

1 STATE OF OKLAHOMA

2 1st Session of the 52nd Legislature (2009)

3 COMMITTEE SUBSTITUTE
4 FOR ENGROSSED
5 SENATE BILL NO. 482

By: Coates, Sweeden and
Leftwich of the Senate

6 and

7 Liebmann of the House

8
9 COMMITTEE SUBSTITUTE

10 (capitol and capitol buildings - Oklahoma Capitol

11 Restoration Act - codification -

12 emergency)

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16 SECTION 1. NEW LAW A new section of law to be codified
17 in the Oklahoma Statutes as Section 65.1 of Title 73, unless there
18 is created a duplication in numbering, reads as follows:

19 This act shall be known and may be cited as the "Oklahoma
20 Capitol Restoration Act".

21 SECTION 2. NEW LAW A new section of law to be codified
22 in the Oklahoma Statutes as Section 65.2 of Title 73, unless there
23 is created a duplication in numbering, reads as follows:

1 The purpose of the Oklahoma Capitol Restoration Act is to
2 prepare and implement a master plan for the rehabilitation of the
3 State Capitol, thereby transforming it into a building capable of
4 functioning in the twenty-first century while retaining its original
5 architectural beauty, in time to commemorate the centennial of its
6 official opening in 1917. The State Capitol has significance in the
7 history of the great State of Oklahoma and is recognized nationally
8 for excellence in public building design and construction. The
9 State Capitol is worthy of preservation for these qualities and its
10 appropriate rehabilitation will serve as a lasting symbol and highly
11 visible legacy for future generations.

12 SECTION 3. NEW LAW A new section of law to be codified
13 in the Oklahoma Statutes as Section 65.3 of Title 73, unless there
14 is created a duplication in numbering, reads as follows:

15 A. 1. There is hereby created the Oklahoma Capitol Restoration
16 Commission to continue until July 1, 2018. The Oklahoma Capitol
17 Restoration Commission shall consist of:

- 18 a. the Governor,
- 19 b. all living former governors of this state,
- 20 c. the Lieutenant Governor,
- 21 d. the President Pro Tempore of the Senate,
- 22 e. four members of the State Senate appointed by the
23 President Pro Tempore of the Senate,
- 24 f. the Speaker of the House of Representatives,

- 1 g. four members of the Oklahoma House of Representatives
2 appointed by the Speaker of the House of
3 Representatives,
4 h. the Director of the Department of Central Services,
5 i. the Chair of the State Capitol Preservation
6 Commission,
7 j. the Vice-Chair of the State Capitol Preservation
8 Commission,
9 k. the Executive Director of the Oklahoma Arts Council,
10 l. the Executive Director of the Oklahoma Historical
11 Society,
12 m. the Capitol Architect and Curator,
13 n. the Director of the Oklahoma Indian Affairs
14 Commission,
15 o. the Executive Director of the Oklahoma Tourism and
16 Recreation Commission, who shall serve as an ex
17 officio member,
18 p. five members to be appointed by the Governor,
19 q. five members to be appointed by the President Pro
20 Tempore of the Senate, and
21 r. five members to be appointed by the Speaker of the
22 House of Representatives.

23 2. The terms of all appointed members shall be coterminous with
24 the terms of their appointing authorities.

1 3. All designated members may assign a designee to represent
2 them at meetings of the Commission.

3 4. A quorum shall consist of any eight members of the
4 Commission.

5 5. All members of the Commission shall be exempt from the dual-
6 office-holding provisions of Section 6 of Title 51 of the Oklahoma
7 Statutes.

8 B. 1. The Commission shall hold its initial meeting no later
9 than September 1, 2009, at which time, and annually thereafter, a
10 chair and vice-chair shall be elected from its membership. Meetings
11 of the Commission shall be subject to the Oklahoma Open Meeting Act
12 and the Oklahoma Open Records Act.

13 2. Members shall serve without compensation.

14 SECTION 4. NEW LAW A new section of law to be codified
15 in the Oklahoma Statutes as Section 65.4 of Title 73, unless there
16 is created a duplication in numbering, reads as follows:

17 A. Duties of the Oklahoma Capitol Restoration Commission shall
18 be to develop a master plan to make capital improvements to the
19 State Capitol. The master plan developed by the Commission shall
20 devise a timetable and budget for completion of all parts of the
21 master plan. In accordance with Section 4104 of Title 74 of the
22 Oklahoma Statutes, the State Capitol Preservation Commission shall
23 have authority to approve prior to construction all projects
24 proposed in the initial and completed master plan and any amendments

1 to the plan, including all architectural and engineering design
2 plans. The Commission shall submit an initial draft of the master
3 plan to the Governor, the President Pro Tempore of the Senate and
4 the Speaker of the House of Representatives by January 1, 2010. The
5 Commission shall complete the master plan and submit the final
6 version of the master plan to the Governor, the President Pro
7 Tempore of the Senate and the Speaker of the House of
8 Representatives by January 1, 2011. The Commission shall also plan
9 activities related to the restoration of the State Capitol.

10 B. The master plan developed by the Commission may include, but
11 is not limited to, the following projects and activities:

- 12 1. Interior and exterior renovations to the State Capitol;
- 13 2. Publications, films, and other educational materials;
- 14 3. Bibliographical and documentary projects;
- 15 4. Conferences, lectures, seminars, and other programs;
- 16 5. Exhibits; and
- 17 6. Ceremonies and commemorations.

18 C. To perform its duties, the Commission is authorized to
19 appoint subcommittees which may include persons who are not members
20 of the Commission. Persons appointed to subcommittees shall not be
21 entitled to compensation.

22 D. The Commission is authorized to appoint and fix the salaries
23 and duties of an executive director and professional and
24 administrative employees as may be necessary to carry out the duties

1 of the Commission. The salary and other compensation for the
2 executive director and other employees may be paid from funds
3 received pursuant to subsection D of Section 5 of this act.

4 E. Support of the Commission and for the activities of the
5 Commission may be paid from funds received pursuant to subsection D
6 of Section 5 of this act.

7 SECTION 5. NEW LAW A new section of law to be codified
8 in the Oklahoma Statutes as Section 65.5 of Title 73, unless there
9 is created a duplication in numbering, reads as follows:

10 A. There is hereby authorized the creation of a not-for-profit
11 corporation to raise funds and to assist in the implementation of
12 the master plan relating to the restoration of the State Capitol
13 developed as provided for in Section 4 of this act.

14 B. The board of directors of the not-for-profit corporation
15 authorized in subsection A of this section may select a name for the
16 corporation. At least fifty percent (50%) of the not-for-profit
17 corporation board members shall be selected from the members of the
18 Oklahoma Capitol Restoration Commission. The board shall choose its
19 own chair and vice-chair.

20 C. After proper incorporation, the not-for-profit corporation
21 is authorized and directed to apply for tax-exempt status under
22 Section 501(c)(3) of the Internal Revenue Code (26 U.S.C., Section
23 501(c)(3)).

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1 D. The not-for-profit corporation may receive funds from the
2 general public or other public and private sources.

3 E. Costs to underwrite activities related to the Oklahoma
4 Capitol restoration may be borne from revenues of the not-for-profit
5 corporation.

6 F. Upon the incorporation, the not-for-profit corporation shall
7 be authorized to hire staff as necessary pursuant to the Oklahoma
8 Capitol Restoration Act.

9 G. The board of directors shall perform all the acts necessary
10 for dissolution of the corporation as required by law and surrender
11 all of the corporation rights and franchises by filing in the Office
12 of the Secretary of State a certificate of dissolution to coincide
13 with termination of the Oklahoma Capitol Restoration Commission on
14 July 1, 2018.

15 SECTION 6. NEW LAW A new section of law to be codified
16 in the Oklahoma Statutes as Section 65.6 of Title 73, unless there
17 is created a duplication in numbering, reads as follows:

18 There is hereby created in the State Treasury a revolving fund
19 for the Oklahoma Capitol Restoration Commission to be designated the
20 "Oklahoma Capitol Restoration Commission Revolving Fund". The fund
21 shall consist of all monies that are received by the Commission from
22 activities, transfers, gifts and donations as permitted under the
23 Oklahoma Capitol Restoration Act. The revolving fund shall be a
24 continuing fund not subject to fiscal year limitations.

1 Expenditures from the fund shall be for expenses relating to any
2 authorized activity of the Commission pursuant to the Oklahoma
3 Capitol Restoration Act and shall be made pursuant to law. Warrants
4 for expenditures from this fund shall be issued by the State
5 Treasurer against claims signed by an authorized employee of the
6 Commission and approved for payment by the Director of State
7 Finance.

8 SECTION 7. NEW LAW A new section of law to be codified
9 in the Oklahoma Statutes as Section 65.7 of Title 73, unless there
10 is created a duplication in numbering, reads as follows:

11 A. The Oklahoma Capitol Restoration Commission shall submit a
12 financial report of the activities of the Commission to the
13 Governor, the President Pro Tempore of the Senate and the Speaker of
14 the House of Representatives by March 31, 2018. The financial
15 report shall include a summary and accounting of all projects and
16 activities funded by the Commission, the final budget for the
17 Commission, a list of any outstanding or anticipated obligations,
18 and the anticipated balance of any monies remaining after July 1,
19 2018, in any funds designated for the Commission.

20 B. Upon termination of the Oklahoma Capitol Restoration
21 Commission on July 1, 2018, any remaining rights and
22 responsibilities of the Commission, including all fund balances of
23 the Oklahoma Capitol Restoration Commission Revolving Fund created
24 in Section 6 of this act, property, furniture, equipment, supplies,

1 and records associated with the Commission on July 1, 2018, shall be
2 transferred to the Department of Central Services. Any remaining
3 funds shall be expended by the Department of Central Services for
4 the renovation and repair of the State Capitol.

5 SECTION 8. It being immediately necessary for the preservation
6 of the public peace, health and safety, an emergency is hereby
7 declared to exist, by reason whereof this act shall take effect and
8 be in full force from and after its passage and approval.

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