O K L A H O M A S T A T E S E N A T E
JOINT
COMMITTEE REPORT

May 12, 2020

JOINT COMMITTEE ON APPROPRIATIONS AND BUDGET

SB 1941

By: Thompson of the Senate and Wallace of the House

Title: Appropriations; making an appropriation to the Oklahoma Tourism and Recreation Department. Emergency.

Recommendation: **DO PASS AS AMENDED**

Aye: Bice, Brooks, Daniels, Dossett, Dugger, Floyd, Hall, Ikley-Freeman, Jech, Matthews, Montgomery, Pemberton, Pugh, Rosino, Scott, Shaw, Simpson, Stanislawski, Rader, Thompson

Nay:

Constitutional Privilege:

Senator Roger Thompson, Chair

Committee Substitute, motion by Senator JECH - Adopted (Request No: 4083)

OKLAHOMA HOUSE OF REPRESENTATIVES
COMMITTEE REPORT

JOINT COMMITTEE ON APPROPRIATIONS AND BUDGET COMMITTEE

SB1941

By: Wallace et al of the House

Thompson et al of the Senate

Title: Appropriations; making an appropriation to the Oklahoma Tourism and Recreation Department. Emergency.

Coauthored By:

Recommendation: **DO PASS AS AMENDED BY CS**

Amendments:

1. Committee Substitute Attached

Chr.
Representative Kevin Wallace

YEAS: 27

Baker, Bennett, Echols, Fetgatter, Ford, Hilbert, Kannady, Lepak, Martinez, McBride, McEntire, Meredith, Munson, Newton, Nichols, O'Donnell, Ortega, Osburn, Pfeiffer, Roberts (D), Sanders, Taylor, Virgin, Wallace, West (J), West (K), Worthen

NAYS: 0

CONSTITUTIONAL PRIVILEGE: 0

STATE OF OKLAHOMA

2nd Session of the 57th Legislature (2020)

COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 1941

By: Thompson and Rader of the Senate

and

Wallace and Hilbert of the House

COMMITTEE SUBSTITUTE

An Act relating to Oklahoma state parks; authorizing Oklahoma Capitol Improvement Authority to acquire title to certain property; authorizing Oklahoma Capitol Improvement Authority to issue certain obligations; authorizing capitalization of interest for a specified time period; stating legislative intent with respect to certain debt payments; providing for payment of professional expenses or fees; requiring issuance of obligations in two-part series; stating amounts of series; requiring Quartz Mountain to be included in first phase of repairs; prescribing procedures related to sale of obligations; prescribing maturity; authorizing use of interest for certain partial payment; providing for exemption from income tax; providing for investment of bond proceeds; and providing for codification.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 360 of Title 73, unless there is created a duplication in numbering, reads as follows:

A. The Oklahoma Capitol Improvement Authority is hereby authorized to acquire real property or interests therein, together with improvements located thereon, and personal property and invest capital into improvements for purposes of construction, repair and rehabilitation of state parks.

The Authority may hold title to the real property and improvements until such time as any obligations issued for this purpose are retired or defeased and may lease the real property and improvements to the Oklahoma Department of Tourism and Recreation. Upon final redemption or defeasance of the obligations created pursuant to this section, title to the real property and improvements shall be transferred from the Authority to the Oklahoma Department of Tourism and Recreation.

B. For the purpose of paying the costs for acquisition of the real property and improvements and personal property authorized in subsection A of this section, and for the purpose authorized in subsection C of this section, the Authority is hereby authorized to borrow monies on the credit of the income and revenues to be derived from the leasing of such real property and improvements and, in anticipation of collection of such income and revenues, issue negotiable obligations in the amount sufficient to generate net proceeds of Forty-eight Million Six Hundred Thousand Dollars ($48,600,000.00) after providing for costs of issuance, credit enhancement, reserves and other associated expenses related to the

financing. The Authority is authorized to capitalize interest on the obligations issued pursuant to the authority granted by this section for a period not to exceed one (1) year from the date of issuance. It is the intent of the Legislature to appropriate to the Oklahoma Department of Tourism and Recreation sufficient monies to make rental payments for the purposes of retiring the obligations created pursuant to this section.

C. To the extent funds are available, the Authority shall provide for the payment of professional fees and associated costs approved by the Authority.

D. The Authority may issue obligations in one or more series and in conjunction with other issues of the Authority. Provided, the first net proceeds in the amount of Twenty Million Five Hundred Twenty Thousand Dollars ($20,520,000.00) issued pursuant to this act shall be utilized for purposes of construction, repair and rehabilitation of state park facilities. Provided, net proceeds in the amount of Three Million Dollars ($3,000,000.00) from the first net proceeds shall be utilized for the purposes of construction, repair and rehabilitation of the Quartz Mountain Arts and Conference Center, the Quartz Mountain Lodge and the Quartz Mountain State Park. The remaining net proceeds in the amount of Twenty-eight Million Eighty Thousand Dollars ($28,080,000.00) issued pursuant to this act shall be utilized for purposes of construction, repair and rehabilitation of state park facilities. The Authority is

authorized to hire bond counsel, financial consultants and such other professionals as it may deem necessary to provide for the efficient sale of the obligations and may utilize a portion of the proceeds of any borrowing to create such reserves as may be deemed necessary and to pay costs associated with the issuance and administration of such obligations.

E. The obligations authorized under this section may be sold at either competitive or negotiated sale, as determined by the Authority, and in such form and at such prices as may be authorized by the Authority. The Authority may enter into agreements with such credit enhancers and liquidity providers as may be determined necessary to efficiently market the obligations. The obligations may mature and have such provisions for redemption as shall be determined by the Authority, but in no event shall the final maturity of such obligations occur later than twenty (20) years from the first principal maturity date.

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

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

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

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