

1 **SENATE FLOOR VERSION**

2 March 1, 2017

3 **AS AMENDED**

4 SENATE BILL NO. 756

5 By: Marlatt

6 [state government - Capitol Buildings - flags
7 displayed at Capitol - Capitol Grounds and Buildings -
8 Capitol-Medical Center Improvement and Zoning
9 Commission - State Capitol Repair Expenditure Oversight
10 Committee - State Capitol Preservation Commission -
11 repealer - codification - effective date]

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

13 SECTION 1. AMENDATORY 73 O.S. 2011, Section 15.4, as
14 amended by Section 661, Chapter 304, O.S.L. 2012 (73 O.S. Supp.
15 2016, Section 15.4), is amended to read as follows:

16 Section 15.4. A. There is hereby authorized the creation of a
17 not-for-profit corporation to be known as "Friends of the Capitol"
18 to raise funds and to assist in the preservation and enhancement of
19 the Oklahoma Capitol and surrounding areas as defined in Section 1
20 of this title.

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

23 C. After proper incorporation, the not-for-profit corporation
24 is authorized and directed to apply for tax-exempt status under

1 Section 501(c) (3) of the Internal Revenue Code (26 U.S.C., Section
2 501(c) (3)).

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

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

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

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

21 SECTION 2. AMENDATORY 73 O.S. 2011, Section 24, as
22 amended by Section 664, Chapter 304, O.S.L. 2012 (73 O.S. Supp.
23 2016, Section 24), is amended to read as follows:

24

1 Section 24. ~~The Office of Management and Enterprise Services~~
2 State Capitol Preservation Office shall display the current flag of
3 the United States of America, an Oklahoma state flag adopted by the
4 Oklahoma Legislature, the American Ex-Prisoner of War flag, ~~a flag~~
5 ~~to commemorate the centennial of the State of Oklahoma,~~ or a
6 combination thereof at the discretion of the Governor ~~on the~~
7 ~~fourteen flag poles located at the south plaza entrance to the State~~
8 ~~Capitol Building in the area bounded by the south Capitol Building~~
9 ~~steps on the north and by Northeast 22nd Street on the south.~~ The
10 flags shall be displayed in a dignified manner every day except when
11 the weather is inclement.

12 SECTION 3. AMENDATORY 73 O.S. 2011, Section 26, as
13 amended by Section 665, Chapter 304, O.S.L. 2012 (73 O.S. Supp.
14 2016, Section 26), is amended to read as follows:

15 Section 26. ~~The Office of Management and Enterprise Services~~
16 State Capitol Preservation Office shall cause to be displayed in an
17 appropriate and dignified manner north of the ~~State Capitol Building~~
18 the current flags, standards, or banners of all federally recognized
19 Native American tribal governments located within the boundaries of
20 the State of Oklahoma. The flags shall be displayed every day
21 except when the weather is inclement.

22 SECTION 4. AMENDATORY 73 O.S. 2011, Section 62.2, as
23 amended by Section 666, Chapter 304, O.S.L. 2012 (73 O.S. Supp.
24 2016, Section 62.2), is amended to read as follows:

1 Section 62.2. The Executive Director of the ~~Office of~~
2 ~~Management and Enterprise Services~~ State Capitol Preservation Office
3 is hereby authorized to enter into a written agreement with the Post
4 Office Department of the United States permitting said Department to
5 occupy and use adequate quarters in the ~~State~~ Capitol for a post
6 office free of cost to the United States. If additional space is
7 needed, the Executive Director of the Office ~~of Management and~~
8 ~~Enterprise Services~~ is hereby authorized to enter into written
9 agreements providing such additional space in the ~~State~~ Capitol.
10 The Office ~~of Management and Enterprise Services~~ shall also be
11 authorized to agree to furnish light, heat, water, janitor service
12 for said post office, and a safe receptacle in which to keep
13 property of the United States.

14 SECTION 5. AMENDATORY 73 O.S. 2011, Section 83.1, as
15 last amended by Section 1, Chapter 251, O.S.L. 2015 (73 O.S. Supp.
16 2016, Section 83.1), is amended to read as follows:

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

21 B. The Commission shall be composed of eleven (11) members as
22 follows:
23
24

- 1 1. The Director of the Office of Management and Enterprise
2 Services or his or her designee, who shall be ex officio chair of
3 the Capitol-Medical Center Improvement and Zoning Commission;
- 4 2. The Director of the Transportation Commission or his or her
5 designee;
- 6 3. The President of the University of Oklahoma or his or her
7 designee;
- 8 4. Two members appointed by the President Pro Tempore of the
9 Senate;
- 10 5. Two members appointed by the Speaker of the House of
11 Representatives;
- 12 6. The Chair of the Planning Commission of Oklahoma City or his
13 or her designee;
- 14 7. ~~The Chair of the Long-Range Capital Planning Commission~~
15 Executive Director of the State Capitol Preservation Office or his
16 or her designee; and
- 17 8. Two members of the Commission appointed by the Governor,
18 with the advice and consent of the State Senate, for four-year
19 staggered terms with one term expiring on January 31 of each even-
20 numbered year.
- 21 C. One of the two members shall be appointed upon the
22 recommendation of the Citizens' Advisory Committee. The Commission
23 is authorized to appoint and hire a Director, who shall serve as the
24 chief administrative officer of the Commission, and other necessary

1 personnel. The Attorney General of the State of Oklahoma shall be
2 the legal advisor to the Commission in the same capacity as he or
3 she is to other boards and commissions.

4 D. At least one of the members appointed by the President Pro
5 Tempore of the Senate and the Speaker of the House of
6 Representatives shall be a resident within the boundaries of the
7 Capitol-Medical Center Improvement and Zoning District as set forth
8 in Section 83 of this title.

9 SECTION 6. AMENDATORY Section 1, House Joint Resolution
10 No. 1033, p. 1742, O.S.L. 2014, as amended by Section 2, Chapter
11 335, O.S.L. 2016 (73 O.S. Supp. 2016, Section 345), is amended to
12 read as follows:

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

23 B. The Authority may hold title to the property and
24 improvements until such time as any obligations issued for this

1 purpose are retired or defeased and may lease the property and
2 improvements to the Office of Management and Enterprise Services.
3 Upon final redemption or defeasance of the obligations created
4 pursuant to this section, title to the property and improvements
5 shall be transferred from the Oklahoma Capitol Improvement Authority
6 to the Office of Management and Enterprise Services.

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

1 Improvement Authority shall provide for the payment of professional
2 fees and associated costs related to the project authorized in
3 subsection A of this section.

4 D. The Authority may issue obligations in one or more series
5 and in conjunction with other issues of the Authority. The
6 Authority is authorized to hire bond counsel, financial consultants,
7 and such other professionals as it may deem necessary to provide for
8 the efficient sale of the obligations and may utilize a portion of
9 the proceeds of any borrowing to create such reserves as may be
10 deemed necessary and to pay costs associated with the issuance and
11 administration of such obligations.

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

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

1 G. The obligations issued under this section, the transfer
2 thereof and the interest earned on such obligations, including any
3 profit derived from the sale thereof, shall not be subject to
4 taxation of any kind by the State of Oklahoma, or by any county,
5 municipality or political subdivision therein.

6 H. The Authority may direct the investment of all monies in any
7 funds or accounts created in connection with the offering of the
8 obligations authorized under this section. Such investments shall
9 be made in a manner consistent with the investment guidelines of the
10 State Treasurer. The Authority may place additional restrictions on
11 the investment of such monies if necessary to enhance the
12 marketability of the obligations.

13 ~~I. There is hereby created a State Capitol Repair Expenditure~~
14 ~~Oversight Committee. The proceeds from the sale of obligations~~
15 ~~issued pursuant to the provisions of this section and Section 1 of~~
16 ~~Enrolled House Bill No. 3168 of the 2nd Session of the 55th Oklahoma~~
17 ~~Legislature that are needed for repairs to the interior and exterior~~
18 ~~of the State Capitol shall be subject to the approval of the State~~
19 ~~Capitol Repair Expenditure Oversight Committee; provided, however,~~
20 ~~the expenditure of those proceeds shall be subject to a request for~~
21 ~~proposal process.~~

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

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

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

5 ~~3. Three legislators to be appointed by the President Pro~~
6 ~~Tempore of the Senate, two of whom shall be members of the majority~~
7 ~~political party and one of whom shall be a member of the minority~~
8 ~~political party.~~

9 ~~Five members of the Committee shall constitute a quorum and the~~
10 ~~vote of five members shall be necessary for any action taken by the~~
11 ~~Committee. The Committee shall be staffed by employees of the~~
12 ~~Office of Management and Enterprise Services. The Committee shall~~
13 ~~be subject to the Oklahoma Open Meeting Act.~~

14 ~~J. The Committee shall deliver a preliminary plan for the~~
15 ~~renovation, repair and remodeling of the State Capitol to the~~
16 ~~Director of the Office of Management and Enterprise Services no~~
17 ~~later than December 31, 2014. The preliminary plan shall include~~
18 ~~the following components:~~

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

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

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

4 ~~L. The Committee shall deliver a final plan to the Director of~~
5 ~~the Office of Management and Enterprise Services no later than June~~
6 ~~30, 2015. The final plan shall include the following components:~~

7 ~~1. Approval of the final scope of work developed by the vendor;~~
8 ~~and~~

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

10 ~~M. Following delivery of the final plan, the Committee shall~~
11 ~~continue to oversee the expenditure of proceeds from the sale of~~
12 ~~obligations issued pursuant to the provisions of this section and~~
13 ~~Section 1 of Enrolled House Bill No. 3168 of the 2nd Session of the~~
14 ~~55th Legislature, until completion of the renovation, repair and~~
15 ~~remodeling of the State Capitol. The Committee may also propose and~~
16 ~~approve amendments to the plan as it deems appropriate.~~

17 ~~N. The Director of the Office of Management and Enterprise~~
18 ~~Services shall have responsibility to substantially implement the~~
19 ~~plan as presented by the Committee; provided, the President Pro~~
20 ~~Tempore of the Senate or the Speaker of the House of Representatives~~
21 ~~shall approve all proposed designs related to renovation, repair and~~
22 ~~remodeling of space within the State Capitol Building under the~~
23 ~~management and control of the Legislature and allocated to that~~
24 ~~officer's house of the Legislature pursuant to the provisions of~~

1 ~~Section 15.1 of this title, and any subsequent changes to such~~
2 ~~plans. Joint approval of the President Pro Tempore of the Senate~~
3 ~~and the Speaker of the House of Representatives shall be required~~
4 ~~for such plans for space under the management and control of the~~
5 ~~Legislature and not allocated to a specific house of the~~
6 ~~Legislature. Such approval shall be in writing.~~

7 ~~0. Insofar as they are not in conflict with the provisions of~~
8 ~~this section, the provisions of Section 151 et seq. of this title~~
9 ~~shall apply to this section.~~

10 SECTION 7. AMENDATORY 74 O.S. 2011, Section 4101, is
11 amended to read as follows:

12 Section 4101. As used in Sections 4101 through ~~4108~~ 4109 of
13 this title:

14 1. ~~"Public areas" means those areas in the Capitol open to the~~
15 ~~general public for general visitation; and~~

16 ~~2. "Art" means fine art of museum quality representing the~~
17 ~~highest quality of art objects available to include paintings,~~
18 ~~murals, graphic arts, art photography and sculpture, aesthetically~~
19 ~~aligned with recognized values, created by the conscious use of~~
20 ~~skill and creative imagination;~~

21 2. "Enhancement" means an increase or improvement upon the
22 quality, value or extent of the original design intent of the
23 Capitol, Governor's Mansion, or the respective grounds;

24

1 3. "Grounds" means all land surrounding the State Capitol and
2 bordered by Lincoln Boulevard and the land contained within the
3 fence line surrounding the Governor's Mansion;

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

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

10 6. "Preservation" means the act or process of applying measures
11 necessary to sustain the existing form, integrity and materials of
12 an historic property. Work, including preliminary measures to
13 protect and stabilize the property, generally focuses upon the
14 ongoing maintenance and repair of historic materials and features,
15 rather than extensive replacement and new construction; and

16 7. "Restoration" means the act or process of accurately
17 depicting the form, features and character of the Capitol as the
18 building appeared in 1917, and the dome in 2002, by means of the
19 removal of features from later periods in its history and
20 reconstruction of missing features from the restoration period. The
21 limited and sensitive upgrading of mechanical, electrical and
22 plumbing systems and other code-required work to make properties
23 functional is appropriate within a restoration project.

1 SECTION 8. AMENDATORY 74 O.S. 2011, Section 4102, as
2 last amended by Section 1, Chapter 237, O.S.L. 2015 (74 O.S. Supp.
3 2016, Section 4102), is amended to read as follows:

4 Section 4102. There is hereby re-created, to continue until
5 July 1, ~~2019~~ 2022, in accordance with the provisions of the Oklahoma
6 Sunset Law, the State Capitol Preservation Commission ~~which shall be~~
7 ~~responsible for planning and supervising the preservation and~~
8 ~~restoration of the interior and exterior of the State Capitol~~
9 ~~Building, hereinafter referred to as the Capitol, and the Governor's~~
10 ~~Mansion. The Commission shall control the display of art objects in~~
11 ~~public areas of the Capitol and the Governor's Mansion.~~ The State
12 Capitol Preservation Commission shall provide the highest quality
13 maintenance, restoration, preservation, enhancement and modification
14 of and long-term planning for the interior and exterior of the State
15 Capitol, hereinafter referred to as the Capitol, Governor's Mansion,
16 and the respective grounds for the perpetual use by state government
17 and the enjoyment of all persons.

18 SECTION 9. AMENDATORY 74 O.S. 2011, Section 4103, as
19 last amended by Section 13, Chapter 209, O.S.L. 2013 (74 O.S. Supp.
20 2016, Section 4103), is amended to read as follows:

21 Section 4103. A. The State Capitol Preservation Commission
22 shall be composed of fifteen (15) members as follows:

23 1. ~~Three members shall be appointed by the~~ The Governor;
24

1 2. ~~Three members shall be appointed by the~~ The President Pro
2 Tempore of the Senate;

3 3. ~~Three members shall be appointed by the~~ The Speaker of the
4 House of Representatives;

5 4. One member ~~shall be~~ of the Senate appointed by the ~~Chief~~
6 ~~Justice of the Oklahoma Supreme Court~~ President Pro Tempore of the
7 Senate; and

8 5. One former senator appointed by the President Pro Tempore of
9 the Senate;

10 6. One member of the House of Representatives appointed by the
11 Speaker of the House;

12 7. One former member of the House of Representatives appointed
13 by the Speaker of the House;

14 8. One citizen-at-large appointed by the Governor; and

15 9. The Secretary of State.

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

17 a. ~~Chairman~~ Executive Director of the Oklahoma Arts
18 Council or designee,

19 b. ~~President~~ Executive Director of the Oklahoma
20 Historical Society or designee,

21 c. ~~Capitol Architect and Curator~~ an officer with the
22 Department of Public Safety in charge of security of
23 the Capitol and grounds appointed by the Commissioner
24 of the Department of Public Safety,

- 1 d. ~~Superintendent of the Capitol~~ Executive Director of
2 the State Capitol Preservation Office, and
3 e. Director of the Office of Management and Enterprise
4 Services or a designee, and
5 f. a licensed architect with experience in historic
6 preservation projects appointed by the Governor.

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

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

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

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

19 ~~The term of office for each successor shall be for five (5)~~
20 ~~years. Any member of the Legislature who is appointed to the~~
21 ~~Commission shall serve only as long as the member is a member of the~~
22 ~~respective house from which the member was appointed.~~

1 All appointed voting and ex officio members of the State Capitol
2 Preservation Commission shall serve at the pleasure of their
3 appointing authority.

4 ~~C. The Commission shall elect a chair and a vice-chair from its~~
5 ~~membership to serve for a period of two (2) years~~ The first
6 chairperson of the Commission shall be the Governor who will serve a
7 term of two (2) years. Thereafter, the chair of the Commission will
8 rotate between the Speaker of the House, President Pro Tempore of
9 the Senate and the Governor for two-year increments in perpetuity.

10 Members of the Commission shall not be compensated except for
11 reimbursement as provided in the State Travel Reimbursement Act.

12 1. The State Capitol Preservation Commission shall meet at
13 least once per quarter and at the call of the chairperson as needed.

14 2. A quorum of the voting members shall be present for any
15 action taken. A quorum is the majority of the appointed voting
16 members.

17 3. The Commission shall be subject to the Oklahoma Open Meeting
18 Act.

19 ~~D. The Office of Management and Enterprise Services shall make~~
20 ~~the necessary arrangements for support services for the State~~
21 ~~Capitol Preservation Commission~~ A person shall not be eligible for
22 appointment as the citizen-at-large of the Commission if the person
23 or the person's spouse:

24 1. Is employed by the State of Oklahoma;

1 2. Is a registered lobbyist in Oklahoma;

2 3. Is employed by or participates in the management of a
3 business entity or other organization receiving funds from the State
4 Capitol Preservation Office;

5 4. Owns or controls, directly or indirectly, more than a ten
6 percent (10%) interest in a business entity receiving funds from the
7 State Capitol Preservation Office;

8 5. Is currently a member of the House of Representatives or
9 Senate or has served in such capacity within three (3) years of the
10 appointment date;

11 6. Is currently the Lieutenant Governor, State Auditor and
12 Inspector, State Treasurer, Attorney General, Labor Commissioner,
13 Insurance Commissioner, Superintendent of Public Instruction, or
14 Corporation Commissioner or has served in such capacity within three
15 (3) years of the appointment date; or

16 7. Is currently a district judge or appellate judge or has
17 served in such capacity within three (3) years of the appointment
18 date.

19 E. The Commission functions performed by the Governor,
20 President Pro Tempore, Speaker of the House, Secretary of State, and
21 appointed senator and representative are additional functions of
22 their other public offices and duties.

1 SECTION 10. AMENDATORY 74 O.S. 2011, Section 4104, as
2 last amended by Section 14, Chapter 209, O.S.L. 2013 (74 O.S. Supp.
3 2016, Section 4104), is amended to read as follows:

4 Section 4104. A. The State Capitol Preservation Commission
5 shall provide oversight and advice to the State Capitol Preservation
6 Office and shall:

7 ~~1. Research, plan, and have control of modifications and decor~~
8 ~~of the interior and exterior of the Capitol and the Governor's~~
9 ~~Mansion;~~

10 ~~2. Establish standards for the acquisition and display of works~~
11 ~~of art for public display in the Capitol and the Governor's Mansion~~
12 ~~and select such works. Such works of art shall be directly related~~
13 ~~to the history and culture of the State of Oklahoma;~~

14 ~~3. Establish procedures by which private contributions of~~
15 ~~suitable art can be accepted for the Capitol and the Governor's~~
16 ~~Mansion. The Commission is authorized to accept and make proper~~
17 ~~disposition of works of art as may be donated to the Commission and~~
18 ~~this state;~~

19 ~~4. Have authority to approve and submit to the Long Range~~
20 ~~Capital Planning Commission any proposed modification, alteration,~~
21 ~~renovation, repair, or construction on any part of the Capitol and~~
22 ~~the Governor's Mansion; and~~

23

24

1 ~~5. Have final approval authority for any plans or programs for~~
2 ~~the restoration, preservation, or display of fine art programs in~~
3 ~~and surrounding the Capitol and the Governor's Mansion.~~

4 ~~B. The Long-Range Capital Planning Commission shall submit any~~
5 ~~capital construction or renovation project with respect to the State~~
6 ~~Capitol or the Governor's Mansion to the State Capitol Preservation~~
7 ~~Commission for its advisory opinion prior to consideration by the~~
8 ~~Long-Range Capital Planning Commission~~ Provide guidance in the
9 maintenance, restoration, preservation, enhancement or modification
10 of the Capitol and Governor's Mansion and the respective grounds;

11 2. Review and accept the annual budget and the long-range
12 master plan submitted by the State Capitol Preservation Office for
13 the Capitol, Governor's Mansion and the respective grounds;

14 3. Review and accept all requests for preservation,
15 restoration, enhancement and modification to the Capitol, Governor's
16 Mansion and the respective grounds submitted by the State Capitol
17 Preservation Office. This shall not apply to actions deemed to be
18 maintenance necessary for the upkeep and function of the Capitol,
19 Governor's Mansion and the respective grounds;

20 4. Review and accept a security plan submitted by the State
21 Capitol Preservation Office for the Capitol, Governor's Mansion and
22 the respective grounds;

1 5. Review and accept administrative rules submitted by the
2 State Capitol Preservation Office concerning the Capitol, Governor's
3 Mansion, the respective contents and the respective grounds;

4 6. Review and adopt preservation zones and design standards
5 submitted by the State Capitol Preservation Office for the Capitol,
6 Governor's Mansion and the respective grounds;

7 7. Review and accept standards for the selection or acquisition
8 of works of art and monuments for permanent and temporary public
9 display in the Capitol, the Governor's Mansion and the respective
10 grounds. Such works of art shall be directly related to the history
11 and culture of the State of Oklahoma. The State Capitol
12 Preservation Commission shall be responsible for designating the
13 location for all works of art and monuments to be displayed;

14 8. Recommend an Executive Director of the State Capitol
15 Preservation Office to be appointed by the Governor;

16 9. Provide for the allocation of physical space in the Capitol
17 to tenants. Each tenant shall be responsible for assigning its
18 membership and personnel to locations within its allotted space; and

19 10. Provide for designation of parking space blocks to be
20 allotted to the tenants in the Capitol. Tenants will be responsible
21 for assignment of individual parking spaces.

22 B. As of the November 1, 2017, the State Capitol Preservation
23 Commission shall assume oversight responsibility of the Capitol
24

1 Restoration Project from the State Capitol Repair Expenditure
2 Oversight Committee.

3 SECTION 11. NEW LAW A new section of law to be codified
4 in the Oklahoma Statutes as Section 4105.1 of Title 74, unless there
5 is created a duplication in numbering, reads as follows:

6 A. The State Capitol Preservation Office shall be the custodian
7 of the Capitol, Governor's Mansion and the respective grounds. To
8 aid in these duties, the Office is established under the State
9 Capitol Preservation Commission. The Executive Director shall be
10 the head of the Office and shall be recommended by the Commission
11 and appointed by the Governor. The compensation of the Executive
12 Director shall be established by the Governor. All administration
13 and budgetary decisions for the Office shall be made by the
14 Executive Director.

15 B. The duties of the Office are as follows:

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

21 2. The Office shall be responsible for all maintenance duties
22 necessary to properly preserve and maintain the Capitol, Governor's
23 Mansion and the respective grounds;

24

1 3. The Office shall be responsible for devising and developing
2 processes for tenants in the Capitol and Governor's Mansion to
3 submit requests for maintenance, restoration, preservation,
4 enhancement and modification and evaluating such requests;

5 4. The Office shall be responsible for submitting preservation
6 zones and design standards to the State Capitol Preservation
7 Commission;

8 5. The Office shall manage each project to ensure execution of
9 the highest quality work product, time-cost schedules and efficient
10 contract performance;

11 6. The Office shall be responsible for producing an annual
12 budget and submitting it to the State Capitol Preservation
13 Commission;

14 7. The Office shall be responsible for creating a long-range
15 master plan for the maintenance and upkeep of the Capitol,
16 Governor's Mansion and the respective grounds which shall be
17 submitted to the State Capitol Preservation Commission every three
18 (3) years;

19 8. The Office shall be responsible for operation of the visitor
20 center, visitor relations activities and tours in the Capitol;

21 9. The Office shall be responsible for producing educational
22 programs and materials related to the Capitol and Governor's Mansion
23 and the art, exhibits, monuments, memorials and displays in the
24 buildings and on the respective grounds;

1 10. The Office shall be responsible for operation of all dining
2 and vending services in the Capitol and shall approve food trucks
3 and other mobile food preparation vehicles on the grounds;

4 11. The Office shall be responsible for approving all displays,
5 both temporary and permanent, in the Capitol, Governor's Mansion and
6 on the respective grounds;

7 12. The Office shall be responsible for promoting the Capitol,
8 Governor's Mansion and the respective grounds through electronic and
9 print media;

10 13. The Office shall be responsible for taking and approving
11 reservations in all meeting rooms and areas of the Capitol and
12 grounds not allocated to the Legislature by the State Capitol
13 Preservation Commission;

14 14. The Office shall be responsible for approving all events
15 and gatherings in the Capitol and on the respective grounds;

16 15. The Office shall be responsible for curation of and care
17 for all exhibits, art, monuments and memorials at the Capitol,
18 Governor's Mansion and the respective grounds;

19 16. The Office shall coordinate with the Department of Public
20 Safety to ensure the safety of all visitors, employees and elected
21 officials who are in the Capitol, Governor's Mansion or on the
22 respective grounds. In cooperation with the Department of Public
23 Safety, a security plan shall be submitted to the State Capitol
24 Preservation Commission every three (3) years;

1 17. The Office shall be responsible for all maintenance, upkeep
2 and access to all parking lots on the grounds of the Capitol and
3 Governor's Mansion. The Office shall issue window stickers or other
4 means of identification for all vehicles with assigned parking
5 spaces;

6 18. The Office shall be responsible for submitting proposed
7 administrative rules to the State Capitol Preservation Commission to
8 govern the execution of the duties of the Office; and

9 19. The Office may collect rent from third-party vendors in the
10 Capitol and proceeds from the sale of merchandise or services
11 rendered. All revenues collected shall be deposited into the State
12 Capitol Preservation Office Revolving Fund created pursuant to
13 Section 12 of this act.

14 C. All duties prescribed to the Office in this act currently
15 being conducted in other state agencies will be transferred to the
16 State Capitol Preservation Office on November 1, 2017. All
17 personnel associated with such duties shall be reorganized under the
18 purview of the State Capitol Preservation Office on November 1,
19 2017.

20 D. The Executive Director is responsible for ensuring the
21 duties of the Office are carried out in an effective and efficient
22 manner. The Executive Director shall employ all staff and
23 consultants necessary to perform the duties of the Office,
24 including, but not limited to, a deputy director, attorney and

1 licensed architect. The Executive Director shall organize personnel
2 in the Office to ensure the duties of the Office are properly
3 administered.

4 SECTION 12. NEW LAW A new section of law to be codified
5 in the Oklahoma Statutes as Section 4107.1 of Title 74, unless there
6 is created a duplication in numbering, reads as follows:

7 A. There is created in the State Treasury the "State Capitol
8 Preservation Office Revolving Fund". The fund shall be a continuing
9 fund, not subject to fiscal year limitations, and all collections to
10 the fund are hereby appropriated to the Office. The revolving fund
11 shall consist of any monies received by the Office, pursuant to
12 statutory authority. Monies accruing to the revolving fund herein
13 created may be expended for the same purposes and in the same manner
14 as appropriated funds.

15 B. Expenditures from the revolving fund shall be made pursuant
16 to the laws of the state and the statutes relating to the Office.
17 Warrants for expenditures from the revolving fund shall be drawn by
18 the State Treasurer, based on claims signed by an authorized
19 employee or employees of the Office and approved for payment by the
20 Director of the Office of Management and Enterprise Services.

21 SECTION 13. AMENDATORY 74 O.S. 2011, Section 4108, is
22 amended to read as follows:

23 Section 4108. The provisions of Sections 4101 through ~~4107~~ 4109
24 of this title shall apply to all modifications in the structure or

1 decor of the Capitol ~~and the~~, Governor's Mansion and the respective
2 grounds except for those immediate emergency repairs needed to
3 prevent loss or damage to property or to protect the health and
4 safety of the public during use of the building.

5 SECTION 14. AMENDATORY 74 O.S. 2011, Section 4109, as
6 amended by Section 1014, Chapter 304, O.S.L. 2012 (74 O.S. Supp.
7 2016, Section 4109), is amended to read as follows:

8 Section 4109. ~~By the order of the Director of the Office of~~
9 ~~Management and Enterprise Services, restoration and preservation~~
10 Maintenance, restoration, preservation, enhancement and modification
11 projects of the State Capitol, ~~Building or of the~~ Governor's Mansion
12 and the respective grounds may be exempted from the provisions of
13 the Public Competitive Bidding Act of 1974, Section 101 et seq. of
14 Title 61 of the Oklahoma Statutes. For exempted ~~State~~ Capitol
15 ~~Building~~ or Governor's Mansion construction projects, the State
16 Capitol Preservation Office ~~of Management and Enterprise Services~~
17 shall select among contractors qualified by past experience to
18 conduct historical preservation projects.

19 SECTION 15. REPEALER 73 O.S. 2011, Sections 15, as
20 amended by Section 658, Chapter 304, O.S.L. 2012, 15.1, as last
21 amended by Section 1, Chapter 335, O.S.L. 2016, 15.2, 15.3, 19, as
22 amended by Section 4, Chapter 253, O.S.L. 2013 and 22, as amended by
23 Section 663, Chapter 304, O.S.L. 2012 (73 O.S. Supp. 2016, Sections
24 15, 15.1, 19 and 22), are hereby repealed.

1 SECTION 16. REPEALER 74 O.S. 2011, Sections 4105, as
2 last amended by Section 15, Chapter 209, O.S.L. 2013, 4106, as
3 amended by Section 16, Chapter 209, O.S.L. 2013 and 4107 (74 O.S.
4 Supp. 2016, Sections 4105 and 4106), are hereby repealed.

5 **SECTION 17. This act shall become effective November 1, 2017.**

6 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS
7 March 1, 2017 - DO PASS AS AMENDED
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