

ENROLLED SENATE  
BILL NO. 142

BY: TAYLOR and HANEY of the  
SENATE

and

HAMILTON (James) and  
STEIDLEY of the HOUSE

AN ACT RELATING TO STATE CULTURAL ENTITIES;  
PROVIDING FOR CERTAIN APPROPRIATIONS TO THE  
STATE ARTS COUNCIL; STATING PURPOSE; PROVIDING  
FOR DUTIES AND COMPENSATION OF EMPLOYEES;  
LIMITING SALARY OF THE CHIEF ADMINISTRATIVE  
OFFICER; PROVIDING BUDGETARY LIMITATIONS;  
PROVIDING FOR CERTAIN MAXIMUM EXPENDITURE  
LIMITS; PROVIDING FOR CERTAIN APPROPRIATIONS TO  
OKLAHOMA DEPARTMENT OF LIBRARIES; STATING  
PURPOSES; PROVIDING FOR DUTIES AND COMPENSATION  
OF EMPLOYEES; LIMITING THE SALARY OF THE  
EXECUTIVE DIRECTOR; PROVIDING BUDGETARY  
LIMITATIONS; PROVIDING FOR CERTAIN MAXIMUM  
EXPENDITURE LIMITS; MAKING AN APPROPRIATION TO  
THE WILL ROGERS MEMORIAL COMMISSION; STATING  
PURPOSE FOR CERTAIN APPROPRIATIONS TO WILL  
ROGERS MEMORIAL COMMISSION; PROVIDING FOR DUTIES  
AND COMPENSATION OF EMPLOYEES; PROVIDING  
BUDGETARY LIMITATIONS; GRANTING AUTHORITY TO  
ENTER INTO CERTAIN LEASE-PURCHASE AGREEMENTS;  
MAKING AN APPROPRIATION TO THE J.M. DAVIS  
MEMORIAL COMMISSION; STATING PURPOSES FOR  
CERTAIN APPROPRIATIONS TO J.M. DAVIS MEMORIAL  
COMMISSION; PROVIDING FOR DUTIES AND  
COMPENSATION OF EMPLOYEES; LIMITING THE SALARY  
OF THE CHIEF ADMINISTRATIVE OFFICER; PROVIDING  
BUDGETARY LIMITATIONS; MAKING AN APPROPRIATION  
TO THE OKLAHOMA HISTORICAL SOCIETY; STATING  
PURPOSE; PROVIDING FOR DUTIES AND COMPENSATION  
OF EMPLOYEES; LIMITING THE SALARY OF THE  
DIRECTOR; PROVIDING BUDGETARY LIMITATIONS;  
MAKING AN APPROPRIATION TO THE OKLAHOMA TOURISM  
AND RECREATION DEPARTMENT; STATING PURPOSE;  
SPECIFYING CERTAIN EXPENDITURE LIMITATIONS AND  
CATEGORIES; PROVIDING FOR DUTIES AND  
COMPENSATION OF EMPLOYEES; REAPPROPRIATING AND  
REDESIGNATING CERTAIN FUNDS FOR MATCHING CERTAIN  
FEDERAL FUNDS AND PROVIDING FOR UNENCUMBERED  
BALANCES; REAPPROPRIATING AND REDESIGNATING  
CERTAIN FUNDS FOR MATCHING CERTAIN GRANT FUNDS  
AND PROVIDING FOR ENCUMBERED EXPENDITURES;  
LIMITING THE COMPENSATION FOR CERTAIN  
UNCLASSIFIED EMPLOYEE POSITIONS; PROVIDING  
BUDGETARY LIMITATIONS; STATING REQUIREMENTS FOR  
CLOSING STATE PARKS FOR PART OF THE YEAR;  
REQUIRING CERTAIN USE OF CERTAIN EXCESS FUNDS;

ESTABLISHING A FORMULA FOR THE PARKS CAPITAL IMPROVEMENT FUND; PROVIDING FOR DIVISION OF EXCESS REVENUE; MAKING AN APPROPRIATION TO THE OKLAHOMA EDUCATIONAL TELEVISION AUTHORITY; STATING PURPOSE; PROVIDING FOR DUTIES AND COMPENSATION OF EMPLOYEES; LIMITING SALARY OF THE DIRECTOR; PROVIDING BUDGETARY LIMITATIONS; PROVIDING AN EFFECTIVE DATE; AND DECLARING AN EMERGENCY.

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

STATE ARTS COUNCIL

SECTION 1. The amount appropriated in Section 1 of Enrolled House Bill No. 2420 of the 2nd Session of the 43rd Oklahoma Legislature or so much thereof as may be necessary shall be expended as follows to perform the duties imposed upon the State Arts Council by law:

Personal Services	\$484,404.00
Artists in Communities	57,211.00
Artists in Residence	198,450.00
Community Arts Programs	2,588,381.00
Other Operating Expenses	<u>116,626.00</u>
TOTAL	\$3,445,072.00

SECTION 2. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the State Arts Council by law shall be set by the Council. The salary of the Chief Administrative Officer shall not exceed Forty-one Thousand Eight Hundred Twenty Dollars (\$41,820.00) per annum, payable monthly for the fiscal year ending June 30, 1993. The State Arts Council for the fiscal year ending June 30, 1993, 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>
Full-time-equivalent Employees	17.0
Payroll, Salaries or Wages, Including Tax-sheltered Deferral Contracts and Longevity Payments Authorized by State Statutes	\$465,310.00
Professional and Personal Services Contracts	\$35,246.00
Purchase of Equipment	\$30,000.00
Lease-Purchase Agreements	\$480.00
Expenditure of Federal Funds	\$1,069,300.00
Total Expenditures for Operations	\$4,526,872.00

OKLAHOMA DEPARTMENT OF LIBRARIES

SECTION 3. There is hereby appropriated to the Oklahoma Department of Libraries from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1991, the sum of Three Hundred Seventy-five Thousand Dollars (\$375,000.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma Department of Libraries by law and for the development of Phase II of the CD-ROM bibliographic data base.

SECTION 4. The amount appropriated in Section 7 of Enrolled House Bill No. 2420 of the 2nd Session of the 43rd Oklahoma Legislature or so much thereof as may be necessary shall be expended as follows to perform the duties imposed upon the Oklahoma Department of Libraries by law:

Personal Services	\$2,050,034.00
General Operations	494,534.00
Books, Periodicals, Newspapers, and Audiovisual Materials	449,000.00
Development and Expansion of Public Library Services	<u>1,710,000.00</u>
TOTAL	\$4,703,923.00

SECTION 5. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Oklahoma Department of Libraries by law shall be set by the Director. The salary of the Director shall not exceed Forty-nine Thousand Seven Hundred Forty Dollars (\$49,740.00) per annum, payable monthly for the fiscal year ending June 30, 1993. The Oklahoma Department of Libraries for the fiscal year ending June 30, 1993, 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>
Full-time-equivalent Employees	85.0
Payroll, Salaries or Wages, Including Tax-sheltered Deferment Contracts and Longevity Payments Authorized by State Statutes	\$2,046,851.00
Professional and Personal Services Contracts	\$10,750.00
Purchase of Equipment, Excluding Expenditures for Books, Periodicals, Newspapers, and Audiovisual Materials	\$99,750.00
Expenditure of Federal Funds	\$2,353,242.00
Total Expenditures for Operations	\$6,966,969.00

#### WILL ROGERS MEMORIAL COMMISSION

SECTION 6. The amount appropriated in Section 14 of Enrolled House Bill No. 2420 of the 2nd Session of the 43rd Oklahoma Legislature or so much thereof as may be necessary shall be expended as follows to perform the duties imposed upon the Will Rogers Memorial Commission by law:

Personal Services	\$461,481.00
Other Operating Expenses	<u>80,666.00</u>
TOTAL	\$542,147.00

SECTION 7. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Will Rogers Memorial Commission by law shall be set by the Commission. The Will Rogers Memorial Commission for the fiscal year ending June 30, 1993, 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>
Full-time-equivalent Employees	16.5
Payroll, Salaries or Wages, Including Tax-sheltered Deferment Contracts and Longevity Payments Authorized by State Statutes	\$406,895.00
Professional and Personal Services Contracts	\$2,000.00
Lease-Purchase Agreements	\$50,000.00
Purchase of Equipment	\$18,000.00
Expenditure of Revolving Funds	\$125,000.00
Expenditure of Federal Funds	\$0.00
Total Expenditures for Operations	\$667,147.00

SECTION 8. There is hereby granted to the Will Rogers Memorial Commission the authority to enter into lease-purchase agreements for an environmental system and two (2) maintenance vehicles. Such lease-purchase agreements shall not exceed five (5) years.

J.M. DAVIS MEMORIAL COMMISSION

SECTION 9. The amount appropriated in Section 6 of Enrolled House Bill No. 2420 of the 2nd Session of the 43rd Oklahoma Legislature or so much thereof as may be necessary shall be expended as follows to perform the duties imposed upon the J.M. Davis Memorial Commission by law:

Personal Services	\$268,871.00
Other Operating Expenses	<u>105,483.00</u>
TOTAL	\$374,354.00

SECTION 10. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the J.M. Davis Memorial Commission by law shall be set by the Commission. The salary of the Chief Administrative Officer shall not exceed Thirty-eight Thousand Four Hundred Eight Dollars (\$38,408.00) per annum, payable monthly for the fiscal year ending June 30, 1993. The J.M. Davis Memorial Commission for the fiscal year ending June 30, 1993, 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>
Full-time-equivalent Employees	10.5

Payroll, Salaries or Wages, Including Tax-sheltered Deferment Contracts and Longevity Payments Authorized by State Statutes	\$205,761.00
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Professional and Personal Services Contracts	\$0.00
Lease-Purchase Agreements	\$0.00
Purchase of Equipment	\$30,000.00
Expenditure of Federal Funds	\$0.00
Total Expenditures for Operations	\$452,613.00

OKLAHOMA HISTORICAL SOCIETY

SECTION 11. There is hereby appropriated to the Oklahoma Historical Society from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1991, the sum of Four Hundred Seventy-nine Thousand Dollars (\$479,000.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma Historical Society by law.

SECTION 12. The amounts appropriated in Section 5 of Enrolled House Bill No. 2420 of the 2nd Session of the 43rd Oklahoma Legislature and Section 11 of this act shall be expended as follows to perform the duties imposed upon the Oklahoma Historical Society by law:

General Administration		
Personal Services	\$1,269,907.00	
Other Operating Expenses	<u>133,570.00</u>	
Subtotal		\$1,403,477.00
Sites and Museums		
Personal Services	\$2,675,187.00	
Other Operating Expenses	<u>1,101,239.00</u>	
Subtotal		\$3,776,426.00
Historic Preservation Survey and Planning		
Personal Services	\$111,189.00	
Other Operating Expenses	<u>9,544.00</u>	
Subtotal		<u>\$120,733.00</u>
TOTAL		\$5,300,636.00

SECTION 13. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Oklahoma Historical Society by law shall be set by the Director. The salary of the Director shall not exceed Forty-nine Thousand Eight Hundred Twenty Dollars (\$49,820.00) per annum, payable monthly for the fiscal year ending June 30, 1993. The Oklahoma Historical Society for the fiscal year ending June 30, 1993, 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>
Full-time-equivalent Employees	
Excluding Seasonal Employees	15.3

Payroll, Salaries or Wages, Including Tax-sheltered Deferment  
Contracts and Longevity Payments Authorized by State Statutes  
\$3,418,342.00

Professional and Personal Services Contracts	\$120,000.00
Lease-Purchase Agreements	\$25,000.00
Purchase of Equipment	\$145,500.00
Expenditure of Revolving Funds	\$450,000.00
Expenditure of Federal Funds	\$550,000.00
Total Expenditures for Operations	\$6,300,636.00

OKLAHOMA TOURISM AND RECREATION DEPARTMENT

SECTION 14. 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, 1991, the sum of Four Hundred Eighty-five Thousand Four Hundred Ninety-five Dollars (\$485,495.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma Tourism and Recreation Department by law.

SECTION 15. The funds appropriated by Section 15 of this act and by Section 83 of Enrolled House Bill No. 2420 of the 2nd Session of the 43rd Oklahoma Legislature shall be expended in the following categories and amounts:

Division of Administration	\$1,609,605.00
Data Processing	
Expenses of personal services, rent and purchase of equipment, supplies and other operating expenses of data processing	
645,756.00	
Division of Parks	14,344,477.00
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	1,348,167.00
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	1,646,046.00
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 764,745.00

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  
276,220.00

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	44,000.00
Shakespearean Festival	30,000.00
TOTAL	<u>\$24,253,698.00</u>

SECTION 16. REAPPROPRIATION AND REDESIGNATION 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 2, 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, and by Section 12, Chapter 303, O.S.L. 1991, is hereby reappropriated and redesignated for providing the state match to federal Bureau of Reclamation Matching Fund Program funds. If on the date this act is approved, any of the amount originally appropriated, as adjusted by expenditures, encumbrances and transfers, results in an unencumbered balance less than the redesignated amounts, that redesignated amount is reduced to the unencumbered balance.

SECTION 17. REAPPROPRIATION AND REDESIGNATION The sum of Thirty Thousand Dollars (\$30,000.00) allocated by Section 130, Chapter 329, O.S.L. 1991, of the appropriation of Fourteen Million Twelve Thousand Nine Hundred Sixty-three Dollars (\$14,012,963.00) made to the Oklahoma Department of Commerce by Section 129, Chapter 329, O.S.L. 1991, from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1992, for the purpose of an industrial airpark economic development study is hereby reappropriated to the Oklahoma Department of Tourism and Recreation and redesignated for the purpose of matching funds for any grant awarded to South Western Oklahoma Development Authority for the purposes of an industrial airpark economic development study, as adjusted by transfer, less any amount that has been expended upon the effective date of this act.

SECTION 18. 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, 1993, 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	825.5
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	\$443,495.00
Lease-Purchase Agreements	\$327,388.00
Purchase of Equipment	\$2,240,516.00
Expenditure of Revolving Funds	\$21,000,000.00
Expenditure of Federal Funds	\$2,265,000.00
Total Expenditures for Operations	\$47,518,698.00

SECTION 19. 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, 1993, 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 20. Effective July 1, 1992, 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 21. 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 22. 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 23. 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.

OKLAHOMA EDUCATIONAL TELEVISION AUTHORITY

SECTION 24. There is hereby appropriated to the Oklahoma Educational Television Authority from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1993, the sum of One Hundred Seventy Thousand Dollars (\$170,000.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma Educational Television Authority by law.

SECTION 25. The amounts appropriated in Section 3 of Enrolled House Bill No. 2420 of the 2nd Session of the 43rd Oklahoma Legislature and Section 24 of this act shall be expended as follows to perform the duties imposed upon the Oklahoma Educational Television Authority by law:

Personal Services	\$2,443,627.00
Other Operating Expenses	<u>479,608.00</u>
TOTAL	\$2,923,235.00

SECTION 26. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Oklahoma Educational Television Authority by law shall be set by the Director. The salary of the Director shall not exceed Fifty-one Thousand Eight Hundred Twenty Dollars (\$51,820.00) per annum, payable monthly for the fiscal year ending June 30, 1993. The Oklahoma Educational Television Authority for the fiscal year ending June 30, 1993, 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>
Full-time-equivalent Employees	78
Payroll, Salaries or Wages, Including Tax-sheltered Deferment Contracts and Longevity Payments Authorized by State Statutes	\$2,028,845.00
Professional and Personal Services Contracts	\$47,500.00
Lease-Purchase Agreements	\$47,500.00
Purchase of Equipment	\$193,819.00
Expenditure of Federal Funds	\$41,500.00
Total Expenditures for Operations	\$3,323,235.00

SECTION 27. This act shall become effective July 1, 1992.

SECTION 28. 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 21st day of May, 1992.

President of the Senate

Passed the House of Representatives the 22d day of May, 1992.

Speaker of the House of Representatives