

THE HOUSE OF REPRESENTATIVES  
Tuesday, April 14, 2009

Committee Substitute for  
ENGROSSED  
Senate Bill No. 482

COMMITTEE SUBSTITUTE FOR ENGROSSED SENATE BILL NO. 482 - By:  
COATES, SWEEDEN AND LEFTWICH of the Senate and LIEBMANN of the House.

( capitol and capitol buildings – Oklahoma Capitol Restoration Act –  
codification –  
emergency )

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

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

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

9 The purpose of the Oklahoma Capitol Restoration Act is to prepare and implement  
10 a master plan for the rehabilitation of the State Capitol, thereby transforming it into a  
11 building capable of functioning in the twenty-first century while retaining its original  
12 architectural beauty, in time to commemorate the centennial of its official opening in

1 1917. The State Capitol has significance in the history of the great State of Oklahoma  
2 and is recognized nationally for excellence in public building design and construction.  
3 The State Capitol is worthy of preservation for these qualities and its appropriate  
4 rehabilitation will serve as a lasting symbol and highly visible legacy for future  
5 generations.

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

9 A. 1. There is hereby created the Oklahoma Capitol Restoration Commission to  
10 continue until July 1, 2018. The Oklahoma Capitol Restoration Commission shall consist  
11 of:

- 12 a. the Governor,
- 13 b. all living former governors of this state,
- 14 c. the Lieutenant Governor,
- 15 d. the President Pro Tempore of the Senate,
- 16 e. four members of the State Senate appointed by the President Pro  
17 Tempore of the Senate,
- 18 f. the Speaker of the House of Representatives,
- 19 g. four members of the Oklahoma House of Representatives appointed by  
20 the Speaker of the House of Representatives,
- 21 h. the Director of the Department of Central Services,
- 22 i. the Chair of the State Capitol Preservation Commission,

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

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

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

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

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

20           B. 1. The Commission shall hold its initial meeting no later than September 1,  
21   2009, at which time, and annually thereafter, a chair and vice-chair shall be elected from

1 its membership. Meetings of the Commission shall be subject to the Oklahoma Open  
2 Meeting Act and the Oklahoma Open Records Act.

3 2. Members shall serve without compensation.

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

7 A. Duties of the Oklahoma Capitol Restoration Commission shall be to develop a  
8 master plan to make capital improvements to the State Capitol. The master plan  
9 developed by the Commission shall devise a timetable and budget for completion of all  
10 parts of the master plan. In accordance with Section 4104 of Title 74 of the Oklahoma  
11 Statutes, the State Capitol Preservation Commission shall have authority to approve  
12 prior to construction all projects proposed in the initial and completed master plan and  
13 any amendments to the plan, including all architectural and engineering design plans.  
14 The Commission shall submit an initial draft of the master plan to the Governor, the  
15 President Pro Tempore of the Senate and the Speaker of the House of Representatives by  
16 January 1, 2010. The Commission shall complete the master plan and submit the final  
17 version of the master plan to the Governor, the President Pro Tempore of the Senate and  
18 the Speaker of the House of Representatives by January 1, 2011. The Commission shall  
19 also plan activities related to the restoration of the State Capitol.

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

22 1. Interior and exterior renovations to the State Capitol;

- 1 2. Publications, films, and other educational materials;
- 2 3. Bibliographical and documentary projects;
- 3 4. Conferences, lectures, seminars, and other programs;
- 4 5. Exhibits; and
- 5 6. Ceremonies and commemorations.

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

9 D. The Commission is authorized to appoint and fix the salaries and duties of an  
10 executive director and professional and administrative employees as may be necessary to  
11 carry out the duties of the Commission. The salary and other compensation for the  
12 executive director and other employees may be paid from funds received pursuant to  
13 subsection D of Section 5 of this act.

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

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

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

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

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

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

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

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

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

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

1           There is hereby created in the State Treasury a revolving fund for the Oklahoma  
2 Capitol Restoration Commission to be designated the "Oklahoma Capitol Restoration  
3 Commission Revolving Fund". The fund shall consist of all monies that are received by  
4 the Commission from activities, transfers, gifts and donations as permitted under the  
5 Oklahoma Capitol Restoration Act. The revolving fund shall be a continuing fund not  
6 subject to fiscal year limitations. Expenditures from the fund shall be for expenses  
7 relating to any authorized activity of the Commission pursuant to the Oklahoma Capitol  
8 Restoration Act and shall be made pursuant to law. Warrants for expenditures from this  
9 fund shall be issued by the State Treasurer against claims signed by an authorized  
10 employee of the Commission and approved for payment by the Director of State Finance.

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

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

21           B. Upon termination of the Oklahoma Capitol Restoration Commission on July 1,  
22 2018, any remaining rights and responsibilities of the Commission, including all fund

1 balances of the Oklahoma Capitol Restoration Commission Revolving Fund created in  
2 Section 6 of this act, property, furniture, equipment, supplies, and records associated  
3 with the Commission on July 1, 2018, shall be transferred to the Department of Central  
4 Services. Any remaining funds shall be expended by the Department of Central Services  
5 for the renovation and repair of the State Capitol.

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

9 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS AND BUDGET,  
10 dated 04-13-09 - DO PASS, As Amended.