STATE OF OKLAHOMA

2nd Session of the 50th Legislature (2006)

COMMITTEE SUBSTITUTE
FOR
SENATE BILL 1593 By: Kerr

COMMITTEE SUBSTITUTE

[Native American Cultural and Educational Authority - powers of the Authority - modifying term - effective date]

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

SECTION 1. AMENDATORY 74 O.S. 2001, Section 1226, is amended to read as follows:

Section 1226. In order to promote the history and culture of Native Americans for the mutual benefit of the State of Oklahoma and its Indian and non-Indian citizens, there is hereby created the "Native American Cultural and Educational Authority", which Authority is hereby authorized and empowered to construct, maintain, repair and operate a Native American cultural center, museum and theme park, along with commercial facilities as defined by Section 1226.3 of this title, within the State of Oklahoma as shall be approved by the Authority and to issue revenue bonds of the Authority payable solely from revenues to pay the cost of such projects. Provided, no state appropriations shall be used to pay costs of financing or constructing commercial facilities, except for commercial elements within and incidental to the Cultural Center.

SECTION 2. AMENDATORY 74 O.S. 2001, Section 1226.3, is amended to read as follows:

Section 1226.3 As used in Sections 1226 through 1226.16 of this title:

1. "Authority" shall mean the Native American Cultural and Educational Authority, created by Section 1226.2 of this title, or, if such Authority shall be abolished, the board, body, or commission succeeding to the principal functions hereof or to whom the powers given by Section 1226 et seq. of this title shall be given by law;

2. "Project" or "projects" shall mean any facilities constructed or improvements made under the provisions of this act by the Authority for the purpose of constructing a Native American cultural center, museum and theme park, to also include commercial facilities as herein defined, and shall embrace all buildings, structures, landscaping, infrastructure, utilities, roadways, parking structures, parking lots, sidewalks, personal property and fixtures, equipment and machinery, and other improvements which the Authority may deem necessary for the operation of such projects, together with all property, rights, easements and interests which may be acquired by the Authority for the construction or the operation of such;

3. "Commercial facilities" shall mean facilities, including, but not limited to, conference centers, hotels, motels, recreational vehicle parks, festival marketplaces, restaurants, retail sales facilities, studios and other facilities for the design, development and manufacture of Native American art, crafts and cultural objects, and uses related thereto and other supporting, complementary and ancillary uses;

4. "Cost" as applied to a project shall include expenditures of the Authority, other governmental agencies, and private entities, to include past, present and future expenditures, and shall embrace the cost of construction, the cost of the acquisition of all land, rights-of-way, property, rights, easements and interests acquired by the Authority for such construction, the cost of all machinery and equipment, financing charges, provision for working capital, interest prior to, during, and after construction and a reserve for

interest in such amounts as the Authority shall determine, cost of engineering, architecture, planning, legal and accounting expenses, plans, specifications, surveys, estimates of cost, and of revenues, other expenses necessary or incident to determining the feasibility or practicability of constructing any such project, administrative expense, and such other expense as may be necessary or incident to the construction of the project, the financing of such construction, and the placing of the project in operation, and other expenditures in furtherance of the objectives of Sections 1226 through 1226.16 of this title;

~~4.~~ 5. "Owner" shall include all individuals, copartnerships, associations, corporations, trusts, and any other person or entity having any title or interest in any property, rights, easements, and interests authorized to be acquired by Sections 1226 through 1226.16 of this title;

~~5.~~ 6. The phrase "operational services" shall mean services of a maintenance or operational nature, including, but not limited to, grounds maintenance and security services, provided by the Authority, pursuant to an agreement between the Authority and any service recipient; and

~~6.~~ 7. The phrase "other governmental agencies" shall mean the State of Oklahoma or other agencies thereof, the national government, other states or agencies thereof, public trusts, municipalities, counties and other subdivisions of government.

SECTION 3. This act shall become effective November 1, 2006.

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