

1 STATE OF OKLAHOMA

2 1st Session of the 54th Legislature (2013)

3 SENATE BILL 530

By: Stanislawski

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6 AS INTRODUCED

7 An Act relating to public finance; authorizing the  
8 Oklahoma Capitol Improvement Authority to issue  
9 obligations for construction of port of entry weigh  
10 stations; specifying uses of certain proceeds;  
11 providing for maximum time for repayment; directing  
12 the Department of Transportation to make certain  
13 lease payments; providing that payments shall be made  
14 from the Weigh Station Improvement Revolving Fund;  
15 requiring certain instruments contain provisions of  
16 repayment; declaring certain obligations are not debt  
17 of the state; requiring certain statements on face of  
18 obligations; allowing for payment of certain  
19 professional services; providing for method of sale;  
20 directing use of certain interest; exempting earned  
21 interest from certain taxation; directing investment  
22 of certain funds; providing for codification; and  
23 providing an effective date.

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

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

22 A. The Oklahoma Capitol Improvement Authority is authorized to  
23 issue bonds or other negotiable instruments or evidences of  
24 indebtedness in the principal amount sufficient to generate Fifty

1 Million Dollars (\$50,000,000.00) in proceeds available to fund the  
2 construction and improvement of port of entry weigh stations in this  
3 state.

4 B. The proceeds from the sale of obligations authorized in this  
5 section shall only be used by the Authority to fund the  
6 construction, improvement, maintenance, and repair of port of entry  
7 weigh stations to be designed and constructed by the Department of  
8 Transportation or to fund other costs associated with the issuance  
9 of such obligations.

10 C. The obligations issued pursuant to this section shall be  
11 repaid in full within ten (10) years from the date of issuance.

12 D. The Department of Transportation shall make lease payments  
13 to the Oklahoma Capitol Improvement Authority for the use of any  
14 port of entry weigh stations financed from any proceeds of the  
15 obligations authorized in this section. The Department of  
16 Transportation shall make the payments from the Weigh Station  
17 Improvement Revolving Fund for the purpose of retiring obligations  
18 issued pursuant to this section. In the event sufficient funds are  
19 not available in the Weigh Station Improvement Revolving Fund to  
20 make rental payments necessary to retire the obligations created  
21 pursuant to this section, it is the intent of the Legislature to  
22 appropriate sufficient funds for such purpose.

23 E. The bond indenture or other instrument pursuant to which the  
24 Oklahoma Capitol Improvement Authority becomes obligated for the

1 repayment of principal and interest of the proceeds from the sale of  
2 obligations authorized in this section shall provide that all  
3 obligations are to be repaid from the Weigh Station Improvement  
4 Revolving Fund or from any funds appropriated to the Department of  
5 Transportation for such purpose.

6 F. The bonds or other obligations issued pursuant to this  
7 section shall not at any time be deemed to constitute a debt of the  
8 state or of any political subdivision thereof or a pledge of the  
9 faith and credit of the state or of any such political subdivision.

10 G. Such bonds or other obligations shall contain on the face  
11 thereof a statement that neither the faith and credit nor the taxing  
12 power of the state or any political subdivision thereof is pledged,  
13 or may hereafter be pledged, to the payment of the principal of or  
14 the interest on such bonds.

15 H. To the extent funds are available from the proceeds of the  
16 borrowing authorized by this section, the Oklahoma Capitol  
17 Improvement Authority shall provide for the payment of professional  
18 fees and associated costs approved by the Department of  
19 Transportation and the State Bond Advisor. The Authority may issue  
20 obligations in one or more series and in conjunction with other  
21 issues of the Authority. The Authority is authorized to hire bond  
22 counsel, financial consultants, and such other professionals as it  
23 may deem necessary to provide for the efficient sale of the  
24 obligations and may utilize a portion of the proceeds of any

1 borrowing to create such reserves as may be deemed necessary and to  
2 pay costs associated with the issuance and administration of such  
3 obligations.

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

14 J. Any interest earnings on funds or accounts created for the  
15 purposes of this section may be utilized as partial payment of the  
16 annual debt service or for the purposes directed by the Authority;  
17 any earnings in the construction fund created for the purposes of  
18 this section may be used to pay the costs of the projects until such  
19 projects are completed. Any amounts remaining in the construction  
20 funds following completion of the projects shall be utilized as  
21 partial payment of the annual debt service.

22 K. The obligations issued under this section, the transfer  
23 thereof and the interest earned on such obligations, including any  
24 profit derived from the sale thereof, shall not be subject to

1 taxation of any kind by the State of Oklahoma, or by any county,  
2 municipality or political subdivision therein.

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

10 SECTION 2. This act shall become effective November 1, 2013.

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