

1 STATE OF OKLAHOMA

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

3 SENATE BILL 482

By: Coates

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6 AS INTRODUCED

7 An Act relating to capitol and capitol buildings;
8 creating the Oklahoma State Capitol Centennial
9 Commemoration and Preservation Act; providing short
10 title; providing purpose of act; creating the
11 Oklahoma State Capitol Centennial Commemoration and
12 Preservation Commission; providing for membership,
13 transaction of business, travel reimbursement, and
14 staffing for the Commission; stating duties of the
15 Commission; providing for creation of a not-for-
16 profit corporation for the implementation of certain
17 plans relating to the centennial commemoration of the
18 State Capitol; creating the Oklahoma State Capitol
19 Centennial Commemoration and Preservation Commission
20 Revolving Fund; requiring Commission to submit report
21 by certain date; specifying contents of report;
22 providing for codification; and declaring an
23 emergency.

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

19 SECTION 1. NEW LAW A new section of law to be codified
20 in the Oklahoma Statutes as Section 350 of Title 73, unless there is
21 created a duplication in numbering, reads as follows:

22 This act shall be known and may be cited as the "Oklahoma State
23 Capitol Centennial Commemoration and Preservation Act".
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1 SECTION 2. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 351 of Title 73, unless there is
3 created a duplication in numbering, reads as follows:

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

16 SECTION 3. NEW LAW A new section of law to be codified
17 in the Oklahoma Statutes as Section 352 of Title 73, unless there is
18 created a duplication in numbering, reads as follows:

19 A. 1. There is hereby created the Oklahoma State Capitol
20 Centennial Commemoration and Preservation Commission to continue
21 until July 1, 2018. The Oklahoma State Capitol Centennial
22 Commemoration and Preservation Commission shall consist of:

- 23 a. the Governor or designee,
- 24 b. all living former governors of this state,

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

1 2. All appointed members' terms shall be coterminous with the
2 terms of their appointing authorities.

3 3. All ex officio members may assign a designee to represent
4 them at meetings of the Commission.

5 4. A quorum shall consist of any fifteen members of the
6 Commission.

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

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

15 2. Members shall serve without compensation, except that
16 members are entitled to expenses incurred in the performance of
17 their duties as provided by the State Travel Reimbursement Act.
18 Legislators shall be reimbursed pursuant to Section 456 of Title 74
19 of the Oklahoma Statutes. Such reimbursement shall be paid by the
20 Oklahoma Capitol Complex and Centennial Commemoration Commission.

21 SECTION 4. NEW LAW A new section of law to be codified
22 in the Oklahoma Statutes as Section 353 of Title 73, unless there is
23 created a duplication in numbering, reads as follows:
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1 A. Duties of the Oklahoma State Capitol Centennial

2 Commemoration and Preservation Commission shall be to devise a
3 master plan to make capital improvements to the State Capitol and
4 grounds. The Commission's master plan shall devise a timetable and
5 budget for completion of all parts of the master plan and shall be
6 submitted to the Governor, the President Pro Tempore of the Senate
7 and the Speaker of the House of Representatives. The Commission
8 shall submit an initial draft of the master plan to the Governor,
9 the President Pro Tempore of the Senate and the Speaker of the House
10 of Representatives by January 1, 2010. The master plan shall be
11 completed by January 1, 2011. The Commission shall also plan
12 festivities for the State Capitol's centennial celebration.

13 B. The master plan may include, but is not limited to, the
14 following projects and activities:

- 15 1. Interior and exterior renovations to the State Capitol and
16 grounds;
- 17 2. Publications, films, and other educational materials;
- 18 3. Bibliographical and documentary projects;
- 19 4. Conferences, lectures, seminars, and other programs;
- 20 5. Exhibits, including but not limited to, a centennial
21 commemorative painting and mobile exhibits; and,
- 22 6. Ceremonies and commemorations.

23 C. To perform its duties, the Commission is authorized to
24 appoint subcommittees which may include persons who are not members

1 of the Commission. Such persons shall not be entitled to
2 compensation but shall be reimbursed for necessary expenses incurred
3 in the performance of their duties as provided by the State Travel
4 Reimbursement Act. Such reimbursement shall be paid by the
5 Department of Central Services.

6 D. The Oklahoma State Capitol Centennial Commemoration and
7 Preservation Commission is authorized to appoint and fix the
8 salaries and duties of an executive director and professional and
9 administrative employees as may be necessary to carry out the duties
10 of the Commission as provided by law subject to appropriations by
11 the Legislature.

12 E. The Department of Central Services shall provide support for
13 the Commission and shall budget and expend funds appropriated to the
14 Department by the Legislature for that purpose in addition to any
15 funds received pursuant to subsection D of Section 5 of this act for
16 the Commission's activities.

17 SECTION 5. NEW LAW A new section of law to be codified
18 in the Oklahoma Statutes as Section 354 of Title 73, unless there is
19 created a duplication in numbering, reads as follows:

20 A. There is hereby authorized the creation of a not-for-profit
21 corporation to raise funds and to assist in the implementation of
22 the master plan relating to the centennial commemoration of the
23 State Capitol in 2017.

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1 B. The board of directors of the corporation authorized in
2 subsection A of this section is authorized to select a name for the
3 corporation. At least fifty percent (50%) of the corporation board
4 members shall be selected from the Oklahoma State Capitol Centennial
5 Commemoration and Preservation Commission's membership. The board
6 shall choose its own chair and vice-chair.

7 C. After proper incorporation, the not-for-profit corporation
8 is authorized and directed to apply for tax-exempt status under
9 Section 501(c)(3) of the Internal Revenue Code (26 U.S.C., Section
10 501(c)(3)).

11 D. In addition to funds received from the general public or
12 other public and private sources, the not-for-profit corporation may
13 receive funds from state agencies at such times and in such amounts
14 as may be appropriated by the Legislature for the Oklahoma State
15 Capitol centennial or made available to the corporation from state
16 agencies from their sources of revenue.

17 E. Costs to underwrite activities related to the commemoration
18 of the Oklahoma State Capitol centennial may be borne from revenues
19 of the not-for-profit corporation.

20 F. Upon the incorporation, the not-for-profit corporation shall
21 be authorized to hire staff as necessary to assist in the centennial
22 commemoration pursuant to the Oklahoma State Capitol Centennial
23 Commemoration and Preservation Act.

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1 G. The board of directors shall perform all the acts necessary
2 for dissolution of the corporation as required by law and surrender
3 all of the corporation rights and franchises by filing in the Office
4 of the Secretary of State a certificate of dissolution to coincide
5 with termination of the Oklahoma State Capitol Centennial
6 Commemoration and Preservation Commission on July 1, 2018.

7 SECTION 6. NEW LAW A new section of law to be codified
8 in the Oklahoma Statutes as Section 355 of Title 73, unless there is
9 created a duplication in numbering, reads as follows:

10 There is hereby created in the State Treasury a revolving fund
11 for the Oklahoma State Capitol Centennial Commemoration and
12 Preservation Commission to be designated the "Oklahoma State Capitol
13 Centennial Commemoration and Preservation Commission Revolving
14 Fund". The fund shall consist of all monies that are appropriated
15 by the Legislature or received by the Commission from activities and
16 donations as permitted under the Oklahoma State Capitol Centennial
17 Commemoration and Preservation Act. The Legislature may appropriate
18 funds as necessary for the development of master plans for the
19 renovation of the capitol, construction costs, and other appropriate
20 activities. The revolving fund shall be a continuing fund not
21 subject to fiscal year limitations. Expenditures from the fund
22 shall be for expenses relating to any authorized activity of the
23 Commission pursuant to the Oklahoma State Capitol Centennial
24 Commemoration and Preservation Act and shall be made pursuant to

1 law. Warrants for expenditures from this fund shall be issued by
2 the State Treasurer against claims signed by an authorized employee
3 of the Commission and approved for payment by the Director of State
4 Finance.

5 SECTION 7. NEW LAW A new section of law to be codified
6 in the Oklahoma Statutes as Section 356 of Title 73, unless there is
7 created a duplication in numbering, reads as follows:

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

18 B. Upon termination of the Oklahoma State Capitol Centennial
19 Commemoration and Preservation Commission on July 1, 2018, any
20 remaining rights and responsibilities of the Commission, including
21 all fund balances of the Oklahoma State Capitol Centennial
22 Commemoration and Preservation Commission Revolving Fund created in
23 Section 6 of this act, property, furniture, equipment, supplies, and
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1 records associated with the Commission on July 1, 2018, shall be
2 transferred to the Oklahoma Department of Central Services.

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

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