

ENGROSSED HOUSE AMENDMENT
TO
ENGROSSED SENATE BILL NO. 538

By: Kerr, Capps, Littlefield
and Herbert of the
Senate

and

Beutler of the House

(tourism and recreation - amending 74 O.S. - revenue bonds
- capital projects - revise certain charges - Credit
Enhancement Revenue Fund - obligations - sale of lodge
facilities - state-of-the-art traveler information
centers - statutory references - codification -
emergency)

AUTHORS: Add the following House Coauthors: Anthony, Askins,
Benson, Bonny, Johnson, Langmacher, McCorkell, Voskuhl and
Widener

AMENDMENT NO. 1. Strike the stricken title, enacting clause and
entire bill and insert

"(tourism and recreation - amending 74 O.S. - revenue
bonds - capital projects - revise certain charges -
Credit Enhancement Revenue Fund - obligations - sale of
lodge facilities - state-of-the-art traveler information
centers - statutory references - codification -
emergency)

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1861.4 of Title 74, unless there is created a duplication in numbering, reads as follows:

A. Notwithstanding any other provision of law, the Oklahoma Tourism and Recreation Commission shall have the power and is authorized to issue revenue bonds not to exceed Ten Million Dollars (\$10,000,000.00) pursuant to subsections B, C, D and E of Section 1861 of Title 74 of the Oklahoma Statutes for the purpose of constructing only the following capital projects at the prescribed costs:

<u>PARK</u>	<u>AMOUNT</u>
Quartz Mountain Resort Park	
Lodge - 100 Rooms with banquet facilities, meeting rooms and indoor pool	\$10,000,000.00
Tourist Information Center	
Thackerville, Oklahoma	<u>1,000,000.00</u>
TOTAL	\$11,000,000.00

B. The Commission may revise such charges directly associated with such improvements from time to time whenever necessary to assure that such are sufficient to pay the principal of and interest on such bonds. All revenues generated pursuant to the provisions of this section shall be placed in the 1995 Tourism Bond Revolving Account. If deemed advantageous to the issuance of revenue bonds, the Commission is hereby authorized to make application to the Oklahoma Development Finance Authority for participation in the Credit Enhancement Reserve Fund.

C. The revenue bonds being issued by the Oklahoma Tourism and Recreation Commission pursuant to this section shall not be general obligation bonds and shall not be an indebtedness to the State of Oklahoma. The Oklahoma Legislature shall not be obligated to appropriate funds for the repayment of the bonds issued pursuant to

this section and shall be under no obligation to pay either the principal or the interest on such bonds. The bonds issued pursuant to this section may be issued on a parity with other bonds of the Commission, but shall be limited and special obligations of the Oklahoma Tourism and Recreation Commission. The Commission shall pledge, to the payment of the interest on the principal and the principal of such bonds, all or any part of the revenues derived from the operation of the parks controlled and operated by the Commission. Neither the faith and credit nor the taxing power of the State of Oklahoma or any political subdivision thereof is obligated to pay the principal of or the interest on the revenue bonds.

D. If any of the lodge facilities involved are sold to private entities, at any time in the future, prior to the payment of the bonds issued by virtue of this act, the amount received shall first be used to pay any unredeemed bonds for such facilities.

SECTION 2. AMENDATORY 74 O.S. 1991, Section 1813, is amended to read as follows:

Section 1813. A. The Division of Travel and Tourism shall:

1. Encourage the orderly growth and development of tourism to and within the state by preparing and maintaining a comprehensive five-year travel development master plan and supporting marketing plan jointly with the private sector.

2. Organize, coordinate and conduct state, regional, national and international marketing programs to create and perpetuate a responsible and accurate image of the state and its natural, cultural, historical, recreational attractions and events in order to increase the number of domestic and international travelers to Oklahoma.

3. Advise and provide technical assistance to the planning, development and execution of promotional programs for Oklahoma's city, county and regional tourism promotion organizations with the

purpose of coordinating those programs with the Division's promotional programs.

4. Create, develop, produce, distribute, implement and evaluate public information programs, including publicity, brochures, public relations activities, film and slide production, still and audio visual photography, public service programs, advertising and other informational aids for the promotion of tourism to the general public and the media.

5. Cooperate and participate with neighboring states and the federal government to promote travel to the regional states from domestic and international markets.

6. Coordinate, advise and provide technical assistance to cities, counties and regional organizations in the promotion and solicitation of group meetings, conferences and conventions to be held within the state.

7. Develop timely research data to measure traveler volume and economic impact, determine traveler profiles, evaluate and analyze market and advertising effectiveness.

8. Plan, coordinate and conduct statewide conferences, seminars and workshops to inform and educate representatives from the state's public and private sector regarding programs and travel trends which affect the tourism industry.

9. Plan, construct, lease, operate and maintain state-of-the-art traveler information centers and a central fulfillment warehouse for the purpose of distributing information on the state's tourism facilities, services and opportunities. The state-of-the-art traveler information centers shall include, when feasible and necessary to effectuate the provisions of subsection C of Section 1863 of this title, restaurant or concession areas, recreational vehicle utility hook-ups and overnight parking areas, multimedia information displays, telecommunications centers, and such other technological accouterments necessary to aid the traveler in

obtaining up-to-date hotel and motel reservation information, weather and road conditions, route information, and community and state, public or private tourist attraction and event information.

10. Provide organization and coordination assistance to public and private tourism promotion organizations for participation in cooperative advertising and promotion opportunities with the Division, including travel trade marketplaces, consumer sport, travel and recreation shows within and outside the state.

11. Administer matching grant programs to multicounty organizations which promote travel and tourism to their area of the state that are in concert and coordinated with the statewide travel Marketing Plan.

12. Develop, produce and publish the Oklahoma Today magazine for the purpose of promoting the state's image in order to stimulate travel; promote the sale of the magazine and its services; and to develop, produce, promote and sell ancillary products.

13. Assist other Divisions within the Department and, where possible, assist other state agencies with special tourism promotion projects, development of professional training opportunities and other projects which provide services to travelers.

14. Issue tour bus permits in this state as provided in ~~Sections~~ Section 1171 ~~and 1172~~ of Title 47 of the Oklahoma Statutes.

B. The Division may facilitate travel to and within the state by encouraging development of a tourism industry infrastructure which provides investment incentives to tourism businesses and tourism product development.

C. The Division may contract with professionally qualified companies and/or individuals for services to assist in the development and production of advertising, promotion, publicity and public relations programs, primary and secondary research data collection including analysis of state travel marketing programs and economic impact information.

D. The Division may obligate and expend funds for marketing, advertising, promotion, research and information disseminating activities in accordance with the laws of this state governing such activities.

SECTION 3. AMENDATORY 74 O.S. 1991, Section 1863, is amended to read as follows:

Section 1863. A. The Commission shall prescribe and collect reasonable rates, fees, tolls or charges for the services, facilities and commodities rendered by all property of the Commission, the revenues a portion of which may be pledged to the payment of bonds issued hereunder, and shall revise such rates, fees, tolls or charges from time to time whenever necessary to ensure that the revenues to be derived therefrom shall be fully sufficient to pay principal of and interest on such bonds. The Commission shall have no authority to assess entrance fees nor any other fees not authorized by the Legislature. The gross revenues derived by the Commission from the operation of any part or parts of the properties of the Commission, but no revenues derived by the Commission through legislative appropriation or from sources other than operation of the properties of the Commission, may be pledged to the payment of such principal and interest.

B. The Commission is hereby authorized to construct improvements in several parks and authorize the issuance of one issue of bonds for all such improvements, and to pledge for the payment of such bonds and the interest thereon, revenues derived by the Commission from the operation of any or all of the parks for the construction of improvements in which any such consolidated bond issue has been authorized.

C. The Commission is further authorized to construct state-of-the-art traveler information centers on or near interstate highways, including but not limited to entry points near the state's borders and major metropolitan areas, and authorize the issuance of one

issue of bonds for all such construction projects, and to pledge for the payment of such bonds and the interest thereon, revenues derived by the Commission from the lease or operation of any or all of the information centers, for the construction of the information centers in which any such consolidation bond issue has been authorized.

D. Any revenues which may be received by the Commission for the use of such buildings or improvements, in whole or in part, shall be regarded as all other revenues of the Commission and shall be subject to be pledged to the payment of bonds issued hereunder. Each bond shall recite in substance that such bond and the interest thereon is payable solely from the revenues pledged to the payment thereof, and that such bond does not constitute a debt of the Commission or of the ~~State of Oklahoma~~ state within the meaning of any constitutional or statutory limitation.

SECTION 4. 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 House of Representatives the 16th day of March, 1995.

Speaker of the House of Representatives

Passed the Senate the ____ day of _____, 1995.

President of the Senate