200	120	0.00%	\$ 1,245
Muscogee (Creek) Nation: SG	67,483	54,228	1.49%	\$ 562,578
Osage Nation: SG	9,635	4,994	0.14%	\$ 51,809
Ottawa Tribe: SD	2,480	760	0.02%	\$ 7,884
Peoria Tribe of Indians of OK: SD	2,861	764	0.02%	\$ 7,926
Quapaw Tribe of Oklahoma: SG	3,240	892	0.02%	\$ 9,254
Seminole Nation: SD	15,622	12,120	0.33%	\$ 125,737
Seneca-Cayuga Tribe of OK: SG	4,260	2,162	0.06%	\$ 22,429
Shawnee Tribe: SD	2,023	965	0.03%	\$ 10,011
Thlopthlocco Tribal Town: SD	800	641	0.02%	\$ 6,650
Ukb of Cherokees: SD	13,000	12,400	0.34%	\$ 128,642
Wyandotte Nation: SG	4,600	N/A	0.13% *	\$ 47,722
Tribal Subtotal			12.30%	\$ 4,646,666

* Given absence of an in-state population figure, allocated based on total population

Source:

Tribal Nation Enrollment table found on page 34 of the Oklahoma Indian Nations Information Handbook 2008-2009 Edition
http://www.ok.gov/oisc/documents/FY08_09.WEB%20VERSION.pdf (As accessed April 16, 2010)
 Population Division, U.S. Census Bureau