

STATE OF OKLAHOMA

1st Session of the 48th Legislature (2001)

COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 1178

By: Ross

COMMITTEE SUBSTITUTE

An Act relating to the 1921 Tulsa Race Riot; amending Sections 3 and 4, Chapter 36, O.S.L. 2000 (74 O.S. Supp. 2000, Sections 8201.1 and 8201.2), which relate to The 1921 Tulsa Race Riot Memorial of Reconciliation Design Committee and The 1921 Tulsa Race Riot Commission Revolving Fund; clarifying membership of the Committee; modifying name of the revolving fund; authorizing the creation of a not-for-profit corporation; stating purpose of corporation; providing requirements and procedures for the corporation; providing for codification; and providing an effective date.

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

SECTION 1. AMENDATORY Section 3, Chapter 36, O.S.L. 2000 (74 O.S. Supp. 2000, Section 8201.1), is amended to read as follows:

Section 8201.1 A. There is hereby created until November 1, 2003, The 1921 Tulsa Race Riot Memorial of Reconciliation Design Committee. The purpose of the Design Committee shall be to recommend the design of The 1921 Tulsa Race Riot Memorial of Reconciliation and to provide oversight and advice to the Oklahoma Historical Society in the development and construction of such memorial. Monies necessary to achieve the purposes of this section shall be set at an amount not to exceed Five Million Dollars (\$5,000,000.00).

B. The Committee shall consist of thirteen (13) members as follows:

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

2. Two members of the Oklahoma State Senate appointed by the President Pro Tempore of the Senate;

3. Two members appointed by the Governor;

4. The former Chair of The 1921 Tulsa Race Riot Commission, or a designee;

5. The Executive Director of the Oklahoma Historical Society, or a designee;

6. The Executive Director of the Oklahoma Tourism and Recreation Department, or a designee;

7. The Mayor of the City of Tulsa, or a designee;

8. The Chair of the Tulsa City Council, or a designee;

9. The Chair of the Board of County Commissioners of Tulsa County, or designee; and

10. One member, appointed by the Mayor of the City of Tulsa, who shall be a resident in the area of the ward or equivalent political subdivision of the City of Tulsa known as "Greenwood", and historically identified as "Black Wall Street of America".

C. The Chair of The 1921 Tulsa Race Riot Commission shall convene the first meeting of the Design Committee on or before September 1, 2000, at which time the members shall elect a chair and vice-chair from among the membership. Meetings of the Design Committee shall be subject to the provisions of the Oklahoma Open Meeting Act and the Oklahoma Open Records Act.

D. Members of the Design Committee shall receive no compensation for their service on the Design Committee, but shall receive travel reimbursement as follows:

1. Legislative members of the Design Committee shall be reimbursed for necessary travel expenses incurred in the performance of their duties in accordance with the provisions of Section 456 of Title 74 of the Oklahoma Statutes;

2. Nonlegislative state agency members of the Design Committee shall be reimbursed by their agencies pursuant to the provisions of the State Travel Reimbursement Act; and

3. Other members of the Design Committee shall be reimbursed by the Oklahoma Historical Society pursuant to the provisions of the State Travel Reimbursement Act.

E. Staffing for the Design Committee shall be provided by the staffs of the Oklahoma House of Representatives, the Oklahoma State Senate and the Oklahoma Historical Society.

F. The duties of the Design Committee shall be to:

1. Develop criteria for and solicit public comment and input on the development and design of The 1921 Tulsa Race Riot Memorial of Reconciliation;

2. Develop and implement criteria for The 1921 Tulsa Race Riot Memorial of Reconciliation Design Competition which shall include, but not be limited to, solicitation of designs from appropriate persons or entities. The Design Committee shall select three designs as finalists from among the designs submitted through the competition and shall present the selected designs to the public for comment and input. The Design Committee shall give due consideration to the comments received from the public in choosing the design that, in the opinion of a majority of the Design Committee members, is most appropriate to commemorate the lives of the victims and honor the survivors of The 1921 Tulsa Race Riot. The Design Committee shall forward the selected design to the Governor, the Speaker of the House of Representatives and the President Pro Tempore of the Senate; and

3. Provide oversight and advice to the Oklahoma Historical Society during the development, design and construction of The 1921 Tulsa Race Riot Memorial of Reconciliation.

SECTION 2. AMENDATORY Section 4, Chapter 36, O.S.L. 2000 (74 O.S. Supp. 2000, Section 8201.2), is amended to read as follows:

Section 8201.2 A. There is hereby created in the State Treasury a revolving fund for the Oklahoma Historical Society to be designated The 1921 Tulsa Race Riot ~~Commission~~ Memorial of Reconciliation Design Revolving Fund. The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of: revenue received pursuant to publication of the final report of The 1921 Tulsa Race Riot Commission; funds received from a joint venture between the City of Tulsa and The 1921 Tulsa Race Riot Commission; gifts; donations; or private, state, or federal grant funds.

B. All monies accruing to the credit of such fund are hereby appropriated and may be budgeted and expended by the Oklahoma Historical Society for the purpose of paying for expenses associated with publication of the final report of The 1921 Tulsa Race Riot Commission and expenses incurred by The 1921 Tulsa Race Riot Memorial of Reconciliation Design Committee in developing criteria for, selecting the design of, and providing oversight and advice during the development, design and construction of The 1921 Tulsa Race Riot Memorial of Reconciliation.

C. Expenditures from the fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of State Finance for approval and payment.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 8201.3 of Title 74, unless there is created a duplication in numbering, reads as follows:

A. There is hereby authorized the creation of a not-for-profit corporation to raise funds and to assist in the design and construction of The 1921 Tulsa Race Riot Memorial of Reconciliation pursuant to Section 8201.1 of Title 74 of the Oklahoma Statutes.

B. The board of directors of the corporation authorized in subsection A of this section may select a name for the corporation. The board shall choose its own chairperson.

C. After proper incorporation, the not-for-profit corporation shall apply for tax-exempt status under Section 501(c)(3) of the Internal Revenue Code, 26 U.S.C., Section 501(c)(3).

D. In addition to funds received from the general public or other public and private sources, the not-for-profit corporation may receive funds from state agencies at such times and in such amounts as may be appropriated by the Legislature for The 1921 Tulsa Race Riot Memorial of Reconciliation or made available to the corporation from public entities from their sources of revenue.

E. Costs to underwrite activities related to the design and construction of The 1921 Tulsa Race Riot Memorial of Reconciliation may be borne from revenues of the not-for-profit corporation.

F. Upon incorporation, the not-for-profit corporation may hire staff and name advisory groups or steering committees as necessary to assist in the design and construction of The 1921 Tulsa Race Riot Memorial of Reconciliation.

SECTION 4. This act shall become effective November 1, 2001.

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