

ENROLLED SENATE  
BILL NO. 323

By: Haney and Hobson of the  
Senate

and

Mass and Bonny of the  
House

An Act relating to Public Finance; authorizing the Oklahoma Capitol Improvement Authority to construct and renovate certain property; providing for ownership of property for certain time; authorizing issuance of negotiable obligations to provide financing; prohibiting issuance of obligations prior to certain date; authorizing the Office of the Attorney General to lease certain office space and make rental payments from the Attorney General's Evidence Fund; expressing legislative intent; authorizing payment of professional fees from bond revenues; providing for issuance of obligations in one or more series; providing procedures and limitations on issuance of bonds; providing for utilization of interest earnings; exempting bonds from certain taxation; providing for investments of funds; providing for application of certain laws to bond sales; amending Section 2, Chapter 268, O.S.L. 1995 (73 O.S. Supp. 2000, Section 15.1), which relates to management and control of space in the State Capitol Building; providing for legislative control of certain space; providing for codification; and declaring an emergency.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 321 of Title 73, unless there is created a duplication in numbering, reads as follows:

A. The Oklahoma Capitol Improvement Authority is authorized to construct improvements to real property and to provide funding for repairs, refurbishments and improvements to real and personal property and for funding for renovation, repair, remodeling and furnishing the Samuel Layton Building, also known as the Power Plant and for construction, landscaping and improvements on state-owned property located adjacent to such building for parking and office space for the Office of the Attorney General including necessary repairs and remediation to the tunnel connecting the Samuel Layton Building to the State Capitol Building.

B. The Authority may hold title to the real and personal property and improvements until such time as any obligations issued for this purpose are retired or defeased and may lease the real property and improvements to the Office of the Attorney General. Upon final redemption or defeasance of the obligations created pursuant to this section, title to the real and personal property and improvements shall be transferred from the Oklahoma Capitol Improvement Authority, to the Department of Central Services.

C. For the purpose of paying the costs for acquisition and construction of the real property and improvements and personal property and making the repairs, refurbishments, and improvements to real and personal property, and providing funding for the project authorized in subsection A of this section, and for the purpose authorized in subsection E of this section, the Authority is hereby authorized to borrow monies on the credit of the income and revenues to be derived from the leasing of such real and personal property and improvements and, in anticipation of the collection of such income and revenues, to issue negotiable obligations in a total amount not to exceed Eight Million Six Hundred Thousand Dollars (\$8,600,000.00) whether issued in one or more series. Provided, the Authority shall not issue any obligations pursuant to this section prior to January 1, 2002.

D. The Office of the Attorney General is authorized to lease office space in the buildings authorized by this section and to use funds available in the Attorney General's Evidence Fund to make rental payments for such office space. In the event sufficient funds are not available in the Attorney General's Evidence Fund to make rental payments necessary to retire the obligations created pursuant to this section, it is the intent of the Legislature to appropriate sufficient funds to the Attorney General's Evidence Fund for such purpose.

E. To the extent funds are available from the proceeds of the borrowing authorized by subsection C of this section, the Oklahoma Capitol Improvement Authority shall provide for the payment of professional fees and associated costs related to the projects authorized in subsection A of this section.

F. The Authority may issue obligations in one or more series and in conjunction with other issues of the Authority. The Authority is authorized to hire bond counsel, financial consultants, and such other professionals as it may deem necessary to provide for the efficient sale of the obligations and may utilize a portion of the proceeds of any borrowing to create such reserves as may be deemed necessary and to pay costs associated with the issuance and administration of such obligations.

G. The obligations authorized under this section may be sold at either competitive or negotiated sale, as determined by the Authority, and in such form and at such prices as may be authorized by the Authority. The Authority may enter into agreements with such credit enhancers and liquidity providers as may be determined necessary to efficiently market the obligations. The obligations may mature and have such provisions for redemption as shall be

determined by the Authority, but in no event shall the final maturity of such obligations occur later than twenty (20) years from the first principal maturity date.

H. Any interest earnings on funds or accounts created for the purposes of this section may be utilized as partial payment of the annual debt service or for the purposes directed by the Authority.

I. The obligations issued under this section, the transfer thereof and the interest earned on such obligations, including any profit derived from the sale thereof, shall not be subject to taxation of any kind by the State of Oklahoma, or by any county, municipality or political subdivision therein.

J. The Authority may direct the investment of all monies in any funds or accounts created in connection with the offering of the obligations authorized under this section. Such investments shall be made in a manner consistent with the investment guidelines of the State Treasurer. The Authority may place additional restrictions on the investment of such monies if necessary to enhance the marketability of the obligations.

K. 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. AMENDATORY Section 2, Chapter 268, O.S.L. 1995 (73 O.S. Supp. 2000, Section 15.1), is amended to read as follows:

Section 15.1 A. The Legislature shall have management and control of the following space in the State Capitol Building:

1. The space on the third, fourth, fifth and sixth floors;
2. The space in the basement that is occupied by the Legislature on June 1, 1995;
3. Approximately six thousand nine hundred thirty-nine (6,939) square feet of space in the west wing of the first floor that is occupied by the Department of Libraries on June 1, 1995;
4. Approximately six thousand six hundred ninety-one (6,691) square feet of space in the west wing of the basement that is occupied by the Department of Libraries and the Department of Central Services on June 1, 1995;
5. Approximately three thousand seven hundred seventy (3,770) square feet of space in the west wing of the basement that is occupied by the Department of Central Services on June 1, 1995;
6. Approximately two thousand one hundred (2,100) square feet of space in the center of the basement that is occupied by the Department of Central Services and the Office of State Finance on June 1, 1995;

7. Approximately six hundred (600) square feet of space in the center of the basement that is occupied by the Department of Central Services on June 1, 1995; ~~and~~

8. Approximately two thousand three hundred one (2,301) square feet of space in the center of the basement that is occupied by the Department of Central Services on June 1, 1995; and

9. Upon completion of the project authorized in Section 1 of this act, approximately twelve thousand five hundred sixty (12,560) square feet of space in the west wing of the first floor that is occupied by the Office of the Attorney General on June 1, 2001.

B. The authority of the Legislature to allot space may be delegated to the President Pro Tempore of the Senate and the Speaker of the House of Representatives. Each House of the State Legislature shall have the exclusive charge of the purchase, use, allotment, and disposition of its respective chambers, committee rooms, fixtures, furniture, supplies, and apparatus, and shall be responsible for the use and preservation of same.

SECTION 3. 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.

Passed the Senate the 18th day of May, 2001.

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Presiding Officer of the Senate

Passed the House of Representatives the 23rd day of May, 2001.

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Presiding Officer of the House  
of Representatives

