

SENATE CHAMBER
STATE OF OKLAHOMA

DISPOSITION

FLOOR AMENDMENT


No. 1

COMMITTEE AMENDMENT

(Date)

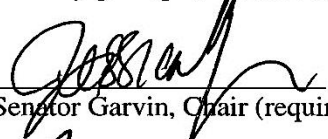
I move to amend Senate Bill No. 141, by the attached floor substitute (Request #2032) for the title, enacting clause and entire body of the measure.

Submitted by:

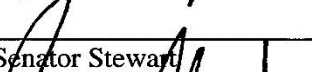


Senator Kirt

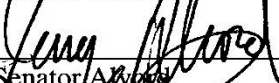
I hereby grant permission for the floor substitute to be adopted.



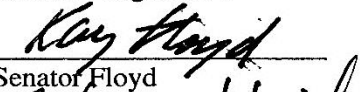
Senator Garvin, Chair (required)



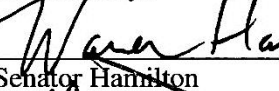
Senator Stewart



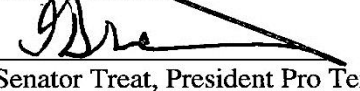
Senator Arnold




Senator Bergstrom



Senator Floyd



Senator Hamilton




Senator Treat, President Pro Tempore




Senator Murdock




Senator Rogers



Senator Seifried



Senator Weaver



Senator Young

Senator McCortney, Majority Floor Leader

Note: General Government committee majority requires six (6) members' signatures.

I hereby grant permission for the floor substitute to be adopted.



Senator Thompson (Roger)
Appropriations Committee Chair

Kirt-KR-FS-SB141
3/16/2023 8:34 AM

(Floor Amendments Only)

Date and Time Filed: 3-21-23 3:35 pm *jd*

Untimely

Amendment Cycle Extended

Secondary Amendment

1 STATE OF OKLAHOMA

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

3 FLOOR SUBSTITUTE
4 FOR

5 SENATE BILL NO. 141

By: Kirt and Garvin of the
Senate

6 and

7 McBride of the House

8
9 FLOOR SUBSTITUTE

10 [state government - Capitol grounds and buildings -
11 security plan - coordination - Capitol Liaison -
12 State Capitol Repair Expenditure Oversight Committee
13 - responsibilities - sunset termination date -
14 meeting requirements - functions - State Capitol
15 Preservation Commission - duties - staff and
16 consultants - applicability - procedures - exemptions
17 - repealer - codification -
18 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 and
the Governor's Mansion. The plan shall be submitted to the State

1 Capitol Preservation Commission for review and approval. A new plan
2 shall be submitted every three (3) years.

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

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

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

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

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

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

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

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

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

24

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, Governor's Mansion, and respective 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, Governor's Mansion, or the respective
19 grounds;

20 5. "Grounds" means all land surrounding the Oklahoma State
21 Capitol and bordered by Lincoln Boulevard, and the land contained
22 within the fence line surrounding the Governor's Mansion;
23
24

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

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

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

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

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

20 Section 4102. There is hereby re-created, to continue until
21 ~~July 1, 2024~~ July 1, 2028, in accordance with the provisions of the
22 Oklahoma Sunset Law, the State Capitol Preservation Commission which
23 shall be responsible for planning and supervising the preservation
24 and restoration of the interior and exterior of the Oklahoma State

1 Capitol ~~Building~~, hereinafter referred to as the Capitol, and the
2 Governor's Mansion. The Commission shall ~~control~~ approve the
3 display of art objects in public joint House- and Senate-controlled
4 and executive branch-controlled areas of the Capitol and the
5 Governor's Mansion. The State Capitol Preservation Commission shall
6 provide the highest-quality maintenance, restoration, preservation,
7 enhancement, and modification of and long-term planning for the
8 interior and exterior of the Capitol, Governor's Mansion, and the
9 respective grounds for the perpetual use by the state government and
10 the enjoyment of all persons.

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

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

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

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

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

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

23 5. One member of the Senate appointed by the President Pro
24 Tempore of the Senate;

1 6. One former Senator appointed by the President Pro Tempore of
2 the Senate;

3 7. One member of the House of Representatives appointed by the
4 Speaker of the House of Representatives;

5 8. One former member of the House of Representatives appointed
6 by the Speaker of the House of Representatives;

7 9. The Secretary of State; and

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

9 a. ~~Chairman~~ Executive Director of the Oklahoma Arts
10 Council, or designee,

11 b. ~~President~~ Executive Director of the Oklahoma
12 Historical Society, or designee,

13 c. Capitol Architect and Curator,

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

15 e. Director of the Office of Management and Enterprise
16 Services or a designee.

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

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

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

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

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

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

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

9 E. The Commission functions performed by the Governor,
10 President Pro Tempore of the Senate, Speaker of the House of
11 Representatives, Secretary of State, and appointed Senators and
12 Representatives are additional functions of their other public
13 offices and duties.

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

16 Section 4104. A. The State Capitol Preservation Commission
17 shall provide oversight to the Capitol Liaison and the Office of
18 Management and Enterprise Services on duties for management and
19 maintenance of the Oklahoma State Capitol and shall:

20 1. ~~Research, plan, and have control of modifications and decor~~
21 ~~of the interior and exterior of the Capitol and the Governor's~~
22 ~~Mansion~~ Approve the restoration, preservation, enhancement, or
23 modification of the Oklahoma State Capitol, Governor's Mansion, and
24 the respective grounds;

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

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

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

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

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

8 6. Review and approve administrative rules submitted by the
9 Office of Management and Enterprise Services or the Capitol Liaison
10 concerning the Oklahoma State Capitol, Governor's Mansion, the
11 respective contents, and the respective concerns;

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

15 8. Review and approve standards for the selection and
16 acquisition of works of art and monuments for permanent and
17 temporary public display in the public spaces controlled by the
18 executive branch or controlled jointly by the House and Senate in
19 the Oklahoma State Capitol or the Governor's Mansion. Such works of
20 art shall be directly related to the history and culture of this
21 state; and

22 9. Provide oversight and accountability inspections of
23 maintenance, restoration, preservation, enhancement, and
24

1 modification projects to ensure all projects conform to design
2 standards.

3 ~~B. The Long Range Capital Planning Commission shall submit any~~
4 ~~capital construction or renovation project with respect to the State~~
5 ~~Capitol or the Governor's Mansion to the State Capitol Preservation~~
6 ~~Commission for its advisory opinion prior to consideration by the~~
7 ~~Long Range Capital Planning Commission~~ As of the effective date of
8 this act, the State Capitol Preservation Commission shall assume
9 oversight responsibility of the Oklahoma State Capitol restoration
10 project from the State Capitol Repair Expenditure Oversight
11 Committee created in Section 345 of Title 73 of the Oklahoma
12 Statutes.

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

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

17 1. Develop the technical plans and programs for consideration
18 by the State Capitol Preservation Commission ~~and the Long Range~~
19 ~~Capital Planning Commission~~ with regard to restoration, renovation,
20 and preservation of the Oklahoma State Capitol and the Governor's
21 Mansion;

22 2. ~~Develop and enforce standards adopted for acquisition and~~
23 ~~display of works of art in and surrounding the Capitol and the~~
24 ~~Governor's Mansion~~ Advise the State Capitol Preservation Commission

1 regarding the space demands of the various agencies in the Oklahoma
2 State Capitol and the Governor's Mansion;

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

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

7 ~~5.~~ 4. Make recommendations to the State Capitol Preservation
8 Commission for design standards and of necessary action on proposed
9 restoration, preservation, enhancement, and modifications in decor
10 or design to ensure preservation and maintenance of the cultural and
11 historic integrity of the Oklahoma State Capitol and the Governor's
12 Mansion; and

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

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

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

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

1 1. OMES shall have the responsibility for maintenance,
2 restoration, preservation, enhancement, and modification of the
3 Oklahoma State Capitol, Governor's Mansion, and respective grounds
4 including facilities planning, facilities construction, and
5 facilities administration;

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

9 3. OMES shall be responsible for devising and developing
10 processes for tenants in the Oklahoma State Capitol and Governor's
11 Mansion to submit requests for maintenance, restoration,
12 preservation, enhancement, and modification and evaluating such
13 requests;

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

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

21 6. OMES shall be responsible for creating a long-range master
22 plan for the maintenance and upkeep of the Oklahoma State Capitol,
23 Governor's Mansion, and the respective grounds which shall be
24

1 submitted to the State Capitol Preservation Commission every three
2 (3) years;

3 7. The Oklahoma Tourism and Recreation Department in
4 collaboration with the Oklahoma Arts Council shall be responsible
5 for operation or coordinating operation of the visitor center,
6 visitor relations activities, and tours in the Oklahoma State
7 Capitol;

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

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

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

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

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

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

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

9 15. OMES shall serve as the primary contact for Americans with
10 Disabilities Act of 1990 (ADA) compliance for the Oklahoma State
11 Capitol.

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

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

17 Section 4108. The provisions of Sections 4101 through ~~4107~~
18 4110.1 of this title shall apply to all modifications in the
19 structure or decor of the Oklahoma State Capitol ~~and the,~~ Governor's
20 Mansion, and the respective grounds except for those immediate
21 emergency repairs needed to prevent loss or damage to property or to
22 protect the health and safety of the public during use of the
23 building and any art displayed on the grounds.

24

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

4 The Oklahoma Arts Council shall be given the responsibility to
5 acquire, maintain, preserve, or restore any state-owned art in the
6 State Art Collection or Capitol Art Collection that is in storage or
7 on display in the Oklahoma State Capitol, Governor's Mansion, and
8 the respective grounds. The council is authorized to hold
9 exhibitions and commissions to display art to the general public.
10 The Oklahoma Arts Council may request direct appropriations or
11 submit requests to the Office of Management and Enterprise Services.

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

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

1 SECTION 13. REPEALER 74 O.S. 2021, Sections 4106 and
2 4107, are hereby repealed.

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

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