

1 ENGROSSED SENATE AMENDMENT
TO
2 ENGROSSED HOUSE
JOINT

3 RESOLUTION NO. 1033

By: Hickman of the House

4 and

5 Marlatt of the Senate

6

7

8 [Oklahoma Constitution - bonds - State Capitol -

9 ballot title - filing]

10

11

12 AMENDMENT NO. 1. Page 1, strike the stricken title, enacting clause
and entire bill and insert

13

14 "An Act relating to the State Capitol Building;
15 authorizing the Oklahoma Capitol Improvement
16 Authority to issue obligations for repair of State
17 Capitol Building; providing for transfer of title
18 upon occurrence of certain events; authorizing the
19 borrowing of money for construction of improvements
20 and repairs to the Capitol Building; stating
21 legislative intent; providing for payment of certain
22 fees and costs; authorizing procedure for issuance
23 and hiring of certain professionals; providing for
24 use of certain interest earnings; exempting certain
obligations, transfers, and interest from taxation;
providing for investment and oversight; providing for
codification; and providing an effective date.

21

22 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF

23 REPRESENTATIVES OF THE 2ND SESSION OF THE 54TH OKLAHOMA LEGISLATURE:

24

1 SECTION 1. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 345 of Title 73, unless there is
3 created a duplication in numbering, reads as follows:

4 A. In addition to any other authorization provided by law, the
5 Oklahoma Capitol Improvement Authority is authorized to issue
6 obligations to acquire real property, together with improvements
7 located thereon, and personal property to construct improvements to
8 real property and to provide funding for repairs, refurbishments and
9 improvements to real and personal property of the State Capitol
10 Building in a total amount not to exceed One Hundred Sixty Million
11 Dollars (\$160,000,000.00). The funds shall be used for the
12 renovation, repair and remodeling of the State Capitol Building.

13 B. The Authority may hold title to the property and
14 improvements until such time as any obligations issued for this
15 purpose are retired or defeased and may lease the property and
16 improvements to the Office of Management and Enterprise Services.
17 Upon final redemption or defeasance of the obligations created
18 pursuant to this section, title to the property and improvements
19 shall be transferred from the Oklahoma Capitol Improvement Authority
20 to the Office of Management and Enterprise Services.

21 C. For the purposes of paying the costs for construction of the
22 real property and improvements, and providing funding for the
23 project authorized in subsection A of this section, and for the
24 purpose authorized in subsection D of this section, the Authority is

1 hereby authorized to borrow monies on the credit of the income and
2 revenues to be derived from the leasing of such property and
3 improvements and, in anticipation of the collection of such income
4 and revenues, to issue negotiable obligations in a total amount not
5 to exceed One Hundred Sixty Million Dollars (\$160,000,000.00)
6 whether issued in one or more series. The Authority is authorized
7 to capitalize interest on the obligations issued pursuant to this
8 section for a period of not to exceed one year from the date of
9 issuance. For subsequent fiscal years, it is the intent of the
10 Legislature to appropriate to the Office of Management and
11 Enterprise Services sufficient monies to make rental payments for
12 the purpose of retiring the obligations created pursuant to this
13 section. To the extent funds are available from the proceeds of the
14 borrowing authorized by this subsection, the Oklahoma Capitol
15 Improvement Authority shall provide for the payment of professional
16 fees and associated costs related to the project authorized in
17 subsection A of this section.

18 D. The Authority may issue obligations in one or more series
19 and in conjunction with other issues of the Authority. The
20 Authority is authorized to hire bond counsel, financial consultants,
21 and such other professionals as it may deem necessary to provide for
22 the efficient sale of the obligations and may utilize a portion of
23 the proceeds of any borrowing to create such reserves as may be
24

1 deemed necessary and to pay costs associated with the issuance and
2 administration of such obligations.

3 E. The obligations authorized under this section may be sold at
4 either competitive or negotiated sale, as determined by the
5 Authority, and in such form and at such prices as may be authorized
6 by the Authority. The Authority may enter into agreements with such
7 credit enhancers and liquidity providers as may be determined
8 necessary to efficiently market the obligations. The obligations
9 may mature and have such provisions for redemption as shall be
10 determined by the Authority, but in no event shall the final
11 maturity of such obligations occur later than thirty (30) years from
12 the first principal maturity date.

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

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

21 H. The Authority may direct the investment of all monies in any
22 funds or accounts created in connection with the offering of the
23 obligations authorized under this section. Such investments shall
24 be made in a manner consistent with the investment guidelines of the

1 State Treasurer. The Authority may place additional restrictions on
2 the investment of such monies if necessary to enhance the
3 marketability of the obligations.

4 I. Insofar as they are not in conflict with the provisions of
5 this section, the provisions of Section 151 et seq. of Title 73 of
6 the Oklahoma Statutes shall apply to this section.

7 SECTION 2. This act shall become effective November 1, 2014."
8

9 Passed the Senate the 24th day of April, 2014.
10

11 _____
12 Presiding Officer of the Senate

13 Passed the House of Representatives the ____ day of _____,
14 2014.

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16 _____
17 Presiding Officer of the House
18 of Representatives
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1 ENGROSSED HOUSE
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2 RESOLUTION NO. 1033

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12 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE
13 2ND SESSION OF THE 54TH OKLAHOMA LEGISLATURE:

14 SECTION 3. The Secretary of State shall refer to the people for
15 their approval or rejection, as and in the manner provided by law,
16 the following proposed amendment to the Constitution of the State of
17 Oklahoma by adding a new Section 44 to Article X thereof, to read as
18 follows:

19 Section 44. A. The State of Oklahoma shall be authorized to
20 become indebted in an amount sufficient to provide net proceeds of
21 One Hundred Twenty Million Dollars (\$120,000,000.00) in order to
22 provide funds for necessary expenditures for repairs and
23 refurbishment of the Oklahoma State Capitol Building.
24

1 B. The maximum maturity for any obligation issued pursuant to
2 the provisions of this section shall not exceed thirty (30) years.

3 C. The Oklahoma Building Bonds Commission shall be the entity
4 responsible for issuance of the obligations authorized pursuant to
5 the provisions of this section.

6 D. The funds shall be applied to the renovation, repair and
7 remodeling of the State Capitol Building. Eligible expenditures may
8 include, but shall not be limited to, masonry and brick work,
9 foundations, exterior and interior walls, heating and air
10 conditioning systems, plumbing, water lines and related water supply
11 assets, sewer lines and related sanitary sewer assets, electrical
12 wiring and any other asset which is part of the State Capitol
13 Building or which is located in the area immediately adjacent to the
14 State Capitol Building determined to be required for historic
15 preservation, building code compliance, or safe occupancy as
16 approved by the Office of Management and Enterprise Services.

17 E. The repayment of the obligations issued pursuant to the
18 provisions of this section shall be made from the General Revenue
19 Fund of the State of Oklahoma. The payment of principal, interest
20 or other costs of issuance for the obligations authorized by this
21 section shall be determined by the Oklahoma Building Bonds
22 Commission each year. The Commission shall certify the amount
23 required either on a monthly or other periodic basis for repayment
24 of the obligations to the State Treasurer. The State Treasurer

1 shall transfer the required amount to the Oklahoma Building Bonds
2 Commission or to the trustee or other agent prescribed in the
3 indenture or other agreement pursuant to which the obligations have
4 been issued. The payment required by this subsection shall be made
5 before any other apportionment, transfer or other disposition of
6 monies accruing to the General Revenue Fund of the State Treasury is
7 made. After the payment required by this subsection is made for
8 repayment of the obligations, the State Treasurer shall certify the
9 amount paid to the Building Bonds Commission to the State Board of
10 Equalization on such periodic basis as is required for accurate
11 accounting and based upon the frequency and duration of the
12 repayments.

13 SECTION 4. The Ballot Title for the proposed Constitutional
14 amendment as set forth in SECTION 1 of this resolution shall be in
15 the following form:

16 BALLOT TITLE
17 Legislative Referendum No. _____ State Question No. _____

18 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

19 This measure amends the Oklahoma Constitution. It would add a
20 new Section 44 to Article 10. It would authorize the State of
21 Oklahoma to incur debt. The debt would be for purposes of
22 repairs and refurbishment of the State Capitol Building. Bonds
23 could be issued in an amount needed to provide up to One Hundred
24 Twenty Million Dollars (\$120,000,000.00) for this purpose. The

1 bonds would have to be repaid in not more than thirty (30)
2 years. The repayment would be made using monies from the
3 General Revenue Fund of the State Treasury. The repayment for
4 the bonds would be made before any other money was deposited
5 into the General Revenue Fund. The State Treasurer would make
6 payment to the Oklahoma Building Bonds Commission that issued
7 the bonds. The payments could be monthly or annually or such
8 other period as provided by the documents that allow the bonds
9 to be issued. The State Treasurer would make a report of the
10 bond payments to the State Board of Equalization. The report
11 would be as frequent as required for good accounting practices
12 and based upon the requirements contained in the documents that
13 allow the bonds to be issued.

14 SHALL THE PROPOSAL BE APPROVED?

15 FOR THE PROPOSAL - YES _____

16 AGAINST THE PROPOSAL - NO _____

17 SECTION 5. The Chief Clerk of the House of Representatives,
18 immediately after the passage of this resolution, shall prepare and
19 file one copy thereof, including the Ballot Title set forth in
20 SECTION 2 hereof, with the Secretary of State and one copy with the
21 Attorney General.
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1 Passed the House of Representatives the 13th day of March, 2014.

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3 _____
4 Presiding Officer of the House
of Representatives

5 Passed the Senate the ____ day of _____, 2014.

6
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8 _____
9 Presiding Officer of the Senate