

1 STATE OF OKLAHOMA

2 1st Session of the 59th Legislature (2023)

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL 141

By: Kirt and Garvin of the
Senate

6 and

7 McBride of the House

8
9 COMMITTEE SUBSTITUTE

10 An Act relating to state government; amending 47 O.S.
11 2021, Section 1104.18, which relates to the Oklahoma
12 Friends of the Capitol License Plate Revolving Fund;
13 updating statutory language; amending 73 O.S. 2021,
14 Section 15.4, which relates to Capitol buildings;
15 updating statutory reference; modifying duties of
16 non-profit corporation; amending 73 O.S. 2021,
17 Section 83.1, as amended by Section 1, Chapter 91,
18 O.S.L. 2022 (73 O.S. Supp. 2022, Section 83.1), which
19 relates to the Capitol grounds and buildings; re-
20 creating and modifying membership of the Capitol-
21 Medical Center Improvement and Zoning Commission;
22 requiring the Department of Public Safety to create
23 and submit security plan for certain locations;
24 requiring coordination with certain agency; amending
73 O.S. 2021, Section 176, which relates to the
permanent Capitol Liaison committee; creating the
position of Capitol Liaison; transferring certain
duties from the legislative liaison committee to the
Capitol Liaison; providing that the Capitol Liaison
is the primary liaison for Capitol tenants; amending
73 O.S. 2021, Section 345, which relates to the State
Capitol Repair Expenditure Oversight Committee;
terminating certain committee; deleting certain
responsibility for reporting and implementing certain
plans; removing requirement for certain joint
approval; deleting certain construction; amending 74
O.S. 2021, Section 4101, which relates to
definitions; modifying and defining terms; amending

1 74 O.S. 2021, Section 4102, which relates to
2 responsibilities of certain commission; extending
3 sunset termination date; stating purpose of certain
4 commission; amending 74 O.S. 2021, Section 4103,
5 which relates to certain membership; modifying
6 membership; establishing meeting requirements;
7 providing that certain State Capitol Preservation
8 Commission functions are additional functions of
9 certain members; amending 74 O.S. 2021, Section 4104,
10 which relates to powers and responsibilities of the
11 State Capitol Preservation Commission; modifying and
12 adding certain powers and responsibilities;
13 transferring certain oversight responsibilities;
14 amending 74 O.S. 2021, Section 4105, which relates to
15 Capitol Architect and Curator duties; modifying
16 certain duties of the Capitol Architect and Curator;
17 providing duties of the Office of Management and
18 Enterprise Services, the Oklahoma Tourism and
19 Recreation Department, the Oklahoma Arts Council, the
20 Department of Public Safety, and the Department of
21 Transportation with respect to the Oklahoma State
22 Capitol; directing the Office of Management and
23 Enterprise Services to employ all necessary staff and
24 consultants; amending 74 O.S. 2021, Section 4108,
which relates to application of act; expanding
applicability of certain law; directing the Oklahoma
Arts Council to be responsible for certain art;
authorizing certain events; providing procedures for
receiving funds; amending 74 O.S. 2021, Section 4109,
which relates to exemptions from the Public
Competitive Bidding Act of 1974; adding certain
project exemptions; repealing 74 O.S. 2021, Sections
4106 and 4107, which relate to cooperation between
State Capitol Preservation Commission and branches of
state government and compliance with certain
administrative requirements; making language gender
neutral; providing for codification; and declaring an
emergency.

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

SECTION 1. AMENDATORY 47 O.S. 2021, Section 1104.18, is
amended to read as follows:

1 Section 1104.18. A. Twenty Dollars (\$20.00) of the fee
2 authorized by Section 1135.5 of this title for the Oklahoma State
3 Capitol Restoration License Plate shall be deposited in the Oklahoma
4 Friends of the Capitol License Plate Revolving Fund created in
5 subsection B of this section.

6 B. There is hereby created in the State Treasury a revolving
7 fund for the Office of Management and Enterprise Services to be
8 designated the "Oklahoma Friends of the Capitol License Plate
9 Revolving Fund". The fund shall be a continuing fund, not subject
10 to fiscal year limitations, and shall consist of all monies received
11 by the Office of Management and Enterprise Services pursuant to the
12 provisions of subsection A of this section. All monies accruing to
13 the credit of the fund are hereby appropriated and shall be budgeted
14 and expended by the Office of Management and Enterprise Services for
15 restoration and modification of the Oklahoma State Capitol. Before
16 the Office makes any expenditure from the fund, the expenditure
17 shall be approved by the State Capitol Preservation Commission
18 created pursuant to Section 4102 of Title 74 of the Oklahoma
19 Statutes. Expenditures from the fund shall be made upon warrants
20 issued by the State Treasurer against claims filed as prescribed by
21 law with the Director of the Office of Management and Enterprise
22 Services for approval and payment.

23 SECTION 2. AMENDATORY 73 O.S. 2021, Section 15.4, is
24 amended to read as follows:

1 Section 15.4. A. There is hereby authorized the creation of a
2 not-for-profit corporation to be known as "Friends of the Capitol"
3 to raise funds and to assist in the preservation and enhancement of
4 the Oklahoma State Capitol and surrounding ~~areas~~ grounds as defined
5 in Section ~~1 of this title~~ 7 of this act.

6 B. The board of directors of the corporation authorized in
7 subsection A of this section shall choose its own chairperson.

8 C. After proper incorporation, the not-for-profit corporation
9 is authorized and directed to apply for tax-exempt status under
10 Section 501(c)(3) of the Internal Revenue Code (26 U.S.C., Section
11 501(c)(3)).

12 D. In addition to funds received from the general public or
13 other public and private sources, the not-for-profit corporation may
14 receive funds from state agencies at such times and in such amounts
15 as may be appropriated by the Legislature for the Oklahoma State
16 Capitol or made available to the corporation from state agencies
17 from their sources of revenue.

18 E. Costs to underwrite activities related to the preservation
19 and enhancement of the Oklahoma State Capitol may be borne from
20 revenues of the not-for-profit corporation.

21 F. Upon the incorporation, the not-for-profit corporation shall
22 be authorized to hire staff and name advisory groups or steering
23 committees as necessary to assist in the preservation and
24 enhancement of the Oklahoma State Capitol.

1 G. The corporation shall coordinate preservation ~~and,~~
2 restoration, enhancement, maintenance, and modification projects in
3 conjunction with and the ~~consent~~ approval of the State Capitol
4 Preservation Commission and the Office of Management and Enterprise
5 Services.

6 SECTION 3. AMENDATORY 73 O.S. 2021, Section 83.1, as
7 amended by Section 1, Chapter 91, O.S.L. 2022 (73 O.S. Supp. 2022,
8 Section 83.1), is amended to read as follows:

9 Section 83.1. A. There is hereby re-created to continue until
10 July 1, ~~2025~~ 2026, in accordance with the Oklahoma Sunset Law, a
11 Capitol-Medical Center Improvement and Zoning Commission to exercise
12 the functions and perform the duties hereinafter prescribed.

13 B. The Commission shall be composed of eleven (11) members as
14 follows:

15 1. The Director of the Office of Management and Enterprise
16 Services or his or her designee, who shall be ex officio chair of
17 the Capitol-Medical Center Improvement and Zoning Commission;

18 2. The Director of the Transportation Commission or his or her
19 designee;

20 3. The President of the University of Oklahoma or his or her
21 designee;

22 4. Two members appointed by the President Pro Tempore of the
23 Senate;

24

1 5. Two members appointed by the Speaker of the House of
2 Representatives;

3 6. The Chair of the Planning Commission of Oklahoma City or his
4 or her designee;

5 ~~7. The Chair of the Long Range Capital Planning Commission~~
6 Capitol Liaison or his or her designee; and

7 8. Two members of the Commission appointed by the Governor,
8 with the advice and consent of the ~~State~~ Senate, for four-year
9 staggered terms with one term expiring on January 31 of each even-
10 numbered year.

11 C. The Commission is authorized to appoint and hire a Director,
12 who shall serve as the chief administrative officer of the
13 Commission, and other necessary personnel. The Attorney General of
14 ~~the State of Oklahoma~~ this state shall be the legal advisor to the
15 Commission in the same capacity as he or she is to other boards and
16 commissions.

17 D. ~~At least one of the members~~ One member appointed by the
18 President Pro Tempore of the Senate and one member appointed by the
19 Speaker of the House of Representatives shall be a resident within
20 the boundaries of the Capitol-Medical Center Improvement and Zoning
21 District as set forth in Section 83 of this title.

22 SECTION 4. NEW LAW A new section of law to be codified
23 in the Oklahoma Statutes as Section 93 of Title 73, unless there is
24 created a duplication in numbering, reads as follows:

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

6 The department shall coordinate with the Office of Management
7 and Enterprise Services to implement and staff the approved security
8 plan.

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

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

1 Capitol Complex shall be ~~considered by~~ presented to the ~~liaison~~
2 ~~committee created~~ Capitol Liaison authorized by this section. The
3 Oklahoma Capitol Improvement Authority and the Office of Management
4 and Enterprise Services shall notify the ~~membership of the~~
5 ~~legislative liaison~~ Capitol Liaison ~~committee~~ in advance of any
6 meeting in which official or formal action is to be taken by
7 furnishing the proposed agenda in writing at least twenty-four (24)
8 hours in advance of such meeting.

9 B. The Oklahoma Capitol Improvement Authority and the Office of
10 Management and Enterprise Services shall provide such information,
11 records, testimony, or recommendations as the ~~committee~~ Capitol
12 Liaison may require.

13 C. The Capitol Liaison responsibilities shall include serving
14 as the primary contact for Americans with Disabilities Act (ADA)
15 compliance for the Oklahoma State Capitol.

16 D. All proposals for enhancement, modification, preservation,
17 or restoration of the Oklahoma State Capitol and Oklahoma State
18 Capitol grounds, and the Governor's Mansion and grounds, shall be
19 submitted to the Liaison. The Liaison shall submit all proposals to
20 the State Capitol Preservation Commission for approval.

21 E. All proposals for space allocation in the Oklahoma State
22 Capitol and parking allocation shall be submitted to the Liaison.
23 The Liaison shall submit all proposals to the State Capitol
24 Preservation Commission for approval.

1 F. All proposals for security modifications and enhancements by
2 agencies, the Senate, or the House of Representatives shall be
3 submitted to the Liaison. The Liaison shall submit all proposals to
4 the State Capitol Preservation Commission for approval.

5 G. The Capitol Liaison shall be the primary liaison for all
6 tenants that occupy space in the Oklahoma State Capitol.

7 SECTION 6. AMENDATORY 73 O.S. 2021, Section 345, is
8 amended to read as follows:

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

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

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

3 C. For the purposes of paying the costs for construction of the
4 real property and improvements, and providing funding for the
5 project authorized in subsection A of this section, and for the
6 purpose authorized in subsection D of this section, the Authority is
7 hereby authorized to borrow monies on the credit of the income and
8 revenues to be derived from the leasing of such property and
9 improvements and, in anticipation of the collection of such income
10 and revenues, to issue negotiable obligations in a total amount not
11 to exceed One Hundred Twenty Million Dollars (\$120,000,000.00)
12 whether issued in one or more series. The Authority is authorized
13 to capitalize interest on the obligations issued pursuant to this
14 section for a period of not to exceed one (1) year from the date of
15 issuance. For subsequent fiscal years, it is the intent of the
16 Legislature to appropriate to the Office of Management and
17 Enterprise Services sufficient monies to make rental payments for
18 the purpose of retiring the obligations created pursuant to this
19 section. To the extent funds are available from the proceeds of the
20 borrowing authorized by this subsection, the Oklahoma Capitol
21 Improvement Authority shall provide for the payment of professional
22 fees and associated costs related to the project authorized in
23 subsection A of this section.

1 D. The Authority may issue obligations in one or more series
2 and in conjunction with other issues of the Authority. The
3 Authority is authorized to hire bond counsel, financial consultants,
4 and such other professionals as it may deem necessary to provide for
5 the efficient sale of the obligations and may utilize a portion of
6 the proceeds of any borrowing to create such reserves as may be
7 deemed necessary and to pay costs associated with the issuance and
8 administration of such obligations.

9 E. The obligations authorized under this section may be sold at
10 either competitive or negotiated sale, as determined by the
11 Authority, and in such form and at such prices as may be authorized
12 by the Authority. The Authority may enter into agreements with such
13 credit enhancers and liquidity providers as may be determined
14 necessary to efficiently market the obligations. The obligations
15 may mature and have such provisions for redemption as shall be
16 determined by the Authority, but in no event shall the final
17 maturity of such obligations occur later than ten (10) years from
18 the first principal maturity date.

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

22 G. The obligations issued under this section, the transfer
23 thereof and the interest earned on such obligations, including any
24 profit derived from the sale thereof, shall not be subject to

1 taxation of any kind by ~~the State of Oklahoma~~ this state, or by any
2 county, municipality or political subdivision therein.

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

10 ~~I. There is hereby created a State Capitol Repair Expenditure~~
11 ~~Oversight Committee. The proceeds from the sale of obligations~~
12 ~~issued pursuant to the provisions of this section and Section 1 of~~
13 ~~Enrolled House Bill No. 3168 of the 2nd Session of the 55th Oklahoma~~
14 ~~Legislature that are needed for repairs to the interior and exterior~~
15 ~~of the State Capitol shall be subject to the approval of the State~~
16 ~~Capitol Repair Expenditure Oversight Committee; provided, however,~~
17 ~~the expenditure of those proceeds shall be subject to a request for~~
18 ~~proposal process.~~

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

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

22 ~~2. Three legislators to be appointed by the Speaker of the~~
23 ~~House of Representatives, two of whom shall be members of the~~

24

1 ~~majority political party and one of whom shall be a member of the~~
2 ~~minority political party; and~~

3 ~~3. Three legislators to be appointed by the President Pro~~
4 ~~Tempore of the Senate, two of whom shall be members of the majority~~
5 ~~political party and one of whom shall be a member of the minority~~
6 ~~political party. Five members of the Committee shall constitute a~~
7 ~~quorum and the vote of five members shall be necessary for any~~
8 ~~action taken by the Committee. The Committee shall be staffed by~~
9 ~~employees of the Office of Management and Enterprise Services. The~~
10 ~~Committee shall be subject to the Oklahoma Open Meeting Act.~~

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

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

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

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

1 ~~L. The Committee shall deliver a final plan to the Director of~~
2 ~~the Office of Management and Enterprise Services no later than June~~
3 ~~30, 2015. The final plan shall include the following components:~~

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

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

7 ~~M. Following delivery of the final plan, the Committee shall~~
8 ~~continue to oversee the expenditure of proceeds from the sale of~~
9 ~~obligations issued pursuant to the provisions of this section and~~
10 ~~Section 1 of Enrolled House Bill No. 3168 of the 2nd Session of the~~
11 ~~55th Legislature, until completion of the renovation, repair and~~
12 ~~remodeling of the State Capitol. The Committee may also propose and~~
13 ~~approve amendments to the plan as it deems appropriate.~~

14 ~~N. The Director of the Office of Management and Enterprise~~
15 ~~Services shall have responsibility to substantially implement the~~
16 ~~plan as presented by the Committee; provided, the President Pro~~
17 ~~Tempore of the Senate or the Speaker of the House of Representatives~~
18 ~~shall approve all proposed designs related to renovation, repair and~~
19 ~~remodeling of space within the State Capitol Building under the~~
20 ~~management and control of the Legislature and allocated to that~~
21 ~~officer's house of the Legislature pursuant to the provisions of~~
22 ~~Section 15.1 of this title, and any subsequent changes to such~~
23 ~~plans. Joint approval of the President Pro Tempore of the Senate~~
24 ~~and the Speaker of the House of Representatives shall be required~~

1 ~~for such plans for space under the management and control of the~~
2 ~~Legislature and not allocated to a specific house of the~~
3 ~~Legislature. Such approval shall be in writing.~~

4 ~~0. Insofar as they are not in conflict with the provisions of~~
5 ~~this section, the provisions of Section 151 et seq. of this title~~
6 ~~shall apply to this section.~~

7 SECTION 7. AMENDATORY 74 O.S. 2021, Section 4101, is
8 amended to read as follows:

9 Section 4101. As used in Sections 4101 through ~~4108~~ 4110.1 of
10 this title:

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

13 2. "Art" means fine art of museum quality representing the
14 highest quality of art objects available to include paintings,
15 murals, graphic arts, art photography and sculpture, aesthetically
16 aligned with recognized values, created by the conscious use of
17 skill and creative imagination;;

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

21 Design standards set the acceptable level of finishes for the
22 historic fabric, features, and materials in use in the Oklahoma
23 State Capitol.

24

1 This document establishes specifications for alterations which,
2 if followed, will provide compatible design;

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

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

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

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

16 8. "Preservation" means the act or process of applying measures
17 necessary to sustain the existing form, integrity, and materials of
18 a historic property. Work including preliminary measures to protect
19 and stabilize the property, generally focusing upon the ongoing
20 maintenance and repair of historic materials and features, rather
21 than extensive replacement and new construction; and

22 9. "Restoration" means the act or process of accurately
23 depicting the form, features, and character of the Oklahoma State
24 Capitol as the building appeared in 1917, and dome in 2002, by means

1 of the removal of features from later periods in its history and
2 reconstruction of missing features from the restoration period.

3 SECTION 8. AMENDATORY 74 O.S. 2021, Section 4102, is
4 amended to read as follows:

5 Section 4102. There is hereby re-created, to continue until
6 ~~July 1, 2024~~ July 1, 2028, in accordance with the provisions of the
7 Oklahoma Sunset Law, the State Capitol Preservation Commission which
8 shall be responsible for planning and supervising the preservation
9 and restoration of the interior and exterior of the State Capitol
10 Building, hereinafter referred to as the Capitol, and the Governor's
11 Mansion. The Commission shall ~~control~~ approve the display of art
12 objects in public areas of the Capitol and the Governor's Mansion.
13 The State Capitol Preservation Commission shall provide the highest
14 quality maintenance, restoration, preservation, enhancement, and
15 modification of and long-term planning for the interior and exterior
16 of the Capitol, Governor's Mansion, and the respective grounds for
17 the perpetual use by the state government and the enjoyment of all
18 persons.

19 SECTION 9. AMENDATORY 74 O.S. 2021, Section 4103, is
20 amended to read as follows:

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

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

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

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

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

7 5. One member of the Senate appointed by the President Pro
8 Tempore of the Senate;

9 6. One former senator appointed by the President Pro Tempore of
10 the Senate;

11 7. One member of the House of Representatives appointed by the
12 Speaker of the House of Representatives;

13 8. One former member of the House of Representatives appointed
14 by the Speaker of the House of Representatives;

15 9. The Secretary of State; and

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

17 a. ~~Chairman~~ Executive Director of the Oklahoma Arts
18 Council, or designee,

19 b. ~~President~~ Executive Director of the Oklahoma
20 Historical Society, or designee,

21 c. Capitol Architect and Curator,

22 d. ~~Superintendent of the Capitol~~ Capitol Liaison, and

23 e. Director of the Office of Management and Enterprise
24 Services or a designee.

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

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

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

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

13 ~~The term of office for each successor shall be for five (5)~~
14 ~~years. Any member of the Legislature who is appointed to the~~
15 ~~Commission shall serve only as long as the member is a member of the~~
16 ~~respective house from which the member was appointed. All appointed~~
17 ~~voting and ex officio non-voting members of the State Capitol~~
18 ~~Preservation Commission shall serve at the pleasure of their~~
19 ~~appointing authority.~~

20 C. ~~The Commission shall elect a chair and a vice chair from its~~
21 ~~membership to serve for a period of two (2) years. The first chair~~
22 ~~of the Commission shall be the Governor, or designee, who shall~~
23 ~~serve a term of two (2) years. Thereafter, the chair of the~~
24 ~~Commission shall rotate between the President Pro Tempore of the~~

1 Senate, or designee, the Speaker of the House of Representatives, or
2 designee, and the Governor, or designee, for two-year increments in
3 perpetuity. Members of the Commission shall not be compensated
4 except for reimbursement as provided in the State Travel
5 Reimbursement Act.

6 D. The Office of Management and Enterprise Services shall make
7 the necessary arrangements for support services for the State
8 Capitol Preservation Commission. The State Capitol Preservation
9 Commission shall meet at least once per quarter and at the call of
10 the chair as needed. A quorum of the voting members shall be
11 present for any action taken. A quorum is the majority of the
12 appointed voting members. The Commission shall be subject to the
13 Oklahoma Open Meeting Act.

14 E. The Commission functions performed by the Governor,
15 President Pro Tempore of the Senate, Speaker of the House of
16 Representatives, Secretary of State, and appointed senators and
17 representatives are additional functions of their other public
18 offices and duties.

19 SECTION 10. AMENDATORY 74 O.S. 2021, Section 4104, is
20 amended to read as follows:

21 Section 4104. A. The State Capitol Preservation Commission
22 shall provide oversight to the Capitol Liaison and the Office of
23 Management and Enterprise Services on duties for management and
24 maintenance of the Oklahoma State Capitol and shall:

1 1. ~~Research, plan, and have control of modifications and decor~~
2 ~~of the interior and exterior of the Capitol and the Governor's~~
3 ~~Mansion~~ Approve the restoration, preservation, enhancement, or
4 modification of the Oklahoma State Capitol, Governor's Mansion, and
5 the respective grounds;

6 2. ~~Establish standards for the acquisition and display of works~~
7 ~~of art for public display in the Capitol and the Governor's Mansion~~
8 ~~and select such works. Such works of art shall be directly related~~
9 ~~to the history and culture of the State of Oklahoma~~ Review and
10 approve the annual budget and the long-range master plan submitted
11 by the Office of Management and Enterprise Services for the Oklahoma
12 State Capitol, Governor's Mansion, and the respective grounds;

13 3. Establish procedures by which private contributions of
14 suitable art can be accepted for the Oklahoma State Capitol and the
15 Governor's Mansion. The Commission is authorized to ~~accept~~ approve
16 and make proper disposition of works of art as may be donated to the
17 Commission and this state;

18 4. ~~Have authority to approve and submit to the Long Range~~
19 ~~Capital Planning Commission any proposed modification, alteration,~~
20 ~~renovation, repair, or construction on any part of the Capitol and~~
21 ~~the Governor's Mansion~~ Review and approve all requests for
22 preservation, restoration, enhancement, and modification to the
23 Oklahoma State Capitol, Governor's Mansion, and the respective
24 grounds submitted by the Capitol Liaison. This review and approval

1 process shall not apply to actions deemed by the Capitol
2 Superintendent to be maintenance necessary for the upkeep and
3 function of the Oklahoma State Capitol, Governor's Mansion, and the
4 respective grounds;

5 5. Review and approve a security plan submitted by the
6 Department of Public Safety for the Oklahoma State Capitol,
7 Governor's Mansion, and the respective grounds; and

8 ~~5.~~ 6. Have final approval authority for any plans or programs
9 for the restoration, preservation, or display of fine art programs
10 in and surrounding the Oklahoma State Capitol and the Governor's
11 Mansion. Review and approve administrative rules submitted by the
12 Office of Management and Enterprise Services or the Capitol Liaison
13 concerning the Oklahoma State Capitol, Governor's Mansion, the
14 respective contents, and the respective concerns;

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

18 8. Review and approve standards for the selection and
19 acquisition of works of art and monuments for permanent and
20 temporary public display in the Oklahoma State Capitol, the
21 Governor's Mansion, and the respective grounds. Such works of art
22 shall be directly related to the history and culture of this state;

23 9. Consult the Oklahoma Arts Council to determine the location
24 of all works of art and monuments to be displayed;

1 10. Provide for the allocation of physical space in the
2 Oklahoma State Capitol to tenants within the limits of Section 15.1
3 of Title 73 of the Oklahoma Statutes. Each tenant shall be
4 responsible for assigning its membership and personnel to locations
5 within its allotted space;

6 11. Approve rooms and areas of the building available for use
7 and reservation by the public;

8 12. Provide oversight and accountability inspections of
9 maintenance, restoration, preservation, enhancement, and
10 modification projects to ensure all projects conform to design
11 standards;

12 13. Provide for designation of parking space blocks to be
13 allotted to the tenants in the Oklahoma State Capitol. Tenants
14 shall be responsible for assignment of individual parking spaces;
15 and

16 14. Ensure the Oklahoma State Capitol, grounds, and tenants
17 comply with Americans with Disabilities Act standards.

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

1 State Capitol Repair Expenditure Oversight Committee created in
2 Section 345 of Title 73 of the Oklahoma Statutes.

3 SECTION 11. AMENDATORY 74 O.S. 2021, Section 4105, is
4 amended to read as follows:

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

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

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

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

19 4. 3. Maintain a record of all structural and decor changes
20 made in the Oklahoma State Capitol and the Governor's Mansion; ~~and~~

21 5. 4. Make recommendations to the State Capitol Preservation
22 Commission for design standards and of necessary action on proposed
23 restoration, preservation, enhancement, and modifications in decor
24 or design to ensure preservation and maintenance of the cultural and

1 historic integrity of the Oklahoma State Capitol and the Governor's
2 Mansion; and

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

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

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

13 A. The Oklahoma State Capitol duties of the Office of
14 Management and Enterprise Services are as follows:

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

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

23 3. OMES shall be responsible for devising and developing
24 processes for tenants in the Oklahoma State Capitol and Governor's

1 Mansion to submit requests for maintenance, restoration,
2 preservation, enhancement, and modification and evaluating such
3 requests;

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

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

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

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

21 8. OMES shall be responsible for operation of all dining and
22 vending services in the Oklahoma State Capitol and shall approve
23 food trucks and other mobile food preparation vehicles on the
24 grounds unless approved by the Legislature;

1 9. OMES shall be responsible for taking and approving
2 reservations in all meeting rooms and areas of the Oklahoma State
3 Capitol and grounds not allocated to the Legislature by Section 15.1
4 of Title 73 of the Oklahoma Statutes;

5 10. OMES shall be responsible for approving all events and
6 gatherings in the Oklahoma State Capitol and on the respective
7 grounds except for space designated in Section 15.1 of Title 73 of
8 the Oklahoma Statutes;

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

13 12. The Department of Public Safety shall ensure the safety of
14 all visitors, employees, and elected officials who are in the
15 Oklahoma State Capitol, Governor's Mansion, or on the respective
16 grounds. The Department of Public Safety shall develop a security
17 plan to be submitted to the State Capitol Preservation Commission
18 every three (3) years for approval;

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

22 14. OMES shall be responsible for submitting proposed
23 administrative rules to the State Capitol Preservation Commission to
24 govern the execution of the duties of the Office;

1 15. OMES may collect rent from third-party vendors in the
2 Oklahoma State Capitol and proceeds from the sale of merchandise or
3 services rendered; and

4 16. OMES shall have the authority to respond promptly to
5 emergency maintenance needs as they arise.

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

9 SECTION 13. AMENDATORY 74 O.S. 2021, Section 4108, is
10 amended to read as follows:

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

18 SECTION 14. NEW LAW A new section of law to be codified
19 in the Oklahoma Statutes as Section 4108.1 of Title 74, unless there
20 is created a duplication in numbering, reads as follows:

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

1 hold exhibitions and commissions to display art to the general
2 public. The Oklahoma Arts Council may request direct appropriations
3 or submit requests to the Office of Management and Enterprise
4 Services.

5 SECTION 15. AMENDATORY 74 O.S. 2021, Section 4109, is
6 amended to read as follows:

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

18 SECTION 16. REPEALER 74 O.S. 2021, Sections 4106 and
19 4107, are hereby repealed.

20 SECTION 17. It being immediately necessary for the preservation
21 of the public peace, health or safety, an emergency is hereby
22 declared to exist, by reason whereof this act shall take effect and
23
24

1 be in full force from and after its passage and approval.

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