

OKLAHOMA STATE SENATE
CONFERENCE
COMMITTEE REPORT

May 18, 2023

Mr. President:

Mr. Speaker:

The Conference Committee, to which was referred

SB141

By: Kirt, Garvin and Stephens of the Senate and McBride, Munson and Dobrinski of the House


Title: State government; establishing provisions for State Capitol Preservation. Emergency.

together with Engrossed House Amendments thereto, beg leave to report that we have had the same under consideration and herewith return the same with the following recommendations:


1. That the House recede from all Amendments.
2. That the attached Conference Committee Substitute (Request #2209) be adopted.

Respectfully submitted,

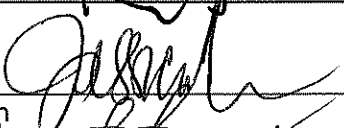
SENATE CONFEREES:



Senator Kirt




Senator Dugger



Senator Garvin

Senator Hamilton



Senator Stewart

Senator Rogers

Senator Hicks

HOUSE CONFEREES:

Conference Committee on Public Safety

Senate Action _____ Date _____ House Action _____ Date _____

HOUSE CONFEREES

George, John



Goodwin, Regina

Hardin, David

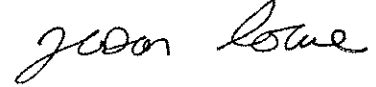


Humphrey, Justin



Kane, John

Lowe, Jason



Manger, Robert



May, Stan

1 STATE OF OKLAHOMA

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

3 CONFERENCE COMMITTEE SUBSTITUTE
4 FOR ENGROSSED

5 SENATE BILL NO. 141

6 By: Kirt, Garvin, and Stephens
7 of the Senate

8 and

9 McBride, Munson, and
10 Dobrinski of the House

11 CONFERENCE COMMITTEE SUBSTITUTE

12 An Act relating to state government; requiring the
13 Department of Public Safety to create and submit
14 security plan for certain locations on certain
15 schedule; requiring coordination with certain agency;
16 amending 73 O.S. 2021, Section 176, which relates to
17 the permanent Capitol Liaison committee; creating the
18 position of Capitol Liaison; transferring certain
19 duties from the legislative liaison committee to the
20 Capitol Liaison; requiring certain proposals to be
21 submitted to the Capitol Liaison; providing that the
22 Capitol Liaison is the primary liaison for Capitol
23 tenants; amending 73 O.S. 2021, Section 345, which
24 relates to the State Capitol Repair Expenditure
Oversight Committee; terminating certain committee;
deleting certain responsibilities; 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 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; providing
procedures for selecting the chair; establishing
meeting requirements; providing quorum requirements;

1 providing that certain State Capitol Preservation
2 Commission functions are additional functions of
3 certain members; amending 74 O.S. 2021, Section 4104,
4 which relates to powers and responsibilities of the
5 State Capitol Preservation Commission; modifying and
6 adding certain powers and responsibilities;
7 transferring certain oversight responsibilities;
8 amending 74 O.S. 2021, Section 4105, which relates to
9 Capitol Architect and Curator duties; modifying
10 certain duties of the Capitol Architect and Curator;
11 providing duties of the Office of Management and
12 Enterprise Services, the Oklahoma Tourism and
13 Recreation Department, the Oklahoma Arts Council, the
14 Department of Transportation, and the Capitol Liaison
15 with respect to the Oklahoma State Capitol; directing
16 the Office of Management and Enterprise Services to
17 employ all necessary staff and consultants; amending
18 74 O.S. 2021, Section 4108, which relates to
19 application of act; expanding applicability of
20 certain law; directing the Oklahoma Arts Council to
21 be responsible for certain art; authorizing certain
22 events; providing procedures for receiving funds;
23 amending 74 O.S. 2021, Section 4109, which relates to
24 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;
deleting obsolete language; providing for
codification; and declaring an emergency.

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

20 SECTION 1. NEW LAW A new section of law to be codified
21 in the Oklahoma Statutes as Section 93 of Title 73, unless there is
22 created a duplication in numbering, reads as follows:

23 The Department of Public Safety shall create a security plan for
24 the Oklahoma State Capitol and Oklahoma State Capitol grounds. The

1 plan shall be submitted to the State Capitol Preservation
2 Commission. An updated plan shall be submitted every three (3)
3 years.

4 The Department shall coordinate with the Office of Management
5 and Enterprise Services to implement and staff the approved security
6 plan.

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

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

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

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

11 C. All proposals for enhancement, modification, preservation,
12 or restoration of the Oklahoma State Capitol and Oklahoma State
13 Capitol grounds shall be submitted to the Liaison. The Liaison
14 shall submit all proposals to the State Capitol Preservation
15 Commission for approval.

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

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

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

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

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

19 C. For the purposes of paying the costs for construction of the
20 real property and improvements, and providing funding for the
21 project authorized in subsection A of this section, and for the
22 purpose authorized in subsection D of this section, the Authority is
23 hereby authorized to borrow monies on the credit of the income and
24 revenues to be derived from the leasing of such property and

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

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

24

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

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

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

19 H. The Authority may direct the investment of all monies in any
20 funds or accounts created in connection with the offering of the
21 obligations authorized under this section. Such investments shall
22 be made in a manner consistent with the investment guidelines of the
23 State Treasurer. The Authority may place additional restrictions on
24

1 the investment of such monies if necessary to enhance the
2 marketability of the obligations.

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

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

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

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

19 ~~3. Three legislators to be appointed by the President Pro~~
20 ~~Tempore of the Senate, two of whom shall be members of the majority~~
21 ~~political party and one of whom shall be a member of the minority~~
22 ~~political party. Five members of the Committee shall constitute a~~
23 ~~quorum and the vote of five members shall be necessary for any~~
24 ~~action taken by the Committee. The Committee shall be staffed by~~

1 ~~employees of the Office of Management and Enterprise Services. The~~
2 ~~Committee shall be subject to the Oklahoma Open Meeting Act.~~

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

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

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

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

15 ~~L. The Committee shall deliver a final plan to the Director of~~
16 ~~the Office of Management and Enterprise Services no later than June~~
17 ~~30, 2015. The final plan shall include the following components:~~

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

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

21 ~~M. Following delivery of the final plan, the Committee shall~~
22 ~~continue to oversee the expenditure of proceeds from the sale of~~
23 ~~obligations issued pursuant to the provisions of this section and~~
24 ~~Section 1 of Enrolled House Bill No. 3168 of the 2nd Session of the~~

1 ~~55th Legislature, until completion of the renovation, repair and~~
2 ~~remodeling of the State Capitol. The Committee may also propose and~~
3 ~~approve amendments to the plan as it deems appropriate.~~

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

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

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

23 Section 4101. As used in Sections 4101 through ~~4108~~ 4110.1 of
24 this title:

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

3 2. "Art" means fine art of museum quality representing the
4 highest quality of art objects available to include paintings,
5 murals, graphic arts, art photography and sculpture, aesthetically
6 aligned with recognized values, created by the conscious use of
7 skill and creative imagination;

8 3. "Design standards" means a document that is produced for the
9 purpose of guiding review of proposed alterations to the Oklahoma
10 State Capitol and grounds.

11 Design standards set the acceptable level of finishes for the
12 historic fabric, features, and materials in use in the Oklahoma
13 State Capitol.

14 This document establishes specifications for alterations which,
15 if followed, will provide compatible design;

16 4. "Enhancement" means an increase or improvement upon the
17 quality, value, or extent of the original design intent of the
18 Oklahoma State Capitol or grounds;

19 5. "Grounds" means all land surrounding the Oklahoma State
20 Capitol and bordered by Lincoln Boulevard;

21 6. "Maintenance" means keeping spaces, structures, and
22 infrastructure in proper operating condition in a routine,
23 scheduled, or anticipated fashion to prevent failure or degradation;
24

1 7. "Modification" means any change to an existing physical
2 attribute of the Oklahoma State Capitol or grounds;

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

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

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

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

1 Preservation Commission shall provide the highest-quality
2 maintenance, restoration, preservation, enhancement, and
3 modification of and long-term planning for the interior and exterior
4 of the Capitol and grounds for the perpetual use by the state
5 government and the enjoyment of all persons.

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

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

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

12 2. One member to be appointed by the Governor;

13 2. ~~3. Three members shall be appointed by the~~ The President
14 Pro Tempore of the Senate, or designee;

15 3. ~~4. Three members shall be appointed by the~~ The Speaker of
16 the House of Representatives, or designee;

17 4. ~~5. One member shall be appointed by the~~ The Chief Justice
18 of the Oklahoma Supreme Court, or designee; and

19 5. ~~6. One member of the Senate appointed by the~~ President Pro
20 Tempore of the Senate;

21 7. One former member of the Senate appointed by the President
22 Pro Tempore of the Senate;

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

1 9. One former member of the House of Representatives appointed
2 by the Speaker of the House of Representatives;

3 10. The Secretary of State; and

4 11. The following shall be ex officio nonvoting members:

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

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

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

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

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

1 ~~The term of office for each successor shall be for five (5)~~
2 ~~years. Any member of the Legislature who is appointed to the~~
3 ~~Commission shall serve only as long as the member is a member of the~~
4 ~~respective house from which the member was appointed. All appointed~~
5 ~~voting and ex officio non-voting members of the State Capitol~~
6 ~~Preservation Commission shall serve at the pleasure of their~~
7 ~~appointing authority.~~

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

18 D. The Office of Management and Enterprise Services shall make
19 the necessary arrangements for support services for the State
20 Capitol Preservation Commission. The State Capitol Preservation
21 Commission shall meet at least once per quarter and at the call of
22 the chair as needed. A quorum of the voting members shall be
23 present for any action taken. A quorum is the majority of the
24

1 appointed voting members. The Commission shall be subject to the
2 Oklahoma Open Meeting Act.

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

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

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

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

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

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 and grounds submitted by the Capitol Liaison.
12 This review and approval process shall not apply to actions deemed
13 by the Capitol Building Superintendent to be maintenance necessary
14 for the upkeep and function of the Oklahoma State Capitol and
15 grounds;

16 4. Review and approve a security plan submitted by the
17 Department of Public Safety for the Oklahoma State Capitol and
18 grounds; and

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

23 6. Review and approve administrative rules submitted by the
24 Office of Management and Enterprise Services or the Capitol Liaison

1 concerning the Oklahoma State Capitol, its contents, and its
2 concerns;

3 7. Review and approve preservation zones and design standards
4 for the Oklahoma State Capitol and grounds;

5 8. Review and approve standards for the selection and
6 acquisition of works of art and monuments for permanent and
7 temporary public display in the public spaces controlled jointly by
8 the House and Senate in the Oklahoma State Capitol. Such works of
9 art shall be directly related to the history and culture of this
10 state; and

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

15 ~~B. The Long Range Capital Planning Commission shall submit any~~
16 ~~capital construction or renovation project with respect to the State~~
17 ~~Capitol or the Governor's Mansion to the State Capitol Preservation~~
18 ~~Commission for its advisory opinion prior to consideration by the~~
19 ~~Long Range Capital Planning Commission~~ As of the effective date of
20 this act, the State Capitol Preservation Commission shall assume
21 oversight responsibility of the Oklahoma State Capitol restoration
22 project from the State Capitol Repair Expenditure Oversight
23 Committee created in Section 345 of Title 73 of the Oklahoma
24 Statutes.

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

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

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

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

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

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

19 5. ~~4.~~ Make recommendations to the State Capitol Preservation
20 Commission for design standards and of necessary action on proposed
21 restoration, preservation, enhancement, and modifications in decor
22 or design to ensure preservation and maintenance of the cultural and
23 historic integrity of the Oklahoma State Capitol and ~~the Governor's~~
24 ~~Mansion;~~ and

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

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

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

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

13 1. OMES shall have the responsibility for maintenance,
14 restoration, preservation, enhancement, and modification of the
15 Oklahoma State Capitol and grounds including facilities planning,
16 facilities construction, and facilities administration;

17 2. OMES shall be responsible for all maintenance duties
18 necessary to properly preserve and maintain the Oklahoma State
19 Capitol and grounds;

20 3. OMES shall be responsible for devising and developing
21 processes for tenants in the Oklahoma State Capitol to submit
22 requests for maintenance, restoration, preservation, enhancement,
23 and modification and evaluating such requests;

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

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

8 6. OMES shall be responsible for creating a long-range master
9 plan for the maintenance and upkeep of the Oklahoma State Capitol
10 and grounds which shall be submitted to the State Capitol
11 Preservation Commission every three (3) years;

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

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

21 9. OMES shall be responsible for taking and approving
22 reservations in all meeting rooms and areas of the Oklahoma State
23 Capitol and grounds and shall seek approval from the Senate, House
24

1 of Representatives, or jointly for space allocated to the
2 Legislature by Section 15.1 of Title 73 of the Oklahoma Statutes;

3 10. OMES shall coordinate with the Oklahoma Arts Council for
4 curation of and care for artwork in the State Art Collection,
5 Capitol Art Collection, and monuments, memorials, and all temporary
6 exhibits in public areas at the Oklahoma State Capitol and grounds;

7 11. The Department of Transportation shall be responsible for
8 all maintenance, upkeep, and access to all parking lots on the
9 grounds of the Oklahoma State Capitol;

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

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

16 14. OMES shall have the authority to respond promptly to
17 emergency maintenance needs as they arise; and

18 15. OMES shall serve as the primary contact for Americans with
19 Disabilities Act of 1990 (ADA) compliance for the Oklahoma State
20 Capitol.

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

24

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

3 Section 4108. The provisions of Sections 4101 through 4107
4 4110.1 of this title shall apply to all modifications in the
5 structure or decor of the Oklahoma State Capitol ~~and the Governor's~~
6 ~~Mansion~~ and grounds except for those immediate emergency repairs
7 needed to prevent loss or damage to property or to protect the
8 health and safety of the public during use of the building and any
9 art displayed on the grounds.

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

13 The Oklahoma Arts Council shall be given the responsibility to
14 acquire, maintain, preserve, or restore any state-owned art in the
15 State Art Collection or Capitol Art Collection that is in storage or
16 on display in the Oklahoma State Capitol and grounds. The council
17 is authorized to hold exhibitions and commissions to display art to
18 the general public. The Oklahoma Arts Council may request direct
19 appropriations or submit requests to the Office of Management and
20 Enterprise Services.

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

23 Section 4109. ~~By the order of the Director of the Office of~~
24 ~~Management and Enterprise Services, restoration and preservation~~

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

10 SECTION 13. REPEALER 74 O.S. 2021, Sections 4106 and
11 4107, are hereby repealed.

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

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