

HB

467

ALASKA STATE LEGISLATURE

REPRESENTATIVE BRUCE WEYHRAUCH



ALASKA
STATE CAPITOL
JUNEAU, ALASKA
99801-1182

(907) 465-3744
FAX (907) 465-2273

STATE AFFAIRS COMMITTEE

March 23, 2003

LETTER OF INTENT

It is the intent of the House State Affairs Committee to urge the Alaska Commemorative Coin Commission, established by HB 467 to consider a design contest by participants of all ages in the process of developing the quarter honoring the State of Alaska.

A handwritten signature in black ink that reads "Bruce Weyhrauch".

Representative Bruce Weyhrauch
Chair, House State Affairs Committee

Alaska State Legislature

House of Representatives



Official Business

State Capitol
Juneau, AK 99801-1182

SPONSOR STATEMENT FOR HB 467

BY: Representative Tom Anderson

TITLE: "An Act establishing the Alaska Commemorative Coin Commission to develop the design concepts and to make recommendations regarding the final design of the Alaska quarter under the 50 States Commemorative Coin Program Act; and providing for an effective date."

House Bill 467 follows the federal authorizing legislation, the "50 States Commemorative Coin Program Act", and establishes the 11-member Alaska Commemorative Coin Commission. Over a ten-year period from 1999 through 2008, the United States has and will annually issue five quarter dollar coins with state designs displayed on the reverse side of the coins. Each state has an opportunity to develop and submit designs representative of the state. A quarter honoring the State of Alaska is scheduled to be issued in 2008.

The Alaska Commemorative Coin Commission will consist of 11 members, of which 6 will be public members appointed by the governor. The presiding officer from the Alaska House of Representatives and the Alaska Senate will appoint a majority and a minority member from each body. The governor or designee will occupy the 11th seat.

The Office of the Governor will initiate a public process to solicit narrative design concepts for the Alaska quarter. The commission shall review and consider all of the narrative design concepts it receives and will submit to the United States Mint not less than three, and not more than five, design concepts for the Alaska quarter. When the United States Mint provides the State of Alaska with its final designs, the commission will review the designs and make final recommendations to the governor.

The calendar year in which the Alaska quarter is to be issued will coincide with events leading to celebration of the 50th anniversary of Alaska statehood.

I urge your support of this important piece of legislation.

LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101

State Capitol
Juneau, Alaska 99801-1182
Deliveries to: 129 6th St., Rm. 329

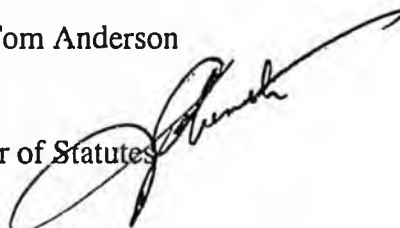
MEMORANDUM

February 25, 2004

SUBJECT: House Bill 467, establishing the Alaska Commemorative Coin Commission to make recommendations regarding the final design of the Alaska state quarter -- sectional analysis (Work Order No. 23-LS1678\A)

TO: Representative Tom Anderson

FROM: Jack Chenoweth
Assistant Revisor of Statutes



Jim Shine has asked for preparation of a sectional analysis of the above-captioned bill.

Now starting its sixth year of coin circulation, most people are familiar with the designs on the United States quarter that commemorate the various states. Under the schedule for coin issuance, the program is set to end at the end of 2008, with the Alaska commemorative coin scheduled to be issued in the second half of 2008.

Bill section 1 describes the purpose of the Act. It notes the key provision of the federal authorizing legislation, the 50 States Commemorative Coin Program Act, that requires each state governor to initiate a concept selection process that would culminate in selection of a final design.

Bill section 2 establishes the 11-member Alaska Commemorative Coin Commission, with the governor to appoint 6 members and authorizing the governor himself or his designee to take a seventh seat, and allowing the presiding officers of each chamber to appoint a majority and a minority member from each chamber. The bill section also contains other boilerplate provisions covering vacancies, reimbursement for expenses, and quorum requirements.

Bill section 3 spells out in general terms the commemorative coin selection process for the Alaska quarter, beginning with the solicitation of a design process, the review, consideration and recommendation of between three and five of the design concepts received, and the eventual selection of a final recommended design. Under the federal authorizing Act, the governor shall approve the final recommendation that would serve as the design for the Alaska commemorative quarter. There is a specific provision that reminds the commission that, in 2008, the year of the quarter's issuance and circulation, the state will be approaching the 50th anniversary of Statehood.

Representative Tom Anderson
February 25, 2004
Page 2

Bill section 4 terminates the Alaska Commemorative Coin Commission January 1, 2009.

Bill section 5 gives the measure a January 1, 2005, effective date.

A copy of the federal Act mentioned in the bill's purpose provision is enclosed. Its bill sections 1 - 3 are relevant.

JBC:med
04-233.med

Enclosure

FISCAL NOTE

STATE OF ALASKA
2004 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: HB 467
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: OOG
 Title "An Act establishing an Alaska RDU Executive Operations
Commemorative Coin Commission..." Component Executive Office
 Sponsor Representative Anderson
 Requester House State Affairs Component No. 6

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
Personal Services		25.4	25.4			
Travel		6.9	15.1			
Contractual		5.0	1.5			
Supplies		1.5	1.5			
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	38.8	43.5	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF		38.8	43.5			
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	0.0	38.8	43.5	0.0	0.0	0.0

Estimate of any current year (FY2004) cost: 0.0
 Mark this box (X) if funding for this bill is included in the Governor's FY 2005 budget proposal:

POSITIONS

Full-time					
Part-time		1	1		
Temporary					

ANALYSIS: (Attach a separate page if necessary)

This fiscal note requires the Office of the Governor to provide the Commemorative Coin Commission with support for the 11-member commission.

The personal services estimate is for a Range 14 half-time position to provide support for the Commission. Transportation costs are based on an assumption that the Commission will have one organizational meeting and two planning meetings in FY06. In FY07 it is assumed the Commission will have four meetings in different locations of the state to review designs and submit recommendations to the Governor.

The contractual cost estimate is for statewide advertising for the solicitation process for narrative design concepts from the public.

Prepared by: Gail Fenumiai, Asst. Admin. Director Phone 465-3885
 Division: Office of the Governor, Administrative Services Date/Time 3/16/04 1:53 PM
 Approved by: Linda J. Perez, Director Date 3/16/2004
 Agency: Office of the Governor, Administrative Services

THE
FOLLOWING
DOCUMENT(S)
ARE
POOR
ORIGINAL
COPIES

PUBLIC LAW 105-124 [S. 1228]; December 1, 1997

**50 STATES COMMEMORATIVE COIN PROGRAM ACT;
UNITED STATES \$1 COIN ACT OF 1997**

*For Legislative History of Act, see Report for P.L. 105-124 in
U.S.C.C. & A.N. Legislative History Section.*

An Act to provide for a 10-year circulating commemorative coin program to commemorate each of the 50 States, and for other purposes.

*Be it enacted by the Senate and House of Representatives of
the United States of America in Congress assembled,*

SECTION 1. SHORT TITLE.

This Act may be cited as the "50 States Commemorative Coin Program Act".

SEC. 2. FINDINGS.

The Congress finds that—

(1) it is appropriate and timely—

(A) to honor the unique Federal republic of 50 States that comprise the United States; and

(B) to promote the diffusion of knowledge among the youth of the United States about the individual States, their history and geography, and the rich diversity of the national heritage;

(2) the circulating coinage of the United States has not been modernized during the 25-year period preceding the date of enactment of this Act;

(3) a circulating commemorative 25-cent coin program could produce earnings of \$110,000,000 from the sale of silver proof coins and sets over the 10-year period of issuance, and would produce indirect earnings of an estimated \$2,600,000,000 to \$5,100,000,000 to the United States Treasury, money that will replace borrowing to fund the national debt to at least that extent; and

(4) it is appropriate to launch a commemorative circulating coin program that encourages young people and their families to collect memorable tokens of all of the States for the face value of the coins.

SEC. 3. ISSUANCE OF REDESIGNED QUARTER DOLLARS OVER 10-YEAR PERIOD COMMEMORATING EACH OF THE 50 STATES.

Section 5112 of title 31, United States Code, is amended by inserting after subsection (k) the following new subsection:

"(l) REDESIGN AND ISSUANCE OF QUARTER DOLLAR IN COMMEMORATION OF EACH OF THE 50 STATES.—

"(1) REDESIGN BEGINNING IN 1999.—

"(A) IN GENERAL.—Notwithstanding the fourth sentence of subsection (d)(1) and subsection (d)(2), quarter dollar coins issued during the 10-year period beginning in 1999, shall have designs on the reverse side selected

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"(B) TRANSITION PROVIS-
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"(2) SINGLE STATE DESIG
side of each quarter dollar i
referred to in paragraph (1)
50 States.

"(3) ISSUANCE OF COINS C
EACH OF THE 10 YEARS.—

"(A) IN GENERAL.—Th
coins issued during each y
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of the United States or
as the case may be.

"(B) NUMBER OF EA
YEAR.—Of the quarter do
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"(4) SELECTION OF DESIG

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"(D) STANDARDS.—
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"(E) PROHIBITION
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50 States
Commemorative
Coin Program
Act.
31 USC 5101
note.

31 USC 5112
note.

December 1, 1997

**COIN PROGRAM ACT;
ACT OF 1997**

for PL. 105-124 in
every Section.

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Commemorative Coin

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DOLLARS OVER 10-YEAR
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in accordance with this subsection which are emblematic of the 50 States.

"(B) TRANSITION PROVISION.—Notwithstanding subparagraph (A), the Secretary may continue to mint and issue quarter dollars in 1999 which bear the design in effect before the redesign required under this subsection and an inscription of the year '1998' as required to ensure a smooth transition into the 10-year program under this subsection.

"(2) SINGLE STATE DESIGNS.—The design on the reverse side of each quarter dollar issued during the 10-year period referred to in paragraph (1) shall be emblematic of 1 of the 50 States.

"(3) ISSUANCE OF COINS COMMEMORATING 5 STATES DURING EACH OF THE 10 YEARS.—

"(A) IN GENERAL.—The designs for the quarter dollar coins issued during each year of the 10-year period referred to in paragraph (1) shall be emblematic of 5 States selected in the order in which such States ratified the Constitution of the United States or were admitted into the Union, as the case may be.

"(B) NUMBER OF EACH OF 5 COIN DESIGNS IN EACH YEAR.—Of the quarter dollar coins issued during each year of the 10-year period referred to in paragraph (1), the Secretary of the Treasury shall prescribe, on the basis of such factors as the Secretary determines to be appropriate, the number of quarter dollars which shall be issued with each of the 5 designs selected for such year.

"(4) SELECTION OF DESIGN.—

"(A) IN GENERAL.—Each of the 50 designs required under this subsection for quarter dollars shall be—

"(i) selected by the Secretary after consultation with—

"(I) the Governor of the State being commemorated, or such other State officials or group as the State may designate for such purpose; and

"(II) the Commission of Fine Arts; and

"(ii) reviewed by the Citizens Commemorative Coin Advisory Committee.

"(B) SELECTION AND APPROVAL PROCESS.—Designs for quarter dollars may be submitted in accordance with the design selection and approval process developed by the Secretary in the sole discretion of the Secretary.

"(C) PARTICIPATION.—The Secretary may include participation by State officials, artists from the States, engravers of the United States Mint, and members of the general public.

"(D) STANDARDS.—Because it is important that the Nation's coinage and currency bear dignified designs of which the citizens of the United States can be proud, the Secretary shall not select any frivolous or inappropriate design for any quarter dollar minted under this subsection.

"(E) PROHIBITION ON CERTAIN REPRESENTATIONS.—No head and shoulders portrait or bust of any person, living or dead, and no portrait of a living person may be included in the design of any quarter dollar under this subsection.

"(5) TREATMENT AS NUMISMATIC ITEMS.—For purposes of sections 5134 and 5136, all coins minted under this subsection shall be considered to be numismatic items.

"(6) ISSUANCE.—

"(A) QUALITY OF COINS.—The Secretary may mint and issue such number of quarter dollars of each design selected under paragraph (4) in uncirculated and proof qualities as the Secretary determines to be appropriate.

"(B) SILVER COINS.—Notwithstanding subsection (b), the Secretary may mint and issue such number of quarter dollars of each design selected under paragraph (4) as the Secretary determines to be appropriate, with a content of 90 percent silver and 10 percent copper.

"(C) SOURCES OF BULLION.—The Secretary shall obtain silver for minting coins under subparagraph (B) from available resources, including stockpiles established under the Strategic and Critical Materials Stock Piling Act.

"(7) APPLICATION IN EVENT OF THE ADMISSION OF ADDITIONAL STATES.—If any additional State is admitted into the Union before the end of the 10-year period referred to in paragraph (1), the Secretary of the Treasury may issue quarter dollar coins, in accordance with this subsection, with a design which is emblematic of such State during any 1 year of such 10-year period; in addition to the quarter dollar coins issued during such year in accordance with paragraph (3)(A)."

SEC. 4. UNITED STATES DOLLAR COINS.

(a) SHORT TITLE.—This section may be cited as the "United States \$1 Coin Act of 1997".

(b) WEIGHT.—Section 5112(a)(1) of title 31, United States Code, is amended by striking "and weighs 8.1 grams".

(c) COLOR AND CONTENT.—Section 5112(b) of title 31, United States Code, is amended—

(1) in the first sentence, by striking "dollar,;" and

(2) by inserting after the fourth sentence the following: "The dollar coin shall be golden in color, have a distinctive edge, have tactile and visual features that make the denomination of the coin readily discernible, be minted and fabricated in the United States, and have similar metallic, anti-counterfeiting properties as United States coinage in circulation on the date of enactment of the United States \$1 Coin Act of 1997."

(d) DESIGN.—Section 5112(d)(1) of title 31, United States Code, is amended by striking the fifth and sixth sentences and inserting the following: "The Secretary of the Treasury, in consultation with the Congress, shall select appropriate designs for the obverse and reverse sides of the dollar coin."

(e) PRODUCTION OF NEW DOLLAR COINS.—

(1) IN GENERAL.—Upon the depletion of the Government's supply (as of the date of enactment of this Act) of \$1 coins bearing the likeness of Susan B. Anthony, the Secretary of the Treasury shall place into circulation \$1 coins that comply with the requirements of subsections (b) and (d)(1) of section 5112 of title 31, United States Code, as amended by this section.

(2) AUTHORITY OF SECRETARY TO CONTINUE PRODUCTION.—If the supply of \$1 coins bearing the likeness of Susan B. Anthony is depleted before production has begun of \$1 coins

United States \$1
Coin Act of 1997.
31 YSC 5101
note.

31 USC 5112
note.

which bear a design which of subsections (b) and (d)(1) of section 5112 of title 31, United States Code, as amended by this Act, shall be considered to be numismatic items. The Secretary may continue to issue such number of quarter dollars of each design selected under paragraph (4) as the Secretary determines to be appropriate, with a content of 90 percent silver and 10 percent copper.

(3) NUMISMATIC SETS.—The Secretary may issue \$1 coins in any numismatic set before the date on which this section are placed in circulation.

(f) MARKETING PROGRAM.—

(1) IN GENERAL.—Before the Secretary is authorized under this section to adopt a program to promote the sale of such coins to commercial enterprises, may State, and local government

(2) STUDY REQUIRED.—The Secretary shall conduct a study on the program and report thereon in accordance with

(3) REPORT.—Not later than 1 year after the date of the Treasury shall submit the results of the study conducted.

SEC. 5. RULE OF CONSTRUCTION

Nothing in this Act or in any other law shall be construed to evidence an intent to limit the printing or circulation of \$1 denomination.

SEC. 6. FIRST FLIGHT COMMEMORATIVE

(a) COIN SPECIFICATIONS.—

(1) DENOMINATIONS.—The Secretary shall refer to and issue the following coins:

(A) \$10 GOLD COIN, each of which shall—

(i) weigh 16.74 grams;

(ii) have a diameter of 26.5 millimeters;

(iii) contain 90 percent gold and 10 percent copper.

(B) \$1 SILVER COIN, each of which shall—

(i) weigh 26.5 grams;

(ii) have a diameter of 26.5 millimeters;

(iii) contain 90 percent silver and 10 percent copper.

(C) HALF DOLLAR COIN, each of which shall—

(i) weigh 11.34 grams;

(ii) have a diameter of 26.5 millimeters;

(iii) be minted in the United States.

(d) LEGAL TENDER.—The coins contained in this section shall be legal tender, as provided in section 5102 of title 31, United States Code.

(b) LEGAL TENDER.—The coins contained in this section shall be legal tender, as provided in section 5102 of title 31, United States Code.

(c) SOURCES OF BULLION.—The Secretary shall obtain silver for minting coins under

ITEMS.—For purposes of [redacted] under this subsection [redacted] ems.

Secretary may mint and [redacted] of each design selected [redacted] and proof qualities appropriate.

standing subsection (b), [redacted] such number of quarter [redacted] under paragraph (4) as appropriate, with a content copper.

he Secretary shall obtain [redacted] paragraph (B) from avail- [redacted] established under the [redacted] Piling Act.

THE ADMISSION OF ADDI- [redacted] is admitted into the [redacted] period referred to in para- [redacted] may issue quarter [redacted] subsection, with a design [redacted] during any 1 year of such [redacted] quarter dollar coins issued [redacted] paragraph (3)(A)."

be cited as the "United

e 31, United States Code, [redacted] ms". [redacted] 12(b) of title 31, United

g "dollar,"; and

sentence the following: [redacted] color, have a distinctive [redacted] that make the denomina- [redacted] e minted and fabricated [redacted] ar metallic, anti-counter- [redacted] coinage in circulation on [redacted] l States \$1 Coin Act of

e 31, United States Code, [redacted] sentences and inserting [redacted] ury, in consultation with [redacted] gns for the obverse and

g.— [redacted] tion of the Government's [redacted] of this Act) of \$1 coins [redacted] thony, the Secretary of [redacted] ion \$1 coins that comply [redacted] (b) and (d)(1) of section [redacted] amended by this section.

CONTINUE PRODUCTION.— [redacted] the likeness of Susan B. [redacted] n has begun of \$1 coins

which bear a design which complies with the requirements of subsections (b) and (d)(1) of section 5112 of title 31, United States Code, as amended by this section, the Secretary of the Treasury may continue to mint and issue \$1 coins bearing the likeness of Susan B. Anthony in accordance with that section 5112 (as in effect on the day before the date of enactment of this Act) until such time as production begins.

(3) NUMISMATIC SETS.—The Secretary may include such \$1 coins in any numismatic set produced by the United States Mint before the date on which the \$1 coins authorized by this section are placed in circulation.

(f) MARKETING PROGRAM.—

(1) IN GENERAL.—Before placing into circulation \$1 coins authorized under this section, the Secretary of the Treasury shall adopt a program to promote the use of such coins by commercial enterprises, mass transit authorities, and Federal, State, and local government agencies.

(2) STUDY REQUIRED.—The Secretary of the Treasury shall conduct a study on the progress of the marketing program adopted in accordance with paragraph (1).

(3) REPORT.—Not later than March 31, 2001, the Secretary of the Treasury shall submit a report to the Congress on the results of the study conducted pursuant to paragraph (2).

SEC. 5. RULE OF CONSTRUCTION.

Nothing in this Act or the amendments made by this Act shall be construed to evidence any intention to eliminate or to limit the printing or circulation of United States currency in the \$1 denomination.

SEC. 6. FIRST FLIGHT COMMEMORATIVE COINS.

(a) COIN SPECIFICATIONS.—

(1) DENOMINATIONS.—The Secretary of the Treasury (hereafter in this section referred to as the "Secretary") shall mint and issue the following coins:

(A) \$10 GOLD COINS.—Not more than 100,000 \$10 coins, each of which shall—

- (i) weigh 16.718 grams;
- (ii) have a diameter of 1.06 inches; and
- (iii) contain 90 percent gold and 10 percent alloy.

(B) \$1 SILVER COINS.—Not more than 500,000 \$1 coins, each of which shall—

- (i) weigh 26.73 grams;
- (ii) have a diameter of 1.500 inches; and
- (iii) contain 90 percent silver and 10 percent copper.

(C) HALF DOLLAR CLAD COINS.—Not more than 750,000 half dollar coins each of which shall—

- (i) weigh 11.34 grams;
- (ii) have a diameter of 1.205 inches; and
- (iii) be minted to the specifications for half dollar coins contained in section 5112(b) of title 31, United States Code.

(b) LEGAL TENDER.—The coins minted under this section shall be legal tender, as provided in section 5103 of title 31, United States Code.

(c) SOURCES OF BULLION.—The Secretary shall obtain gold and silver for minting coins under this section pursuant to the authority

31 USC 5112
note.

31 USC 5112
note.

31 USC 5112
note.

of the Secretary under other provisions of law, including authority relating to the use of silver stockpiles established under the Strategic and Critical Materials Stockpiling Act, as applicable.

(d) DESIGN OF COINS.—

(1) DESIGN REQUIREMENTS.—

(A) IN GENERAL.—The design of the coins minted under this section shall be emblematic of the first flight of Orville and Wilbur Wright in Kitty Hawk, North Carolina, on December 17, 1903.

(B) DESIGNATION AND INSCRIPTIONS.—On each coin minted under this section there shall be—

- (i) a designation of the value of the coin;
- (ii) an inscription of the year "2003"; and
- (iii) inscriptions of the words "Liberty", "In God We Trust", "United States of America", and "E Pluribus Unum".

(2) SELECTION.—The design for the coins minted under this section shall be—

(A) selected by the Secretary after consultation with the Board of Directors of the First Flight Foundation and the Commission of Fine Arts; and

(B) reviewed by the Citizens Commemorative Coin Advisory Committee.

(e) PERIOD FOR ISSUANCE OF COINS.—The Secretary may issue coins minted under this section only during the period beginning on August 1, 2003, and ending on July 31, 2004.

(f) SALE OF COINS.—

(1) SALE PRICE.—The coins issued under this section shall be sold by the Secretary at a price equal to the sum of—

- (A) the face value of the coins;
- (B) the surcharge provided in paragraph (4) with respect to such coins; and
- (C) the cost of designing and issuing the coins (including labor, materials, dies, use of machinery, overhead expenses, marketing, and shipping).

(2) BULK SALES.—The Secretary shall make bulk sales of the coins issued under this section at a reasonable discount.

(3) PREPAID ORDERS.—

(A) IN GENERAL.—The Secretary shall accept prepaid orders for the coins minted under this section before the issuance of such coins.

(B) DISCOUNT.—Sale prices with respect to prepaid orders under subparagraph (A) shall be at a reasonable discount.

(4) SURCHARGES.—All sales shall include a surcharge of—

- (A) \$35 per coin for the \$10 coin;
- (B) \$10 per coin for the \$1 coin; and
- (C) \$1 per coin for the half dollar coin.

(g) GENERAL WAIVER OF PROCUREMENT REGULATIONS.—

(1) IN GENERAL.—Except as provided in paragraph (2), no provision of law governing procurement or public contracts shall be applicable to the procurement of goods and services necessary for carrying out the provisions of this Act.

(2) EQUAL EMPLOYMENT OPPORTUNITY.—Paragraph (1) does not relieve any person entering into a contract under the

authority of this section to equal employment opportunities 5134 and 5136 of minted under this subject items.

(i) DISTRIBUTION OF STATES

(1) IN GENERAL.—States Code, all surcharges the sale of coins issued by the Secretary purposes of—

(A) repairing Wright Brothers Carolina; and

(B) expanding maintaining the Wright Brothers Banks of North Carolina programs and expenditures

(2) AUDITS.—The Secretary shall have the right to audit and other data of the Secretary to the expenditures of

(j) FINANCIAL ASSURANCE actions as may be necessary for coins under this section United States Government

Approved December 1,

LEGISLATIVE HISTORY—S.

SENATE REPORTS: No. 105-100 (H.R. 105-100).

CONGRESSIONAL RECORD, Nov. 9, considered and p. 105-100; Nov. 13, considered and

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UNITY.—Paragraph (1) does
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authority of this section from complying with any law relating
to equal employment opportunity.

(h) TREATMENT AS NUMISMATIC ITEMS.—For purposes of sec-
tions 5134 and 5136 of title 31, United States Code, all coins
minted under this subsection shall be considered to be numismatic
items.

(i) DISTRIBUTION OF SURCHARGES.—

(1) IN GENERAL.—Subject to section 5134 of title 31, United
States Code, all surcharges received by the Secretary from
the sale of coins issued under this section shall be promptly
paid by the Secretary to the First Flight Foundation for the
purposes of—

(A) repairing, refurbishing, and maintaining the
Wright Brothers Monument on the Outer Banks of North
Carolina; and

(B) expanding (or, if necessary, replacing) and
maintaining the visitor center and other facilities at the
Wright Brothers National Memorial Park on the Outer
Banks of North Carolina, including providing educational
programs and exhibits for visitors.

(2) AUDITS.—The Comptroller General of the United States
shall have the right to examine such books, records, documents,
and other data of the First Flight Foundation as may be related
to the expenditures of amounts paid under paragraph (1).

(j) FINANCIAL ASSURANCES.—The Secretary shall take such
actions as may be necessary to ensure that minting and issuing
coins under this section will not result in any net cost to the
United States Government.

Approved December 1, 1997.

LEGISLATIVE HISTORY—S. 1228:

SENATE REPORTS: No. 105-130 (Comm. on Banking, Housing, and Urban Af-
fairs).

CONGRESSIONAL RECORD, Vol. 143 (1997):

Nov. 9, considered and passed Senate.
Nov. 13, considered and passed House.