

STATE OF OKLAHOMA

1st Session of the 44th Legislature (1993)

COMMITTEE SUBSTITUTE

FOR

HOUSE BILL NO. 1626

By: Hamilton (James)

COMMITTEE SUBSTITUTE

An Act relating to the Oklahoma School of Science and Mathematics; amending 73 O.S. 1991, Section 168.3, which relates to the acquisition of land for the Oklahoma School of Science and Mathematics; modifying certain bond amounts; specifying the priority of use of monies for construction and improvements; and declaring an emergency.

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

SECTION 1. AMENDATORY 73 O.S. 1991, Section 168.3, is amended to read as follows:

Section 168.3 A. The Oklahoma Capitol Improvement Authority may acquire land owned by the Board of Trustees of the Oklahoma School of Science and Mathematics. The Oklahoma Capitol Improvement Authority may erect, operate and maintain a building or buildings for use by the Board of Trustees of the Oklahoma School of Science and Mathematics for the operation of the Oklahoma School of Science and Mathematics. Upon the retirement of the indebtedness created pursuant to this section, the title to the land and improvements thereon shall be transferred from the Oklahoma Capitol Improvement Authority to the Board of Trustees of the Oklahoma School of Science and Mathematics.

B. For the purpose of paying the costs of the project authorized in subsection A of this section, the Authority is ~~hereby~~ authorized to borrow monies on the credit of the income and revenues to be derived from such project and, in anticipation of the collection of such income and revenues, to issue negotiable bonds not to exceed the sum of Six Million Dollars (\$6,000,000.00) as may be necessary for such purpose as determined by the

Authority. The Authority may retain such legal counsel as it deems necessary for this purpose. The Oklahoma School of Science and Mathematics may not be moved from the building or buildings constructed pursuant to subsection A of this section until all such indebtedness is retired, and shall be required to lease the building or buildings so constructed subject to receiving an annual appropriation for that purpose. ~~It is the intent of the Legislature to appropriate to the Oklahoma School of Science and Mathematics sufficient monies to make lease payments to the Authority for purposes of retiring the debt created pursuant to this section.~~

C. The interest rate on the bonds issued pursuant to this section shall not exceed seven and three-quarters percent (7.75%) per annum.

D. The bonds provided for in subsection B of this section shall not be issued until a bank that is chartered in this state notifies the Authority, the Governor, the Speaker of the House of Representatives and the President Pro Tempore of the Senate that there exists an irrevocable restricted letter of credit or cash on deposit or a combination of both in the amount of Six Million Dollars (\$6,000,000.00) for the purpose specified in subsection A of this section. Such notification must occur no later than September 1, 1993. In the alternative, the Authority may issue such bonds in two series in the following order, the first series totalling ~~Three Million Five Hundred Thousand Dollars (\$3,500,000.00)~~ Two Million Seven Hundred Fifty Thousand Dollars (\$2,750,000.00) and the second series totalling ~~Two Million Five Hundred Thousand Dollars (\$2,500,000.00)~~ Three Million Two Hundred Fifty Thousand Dollars (\$3,250,000.00). In order to issue the first series of bonds, a bank, as described above, shall certify to the Authority and the above-referenced officers that there exist irrevocable letters of credit or cash on deposit or a combination of both in an amount equal to the amount of the first series. In order to issue the second series of bonds, a bank, as described above, shall certify to the Authority and the above-referenced officers that there exist irrevocable letters of credit

or cash on deposit or a combination of both in amounts equal to the amount of the second series. ~~If the bonds are issued in two series, the proceeds from the first series must be used for construction of initial cluster housing for two hundred (200) students, a library facility, a physical education facility and athletic fields and for design fees for the project.~~

E. The proceeds of any bonds issued pursuant to this section and any other monies expended by the Board of Trustees for construction or improvements shall be expended for facilities, which shall include design fees for each such project, in the following order of priority:

1. Dormitory and dining facilities;
2. Science facility with classroom;
3. Library facility;
4. Physical education facilities, athletic facilities, and fencing and other security improvements; and
5. Parking facilities.

F. The State Treasurer must buy, and the Authority must sell to the State Treasurer at private sale, as provided in this section the bonds authorized by this section. The Authority shall fix the rate of interest the bonds so sold shall bear, such rate of interest not to exceed the maximum specified in this section. All interest earned by such bonds held by the State Treasurer, as collected, shall be paid into the General Revenue Fund.

~~F.~~ G. Insofar as they are not in conflict with the provisions of this section, the provisions of Section 151 et seq. of Title 73 of the Oklahoma Statutes shall apply to this section.

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.