

1 ENGROSSED HOUSE AMENDMENT

TO

2 ENGROSSED SENATE BILL NO. 141

By: Kirt, Garvin, and Stephens
of the Senate

3

and

4

McBride of the House

5

6

7 An Act relating to state government; requiring the
8 Department of Public Safety to create and submit
9 security plan for certain locations on certain
10 schedule; requiring coordination with certain agency;
11 amending 73 O.S. 2021, Section 176, which relates to
12 the permanent Capitol Liaison committee; creating the
13 position of Capitol Liaison; transferring certain
14 duties from the legislative liaison committee to the
15 Capitol Liaison; requiring certain proposals to be
16 submitted to the Capitol Liaison; providing that the
17 Capitol Liaison is the primary liaison for Capitol
18 tenants; amending 73 O.S. 2021, Section 345, which
19 relates to the State Capitol Repair Expenditure
20 Oversight Committee; terminating certain committee;
21 deleting certain responsibility for reporting and
22 implementing certain plans; removing requirement for
23 certain joint approval; deleting certain
24 construction; amending 74 O.S. 2021, Section 4101,
which relates to definitions; modifying and defining
terms; amending 74 O.S. 2021, Section 4102, which
relates to responsibilities of certain commission;
extending sunset termination date; requiring approval
of certain art in certain areas; stating purpose of
certain commission; amending 74 O.S. 2021, Section
4103, which relates to certain membership; modifying
membership; establishing meeting requirements;
providing quorum requirements; providing that certain
State Capitol Preservation Commission functions are
additional functions of certain members; amending 74
O.S. 2021, Section 4104, which relates to powers and
responsibilities of the State Capitol Preservation
Commission; modifying and adding certain powers and
responsibilities; transferring certain oversight
responsibilities; amending 74 O.S. 2021, Section
4105, which relates to Capitol Architect and Curator

1 duties; modifying certain duties of the Capitol
2 Architect and Curator; providing duties of the Office
3 of Management and Enterprise Services, the Oklahoma
4 Tourism and Recreation Department, the Oklahoma Arts
5 Council, the Department of Transportation, and the
6 Capitol Liaison, with respect to the Oklahoma State
7 Capitol; directing the Office of Management and
8 Enterprise Services to employ all necessary staff and
9 consultants; amending 74 O.S. 2021, Section 4108,
10 which relates to application of act; expanding
11 applicability of certain law; directing the Oklahoma
12 Arts Council to be responsible for certain art;
13 authorizing certain events; providing procedures for
14 receiving funds; amending 74 O.S. 2021, Section 4109,
15 which relates to exemptions from the Public
16 Competitive Bidding Act of 1974; adding certain
17 project exemptions; repealing 74 O.S. 2021, Sections
18 4106 and 4107, which relate to cooperation between
19 State Capitol Preservation Commission and branches of
20 state government and compliance with certain
21 administrative requirements; making language gender
22 neutral; deleting obsolete language; providing for
23 codification; and declaring an emergency.

24
25 AUTHOR: Add the following House Coauthors: Munson and Dobrinski

26 AMENDMENT NO. 1. Page 1, Line 7 through Page 2, Line 12, strike the
27 title to read:

28 "[state government - Department of Public Safety -
29 security plan - coordination - permanent Capitol
30 Liaison committee - Capitol Liaison - State Capitol
31 Repair Expenditure Oversight Committee - sunset
32 termination date - approval of art - meeting
33 requirements - quorum requirements - State Capitol
34 Preservation Commission Functions - duties of the

1 Capitol Architect and Curator - Office of
2 Management and Enterprise Services - Oklahoma Arts
3 Council - exemptions from the Public Competitive
4 Bidding Act of 1974 - repealer - codification -
5 emergency]"

6 Passed the House of Representatives the 27th day of April, 2023.

7
8
9 Presiding Officer of the House of
10 Representatives

11 Passed the Senate the ____ day of _____, 2023.

12
13
14 Presiding Officer of the Senate

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12 the permanent Capitol Liaison committee; creating the
13 position of Capitol Liaison; transferring certain
14 duties from the legislative liaison committee to the
15 Capitol Liaison; requiring certain proposals to be
16 submitted to the Capitol Liaison; providing that the
17 Capitol Liaison is the primary liaison for Capitol
18 tenants; amending 73 O.S. 2021, Section 345, which
19 relates to the State Capitol Repair Expenditure
20 Oversight Committee; terminating certain committee;
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24 construction; amending 74 O.S. 2021, Section 4101,
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of certain art in certain areas; stating purpose of
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State Capitol Preservation Commission functions are
additional functions of certain members; amending 74
O.S. 2021, Section 4104, which relates to powers and
responsibilities of the State Capitol Preservation
Commission; modifying and adding certain powers and
responsibilities; transferring certain oversight
responsibilities; amending 74 O.S. 2021, Section
4105, which relates to Capitol Architect and Curator

1 duties; modifying certain duties of the Capitol
2 Architect and Curator; providing duties of the Office
3 of Management and Enterprise Services, the Oklahoma
4 Tourism and Recreation Department, the Oklahoma Arts
5 Council, the Department of Transportation, and the
6 Capitol Liaison, with respect to the Oklahoma State
7 Capitol; directing the Office of Management and
8 Enterprise Services to employ all necessary staff and
9 consultants; amending 74 O.S. 2021, Section 4108,
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14 receiving funds; amending 74 O.S. 2021, Section 4109,
15 which relates to exemptions from the Public
16 Competitive Bidding Act of 1974; adding certain
17 project exemptions; repealing 74 O.S. 2021, Sections
18 4106 and 4107, which relate to cooperation between
19 State Capitol Preservation Commission and branches of
20 state government and compliance with certain
21 administrative requirements; making language gender
22 neutral; deleting obsolete language; providing for
23 codification; and declaring an emergency.
24

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 93 of Title 73, unless there is
created a duplication in numbering, reads as follows:

The Department of Public Safety shall create a security plan for
the Oklahoma State Capitol and Oklahoma State Capitol grounds and
the Governor's Mansion. The plan shall be submitted to the State
Capitol Preservation Commission for review and approval. A new plan
shall be submitted every three (3) years.

1 The Department shall coordinate with the Office of Management
2 and Enterprise Services to implement and staff the approved security
3 plan.

4 SECTION 2. AMENDATORY 73 O.S. 2021, Section 176, is
5 amended to read as follows:

6 Section 176. A. There shall be ~~established~~ created within the
7 Legislative Service Bureau the position of a permanent legislative
8 ~~liaison committee, composed of three (3) members from each house,~~
9 ~~appointed by the President Pro Tempore and Speaker, respectively~~
10 Capitol Liaison to the State Capitol Preservation Commission. The
11 ~~legislative liaison committee will~~ Capitol Liaison shall keep the
12 Legislature properly advised as to the activities of the Oklahoma
13 Capitol Improvement Authority and the Office of Management and
14 Enterprise Services by making such reports as ~~they deem~~ the Capitol
15 Liaison deems necessary to the appropriate committees and leadership
16 of both houses. All legislative studies concerning the
17 responsibilities or activities of the Oklahoma Capitol Improvement
18 Authority or the Office of Management and Enterprise Services and
19 all studies of activities or projects relating to the Oklahoma State
20 Capitol Complex shall be ~~considered by~~ presented to the liaison
21 ~~committee created~~ Capitol Liaison authorized by this section. The
22 Oklahoma Capitol Improvement Authority and the Office of Management
23 and Enterprise Services shall notify the ~~membership of the~~
24 ~~legislative liaison committee~~ Capitol Liaison in advance of any

1 meeting in which official or formal action is to be taken by
2 furnishing the proposed agenda in writing at least twenty-four (24)
3 hours in advance of such meeting.

4 B. The Oklahoma Capitol Improvement Authority and the Office of
5 Management and Enterprise Services shall provide such information,
6 records, testimony, or recommendations as the ~~committee~~ Capitol
7 Liaison may require.

8 C. All proposals for enhancement, modification, preservation,
9 or restoration of the Oklahoma State Capitol and Oklahoma State
10 Capitol grounds, and the Governor's Mansion and grounds, shall be
11 submitted to the Liaison. The Liaison shall submit all proposals to
12 the State Capitol Preservation Commission for approval.

13 D. All proposals for new space allocation in the Oklahoma State
14 Capitol and parking allocation shall be submitted to the Liaison.
15 The Liaison shall submit all proposals to the State Capitol
16 Preservation Commission for approval, as defined by Sections 15.1
17 and 15.3 of Title 73 of the Oklahoma Statutes.

18 E. The Capitol Liaison shall be the primary liaison for all
19 tenants that occupy space in the Oklahoma State Capitol.

20 SECTION 3. AMENDATORY 73 O.S. 2021, Section 345, is
21 amended to read as follows:

22 Section 345. A. In addition to any other authorization
23 provided by law, the Oklahoma Capitol Improvement Authority is
24 authorized to issue obligations to acquire real property, together

1 with improvements located thereon, and personal property to
2 construct improvements to real property and to provide funding for
3 repairs, refurbishments and improvements to real and personal
4 property of the Oklahoma State Capitol ~~Building~~ in a total amount
5 not to exceed One Hundred Twenty Million Dollars (\$120,000,000.00).
6 The funds shall be used for the renovation, repair and remodeling of
7 the Oklahoma State Capitol ~~Building~~.

8 B. The Authority may hold title to the property and
9 improvements until such time as any obligations issued for this
10 purpose are retired or defeased and may lease the property and
11 improvements to the Office of Management and Enterprise Services.
12 Upon final redemption or defeasance of the obligations created
13 pursuant to this section, title to the property and improvements
14 shall be transferred from the Oklahoma Capitol Improvement Authority
15 to the Office of Management and Enterprise Services.

16 C. For the purposes of paying the costs for construction of the
17 real property and improvements, and providing funding for the
18 project authorized in subsection A of this section, and for the
19 purpose authorized in subsection D of this section, the Authority is
20 hereby authorized to borrow monies on the credit of the income and
21 revenues to be derived from the leasing of such property and
22 improvements and, in anticipation of the collection of such income
23 and revenues, to issue negotiable obligations in a total amount not
24 to exceed One Hundred Twenty Million Dollars (\$120,000,000.00)

1 whether issued in one or more series. The Authority is authorized
2 to capitalize interest on the obligations issued pursuant to this
3 section for a period ~~of~~ not to exceed one (1) year from the date of
4 issuance. For subsequent fiscal years, it is the intent of the
5 Legislature to appropriate to the Office of Management and
6 Enterprise Services sufficient monies to make rental payments for
7 the purpose of retiring the obligations created pursuant to this
8 section. To the extent funds are available from the proceeds of the
9 borrowing authorized by this subsection, the Oklahoma Capitol
10 Improvement Authority shall provide for the payment of professional
11 fees and associated costs related to the project authorized in
12 subsection A of this section.

13 D. The Authority may issue obligations in one or more series
14 and in conjunction with other issues of the Authority. The
15 Authority is authorized to hire bond counsel, financial consultants,
16 and such other professionals as it may deem necessary to provide for
17 the efficient sale of the obligations and may utilize a portion of
18 the proceeds of any borrowing to create such reserves as may be
19 deemed necessary and to pay costs associated with the issuance and
20 administration of such obligations.

21 E. The obligations authorized under this section may be sold at
22 either competitive or negotiated sale, as determined by the
23 Authority, and in such form and at such prices as may be authorized
24 by the Authority. The Authority may enter into agreements with such

1 credit enhancers and liquidity providers as may be determined
2 necessary to efficiently market the obligations. The obligations
3 may mature and have such provisions for redemption as shall be
4 determined by the Authority, but in no event shall the final
5 maturity of such obligations occur later than ten (10) years from
6 the first principal maturity date.

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

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

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

22 ~~I. There is hereby created a State Capitol Repair Expenditure~~
23 ~~Oversight Committee. The proceeds from the sale of obligations~~
24 ~~issued pursuant to the provisions of this section and Section 1 of~~

1 ~~Enrolled House Bill No. 3168 of the 2nd Session of the 55th Oklahoma~~
2 ~~Legislature that are needed for repairs to the interior and exterior~~
3 ~~of the State Capitol shall be subject to the approval of the State~~
4 ~~Capitol Repair Expenditure Oversight Committee; provided, however,~~
5 ~~the expenditure of those proceeds shall be subject to a request for~~
6 ~~proposal process.~~

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

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

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

14 ~~3. Three legislators to be appointed by the President Pro~~
15 ~~Tempore of the Senate, two of whom shall be members of the majority~~
16 ~~political party and one of whom shall be a member of the minority~~
17 ~~political party. Five members of the Committee shall constitute a~~
18 ~~quorum and the vote of five members shall be necessary for any~~
19 ~~action taken by the Committee. The Committee shall be staffed by~~
20 ~~employees of the Office of Management and Enterprise Services. The~~
21 ~~Committee shall be subject to the Oklahoma Open Meeting Act.~~

22 ~~J. The Committee shall deliver a preliminary plan for the~~
23 ~~renovation, repair and remodeling of the State Capitol to the~~
24 ~~Director of the Office of Management and Enterprise Services no~~

1 ~~later than December 31, 2014. The preliminary plan shall include~~
2 ~~the following components:~~

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

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

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

10 ~~L. The Committee shall deliver a final plan to the Director of~~
11 ~~the Office of Management and Enterprise Services no later than June~~
12 ~~30, 2015. The final plan shall include the following components:~~

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

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

16 ~~M. Following delivery of the final plan, the Committee shall~~
17 ~~continue to oversee the expenditure of proceeds from the sale of~~
18 ~~obligations issued pursuant to the provisions of this section and~~
19 ~~Section 1 of Enrolled House Bill No. 3168 of the 2nd Session of the~~
20 ~~55th Legislature, until completion of the renovation, repair and~~
21 ~~remodeling of the State Capitol. The Committee may also propose and~~
22 ~~approve amendments to the plan as it deems appropriate.~~

23 ~~N. The Director of the Office of Management and Enterprise~~
24 ~~Services shall have responsibility to substantially implement the~~

1 ~~plan as presented by the Committee; provided, the President Pro~~
2 ~~Tempore of the Senate or the Speaker of the House of Representatives~~
3 ~~shall approve all proposed designs related to renovation, repair and~~
4 ~~remodeling of space within the State Capitol Building under the~~
5 ~~management and control of the Legislature and allocated to that~~
6 ~~officer's house of the Legislature pursuant to the provisions of~~
7 ~~Section 15.1 of this title, and any subsequent changes to such~~
8 ~~plans. Joint approval of the President Pro Tempore of the Senate~~
9 ~~and the Speaker of the House of Representatives shall be required~~
10 ~~for such plans for space under the management and control of the~~
11 ~~Legislature and not allocated to a specific house of the~~
12 ~~Legislature. Such approval shall be in writing.~~

13 ~~O. Insofar as they are not in conflict with the provisions of~~
14 ~~this section, the provisions of Section 151 et seq. of this title~~
15 ~~shall apply to this section.~~

16 SECTION 4. AMENDATORY 74 O.S. 2021, Section 4101, is
17 amended to read as follows:

18 Section 4101. As used in Sections 4101 through ~~4108~~ 4110.1 of
19 this title:

20 1. "Public areas" means those areas in the Oklahoma State
21 Capitol open to the general public for general visitation; ~~and~~

22 2. "Art" means fine art of museum quality representing the
23 highest quality of art objects available to include paintings,
24 murals, graphic arts, art photography and sculpture, aesthetically

1 aligned with recognized values, created by the conscious use of
2 skill and creative imagination;

3 3. "Design standards" means a document that is produced for the
4 purpose of guiding review of proposed alterations to the Oklahoma
5 State Capitol, Governor's Mansion, and respective grounds.

6 Design standards set the acceptable level of finishes for the
7 historic fabric, features, and materials in use in the Oklahoma
8 State Capitol.

9 This document establishes specifications for alterations which,
10 if followed, will provide compatible design;

11 4. "Enhancement" means an increase or improvement upon the
12 quality, value, or extent of the original design intent of the
13 Oklahoma State Capitol, Governor's Mansion, or the respective
14 grounds;

15 5. "Grounds" means all land surrounding the Oklahoma State
16 Capitol and bordered by Lincoln Boulevard, and the land contained
17 within the fence line surrounding the Governor's Mansion;

18 6. "Maintenance" means keeping spaces, structures, and
19 infrastructure in proper operating condition in a routine,
20 scheduled, or anticipated fashion to prevent failure or degradation;

21 7. "Modification" means any change to an existing physical
22 attribute of the Oklahoma State Capitol, Governor's Mansion, or the
23 respective grounds;

24

1 8. "Preservation" means the act or process of applying measures
2 necessary to sustain the existing form, integrity, and materials of
3 a historic property including preliminary measures to protect and
4 stabilize the property, and focusing upon the ongoing maintenance
5 and repair of historic materials and features, rather than extensive
6 replacement and new construction; and

7 9. "Restoration" means the act or process of accurately
8 depicting the form, features, and character of the Oklahoma State
9 Capitol as the building appeared in 1917, and the dome in 2002, by
10 means of the removal of features from later periods in its history
11 and reconstruction of missing features from the restoration period.

12 SECTION 5. AMENDATORY 74 O.S. 2021, Section 4102, is
13 amended to read as follows:

14 Section 4102. There is hereby re-created, to continue until
15 ~~July 1, 2024~~ July 1, 2028, in accordance with the provisions of the
16 Oklahoma Sunset Law, the State Capitol Preservation Commission which
17 shall be responsible for planning and supervising the preservation
18 and restoration of the interior and exterior of the Oklahoma State
19 Capitol Building, hereinafter referred to as the Capitol, and the
20 Governor's Mansion. The Commission shall ~~control~~ approve the
21 display of art objects in public joint House- and Senate-controlled
22 and executive branch-controlled areas of the Capitol and the
23 Governor's Mansion. The State Capitol Preservation Commission shall
24 provide the highest-quality maintenance, restoration, preservation,

1 enhancement, and modification of and long-term planning for the
2 interior and exterior of the Capitol, Governor's Mansion, and the
3 respective grounds for the perpetual use by the state government and
4 the enjoyment of all persons.

5 SECTION 6. AMENDATORY 74 O.S. 2021, Section 4103, is
6 amended to read as follows:

7 Section 4103. A. The State Capitol Preservation Commission
8 shall be composed of ~~fifteen (15)~~ fourteen (14) members as follows:

9 1. ~~Three members shall be appointed by the~~ The Governor, or
10 designee;

11 2. ~~Three members shall be appointed by the~~ The President Pro
12 Tempore of the Senate, or designee;

13 3. ~~Three members shall be appointed by the~~ The Speaker of the
14 House of Representatives, or designee;

15 4. ~~One member shall be appointed by the~~ The Chief Justice of
16 the Oklahoma Supreme Court, or designee; and

17 5. One member of the Senate appointed by the President Pro
18 Tempore of the Senate;

19 6. One former Senator appointed by the President Pro Tempore of
20 the Senate;

21 7. One member of the House of Representatives appointed by the
22 Speaker of the House of Representatives;

23 8. One former member of the House of Representatives appointed
24 by the Speaker of the House of Representatives;

1 9. The Secretary of State; and

2 10. The following shall be ex officio nonvoting members:

- 3 a. ~~Chairman~~ Executive Director of the Oklahoma Arts
4 Council, or designee,
- 5 b. ~~President~~ Executive Director of the Oklahoma
6 Historical Society, or designee,
- 7 c. Capitol Architect and Curator,
- 8 d. ~~Superintendent of the Capitol~~ Capitol Liaison, and
- 9 e. Director of the Office of Management and Enterprise
10 Services or a designee.

11 ~~B. The initial term of office of the appointed members shall be~~
12 ~~as follows:~~

13 1. ~~One of the members appointed by the Governor, the President~~
14 ~~Pro Tempore of the Senate, the Speaker of the House of~~
15 ~~Representatives, and the member appointed by the Chief Justice of~~
16 ~~the Oklahoma Supreme Court shall serve a one-year term;~~

17 2. ~~One of the members appointed by the Governor, the President~~
18 ~~Pro Tempore of the Senate, and the Speaker of the House of~~
19 ~~Representatives shall serve a three-year term; and~~

20 3. ~~One of the members appointed by the Governor, the President~~
21 ~~Pro Tempore of the Senate, and the Speaker of the House of~~
22 ~~Representatives shall serve a five-year term.~~

23 ~~The term of office for each successor shall be for five (5)~~
24 ~~years. Any member of the Legislature who is appointed to the~~

1 ~~Commission shall serve only as long as the member is a member of the~~
2 ~~respective house from which the member was appointed.~~ All appointed
3 voting and ex officio non-voting members of the State Capitol
4 Preservation Commission shall serve at the pleasure of their
5 appointing authority.

6 C. ~~The Commission shall elect a chair and a vice chair from its~~
7 ~~membership to serve for a period of two (2) years.~~ The first chair
8 of the Commission shall be the Governor, or designee, who shall
9 serve a term of two (2) years. Thereafter, the chair of the
10 Commission shall rotate between the President Pro Tempore of the
11 Senate, or designee, the Speaker of the House of Representatives, or
12 designee, and the Governor, or designee, for two-year increments in
13 perpetuity. Members of the Commission shall not be compensated
14 except for reimbursement as provided in the State Travel
15 Reimbursement Act.

16 D. The Office of Management and Enterprise Services shall make
17 the necessary arrangements for support services for the State
18 Capitol Preservation Commission. The State Capitol Preservation
19 Commission shall meet at least once per quarter and at the call of
20 the chair as needed. A quorum of the voting members shall be
21 present for any action taken. A quorum is the majority of the
22 appointed voting members. The Commission shall be subject to the
23 Oklahoma Open Meeting Act.

24

1 E. The Commission functions performed by the Governor,
2 President Pro Tempore of the Senate, Speaker of the House of
3 Representatives, Secretary of State, and appointed Senators and
4 Representatives are additional functions of their other public
5 offices and duties.

6 SECTION 7. AMENDATORY 74 O.S. 2021, Section 4104, is
7 amended to read as follows:

8 Section 4104. A. The State Capitol Preservation Commission
9 shall provide oversight to the Capitol Liaison and the Office of
10 Management and Enterprise Services on duties for management and
11 maintenance of the Oklahoma State Capitol and shall:

12 1. ~~Research, plan, and have control of modifications and decor~~
13 ~~of the interior and exterior of the Capitol and the Governor's~~
14 ~~Mansion~~ Approve the restoration, preservation, enhancement, or
15 modification of the Oklahoma State Capitol, Governor's Mansion, and
16 the respective grounds;

17 2. ~~Establish standards for the acquisition and display of works~~
18 ~~of art for public display in the Capitol and the Governor's Mansion~~
19 ~~and select such works. Such works of art shall be directly related~~
20 ~~to the history and culture of the State of Oklahoma~~ Review and
21 approve the annual budget and the long-range master plan submitted
22 by the Office of Management and Enterprise Services for the Oklahoma
23 State Capitol, Governor's Mansion, and the respective grounds;

24

1 3. ~~Establish procedures by which private contributions of~~
2 ~~suitable art can be accepted for the Capitol and the Governor's~~
3 ~~Mansion. The Commission is authorized to accept and make proper~~
4 ~~disposition of works of art as may be donated to the Commission and~~
5 ~~this state;~~

6 4. ~~Have authority to approve and submit to the Long Range~~
7 ~~Capital Planning Commission any proposed modification, alteration,~~
8 ~~renovation, repair, or construction on any part of the Capitol and~~
9 ~~the Governor's Mansion~~ Review and approve all requests for
10 preservation, restoration, enhancement, and modification to the
11 Oklahoma State Capitol, Governor's Mansion, and the respective
12 grounds submitted by the Capitol Liaison. This review and approval
13 process shall not apply to actions deemed by the Capitol
14 Superintendent to be maintenance necessary for the upkeep and
15 function of the Oklahoma State Capitol, Governor's Mansion, and the
16 respective grounds;

17 4. Review and approve a security plan submitted by the
18 Department of Public Safety for the Oklahoma State Capitol,
19 Governor's Mansion, and the respective grounds; and

20 5. Have final approval authority for any plans or programs for
21 the restoration, preservation, or display of fine art programs in
22 and surrounding the Oklahoma State Capitol and the Governor's
23 Mansion;

1 6. Review and approve administrative rules submitted by the
2 Office of Management and Enterprise Services or the Capitol Liaison
3 concerning the Oklahoma State Capitol, Governor's Mansion, the
4 respective contents, and the respective concerns;

5 7. Review and approve preservation zones and design standards
6 for the Oklahoma State Capitol, Governor's Mansion, and the
7 respective grounds;

8 8. Review and approve standards for the selection and
9 acquisition of works of art and monuments for permanent and
10 temporary public display in the public spaces controlled by the
11 executive branch or controlled jointly by the House and Senate in
12 the Oklahoma State Capitol or the Governor's Mansion. Such works of
13 art shall be directly related to the history and culture of this
14 state; and

15 9. Provide oversight and accountability inspections of
16 maintenance, restoration, preservation, enhancement, and
17 modification projects to ensure all projects conform to design
18 standards.

19 ~~B. The Long-Range Capital Planning Commission shall submit any~~
20 ~~capital construction or renovation project with respect to the State~~
21 ~~Capitol or the Governor's Mansion to the State Capitol Preservation~~
22 ~~Commission for its advisory opinion prior to consideration by the~~
23 ~~Long-Range Capital Planning Commission~~ As of the effective date of
24 this act, the State Capitol Preservation Commission shall assume

1 oversight responsibility of the Oklahoma State Capitol restoration
2 project from the State Capitol Repair Expenditure Oversight
3 Committee created in Section 345 of Title 73 of the Oklahoma
4 Statutes.

5 SECTION 8. AMENDATORY 74 O.S. 2021, Section 4105, is
6 amended to read as follows:

7 Section 4105. There is hereby established the position of the
8 Capitol Architect and Curator who shall:

9 1. Develop the technical plans and programs for consideration
10 by the State Capitol Preservation Commission ~~and the Long-Range~~
11 ~~Capital Planning Commission~~ with regard to restoration, renovation,
12 and preservation of the Oklahoma State Capitol and the Governor's
13 Mansion;

14 2. ~~Develop and enforce standards adopted for acquisition and~~
15 ~~display of works of art in and surrounding the Capitol and the~~
16 ~~Governor's Mansion~~ Advise the State Capitol Preservation Commission
17 regarding the space demands of the various agencies in the Oklahoma
18 State Capitol and the Governor's Mansion;

19 3. ~~Coordinate space demands of the various agencies in the~~
20 ~~Capitol and the Governor's Mansion;~~

21 4. Maintain a record of all structural and decor changes made
22 in the Oklahoma State Capitol and the Governor's Mansion; ~~and~~

23 5. 4. Make recommendations to the State Capitol Preservation
24 Commission for design standards and of necessary action on proposed

1 restoration, preservation, enhancement, and modifications in decor
2 or design to ensure preservation and maintenance of the cultural and
3 historic integrity of the Oklahoma State Capitol and the Governor's
4 Mansion; and

5 5. Make recommendations to the State Capitol Preservation
6 Commission for preservation zones and design standards.

7 The Director of the Office of Management and Enterprise Services
8 may contract for the services of a Capitol Architect and Curator or
9 employ such an individual on either a full- or part-time basis.
10 Compensation for the position will be in accord with similar
11 professional positions in state government.

12 SECTION 9. NEW LAW A new section of law to be codified
13 in the Oklahoma Statutes as Section 4105.1 of Title 74, unless there
14 is created a duplication in numbering, reads as follows:

15 A. The Oklahoma State Capitol duties of the Office of
16 Management and Enterprise Services (OMES) are as follows:

17 1. OMES shall have the responsibility for maintenance,
18 restoration, preservation, enhancement, and modification of the
19 Oklahoma State Capitol, Governor's Mansion, and respective grounds
20 including facilities planning, facilities construction, and
21 facilities administration;

22 2. OMES shall be responsible for all maintenance duties
23 necessary to properly preserve and maintain the Oklahoma State
24 Capitol, Governor's Mansion, and the respective grounds;

1 3. OMES shall be responsible for devising and developing
2 processes for tenants in the Oklahoma State Capitol and Governor's
3 Mansion to submit requests for maintenance, restoration,
4 preservation, enhancement, and modification and evaluating such
5 requests;

6 4. OMES shall manage each project, except in Oklahoma State
7 Capitol areas allotted to the Senate and the House of
8 Representatives as defined in Section 15.1 of Title 73 of the
9 Oklahoma Statutes to ensure execution of the highest quality work
10 product, time-cost schedules, and efficient contract performance;

11 5. OMES shall be responsible for producing an annual budget and
12 submitting it to the State Capitol Preservation Commission;

13 6. OMES shall be responsible for creating a long-range master
14 plan for the maintenance and upkeep of the Oklahoma State Capitol,
15 Governor's Mansion, and the respective grounds which shall be
16 submitted to the State Capitol Preservation Commission every three
17 (3) years;

18 7. The Oklahoma Tourism and Recreation Department in
19 collaboration with the Oklahoma Arts Council shall be responsible
20 for operation or coordinating operation of the visitor center,
21 visitor relations activities, and tours in the Oklahoma State
22 Capitol;

23 8. OMES shall be responsible for operation of all dining and
24 vending services in the Oklahoma State Capitol and shall approve

1 food trucks and other mobile food preparation vehicles on the
2 grounds unless approved by the Legislature;

3 9. OMES shall be responsible for taking and approving
4 reservations in all meeting rooms and areas of the Oklahoma State
5 Capitol and grounds and shall seek approval from the Senate, House
6 of Representatives, or jointly for space allocated to the
7 Legislature by Section 15.1 of Title 73 of the Oklahoma Statutes;

8 10. OMES shall coordinate with the Oklahoma Arts Council for
9 curation of and care for artwork in the State Art Collection,
10 Capitol Art Collection, and monuments, memorials, and all temporary
11 exhibits in public areas at the Oklahoma State Capitol, Governor's
12 Mansion, and the respective grounds;

13 11. The Department of Transportation shall be responsible for
14 all maintenance, upkeep, and access to all parking lots on the
15 grounds of the Oklahoma State Capitol and Governor's Mansion;

16 12. OMES shall be responsible for submitting proposed
17 administrative rules to the State Capitol Preservation Commission to
18 govern the execution of these duties;

19 13. OMES may collect rent from third-party vendors in the
20 Oklahoma State Capitol and proceeds from the sale of merchandise or
21 services rendered;

22 14. OMES shall have the authority to respond promptly to
23 emergency maintenance needs as they arise; and
24

1 15. OMES shall serve as the primary contact for Americans with
2 Disabilities Act of 1990 (ADA) compliance for the Oklahoma State
3 Capitol.

4 B. The Office of Management and Enterprise Services shall
5 employ all staff and consultants necessary to perform the duties of
6 the Office including, but not limited to, a licensed architect.

7 SECTION 10. AMENDATORY 74 O.S. 2021, Section 4108, is
8 amended to read as follows:

9 Section 4108. The provisions of Sections 4101 through ~~4107~~
10 4110.1 of this title shall apply to all modifications in the
11 structure or decor of the Oklahoma State Capitol ~~and the,~~ Governor's
12 Mansion, and the respective grounds except for those immediate
13 emergency repairs needed to prevent loss or damage to property or to
14 protect the health and safety of the public during use of the
15 building and any art displayed on the grounds.

16 SECTION 11. NEW LAW A new section of law to be codified
17 in the Oklahoma Statutes as Section 4108.1 of Title 74, unless there
18 is created a duplication in numbering, reads as follows:

19 The Oklahoma Arts Council shall be given the responsibility to
20 acquire, maintain, preserve, or restore any state-owned art in the
21 State Art Collection or Capitol Art Collection that is in storage or
22 on display in the Oklahoma State Capitol, Governor's Mansion, and
23 the respective grounds. The council is authorized to hold
24 exhibitions and commissions to display art to the general public.

1 The Oklahoma Arts Council may request direct appropriations or
2 submit requests to the Office of Management and Enterprise Services.

3 SECTION 12. AMENDATORY 74 O.S. 2021, Section 4109, is
4 amended to read as follows:

5 Section 4109. ~~By the order of the Director of the Office of~~
6 ~~Management and Enterprise Services, restoration and preservation~~
7 Maintenance, restoration, preservation, enhancement, and
8 modification projects of the Oklahoma State Capitol Building ~~or of~~
9 ~~the,~~ Governor's Mansion, and the respective grounds may be exempted
10 from the provisions of the Public Competitive Bidding Act of 1974,
11 Section 101 et seq. of Title 61 of the Oklahoma Statutes. For
12 exempted Oklahoma State Capitol Building or Governor's Mansion
13 construction projects, the Office of Management and Enterprise
14 Services shall select among contractors qualified by past experience
15 to conduct historical preservation projects.

16 SECTION 13. REPEALER 74 O.S. 2021, Sections 4106 and
17 4107, are hereby repealed.

18 SECTION 14. It being immediately necessary for the preservation
19 of the public peace, health or safety, an emergency is hereby
20 declared to exist, by reason whereof this act shall take effect and
21 be in full force from and after its passage and approval.

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Passed the Senate the 23rd day of March, 2023.

Presiding Officer of the Senate

Passed the House of Representatives the ____ day of _____,
2023.

Presiding Officer of the House
of Representatives