

EHB 2026

1 THE STATE SENATE
2 Monday, April 8, 2002

3 ENGROSSED

4 House Bill No. 2026

5 ENGROSSED HOUSE BILL NO. 2026 - By: DAVIS of the House and HANEY of
6 the Senate.

7 An Act relating to Capitol buildings; enacting the Oklahoma
8 Historic Capitols Preservation Act; stating purpose;
9 defining terms; providing for the administration of the
10 Oklahoma Historic Capitols Preservation Program; providing
11 for grants and procedures related thereto; requiring minimum
12 standards for the description of project work; requiring
13 oversight procedures; requiring certain grants be
14 administered by the Oklahoma Capitol Complex and Centennial
15 Commemoration Commission; creating the Oklahoma Historic
16 Capitols Preservation Act Revolving Fund; providing
17 procedures and requirements related to the revolving fund;
18 providing for codification; providing an effective date; and
19 declaring an emergency.

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

21 SECTION 1. NEW LAW A new section of law to be codified
22 in the Oklahoma Statutes as Section 99.10 of Title 73, unless there
23 is created a duplication in numbering, reads as follows:

24 This act shall be known and may be cited as the "Oklahoma
25 Historic Capitols Preservation Act".

26 SECTION 2. NEW LAW A new section of law to be codified
27 in the Oklahoma Statutes as Section 99.11 of Title 73, unless there
28 is created a duplication in numbering, reads as follows:

29 The purpose of the Oklahoma Historic Capitols Preservation Act
30 is to preserve the former state and Native American capitols in

1 Oklahoma on the National Register of Historic Places as part of the
2 celebration of Oklahoma's statehood centennial. These capitol
3 buildings, many of which still are used for governmental purposes,
4 represent a significant part of the growth and development of
5 Oklahoma and illustrate excellence in public building design and
6 construction in the state. The former state and Native American
7 capitols are worthy of preservation for these qualities, and their
8 appropriate rehabilitation will serve as a lasting symbol and highly
9 visible legacy of the centennial commemoration for future
10 generations.

11 SECTION 3. NEW LAW A new section of law to be codified
12 in the Oklahoma Statutes as Section 99.12 of Title 73, unless there
13 is created a duplication in numbering, reads as follows:

14 As used in the Oklahoma Historic Capitols Preservation Act:

- 15 1. "Commission" means the Oklahoma Capitol Complex and
16 Centennial Commemoration Commission;
- 17 2. "Fund" means the Oklahoma Historic Capitols Preservation Act
18 Revolving Fund;
- 19 3. "Historic capitol building" means a former state capitol or
20 a former or current Native American capitol that is listed on the
21 National Register of Historic Places at the time that an application
22 for a grant from the Oklahoma Historic Capitols Preservation Program
23 is submitted;

1 4. "Preservation" means identification, evaluation,
2 recordation, documentation, curation, acquisition, protection,
3 management, restoration, rehabilitation, stabilization,
4 reconstruction, maintenance, research, conservation, education, and
5 training regarding activities or any combination of the foregoing
6 activities;

7 5. "Program" means the Oklahoma Historic Capitols Program;

8 6. "Rehabilitation" means the act or process of returning a
9 property to a state of utility through repair or alteration which
10 makes possible an efficient contemporary use while preserving those
11 portions or features of a property which are significant to its
12 historical, architectural, and cultural values;

13 7. "Society" means the Oklahoma Historical Society; and

14 8. "Standards" means the "Secretary of the Interior's Standards
15 for Rehabilitation" which are the ten basic principles established
16 by the United States Secretary of the Interior and which are
17 recommended in the planning and execution of projects which alter
18 historic buildings.

19 SECTION 4. NEW LAW A new section of law to be codified
20 in the Oklahoma Statutes as Section 99.13 of Title 73, unless there
21 is created a duplication in numbering, reads as follows:

22 A. The Oklahoma Capitol Complex and Centennial Commemoration
23 Commission shall administer the Oklahoma Historic Capitols

1 Preservation Program. The Commission shall coordinate its
2 activities with the Oklahoma Historic Preservation Officer at the
3 Oklahoma Historical Society for those rehabilitation or preservation
4 projects involving historic capitol buildings.

5 B. All entities that have jurisdiction over an historic capitol
6 building may apply to the Commission for a grant for an historic
7 capitol building project. The application for a project must:

8 1. State the location of the historic capitol building;

9 2. State whether the historic capitol building is listed on the
10 National Register of Historic Places;

11 3. State the amount of monies or in-kind contributions that the
12 applicant promises to contribute to the project and the methods by
13 which they will be provided;

14 4. State in what capacity the historic capitol building is
15 currently functioning;

16 5. Include any plans, including but not limited to a master
17 preservation plan, that the applicant may have for the project; and

18 6. Include any other information that the Commission by rule
19 may require.

20 C. The Commission may award a grant to an applicant that has
21 jurisdiction over a historic capitol building for the purpose of
22 preserving or rehabilitating the historic capitol building, if the
23 application meets the standards of the program. In considering

1 whether to award a grant, the Commission shall consider the factors
2 listed in this section and any other factors that the Commission may
3 adopt by rule. In considering whether to award a grant, the
4 Commission shall consider the following factors:

5 1. Historic capitol buildings which still function as
6 governmental buildings;

7 2. The cost to preserve or rehabilitate the historic capitol
8 building; and

9 3. Other factors that the Commission may by rule adopt.

10 D. The Commission, by rule, may set a limit on the grant amount
11 for a project. These amounts may be expressed as a dollar amount or
12 as a percentage of the total amount appropriated for implementing
13 the program during a fiscal year.

14 E. The Commission shall adopt rules regarding the application
15 and grant process and the way in which the Commission will consider
16 the contribution of an applicant to project costs pursuant to this
17 section.

18 SECTION 5. NEW LAW A new section of law to be codified
19 in the Oklahoma Statutes as Section 99.14 of Title 73, unless there
20 is created a duplication in numbering, reads as follows:

21 A. Before an applicant may spend any monies awarded by the
22 Oklahoma Capitol Complex and Centennial Commemoration Commission for
23 an historic capitol building project, the Commission shall adopt

1 minimum standards for the description of project work in cooperation
2 with the Oklahoma Historic Preservation Officer at the Oklahoma
3 Historical Society.

4 1. An applicant that receives a grant for the preservation or
5 rehabilitation of an historic capitol building pursuant to the
6 Oklahoma Historic Capitols Preservation Program must use the United
7 States Secretary of Interior's Standards for Rehabilitation for work
8 on the project.

9 2. An applicant that receives a grant for the preservation or
10 rehabilitation of an historic capitol building pursuant to the
11 program may use the money only for eligible preservation and
12 rehabilitation expenses that the Commission in cooperation with the
13 Oklahoma Historic Preservation Officer at the Oklahoma Historical
14 Society prescribes by rule. Eligible expenses may include, but are
15 not limited to:

- 16 a. structural, mechanical, electrical, and plumbing
17 systems and weather protection and emergency public
18 safety issues not covered by insurance,
19 b. code and environmental compliance, including, but not
20 limited to, complying with the federal Americans with
21 Disabilities Act of 1990 and its subsequent amendments
22 and other federal or state laws relating to

1 accessibility standards, hazardous materials
2 mitigation rules and other similar concerns,
3 c. replication of a missing architectural feature,
4 d. removal of an inappropriate addition or modification,
5 and
6 e. rehabilitation of a courtroom or other significant
7 public space in a functional and historically
8 appropriate manner.

9 B. The Commission in cooperation with the Oklahoma Historic
10 Preservation Officer at the Oklahoma Historical Society by rule
11 shall provide for oversight procedures on a project. These rules
12 shall provide for reasonable inspections by the Oklahoma Historic
13 Preservation Officer or staff assigned by the Officer to inspect
14 projects and periodic reports by an applicant on the progress of a
15 project.

16 SECTION 6. NEW LAW A new section of law to be codified
17 in the Oklahoma Statutes as Section 99.15 of Title 73, unless there
18 is created a duplication in numbering, reads as follows:

19 A. There is hereby created in the State Treasury a revolving
20 fund for the Oklahoma Capitol Complex and Centennial Commemoration
21 Commission to be designated as the "Oklahoma Historic Capitols
22 Preservation Act Revolving Fund".

1 B. The fund shall consist of all monies that are received by
2 the Commission from appropriations or donations for historic capitol
3 building projects pursuant to the Oklahoma Historic Capitols
4 Preservation Act.

5 C. The fund shall be a continuing fund not subject to fiscal
6 year limitations. Expenditures from the fund shall be for expenses
7 related to any authorized activity of the Commission pursuant to the
8 Oklahoma Historic Capitols Preservation Act and shall be made
9 pursuant to law and without legislative appropriation. Warrants for
10 the expenditures from the fund shall be issued by the State
11 Treasurer against claims signed by an authorized employee of the
12 Commission and approved for payment by the Director of State
13 Finance.

14 D. The Commission may use monies in the fund to provide
15 matching grants to applicants that have jurisdiction over an
16 historic capitol building for an historic capitol building project
17 or to provide the State Historic Preservation Officer, created by
18 Section 354 of Title 53 of the Oklahoma Statutes, funds to assist
19 the Commission in administering the program.

20 SECTION 7. This act shall become effective July 1, 2002.

21 SECTION 8. It being immediately necessary for the preservation
22 of the public peace, health and safety, an emergency is hereby

1 declared to exist, by reason whereof this act shall take effect and
2 be in full force from and after its passage and approval.
3 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS, dated 4-3-02 - DO
4 PASS.