

STATE OF OKLAHOMA

2nd Session of the 48th Legislature (2002)

HOUSE CONCURRENT  
RESOLUTION HCR1052

By: O'Neal

AS INTRODUCED

A Concurrent Resolution relating to certain legislation enacted during the 2nd Regular Session of the 47th Oklahoma Legislature and the 1st Extraordinary Session of the 47th Oklahoma Legislature; making findings regarding certain civil action; requesting parties to provide basis for certain judicial determination; and directing distribution.

WHEREAS, in the 2nd Session of the 47th Oklahoma Legislature, Enrolled Senate Bill No. 973 was passed and enacted; and

WHEREAS, in the 1st Extraordinary Session of the 47th Oklahoma Legislature Enrolled Senate Bill No. 2x was passed and enacted, amending the provisions of Enrolled Senate Bill No. 973, previously enacted, which provisions are now codified as 73 O.S. 2001, Section 301; and

WHEREAS, the legislation provided for the issuance of obligations by the Oklahoma Capitol Improvement Authority (OCIA) to provide proceeds for a number of capital improvement projects (hereinafter referred to as the "bond legislation"); and

WHEREAS, the bond legislation was challenged by the filing of a civil action in Oklahoma County District Court, styled "Cassidy v. Oklahoma Capitol Improvement Authority", Case No. CJ-2000-8950, on December 11, 2000; and

WHEREAS, there have been no dispositive motions filed by either party that would provide an opportunity for the District Court to rule on any of the issues raised in the civil action; and

WHEREAS, it was the purpose of the Legislature to authorize the issuance of obligations in order to provide funding for capital projects that are of great importance to governmental entities; and

WHEREAS, there can be no sale of the obligations authorized until the issues pending resolution before the District Court are resolved with the effect of delaying construction and acquisition of certain important capital improvements; and

WHEREAS, a ruling by the District Court would provide the basis upon which some final resolution of the issues presented in the civil action could be made, resulting in the possibility of the eventual sale of the obligations to provide funding for the capital projects.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE 2ND SESSION OF THE 48TH OKLAHOMA LEGISLATURE, THE SENATE CONCURRING THEREIN:

THAT the parties to the civil action styled "Cassidy v. Oklahoma Capitol Improvement Authority", now pending in Oklahoma County District Court, Case No. CJ-2000-8950, take such actions as may be required in order to provide an opportunity for the District Court to rule on the issues presented.

THAT to the extent permitted pursuant to the Oklahoma Statutes and the Rules governing the procedures in the District Courts, the trial court take such actions as may be permissible in order to cause the parties to expedite the filing of such motions, briefs or other materials as may be conducive to a rapid determination of the issues presented in the action.

THAT copies of this resolution be distributed to the Governor, in his capacity as Chairman of the Oklahoma Capitol Improvement Authority, the Attorney General, in his capacity as the legal counsel for the Oklahoma Capitol Improvement Authority, and to the Court Clerk for the District Court of Oklahoma County for

distribution to the appropriate persons involved in the relevant civil action now pending in Oklahoma County District Court.

48-2-8443      MAH      6/12/15