

An Act

ENROLLED SENATE
BILL NO. 1583

By: Bingman of the Senate

and

Hickman of the House

An Act relating to state government; amending 73 O.S. 2011, Section 15.1, as last amended by Section 1, Chapter 384, O.S.L. 2013 and Section 1, H.J.R. No. 1033, O.S.L. 2014 (73 O.S. Supp. 2015, Sections 15.1 and 345), which relate to the State Capitol Building; modifying space under management and control of the Legislature; providing for allotment of certain space; requiring certain written agreements between President Pro Tempore of the Senate and Speaker of the House of Representatives; requiring creation and certification of certain architectural drawings; modifying duties of State Capitol Repair Expenditure Oversight Committee; deleting obsolete language; requiring written approval of President Pro Tempore of the Senate and Speaker of the House for certain plans; and repealing 73 O.S. 2011, Sections 15.2 and 15.5, as amended by Sections 660 and 662, Chapter 304, O.S.L. 2012, and 98.6 (73 O.S. Supp. 2015, Sections 15.2 and 15.5), which relate to use of space within the State Capitol Building.

SUBJECT: State Capitol Building

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

SECTION 1. AMENDATORY 73 O.S. 2011, Section 15.1, as last amended by Section 1, Chapter 384, O.S.L. 2013 (73 O.S. Supp. 2015, Section 15.1), is amended to read as follows:

Section 15.1. A. The Legislature shall have management and control of the following space in the State Capitol Building:

1. The space on the third, fourth, fifth and sixth floors;

2. ~~The space in the basement that is occupied by the Legislature on June 1, 1995~~ Approximately one thousand five hundred eighty-five (1,585) square feet of space on the north side of the west wing of the basement;

3. ~~Approximately six thousand nine hundred thirty nine (6,939) square feet of space in the west wing of the first floor that is occupied by the Department of Libraries on June 1, 1995;~~

4. ~~Approximately six thousand six hundred ninety one (6,691) square feet of space in the west wing of the basement that is occupied by the Department of Libraries and the Office of Management and Enterprise Services on June 1, 1995;~~

5. ~~Approximately three thousand seven hundred seventy (3,770) square feet of space in the west wing of the basement that is occupied by the Office of Management and Enterprise Services on June 1, 1995;~~

6. ~~Approximately two thousand one hundred (2,100) square feet of space in the center of the basement that is occupied by the Office of Management and Enterprise Services on June 1, 1995;~~

7. ~~Approximately six hundred (600) square feet of space in the center of the basement that is occupied by the Office of Management and Enterprise Services on June 1, 1995;~~

8. ~~Approximately two thousand three hundred one (2,301) square feet of space in the center of the basement that is occupied by the Office of Management and Enterprise Services on June 1, 1995;~~

9. ~~Approximately twelve thousand five hundred sixty (12,560) square feet of space in the west wing of the first floor that is occupied by the Office of the Attorney General on June 1, 2001; provided, upon the Office of the Attorney General vacating such space, any renovations thereto shall be made in such a manner as to~~

~~ensure preservation and maintenance of the cultural and historic integrity of the Capitol; and Approximately four thousand four hundred forty-six (4,446) square feet of space on the north side of the east wing of the basement;~~

4. Approximately four thousand seven hundred (4,700) square feet of space on the south side of the west wing of the basement;

5. Approximately two thousand sixty-nine (2,069) square feet of space on the east side of the north wing of the first floor;

6. Approximately fifteen thousand two hundred twenty (15,220) square feet of space on the north and south sides of the west wing of the first floor;

7. Approximately one hundred (100) square feet of space between the restrooms and the northwest stairwells and approximately one hundred (100) square feet of space between the restrooms and the northeast stairwells on the second, third, fourth and fifth floors; and

~~10. Upon completion of the project authorized in Section 332 of this title, all 8. All space in the west wing of the second floor that is occupied by the Supreme Court, and all space in the north wing of the second floor that is occupied by the Court of Criminal Appeals and any other space in the State Capitol Building that is was occupied by the appellate courts prior to relocation to the Wiley Post Historical Building; provided:~~

~~a.~~

~~, the Supreme Court shall continue to have exclusive management and control of the Supreme Court courtroom and designated robing room located in the west wing of the second floor, and~~

~~b. the Office of Management and Enterprise Services shall have management and control over approximately one thousand eight hundred sixty five (1,865) square feet designated for use as a fitness center located adjacent to the southwest stairwell in the basement.~~

B. The space under the management and control of the Legislature pursuant to the provisions of this section shall be allotted as follows:

1. Except as otherwise provided in this subsection, all space on the east side of the center of the State Capitol Building shall be occupied by the Senate and all space on the west side of the center of the State Capitol Building shall be occupied by the House of Representatives;

2. The space specified in paragraph 5 of subsection A of this section shall be occupied by the Legislative Service Bureau; and

3. All space in the north wings of the second, third and fifth floors, other than the space specified in paragraph 7 of subsection A of this section, shall be occupied by the Senate.

C. The Office of Management and Enterprise Services shall establish an enclosed vending area within the utility shafts accessible on the fourth floor of the State Capitol Building.

D. The authority of the Legislature to allot space may be delegated to the President Pro Tempore of the Senate and the Speaker of the House of Representatives. Any allotment other than as provided in this section shall be executed pursuant to a written agreement signed by the President Pro Tempore of the Senate and the Speaker of the House of Representatives.

E. Each House of the State Legislature shall have the exclusive charge of the purchase, use, allotment, and disposition of its respective chambers, committee rooms, fixtures, furniture, supplies, and apparatus, and shall be responsible for the use and preservation of same.

F. The provisions of this section shall not prohibit the Legislature from allowing agencies of the executive or judicial departments to use space within the State Capitol Building that is under its management and control pursuant to a written agreement signed by the President Pro Tempore of the Senate and the Speaker of the House of Representatives.

G. The Office of Management and Enterprise Services shall cause to be created a comprehensive set of architectural drawings reflecting the physical layout of the Capitol spaces allocated to the Legislature pursuant to this section. The President Pro Tempore of the Senate and the Speaker of the House of Representatives shall review and certify the architectural drawings created pursuant to this subsection. The certification required by this subsection shall be accomplished by the signature of each such officer upon the face of the drawings. Upon certification, such architectural drawings shall become the official record of the spaces allocated to the Legislature within the State Capitol Building. The Secretary of State shall attest the signatures required by this subsection and the signed and attested architectural drawings shall be deposited with the State Archivist, as defined in Section 204 of Title 67 of the Oklahoma Statutes. The State Archivist shall hold the signed and attested architectural drawings as an official record of the State of Oklahoma. The Office of Management and Enterprise Services shall provide two copies of the signed and attested architectural drawings to the Secretary of the Senate and two copies to the Clerk of the House of Representatives.

SECTION 2. AMENDATORY Section 1, H.J.R. No. 1033, O.S.L. 2014 (73 O.S. Supp. 2015, Section 345), is amended to read as follows:

Section 345. A. In addition to any other authorization provided by law, the Oklahoma Capitol Improvement Authority is authorized to issue obligations to acquire real property, together with improvements located thereon, and personal property to construct improvements to real property and to provide funding for repairs, refurbishments and improvements to real and personal property of the State Capitol Building in a total amount not to exceed One Hundred Twenty Million Dollars (\$120,000,000.00). The funds shall be used for the renovation, repair and remodeling of the State Capitol Building.

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

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

C. For the purposes of paying the costs for construction of the real property and improvements, and providing funding for the project authorized in subsection A of this section, and for the purpose authorized in subsection D 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 property and improvements and, in anticipation of the collection of such income and revenues, to issue negotiable obligations in a total amount not to exceed One Hundred Twenty Million Dollars (\$120,000,000.00) whether issued in one or more series. The Authority is authorized to capitalize interest on the obligations issued pursuant to this section for a period of not to exceed one (1) year from the date of issuance. For subsequent fiscal years, it is the intent of the Legislature to appropriate to the Office of Management and Enterprise Services sufficient monies to make rental payments for the purpose of retiring the obligations created pursuant to this section. To the extent funds are available from the proceeds of the borrowing authorized by this subsection, the Oklahoma Capitol Improvement Authority shall provide for the payment of professional fees and associated costs related to the project authorized in subsection A of this section.

D. The Authority may issue obligations in one or more series and in conjunction with other issues of the Authority. 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 ten (10) 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 the State of Oklahoma, 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.

I. There is hereby created a State Capitol Repair Expenditure Oversight Committee. The proceeds from the sale of obligations issued pursuant to the provisions of this section and Section 1 of Enrolled House Bill No. 3168 of the 2nd Session of the 55th Oklahoma Legislature that are needed for repairs to the interior and exterior of the State Capitol shall ~~not~~ be subject to the approval of the State Capitol Repair Expenditure Oversight Committee; provided, however, the expenditure of those proceeds shall be subject to a request for proposal process.

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

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

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

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

~~K.~~ Five members of the Committee shall constitute a quorum and the vote of five members shall be necessary for any action taken by the Committee. ~~The Committee shall hold an organizational meeting no later than fifteen (15) days after the effective date of this resolution.~~ The Committee shall be staffed by employees of the Office of Management and Enterprise Services. The Committee shall be subject to the Oklahoma Open Meeting Act.

~~L.~~ ~~The State Capitol Repair Expenditure Oversight Committee is hereby created for the sole purpose of preparing and approving a project programming plan for the repair of the State Capitol Building.~~

J. The Committee shall deliver a preliminary plan for the renovation, repair and remodeling of the State Capitol to the Director of the Office of Management and Enterprise Services no later than December 31, 2014. The preliminary plan shall include the following components:

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

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

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

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

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

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

M. Following delivery of the final plan, the Committee shall continue to oversee the expenditure of proceeds from the sale of obligations issued pursuant to the provisions of this section and Section 1 of Enrolled House Bill No. 3168 of the 2nd Session of the 55th Legislature, until completion of the renovation, repair and remodeling of the State Capitol. The Committee may also propose and approve amendments to the plan as it deems appropriate.

~~Θ.~~ N. The Director of the Office of Management and Enterprise Services shall have responsibility to substantially implement the plan as presented by the Committee; provided, the President Pro Tempore of the Senate or the Speaker of the House of Representatives shall approve all proposed designs related to renovation, repair and remodeling of space within the State Capitol Building under the management and control of the Legislature and allocated to that officer's house of the Legislature pursuant to the provisions of Section 15.1 of this title, and any subsequent changes to such plans. Joint approval of the President Pro Tempore of the Senate and the Speaker of the House of Representatives shall be required for such plans for space under the management and control of the Legislature and not allocated to a specific house of the Legislature. Such approval shall be in writing.

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

SECTION 3. REPEALER 73 O.S. 2011, Sections 15.2 and 15.5, as amended by Sections 660 and 662, Chapter 304, O.S.L. 2012, and 98.6 (73 O.S. Supp. 2015, Sections 15.2 and 15.5), are hereby repealed.

Passed the Senate the 16th day of May, 2016.

James Dord
Presiding Officer of the Senate

Passed the House of Representatives the 19th day of May, 2016.

John T. Jones
Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 19th

day of May, 20 16, at 3:33 o'clock P M.

By: Audrey Rockwell

Approved by the Governor of the State of Oklahoma this 25th

day of May, 20 16, at 3:46 o'clock P M.

Mary Fallin
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 25th

day of May, 20 16, at 5:05 o'clock P. M.

By: Christ Benge