

STATE OF OKLAHOMA

2nd Session of the 45th Legislature (1996)

CONFERENCE COMMITTEE SUBSTITUTE

FOR ENGROSSED

SENATE BILL NO. 816

By: Haney and Hobson of the
Senate

and

Hamilton and Steidley of
the House

CONFERENCE COMMITTEE SUBSTITUTE

An Act relating to cultural development entities; making an appropriation to the State Arts Council; stating purpose; requiring expenditures of certain funds in certain categories and amounts; providing for duties and compensation of employees; limiting the salary of the Chief Administrative Officer; providing budgetary limitations; making an appropriation to the Oklahoma Tourism and Recreation Department; stating purpose; requiring expenditures of certain funds in certain categories and amounts; providing for duties and compensation of employees; providing budgetary limitations; stating maximum compensation for certain unclassified employee positions; prohibiting the closing of state parks without legislative approval; providing exception; authorizing the establishment of certain internship program in the area of tourism management; providing for reappropriation and redesignation; authorizing expenditure of funds under certain circumstances; making an appropriation to the Oklahoma Educational Television Authority; stating purpose; requiring expenditures of certain funds in certain categories and amounts; providing for duties and compensation of employees; limiting the salary of the Director; providing budgetary limitations; prohibiting certain budgeting of funds; authorizing budgeting of certain funds under certain conditions; and providing an effective date.

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

STATE ARTS COUNCIL

SECTION 1. There is hereby appropriated to the State Arts Council, from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1997, the sum of Three Hundred Forty-one Thousand

Sixty-five Dollars (\$341,065.00) or so much thereof as may be necessary to perform the duties imposed upon the State Arts Council by law.

SECTION 2. For the fiscal year ending June 30, 1997, the State Arts Council shall budget all funds in the following categories and amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
Public/Private Partnerships		
for Community Programs	\$2,991,845.00	\$3,668,845.00
Learning and the Arts	<u>385,257.00</u>	<u>1,023,757.00</u>
TOTAL	\$3,377,102.00	\$4,692,602.00

SECTION 3. 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-five Thousand Nine Hundred Eleven Dollars (\$45,911.00) per annum, payable monthly for the fiscal year ending June 30, 1997. The State Arts Council for the fiscal year ending June 30, 1997, shall be subject to the following budgetary limitations on full-time-equivalent employees 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
Lease-Purchase Agreements	\$2,712.00

OKLAHOMA TOURISM AND RECREATION DEPARTMENT

SECTION 4. 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, 1997, the sum of One Million Eighty-nine Thousand Six Hundred Fifteen Dollars (\$1,089,615.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma Tourism and Recreation Department by law.

SECTION 5. 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, 1997, the sum of One Hundred Thousand Dollars (\$100,000.00) or so much thereof as may be necessary for expenses related to moving due to asbestos abatement.

SECTION 6. 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, 1997, the sum of Two Hundred Fifty Thousand Dollars (\$250,000.00) or so much thereof as may be necessary for reproduction of tourism promotion materials.

SECTION 7. 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, 1997, the sum of Two Hundred Thousand Dollars (\$200,000.00) or so much thereof as may be necessary for the Travelers Response Information Program.

SECTION 8. 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, 1995, the sum of Three Hundred Fifty Thousand Dollars (\$350,000.00) or so much thereof as may be necessary for the operation, maintenance and construction of Welcome Centers.

SECTION 9. 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, 1997, the sum of Three Hundred Thirty-six Thousand Five Hundred Dollars (\$336,500.00) or so much thereof as may be necessary for planning and development of infrastructures and promotional activities.

SECTION 10. 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, 1997, the sum of Sixty-three

Thousand Dollars (\$63,000.00) or so much thereof as may be necessary for the Scenic Rivers Commission.

SECTION 11. 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, 1997, the sum of Two Hundred Thousand Dollars (\$200,000.00) or so much thereof as may be necessary for the multicounty tourism promotion match program.

SECTION 12. 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, 1995, the sum of One Million Five Hundred Sixty-three Thousand Eleven Dollars (\$1,563,011.00) or so much thereof as may be necessary for the indebtedness of the Oklahoma Tourism and Recreation Department to the Oklahoma Capitol Improvement Authority.

SECTION 13. For the fiscal year ending June 30, 1997, the Oklahoma Tourism and Recreation Department shall budget all funds in the following categories and amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
Administration	\$ 2,601,010.00	\$ 2,745,510.00
Division of State Parks	13,236,874.00	22,261,874.00
Golf Courses	827,567.00	5,185,067.00
Division of Planning and Development	1,143,572.00	1,966,072.00
Division of State Resorts	1,956,034.00	11,771,034.00
Division of Travel and Tourism	2,173,200.00	5,894,005.00
Film Office	131,212.00	250,000.00
Division of Human Resources	463,060.00	483,060.00
Welcome Centers	1,376,645.00	1,467,045.00
Oklahoma Today Magazine	239,374.00	1,549,374.00
Multicounty Organizations	947,288.00	952,288.00
Scenic Rivers Commission	340,818.00	464,318.00
TRIP	200,000.00	650,000.00
Tsa-La-Gi "Theme" Park	37,575.00	37,575.00

National Indian Arts and Crafts Promotion	30,000.00	30,000.00
Summer Arts Institute	39,600.00	39,600.00
Western Plains Indian Promotion	44,000.00	44,000.00
Jazz Hall of Fame	125,000.00	125,000.00
Shakespearean Festival	<u>30,000.00</u>	<u>30,000.00</u>
TOTAL	\$25,942,829.00	\$55,945,822.00

SECTION 14. 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, 1997, 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	775.0
Lease-Purchase Agreements	\$1,863,011.00

SECTION 15. 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, 1997, shall be subject to the following maximum salaries paid per annum:

<u>Position</u>	<u>Maximum</u>
Executive Director	\$65,442.00
Executive Assistant	\$47,316.00
Deputy Director	\$55,991.00
Administrative Services	
Division Director	\$53,891.00
Administrative Services Division	
Assistant Director	\$44,442.00
Park Division Director	\$53,891.00

Park Division Assistant Directors	\$44,442.00
Travel and Tourism Division Director	\$53,891.00
Travel and Tourism Division	
Assistant Director	\$44,442.00
Resort Division Director	\$53,891.00
Resort Division Assistant Director	\$44,442.00
Oklahoma Today Magazine Division	
Director	\$53,891.00
Oklahoma Today Magazine Division	
Assistant Director	\$44,442.00
Planning and Development Division	
Director	\$53,891.00
Planning and Development Division	
Assistant Director	\$44,442.00
Human Resources Division Director	\$53,891.00
Human Resources Division Assistant	
Director	\$44,442.00

SECTION 16. 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 17. The Oklahoma State Regents for Higher Education are authorized to establish an internship program in conjunction with the Oklahoma Tourism and Recreation Department 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 18. REAPPROPRIATION AND REDESIGNATION The amount of Two Hundred Twelve Thousand Four Hundred Fourteen Dollars (\$212,414.00) of the original appropriation of Three Hundred Eighty-eight Thousand Dollars (\$388,000.00), appropriated to the Oklahoma Tourism and Recreation Department by Section 54, Chapter 320, O.S.L. 1988, from any monies not otherwise appropriated from the Special Cash Fund of the State Treasury for the fiscal year ending June 30, 1989, for the purpose of matching

federal funds appropriated by the 1988 Energy and Water Development Appropriations Bill to construct a Water Resource and Tourism Information Center for the Red and Arkansas River Basins, is hereby reappropriated and redesignated for the purpose of completing construction of the conference center at Robbers Cave State Park. 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 amount, that redesignated amount is reduced to the unencumbered balance.

SECTION 19. The Oklahoma Tourism and Recreation Department is authorized to expend the following funds in the following categories pursuant to the availability of funds:

<u>Category</u>	<u>Appropriation</u>
Construct and furnish a banquet facility to accommodate 400 people in a dinner setting	\$1,410,200.00
Additional Parking	386,750.00
Improvements to the water supply due to construction demands	180,000.00
Low Water Dam to retain water and/or a bridge	<u>550,400.00</u>
TOTAL	\$2,527,350.00

OKLAHOMA EDUCATIONAL TELEVISION AUTHORITY

SECTION 20. 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, 1997, the sum of Ninety-five Thousand Nine Hundred Ninety-four Dollars (\$95,994.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma Educational Television Authority by law.

SECTION 21. For the fiscal year ending June 30, 1997, the Oklahoma Educational Television Authority shall budget all funds in the following categories and amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
Programming	\$ 934,705.00	\$1,101,936.00

Technical Services	1,033,073.00	1,418,829.00
Administration	<u>550,583.00</u>	<u>683,121.00</u>
TOTAL	\$2,518,361.00	\$3,203,886.00

SECTION 22. 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-five Thousand One Hundred Sixteen Dollars (\$55,116.00) per annum, payable monthly for the fiscal year ending June 30, 1997. The Oklahoma Educational Television Authority for the fiscal year ending June 30, 1997, shall be subject to the following budgetary limitations on full-time-equivalent employees 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	78.0
Lease-Purchase Agreements	\$0.00

SECTION 23. Appropriations made by this act to agencies for the operations of state government may be budgeted for the fiscal year ending June 30, 1997 (hereafter FY-97) or may be budgeted for the fiscal year ending June 30, 1998 (hereafter FY-98). Funds budgeted for FY-97 may be encumbered only through June 30, 1997, and must be expended by November 15, 1997. Any funds remaining after November 15, 1997, and not budgeted for FY-98, shall lapse to the credit of the proper fund for the then current fiscal year. Funds budgeted for FY-98 may be encumbered only through June 30, 1998. Any funds remaining after November 15, 1998, shall lapse to the credit of the proper fund for the then current fiscal year. These appropriations may not be budgeted in both fiscal years simultaneously. Funds budgeted in FY-97, and not required to pay obligations for that fiscal year, may be budgeted for FY-98, after the agencies have prepared and submitted a budget work program revision removing these funds from the FY-97 budget work program and after such revision has been approved by the Office of State Finance.

SECTION 24. This act shall become effective September 1,
1996.

45-2-2819 SDB