

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 54th Legislature (2013)

4 COMMITTEE SUBSTITUTE
5 FOR ENGROSSED
6 SENATE BILL NO. 7

By: Allen of the Senate

and

Murphey, Turner and Derby
of the House

7
8
9
10 COMMITTEE SUBSTITUTE

11 An Act relating to state asset management; amending
12 74 O.S. 2011, Section 61.7, as last amended by
13 Section 705, Chapter 304, O.S.L. 2012 (74 O.S. Supp.
14 2012, Section 61.7), which relates to the Oklahoma
15 State Government Asset Reduction and Cost Savings
16 Program; authorizing certain recommendations related
17 to sale of property; modifying provisions related to
18 the Maintenance of State Buildings Revolving Fund;
19 imposing certain penalty for failure to comply with
20 reporting provisions; amending 74 O.S. 2011, Section
21 74.1, as amended by Section 719, Chapter 304, O.S.L.
22 2012 (74 O.S. Supp. 2012, Section 74.1), which
23 relates to certain regional service offices;
24 modifying provisions related to records and
 documents; amending 74 O.S. 2011, Section 97, as
 amended by Section 798, Chapter 304, O.S.L. 2012 (74
 O.S. Supp. 2012, Section 97), which relates to
 certain oil and gas leases; modifying approval
 requirements; amending 74 O.S. 2011, Section 126.2,
 which relates to surface leases; modifying approval
 requirements; amending 74 O.S. 2011, Section 128.2,
 as amended by Section 816, Chapter 304, O.S.L. 2012
 (74 O.S. Supp. 2012, Section 128.2), which relates to
 certain inventory process for state lands; modifying
 provisions related to execution of conveyances;
 amending 74 O.S. 2011, Section 129.4, as amended by

1 Section 818, Chapter 304, O.S.L. 2012 (74 O.S. Supp.
2 2012, Section 129.4), which relates to transactions
3 with respect to state-owned real property; modifying
4 provisions with respect to disposition of real
5 property; modifying duties imposed on Office of
6 Management and Enterprise Services; modifying
7 provisions related to appraisal of real property;
8 modifying notice provisions; authorizing publication
9 of information electronically; prescribing certain
10 procedures with respect to instruments affecting
11 mineral rights; prohibiting imposition of certain
12 recording fees; amending 62 O.S. 2011, Section 901,
13 as amended by Section 1, Chapter 288, O.S.L. 2012 (62
14 O.S. Supp. 2012, Section 901), which relates to the
15 Long-Range Capital Planning Commission; modifying
16 provisions related to capital plan; modifying
17 references; imposing duties on the Long-Range Capital
18 Planning Commission; prescribing process for
19 privatization of property; prescribing procedures
20 with respect to lease transactions; prescribing
21 procedures with respect to purchase transactions;
22 authorizing expenditures from Maintenance of State
23 Buildings Revolving Fund; providing for disclosure of
24 expenditures; requiring publication of report;
prescribing procedures for liquidation of properties;
providing for disapproval by concurrent resolution;
providing certain liquidations deemed approved;
consolidating Capitol-Medical Center Improvement and
Zoning Commission into the Long-Range Capital
Planning Commission; amending 73 O.S. 2011, Sections
83.2, 83.3, 83.4, 83.9, 83.10, as amended by Section
668, Chapter 304, O.S.L. 2012, 83.11, 83.12 and
83.14, as amended by Section 669, Chapter 304, O.S.L.
2012 (73 O.S. Supp. 2012, Sections 83.10 and 83.14),
which relate to the Capitol-Medical Center
Improvement and Zoning Commission; modifying
references; amending 74 O.S. 2011, Sections 4104, as
amended by Section 1012, Chapter 304, O.S.L. 2012,
4105, as amended by Section 1013, Chapter 304, O.S.L.
2012, 4106, 4107 and 4110 (74 O.S. Supp. 2012,
Sections 4104 and 4105), which relate to the State
Capitol Preservation Commission; modifying
references; amending 62 O.S. 2011, Section 57.302,
which relates to the Oklahoma Building Bonds
Commission; providing for termination of Commission
upon occurrence of certain events; repealing 74 O.S.
2011, Section 456.7, as amended by Section 852,

1 Chapter 304, O.S.L. 2012 (74 O.S. Supp. 2012, Section
456.7), which relates to an alternative use study;
2 repealing 62 O.S. 2011, Sections 57.2, 57.3, 57.4,
57.5, 57.6, 57.7, 57.8, 57.9, 57.10, 57.11, 57.12 and
3 57.13, which relate to the issuance and sale of
certain state building bonds; repealing 62 O.S. 2011,
4 Sections 57.15, 57.16, 57.17, 57.18, 57.19, 57.20,
57.21, 57.22, 57.23, 57.24, 57.25, 57.26 and 57.27,
5 which relate to 1955 building bonds; repealing 62
O.S. 2011, Sections 57.31, 57.32, 57.33, 57.34,
6 57.35, 57.36, 57.37, 57.38, 57.39, as amended by
Section 430, Chapter 304, O.S.L. 2012, 57.40, 57.41,
7 57.42 and 57.43 (62 O.S. Supp. 2012, Section 57.39),
which relate to 1961 building bonds; repealing 62
8 O.S. 2011, Sections 57.51, 57.52, 57.53, 57.54,
57.55, 57.56, 57.57, 57.58, 57.59 and 57.60, which
9 relate to 1965 Series A building bonds; repealing 62
O.S. 2011, Sections 57.61, 57.62, 57.63, 57.64,
10 57.65, 57.66, 57.67, 57.68, 57.69, as amended by
Section 431, Chapter 304, O.S.L. 2012, 57.70, 57.71,
11 57.72 and 57.73 (62 O.S. Supp. 2012, Section 57.69),
which relate to 1965 Series B building bonds;
12 repealing 62 O.S. 2011, Sections 57.75, 57.76, 57.77,
57.78 and 57.79, which relate to cancellation of
13 certain interest; repealing 62 O.S. 2011, Sections
57.81, 57.82, 57.83, 57.84, 57.85, 57.86, 57.87,
14 57.88, 57.89, as amended by Section 432, Chapter 304,
O.S.L. 2012, 57.90, 57.91 and 57.92 (62 O.S. Supp.
15 2012, Section 57.89), which relate to Series C 1965
building bonds; repealing 62 O.S. 2011, Sections
16 57.101, 57.102, 57.103, 57.104, 57.105, 57.106,
57.107, 57.108, 57.109, as amended by Section 433,
17 Chapter 304, O.S.L. 2012, 57.110, 57.111 and 57.112
(62 O.S. Supp. 2012, Section 57.109), which relate to
18 Series D 1965 building bonds; repealing 62 O.S. 2011,
Sections 57.121, 57.122, 57.123, 57.124, 57.125,
19 57.126, 57.127, 57.128, 57.129, 57.130, 57.131,
57.132, 57.133, 57.134 and 57.135, which relate to
20 Series A 1968 building bonds; repealing 62 O.S. 2011,
Sections 57.151, 57.152, 57.153, 57.154 and 57.155,
21 which relate to Series B 1968 building bonds;
repealing 62 O.S. 2011, Sections 57.161, 57.162,
22 57.163, 57.164 and 57.165, which relate to Series C
1968 building bonds; repealing 62 O.S. 2011, Sections
23 57.171, 57.172, 57.173, 57.174, 57.175 and 57.176,
which relate to Series D 1968 building bonds;
24 repealing 62 O.S. 2011, Sections 57.181, 57.182,

1 57.183, 57.184, 57.185, 57.186, 57.187, 57.188,
2 57.189, as amended by Section 434, Chapter 304,
3 O.S.L. 2012, 57.190 and 57.191 (62 O.S. Supp. 2012,
4 Section 57.189), which relate to Series E 1968
5 building bonds; repealing 73 O.S. 2011, Section 83.1,
6 as amended by Section 667, Chapter 304, O.S.L. 2012
7 (73 O.S. Supp. 2012, Section 83.1), which relates to
8 the Capitol-Medical Improvement and Zoning
9 Commission; repealing 73 O.S. 2011, Section 310, as
10 amended by Section 690, Chapter 304, O.S.L. 2012 (73
11 O.S. Supp. 2012, Section 310), which relates to the
12 State Facility Capital Needs Committee; repealing 74
13 O.S. 2011, Section 109.1, as amended by Section 805,
14 Chapter 304, O.S.L. 2012 (74 O.S. Supp. 2012, Section
15 109.1), which relates to release of expired options;
16 repealing 74 O.S. 2011, Sections 4101, 4102, as
17 amended by Section 1, Chapter 66, O.S.L. 2012, 4103,
18 as amended by Section 1011, Chapter 304, O.S.L. 2012
19 and 4109, as amended by Section 1014, Chapter 304,
20 O.S.L. 2012 (74 O.S. Supp. 2012, Sections 4102, 4103
21 and 4109), which relate to the State Capitol
22 Preservation Commission; providing for codification;
23 and providing for recodification.
24

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

15 SECTION 1. AMENDATORY 74 O.S. 2011, Section 61.7, as
16 last amended by Section 705, Chapter 304, O.S.L. 2012 (74 O.S. Supp.
17 2012, Section 61.7), is amended to read as follows:

18 Section 61.7 A. There is hereby established the Oklahoma State
19 Government Asset Reduction and Cost Savings Program.

20 B. No later than December 31 each year the Director of the
21 Office of Management and Enterprise Services shall publish a
22 comprehensive report detailing state-owned properties.

23 C. The report mandated in accordance with the provisions of
24 this section shall list the five percent (5%) most underutilized

1 state-owned properties. The report shall describe the value of
2 properties falling within the description in this subsection, assess
3 the potential for purchase should the properties be offered for sale
4 and describe the impact on local-level tax rolls in the event the
5 properties are purchased by a nongovernmental entity.

6 D. The Director of the Office of Management and Enterprise
7 Services shall promulgate rules establishing procedures by which
8 each state agency, board, commission and public trust having the
9 State of Oklahoma as a beneficiary shall submit the necessary data
10 to the Office of Management and Enterprise Services for the
11 development of this report.

12 E. State agencies, boards, commissions and public trusts having
13 the State of Oklahoma as a beneficiary shall comply with procedures
14 promulgated pursuant to the terms of this section.

15 F. The report and data collected pursuant to this section shall
16 be published as a data feed on the "data.ok.gov" website.

17 G. In addition to the requirements of subsection C of this
18 section, the Office of Management and Enterprise Services may make
19 recommendations for the sale of properties based upon the value of
20 the property and the potential for net gain for the state based upon
21 the data obtained for the Oklahoma State Government Asset Reduction
22 and Cost Savings Program.

23 H. There is hereby created the Maintenance of State Buildings
24 Revolving Fund. The fund shall not be subject to fiscal year

1 limitations and the fund shall serve as the depository for proceeds
2 from the sale of state-owned properties pursuant to the Oklahoma
3 State Government Asset Reduction and Cost Savings Program.
4 Expenditures from the fund shall be limited exclusively to
5 maintaining and repairing state-owned properties and buildings.
6 Access to the fund shall be reserved to the Office of Management and
7 Enterprise Services at the direction of the Long-Range Capital
8 Planning Commission.

9 I. Entities which refuse to comply with the reporting
10 provisions of this section shall submit a penalty in the amount not
11 less than ten percent (10%) of the entity's annual revenue to the
12 Maintenance of State Buildings Revolving Fund.

13 SECTION 2. AMENDATORY 74 O.S. 2011, Section 74.1, as
14 amended by Section 719, Chapter 304, O.S.L. 2012 (74 O.S. Supp.
15 2012, Section 74.1), is amended to read as follows:

16 Section 74.1 The Office of Management and Enterprise Services
17 shall assist any state agency authorized to establish and maintain
18 regional service offices in obtaining adequate and suitable
19 quarters, office space or facilities for any such regional service
20 offices. Priority for obtaining adequate quarters, office space or
21 facilities shall be given in the following order: State-owned
22 buildings, county or municipal-owned buildings, public trust or
23 building authority-owned buildings or private vendor-owned
24 buildings. ~~The Office of Management and Enterprise Services shall~~

1 ~~also facilitate the transfer or transporting of any necessary~~
2 ~~records and documents between any agency's regional service offices.~~

3 SECTION 3. AMENDATORY 74 O.S. 2011, Section 97, as
4 amended by Section 798, Chapter 304, O.S.L. 2012 (74 O.S. Supp.
5 2012, Section 97), is amended to read as follows:

6 Section 97. The Office of Management and Enterprise Services is
7 hereby authorized to lease for drilling and development of oil or
8 gas, or both, any of the lands belonging to the state, on which are
9 located penal or eleemosynary institutions, or are connected with or
10 a part of the lands of such institution. Such leasing to be made by
11 public competition after not less than fifteen (15) days' notice by
12 publication in two newspapers authorized by law to publish legal
13 notices, one of which newspapers shall be published at the State
14 Capital, and the other in the county where the land is situated, and
15 in such manner as said Office of Management and Enterprise Services
16 may by rule prescribe. All such leasing must be on sealed bids and
17 awarded to the highest responsible bidder, and for a term of not to
18 exceed five (5) years from date and as long thereafter as oil and
19 gas, or either of them, is produced in paying quantities from said
20 land by the lessee, provided said Office may reject any and all
21 bids. The oil and gas interest in such land hereby authorized to be
22 leased, is to the extent and in the manner that a private owner of
23 lands in fee, may in his own right, execute such lease or grant.

24

1 ~~Such lease before becoming effective or having validity, shall be~~
2 ~~approved by the Governor of the state or his designee.~~

3 SECTION 4. AMENDATORY 74 O.S. 2011, Section 126.2, is
4 amended to read as follows:

5 Section 126.2 A. The Director of ~~Central~~ the Office of
6 Management and Enterprise Services is hereby authorized to lease for
7 a temporary period of time the surface of any of the lands belonging
8 to the state described in Section 126.1 of this title, which are not
9 needed or required for the proper maintenance of the institutions or
10 departments in possession thereof.

11 B. Except as otherwise provided by Section 6201 of this title,
12 said leases shall be for a period of time not exceeding three (3)
13 years and upon such other terms and conditions as said Director may
14 determine to be in the best interests of the state.

15 C. Except as otherwise provided by Section 6201 of this title,
16 said leases shall provide for a termination of the lease upon
17 reasonable notice in writing whenever the needs of the state or the
18 institution in possession thereof requires said land.

19 ~~D. Except as otherwise provided by Section 6201 of this title,~~
20 ~~said lease contracts shall not become effective until they are~~
21 ~~submitted to and approved by the Governor of this state or his or~~
22 ~~her designee.~~

23 ~~E.~~ The Director may also execute lease contracts for said lands
24 to any institution or agency or department, commission, or municipal

1 subdivision that requires the need of said land in conjunction with
2 cooperation or participation in any city or state project authorized
3 by law, if said contracts or agreements will not interfere with or
4 restrict in any manner, the proper use of said lands by the state
5 institution in possession thereof, ~~and shall not become effective~~
6 ~~until after approval by the Governor or his or her designee.~~

7 F. E. The Oklahoma Ordnance Works Authority, the Midwestern
8 Oklahoma Development Authority and the Northeast Oklahoma Public
9 Facilities Authority and their lands shall be exempt from the
10 application of this section.

11 G. F. Lands leased to private prison contractors pursuant to
12 Section 561 of Title 57 of the Oklahoma Statutes shall be exempt
13 from the application of this section.

14 SECTION 5. AMENDATORY 74 O.S. 2011, Section 128.2, as
15 amended by Section 816, Chapter 304, O.S.L. 2012 (74 O.S. Supp.
16 2012, Section 128.2), is amended to read as follows:

17 Section 128.2 Said Office of Management and Enterprise Services
18 shall make or cause to be made a full and complete inventory and
19 appraisal of the property described in Section 128.1 of this title.
20 Said Office may offer for sale to the highest bidder at public sale
21 all of the lots, blocks, or acreage tracts of said "Capitol Building
22 Lands" that are not used by the state and which, in the judgment of
23 said Office, will not be required for future use by the state. Said
24 property shall be offered for sale in separate lots or tracts, for

1 cash, to the highest bidder. Said sale shall be at public auction
2 or under sealed bids whichever the Office may determine to be most
3 advantageous. The sale shall be advertised in a newspaper of
4 general circulation in Oklahoma County, Oklahoma, for not less than
5 thirty (30) days prior to the date of sale. The notice shall
6 contain an accurate description of all the property to be sold and
7 terms and conditions of said sale.

8 The lands so offered for sale shall be subject to a reservation
9 by this state in one-half (1/2) of all the mineral rights therein.
10 If royalties are not paid to the state from any of the above-
11 described lots or tracts of land, the sale of such properties shall
12 be made subject to a reservation by this state of all of the mineral
13 rights therein under said lots or tracts. The Office of Management
14 and Enterprise Services shall reserve the right to refuse any and
15 all bids for said property. No sale of any portion of said land
16 shall be confirmed at a price less than ninety percent (90%) of the
17 appraised value. All sales shall be approved by the Governor. All
18 ~~conveyances of said land shall be executed by the Commissioners of~~
19 ~~the Land Office upon request of said Office.~~

20 SECTION 6. AMENDATORY 74 O.S. 2011, Section 129.4, as
21 amended by Section 818, Chapter 304, O.S.L. 2012 (74 O.S. Supp.
22 2012, Section 129.4), is amended to read as follows:

23 Section 129.4 A. Unless procedures for state agency
24 ~~transactions to lease or acquire real property, or lease, dispose of~~

1 ~~or transfer state-owned~~ real property transactions are otherwise
2 specifically provided for by law, no department, board, commission,
3 institution, or agency of this state shall sell, lease, exchange, or
4 otherwise dispose of such real property subject to its jurisdiction,
5 or lease, purchase or otherwise acquire real property subject to its
6 jurisdiction, except as provided for in this section.

7 B. 1. Every department, board, commission, institution, or
8 agency, upon legislative authorization or authorization by the Long-
9 Range Capital Planning Commission to dispose of a parcel of real
10 property or upon a determination, in writing, by the Office of
11 Management and Enterprise Services or said department, board,
12 commission, institution, or agency that a parcel of real property
13 subject to its jurisdiction is no longer needed by said department,
14 board, commission, institution, or agency, shall request the Office
15 of Management and Enterprise Services to dispose of said real
16 property.

17 2. Upon notification by the department, board, commission,
18 institution, or agency to sell a parcel of real property, the Office
19 of Management and Enterprise Services shall:

- 20 a. ~~when appropriate, determine whether a study conducted~~
21 ~~pursuant to Section 456.7 of this title is in the best~~
22 ~~interest of the state,~~
23 b. obtain ~~three new and~~ at least one complete appraisals
24 ~~on properties with an estimated value that equals or~~

1 ~~exceeds One Million Dollars (\$1,000,000.00); or, two~~
2 ~~new and complete appraisals on properties with an~~
3 ~~estimated value greater than One Hundred Thousand~~
4 ~~Dollars (\$100,000.00) and less than One Million~~
5 ~~Dollars (\$1,000,000.00); or, one new and complete~~
6 ~~appraisal on properties with an estimated value less~~
7 ~~than One Hundred Thousand Dollars (\$100,000.00). The~~

8 ~~appraisals shall be~~ appraisal ~~made by persons~~ a person
9 certified by the Real Estate Appraiser Board of the
10 Oklahoma Insurance Department, who shall ascertain:

- 11 (1) the present fair value of the property, and
12 (2) the present value of the improvements on such
13 property, and
14 (3) the actual condition of the improvements on the
15 property,

16 ~~e.~~ b. cause notice of such sale to be published for at least
17 one (1) day in a newspaper of general statewide
18 circulation authorized to publish legal notices, and
19 weekly ~~for at least~~ three (3) consecutive weeks in a
20 newspaper of general circulation published in the
21 county or counties in which the property is located.
22 The notice shall contain the legal description of each
23 parcel of real property to be offered for sale, the
24 appraised value thereof, the time and location of the

1 sale or opening of the bids, and terms of the sale
2 including the fact that no parcel of property shall be
3 sold for less than ninety percent (90%) of the
4 appraised value of the real property or said
5 information can be published electronically on the
6 Office of Management and Enterprise Services' website
7 provided the notice of sale and instructions on
8 accessing the public information are published in a
9 newspaper of general circulation in the county or
10 counties in which the property is located weekly for
11 three (3) consecutive weeks, and

12 ~~d.~~ c. offer said property through public auction or sealed
13 bids within three (3) weeks after the last publication
14 of the notice in said newspapers. The property shall
15 be sold to the highest bidder. The Office of
16 Management and Enterprise Services shall not accept a
17 bid of less than ninety percent (90%) of the average
18 appraised fair value of the property and the
19 improvements on such property. The Office of
20 Management and Enterprise Services is authorized to
21 reject all bids.

22 3. The cost of the ~~appraisements~~ appraisement required by the
23 provisions of this section, together with other necessary expenses
24 incurred pursuant to this section, shall be paid by the department,

1 board, commission, institution, or agency for which the real
2 property is to be sold from funds available to said department,
3 board, commission, institution, or agency for such expenditure. All
4 monies received from the sale or disposal of said property, except
5 those monies necessary to pay the expenses incurred pursuant to this
6 section, shall be deposited in the General Revenue Fund.

7 C. Unless otherwise provided by law, the Office of Management
8 and Enterprise Services shall review and approve state agency real
9 property transactions ~~to lease or acquire real property, or lease,~~
10 ~~dispose of or transfer state-owned real property.~~ A state agency
11 shall not lease or acquire real property, or lease, dispose of or
12 transfer state-owned real property until the Office provides notice
13 of transaction approval to the state agency. Prior to approval, a
14 state agency shall provide documents to the Office and provide
15 reference to statutory or other legal authority of the state agency
16 to lease or acquire real property, or lease, dispose of or transfer
17 state-owned real property. If the state agency intends to lease or
18 acquire real property, the state agency shall state the intended use
19 of the real property. Within thirty (30) days of receipt, the
20 Office shall provide notice of transaction approval or disapproval
21 to the state agency.

22 D. The provisions of this section shall not apply to the lease
23 of office space, real property subject to supervision of the
24 Commissioners of the Land Office or district boards of education.

1 E. The Office of Management and Enterprise Services shall
2 maintain a comprehensive inventory of state-owned real property and
3 its use excluding property of the public schools and property
4 subject to the jurisdiction of the Commissioners of the Land Office.

5 1. Each state agency shall, within thirty (30) days of the
6 closing date for lands newly acquired, provide to the Office a list
7 of records, deeds, abstracts and other title instruments showing the
8 description of and relating to any and all such lands or interests
9 therein.

10 2. The provisions of paragraph 1 of this subsection shall apply
11 to all lands of public trusts having a state agency as the primary
12 benefactor, but shall not apply to lands of municipalities,
13 counties, school districts, or agencies thereof, or Department of
14 Transportation rights-of-way.

15 3. A state agency that sells or otherwise disposes of land
16 shall notify the Office within thirty (30) days of the disposition
17 closing date.

18 F. This section shall not be construed to authorize any
19 department, board, commission, institution, or agency, not otherwise
20 authorized by law, to sell, lease, or otherwise dispose of any real
21 property owned by the state.

22 G. The Office of Management and Enterprise Services may provide
23 services to sell or purchase real property for other state agencies.
24

1 H. The Director of the Office of Management and Enterprise
2 Services shall, pursuant to the Administrative Procedures Act,
3 promulgate rules to effect procedures necessary to the fulfillment
4 of its responsibilities under this section.

5 I. The Oklahoma Ordnance Works Authority and its lands, and the
6 Northeast Oklahoma Public Facilities Authority shall be exempt from
7 the application of this section. The Grand River Dam Authority and
8 its lands shall be exempt from the application of this section for
9 any real property disposed of prior to November 1, 2006.

10 J. Unless otherwise provided for by law, the procedures
11 established pursuant to this section for the sale or exchange of
12 real estate or personal property as authorized pursuant to Sections
13 2222 and 2223 of this title shall be followed unless the sale is to
14 an entity of state government.

15 K. The Director of the Office of Management and Enterprise
16 Services shall contract with experts, professionals or consultants
17 as necessary to perform the duties of the Department. Selections
18 shall be made using the qualifications-based procedures established
19 in Section 62 of Title 61 of the Oklahoma Statutes, and the rules
20 promulgated by the Director for the selection of construction
21 managers and design consultants.

22 SECTION 7. NEW LAW A new section of law to be codified
23 in the Oklahoma Statutes as Section 330.1 of Title 61, unless there
24 is created a duplication in numbering, reads as follows:

1 All instruments vesting any right, title or interest in lands or
2 minerals and mineral rights, in the Office of Management and
3 Enterprise Services, and all instruments to adjust any defect or
4 irregularity or to remove any cloud on the title to lands or
5 minerals or mineral rights owned by the state, and all notices and
6 orders issued by the Office of Management and Enterprise Services
7 and proofs of publication thereof shall be filed and recorded by the
8 proper officers of all counties of the State of Oklahoma at the
9 request of the Office of Management and Enterprise Services without
10 any filing or recording fee being charged.

11 SECTION 8. AMENDATORY 62 O.S. 2011, Section 901, as
12 amended by Section 1, Chapter 288, O.S.L. 2012 (62 O.S. Supp. 2012,
13 Section 901), is amended to read as follows:

14 Section 901. A. ~~1.~~ There is hereby created a Long-Range
15 Capital Planning Commission to advise and assist the Legislature in
16 providing for real property capital facilities ~~in~~ facility needs for
17 this state. The Commission shall consist of nine (9) members as
18 follows:

19 a. ~~three~~

20 1. Three members appointed by the President Pro Tempore of the
21 Senate to serve at the pleasure of the appointing authority. ~~Of~~
22 ~~these appointees two shall be members of the Senate and one shall be~~
23 ~~from the public at large,;~~

24 b. ~~three~~

1 2. Three members appointed by the Speaker of the House of
2 Representatives to serve at the pleasure of the appointing
3 authority. ~~Of these appointees two shall be members of the House of~~
4 ~~Representatives and one shall be from the public at large,~~; and

5 e. three

6 3. Three members shall be appointed by the Governor to serve at
7 the pleasure of the appointing authority. These appointees shall be
8 from the public at large.

9 ~~2.~~ B. A chairman of the Commission shall be elected from its
10 membership. Five members of the Commission shall constitute a
11 quorum. Members of the Commission shall serve without compensation,
12 but ~~all public members~~ shall be entitled to reimbursement, pursuant
13 to the State Travel Reimbursement Act, for expenses incurred in the
14 performance of their duties.

15 ~~3.~~ C. Initial appointments to the Commission shall be made
16 within thirty (30) days of the effective date of this act.

17 ~~B.~~ D. The Commission shall have the authority to promulgate
18 rules and regulations necessary to implement the provisions of this
19 act.

20 ~~C.~~ E. The Office of ~~State Finance~~ Management and Enterprise
21 Services, with the advice and assistance of the Oklahoma State Bond
22 Advisor, shall provide staffing for the Commission and other such
23 assistance as the Commission may require.

24

1 ~~D.~~ F. 1. The Commission shall prepare each year an annual
2 capital plan budget and a state capital plan for addressing state
3 capital facility needs for the next ensuing ~~five (5)~~ eight (8)
4 years. The Oklahoma State Regents for Higher Education and each
5 state governmental entity as defined in Section 695.3 of this title
6 shall cooperate with the Commission in the preparation of the state
7 plan. Each year, on or about December 1, the plan shall be
8 submitted to the Governor, Speaker of the House of Representatives
9 and President Pro Tempore of the Senate.

10 2. ~~a.~~ The capital plan should:

11 a. supplement and integrate, not replace, existing
12 capital planning processes. ~~The plan shall consider~~
13 ~~and incorporate, as appropriate, the local and~~
14 ~~regional plans that may be developed.,~~

15 ~~b.~~ ~~The plan shall~~ assess long-term needs for capital
16 facilities provided by both state and local
17 governments as determined by the Commission. ~~The plan~~
18 ~~shall include:,~~

19 ~~(1) an~~

20 c. review and assess the inventory of capital facilities
21 held by the state, and ~~when available, by units of~~
22 ~~local government or special districts. The inventory~~
23 ~~shall include such information as is reasonably~~
24 ~~available on the physical and economic condition of~~

1 ~~these assets~~ make recommendation on reallocation,
2 reuse or liquidation of properties for incorporation
3 into the annual capital plan,

4 ~~(2) a projection of economic and demographic trends~~
5 ~~likely to influence the needs~~

6 d. address agency strategic facility plans for new,
7 improved, renovation, or expanded capital facilities,

8 ~~(3) an estimate of mandatory, essential, desirable~~
9 ~~and deferrable repair, replacement and~~
10 ~~expansions,~~

11 ~~(4) estimates of life cycle costs for new and~~
12 ~~substantially expanded or renovated facilities,~~

13 ~~(5) an analysis of recent trends and~~ or facilities
14 that should be reallocated or liquidated,

15 e. evaluate effectiveness of planning processes at the
16 agency level to account for all capital facility costs
17 for incorporation into the annual capital budget,

18 f. account for projections of debt service and revenues
19 ~~available from general obligation and revenue bonds,~~
20 ~~general and dedicated taxes used for capital~~
21 ~~facilities finance, user fees, the federal government~~
22 bonds and other sources,

23 ~~(6)~~

24

1 g. an analysis of the capacity of the state ~~and local~~
2 ~~governments~~ to incur debt or finance public capital
3 facilities,

4 ~~(7)~~

5 h. a ~~detailed list~~ comprehensive listing of all capital
6 ~~projects~~ expenditures of the state which the

7 Commission recommends be undertaken or continued for
8 any state agency in the next two (2) fiscal years,

9 together with information as to the effect of such

10 capital projects on future operating expenses of the

11 state, and with recommendations as to the priority of

12 such capital projects and the means of funding them,

13 ~~(8)~~

14 i. the forecasts of the Commission as to the requirements

15 for capital projects of state agencies for the three

16 (3) fiscal years next following such two (2) fiscal

17 years and for such additional periods, if any, as may

18 be necessary or desirable for adequate presentation of

19 particular capital projects, and a schedule for the

20 planning and implementation or construction of such

21 capital projects,

22 ~~(9)~~

23 j. a ~~schedule~~ proposed itemized budget for the next

24 fiscal year of recommended ~~projects~~ capital

1 expenditures inclusive of all funding sources, for
2 each agency including facility rent and lease
3 payments, energy and utility expenditures, operations
4 and maintenance, capital improvements and capital
5 development projects as necessary to optimize and
6 preserve the state's capital assets,

7 ~~(10) recommendations as to the maintenance of physical~~
8 ~~properties and equipment of state agencies, and~~

9 ~~(11)~~

10 k. the inclusion of the findings of the Oklahoma State
11 Government Asset Reduction and Cost Savings Program
12 and the indexing of the most necessary capital
13 improvements to the expenditure of funds from the
14 Maintenance of State Buildings Revolving Fund, and

15 l. such other information as the Commission deems
16 relevant to the foregoing matters.

17 ~~3.~~ G. The Governor shall prepare at the same time as the state
18 budget document is prepared, a capital budget. The capital budget
19 shall be prepared and submitted by the Governor or Governor-elect in
20 accordance with the procedures for preparing the state budget
21 document. The capital budget shall embrace all expenditures of the
22 state government for operations, maintenance and management of state
23 capital facilities and equipment and all revenues to be raised for
24

1 purpose of meeting expenditure commitments during the next ensuing
2 fiscal year and shall include the following:

3 ~~a. for~~

4 1. For each expenditure and class of expenditures, the capital
5 facility costs to be incurred during the next ensuing fiscal year,
6 ~~plus where appropriate,~~ inclusive of the annual operating and
7 maintenance costs of such facilities and a schedule of depreciation
8 calculated in accordance with the principles and standards of
9 capital budgeting authorized by ~~paragraph 4 of this subsection,~~ H of
10 this section;

11 ~~b. the~~

12 2. The revenues and sources required to meet projected
13 expenditures. Revenue sources to be indicated include, but are not
14 limited to: ~~the General Revenue Fund, the Transportation Fund, any~~
15 ~~special funds, proceeds of bond sales, federal funds, local~~
16 ~~government revenue~~ funds from the Maintenance of State Buildings
17 Revolving Fund or other sources. Where additional revenues in the
18 form of additional taxes, user fees or new bond issues are proposed
19 to meet expenditure requests, any funds created for such purposes
20 shall be included in this act, i and

21 ~~e. a~~

22 3. A statement regarding the relationship between the proposals
23 contained in the capital budget and the capital plan. The capital
24

1 budget shall be based upon the capital plan prepared by the
2 Commission.

3 ~~4.~~ H. The Commission, with the assistance of the Office of
4 ~~State Finance~~ Management and Enterprise Services, shall prepare and
5 publish rules and regulations that set forth principles and
6 standards for capital planning and budgeting to be used by state
7 agencies. The rules and regulations shall set forth definitions of
8 relevant terms to be used in the capital planning and budgeting
9 processes, establish accounting standards and standards for costs
10 and benefits of public facility investments.

11 ~~E.~~ I. 1. The Commission, the Office of ~~State Finance~~
12 Management and Enterprise Services, and the Oklahoma State Bond
13 Advisor may call to their assistance such personnel or any state
14 agency in order to perform their duties pursuant to the State
15 Capital Improvement Planning Act and such agencies shall respond and
16 provide any such assistance as may be required. The Commission may
17 use existing studies, surveys, plans, data and other materials in
18 the possession of any state agency ~~or any municipality or political~~
19 ~~subdivision of this state.~~ Each such agency, ~~municipality or~~
20 ~~subdivision~~ may make the same available to the Commission so that
21 the Commission may have available to it current information with
22 respect to the capital plans and programs of each such agency,
23 ~~municipality or subdivision.~~

24

1 2. The officers and personnel of any state agency may serve at
2 the request of the Commission upon such advisory committees as the
3 Commission may create and such officers and personnel may serve upon
4 such committees without forfeiture of office or employment and with
5 no loss or diminution of the compensation, status, rights and
6 privileges which they otherwise enjoy.

7 SECTION 9. NEW LAW A new section of law to be codified
8 in the Oklahoma Statutes as Section 907 of Title 62, unless there is
9 created a duplication in numbering, reads as follows:

10 A. It shall be the primary mission of the Long-Range Capital
11 Planning Commission to decrease the amount of property owned by
12 Oklahoma state government, return state-owned property to private
13 sector ownership, better maintain and utilize the state's needed
14 real property assets and when possible eliminate the practice by
15 which state agencies lease real property not owned by the state.

16 B. Each year the Director of the Office of Management and
17 Enterprise Services at the direction of the Long-Range Capital
18 Planning Commission shall take action to approve the privatization
19 of state-owned real property as identified pursuant to the Oklahoma
20 State Government Asset Reduction and Cost Savings Program. Proceeds
21 from the liquidation of real properties shall be placed into the
22 Maintenance of State Buildings Revolving Fund.

23 C. Prior to entering into or renewing a lease for real
24 property, each state agency, board, commission and public trusts

1 having the State of Oklahoma as a beneficiary shall receive approval
2 for entering into the lease from the Long-Range Capital Planning
3 Commission.

4 D. Prior to making a purchase of real property or constructing
5 a building, each state agency, board, commission and public trusts
6 having the State of Oklahoma as a beneficiary shall receive approval
7 for the purchase or construction from the Long-Range Capital
8 Planning Commission.

9 E. Prior to approving the application submitted pursuant to
10 subsection C or D of this section, the Long-Range Capital Planning
11 Commission shall certify that the applicant entity cannot utilize
12 already existing state-owned real property as an alternative to
13 leasing non-state-owned real property, purchasing or constructing
14 new real property.

15 F. Prior to approving the application submitted pursuant to
16 subsection C or D of this section, the Long-Range Capital Planning
17 Commission shall certify that the mandate of Section 34.11.7 of
18 Title 62 of the Oklahoma Statutes has been met. No new lease shall
19 be executed, building constructed or real property purchased without
20 the approval of the State Governmental Technology Applications
21 Review Board pursuant to Section 34.11.7 of Title 62 of the Oklahoma
22 Statutes.

23 G. The Long-Range Capital Planning Commission may make
24 expenditures from the Maintenance of State Buildings Revolving Fund

1 to meet the needs of highest priority as identified in the state
2 capital plan for addressing state capital facility needs.

3 H. Expenditures from the Maintenance of State Buildings
4 Revolving Fund and certifications provided pursuant to subsection E
5 of this section shall be detailed in a data feed and made available
6 through the data.ok.gov web portal.

7 I. By December 31 of each year, the Long-Range Capital Planning
8 Commission, with assistance from the Office of Management and
9 Enterprise Services shall publish a report demonstrating the amount
10 of previously state-owned property sold, detailing the reduction in
11 the amount of space leased by the state, describing the source of
12 funds and expenditures from the Maintenance of State Buildings
13 Revolving Fund and showing the manner in which deferred maintenance
14 needs are being met. The report shall be provided to the Governor,
15 Speaker of the Oklahoma House of Representatives, President Pro
16 Tempore of the Oklahoma State Senate and placed on the
17 documents.ok.gov web portal.

18 J. After the effective date of this act, any properties
19 liquidated pursuant to this section shall be subject to the approval
20 of the Legislature as provided by this subsection. The Long-Range
21 Capital Planning Commission shall submit an itemized list of the
22 proposed liquidations to the Governor, the Speaker of the House of
23 Representatives and the President Pro Tempore of the State Senate on
24 the first legislative day of an annual legislative session. The

1 Legislature shall have a period of thirty-three (33) calendar days
2 from the date on which the information is submitted to pass a
3 concurrent resolution disapproving all or part of the proposed
4 liquidation. If the Legislature does not disapprove the proposed
5 liquidations by concurrent resolution by the end of the thirty-third
6 day following the date upon which the proposed liquidations are
7 submitted, the proposed liquidations shall be deemed to have been
8 approved by the Legislature.

9 SECTION 10. NEW LAW A new section of law to be codified
10 in the Oklahoma Statutes as Section 82.2 of Title 73, unless there
11 is created a duplication in numbering, reads as follows:

12 The Capitol-Medical Center Improvement and Zoning Commission is
13 hereby consolidated into the Long-Range Capital Planning Commission.
14 Wherever the term the Capitol-Medical Center Improvement and Zoning
15 Commission is used it shall mean the Long-Range Capital Planning
16 Commission.

17 SECTION 11. AMENDATORY 73 O.S. 2011, Section 83.2, is
18 amended to read as follows:

19 Section 83.2 ~~The Capitol-Medical Center Improvement and Zoning~~
20 Long-Range Capital Planning Commission, after adoption of a master
21 comprehensive plan as hereinafter provided, shall have exclusive
22 authority over the zoning and regulation of the utilization of all
23 property in the above-described District and no planning or zoning
24 commission of any subdivision of the state thereafter shall have any

1 authority or jurisdiction within said area. The Commission also
2 shall have authority to approve or disapprove the location and
3 design of any improvements hereafter to be placed upon any land
4 within said District, and no improvement hereafter shall be placed
5 upon any land within said District, unless the location and design
6 thereof shall be approved by said Commission. The word
7 "improvements" as used in Sections 82.1 through 83.11 of this title
8 shall include but not be limited to (1) buildings, including
9 additions to and alterations thereof, (2) highways and
10 thoroughfares, and access facilities thereto, (3) parking lots and
11 facilities, and (4) all other construction or erections whatsoever,
12 except that the word "improvements" shall not include existing
13 municipal streets, alleys or utility services, nor the maintenance
14 or improvement thereof, except insofar as the same serve state
15 buildings or are located upon state land.

16 SECTION 12. AMENDATORY 73 O.S. 2011, Section 83.3, is
17 amended to read as follows:

18 Section 83.3 (a) ~~The Capitol-Medical Center Improvement and~~
19 ~~Zoning~~ Long-Range Capital Planning Commission shall make, adopt,
20 maintain and revise from time to time an official master
21 comprehensive plan for the said District for the purpose of bringing
22 about the coordinated physical development in accordance with the
23 present and future needs of the District. Said master plan shall be
24 developed so as to conserve the natural resources of the District,

1 to insure efficient expenditure of public funds, and to promote the
2 safety, convenience, prosperity and general welfare of the
3 inhabitants and property owners therein. Such master comprehensive
4 plan shall include, among other things, regulations relative to the
5 location, character and extent of highways, railroads,
6 transportation routes, utility services, buildings, parks, and
7 parkways within said District. The Commission may adopt the said
8 master comprehensive plan in whole or in part and subsequently amend
9 or extend the adopted plan or portion thereof. After adoption of
10 said master comprehensive plan, or of any extension or amendment
11 thereof, an attested copy thereof shall be filed for record with the
12 county clerk of Oklahoma County. Said Commission shall coordinate
13 such master comprehensive plan, to the greatest extent it deems
14 practical, with the master plan of the City of Oklahoma City and
15 that of the Oklahoma County Planning Commission.

16 (b) The Commission is hereby authorized and directed to enter
17 into agreements with the City of Oklahoma City providing for mutual
18 cooperation and joint regulation within the District with respect to
19 (1) planning and zoning, (2) permission to build or to use land, (3)
20 enforcement of building, health and safety codes and inspection to
21 insure compliance therewith, and (4) other matters within the
22 jurisdiction of the Commission; provided, however, that such
23 agreements may not cede the Commission's final authority and
24 responsibility over the matters entrusted to it by law.

1 SECTION 13. AMENDATORY 73 O.S. 2011, Section 83.4, is
2 amended to read as follows:

3 Section 83.4 ~~The Capitol Medical Center Improvement and Zoning~~
4 Long-Range Capital Planning Commission shall have the power and
5 authority to prescribe such rules and regulations concerning
6 procedure before it and concerning the exercise of its duties and
7 functions as it shall deem proper thereto.

8 SECTION 14. AMENDATORY 73 O.S. 2011, Section 83.9, is
9 amended to read as follows:

10 Section 83.9 Any person aggrieved by any rule, regulation,
11 decision or order of the ~~Capitol Medical Center Improvement and~~
12 ~~Zoning~~ Long-Range Capital Planning Commission, or of the Director
13 thereof, may appeal to the district court of Oklahoma County by
14 filing a petition in said court and serving a copy thereof on the
15 Director of the Commission. No bond shall be required for such
16 appeal but costs may be required in the district court as in other
17 cases. Filing of such appeal shall in no respect suspend the
18 operation of any such rule, regulation, decision or order; nor shall
19 the district court order any such suspension until full hearing.
20 The district court may require the certification to it, by the
21 Commission, of all papers, records and documents constituting the
22 record of the Commission in respect of such matter. No rule,
23 regulation, decision or order of the Commission, or of the Director
24 thereof, shall be suspended or set aside by the court unless the

1 same, after hearing, shall be determined to be without authority of
2 law. An appeal to the Supreme Court from the decision of the
3 district court shall be allowed as in other cases.

4 SECTION 15. AMENDATORY 73 O.S. 2011, Section 83.10, as
5 amended by Section 668, Chapter 304, O.S.L. 2012 (73 O.S. Supp.
6 2012, Section 83.10), is amended to read as follows:

7 Section 83.10 All expenses of the ~~Capitol-Medical Center~~
8 ~~Improvement and Zoning~~ Long-Range Capital Planning Commission shall
9 be paid from appropriations made to the Office of Management and
10 Enterprise Services.

11 SECTION 16. AMENDATORY 73 O.S. 2011, Section 83.11, is
12 amended to read as follows:

13 Section 83.11 The ~~Capitol-Medical Center Zoning and Improvement~~
14 Long-Range Capital Planning Commission shall constitute a body
15 corporate for purposes of instituting and defending litigation to
16 enforce its rules, regulations, decisions and orders; and it may, in
17 its name, institute or defend actions by and on its own behalf, or
18 in behalf of the owner or owners of any property within said
19 District, to enjoin any breach or violation thereof. No bond shall
20 be required of said Commission in any such action for the issuance
21 of any temporary or permanent order, or an appeal. The Commission
22 shall have the power to hire a Director and professional staff,
23 enter into contracts of any lawful nature, and shall further have
24

1 the power to do any and all acts necessary to the effectuation of
2 the purposes of this act.

3 SECTION 17. AMENDATORY 73 O.S. 2011, Section 83.12, is
4 amended to read as follows:

5 Section 83.12 A. There is hereby created a Citizens' Advisory
6 Committee to the ~~Capitol-Medical Center Improvement and Zoning~~ Long-
7 Range Capital Planning Commission, the members of which are selected
8 by the ~~Capitol-Medical Center Improvement and Zoning~~ Commission
9 pursuant to a procedure established by the said Commission. Such
10 Committee shall consist of not less than ten ~~(10)~~ nor more than
11 fifteen ~~(15)~~ members, all of whom shall reside in the area regulated
12 by the Commission or be property owners therein.

13 B. One member of such Committee, selected by vote of the
14 Committee, shall be recommended to the Governor to serve as one of
15 the members of the ~~Capitol-Medical Center Improvement and Zoning~~
16 Long-Range Capital Planning Commission. One alternate Committee
17 member, selected by the vote of the Committee, shall be recommended
18 to serve as a designee of the gubernatorial appointee to the
19 Commission.

20 C. The Committee shall serve in an advisory capacity to the
21 Commission in carrying out the duties imposed on the Commission by
22 law.

23
24

1 SECTION 18. AMENDATORY 73 O.S. 2011, Section 83.14, as
2 amended by Section 669, Chapter 304, O.S.L. 2012 (73 O.S. Supp.
3 2012, Section 83.14), is amended to read as follows:

4 Section 83.14 A. Complaints for violation of any regulations
5 promulgated by the ~~Capitol-Medical Center Improvement and Zoning~~
6 Long-Range Capital Planning Commission shall be filed with the
7 municipal court of the City of Oklahoma City, which shall exercise
8 jurisdiction over the complaint. Any person found guilty by the
9 court of violating any of the regulations shall be punished by a
10 fine in a sum not to exceed Seventy-five Dollars (\$75.00) inclusive
11 of costs. Each violation shall constitute a separate and distinct
12 offense. Appeals may be taken in the same manner as appeals from
13 the court in cases involving violations of city ordinances. In such
14 cases the City of Oklahoma City shall receive One Dollar (\$1.00) as
15 costs and one-half (1/2) of the fine. The remaining one-half (1/2)
16 of the fine shall be paid to the State Treasurer and shall be placed
17 in a fund which shall be used by the Office of Management and
18 Enterprise Services for the ongoing operation of the Commission.

19 B. Any person who violates any of the provisions of Sections
20 82.1 through 83.12 of this title or who violates any order or
21 determination of the Commission promulgated pursuant to Section
22 83.13 of this title shall be guilty of a misdemeanor and in addition
23 thereto may be enjoined from continuing such violation. Each day
24

1 upon which such violation occurs shall constitute a separate
2 violation.

3 C. The Attorney General, on the request of the Commission,
4 shall bring an action against any person violating any of the
5 provisions of Sections 82.1 through 83.12 of this title or violating
6 any order or determination of the Board.

7 SECTION 19. AMENDATORY 74 O.S. 2011, Section 4104, as
8 amended by Section 1012, Chapter 304, O.S.L. 2012 (74 O.S. Supp.
9 2012, Section 4104), is amended to read as follows:

10 Section 4104. The ~~State Capitol Preservation~~ Long-Range Capital
11 Planning Commission shall:

12 1. Research, plan, and have control of modifications and decor
13 of the interior and exterior of the Capitol and the Governor's
14 Mansion; and

15 2. Establish in conjunction with the Office of Management and
16 Enterprise Services, such annual operating and capitol construction
17 budgets as necessary for the operation, restoration, and
18 preservation of the Capitol and the Governor's Mansion and for
19 providing such works of art as are considered desirable and
20 suitable; and

21 3. Establish standards for the acquisition and display of works
22 of art for public display in the Capitol and the Governor's Mansion
23 and select such works. Such works of art shall be directly related
24 to the history and culture of the State of Oklahoma; and

1 4. Establish procedures by which private contributions of
2 suitable art can be accepted for the Capitol and the Governor's
3 Mansion. The Commission is authorized to accept and make proper
4 disposition of works of art as may be donated to the Commission and
5 this state; and

6 5. Have final approval authority for any proposed modification,
7 alteration, renovation, repair, or construction on any part of the
8 Capitol and the Governor's Mansion or any plans or programs for the
9 restoration, preservation, or display of fine art programs in and
10 surrounding the Capitol and the Governor's Mansion.

11 SECTION 20. AMENDATORY 74 O.S. 2011, Section 4105, as
12 amended by Section 1013, Chapter 304, O.S.L. 2012 (74 O.S. Supp.
13 2012, Section 4105), is amended to read as follows:

14 Section 4105. There is hereby established the position of the
15 Capitol Architect and Curator who shall:

16 1. Develop the technical plans and programs for consideration
17 by the ~~State Capitol Preservation~~ Long-Range Capital Planning
18 Commission with regard to restoration, renovation, and preservation
19 of the Capitol and the Governor's Mansion; and

20 2. Develop and enforce standards adopted for acquisition and
21 display of works of art in and surrounding the Capitol and the
22 Governor's Mansion; and

23 3. Coordinate space demands of the various agencies in the
24 Capitol and the Governor's Mansion; and

1 4. Maintain a record of all structural and decor changes made
2 in the Capitol and the Governor's Mansion; and

3 5. Make recommendations to the Commission of necessary action
4 on proposed modifications in decor or design to ensure preservation
5 and maintenance of the cultural and historic integrity of the
6 Capitol and the Governor's Mansion.

7 The Director of the Office of Management and Enterprise Services
8 may contract for the services of a Capitol Architect and Curator or
9 employ such an individual on either a full- or part-time basis.
10 Compensation for the position will be in accord with similar
11 professional positions in state government.

12 SECTION 21. AMENDATORY 74 O.S. 2011, Section 4106, is
13 amended to read as follows:

14 Section 4106. The ~~State Capitol Preservation~~ Long-Range Capital
15 Planning Commission is directed to maintain close coordination with
16 the executive, legislative and judicial branches of government to
17 ensure that the needs of each branch of government are considered in
18 all planned development and modifications of the Capitol and the
19 Governor's Mansion.

20 SECTION 22. AMENDATORY 74 O.S. 2011, Section 4107, is
21 amended to read as follows:

22 Section 4107. All work and acquisitions planned and developed
23 by the ~~State Capitol Preservation~~ Long-Range Capital Planning
24 Commission shall be accomplished or contracted through the

1 appropriate administrative agencies of the state. The Commission
2 shall comply with all approved administrative requirements placed on
3 separate agencies of state government except as it may be exempted
4 therefrom by appropriate legislative action.

5 SECTION 23. AMENDATORY 74 O.S. 2011, Section 4110, is
6 amended to read as follows:

7 Section 4110. A. This section shall be known and may be cited
8 as the "Ten Commandments Monument Display Act".

9 B. ~~The State Capitol Preservation~~ Long-Range Capital Planning
10 Commission or designee is hereby authorized to permit and arrange
11 for the placement on the State Capitol grounds of a suitable
12 monument displaying the Ten Commandments. The Ten Commandments
13 monument shall use the same words used on the monument at issue in
14 *Van Orden v. Perry*, that the United States Supreme Court ruled
15 constitutional. This monument shall be designed, constructed, and
16 placed on the Capitol grounds by private entities at no expense to
17 the State of Oklahoma. The State Capitol Preservation Commission or
18 designee is authorized to assist private entities in selecting a
19 location for the monument and arranging a suitable time for its
20 placement.

21 C. In the event that the legality or constitutionality of the
22 Ten Commandments monument is challenged in a court of law, the
23 Oklahoma Attorney General or Liberty Legal Institute is hereby
24 authorized to prepare and present a legal defense of the monument.

1 D. The placement of this monument shall not be construed to
2 mean that the State of Oklahoma favors any particular religion or
3 denomination thereof over others, but rather will be placed on the
4 Capitol grounds where there are numerous other monuments.

5 SECTION 24. AMENDATORY 62 O.S. 2011, Section 57.302, is
6 amended to read as follows:

7 Section 57.302 A. There is hereby created the Oklahoma
8 Building Bonds Commission. The Commission shall consist of the
9 following members:

10 1. Two members appointed by the President Pro Tempore of the
11 Senate of the State of Oklahoma;

12 2. Two members appointed by the Speaker of the House of
13 Representatives of the State of Oklahoma; and

14 3. Three members appointed by the Governor of the State of
15 Oklahoma.

16 B. The Commission shall elect a chair and a vice-chair to serve
17 one-year terms.

18 C. A majority of the members of the Commission shall constitute
19 a quorum. The Commission shall be subject to the Open Meeting Act,
20 Section 301 et seq. of Title 25 of the Oklahoma Statutes, and the
21 Open Records Act, Section 24A.1 et seq. of Title 51 of the Oklahoma
22 Statutes.

23 D. The Office of the Secretary of State shall provide staffing
24 for the Commission.

1 E. The members of the Commission shall receive no additional
2 compensation for their services as members of the Commission or for
3 the performance of any duty in connection with the Commission.

4 F. Each member of the Commission shall be allowed necessary
5 travel expenses as may be approved by the Commission pursuant to the
6 State Travel Reimbursement Act, Section 500.1 et seq. of Title 74 of
7 the Oklahoma Statutes.

8 G. The Commission, prior to the election on the constitutional
9 amendment identified as House Joint Resolution No. 1076 of the 2nd
10 Session of the 43rd Oklahoma Legislature, may perform those
11 preliminary duties necessary to issue bonds pursuant to this act as
12 specified in subsection C of Section 695.7 of this title.

13 H. The Oklahoma Building Bonds Commission shall terminate upon
14 the date as of which the last bond or other debt obligation for
15 which the Commission was the issuer or for which the Commission is
16 responsible has been defeased or the date upon which the Commission
17 has taken the last action required in order to fully perform any
18 duty imposed upon it in relation to such bond or other obligation,
19 whichever date shall first occur.

20 SECTION 25. RECODIFICATION 74 O.S. 2011, Section 61.7,
21 as last amended by Section 1 of this act, shall be recodified as
22 Section 908 of Title 62 of the Oklahoma Statutes, unless there is
23 created a duplication in numbering.

1 SECTION 26. RECODIFICATION 74 O.S. 2011, Sections 4104,
2 as last amended by Section 19 of this act, 4105, as last amended by
3 Section 20 of this act, 4106, as amended by Section 21 of this act,
4 4107, as amended by Section 22 of this act, and 4110, as amended by
5 Section 23 of this act, shall be recodified as Sections 902, 903,
6 904, 905 and 906, respectively, of Title 62 of the Oklahoma
7 Statutes, unless there is created a duplication in numbering.

8 SECTION 27. RECODIFICATION 74 O.S. 2011, Section 96, as
9 amended by Section 796, Chapter 304, O.S.L. 2012 (74 O.S. Supp.
10 2012, Section 96), shall be recodified as Section 306 of Title 61 of
11 the Oklahoma Statutes, unless there is created a duplication in
12 numbering.

13 SECTION 28. RECODIFICATION 74 O.S. 2011, Section 96.1,
14 as amended by Section 797, Chapter 304, O.S.L. 2012 (74 O.S. Supp.
15 2012, Section 96.1), shall be recodified as Section 307 of Title 61
16 of the Oklahoma Statutes, unless there is created a duplication in
17 numbering.

18 SECTION 29. RECODIFICATION 74 O.S. 2011, Section 97, as
19 amended by Section 798, Chapter 304, O.S.L. 2012 (74 O.S. Supp.
20 2012, Section 97), shall be recodified as Section 308 of Title 61 of
21 the Oklahoma Statutes, unless there is created a duplication in
22 numbering.

23 SECTION 30. RECODIFICATION 74 O.S. 2011, Section 98, as
24 amended by Section 799, Chapter 304, O.S.L. 2012 (74 O.S. Supp.

1 2012, Section 98), shall be recodified as Section 309 of Title 61 of
2 the Oklahoma Statutes, unless there is created a duplication in
3 numbering.

4 SECTION 31. RECODIFICATION 74 O.S. 2011, Section 99, as
5 amended by Section 800, Chapter 304, O.S.L. 2012 (74 O.S. Supp.
6 2012, Section 99), shall be recodified as Section 310 of Title 61 of
7 the Oklahoma Statutes, unless there is created a duplication in
8 numbering.

9 SECTION 32. RECODIFICATION 74 O.S. 2011, Section 101,
10 shall be recodified as Section 311 of Title 61 of the Oklahoma
11 Statutes, unless there is created a duplication in numbering.

12 SECTION 33. RECODIFICATION 74 O.S. 2011, Section 102,
13 shall be recodified as Section 312 of Title 61 of the Oklahoma
14 Statutes, unless there is created a duplication in numbering.

15 SECTION 34. RECODIFICATION 74 O.S. 2011, Section 103, as
16 amended by Section 801, Chapter 304, O.S.L. 2012 (74 O.S. Supp.
17 2012, Section 103), shall be recodified as Section 313 of Title 61
18 of the Oklahoma Statutes, unless there is created a duplication in
19 numbering.

20 SECTION 35. RECODIFICATION 74 O.S. 2011, Section 104, as
21 amended by Section 802, Chapter 304, O.S.L. 2012 (74 O.S. Supp.
22 2012, Section 104), shall be recodified as Section 314 of Title 61
23 of the Oklahoma Statutes, unless there is created a duplication in
24 numbering.

1 SECTION 36. RECODIFICATION 74 O.S. 2011, Section 105,
2 shall be recodified as Section 315 of Title 61 of the Oklahoma
3 Statutes, unless there is created a duplication in numbering.

4 SECTION 37. RECODIFICATION 74 O.S. 2011, Section 106,
5 shall be recodified as Section 316 of Title 61 of the Oklahoma
6 Statutes, unless there is created a duplication in numbering.

7 SECTION 38. RECODIFICATION 74 O.S. 2011, Section 107, as
8 amended by Section 803, Chapter 304, O.S.L. 2012 (74 O.S. Supp.
9 2012, Section 107), shall be recodified as Section 317 of Title 61
10 of the Oklahoma Statutes, unless there is created a duplication in
11 numbering.

12 SECTION 39. RECODIFICATION 74 O.S. 2011, Section 108.1,
13 as amended by Section 804, Chapter 304, O.S.L. 2012 (74 O.S. Supp.
14 2012, Section 108.1), shall be recodified as Section 318 of Title 61
15 of the Oklahoma Statutes, unless there is created a duplication in
16 numbering.

17 SECTION 40. RECODIFICATION 74 O.S. 2011, Section 108.3,
18 shall be recodified as Section 319 of Title 61 of the Oklahoma
19 Statutes, unless there is created a duplication in numbering.

20 SECTION 41. RECODIFICATION 74 O.S. 2011, Section 109.1,
21 as amended by Section 805, Chapter 304, O.S.L. 2012 (74 O.S. Supp.
22 2012, Section 109.1), shall be recodified as Section 320 of Title 61
23 of the Oklahoma Statutes, unless there is created a duplication in
24 numbering.

1 SECTION 42. RECODIFICATION 74 O.S. 2011, Section 109.2,
2 as amended by Section 806, Chapter 304, O.S.L. 2012 (74 O.S. Supp.
3 2012, Section 109.2), shall be recodified as Section 321 of Title 61
4 of the Oklahoma Statutes, unless there is created a duplication in
5 numbering.

6 SECTION 43. RECODIFICATION 74 O.S. 2011, Section 126.1,
7 as amended by Section 814, Chapter 304, O.S.L. 2012 (74 O.S. Supp.
8 2012, Section 126.1), shall be recodified as Section 322 of Title 61
9 of the Oklahoma Statutes, unless there is created a duplication in
10 numbering.

11 SECTION 44. RECODIFICATION 74 O.S. 2011, Section 126.2,
12 as amended by Section 4 of this act, shall be recodified as Section
13 323 of Title 61 of the Oklahoma Statutes, unless there is created a
14 duplication in numbering.

15 SECTION 45. RECODIFICATION 74 O.S. 2011, Section 128.1,
16 as amended by Section 815, Chapter 304, O.S.L. 2012 (74 O.S. Supp.
17 2012, Section 128.1), shall be recodified as Section 324 of Title 61
18 of the Oklahoma Statutes, unless there is created a duplication in
19 numbering.

20 SECTION 46. RECODIFICATION 74 O.S. 2011, Section 128.2,
21 as last amended by Section 5 of this act, shall be recodified as
22 Section 325 of Title 61 of the Oklahoma Statutes, unless there is
23 created a duplication in numbering.

24

1 SECTION 47. RECODIFICATION 74 O.S. 2011, Section 128.3,
2 as amended by Section 817, Chapter 304, O.S.L. 2012 (74 O.S. Supp.
3 2012, Section 128.3), shall be recodified as Section 326 of Title 61
4 of the Oklahoma Statutes, unless there is created a duplication in
5 numbering.

6 SECTION 48. RECODIFICATION 74 O.S. 2011, Section 129.4,
7 as last amended by Section 6 of this act, shall be recodified as
8 Section 327 of Title 61 of the Oklahoma Statutes, unless there is
9 created a duplication in numbering.

10 SECTION 49. RECODIFICATION 74 O.S. 2011, Section 129.4f,
11 as amended by Section 819, Chapter 304, O.S.L. 2012 (74 O.S. Supp.
12 2012, Section 129.4f), shall be recodified as Section 328 of Title
13 61 of the Oklahoma Statutes, unless there is created a duplication
14 in numbering.

15 SECTION 50. RECODIFICATION 74 O.S. 2011, Section 129.5,
16 shall be recodified as Section 329 of Title 61 of the Oklahoma
17 Statutes, unless there is created a duplication in numbering.

18 SECTION 51. RECODIFICATION 74 O.S. 2011, Section 129.6,
19 as amended by Section 820, Chapter 304, O.S.L. 2012 (74 O.S. Supp.
20 2012, Section 129.6), shall be recodified as Section 330 of Title 61
21 of the Oklahoma Statutes, unless there is created a duplication in
22 numbering.

23 SECTION 52. RECODIFICATION 74 O.S. 2011, Section 129.7,
24 as amended by Section 4, Chapter 344, O.S.L. 2012 (74 O.S. Supp.

1 2012, Section 129.7), shall be recodified as Section 331 of Title 61
2 of the Oklahoma Statutes, unless there is created a duplication in
3 numbering.

4 SECTION 53. RECODIFICATION 74 O.S. 2011, Section 129.8,
5 as amended by Section 821, Chapter 304, O.S.L. 2012 (74 O.S. Supp.
6 2012, Section 129.8), shall be recodified as Section 332 of Title 61
7 of the Oklahoma Statutes, unless there is created a duplication in
8 numbering.

9 SECTION 54. REPEALER 74 O.S. 2011, Section 456.7, as
10 amended by Section 852, Chapter 304, O.S.L. 2012 (74 O.S. Supp.
11 2012, Section 456.7), is hereby repealed.

12 SECTION 55. REPEALER 62 O.S. 2011, Sections 57.2, 57.3,
13 57.4, 57.5, 57.6, 57.7, 57.8, 57.9, 57.10, 57.11, 57.12 and 57.13,
14 are hereby repealed.

15 SECTION 56. REPEALER 62 O.S. 2011, Sections 57.15,
16 57.16, 57.17, 57.18, 57.19, 57.20, 57.21, 57.22, 57.23, 57.24,
17 57.25, 57.26 and 57.27, are hereby repealed.

18 SECTION 57. REPEALER 62 O.S. 2011, Sections 57.31,
19 57.32, 57.33, 57.34, 57.35, 57.36, 57.37, 57.38, 57.39, as amended
20 by Section 430, Chapter 304, O.S.L. 2012, 57.40, 57.41, 57.42 and
21 57.43 (62 O.S. Supp. 2012, Section 57.39), are hereby repealed.

22 SECTION 58. REPEALER 62 O.S. 2011, Sections 57.51,
23 57.52, 57.53, 57.54, 57.55, 57.56, 57.57, 57.58, 57.59 and 57.60,
24 are hereby repealed.

1 SECTION 59. REPEALER 62 O.S. 2011, Sections 57.61,
2 57.62, 57.63, 57.64, 57.65, 57.66, 57.67, 57.68, 57.69, as amended
3 by Section 431, Chapter 304, O.S.L. 2012, 57.70, 57.71, 57.72 and
4 57.73 (62 O.S. Supp. 2012, Section 57.69), are hereby repealed.

5 SECTION 60. REPEALER 62 O.S. 2011, Sections 57.75,
6 57.76, 57.77, 57.78 and 57.79, are hereby repealed.

7 SECTION 61. REPEALER 62 O.S. 2011, Sections 57.81,
8 57.82, 57.83, 57.84, 57.85, 57.86, 57.87, 57.88, 57.89, as amended
9 by Section 432, Chapter 304, O.S.L. 2012, 57.90, 57.91 and 57.92 (62
10 O.S. Supp. 2012, Section 57.89), are hereby repealed.

11 SECTION 62. REPEALER 62 O.S. 2011, Sections 57.101,
12 57.102, 57.103, 57.104, 57.105, 57.106, 57.107, 57.108, 57.109, as
13 amended by Section 433, Chapter 304, O.S.L. 2012, 57.110, 57.111 and
14 57.112 (62 O.S. Supp. 2012, Section 57.109), are hereby repealed.

15 SECTION 63. REPEALER 62 O.S. 2011, Sections 57.121,
16 57.122, 57.123, 57.124, 57.125, 57.126, 57.127, 57.128, 57.129,
17 57.130, 57.131, 57.132, 57.133, 57.134 and 57.135, are hereby
18 repealed.

19 SECTION 64. REPEALER 62 O.S. 2011, Sections 57.151,
20 57.152, 57.153, 57.154 and 57.155, are hereby repealed.

21 SECTION 65. REPEALER 62 O.S. 2011, Sections 57.161,
22 57.162, 57.163, 57.164 and 57.165, are hereby repealed.

23 SECTION 66. REPEALER 62 O.S. 2011, Sections 57.171,
24 57.172, 57.173, 57.174, 57.175 and 57.176, are hereby repealed.

1 SECTION 67. REPEALER 62 O.S. 2011, Sections 57.181,
2 57.182, 57.183, 57.184, 57.185, 57.186, 57.187, 57.188, 57.189, as
3 amended by Section 434, Chapter 304, O.S.L. 2012, 57.190 and 57.191
4 (62 O.S. Supp. 2012, Section 57.189), are hereby repealed.

5 SECTION 68. REPEALER 73 O.S. 2011, Section 83.1, as
6 amended by Section 667, Chapter 304, O.S.L. 2012 (73 O.S. Supp.
7 2012, Section 83.1), is hereby repealed.

8 SECTION 69. REPEALER 73 O.S. 2011, Section 310, as
9 amended by Section 690, Chapter 304, O.S.L. 2012 (73 O.S. Supp.
10 2012, Section 310), is hereby repealed.

11 SECTION 70. REPEALER 74 O.S. 2011, Section 109.1, as
12 amended by Section 805, Chapter 304, O.S.L. 2012 (74 O.S. Supp.
13 2012, Section 109.1), is hereby repealed.

14 SECTION 71. REPEALER 74 O.S. 2011, Sections 4101, 4102,
15 as amended by Section 1, Chapter 66, O.S.L. 2012, 4103, as amended
16 by Section 1011, Chapter 304, O.S.L. 2012 and 4109, as amended by
17 Section 1014, Chapter 304, O.S.L. 2012 (74 O.S. Supp. 2012, Sections
18 4102, 4103 and 4109), are hereby repealed.

19

20 COMMITTEE REPORT BY: COMMITTEE ON GOVERNMENT MODERNIZATION, dated
21 04/15/2013 - DO PASS, As Amended and Coauthored.

22

23

24

25