

1 **SENATE FLOOR VERSION**

2 February 13, 2020

3 SENATE BILL NO. 1139

By: Simpson

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7 An Act relating to militia; amending 44 O.S. 2011,
8 Section 235, which relates to the creation of the
9 45th Infantry Division Museum; modifying name of
10 museum; updating statutory language; amending 44 O.S.
11 2011, Section 235.1, as amended by Section 156,
12 Chapter 304, O.S.L. 2012 (44 O.S. Supp. 2019, Section
13 235.1), which relates to the 45th Infantry Division
14 Museum Fund; modifying reference to museum name;
15 updating statutory language; amending 44 O.S. 2011,
16 Section 235.2, as amended by Section 157, Chapter
17 304, O.S.L. 2012 (44 O.S. Supp. 2019, Section 235.2),
18 which relates to the acceptance of gifts to the 45th
19 Infantry Division Museum Fund; modifying reference to
20 museum name; updating statutory language; and
21 providing an effective date.

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

23 SECTION 1. AMENDATORY 44 O.S. 2011, Section 235, is
24 amended to read as follows:

25 Section 235. There is hereby created the ~~45th Infantry~~
26 ~~Division~~ Oklahoma National Guard Museum, to be under the supervision
27 of the Adjutant General. The Adjutant General may appoint an
28 Executive Director to oversee the daily operations and maintenance
29 of the museum and perform other duties as requested by the Adjutant

1 General. Appropriate state agencies are directed to make available,
2 for display of items of historical significance and necessary space
3 for administration, the buildings presently occupied by the ~~Oklahoma~~
4 ~~Military Department~~ Military Department of the State of Oklahoma,
5 located in the vicinity of 36th Street and North Eastern in Oklahoma
6 City, Oklahoma. The building herein referred to shall be made
7 available by the Adjutant General as soon as same is no longer
8 needed by and is vacated by the ~~Oklahoma Military Department~~
9 Military Department of the State of Oklahoma. The Executive
10 Director, subject to the approval of the Adjutant General, may lease
11 to the 45th Infantry Division Association, for periods not exceeding
12 one (1) year and with provisions for renewal from year to year, an
13 area to be used as a gift shop, if the lease does not interfere with
14 its use by the ~~45th Infantry Division~~ Oklahoma National Guard
15 Museum. The proceeds of the sales from the gift shop shall remain
16 with the 45th Infantry Division Association for operating purposes.

17 SECTION 2. AMENDATORY 44 O.S. 2011, Section 235.1, as
18 amended by Section 156, Chapter 304, O.S.L. 2012 (44 O.S. Supp.
19 2019, Section 235.1), is amended to read as follows:

20 Section 235.1. There is hereby created in the State Treasury a
21 special fund to be known as the "45th Infantry Division Museum
22 Fund", which fund shall consist of donations received for operation
23 and maintenance of the museum and monies received from the sale of
24 Armed Forces Veterans Motorcycle License Plates pursuant to Section

1 1135.5 of Title 47 of the Oklahoma Statutes. ~~Said~~ The fund shall be
2 a continuing fund not subject to fiscal year limitations and shall
3 be under the administrative direction of the ~~Oklahoma Military~~
4 ~~Department~~ Military Department of the State of Oklahoma.

5 Expenditures from the fund created by this section shall be used
6 exclusively for expenses of operation and maintenance of the ~~45th~~
7 ~~Infantry Division~~ Oklahoma National Guard Museum and shall be made
8 pursuant to the laws of this state and without legislative
9 appropriation. Warrants for expenditures from ~~said~~ the fund shall
10 be drawn by the State Treasurer, based on claims signed by an
11 authorized employee of the department and approved for payment by
12 the Director of the Office of Management and Enterprise Services.

13 SECTION 3. AMENDATORY 44 O.S. 2011, Section 235.2, as
14 amended by Section 157, Chapter 304, O.S.L. 2012 (44 O.S. Supp.
15 2019, Section 235.2), is amended to read as follows:

16 Section 235.2. The Adjutant General ~~of Oklahoma~~ is hereby
17 authorized to accept gifts for and on behalf of the state of
18 military artifacts, military books and maps and materials, supplies
19 and equipment which support the construction and operation of the
20 museum which have been or may be specifically donated to the ~~45th~~
21 ~~Infantry Division~~ Oklahoma National Guard Museum.

22 The Executive Director of the ~~45th Infantry Division~~ Oklahoma
23 National Guard Museum is directed to maintain and preserve
24 appropriate records for all such gifts made to the museum.

1 Upon declaring that certain military artifacts or military books
2 and maps belonging to the ~~45th Infantry Division~~ Oklahoma National
3 Guard Museum are surplus to the needs of the museum, the Executive
4 Director of the ~~45th Infantry Division~~ Oklahoma National Guard
5 Museum is authorized to effect an exchange of the same on an
6 equitable basis for military artifacts or military books and maps
7 needed by the museum with the approval of the Office of Management
8 and Enterprise Services.

9 SECTION 4. This act shall become effective November 1, 2020.

10 COMMITTEE REPORT BY: COMMITTEE ON VETERANS AND MILITARY AFFAIRS
11 February 13, 2020 - DO PASS
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