

ENROLLED HOUSE
BILL NO. 1264

By: Widener and Bryant of
the House

and

Rozell of the Senate

An Act relating to Oklahoma Historical Societies; amending 53 O.S. 1991, Sections 1.4 and 1.10, which relate to the Oklahoma Historical Society powers and duties and revolving fund; providing additional duties; expanding funding source for Historical Society Revolving Fund; providing for expenditure of certain monies; authorizing the Oklahoma Historical Society to implement an entry fee pilot project; designating sites for the project; directing the Board of Directors to establish an entry fee schedule; providing for accounting and reporting of generated revenue; providing for expenditure of revenue; requiring certain evaluation and reporting; prohibiting certain reductions in appropriations to the Oklahoma Historical Society; providing for a termination date for project; providing for codification; and declaring an emergency.

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

SECTION 1. AMENDATORY 53 O.S. 1991, Section 1.4, is amended to read as follows:

Section 1.4 A. In addition to other powers and duties specified by law, the Oklahoma Historical Society shall have the power and duty to:

1. Acquire by gift, devise, purchase or otherwise, absolutely or in trust, and to hold and, unless otherwise restricted by the terms of the gift or devise, to encumber, convey or otherwise dispose of any real property or real estate or other interest therein as may be necessary in carrying into effect the purpose of the Oklahoma Historical Preservation Act.

2. Enter into contracts and to execute all instruments necessary to fulfill its duties, respecting the protection, preservation, maintenance and operation of such historic buildings, sites and/or objects as it may select.

3. Correlate and preserve drawings, plans, photographs and other data of historic and archaeologic sites, buildings and objects.

4. Make surveys of historic and archaeologic sites, buildings and objects for the purpose of determining which possesses exceptional value as commemorating or relating to the history of Oklahoma.

5. Make necessary investigations and research in Oklahoma relating to particular sites, buildings or objects to obtain true

and accurate historical and archaeological facts and information concerning such sites, buildings or objects.

6. Contract and make cooperative agreements with municipalities, corporations, associations and individuals, with proper bond where deemed advisable to protect, preserve, maintain or operate any historic or archaeological building, site, object or property used in connection therewith for public use, regardless whether the title thereto is in the State of Oklahoma. No contract or cooperative agreement shall be made or entered into which will obligate the General Revenue Fund of the State Treasury unless or until the Legislature has appropriated sufficient monies for such purpose.

7. Restore, reconstruct, rehabilitate, preserve and maintain historic or prehistoric sites, buildings, objects and properties of historical and archaeological significance and where deemed desirable establish and maintain museums in connection therewith.

8. Operate and manage historic and archaeological sites, buildings and properties acquired under the provisions of the Oklahoma Historical Preservation Act, together with lands and subordinate buildings for the benefit of the public, such authority to include the power to charge reasonable visitation fees and grant concessions, leases or permits for the use of land, building space, roads or trails when necessary or desirable either to accommodate the public or to facilitate administration; provided, that such concessions, leases or permits shall be granted only after competitive bids to the person making the highest and best bid.

9. Organize a corporation under the laws of this state when it would be administratively burdensome to restore, reconstruct, operate or maintain any particular historic or archaeological site, building or property donated to the state.

10. Develop an entry fee pilot project as authorized in Section 3 of this act.

B. The Oklahoma Historical Society is authorized to make exchanges of duplicates held by it for matters of historical importance which are of the same approximate value as determined by professional appraisal.

SECTION 2. AMENDATORY 53 O.S. 1991, Section 1.10, is amended to read as follows:

Section 1.10 There is hereby created in the State Treasury of the State of Oklahoma a revolving fund to be designated as the Historical Society Revolving Fund, which shall consist of all money appropriated to said fund and all money received by the Oklahoma Historical Society from membership, sales of publications, sales of merchandise to visitors, income from duplicating and microfilm services, contributions, entry fees, gifts and endowments, excluding those gifts and endowments conditionally tendered, and other income derived from the operations of the Oklahoma Historical Society and from historic sites. The Oklahoma Historical Society is hereby authorized and directed to prepare for public distribution such historical data as may in its judgment meet the public demand; said Society shall determine the fee to be charged for each of the publications and such fee should be sufficient to cover the cost of preparing, publishing and marketing to the general public in the museums and historic sites operated by the Society.

Said revolving fund shall be a continuing fund not subject to fiscal year limitations and shall be under the control and management of the Oklahoma Historical Society and the disbursements therefrom shall be approved by the Society. Monies deposited in said revolving fund may be expended for the purpose of maintaining and operating the Oklahoma Historical Society functions and for

operation of historic sites. Monies deposited in said revolving fund from entry fees collected at each participating museum or site pursuant to the entry fee pilot project shall be expended only on the museum and historic site from which the fee is collected and for the purposes outlined in Section 3 of this act. Purchases of merchandise for sale to visitors shall be exempt from the Oklahoma Central Purchasing Act but all other expenditures shall be made pursuant to the laws of the state and the statutes relating to the Oklahoma Historical Society. Warrants for expenditures from this fund shall be drawn by the State Treasurer based on claims signed by the approving officer of the Society and approved for payment by the Director of State Finance.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1.21 of Title 53, unless there is created a duplication in numbering, reads as follows:

A. The Oklahoma Historical Society is authorized and directed to develop and implement an entry fee pilot project. The pilot project shall be implemented at the following museum and historical site:

1. The Route 66 Museum located in Clinton, Oklahoma; and
2. The Fort Gibson Military Park located in Fort Gibson, Oklahoma.

B. The Board of Directors of the Oklahoma Historical Society shall establish an entry fee schedule to charge the public for admission to the participating sites. The Board shall adopt a fee schedule no later than July 1, 1995, with collection of the fee beginning after that date. The entry fee schedule shall include special rates for families, school groups and any other group or category of persons the Board designates.

C. The Historical Society shall separately account for and report the revenue which is generated from the collection of the entry fee for the participating sites. After the collected fees are deposited in the Historical Society Revolving Fund, the Historical Society shall separately track the revenue generated from each pilot project site to ensure that all revenue accruing to the credit of each site is budgeted and expended for that site. The revenue shall be used at each site to enhance, improve, market and pay for expenses associated with the site, including but not limited to site personnel, utilities, conservation supplies, site promotion and marketing, equipment, professional services and capital improvements.

D. As part of the project, the Historical Society shall evaluate the overall effectiveness of the project, including the impact on educational outreach, public opinion and operational efficiency. The Historical Society shall prepare a report of the findings, including recommendations concerning the project which shall be submitted to the Governor, Speaker of the House of Representatives and President Pro Tempore of the Senate by March 31 of each year the project operates.

E. During the period the entry fee pilot project is operating, the amount of money appropriated to the Oklahoma Historical Society shall not be reduced to offset the amount of revenue generated and collected through the entry fee pilot project.

F. The entry fee pilot project established pursuant to this section shall terminate on June 30, 1997, unless otherwise provided for by law.

SECTION 4. 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 House of Representatives the 14th day of March, 1995.

Speaker of the House of
Representatives

Passed the Senate the 5th day of April, 1995.

President of the Senate