

ENGROSSED SENATE AMENDMENTS  
TO  
ENGROSSED HOUSE  
BILL NO. 1545

By: Calvey and Duncan of the  
House

and

Reynolds of the Senate

An Act relating to militia; amending 44 O.S. 2001, Section 208.1, which relates to the Oklahoma National Guard; updating reference to certain act; amending 44 O.S. 2001, Sections 232.1 and 232.6, which relate to government and control of armories and armory buildings; adding definition; providing duties of Adjutant General; updating language; providing definitions; allowing certain extension for expired licenses; providing renewal procedures; providing for codification; and providing an effective date.

AMENDMENT NO. 1. Page 3, line 25 1/2, insert a new Section 4 to read

"SECTION 4. AMENDATORY 44 O.S. 2001, Section 233.3, as amended by Section 1, Chapter 138, O.S.L. 2004 (44 O.S. Supp. 2004, Section 233.3), is amended to read as follows:

Section 233.3 A. The Oklahoma Military Department, with the approval of the Governor, attested by the Secretary of State thereon, is hereby authorized and directed to enter into contracts in the name of the State of Oklahoma for the purpose of carrying out the provisions of Section 233.2 et seq. of this title, provided that contracts for the construction, erection and completion of any armory buildings hereby authorized shall be awarded to the lowest ~~responsible~~ and best bidder, approved by the Department of the Army or other representative federal agency, and that any contractor, to whom a contract may be awarded hereunder, shall execute with a qualified surety company, doing business in this state, as surety, bonds in such amounts and with such conditions as prescribed by law and by the Department of the Army or other representative federal

agency. Such bonds shall be upon a form with such conditions and in such amounts as may meet the requirements of the representative federal agency and in such further amounts as willfully protect and cover the construction contributions of the state.

B. The Oklahoma Military Department shall from time to time, as the occasion therefore arises, determine whether any real estate, armory or building belonging to the State of Oklahoma and under the control of the Oklahoma Military Department is needed by the Oklahoma Military Department. If the Adjutant General determines that there is no need, the Adjutant General shall so declare and sell or dispose of the same in such manner and upon such terms as approved by the Department of Central Services and the Governor. If the Adjutant General determines that the structure endangers the public health or safety, the Adjutant General may, in the manner provided by law, order the immediate demolition of the structure. If the Adjutant General determines that a municipality, county, state agency, or other public entity can use the real estate, armory, or building for a public purpose, the Adjutant General may transfer the property to the municipality, county, state agency, or other public entity. For purposes of transferring real estate, armories, or buildings to a municipality, the Oklahoma Military Department shall be exempt from the Oklahoma Surplus Property Act for purposes of selling surplus property. If the municipality, county, state agency, or other public entity does not use the real estate, armory, or building for public purposes, the property shall revert back to the Oklahoma Military Department on behalf of the State of Oklahoma. Necessary deeds and other conveyances shall be executed by the Adjutant General in the name of the State of Oklahoma.

Proceeds of the sale or other disposition of such property shall be deposited in a revolving fund in the State Treasury designated as the Surplus Property Revolving Fund of the Oklahoma Military

Department. Monies deposited in such revolving fund may be expended by the Adjutant General, for construction, repairs, and maintenance, or equipment for facilities of the Oklahoma National Guard. No new armory shall be constructed unless authorized by the Legislature."

and renumber subsequent sections

AMENDMENT NO. 2. Page 1, amend the title to conform as follows

line 8 1/2, after the numerals "232.1" delete the word "and" and insert a comma

line 8 1/2, after the language "232.6," insert the language "and 233.3, as amended by Section 1, Chapter 138, O.S.L. 2004 (44 O.S. Supp. 2004, Section 233.3),"

line 9, after the word "armories" delete the word "and" and insert a comma

line 9 1/2, after the word "buildings" insert the language ", and disposition of property"

line 11, after the second semicolon insert the language "authorizing the Adjutant General to order demolition of certain structures under certain circumstances;"

Passed the Senate the 12th day of April, 2005.

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Presiding Officer of the Senate

Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,  
2005.

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Presiding Officer of the House  
of Representatives