

1 **SENATE FLOOR VERSION**

2 April 11, 2018

3 **AS AMENDED**

4 ENGROSSED HOUSE

5 BILL NO. 3042

By: Kannady of the House

and

Simpson and Rosino of the  
Senate

8  
9 **[ veterans centers - Oklahoma Veterans Facility**  
10 **Investment Act of 2018 - codification -**  
11 **noncodification ]**

12  
13 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

14 SECTION 1. NEW LAW A new section of law not to be  
15 codified in the Oklahoma Statutes reads as follows:

16 This act shall be known and may be cited as the "Oklahoma  
17 Veterans Facility Investment Act of 2018".

18 SECTION 2. NEW LAW A new section of law to be codified  
19 in the Oklahoma Statutes as Section 229.1 of Title 72, unless there  
20 is created a duplication in numbering, reads as follows:

21 A. The Oklahoma Department of Veterans Affairs is authorized to  
22 plan, develop and construct a long-term care facility for the  
23 purpose of assuming the operations of the Oklahoma Veterans Center  
24 established in Talihina pursuant to Section 229 of Title 72 of the

1 Oklahoma Statutes. The Department may construct new facilities or  
2 refurbish any existing facilities on property currently owned by the  
3 State of Oklahoma or on property purchased or donated from other  
4 sources, including but not limited to private owners or other  
5 governmental or municipal entities.

6 B. The location of the facilities shall be subject only to such  
7 geographical constraints as are imposed by the United States  
8 Department of Veterans Affairs to preserve and continue recognition  
9 and certification of the facility as a State Veterans Home.

10 C. The location and site of the facility shall be determined by  
11 the Oklahoma Veterans Commission. The Oklahoma Veterans Commission  
12 may consider any and all criteria which, in its sole discretion,  
13 further the interests of Oklahoma veterans.

14 D. Operations of the Oklahoma Veterans Center established in  
15 Talihina pursuant to Section 229 of Title 72 of the Oklahoma  
16 Statutes shall continue until such time as its operations are  
17 transferred to the location identified pursuant to the authority  
18 conferred upon the Oklahoma Veterans Commission under subsection A  
19 of this section.

20 SECTION 3. AMENDATORY 72 O.S. 2011, Section 229, is  
21 amended to read as follows:

22 Section 229. ~~There~~ A. Until operations are transferred  
23 pursuant to subsection B of this section, there is hereby  
24 established, in addition to the Oklahoma Veterans Centers

1 established by Sections 221 and 226 of ~~Title 72 of the Oklahoma~~  
2 ~~Statutes~~ this title, the Oklahoma Veterans Center at Talihina,  
3 Oklahoma, on the site of the Oklahoma State Sanatorium, Talihina,  
4 Oklahoma. All persons serving as employees of the Oklahoma State  
5 Sanatorium under the provisions of the State Merit System of  
6 Personnel Administration shall continue to serve as employees of the  
7 Oklahoma Veterans Center at Talihina, provided that such employees  
8 remain in the classified service. All employees hired by the  
9 Oklahoma Veterans Center at Talihina on or after the effective date  
10 of this act shall be under the Oklahoma Merit System of Personnel  
11 Administration, except one manager, one principal assistant or  
12 deputy, one private secretary, part-time physicians and other  
13 professional personnel engaged in clinical and consultant services.  
14 The average number of full-time-equivalent employees utilized in the  
15 total operation of the Oklahoma ~~War~~ Veterans Center, Talihina, shall  
16 not exceed one hundred fifty-three (153) during the fiscal year  
17 ending June 30, 1976. The buildings, equipment and land under the  
18 jurisdiction of the Oklahoma State Sanatorium, Talihina, are hereby  
19 transferred to the Oklahoma ~~War~~ Veterans Center, Talihina.

20 B. Operations of the Oklahoma Veterans Center established  
21 pursuant to this section shall continue until such time as  
22 operations are transferred to the location identified pursuant to  
23 the authority conferred upon the Oklahoma Veterans Commission under  
24 Section 2 of this act.

1       SECTION 4.       NEW LAW       A new section of law to be codified

2 in the Oklahoma Statutes as Section 348 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 plan, develop and  
8 construct buildings, parking facilities and other improvements to  
9 real property, and to provide funding for repairs, planning,  
10 staging, refurbishments and improvements to real and personal  
11 property, and for funding for construction of the long-term care  
12 facility authorized in subsection A of Section 2 of this act in a  
13 total amount necessary to generate Thirty-five Million Dollars  
14 (\$35,000,000.00) in project funds with debt retirement payments to  
15 be made as provided in this section.

16       B. The Authority may hold title to the real and personal  
17 property and improvements until such time as any obligations issued  
18 for this purpose are retired or defeased and may lease the real  
19 property and improvements to the Oklahoma Department of Veterans  
20 Affairs. Upon final redemption or defeasance of the obligations  
21 created pursuant to this section, title to the real and personal  
22 property and improvements shall be transferred from the Authority to  
23 the Oklahoma Department of Veterans Affairs.

1 C. For the purpose of paying the costs for acquisition and  
2 construction of the real property and improvements and personal  
3 property and making the repairs, planning, staging, refurbishments  
4 and improvements to real and personal property, and providing  
5 funding for the long-term care facility authorized in subsection A  
6 of Section 2 of this act, and for the purpose authorized in  
7 subsection D of this section the Authority is hereby authorized to  
8 borrow monies on the credit of the income and revenues to be derived  
9 from the leasing of such real and personal property, parking  
10 facilities and improvements and, in anticipation of the collection  
11 of such income and revenues, to issue negotiable obligations in a  
12 total amount necessary to generate Thirty-five Million Dollars  
13 (\$35,000,000.00) in project funds, whether issued in one or more  
14 series. The Authority is authorized to capitalize interest on the  
15 obligations issued pursuant to the authority granted by this section  
16 for a period not to exceed two (2) years from the date of issuance.  
17 Excluding any capitalized interest period, it is the intent of the  
18 Legislature to appropriate to the Oklahoma Department of Veterans  
19 Affairs sufficient monies to make rental payments for the purposes  
20 of retiring the obligations created pursuant to this section. To  
21 the extent funds are available from the proceeds of the borrowing  
22 authorized by this subsection, the Authority shall provide for the  
23 payment of professional fees and associated costs related to the  
24 projects authorized in this act.

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 twenty-five (25) years  
18 from 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. The Legislature anticipates that the Oklahoma Department of  
11 Veterans Affairs will make the rental payments for the purpose of  
12 retiring the obligations created pursuant to the provisions of this  
13 section from current appropriations received by the Oklahoma  
14 Department of Veterans Affairs.

15 J. Insofar as they are not in conflict with the provisions of  
16 this section, the provisions of Sections 151 through 186 of Title 73  
17 of the Oklahoma Statutes shall apply to this section.

18 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS  
19 April 11, 2018 - DO PASS AS AMENDED  
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