

1 STATE OF OKLAHOMA

2 2nd Session of the 48th Legislature (2002)

3 CONFERENCE COMMITTEE SUBSTITUTE
4 FOR ENGROSSED
5 SENATE BILL 1293

By: Haney and Herbert of the
Senate

6 and

7 Mass of the House

8
9 CONFERENCE COMMITTEE SUBSTITUTE

10 An Act relating to public finance; amending 73 O.S.
11 2001, Sections 160, 171 and 173, which relate to the
12 Oklahoma Capitol Improvement Authority; clarifying
13 language; providing for validation of portion of bond
14 issue; authorizing employment of bond attorneys;
15 modifying contracting authority of Oklahoma Capitol
16 Improvement Authority; requiring Office of State
17 Finance to establish certain accounts; repealing 20
18 O.S. 2001, Section 14.2, which relates to bond
19 validation proceeding; repealing 74 O.S. 2001,
20 Section 1811.4B, which relates to employees of the
21 Oklahoma Capitol Improvement Authority; repealing 73
22 O.S. 2001, Sections 154 and 164, which relate to
23 powers and duties of the Authority; and declaring an
24 emergency.

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

26 SECTION 1. AMENDATORY 73 O.S. 2001, Section 160, is
27 amended to read as follows:

28 Section 160. The Oklahoma Capitol Improvement Authority ~~is~~
29 ~~authorized, in its discretion, to~~ may file an application with the
30 Supreme Court of Oklahoma for the approval of ~~any~~ bonds ~~to be~~ issued
31 hereunder, and exclusive original jurisdiction is hereby conferred
32 upon the Supreme Court to hear and determine each ~~such~~ application.
33 ~~It shall be the duty of the~~ The court ~~to~~ shall give ~~such~~ the
34 applications precedence over the other business of the court and ~~to~~
35 consider and pass upon ~~such~~ the applications and any protests which
36 may be filed thereto as speedily as possible. Notice of the hearing

1 on each application shall be given by notice published in a
2 newspaper of general circulation in the state that on a day named
3 the Authority will ask the court to hear its application and approve
4 the bonds. ~~Such~~ The notice shall inform all persons interested that
5 they may file protests against the issuance of the bonds and be
6 present at the hearing and contest the legality thereof. ~~Such~~ The
7 notice shall be published one time not less than ten (10) days prior
8 to the date named for the hearing and the hearing may be adjourned
9 from time to time in the discretion of the court. If the court
10 shall be satisfied that the bonds or any portions thereof have been
11 properly authorized in accordance with this act and the Constitution
12 of Oklahoma, and that when issued they will constitute valid
13 obligations in accordance with their terms, the court shall render
14 its written opinion approving the bonds and shall fix the time
15 within which a petition for rehearing may be filed. The decision of
16 the court shall be a judicial determination of the validity of the
17 bonds, shall be conclusive as to the Authority, the State of
18 Oklahoma, its officers, agents and instrumentalities, and all other
19 persons, and thereafter the bonds so approved and the rents and
20 revenues pledged to their payment shall be incontestable in any
21 court in the State of Oklahoma.

22 SECTION 2. AMENDATORY 73 O.S. 2001, Section 171, is
23 amended to read as follows:

24 Section 171. ~~It shall be the duty of the~~ The Attorney General
25 ~~to~~ shall represent the Oklahoma Capitol Improvement Authority in the
26 execution of the provisions of this act, and ~~such~~ the Authority
27 ~~shall not employ or pay any sums of money to any private attorney or~~
28 may acquire services of bond attorneys.

29 SECTION 3. AMENDATORY 73 O.S. 2001, Section 173, is
30 amended to read as follows:

31 Section 173. A. The Oklahoma Capitol Improvement Authority
32 ~~shall~~ may contract with the ~~Oklahoma Tourism and Recreation~~

1 ~~Commission~~ Department of Central Services to maintain ~~the~~ grounds
2 and for housekeeping, maintenance and repair of properties under the
3 jurisdiction of the Authority.

4 B. ~~The Office of Public Affairs~~ Oklahoma Capitol Improvement
5 Authority and the Department of Central Services shall contract with
6 the Department of Public Safety for security and law enforcement
7 services in all facilities under the jurisdiction of the ~~Office~~
8 Authority or Department within ~~the~~ "State Capitol Park" in Oklahoma
9 City and the "State Capitol Complex" J. Howard Edmondson Office
10 Building, Robert S. Kerr Office Building and appurtenances thereto
11 in Tulsa ~~where federal or state agencies or private individuals~~
12 ~~lease space and pay operating and maintenance costs.~~

13 C. ~~The Oklahoma Capitol Improvement Authority shall contract~~
14 ~~with the Department of Public Safety for security and law~~
15 ~~enforcement services in the facilities and on the grounds under the~~
16 ~~jurisdiction of the Authority.~~

17 D. ~~The Oklahoma Capitol Improvement Authority shall contract~~
18 ~~with the Director of Public Affairs for housekeeping, maintenance~~
19 ~~and repair in the facilities under the jurisdiction of said~~
20 ~~Authority, and for administrative services in carrying out the~~
21 ~~provisions of Sections 151 through 214 of this title. All~~
22 ~~housekeeping, maintenance and repair, and administrative personnel~~
23 ~~employed by said Authority on July 1, 1983, are hereby transferred~~
24 ~~to the Office of Public Affairs. No transferred employee shall be~~
25 ~~required to accept a lesser grade or salary than presently received~~
26 ~~plus any salary adjustments provided by the Legislature for state~~
27 ~~employees and no entrance examination shall be required for~~
28 ~~continued employment in the same or similar positions with the~~
29 ~~Office of Public Affairs. All records now under the jurisdiction~~
30 ~~and control of the Oklahoma Capitol Improvement Authority, which are~~
31 ~~used in the administration, operation, or maintenance of the~~
32 ~~Authority's facilities are hereby transferred to the Office of~~

1 ~~Public Affairs in partial consideration of the performance of the~~
2 ~~housekeeping, maintenance, and administrative functions provided by~~
3 ~~the Office of Public Affairs to the Oklahoma Capitol Improvement~~
4 ~~Authority.~~ The Oklahoma Capitol Improvement Authority shall provide
5 office and operations space for ~~the Office of Public Affairs~~
6 ~~housekeeping, maintenance, and administrative~~ Department of Central
7 Services' functions.

8 D. The Office of State Finance shall establish accounts for the
9 Department of Central Services, by building or other improvement, as
10 the Director of Central Services considers necessary to properly
11 account and identify receipts and expenditures related to
12 construction, repair, maintenance, insurance and other operating
13 expenses of buildings and improvements owned, used or occupied by or
14 on behalf of the Oklahoma Capitol Improvement Authority, where the
15 services are carried out by contract with the Authority.

16 SECTION 4. REPEALER 20 O.S. 2001, Section 14.2, is
17 hereby repealed.

18 SECTION 5. REPEALER 74 O.S. 2001, Section 1811.4B, is
19 hereby repealed.

20 SECTION 6. REPEALER 73 O.S. 2001, Sections 154 and 164,
21 are hereby repealed.

22 SECTION 7. It being immediately necessary for the preservation
23 of the public peace, health and safety, an emergency is hereby
24 declared to exist, by reason whereof this act shall take effect and
25 be in full force from and after its passage and approval.

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