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**05/21/2014 10:59:43 AM**

HOUSE OF REPRESENTATIVES  
CONFERENCE COMMITTEE REPORT

Mr. President:  
Mr. Speaker:

The Conference Committee, to which was referred

**HJR1033**

By: Hickman of the House and Marlatt of the Senate

Title: State Capitol Building; authorizing the Capitol Improvement Authority to issue obligations for repair of the State Capitol Building; effective date; emergency.

Together with Engrossed Senate Amendments thereto, beg leave to report that we have had the same under consideration and herewith return the same with the following recommendations:

1. That the Senate recede from its amendment; and
2. That the attached Conference Committee Substitute be adopted.

Respectfully submitted,

House Action \_\_\_\_\_ Date \_\_\_\_\_ Senate Action \_\_\_\_\_ Date \_\_\_\_\_

HJR1033 CCR2 (A)  
**HOUSE CONFEREES**

Armes, Don



Billy, Lisa J.

Brown, Mike

Christian, Mike

Coody, Ann



Cox, Doug



Denney, Lee



Dorman, Joe

Hoskin, Chuck

Kern, Sally

Martin, Scott



McCullough, Mark



McDaniel, Jeannie

McNiel, Skye



McPeak, Jerry

Morrisette, Richard

Nelson, Jason



Newell, Tom



Osborn, Leslie

Ownbey, Pat



Proctor, Eric

Ritze, Mike

Roberts, Sean

Sanders, Mike



Schwartz, Colby



Sears, Earl



Sherrer, Ben

Watson, Weldon



Wesselhoft, Paul

HJR1033 CCR2 A

**SENATE CONFEREES**

Marlatt

Griffin

Bingman

Treat

Burrage

Ivester

*A. Burrage*  
*Griffin*  
*Bingman*  
*Treat*  
*Burrage*  
*Ivester*

House Action \_\_\_\_\_ Date \_\_\_\_\_ Senate Action \_\_\_\_\_ Date \_\_\_\_\_

House Action \_\_\_\_\_ Date \_\_\_\_\_ Senate Action \_\_\_\_\_ Date \_\_\_\_\_



STATE OF OKLAHOMA

2nd Session of the 54th Legislature (2014)

2ND CONFERENCE COMMITTEE  
SUBSTITUTE FOR  
ENGROSSED HOUSE JOINT  
RESOLUTION NO. 1033

By: Hickman of the House

and

Marlatt of the Senate

2ND CONFERENCE COMMITTEE SUBSTITUTE

A Joint Resolution relating to the State Capitol Building; authorizing the Oklahoma Capitol Improvement Authority to issue obligations for repair of the State Capitol Building; providing for transfer of title upon occurrence of certain events; authorizing the borrowing of money for construction of improvements and repairs to the State Capitol Building; stating legislative intent; providing for payment of certain fees and costs; authorizing procedure for issuance and hiring of certain professionals; providing for use of certain interest earnings; exempting certain obligations, transfers, and interest from taxation; providing for investment and oversight; authorizing certain use of interest; creating the State Capitol Repair Expenditure Oversight Committee; authorizing use of certain proceeds for exterior repairs; requiring expenditure of proceeds to be subject to request for proposal procedures; providing for membership; imposing quorum requirement; requiring organizational meeting; providing for staffing; providing for applicability of Oklahoma Open Meeting Act; specifying purpose of Committee; requiring preliminary plan; specifying content of preliminary plan; requiring request for proposals; requiring final plan; specifying content of final plan; requiring Director of Office of Management and Enterprise Services to implement plan;

1 providing for codification; providing an effective  
2 date; and declaring an emergency.

3  
4 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE  
5 2ND SESSION OF THE 54TH OKLAHOMA LEGISLATURE:

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

9 A. In addition to any other authorization provided by law, the  
10 Oklahoma Capitol Improvement Authority is authorized to issue  
11 obligations to acquire real property, together with improvements  
12 located thereon, and personal property to construct improvements to  
13 real property and to provide funding for repairs, refurbishments and  
14 improvements to real and personal property of the State Capitol  
15 Building in a total amount not to exceed One Hundred Twenty Million  
16 Dollars (\$120,000,000.00). The funds shall be used for the  
17 renovation, repair and remodeling of the State Capitol Building.

18 B. The Authority may hold title to the property and  
19 improvements until such time as any obligations issued for this  
20 purpose are retired or defeased and may lease the property and  
21 improvements to the Office of Management and Enterprise Services.  
22 Upon final redemption or defeasance of the obligations created  
23 pursuant to this section, title to the property and improvements  
24

1 shall be transferred from the Oklahoma Capitol Improvement Authority  
2 to the Office of Management and Enterprise Services.

3 C. For the purposes of paying the costs for construction of the  
4 real property and improvements, and providing funding for the  
5 project authorized in subsection A of this section, and for the  
6 purpose authorized in subsection D of this section, the Authority is  
7 hereby authorized to borrow monies on the credit of the income and  
8 revenues to be derived from the leasing of such property and  
9 improvements and, in anticipation of the collection of such income  
10 and revenues, to issue negotiable obligations in a total amount not  
11 to exceed One Hundred Twenty Million Dollars (\$120,000,000.00)  
12 whether issued in one or more series. The Authority is authorized  
13 to capitalize interest on the obligations issued pursuant to this  
14 section for a period of not to exceed one (1) year from the date of  
15 issuance. For subsequent fiscal years, it is the intent of the  
16 Legislature to appropriate to the Office of Management and  
17 Enterprise Services sufficient monies to make rental payments for  
18 the purpose of retiring the obligations created pursuant to this  
19 section. To the extent funds are available from the proceeds of the  
20 borrowing authorized by this subsection, the Oklahoma Capitol  
21 Improvement Authority shall provide for the payment of professional  
22 fees and associated costs related to the project authorized in  
23 subsection A of this section.

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

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

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

22 G. 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 H. 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 I. There is hereby created a State Capitol Repair Expenditure  
11 Oversight Committee. The proceeds from the sale of obligations  
12 issued pursuant to the provisions of this section that are needed  
13 for repairs to the exterior of the State Capitol shall not be  
14 subject to the approval of the State Capitol Repair Expenditure  
15 Oversight Committee; provided, however, the expenditure of those  
16 proceeds shall be subject to a request for proposal process.

17 J. The Committee shall be composed of nine (9) members as  
18 follows:

19 1. Three persons to be appointed by the Governor, one of whom  
20 shall serve as chair of the Committee;

21 2. Three legislators to be appointed by the Speaker of the  
22 Oklahoma House of Representatives, two of whom shall be members of  
23 the majority political party and one of whom shall be a member of  
24 the minority political party; and

1        3. Three legislators to be appointed by the President Pro  
2 Tempore of the Oklahoma State Senate, two of whom shall be members  
3 of the majority political party and one of whom shall be a member of  
4 the minority political party.

5        K. Five members of the Committee shall constitute a quorum and  
6 the vote of five (5) members shall be necessary for any action taken  
7 by the Committee. The Committee shall hold an organizational  
8 meeting no later than July 15, 2014. The Committee shall be staffed  
9 by employees of the Office of Management and Enterprise Services.  
10 The Committee shall be subject to the Oklahoma Open Meeting Act.

11        L. The State Capitol Repair Expenditure Oversight Committee is  
12 hereby created for the sole purpose of preparing and approving a  
13 project programming plan for the repair of the State Capitol  
14 Building. The Committee shall deliver a preliminary plan to the  
15 Director of the Office of Management and Enterprise Services no  
16 later than December 31, 2014. The preliminary plan shall include  
17 the following components:

18        1. Establishment of the Office of Management and Enterprise  
19 Services' goal and criteria for use by the vendor; and

20        2. Selection criteria for the design-build team vendor to be  
21 selected through a Request For Proposal process.

22        M. Following receipt of the preliminary plan as approved by the  
23 Committee, the Office of Management and Enterprise Services shall  
24 solicit Requests For Proposals to select the vendor for the project.

1 N. The Committee shall deliver a final plan to the Director of  
2 the Office of Management and Enterprise Services no later than June  
3 30, 2015. The final plan shall include the following components:

4 1. Approval of the final scope of work developed by the vendor;  
5 and

6 2. Approval of the project phasing developed by the vendor.

7 O. The Director of the Office of Management and Enterprise  
8 Services shall have responsibility to substantially implement the  
9 plan as presented by the Committee.

10 P. Insofar as they are not in conflict with the provisions of  
11 this section, the provisions of Section 151 et seq. of Title 73 of  
12 the Oklahoma Statutes shall apply to this section.

13 SECTION 2. This act shall become effective July 1, 2014.

14 SECTION 3. It being immediately necessary for the preservation  
15 of the public peace, health and safety, an emergency is hereby  
16 declared to exist, by reason whereof this act shall take effect and  
17 be in full force from and after its passage and approval.

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19 54-2-11063 MAH 05/19/14  
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