

STATE OF OKLAHOMA

2nd Session of the 48th Legislature (2002)

HOUSE BILL HB2026

By: Davis

AS INTRODUCED

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

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

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

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

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

The purpose of the Oklahoma Historic Capitols Preservation Act is to preserve the former state and Native American capitols in Oklahoma on the National Register of Historic Places as part of the celebration of Oklahoma's statehood centennial. These capitol buildings, many of which still are used for governmental purposes, represent a significant part of the growth and development of

Oklahoma and illustrate excellence in public building design and construction in the state. The former state and Native American capitols are worthy of preservation for these qualities, and their appropriate rehabilitation will serve as a lasting symbol and highly visible legacy of the centennial commemoration for future generations.

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

As used in the Oklahoma Historic Capitols Preservation Act:

1. "Commission" means the Oklahoma Capitol Complex and Centennial Commemoration Commission;
2. "Fund" means the Oklahoma Historic Capitols Preservation Act Revolving Fund;
3. "Historic capitol building" means a former state capitol or a former or current Native American capitol that is listed on the National Register of Historic Places at the time that an application for a grant from the Oklahoma Historic Capitols Preservation Program is submitted;
4. "Preservation" means identification, evaluation, recordation, documentation, curation, acquisition, protection, management, restoration, rehabilitation, stabilization, reconstruction, maintenance, research, conservation, education, and training regarding activities or any combination of the foregoing activities;
5. "Program" means the Oklahoma Historic Capitols Program;
6. "Rehabilitation" means the act or process of returning a property to a state of utility through repair or alteration which makes possible an efficient contemporary use while preserving those portions or features of a property which are significant to its historical, architectural, and cultural values;
7. "Society" means the Oklahoma Historical Society; and

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

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

A. The Oklahoma Capitol Complex and Centennial Commemoration Commission shall administer the Oklahoma Historic Capitols Preservation Program. The Commission shall coordinate its activities with the Oklahoma Historic Preservation Officer at the Oklahoma Historical Society for those rehabilitation or preservation projects involving historic capitol buildings.

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

1. State the location of the historic capitol building;
2. State whether the historic capitol building is listed on the National Register of Historic Places;
3. State the amount of monies or in-kind contributions that the applicant promises to contribute to the project and the methods by which they will be provided;
4. State in what capacity the historic capitol building is currently functioning;
5. Include any plans, including but not limited to a master preservation plan, that the applicant may have for the project; and
6. Include any other information that the Commission by rule may require.

C. The Commission may award a grant to an applicant that has jurisdiction over a historic capitol building for the purpose of preserving or rehabilitating the historic capitol building, if the

application meets the standards of the program. In considering whether to award a grant, the Commission shall consider the factors listed in this section and any other factors that the Commission may adopt by rule. In considering whether to award a grant, the Commission shall consider the following factors:

1. Historic capitol buildings which still function as governmental buildings;
2. The cost to preserve or rehabilitate the historic capitol building; and
3. Other factors that the Commission may by rule adopt.

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

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

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

A. Before an applicant may spend any monies awarded by the Oklahoma Capitol Complex and Centennial Commemoration Commission for an historic capitol building project, the Commission shall adopt minimum standards for the description of project work in cooperation with the Oklahoma Historic Preservation Officer at the Oklahoma Historical Society.

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

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

- a. structural, mechanical, electrical, and plumbing systems and weather protection and emergency public safety issues not covered by insurance,
- b. code and environmental compliance, including, but not limited to, complying with the federal Americans with Disabilities Act of 1990 and its subsequent amendments and other federal or state laws relating to accessibility standards, hazardous materials mitigation rules and other similar concerns,
- c. replication of a missing architectural feature,
- d. removal of an inappropriate addition or modification, and
- e. rehabilitation of a courtroom or other significant public space in a functional and historically appropriate manner.

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

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

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

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

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

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

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

SECTION 8. 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.

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