

ENROLLED HOUSE  
BILL NO. 2084

By: Hutchison of the House

and

Herbert of the Senate

An Act relating to tourism; amending 74 O.S. 1991, Sections 1834 and 1813.3, as amended by Section 5, Chapter 368, O.S.L. 1992 (74 O.S. Supp. 1995, Section 1813.3), which relate to promotion of tourism and sales of advertising; expanding certain authorization for promotion of tourism; modifying certain powers and duties of certain division directors; exempting certain sales and negotiation of rates from the Oklahoma Central Purchasing Act and the Administrative Procedures Act; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY 74 O.S. 1991, Section 1834, is amended to read as follows:

Section 1834. Authorization is given for the Oklahoma Tourism and Recreation Commission and the Oklahoma Tourism and Recreation Department staff and designated employees to promote the state-owned or state-leased and Department-operated facilities. Furthermore, specific promotion programs such as complimentary rooms, package rate plans, group rates, guest incentive sales programs, entertainment of prospective guests, employee information programs, as well as other sales and promotion programs considered acceptable in the hospitality industry, in the travel industry, or the regional magazine industry are approved as necessary advertising and promotion expenses.

SECTION 2. AMENDATORY 74 O.S. 1991, Section 1813.3, as amended by Section 5, Chapter 368, O.S.L. 1992 (74 O.S. Supp. 1995, Section 1813.3), is amended to read as follows:

Section 1813.3 A. The Oklahoma Today magazine is hereby authorized to sell advertising, provided that all such advertising shall be approved by the ~~magazine Publisher~~ appropriate division director prior to acceptance for publication.

B. One additional full-time-equivalent position is authorized to Oklahoma Today magazine for the purpose of managing the advertising program authorized by this section.

C. In addition to the regular salary, any unclassified sales representative or advertising manager ~~of Oklahoma Today magazine~~ of the Oklahoma Department of Tourism and Recreation who is responsible for obtaining advertising ~~for Oklahoma Today magazine~~, at the discretion of the Director of the Oklahoma Department of Tourism and Recreation, may be awarded additional compensation of not more than Twenty-four Thousand Dollars (\$24,000.00) a year based upon a commission on net advertising sales by said employee of not more than twelve percent (12%), with both the dollar amount and the commission percentage to be determined annually. This commission

payment shall be paid quarterly, based on collected revenues from sales by said employee. The total gross salary and commission for said employee shall not exceed the gross salary of the ~~Publisher of Oklahoma Today magazine~~ appropriate division director.

D. The sale of advertising and negotiation of rates for the advertising shall not be subject to the Public Competitive Bidding Act of 1974 and the Administrative Procedures Act.

SECTION 3. Nothing in this act shall authorize the acquisition of land or buildings.

SECTION 4. This act shall become effective July 1, 1996.

SECTION 5. 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 17th day of April, 1996.

Speaker of the House of  
Representatives

Passed the Senate the 3rd day of April, 1996.

President of the Senate