

1 **SENATE FLOOR VERSION**

2 March 3, 2022

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL NO. 1663

6 By: Kirt

7 An Act relating to state government; amending 47 O.S.
8 2021, Section 1104.18, which relates to the Oklahoma
9 Friends of the Capitol License Plate Revolving Fund;
10 updating statutory language; amending 73 O.S. 2021,
11 Section 15.4, which relates to Capitol buildings;
12 updating statutory reference; modifying duties of
13 non-profit corporation; amending 73 O.S. 2021,
14 Section 83.1, which relates to the Capitol grounds
15 and buildings; re-creating and modifying membership
16 of the Capitol-Medical Center Improvement and Zoning
17 Commission; requiring the Department of Public Safety
18 to create and submit security plan for certain
19 locations; requiring coordination with certain
20 agency; amending 73 O.S. 2021, Section 176, which
21 relates to the permanent Capitol Liaison committee;
22 creating the position of Capitol Liaison;
23 transferring certain duties from the legislative
24 liaison committee to the Capitol Liaison; providing
that the Capitol Liaison is the primary liaison for
Capitol tenants; amending 73 O.S. 2021, Section 345,
which relates to the State Capitol Repair Expenditure
Oversight Committee; terminating certain committee;
deleting certain responsibility for reporting and
implementing certain plans; removing requirement for
certain joint approval; deleting certain
construction; amending 74 O.S. 2021, Section 4101,
which relates to definitions; modifying and defining
terms; amending 74 O.S. 2021, Section 4102, which
relates to responsibilities of certain commission;
extending sunset termination date; stating purpose of
certain commission; amending 74 O.S. 2021, Section
4103, which relates to certain membership; modifying
membership; establishing meeting requirements;
providing that certain Commission functions are
additional functions of certain members; amending 74

1 O.S. 2021, Section 4104, which relates to powers and
2 responsibilities of the Commission; modifying and
3 adding certain powers and responsibilities;
4 transferring certain oversight responsibilities;
5 creating the position and providing duties of the
6 Capitol Architect and curator; establishing the State
7 Capitol Preservation Office; providing powers and
8 duties of the Executive Director and of the Office;
9 amending 74 O.S. 2021, Section 4108, which relates to
10 application of act; expanding applicability of
11 certain law; directing the Oklahoma Arts Council to
12 be responsible for certain art; authorizing certain
13 events; providing procedures for receiving funds;
14 amending 74 O.S. 2021, Section 4109, which relates to
15 exemptions from the Public Competitive Bidding Act of
16 1974; adding certain project exemptions; repealing 74
17 O.S. 2021, Sections 4106 and 4107, which relate to
18 cooperation between commission and branches of state
19 government and compliance with certain administrative
20 requirements; making language gender neutral;
21 providing for codification; and declaring an
22 emergency.

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

24 SECTION 1. AMENDATORY 47 O.S. 2021, Section 1104.18, is
amended to read as follows:

Section 1104.18. A. Twenty Dollars (\$20.00) of the fee
authorized by Section 1135.5 of this title for the Oklahoma State
Capitol Restoration License Plate shall be deposited in the Oklahoma
Friends of the Capitol License Plate Revolving Fund created in
subsection B of this section.

B. There is hereby created in the State Treasury a revolving
fund for the Office of Management and Enterprise Services to be
designated the "Oklahoma Friends of the Capitol License Plate

1 Revolving Fund". The fund shall be a continuing fund, not subject
2 to fiscal year limitations, and shall consist of all monies received
3 by the Office of Management and Enterprise Services pursuant to the
4 provisions of subsection A of this section. All monies accruing to
5 the credit of the fund are hereby appropriated and shall be budgeted
6 and expended by the Office of Management and Enterprise Services for
7 restoration and modification of the Oklahoma State Capitol. Before
8 the Office makes any expenditure from the fund, the expenditure
9 shall be approved by the State Capitol Preservation Commission
10 created pursuant to Section 4102 of Title 74 of the Oklahoma
11 Statutes. Expenditures from the fund shall be made upon warrants
12 issued by the State Treasurer against claims filed as prescribed by
13 law with the Director of the Office of Management and Enterprise
14 Services for approval and payment.

15 SECTION 2. AMENDATORY 73 O.S. 2021, Section 15.4, is
16 amended to read as follows:

17 Section 15.4. A. There is hereby authorized the creation of a
18 not-for-profit corporation to be known as "Friends of the Capitol"
19 to raise funds and to assist in the preservation and enhancement of
20 the Oklahoma Capitol and surrounding areas as defined in Section ~~4~~
21 ~~of this title~~ 4101 of Title 74 of the Oklahoma Statutes.

22 B. The board of directors of the corporation authorized in
23 subsection A of this section shall choose its own chairperson.

24

1 C. After proper incorporation, the not-for-profit corporation
2 is authorized and directed to apply for tax-exempt status under
3 Section 501(c)(3) of the Internal Revenue Code (26 U.S.C., Section
4 501(c)(3)).

5 D. In addition to funds received from the general public or
6 other public and private sources, the not-for-profit corporation may
7 receive funds from state agencies at such times and in such amounts
8 as may be appropriated by the Legislature for the Oklahoma Capitol
9 or made available to the corporation from state agencies from their
10 sources of revenue.

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

14 F. Upon the incorporation, the not-for-profit corporation shall
15 be authorized to hire staff and name advisory groups or steering
16 committees as necessary to assist in the preservation and
17 enhancement of the Oklahoma Capitol.

18 G. The corporation shall coordinate preservation ~~and,~~
19 restoration, enhancement, maintenance, and modification projects in
20 conjunction with and the ~~consent~~ approval of the State Capitol
21 Preservation Commission and the Office of Management and Enterprise
22 Services.

23 SECTION 3. AMENDATORY 73 O.S. 2021, Section 83.1, is
24 amended to read as follows:

1 Section 83.1. A. There is hereby re-created to continue until
2 July 1, ~~2022~~ 2026, in accordance with the Oklahoma Sunset Law, a
3 Capitol-Medical Center Improvement and Zoning Commission to exercise
4 the functions and perform the duties hereinafter prescribed.

5 B. The Commission shall be composed of eleven (11) members as
6 follows:

7 1. The Director of the Office of Management and Enterprise
8 Services or his or her designee, who shall be ex officio chair of
9 the Capitol-Medical Center Improvement and Zoning Commission;

10 2. The Director of the Transportation Commission or his or her
11 designee;

12 3. The President of the University of Oklahoma or his or her
13 designee;

14 4. Two members appointed by the President Pro Tempore of the
15 Senate;

16 5. Two members appointed by the Speaker of the House of
17 Representatives;

18 6. The Chair of the Planning Commission of Oklahoma City or his
19 or her designee;

20 7. ~~The Chair of the Long Range Capital Planning Commission~~
21 Capitol Liaison or his or her designee; and

22 8. Two members of the Commission appointed by the Governor,
23 with the advice and consent of the ~~State~~ Senate, for four-year
24

1 staggered terms with one term expiring on January 31 of each even-
2 numbered year.

3 C. ~~One of the two members shall be appointed upon the~~
4 ~~recommendation of the Citizens' Advisory Committee.~~ The Commission
5 is authorized to appoint and hire a Director, who shall serve as the
6 chief administrative officer of the Commission, and other necessary
7 personnel.

8 The Attorney General of ~~the State of Oklahoma~~ this state shall
9 be the legal advisor to the Commission in the same capacity as he or
10 she is to other boards and commissions.

11 D. ~~At least one of the members~~ One member appointed by the
12 President Pro Tempore of the Senate and one member appointed by the
13 Speaker of the House of Representatives shall be a resident within
14 the boundaries of the Capitol-Medical Center Improvement and Zoning
15 District as set forth in Section 83 of this title.

16 SECTION 4. NEW LAW A new section of law to be codified
17 in the Oklahoma Statutes as Section 93 of Title 73, unless there is
18 created a duplication in numbering, reads as follows:

19 The Department of Public Safety shall create a security plan for
20 the Capitol and Capitol grounds and the Governor's Mansion. The
21 plan shall be submitted to the Capitol Preservation Commission for
22 review and approval. A new plan shall be submitted every three (3)
23 years.

24

1 The department shall coordinate with the Office of Management
2 and Enterprise Services to implement and staff the approved security
3 plan.

4 SECTION 5. AMENDATORY 73 O.S. 2021, Section 176, is
5 amended to read as follows:

6 Section 176. A. There shall be ~~established~~ created within the
7 Legislative Service Bureau the position of a permanent legislative
8 liaison Capitol Liaison committee, composed of three (3) members
9 from each house, appointed by the President Pro Tempore and Speaker,
10 respectively to the Capitol Preservation Commission. The
11 ~~legislative liaison~~ Capitol Liaison committee will shall keep the
12 Legislature properly advised as to the activities of the Oklahoma
13 Capitol Improvement Authority and the Office of Management and
14 Enterprise Services by making such reports as ~~they deem~~ the Capitol
15 Liaison deems necessary to the appropriate committees and leadership
16 of both houses. All legislative studies concerning the
17 responsibilities or activities of the Oklahoma Capitol Improvement
18 Authority or the Office of Management and Enterprise Services and
19 all studies of activities or projects relating to the Oklahoma State
20 Capitol Complex shall be ~~considered by~~ presented to the liaison
21 ~~committee created~~ Capitol Liaison authorized by this section. The
22 Oklahoma Capitol Improvement Authority and the Office of Management
23 and Enterprise Services shall notify the ~~membership of the~~
24 ~~legislative liaison~~ Capitol Liaison committee in advance of any

1 meeting in which official or formal action is to be taken by
2 furnishing the proposed agenda in writing at least twenty-four (24)
3 hours in advance of such meeting.

4 B. The Oklahoma Capitol Improvement Authority and the Office of
5 Management and Enterprise Services shall provide such information,
6 records, testimony, or recommendations as the ~~committee~~ Capitol
7 Liaison may require.

8 C. The Capitol Liaison responsibilities shall include serving
9 as the primary contact for Americans with Disabilities Act (ADA)
10 compliance for the Capitol.

11 D. All proposals for enhancement, modification, preservation,
12 or restoration of the Capitol and Capitol grounds, and the
13 Governor's Mansion and grounds, shall be submitted to the Liaison.
14 The Liaison shall submit all proposals to the Capitol Preservation
15 Commission for approval.

16 E. All proposals for space allocation in the Capitol and
17 parking allocation shall be submitted to the Liaison. The Liaison
18 shall submit all proposals to the Capitol Preservation Commission
19 for approval.

20 F. All proposals for security modifications and enhancements by
21 agencies, the Senate, or House of Representatives shall be submitted
22 to the Liaison. The Liaison shall submit all proposals to the
23 Capitol Preservation Commission for approval.

24

1 G. The Capitol Liaison shall be the primary liaison for all
2 tenants that occupy space in the Capitol.

3 SECTION 6. AMENDATORY 73 O.S. 2021, Section 345, is
4 amended to read as follows:

5 Section 345. A. In addition to any other authorization
6 provided by law, the Oklahoma Capitol Improvement Authority is
7 authorized to issue obligations to acquire real property, together
8 with improvements located thereon, and personal property to
9 construct improvements to real property and to provide funding for
10 repairs, refurbishments and improvements to real and personal
11 property of the ~~State Capitol Building~~ in a total amount not to
12 exceed One Hundred Twenty Million Dollars (\$120,000,000.00). The
13 funds shall be used for the renovation, repair and remodeling of the
14 State Capitol Building.

15 B. The Authority may hold title to the property and
16 improvements until such time as any obligations issued for this
17 purpose are retired or defeased and may lease the property and
18 improvements to the Office of Management and Enterprise Services.
19 Upon final redemption or defeasance of the obligations created
20 pursuant to this section, title to the property and improvements
21 shall be transferred from the Oklahoma Capitol Improvement Authority
22 to the Office of Management and Enterprise Services.

23 C. For the purposes of paying the costs for construction of the
24 real property and improvements, and providing funding for the

1 project authorized in subsection A of this section, and for the
2 purpose authorized in subsection D of this section, the Authority is
3 hereby authorized to borrow monies on the credit of the income and
4 revenues to be derived from the leasing of such property and
5 improvements and, in anticipation of the collection of such income
6 and revenues, to issue negotiable obligations in a total amount not
7 to exceed One Hundred Twenty Million Dollars (\$120,000,000.00)
8 whether issued in one or more series. The Authority is authorized
9 to capitalize interest on the obligations issued pursuant to this
10 section for a period of not to exceed one (1) year from the date of
11 issuance. For subsequent fiscal years, it is the intent of the
12 Legislature to appropriate to the Office of Management and
13 Enterprise Services sufficient monies to make rental payments for
14 the purpose of retiring the obligations created pursuant to this
15 section. To the extent funds are available from the proceeds of the
16 borrowing authorized by this subsection, the Oklahoma Capitol
17 Improvement Authority shall provide for the payment of professional
18 fees and associated costs related to the project authorized in
19 subsection A of this section.

20 D. The Authority may issue obligations in one or more series
21 and in conjunction with other issues of the Authority. The
22 Authority is authorized to hire bond counsel, financial consultants,
23 and such other professionals as it may deem necessary to provide for
24 the efficient sale of the obligations and may utilize a portion of

1 the proceeds of any borrowing to create such reserves as may be
2 deemed necessary and to pay costs associated with the issuance and
3 administration of such obligations.

4 E. The obligations authorized under this section may be sold at
5 either competitive or negotiated sale, as determined by the
6 Authority, and in such form and at such prices as may be authorized
7 by the Authority. The Authority may enter into agreements with such
8 credit enhancers and liquidity providers as may be determined
9 necessary to efficiently market the obligations. The obligations
10 may mature and have such provisions for redemption as shall be
11 determined by the Authority, but in no event shall the final
12 maturity of such obligations occur later than ten (10) years from
13 the first principal maturity date.

14 F. Any interest earnings on funds or accounts created for the
15 purposes of this section may be utilized as partial payment of the
16 annual debt service or for the purposes directed by the Authority.

17 G. The obligations issued under this section, the transfer
18 thereof and the interest earned on such obligations, including any
19 profit derived from the sale thereof, shall not be subject to
20 taxation of any kind by ~~the State of Oklahoma~~ this state, or by any
21 county, municipality or political subdivision therein.

22 H. The Authority may direct the investment of all monies in any
23 funds or accounts created in connection with the offering of the
24 obligations authorized under this section. Such investments shall

1 be made in a manner consistent with the investment guidelines of the
2 State Treasurer. The Authority may place additional restrictions on
3 the investment of such monies if necessary to enhance the
4 marketability of the obligations.

5 ~~I. There is hereby created a State Capitol Repair Expenditure~~
6 ~~Oversight Committee. The proceeds from the sale of obligations~~
7 ~~issued pursuant to the provisions of this section and Section 1 of~~
8 ~~Enrolled House Bill No. 3168 of the 2nd Session of the 55th Oklahoma~~
9 ~~Legislature that are needed for repairs to the interior and exterior~~
10 ~~of the State Capitol shall be subject to the approval of the State~~
11 ~~Capitol Repair Expenditure Oversight Committee; provided, however,~~
12 ~~the expenditure of those proceeds shall be subject to a request for~~
13 ~~proposal process.~~

14 ~~The Committee shall be composed of nine (9) members as follows:~~

15 ~~1. Three persons to be appointed by the Governor, one of whom~~
16 ~~shall serve as chair of the Committee;~~

17 ~~2. Three legislators to be appointed by the Speaker of the~~
18 ~~House of Representatives, two of whom shall be members of the~~
19 ~~majority political party and one of whom shall be a member of the~~
20 ~~minority political party; and~~

21 ~~3. Three legislators to be appointed by the President Pro~~
22 ~~Tempore of the Senate, two of whom shall be members of the majority~~
23 ~~political party and one of whom shall be a member of the minority~~
24 ~~political party. Five members of the Committee shall constitute a~~

1 ~~quorum and the vote of five members shall be necessary for any~~
2 ~~action taken by the Committee. The Committee shall be staffed by~~
3 ~~employees of the Office of Management and Enterprise Services. The~~
4 ~~Committee shall be subject to the Oklahoma Open Meeting Act.~~

5 ~~J. The Committee shall deliver a preliminary plan for the~~
6 ~~renovation, repair and remodeling of the State Capitol to the~~
7 ~~Director of the Office of Management and Enterprise Services no~~
8 ~~later than December 31, 2014. The preliminary plan shall include~~
9 ~~the following components:~~

10 ~~1. Establishment of the Office of Management and Enterprise~~
11 ~~Services' goal and criteria for use by the vendor; and~~

12 ~~2. Selection criteria for the design-build team vendor to be~~
13 ~~selected through a Request For Proposal process.~~

14 ~~K. Following receipt of the preliminary plan as approved by the~~
15 ~~Committee, the Office of Management and Enterprise Services shall~~
16 ~~solicit Requests For Proposals to select the vendor for the project.~~

17 ~~L. The Committee shall deliver a final plan to the Director of~~
18 ~~the Office of Management and Enterprise Services no later than June~~
19 ~~30, 2015. The final plan shall include the following components:~~

20 ~~1. Approval of the final scope of work developed by the vendor;~~
21 ~~and~~

22 ~~2. Approval of the project phasing developed by the vendor.~~

23 ~~M. Following delivery of the final plan, the Committee shall~~
24 ~~continue to oversee the expenditure of proceeds from the sale of~~

1 ~~obligations issued pursuant to the provisions of this section and~~
2 ~~Section 1 of Enrolled House Bill No. 3168 of the 2nd Session of the~~
3 ~~55th Legislature, until completion of the renovation, repair and~~
4 ~~remodeling of the State Capitol. The Committee may also propose and~~
5 ~~approve amendments to the plan as it deems appropriate.~~

6 ~~N. The Director of the Office of Management and Enterprise~~
7 ~~Services shall have responsibility to substantially implement the~~
8 ~~plan as presented by the Committee; provided, the President Pro~~
9 ~~Tempore of the Senate or the Speaker of the House of Representatives~~
10 ~~shall approve all proposed designs related to renovation, repair and~~
11 ~~remodeling of space within the State Capitol Building under the~~
12 ~~management and control of the Legislature and allocated to that~~
13 ~~officer's house of the Legislature pursuant to the provisions of~~
14 ~~Section 15.1 of this title, and any subsequent changes to such~~
15 ~~plans. Joint approval of the President Pro Tempore of the Senate~~
16 ~~and the Speaker of the House of Representatives shall be required~~
17 ~~for such plans for space under the management and control of the~~
18 ~~Legislature and not allocated to a specific house of the~~
19 ~~Legislature. Such approval shall be in writing.~~

20 ~~O. Insofar as they are not in conflict with the provisions of~~
21 ~~this section, the provisions of Section 151 et seq. of this title~~
22 ~~shall apply to this section.~~

23 SECTION 7. AMENDATORY 74 O.S. 2021, Section 4101, is
24 amended to read as follows:

1 Section 4101. As used in Sections 4101 through ~~4108~~ 4110.1 of
2 this title:

3 1. "Public areas" means those areas in the Capitol open to the
4 general public for general visitation; and

5 2. "Art" means fine art of museum quality representing the
6 highest quality of art objects available to include paintings,
7 murals, graphic arts, art photography and sculpture, aesthetically
8 aligned with recognized values, created by the conscious use of
9 skill and creative imagination;

10 3. "Design standards" means a document that is produced for the
11 purpose of guiding review of proposed alterations to the Capitol,
12 Governor's Mansion, and respective grounds.

13 Design standards set the acceptable level of finishes for the
14 historic fabric, features, and materials in use in the Capitol.

15 This document establishes specifications for alterations which,
16 if followed, will provide compatible design;

17 4. "Enhancement" means an increase or improvement upon the
18 quality, value, or extent of the original design intent of the
19 Capitol, Governor's Mansion, or the respective grounds;

20 5. "Grounds" means all land surrounding the State Capitol and
21 bordered by Lincoln Boulevard, and the land contained within the
22 fence line surrounding the Governor's Mansion;

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1 6. "Maintenance" means keeping spaces, structures, and
2 infrastructure in proper operating condition in a routine,
3 scheduled, or anticipated fashion to prevent failure or degradation;

4 7. "Modification" means any change to an existing physical
5 attribute of the Capitol, Governor's Mansion, or the respective
6 grounds;

7 8. "Preservation" means the act or process of applying measures
8 necessary to sustain the existing form, integrity, and materials of
9 a historic property. Work including preliminary measures to protect
10 and stabilize the property, generally focusing upon the ongoing
11 maintenance and repair of historic materials and features, rather
12 than extensive replacement and new construction; and

13 9. "Restoration" means the act or process of accurately
14 depicting the form, features, and character of the Capitol as the
15 building appeared in 1917, and dome in 2002, by means of the removal
16 of features from later periods in its history and reconstruction of
17 missing features from the restoration period.

18 SECTION 8. AMENDATORY 74 O.S. 2021, Section 4102, is
19 amended to read as follows:

20 Section 4102. There is hereby re-created, to continue until
21 ~~July 1, 2024~~ July 1, 2026, in accordance with the provisions of the
22 Oklahoma Sunset Law, the State Capitol Preservation Commission which
23 shall be responsible for planning and supervising the preservation
24 and restoration of the interior and exterior of the State Capitol

1 Building, hereinafter referred to as the Capitol, and the Governor's
2 Mansion. The Commission shall ~~control~~ approve the display of art
3 objects in public areas of the Capitol and the Governor's Mansion.
4 The State Capitol Preservation Commission shall provide the highest
5 quality maintenance, restoration, preservation, enhancement, and
6 modification of and long-term planning for the interior and exterior
7 of the State Capitol, hereinafter referred to as the Capitol,
8 Governor's Mansion, and the respective grounds for the perpetual use
9 by the state government and the enjoyment of all persons.

10 SECTION 9. AMENDATORY 74 O.S. 2021, Section 4103, is
11 amended to read as follows:

12 Section 4103. A. The State Capitol Preservation Commission
13 shall be composed of ~~fifteen (15)~~ fourteen (14) members as follows:

14 1. ~~Three members shall be appointed by the~~ The Governor, or
15 designee;

16 2. ~~Three members shall be appointed by the~~ The President Pro
17 Tempore of the Senate, or designee;

18 3. ~~Three members shall be appointed by the~~ The Speaker of the
19 House of Representatives, or designee;

20 4. ~~One member shall be appointed by the~~ The Chief Justice of
21 the Oklahoma Supreme Court, or designee; and

22 5. One member of the Senate appointed by the President Pro
23 Tempore of the Senate;

24

1 6. One former senator appointed by the President Pro Tempore of
2 the Senate;

3 7. One member of the House of Representatives appointed by the
4 Speaker of the House of Representatives;

5 8. One former member of the House of Representatives appointed
6 by the Speaker of the House of Representatives;

7 9. The Secretary of State; and

8 10. The following shall be ex officio nonvoting members:

9 a. ~~Chairman~~ Executive Director of the Oklahoma Arts
10 Council, or designee,

11 b. ~~President~~ Executive Director of the Oklahoma
12 Historical Society, or designee,

13 c. Capitol Architect and Curator,

14 d. ~~Superintendent of the Capitol~~ Capitol Liaison, and

15 e. Director of the Office of Management and Enterprise
16 Services or a designee.

17 ~~B. The initial term of office of the appointed members shall be~~
18 ~~as follows:~~

19 ~~1. One of the members appointed by the Governor, the President~~
20 ~~Pro Tempore of the Senate, the Speaker of the House of~~
21 ~~Representatives, and the member appointed by the Chief Justice of~~
22 ~~the Oklahoma Supreme Court shall serve a one-year term;~~

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1 ~~2. One of the members appointed by the Governor, the President~~
2 ~~Pro Tempore of the Senate, and the Speaker of the House of~~
3 ~~Representatives shall serve a three-year term; and~~

4 ~~3. One of the members appointed by the Governor, the President~~
5 ~~Pro Tempore of the Senate, and the Speaker of the House of~~
6 ~~Representatives shall serve a five-year term.~~

7 ~~The term of office for each successor shall be for five (5)~~
8 ~~years. Any member of the Legislature who is appointed to the~~
9 ~~Commission shall serve only as long as the member is a member of the~~
10 ~~respective house from which the member was appointed. All appointed~~
11 ~~voting and ex officio non-voting members of the State Capitol~~
12 ~~Preservation Commission shall serve at the pleasure of their~~
13 ~~appointing authority.~~

14 ~~C. The Commission shall elect a chair and a vice-chair from its~~
15 ~~membership to serve for a period of two (2) years. The first chair~~
16 ~~of the Commission shall be the Governor, or designee, who shall~~
17 ~~serve a term of two (2) years. Thereafter, the chair of the~~
18 ~~Commission shall rotate between the President Pro Tempore of the~~
19 ~~Senate, or designee, Speaker of the House of Representatives, or~~
20 ~~designee, and the Governor, or designee, for two-year increments in~~
21 ~~perpetuity. Members of the Commission shall not be compensated~~
22 ~~except for reimbursement as provided in the State Travel~~
23 ~~Reimbursement Act.~~

1 D. The Office of Management and Enterprise Services shall make
2 the necessary arrangements for support services for the State
3 Capitol Preservation Commission. The State Capitol Preservation
4 Commission shall meet at least once per quarter and at the call of
5 the chair as needed. A quorum of the voting members shall be
6 present for any action taken. A quorum is the majority of the
7 appointed voting members. The Commission shall be subject to the
8 Oklahoma Open Meeting Act.

9 E. The Commission functions performed by the Governor,
10 President Pro Tempore of the Senate, Speaker of the House of
11 Representatives, Secretary of State, and appointed senators and
12 representatives are additional functions of their other public
13 offices and duties.

14 SECTION 10. AMENDATORY 74 O.S. 2021, Section 4104, is
15 amended to read as follows:

16 Section 4104. A. The State Capitol Preservation Commission
17 shall provide oversight to the Capitol Liaison and the Office of
18 Management and Enterprise Services on duties for management and
19 maintenance of the State Capitol and shall:

20 1. ~~Research, plan, and have control of modifications and decor~~
21 ~~of the interior and exterior of the Capitol and the Governor's~~
22 ~~Mansion~~ Approve the maintenance, restoration, preservation,
23 enhancement, or modification of the Capitol, Governor's Mansion, and
24 the respective grounds;

1 2. ~~Establish standards for the acquisition and display of works~~
2 ~~of art for public display in the Capitol and the Governor's Mansion~~
3 ~~and select such works. Such works of art shall be directly related~~
4 ~~to the history and culture of the State of Oklahoma~~ Review and
5 approve the annual budget and the long-range master plan submitted
6 by the Office of Management and Enterprise Services for the Capitol,
7 Governor's Mansion, and the respective grounds;

8 3. Establish procedures by which private contributions of
9 suitable art can be accepted for the Capitol and the Governor's
10 Mansion. The Commission is authorized to ~~accept~~ approve and make
11 proper disposition of works of art as may be donated to the
12 Commission and this state;

13 4. Review and approve all requests for preservation,
14 restoration, enhancement, and modification to the Capitol,
15 Governor's Mansion, and the respective grounds submitted by the
16 Capitol Liaison. This review and approval process shall not apply
17 to actions deemed by the Capitol Superintendent to be maintenance
18 necessary for the upkeep and function of the Capitol, Governor's
19 Mansion, and the respective grounds;

20 4. 5. ~~Have authority to approve and submit to the Long Range~~
21 ~~Capital Planning Commission any proposed modification, alteration,~~
22 ~~renovation, repair, or construction on any part of the Capitol and~~
23 ~~the Governor's Mansion~~ Review and approve a security plan submitted
24

1 by the Department of Public Safety for the Capitol, Governor's
2 Mansion, and the respective grounds; and

3 ~~5.~~ 6. Have final approval authority for any plans or programs
4 for the restoration, preservation, or display of fine art programs
5 in and surrounding the Capitol and the Governor's Mansion. Review
6 and approve administrative rules submitted by the Office of
7 Management and Enterprise Services or the Capitol Liaison concerning
8 the Capitol, Governor's Mansion, the respective contents, and the
9 respective concerns;

10 7. Review and approve preservation zones and design standards
11 for the Capitol, Governor's Mansion, and the respective grounds;

12 8. Review and approve standards for the selection and
13 acquisition of works of art and monuments for permanent and
14 temporary public display in the Capitol, the Governor's Mansion, and
15 the respective grounds. Such works of art shall be directly related
16 to the history and culture of this state;

17 9. Consult the Oklahoma Arts Council to determine the location
18 of all works of art and monuments to be displayed;

19 10. Provide for the allocation of physical space in the Capitol
20 to tenants within the limits of Section 15.1 of Title 73 of the
21 Oklahoma Statutes. Each tenant shall be responsible for assigning
22 its membership and personnel to locations within its allotted space;

23 11. Approve rooms and areas of the building available for use
24 and reservation by the public;

1 12. Provide oversight and accountability inspections of
2 maintenance, restoration, preservation, enhancement, and
3 modification projects to ensure all projects conform to design
4 standards;

5 13. Provide for designation of parking space blocks to be
6 allotted to the tenants in the Capitol. Tenants shall be
7 responsible for assignment of individual parking spaces; and

8 14. Ensure the Capitol, grounds, and tenants comply with
9 Americans with Disabilities Act standards.

10 ~~B. The Long-Range Capital Planning Commission shall submit any~~
11 ~~capital construction or renovation project with respect to the State~~
12 ~~Capitol or the Governor's Mansion to the State Capitol Preservation~~
13 ~~Commission for its advisory opinion prior to consideration by the~~
14 ~~Long-Range Capital Planning Commission~~ As of the effective date of
15 this act, the State Capitol Preservation Commission shall assume
16 oversight responsibility of the Capitol Restoration Project from the
17 State Capitol Repair Expenditure Oversight Committee created in
18 Section 345 of Title 73 of the Oklahoma Statutes.

19 SECTION 11. NEW LAW A new section of law to be codified
20 in the Oklahoma Statutes as Section 4105a of Title 74, unless there
21 is created a duplication in numbering, reads as follows:

22 There is hereby established the position of the Capitol
23 Architect and Curator who shall:

1 1. Develop the technical plans and programs for consideration
2 by the State Capitol Preservation Commission with regard to
3 restoration, renovation, and preservation of the Capitol and the
4 Governor's Mansion;

5 2. Advise the State Capitol Preservation Commission regarding
6 the space demands of the various agencies in the Capitol and the
7 Governor's Mansion;

8 3. Maintain a record of all structural and decor changes made
9 in the Capitol and the Governor's Mansion;

10 4. Make recommendations to the State Capitol Preservation
11 Commission for design standards and of necessary action on proposed
12 maintenance, restoration, preservation, enhancement, and
13 modifications in decor or design to ensure preservation and
14 maintenance of the cultural and historic integrity of the Capitol
15 and the Governor's Mansion; and

16 5. Make recommendations to the State Capitol Preservation
17 Commission for preservation zones and design standards.

18 The Director of the Office of Management and Enterprise Services
19 may contract for the services of a Capitol Architect and Curator or
20 employ such an individual on either a full- or part-time basis.
21 Compensation for the position shall be in accord with similar
22 professional positions in state government.

1 SECTION 12. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 4105.1 of Title 74, unless there
3 is created a duplication in numbering, reads as follows:

4 A. The Office of Management and Enterprise Services (OMES)
5 shall be the custodian of the Capitol, Governor's Mansion, and the
6 respective grounds. To aid in these duties, the State Capitol
7 Preservation Office is established under the State Capitol
8 Preservation Commission. All administration and budgetary decisions
9 for the State Capitol Preservation Office shall be made by the
10 Office of Management and Enterprise Services with authorization by
11 the State Capitol Preservation Commission.

12 B. The State Capitol duties of the Office of Management and
13 Enterprise Services are as follows:

14 1. OMES shall have the responsibility for maintenance,
15 restoration, preservation, enhancement, and modification of the
16 Capitol, Governor's Mansion, and respective grounds including
17 facilities planning, facilities construction, and facilities
18 administration;

19 2. OMES shall be responsible for all maintenance duties
20 necessary to properly preserve and maintain the Capitol, Governor's
21 Mansion, and the respective grounds;

22 3. OMES shall be responsible for devising and developing
23 processes for tenants in the Capitol and Governor's Mansion to
24

1 submit requests for maintenance, restoration, preservation,
2 enhancement, and modification and evaluating such requests;

3 4. OMES shall manage each project to ensure execution of the
4 highest quality work product, time-cost schedules, and efficient
5 contract performance;

6 5. OMES shall be responsible for producing an annual budget and
7 submitting it to the State Capitol Preservation Commission;

8 6. OMES shall be responsible for creating a long-range master
9 plan for the maintenance and upkeep of the Capitol, Governor's
10 Mansion, and the respective grounds which shall be submitted to the
11 State Capitol Preservation Commission every three (3) years;

12 7. OMES shall be responsible for operation or coordinating
13 operation of the visitor center, visitor relations activities, and
14 tours in the Capitol;

15 8. OMES shall be responsible for operation of all dining and
16 vending services in the Capitol and shall approve food trucks and
17 other mobile food preparation vehicles on the grounds;

18 9. OMES shall be responsible for taking and approving
19 reservations in all meeting rooms and areas of the Capitol and
20 grounds not allocated to the Legislature by Section 15.1 of Title 73
21 of the Oklahoma Statutes;

22 10. OMES shall be responsible for approving all events and
23 gatherings in the Capitol and on the respective grounds except for
24

1 space designated in Section 15.1 of Title 73 of the Oklahoma
2 Statutes;

3 11. OMES shall coordinate with the Oklahoma Arts Council for
4 curation of and care for all exhibits, art, monuments, and memorials
5 in public areas at the Capitol, Governor's Mansion, and the
6 respective grounds;

7 12. OMES shall coordinate with the Department of Public Safety
8 to ensure the safety of all visitors, employees, and elected
9 officials who are in the Capitol, Governor's Mansion, or on the
10 respective grounds. In cooperation with the Department of Public
11 Safety, a security plan shall be submitted to the State Capitol
12 Preservation Commission every three (3) years;

13 13. OMES shall be responsible for all maintenance, upkeep, and
14 access to all parking lots on the grounds of the Capitol and
15 Governor's Mansion;

16 14. OMES shall be responsible for submitting proposed
17 administrative rules to the State Capitol Preservation Commission to
18 govern the execution of the duties of the Office; and

19 15. OMES may collect rent from third-party vendors in the
20 Capitol and proceeds from the sale of merchandise or services
21 rendered.

22 C. The Office of Management and Enterprise Services shall
23 employ all staff and consultants necessary to perform the duties of
24 the Office including, but not limited to, a licensed architect.

1 SECTION 13. AMENDATORY 74 O.S. 2021, Section 4108, is
2 amended to read as follows:

3 Section 4108. The provisions of Sections 4101 through ~~4107~~
4 4110.1 of this title shall apply to all modifications in the
5 structure or decor of the Capitol ~~and the~~, Governor's Mansion, and
6 the respective grounds except for those immediate emergency repairs
7 needed to prevent loss or damage to property or to protect the
8 health and safety of the public during use of the building and any
9 art displayed on the grounds.

10 SECTION 14. NEW LAW A new section of law to be codified
11 in the Oklahoma Statutes as Section 4108.1 of Title 74, unless there
12 is created a duplication in numbering, reads as follows:

13 The Oklahoma Arts Council shall be given the responsibility to
14 acquire, maintain, preserve, or restore any state-owned art that is
15 in storage or on display in the Capitol, Governor's Mansion, and the
16 respective grounds. The council is authorized to hold exhibitions
17 and commissions to display art to the general public. The Oklahoma
18 Arts Council may request direct appropriations or submit requests to
19 the Office of Management and Enterprise Services.

20 SECTION 15. AMENDATORY 74 O.S. 2021, Section 4109, is
21 amended to read as follows:

22 Section 4109. ~~By the order of the Director of the Office of~~
23 ~~Management and Enterprise Services, restoration and preservation~~
24 Maintenance, restoration, preservation, enhancement, and

1 modification projects of the State Capitol Building or of the,
2 Governor's Mansion, and the respective grounds may be exempted from
3 the provisions of the Public Competitive Bidding Act of 1974,
4 Section 101 et seq. of Title 61 of the Oklahoma Statutes. For
5 exempted ~~State Capitol Building~~ or Governor's Mansion construction
6 projects, the Office of Management and Enterprise Services shall
7 select among contractors qualified by past experience to conduct
8 historical preservation projects.

9 SECTION 16. REPEALER 74 O.S. 2021, Sections 4106 and
10 4107, are hereby repealed.

11 SECTION 17. It being immediately necessary for the preservation
12 of the public peace, health or safety, an emergency is hereby
13 declared to exist, by reason whereof this act shall take effect and
14 be in full force from and after its passage and approval.

15 COMMITTEE REPORT BY: COMMITTEE ON VETERANS AND MILITARY AFFAIRS
16 March 3, 2022 - DO PASS AS AMENDED
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