

SECOND REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILLS NOS. 1221 & 1305
92ND GENERAL ASSEMBLY

Reported from the Committee on Appropriations, April 1, 2004, with recommendation that the Senate Committee Substitute do pass.

4494S.08C

TERRY L. SPIELER, Secretary.

AN ACT

To repeal section 8.665, RSMo, and to enact in lieu thereof one new section relating to the issuance of bonds.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 8.665, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 8.665, to read as follows:

8.665. 1. Bonds issued under and pursuant to the provisions of sections 8.660 to 8.670 shall be of such denomination or denominations, shall bear such rate or rates of interest not to exceed fifteen percent per annum, and shall mature at such time or times within forty years from the date thereof, as the board determines. The bonds may be either serial bonds or term bonds.

2. Serial bonds may be issued with or without the reservation of the right to call them for payment and redemption in advance of their maturity, upon the giving of such notice, and with or without a covenant requiring the payment of a premium in the event of such payment and redemption prior to maturity, as the board determines.

3. Term bonds shall contain a reservation of the right to call them for payment and redemption prior to maturity at such time or times and upon the giving of such notice, and upon the payment of such premium, if any, as the board determines.

4. The bonds, when issued, shall be sold at public sale for the best price obtainable after giving such reasonable notice of such sale as may be determined by the board, but in no event shall such bonds be sold for less than ninety-eight percent of the par value thereof, and accrued interest. Any such bonds may be sold to the United States of America or to any agency or instrumentality thereof, at a price not less than par and accrued interest, without public sale and without the giving of notice as herein provided.

5. The bonds, when issued and sold, shall be negotiable instruments within the

EXPLANATION--Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

meaning of the law merchant and the negotiable instruments law, and the interest thereon shall be exempt from income taxes under the laws of the state of Missouri.

6. The board shall not issue revenue bonds pursuant to the provisions of sections 8.660 to 8.670 for one or more projects, as defined in section 8.660, in excess of a total par value of [one] **five** hundred [seventy] **twenty** million dollars.

7. Any bonds which may be issued pursuant to the provisions of sections 8.660 to 8.670 shall be issued only for projects which have been approved by a majority of the house members and a majority of the senate members of the committee on legislative research of the general assembly, and the approval by the committee on legislative research required by the provisions of section 8.661 shall be given only in accordance with this provision. For the purposes of approval of a project, the total amount of bonds issued for purposes of energy retrofitting in state-owned facilities shall be treated as a single project.

8. The provisions of sections 8.660 to 8.670 shall terminate upon the satisfaction of all outstanding bonds, notes and obligations issued pursuant to such sections. The commissioner of the office of administration shall notify the revisor of statutes when all outstanding bonds, notes, and obligations have been satisfied.

9. Bonds issued under and pursuant to the provisions of sections 8.660 to 8.670 after January 1, 2004, excluding any bonds issued to refund bonds issued before such date, may be used for life science projects. Any net income and revenues consisting of transfers from the general revenue fund for the payment of the costs of the bonds, including any bonds issued to refund such bonds, including but not limited to costs, principal, interest, redemption premium, and arbitrage rebate, if any, for life science projects shall be reimbursed from transfers made from the life science research trust fund established in section 196.1100, RSMo, through fiscal year 2011.

10. Funds expended for projects authorized in this act shall provide appropriate employment and business opportunities for participation by minority, women, and disadvantaged business enterprises in compliance with all state laws, rules, and regulations.