

ENROLLED SENATE
BILL NO. 138

BY: TAYLOR and HANEY of the
SENATE

and

HAMILTON (James) and
STEIDLEY of the HOUSE

AN ACT RELATING TO THE OKLAHOMA TOURISM AND RECREATION DEPARTMENT; AMENDING SECTION 19 OF ENROLLED SENATE BILL NO. 414 OF THE 1ST SESSION OF THE 43RD OKLAHOMA LEGISLATURE; STATING PURPOSES; SPECIFYING CERTAIN EXPENDITURE LIMITATIONS AND CATEGORIES; PROVIDING FOR DUTIES AND COMPENSATION OF EMPLOYEES; PROVIDING BUDGETARY LIMITATIONS; PROVIDING SALARY LIMITS FOR CERTAIN POSITIONS; REQUIRING FILING OF BUDGET WORK PROGRAM; PROVIDING FOR CONTENTS; REPEALING SECTION 18, CHAPTER 347, O.S.L. 1985 (74 O.S. SUPP. 1990, SECTION 1829.1), WHICH RELATES TO THE STATE CAPITOL TOURISM INFORMATION CENTER; CLASSIFYING CERTAIN EMPLOYEES; AUTHORIZING A TOURISM MANAGEMENT INTERNSHIP PROGRAM; REQUIRING LEGISLATIVE AUTHORIZATION FOR THE CLOSURE OF CERTAIN PARKS; CREATING FUND; EXEMPTING FROM FISCAL YEAR LIMITATIONS; APPROPRIATING MONIES; PROVIDING FOR EXPENDITURES FROM FUND; PROVIDING FOR DIVISION OF EXCESS REVENUE; ESTABLISHING A FORMULA FOR THE PARKS CAPITAL IMPROVEMENT FUND; MAKING CERTAIN REAPPROPRIATIONS NONFISCAL; PROVIDING FOR CODIFICATION; PROVIDING LAPSE DATE; PROVIDING AN OPERATIVE DATE; AND DECLARING AN EMERGENCY.

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

SECTION 1. AMENDATORY Section 19 of Enrolled Senate Bill No. 414 of the 1st Session of the 43rd Oklahoma Legislature, is amended to read as follows:

There is hereby appropriated to the Oklahoma Tourism and Recreation Department from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1992, the sum of ~~Twenty-three Million Six Hundred Sixty-three Thousand Eighty-nine Dollars (\$23,663,089.00)~~ Twenty-three Million Seven Hundred Sixty-eight Thousand Two Hundred Three Dollars (\$23,768,203.00) or so much thereof as may be required to perform the duties imposed upon the Oklahoma Tourism and Recreation Department by law.

SECTION 2. The funds appropriated by Section 1 of this act shall be expended in the following categories and amounts:

Division of Administration \$1,598,080.00

Data Processing

Expenses of personal services, rent and purchase of equipment, supplies and other operating expenses of data processing
276,869.00

Division of Parks	14,618,450.00
Division of Planning and Development	
Expenses of personal services, premiums of workers' compensation, capital, and other necessary insurance, travel, supplies, materials for construction, equipment, and any other expenses necessary for the operation of the Department's Planning and Development, State Comprehensive Outdoor Recreation Plan (S.C.O.R.P.), and Federal and State Grants-In-Aid programs	894,672.00
Division of State Resorts	
Expenses of major repair and maintenance and any other expenses necessary to effect a balance between operating income and operating expenses	1,888,485.00
Division of Marketing Services	2,227,002.00
Traveler Information Centers	
Oklahoma Traveler Information Centers which conform to the Oklahoma Tourism and Recreation Department Operating Policy Number 30-2-002	966,231.00
"Oklahoma Today" Magazine	244,274.00
Multicounty Organizations	
Monies appropriated herein shall not be subject to the provisions of Section 41.16 of Title 62 of the Oklahoma Statutes. Any amounts unallocated or unused by February 1, 1991, may be reallocated by the Department for the exercise of any of its lawful responsibilities. The Department shall submit a report each quarter to the Speaker of the House of Representatives and the President Pro Tempore of the Senate and to each duly constituted contractually bound multicounty organization, summarizing the amount of funds allocated and matched	664,745.00
Scenic River Commission	
Operational expenses and improvements of the Scenic River Commission provided for by paragraph 5 of Section 1462 of Title 82 of the Oklahoma Statutes; said amount shall be transferred to the special fund of the Commission authorized by Section 1462A of Title 82 of the Oklahoma Statutes	246,220.00
Tsa-La-Gi "Theme" Park	37,575.00
National Indian Arts and Crafts Promotion	30,000.00
Summer Arts Institute	39,600.00
Western Plains Indian Promotion	6,000.00
Shakespearean Festival	30,000.00
TOTAL	\$23,768,203.00

SECTION 3. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Oklahoma Tourism and Recreation Department by law shall be set by the Director. The Oklahoma Tourism and Recreation Department for the fiscal year ending June 30, 1992, shall be subject to the following budgetary limitations on full-time-equivalent employees and expenditures excluding expenditures for capital and special projects, except as may be authorized pursuant to the provisions of Section 3603 of Title 74 of the Oklahoma Statutes:

<u>Budgetary Limitation</u>	<u>Amount</u>
Average Number of Full-time-equivalent Employees, Excluding Seasonal Employees and Project Labor	824.5

Payroll, Salaries or Wages, Including Tax-sheltered Deferment
Contracts and Longevity Payments Authorized by State Statutes
\$19,343,771.00

Professional and Personal Services Contracts	\$400,000.00
Lease-Purchase Agreements	\$127,388.00
Purchase of Equipment	\$3,240,516.00
Expenditure of Federal Funds	\$1,184,199.00
Total Expenditures for Operations	\$46,927,837.00

SECTION 4. Of the unclassified employee positions utilized by the Oklahoma Tourism and Recreation Department the annual compensation for the unclassified employee positions listed below during the fiscal year ending June 30, 1991, shall be subject to the following maximum salaries paid per annum:

<u>Position</u>	<u>Maximum</u>
Executive Director	\$60,420.00
Executive Assistant	\$43,920.00
Deputy Director	\$51,420.00
Administrative Services Division	
Assistant Director	\$38,620.00
Park Division Director	\$49,420.00
Assistant Director	\$40,420.00
Resort Division Director	\$49,420.00
Assistant Director	\$40,420.00
Marketing Division Director	\$48,020.00
Assistant Director	\$38,620.00
Planning and Development Director	\$48,020.00
Assistant Director	\$38,620.00

SECTION 5. Pursuant to the provisions of Section 41.7 of Title 62 of the Oklahoma Statutes, the Oklahoma Department of Tourism and Recreation shall file its budget work program with the Director of State Finance and the Legislative Service Bureau for the fiscal year ending June 30, 1992, to include the following budget entities and activities and any other line-item appropriation activities:

- Administrative Services
- Marketing Services
- Information Centers
- Oklahoma Today
- State Resorts
- State Parks
- Planning and Development
- Data Processing

SECTION 6. REPEALER Section 18, Chapter 347, O.S.L. 1985 (74 O.S. Supp. 1990, Section 1829.1), is hereby repealed.

SECTION 7. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1829.2 of Title 74, unless there is created a duplication in numbering, reads as follows:

Effective July 1, 1991, all current and future positions of the Department of Tourism and Recreation which are assigned to the Tourism Information Center in the State Capitol Building shall become classified and subject to the provisions of the Merit System of Personnel Administration except as provided in Section 840.8 of Title 74 of the Oklahoma Statutes.

Effective July 1, 1991, all incumbent employees of the Department of Tourism and Recreation who are assigned to the Tourism Information Center in the State Capitol Building shall become subject to the provisions of the Merit System of Personnel Administration and shall be classified without regard to status or examinations. Such employee shall be granted permanent status in the class of positions to which the employee's position is allocated by the Office of Personnel Management.

SECTION 8. The State Regents for Higher Education are authorized to establish an internship program in conjunction with the Department of Tourism and Recreation for students enrolled in an institution of The Oklahoma State System of Higher Education who are pursuing an Associate or Business Administration degree in the area of tourism management.

SECTION 9. Effective July 1, 1991, no additional state parks shall be closed for part of the year without the specific authorization of the Legislature. State parks which have been closed for part of the year prior to July 1, 1991, may continue to be closed if so required by the Commission.

SECTION 10. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1811.1a of Title 74, unless there is created a duplication in numbering, reads as follows:

There is hereby created in the State Treasury a revolving fund for the Oklahoma Tourism and Recreation Department, to be designated the "Golf Course Operations Revolving Fund". The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of all monies received by the Department, from all golf course admission fees, green fees, or other monies received directly from the operations of golf courses located at state lodges and state parks. All monies accruing to the credit of said fund are hereby appropriated and may be budgeted and expended by the Department for the exclusive purpose of expenses of operation and maintenance of such golf courses and for the purchase and maintenance of golf course equipment. Expenditures from said fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of State Finance for approval and payment.

SECTION 11. It is the intent of the Legislature that excess park fee revenue generated as a result of the transfer of certain historical sites be dedicated to state park units which generate less than Fifteen Thousand Dollars (\$15,000.00) annual revenue.

Each of the park units which qualify for this capital improvement funding will receive their portion of the funding based upon the following formula:

Fifty percent (50%) of a park's allocation will be derived by dividing a park's annual revenues by the sum of the total of annual revenues from all park units which qualify for this program and multiplying this percentage by fifty percent (50%) of the total capital improvement fund;

Fifty percent (50%) of a park's allocation will be derived by dividing a park's annual attendance by the sum of the annual attendance from all of the qualifying parks and multiplying this percentage by fifty percent (50%) of the total capital improvement fund.

SECTION 12. REAPPROPRIATION The sum of Five Hundred Thousand Dollars (\$500,000.00) originally appropriated to the Oklahoma Department of Tourism and Recreation from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1985 by Section 32, Chapter 312, O.S.L. 1985, from any monies not otherwise appropriated, to match funds provided by federal or local governmental entities or any private sources for capital improvement, renovation, or repairs at the Quartz Mountain Summer Arts Institute, and continued and reappropriated by Section 103, Chapter 208, O.S.L. 1987 and by Section 9, Chapter 311, O.S.L. 1989, is hereby continued and reappropriated in the original amount and for the original purpose, as adjusted by transfer, less any amount that has been expended upon the effective date of this act.

SECTION 13. REAPPROPRIATION The sum of Four Hundred Thousand Dollars (\$400,000.00) originally appropriated to the Oklahoma Department of Tourism and Recreation from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1991 by Section 81, Chapter 266, O.S.L. 1990, is hereby continued and reappropriated for the current budgeted completion of the Oklahoma City Information Center in the original amount and for the original purpose, as adjusted by transfer, less any amount that has been expended upon the effective date of this act.

SECTION 14. REAPPROPRIATION The amount of Two Hundred Thousand Dollars (\$200,000.00), a portion of the sum of One Million Sixty-one Thousand Seven Hundred Ninety-four Dollars (\$1,061,794.00) allocated by Section 2, Chapter 287, O.S.L. 1988, to the Division of Planning and Development, which was part of the original appropriation of Twenty-two Million Three Hundred Ninety-four Thousand Eight Hundred Fifty Dollars (\$22,394,850.00) subsequently reduced by Governors' veto to the amount of Twenty-two Million Two Hundred Seventy-nine Thousand Eight Hundred Fifty Dollars (\$22,279,850.00) made to the Oklahoma Tourism and Recreation Department by Section 1, Chapter 287, O.S.L. 1988, from any monies in the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1989, and continued and reappropriated by Section 10, Chapter 311, O.S.L. 1989, is hereby continued and reappropriated in the original amount and for the original purpose, as adjusted by transfer, less any amount that has been expended upon the effective date of this act. The amount reappropriated by this section is currently budgeted for construction of the Oklahoma City Information Center; it is the intent of the Legislature that said reappropriated amount be expended for this originally budgeted purpose.

SECTION 15. The appropriation made by this act shall be subject to fiscal year limitations and may be encumbered through June 30, 1992. Any unexpended funds remaining after November 15, 1992, shall lapse and be transferred to the credit of the proper fund for the then current fiscal year.

SECTION 16. The reappropriations made in Sections 12, 13 and 14 of this act shall not be subject to fiscal year limitations and shall be available for encumbrance and expenditure purposes for a period of thirty (30) months from the effective date of this act.

SECTION 17. This act shall become operative July 1, 1991.

SECTION 18. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the Senate the 23d day of May, 1991.

President of the Senate

Passed the House of Representatives the 23d day of May, 1991.

Speaker

of the House of
Representatives