

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 56th Legislature (2017)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 2310

By: Lepak

7
8 COMMITTEE SUBSTITUTE

9 An Act relating to Oklahoma Historical Societies and
10 Associations; amending 53 O.S. 2011, Section 201B,
11 which relates to the J.M. Davis Memorial Commission;
12 modifying authority of the Commission; and declaring
13 an emergency.

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

16 SECTION 1. AMENDATORY 53 O.S. 2011, Section 201B, is
17 amended to read as follows:

18 Section 201B. The J.M. Davis Memorial Commission is authorized
19 to:

20 1. Acquire and hold real estate or interest therein or personal
21 property in the name of the Commission;

22 2. Act in cooperation and enter into contracts and agreements
23 with the ~~J.M. Davis Foundation, Inc.~~ owner or owners of the J.M.
24 Davis Gun Collection;

1 3. Furnish suitable quarters to house, display and preserve the
2 J.M. Davis Gun Collection and other historical artifacts;

3 4. In the administration of the J.M. Davis Gun Collection,
4 maintain or lease to the ~~J.M. Davis Foundation, Inc.~~ owner or owners
5 of the J.M. Davis Gun Collection, or to a third party, an outlet for
6 the sale to the public of such items as shall, in the judgment of
7 the Commission or the lessee, be appropriate for sale at prices set
8 by the Commission, including, but not limited to, literature, in
9 book or pamphlet form, brochures, periodicals, books, artifacts and
10 statuary;

11 5. Accept gifts, grants and donations from governmental sources
12 or any individual, person, firm, corporation or foundation for the
13 use and purpose of building, constructing, operating, maintaining,
14 preserving or displaying the J.M. Davis Gun Collection and other
15 historical artifacts. The location of the display and other
16 historical artifacts shall be within the city limits of Claremore,
17 Oklahoma, in Rogers County. The site for the display of the J.M.
18 Davis Gun Collection shall not be moved from its current location at
19 333 North Lynn Riggs Boulevard, Claremore, Oklahoma, unless a
20 declaratory judgment has first been issued by the District Court of
21 Rogers County stating that any such relocation is in compliance with
22 the lease dated April 25, 1967, between the J.M. Davis Foundation,
23 Inc. and the J.M. Davis Memorial Commission; provided, the
24 Commission may appeal any final declaratory judgment issued by the

1 district court authorizing or directing the relocation of the
2 current location of the site to the Supreme Court within thirty (30)
3 days of the filing of the declaratory judgment; and

4 6. Maintain donation receptacles for the purpose of the
5 collection of voluntary donations to the J.M. Davis Memorial
6 Commission and to the ~~J.M. Davis Foundation, Inc~~ owner or owners of
7 the J.M. Davis Gun Collection. Funds donated to the J.M. Davis
8 Memorial Commission shall be deposited into the J.M. Davis Memorial
9 Commission Revolving Fund.

10 SECTION 2. It being immediately necessary for the preservation
11 of the public peace, health or safety, an emergency is hereby
12 declared to exist, by reason whereof this act shall take effect and
13 be in full force from and after its passage and approval.

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15 COMMITTEE REPORT BY: COMMITTEE ON ADMINISTRATIVE RULES, dated
16 03/01/2017 - DO PASS, As Amended and Coauthored.
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