

For Consideration By Committee on Appropriations

May 4, 2011

AN ACT concerning the issuance of bonds; relating to the national bio and agro defense facility; amending K.S.A. 2010 Supp. 74-8963 and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 2010 Supp. 74-8963 is hereby amended to read as follows: 74-8963.

(a) For the purpose of financing a capital improvement project of the Kansas bioscience authority, the Kansas development finance authority is hereby authorized to issue one or more series of revenue bonds pursuant to the Kansas development finance authority act, K.S.A. 74-8901 et seq., and amendments thereto, in an amount necessary to provide a deposit or deposits to the bioscience development and investment fund, established by K.S.A. 74-99b34, and amendments thereto, in a total amount not to exceed \$105,000,000, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project, cost of bond insurance or other credit enhancement for the bonds and any required reserves for the payment of principal and interest on the bonds, for a capital improvement project relating to a national bio and agro defense facility, including, but not limited to, land acquisition, site preparation, fencing, central utility plant facility construction and improvements, including electric, water and sewer utility infrastructure construction and equipment, lift stations, street grading, paving, graveling, macadamizing, curbing, guttering and surfacing, street light fixture connections and facilities, underground gas, water, heating and electrical services and connections, sidewalks and parking facilities, drives and driveway approaches, landscaping and plantings and related facilities and amenities to develop and finance the project.

(b) On and after the effective date of this act. prior to the issuance of any bonds

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pursuant to this section, the capital improvement project described in subsection (a) shall be approved for the Kansas bioscience authority for the purposes of subsection (c) of K.S.A. 74-8905, and amendments thereto, and for the purposes of K.S.A. 74-99b10, and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority shall be approved by the Kansas development finance authority in accordance with K.S.A. 74-8901 et seq., and amendments thereto, and, for all bonds issued on or after the effective date of this act, shall be approved by the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, except that such approval also may be given when the legislature is in session.

(c) The Kansas bioscience authority may only make expenditures from the moneys received from the issuance of any bonds pursuant to this section for those purposes set forth in subsection (a) for the capital improvement project.

(d) The debt service for any such bonds issued pursuant to this section shall be financed by appropriations from the state general fund or any appropriate special revenue fund or funds.

(e) The date of maturity on bonds issued pursuant to this section shall not be fixed for a period of time which exceeds 20 years from the date of issuance.

(f) The proceeds from the sale of any bonds, other than refunding bonds, issued pursuant to this section, after payment of any costs related to the issuance of such bonds, shall be paid by the Kansas development finance authority to the Kansas bioscience authority to be applied to the payment of the costs of the capital improvement project authorized by resolution of the Kansas bioscience authority and by resolution of the Kansas development finance

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authority.

Sec. 2. K.S.A. 2010 Supp. 74-8963 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the Kansas register.

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