

1 STATE OF OKLAHOMA

2 1st Session of the 51st Legislature (2007)

3 CONFERENCE COMMITTEE  
4 SUBSTITUTE  
5 FOR ENGROSSED  
6 HOUSE BILL NO. 2104

By: Cargill, McDaniel (Randy),  
Sears, Sherrer, Shumate,  
and Pittman of the House

7 and

8 Ford of the Senate

9 CONFERENCE COMMITTEE SUBSTITUTE

10 An Act relating to Oklahoma historical societies and  
11 associations; amending 53 O.S. 2001, Section 1.21,  
12 as amended by Section 7, Chapter 289, O.S.L. 2003 (53  
13 O.S. Supp. 2006, Section 1.21), which relates to the  
14 Oklahoma Historical Preservation Act, creating fee  
15 exemption for minors; amending 53 O.S. 2001, Sections  
16 166 and 167, which relate to the Oklahoma Arts and  
17 Humanities Act; modifying powers and duties of the  
18 Oklahoma Arts Council; specifying sums deposited to  
19 the credit of the Council; authorizing Oklahoma Arts  
20 Council to make incentive grants for school districts  
21 for visual arts programs, if funds are available;  
22 authorizing Council to manage program; creating the  
23 Oklahoma Arts Council Arts Education Revolving Fund;  
24 stating purpose; providing for codification; and  
providing an effective date.

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

SECTION 1. AMENDATORY 53 O.S. 2001, Section 1.21, as  
amended by Section 7, Chapter 289, O.S.L. 2003 (53 O.S. Supp. 2006,  
Section 1.21), is amended to read as follows:

1 Section 1.21 A. The Oklahoma Historical Society is authorized  
2 to charge at its discretion an entry fee at all of its museums and  
3 historical sites.

4 B. The Board of Directors of the Oklahoma Historical Society  
5 shall establish an entry fee schedule to charge the public for  
6 admission to the participating sites. The entry fee schedule shall  
7 include special rates for families, school groups and any other  
8 group or category of persons the Board designates. Residents and  
9 nonresidents of this state seventeen (17) years of age and younger  
10 shall not be charged an entry fee at least one (1) day per week.  
11 The day of the week shall be designated by the Board.

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

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1 D. The Board of Directors of the Oklahoma Historical Society  
2 shall evaluate the overall effectiveness of charging an entry fee at  
3 the participating sites, including the impact on educational  
4 outreach, public opinion and operational efficiency.

5 E. The amount of money appropriated to the Oklahoma Historical  
6 Society shall not be reduced to offset the amount of revenue  
7 generated and collected through the charging of entry fees.

8 SECTION 2. AMENDATORY 53 O.S. 2001, Section 166, is  
9 amended to read as follows:

10 Section 166. The Oklahoma Arts Council shall be responsible for  
11 the acquisition, exhibition, management and care of the State Art  
12 Collection and is empowered and directed to exercise these powers  
13 and duties:

14 (a) Consider the whole state of the arts, cultural activities  
15 and cultural heritage of Oklahoma. The purview of the Council shall  
16 not be limited but shall include music, theater, dance, opera,  
17 graphic arts, plastic arts, architecture, poetry, plays or any other  
18 art, regardless of period, school or type. Full attention shall  
19 also be given to art, art museums, live performances or concerts,  
20 art exhibits and other like endeavors.

21 (b) Survey the artistic and cultural activities and facilities  
22 of the state, and the institutions, organizations or individuals  
23 engaged in these undertakings.

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1 (c) Study information collected and prepare proposals for the  
2 study, practice and presentation of the arts.

3 (d) Foster conferences, institutes and exhibits on the arts and  
4 hold or cooperate in such ventures.

5 (e) Report biennially to the Governor and Legislature on or  
6 before January 31 of each odd-numbered year. Reports shall include  
7 recommendations and suggestions for the expansion and improvement of  
8 the arts and for wider opportunity of participation in these  
9 activities by our citizens.

10 (f) Publish any reports, surveys, news bulletins or other  
11 materials pertaining to its findings, recommendations and work.

12 (g) Perform or engage in all else necessary or desirable to give  
13 full force and effect to the provisions of this act.

14 SECTION 3. AMENDATORY 53 O.S. 2001, Section 167, is  
15 amended to read as follows:

16 Section 167. The Oklahoma Arts Council may apply for, accept  
17 and use any gift, grant or bequest from any source for the purpose  
18 of discharging its duties. All ~~such sums~~ monetary gifts, grants or  
19 bequests shall be deposited in the State Treasury to the credit of  
20 the Council and shall be disbursed as provided by the Oklahoma  
21 Budget Law of 1947, as amended, upon proper claims approved by the  
22 secretary or other person designated by the Council. The State  
23 Auditor and Inspector shall audit and report on this account.

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1           SECTION 4.           NEW LAW           A new section of law to be codified  
2 in the Oklahoma Statutes as Section 174 of Title 53, unless there is  
3 created a duplication in numbering, reads as follows:

4           A.   The Oklahoma Arts Council is authorized to assist and, if  
5 funds are available, to make incentive grants to school districts  
6 for the establishment of visual arts programs in schools. The award  
7 of grants shall be limited to school districts that do not have an  
8 existing visual arts program or full-time certified visual arts  
9 teachers in school sites.

10          B.   The incentive grant funding may be used to cover the start-  
11 up costs of developing a visual arts program or paying the salary  
12 costs of a certified art teacher.

13          C.   The Council shall determine criteria for the program and  
14 establish a process for the consideration of proposals. The Council  
15 is authorized to promulgate rules for the operation of the program.

16          D.   Implementation of the incentive grants program shall be  
17 contingent upon the Council securing private matching funds for the  
18 program, which upon being secured may be matched with legislative  
19 appropriations. Any private funding raised by the Council shall be  
20 deposited in the Oklahoma Arts Council Arts Education Revolving Fund  
21 created in Section 5 of this act.

22           SECTION 5.           NEW LAW           A new section of law to be codified  
23 in the Oklahoma Statutes as Section 175 of Title 53, unless there is  
24 created a duplication in numbering, reads as follows:

1        There is hereby created in the State Treasury a revolving fund  
2 for the Oklahoma Arts Council to be designated the "Oklahoma Arts  
3 Council Arts Education Revolving Fund." The fund shall be a  
4 continuing fund, not subject to fiscal year limitations, and shall  
5 consist of all monies received by the Council from appropriations,  
6 private and public donations, contributions, gifts, grants, and any  
7 other monies received by the Council for the purpose of providing  
8 incentive grants as provided for in Section 4 of this act. All  
9 monies accruing to the credit of said fund are hereby appropriated  
10 and may be budgeted and expended by the Council for the purpose of  
11 providing incentive grants as provided for in Section 4 of this act.  
12 Expenditures from said fund shall be made upon warrants issued by  
13 the State Treasurer against claims filed as prescribed by law with  
14 the Director of State Finance for approval and payment.

15        SECTION 6. This act shall become effective November 1, 2007.

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17        51-1-8095        LRB        05/15/07

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