

ENROLLED SENATE
BILL NO. 112

BY: TAYLOR, HANEY and SHURDEN
of the SENATE

and

HAMILTON (James), STEIDLEY
and MONKS of the HOUSE

AN ACT RELATING TO THE OKLAHOMA HISTORICAL SOCIETY; AMENDING SECTION 3 OF ENROLLED SENATE BILL NO. 414 OF THE 1ST SESSION OF THE 43RD OKLAHOMA LEGISLATURE; AMENDING SECTION 5, CHAPTER 217, O.S.L. 1988 (53 O.S. SUPP. 1990, SECTION 1.3), WHICH RELATES TO THE DUTIES OF THE OKLAHOMA HISTORICAL SOCIETY; MAKING AN APPROPRIATION THERETO; STATING PURPOSE; PROVIDING FOR DUTIES AND COMPENSATION OF EMPLOYEES; LIMITING THE SALARY OF THE DIRECTOR; PROVIDING BUDGETARY LIMITATIONS; REQUIRING PLACEMENT OF DONATION RECEPTACLES AT CERTAIN MUSEUMS AND HISTORIC SITES; DIRECTING CERTAIN DEPOSITS OF CERTAIN MONIES; AUTHORIZING CERTAIN EXPENDITURES; PROVIDING EXCEPTION; AUTHORIZING CERTAIN ENTRY FEE; PROVIDING FOR THE TRANSFER OF CERTAIN FUNDS, RECORDS, PERSONNEL AND PROPERTY FROM THE OKLAHOMA TOURISM AND RECREATION DEPARTMENT TO THE OKLAHOMA HISTORICAL SOCIETY; DIRECTING ASSUMPTION OF POWERS, DUTIES AND OBLIGATIONS RELATED TO SUCH PROPERTIES; STATING LEGISLATIVE APPROVAL OF ACQUISITION OF CERTAIN PROPERTY; PROVIDING FOR CODIFICATION; PROVIDING LAPSE DATE; PROVIDING AN OPERATIVE DATE; AND DECLARING AN EMERGENCY.

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

SECTION 1. AMENDATORY Section 3 of Enrolled Senate Bill No. 414 of the 1st Session of the 43rd Oklahoma Legislature, is amended to read as follows:

Section 3. There is hereby appropriated to the Oklahoma Historical Society from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1992, the sum of ~~Three Million Five Hundred Forty-two Thousand Eight Hundred Eight Dollars (\$3,542,808.00)~~ Four Million Eight Hundred Forty-six Thousand Six Hundred Thirty-six Dollars (\$4,846,636.00) or so much thereof as may be required to perform the duties imposed upon the Oklahoma Historical Society by law.:

<u>General Administration</u>		
<u>Personal Services</u>	<u>\$1,269,907.00</u>	
<u>Other Operating Expenses</u>	<u>133,570.00</u>	
<u>Subtotal</u>		<u>\$1,403,477.00</u>
<u>Sites and Museums</u>		
<u>Personal Services</u>	<u>\$2,621,187.00</u>	

<u>Other Operating Expenses</u>	<u>701,239.00</u>	
<u>Subtotal</u>		<u>\$3,322,426.00</u>
<u>Historic Preservation Survey and Planning</u>		
<u>Personal Services</u>	<u>\$111,189.00</u>	
<u>Other Operating Expenses</u>	<u>9,544.00</u>	
<u>Subtotal</u>		<u>\$ 120,733.00</u>
<u>TOTAL</u>		<u>\$4,846,636.00</u>

SECTION 2. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Oklahoma Historical Society by law shall be set by the Director. The salary of the Director shall not exceed Forty-nine Thousand Eight Hundred and Twenty Dollars (\$49,820.00) per annum, payable monthly for the fiscal year ending June 30, 1992. The Oklahoma Historical Society for the fiscal year ending June 30, 1992, shall be subject to the following budgetary limitations on full-time-equivalent employees and expenditures excluding expenditures for capital and special projects, except as may be authorized pursuant to the provisions of Section 3603 of Title 74 of the Oklahoma Statutes:

<u>Budgetary Limitation</u>	<u>Amount</u>
Full-time-equivalent Employees	
Excluding Seasonal Employees	146.0
Payroll, Salaries or Wages, Including Tax-sheltered Deferment Contracts and Longevity Payments Authorized by State Statutes	\$3,229,349.00
Professional and Personal Services Contracts	\$120,000.00
Lease-Purchase Agreements	\$25,000.00
Purchase of Equipment	\$105,500.00
Expenditure of Revolving Funds	\$450,000.00
Expenditure of Federal Funds	\$150,000.00
Total Expenditures for Operations	\$5,446,636.00

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1.20 of Title 53, unless there is created a duplication in numbering, reads as follows:

Each Oklahoma museum or historical site supported by state funds shall provide a donation receptacle at the museum or historical site operated under the authority of the State of Oklahoma. The donation receptacles shall be for the purpose of the collection of voluntary donations of monies made by visitors to the museums and historical sites. Any monies collected in any such donation receptacle shall be deposited in an account or the revolving fund established for that specific museum or historical site for the purposes of funding renovations of the museum or historical site, acquisitions of artifacts, and other expenditures necessary for the operation, maintenance and expansion of the museum or historical site.

SECTION 4. AMENDATORY Section 5, Chapter 217, O.S.L. 1988 (53 O.S. Supp. 1990, Section 1.3), is amended to read as follows:

Section 1.3 It shall be the duty of the Society to:

1. collect, purchase, catalog, store, preserve, conserve and maintain books, maps, photographs, newspapers, records, reports, manuscripts, charts, paintings, three-dimensional artifacts and

other materials germane to the history of Oklahoma, the Indian and the West;

2. gather and utilize collected materials to create interpretive exhibits illustrative of the history of Oklahoma, the United States and the world in the State Museum of History and at other assigned museums and historic sites to be open to the public without fee except as otherwise provided by law;

3. prepare and publish materials relative to the history of the State of Oklahoma. Such materials may be offered for sale at a reasonable cost to the public at museums and historic sites operated by the Society;

4. prepare and publish matters relating to the Society's transactions and research as may be useful to its membership and the public. Such publications shall include an annual report of its collections;

5. develop an oral history program for the State of Oklahoma designed to promote the preservation and utilization of oral history within the state concerning significant elements of the social, political, economic, cultural, educational, ethnic and military history of the geographical area now known as the State of Oklahoma; transcribe, index, catalog and maintain the results of these interviews to make them readily available to the public and historical researchers; and

6. develop an educational program for the purpose of making available to schools and the public information pertaining to the history of Oklahoma through the utilization of collections and properties held by the Society. Reasonable charges may be made for the dissemination of any such facts or information.

SECTION 5. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1.19 of Title 53, unless there is created a duplication in numbering, reads as follows:

The Oklahoma Historical Society is authorized to charge an entry fee to the public for admission to the Pawnee Bill special events. All monies collected shall be deposited in the Historical Society Revolving Fund.

SECTION 6. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 4.2a of Title 53, unless there is created a duplication in numbering, reads as follows:

Upon the availability of funds, the following described facilities and lands, currently owned and operated by the Oklahoma Tourism and Recreation Department, all the appurtenances thereto, and all unexpended funds, property, records, personnel and personal property essential to the continued orderly operation of those facilities, shall be transferred to the Oklahoma Historical Society. Upon such transfer, the Oklahoma Historical Society shall have the same powers and duties with respect to the facilities as were previously performed by the Oklahoma Tourism and Recreation Department and shall assume the performance of all existing obligations of the Department relating to the operation and maintenance of said facilities. Except for the purpose of restoration, the Oklahoma Historical Society shall not remove any of the property or artifacts from any of the premises specified in this section for more than ninety (90) days. Such property and artifacts shall be considered permanently located at such premises, unless by Joint Resolution, the Legislature approves a transfer of such property or artifacts from the premises. Said premises shall include respectively:

1. The Black Kettle Museum - All buildings and improvements situated on a tract of land in Roger Mills County, State of Oklahoma, more particularly described as follows: Three hundred

lineal feet (300 L.F.) North and South, and sixty-five lineal feet (65 L.F.) East and West in Block Forty-eight (Blk. 48), of the original Townsite of Cheyenne, County of Roger Mills, State of Oklahoma, and immediately West of the Roger Mills County Court House.

A tract of land in Roger Mills County, State of Oklahoma, more particularly described as follows: Beginning at a point 1066.48 feet West of the Southeast Corner of the Northeast Quarter of Section Twelve, Township Thirteen North, Range Twenty-four West of the Indian Meridian. From point of beginning a distance of 626.13 feet West, thence North 208.71 feet, thence East 626.13 feet, thence South 208.71 feet to point of beginning. A tract of land containing three acres, more or less.

2. The Cherokee Courthouse - A tract of land in Sequoyah County, State of Oklahoma, lying in the Southeast Quarter of Section 16, Township 12 North, Range 21 East of the Indian Meridian, more particularly described as follows: Beginning at a point 288.24 feet South of and 141.14 feet East of the Northwest corner of the Northeast Quarter of the Southeast Quarter; thence South $34^{\circ} 45' 22''$ East, a distance of 131.12 feet; thence Southeasterly on a curve to the left having a radius of 2804.79 feet a distance of 1279.30 feet; thence North $29^{\circ} 06' 28''$ East, a distance of 31.33 feet to a point 1170.99 feet South of and 1220.13 feet East of the Northwest corner of the Northeast Quarter of the Southeast Quarter; thence North $43^{\circ} 41' 22''$ West, a distance of 1369.33 feet; thence South $55^{\circ} 14' 38''$ West, a distance of 102.22 feet to the point of beginning containing 3.92 acres, more or less.

3. The Chouteau Memorial - A tract of land in Mayes County, State of Oklahoma, lying in Section 22, Township 21 North, Range 20 East of the Indian Meridian, more particularly described as follows: All of Block A, except that portion described as: Beginning at a point in Block or Tract A 110 feet West and 85 feet South of the Northeast corner of the Section; thence West a distance of 20 feet; thence South a distance of 10 feet; thence East a distance of 20 feet; thence North a distance of 10 feet to the point of beginning; and a strip of land 12 feet in width in the Block or Tract A, the centerline of which is described as follows: Beginning at a point in the North boundary of the Block or Tract A 136 feet West of the Northeast corner of the Section; thence Southerly to a point in the Block or Tract A, 136 feet West and 95 feet South of the Northeast corner of Section 22, in the W.A. Graham Addition to the Town of Salina, Oklahoma.

4. Murrell Home - A tract of land in Cherokee County, State of Oklahoma described as the W/2 of the NW/4 of the NE/4, less 1/2 acre for road, and the E/2 of the NE/4 of the NW/4 S.22, T16N, R22.

5. Pawnee Bill Museum - A tract of land in Pawnee County, State of Oklahoma, described as that part of the NW/4 of S.6, T21N, R5E.I.M., beginning at the NE corner of the SE/4 of said NW/4; thence running due West a distance of 660.6 feet; thence due South a distance of 329 feet; thence due East a distance of 217.7 feet; thence due South a distance of 481 feet; thence due East a distance of 442.9 feet; thence North on the East line of said NW/4 a distance of 810 feet to the place of beginning, containing 9.875 acres more or less.

A tract of land lying in the West Half (W 1/2) of S.6, T21N, R5E and being described as follows: Beginning at a point on the North line of S.6-T21N-R5E, I.M. and 181.0 feet East of the Northwest corner of said S.6; thence in a Southwesterly direction along the East right-of-way line of U.S. Hwy. 64 to a point on the West line of said S.6 a distance of 336.0 feet South of the Northwest corner

of said S.6; thence South along the West line of said S.6 to a point 208.72 feet North of the SW corner of said S.6; thence East for a distance of 208.72 feet; thence South for a distance of 208.72 feet and to a point 208.72 feet East of the SW corner of said S.6; thence East along the South line of said S.6 to a point on the West right-of-way line of the County road and a distance of 418.0 feet West of the SE corner of the SW/4 of said S.6; thence in a Northeasterly direction on a bearing of North 37 degrees, no minutes, East, for a distance of 472.0 feet; thence on a curve to the left having a radius of 540.0 feet for a distance of 353.0 feet; thence East for a distance of 33 feet and to the East line of the SW/4 of said S.6; thence North along the East line of the W/2 of said S.6 to a point 810.0 feet South of the East one-sixteenth corner to the NW/4 of S.6; thence West for a distance of 442.9 feet; thence North for a distance of 481.0 feet; thence West for a distance of 217.17 feet; thence North for a distance of 1224.0 feet; thence West for a distance of 845.4 feet; thence North for a distance of 216.28 feet; thence West for a distance of 208.72 feet; thence North for a distance of 208.72 feet and to a point on the North line of the NW/4 of said S.6 and 393.12 feet West of the North one-sixteenth corner to the NW/4 of said S.6; thence West along the North line of said S.6 to the point of beginning and containing 268.92 acres more or less.

Lot One (1) and the South Half (S/2) of the Northeast Quarter (NE/4) and the North Half (N/2) of the Southeast Quarter (SE/4) of Section One (1) in Township Twenty-one (21) North of Range Four (4) East of the Indian Meridian containing 199.91 acres, more or less, according to the United States government survey thereof, less and except all minerals having previously been conveyed and except R.R. rights-of-way, however, reserving and excepting all oil and gas and other minerals in and under that portion described as the North Half (N/2) Southeast Quarter (SE/4) of Section One (1) in Township Twenty-one (21) North, Range Four (4) East of the Indian Meridian.

6. Pioneer Woman Museum - A tract of land in Kay County, State of Oklahoma, more particularly described as a circular tract of land containing 0.553 of an acre, the exact location and determination of which is made by commencing at a point in the SW corner of S.23-T26N-R2E, I.M.; thence East along the South line of said section 286.0 feet to a point in the center of a public road; thence Northeast at an angle of 59 degrees 13 minutes a distance of 214.09 feet to the center of said circle, being the center of the base of The Pioneer Woman Monument; thence beginning at a point in center of said base of The Pioneer Woman Monument for a radial point, thence by a radius at 87.5 feet, a complete circle whose circumference is 549.78 feet; together with the stone base and bronze statue known as the monument of the Pioneer Woman.

Beginning at the SW corner of S.23-26N-2E, I.M., an iron pipe set in concrete pavement; thence East along South line of said S.23, 193.0 feet to a point; thence NE at an angle of 59 degrees 13 minutes to the left a distance of 156.7 feet along the West line of public drive to a point in the West line of public circular drive, whose radius is 132.5 feet from center "Pioneer Woman" Monument; thence in a Northerly direction along West line of public circular drive 100.0 feet to a point South line of public drive; thence NW along South line said drive 169.0 feet; thence NW and at an angle of 15 degrees 0 minutes to the left 137.4 feet to a point in West line of S.23, thence South along West line of S.23, 356.5 feet to a place of beginning, containing 1.745 acres.

Permanent Easement - Beginning at the SW corner of S.23-T26N-R2E, I.M., running thence East along the South line of said section,

which for purposes of description is herein taken as a true East and West line, for a distance of 777 feet; thence North 40 feet; thence North 83 degrees 09 minutes West for a distance of 39.9 feet; thence North 52 degrees 11 minutes West for a distance of 80 feet; thence 36 degrees 58 minutes West for a distance of 80 feet; thence North 23 degrees 07 minutes West for a distance of 150.4 feet; thence North 42 degrees 16 minutes West for a distance of 93.9 feet; thence North 77 degrees 16 minutes West for a distance of 95.7 feet; thence South 84 degrees 04 minutes West for a distance of 76.45 feet; thence South 63 degrees 09 minutes West for a distance of 87.7 feet; thence South 82 degrees 59 minutes West for a distance of 64.7 feet; thence North 59 degrees 09 minutes West for a distance of 321.7 feet to a point on the West line of said S.23; thence South 0 degrees 45 minutes East, along said West section line, for a distance of 450 feet to the point of beginning, save and except those two certain tracts of land within the boundary of the lands herein described, which have heretofore been conveyed to the State of Oklahoma; all as more fully appears from a plat and survey prepared March 26, 1936, by E.A. Jones.

Two certain tracts or parcels of land in SW/4 S.23-26N-2E, I.M., more particularly described as follows, to-wit: TRACT A: Beginning at a point 480 feet North and 33 feet East of the SW corner of S.23-26N-R2E, running thence due East a distance of 527 feet to the West line of a 30-foot drive; thence South 30 degrees 47 minutes West along the westerly line of said drive a distance of 137.6 feet; thence North 77 degrees 16 minutes West a distance of 80.6 feet; thence South 84 degrees 6 minutes West a distance of 76.45 feet; thence South 69 degrees 9 minutes West a distance of 87.7 feet; thence South 82 degrees 59 minutes West a distance of 64.7 feet; thence North 59 degrees 9 minutes West a distance of 190.1 feet to a point 33 feet East of the West line of S.23; thence North 0 degrees 45 minutes East parallel to and 33 feet from said West line a distance of 50 feet to place of beginning; and containing approximately 1.265 acres. TRACT B: Beginning at a point 777 feet East and 33 feet North of the SW corner of S.23-26N-R2E, running thence due North a distance of 7 feet; thence North 83 degrees 9 minutes West a distance of 39.9 feet; thence North 58 degrees 11 minutes West a distance of 80 feet; thence North 36 degrees 58 minutes West a distance of 80 feet; thence North 23 degrees 7 minutes West a distance of 150.4 feet; thence North 42 degrees 16 minutes West a distance of 78.8 feet to the easterly line of a 30-foot drive; thence North 30 degrees 47 minutes East along the Easterly line of said drive a distance of 159 feet; thence due East parallel to the South line of S.23 a distance of 555 feet; thence South a distance of 447 feet to a point 1150 feet East and 33 feet North of the SW corner of S.23; thence due West parallel to the South line of S.23 a distance of 369 feet to the place of beginning; and containing approximately 5.67 acres.

A triangular tract of land located in the Northwest corner of the NW/4 of S.26-T26N-R2E of the Indian Meridian, and more particularly described as follows: Starting at the Northwest corner of said NW/4; thence East 33 feet; thence South 33 feet to the true point of beginning: thence East, parallel to and 33 feet from the North line of said Section, a distance of 194.95 feet to the West line of a dedicated highway; thence in a southwesterly direction along the West line of said highway, a distance of 374 feet; thence North, parallel to and 33 feet from the West line of said S.26, a distance of 315 feet to the true point of beginning, containing approximately .7 acres.

7. The Seay Mansion - Chisholm Trail Museum - A tract of land in Kingfisher County, State of Oklahoma, lying in Section 22, Township 16 North, Range 7 West of the Indian Meridian, more particularly described as follows: Lots 2, 18 and 19, Block 3, Zellers Hilltop Addition to the City of Kingfisher, Oklahoma, according to the recorded plat thereof, except all minerals. The South 43 feet of Lots 1, 2, and all of Lots 18, 19, and 20, all in Block 2, and Lot 3 of Block 3, Zellers Hilltop Addition to the City of Kingfisher, Oklahoma, according to the recorded plat thereof except all minerals; Lots 12, 13, 14, 15, 16 and 17 in Block Three (3) of Zellers Hilltop Addition to the City of Kingfisher, Oklahoma, according to the recorded plat thereof except all minerals.

8. The T.B. Ferguson Home - A tract of land in Blaine County, State of Oklahoma, described as Lots One (1), Two (2), and Three (3) and the North twenty feet of Lot Four (4), in Block One Hundred Twenty-four (124) in the City of Watonga, formerly Town of Watonga, according to the recorded plat thereof.

9. The Western Trails Museum - A tract of land in Custer County, State of Oklahoma, lying in Section 22, Township 12 North, Range 17 West of the Indian Meridian, more particularly described as follows: Beginning at a point 602.7 feet South and 512.3 feet West of the Northeast corner of the Northwest Quarter; thence North $72^{\circ} 05'$ West for a distance of 63.5 feet to a point on the Easterly right-of-way line of the A.T. & S.F. Railroad; thence South $24^{\circ} 32'$ West for a distance of 341.0 feet; thence South $55^{\circ} 27'$ East for a distance of 118.7 feet; thence Northeasterly on a curve to the right with a radius of 5829.6 feet for a distance of 372.8 feet to the point of beginning.

10. Spiro Mounds - A tract of land in LeFlore County, State of Oklahoma, described as the Southwest Quarter of the Southeast Quarter of the Northeast Quarter of Section 29, Township 10 North, Range 26 East, and all buildings and improvements situated on a tract of land in LeFlore County, leased to the Oklahoma Tourism and Recreation Department by the United States of America, Lease #DACW56-1-71-1078 and all supplements thereto, containing 138.83 acres.

SECTION 7. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 4.2b of Title 53, unless there is created a duplication in numbering, reads as follows:

To meet the requirements specified in Section 1.9 of Title 53 of the Oklahoma Statutes in order to qualify for state funding, the House of Representatives and the Senate hereby approve the Oklahoma Historical Society's acquisition by gift or donation of the following described real estate known as the Nuyaka Mission and Boarding School located in Okmulgee County, Oklahoma or any portion thereof:

A tract of land in the S/2 of NE/4 of Section 32, Township 14 North, Range 11 East of the Indian Meridian, Okmulgee County, State of Oklahoma, described as follows: Beginning at the Southwest corner of NE/4; thence North along the West line of said NE/4 1112.66 feet; thence East 813.76 feet; thence North 50 feet; thence East 70 feet; thence South 110 feet; thence East 175 feet; thence North 270 feet to a point on the North line of S/2 NE/4; thence East along North line of S/2 NE/4 923.77 feet to the Northeast corner of the W/2 of SE/4 of NE/4; thence South along East line of W/2 SE/4 NE/4 1322.09 feet to the Southeast corner of W/2 SE/4 NE/4; thence West along South line of S/2 NE/4 1981.68 feet to the point of beginning.

SECTION 8. The appropriation made by this act shall be subject to fiscal year limitations and may be encumbered through June 30, 1992. Any unexpended funds remaining after November 15, 1992, shall lapse and be transferred to the credit of the proper fund for the then current year.

SECTION 9. This act shall become operative July 1, 1991.

SECTION 10. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the Senate the 23rd day of May , 1991.

President of the Senate

Passed the House of Representatives the 23rd day of May, 1991.

Speaker of the House of Representatives