

ENROLLED HOUSE  
BILL NO. 2647

By: Mitchell of the House

and

Herbert of the Senate

An Act relating to state capital and capitol buildings; amending Sections 1 and 2, Chapter 334, O.S.L. 1995 (73 O.S. Supp. 1995, Sections 178 and 179), which relate to the Oklahoma Tourism and Recreation Department and the Oklahoma Capitol Improvement Authority; expanding the use of certain project cost allocations; specifying certain condition; expanding purposes for which the 1995 Tourism Bond Revolving Fund may be budgeted and expended; expanding content of certain required report; creating the Quartz Mountain Revolving Fund; providing for deposits into and expenditures from such fund; stating purposes; providing for procedures related to such fund; requiring certain proceeds, settlements and payments related to certain fire losses be deposited into such fund; requiring certain investments for certain purposes; amending 62 O.S. 1991, Section 203, as last amended by Section 9, Chapter 329, O.S.L. 1994 (62 O.S. Supp. 1995, Section 203), which relates to monies apportioned and credited to the General Revenue Fund; providing for additional exception; amending 53 O.S. 1991, Sections 163, 171 and 172, 68 O.S. 1991, Section 50015, as last amended by Section 3, Chapter 296, O.S.L. 1995 (68 O.S. Supp. 1995, Section 50015), 70 O.S. 1991, Section 1210.561, as amended by Section 3, Chapter 248, O.S.L. 1992, and Section 62, Chapter 290, O.S.L. 1994 (70 O.S. Supp. 1995, Sections 1210.561 and 1210.563), and 74 O.S. 1991, Sections 1201, as last amended by Section 1, Chapter 56, O.S.L. 1995, Section 4, Chapter 388, O.S.L. 1994, 1891 and 4103 (74 O.S. Supp. 1995, Sections 1201 and 1226.2), which relate to the State Arts Council of Oklahoma; changing name to the Oklahoma Arts Council; specifying legal effect of name change; specifying effect of name change on certain supplies; defining term; providing for codification; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY Section 1, Chapter 334, O.S.L. 1995 (73 O.S. Supp. 1995, Section 178), is amended to read as follows:

Section 178. A. The Oklahoma Capitol Improvement Authority shall provide for the funding for repairs, refurbishments and

improvements to Oklahoma Tourism and Recreation Department properties and facilities, and may hold title to or a leasehold interest in the facilities until such time as the indebtedness created pursuant to this section shall be retired or defeased and shall lease such facilities to the Department. Upon the retirement of the indebtedness created pursuant to this section, the title to the facilities and improvements thereon shall be transferred from the Oklahoma Capitol Improvement Authority to the Oklahoma Tourism and Recreation Department. Project costs are allocated in the following amounts:

<u>PARK</u>	<u>AMOUNT</u>
Langley (below dam)	
9 hole golf course	\$1,285,240.00
Clubhouse/maintenance barn	154,000.00
40 RV sites	132,000.00
RV dump station	8,250.00
Contingency	100,000.00
1 comfort station with shower	60,500.00
Eucha	
Comfort station with shower and sewer system	55,000.00
Disney (below dam)	
40 RV sites	132,000.00
RV dump station	8,250.00
1 comfort station with shower	60,500.00
Dripping Springs - Colcord	
Community Building, RV Rally Area, and sewer system	238,700.00
Dripping Springs - Okmulgee	
Comfort station with showers	60,500.00
25 RV sites	82,500.00
Sewer system	57,200.00
Visitor center/park store	55,000.00
Texoma	
18 hole championship golf course	3,025,000.00
Clubhouse with grill	445,500.00
Roman Nose	
9 hole golf course expansion	767,525.00
Welcome Center	
Thackerville	575,000.00
Welcome Center	
Catoosa	500,000.00
Welcome Center	
Midwest City	500,000.00
Quartz Mountain Resort Park	
Lodge - 100 Rooms with banquet facilities and meeting rooms	<u>3,500,000.00</u>
TOTAL	\$11,802,665.00

B. For the purpose of paying the costs of the projects authorized in subsection A of this section, the Authority is hereby

authorized to borrow monies on the credit of the income and revenues to be derived from the leasing of such projects and, in anticipation of the collection of such income and revenues, to issue negotiable or competitive bonds not to exceed the sum of Twelve Million Six Hundred Eighty-five Thousand Dollars (\$12,685,000.00) as may be determined by the Authority. It is the intent of the Legislature to appropriate to the Oklahoma Tourism and Recreation Department sufficient monies to make rental payments for purposes of retiring the debt created pursuant to this section.

C. The Authority may issue the bonds in one or more series and in conjunction with other issues of the Authority.

D. Insofar as they are not in conflict with the provisions of this section, the provisions of Section 151 et seq. of ~~Title 73 of the Oklahoma Statutes~~ this title shall apply to this section.

E. The Oklahoma Tourism and Recreation Commission may revise such charges directly associated with such improvements from time to time whenever necessary to maximize revenues so as to contribute to the payment of principal of and interest on such bonds. All revenues generated pursuant to the provisions of this section not otherwise committed for other lawful purposes shall be placed in the 1995 Tourism Bond Revolving Fund, as created in Section ~~2~~ 179 of this ~~act~~ title.

F. All interest earned on any reserve funds created by such bonds held by the State Treasurer, as collected, shall be paid into the General Revenue Fund.

G. 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.

H. Provided that the security for these bonds is not adversely affected, certain project cost allocations, as identified in this section, may be used for the following expanded purpose:

Langley - contingency of One Hundred Thousand Dollars (\$100,000.00) may also be used to fund the costs of feasibility studies for proposed golf courses and to develop the Oklahoma International Bluegrass Festival.

SECTION 2. AMENDATORY Section 2, Chapter 334, O.S.L. 1995 (73 O.S. Supp. 1995, Section 179), is amended to read as follows:

Section 179. A. There is hereby created in the State Treasury a revolving fund for the Oklahoma Tourism and Recreation Department, to be designated the "1995 Tourism Bond Revolving Fund". The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of all revenues generated pursuant to the provisions of Section ~~4~~ 178 of this ~~act~~ title, which are not otherwise committed for other lawful purposes. All monies accruing to the credit of the fund are hereby appropriated and may be budgeted and expended by the Oklahoma Tourism and Recreation Department for purposes of retiring the debt created pursuant to Section ~~4~~ 178 of this ~~act~~ title. Expenditures from the 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.

B. Any revenues generated pursuant to Section 178 of this title, and not expended for purposes of meeting the requirements of subsection A of this section, may be expended for paying the operations and maintenance expenses for facilities created pursuant to Section 178 of this title.

C. The Oklahoma Tourism and Recreation Department shall submit an annual report to the President Pro Tempore of the Senate, the

Speaker of the House of Representatives, and the Governor detailing the revenues generated and detailing the operating and maintenance expenses in the previous fiscal year which are attributable to the repairs, refurbishments and improvements to Oklahoma Tourism and Recreation Department properties pursuant to Section ~~4~~ 178 of this ~~act~~ title. Such report shall be submitted before August 1 of each year.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1810.2 of Title 74, unless there is created a duplication in numbering, reads as follows:

There shall be created in the State Treasury a revolving fund to be designated the "Quartz Mountain Revolving Fund". The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of monies designated for the fund by statute, monies the Legislature may appropriate or transfer to the fund and monies the Oklahoma Tourism and Recreation Department may receive from insurance claims for Quartz Mountain for damages resulting from a fire which occurred in February 1995. The Department may transfer to the fund income from investment of the fund. All monies accruing to the credit of the fund are hereby appropriated and may be budgeted and expended by the Oklahoma Tourism and Recreation Department for the purposes of planning, designing, purchasing and constructing replacement and new facilities, which shall include but are not limited to buildings, landscaping, furniture, fixtures and appurtenances, in furtherance of the Quartz Mountain Arts and Conference Center. Expenditures from the 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 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1810.3 of Title 74, unless there is created a duplication in numbering, reads as follows:

A. All proceeds from insurance reimbursements, loss or claim settlements or other related payments made pursuant to the fire losses suffered at the Quartz Mountain Arts and Conference Center property shall be provided to the State Treasurer who shall deposit the proceeds in the Quartz Mountain Revolving Fund established by Section 3 of this act.

B. The State Treasurer shall invest the proceeds in the Quartz Mountain Revolving Fund with advice from the Oklahoma Tourism and Recreation Commission so as to maximize interest earning in the fund while assuring that the money in the fund is available as needed for the purposes identified in Section 3 of this act.

SECTION 5. AMENDATORY 62 O.S. 1991, Section 203, as last amended by Section 9, Chapter 329, O.S.L. 1994 (62 O.S. Supp. 1995, Section 203), is amended to read as follows:

Section 203. A. Except as otherwise provided by subsection B of this section, all monies that may come into the State Treasury, pursuant to the provisions of Section 201 et seq. of this title, together with all amounts that may be received by the State Treasurer as investment income or as interest on average daily bank balances, including investment income or interest on deposits from funds deposited to the credit of the Constitutional Reserve Fund created pursuant to Section 23 of Article 10 of the Oklahoma Constitution, shall be apportioned and credited to the General Revenue Fund for the current year.

B. The provisions of subsection A of this section shall not apply to:

1. Interest received on deposits from funds under the control of the Commissioners of the Land Office;

2. Funds in the Department of Human Services Federal Disallowance Fund;

3. Interest received on deposits from funds under the control of the Santa Claus Commission; ~~and~~

4. The Risk Management Revolving Fund; and

5. Investment income and interest received from funds in the Quartz Mountain Revolving Fund from insurance claims.

SECTION 6. AMENDATORY 53 O.S. 1991, Section 163, is amended to read as follows:

Section 163. The State Arts Council of Oklahoma is hereby re-created and renamed the Oklahoma Arts Council. The Council shall consist of fifteen (15) members appointed by the Governor with the approval of the State Senate. Members shall be individuals who have a real and active interest in the arts and an understanding of the value of these pursuits to our society.

The term of office of each member shall be three (3) years beginning July 1 of the year of appointment, or until a successor has been appointed and qualified for the office. The Governor shall appoint five members on or before July 1 of each year. A vacancy shall be filled for the remainder of the term only. No person may be appointed to the Council for more than two consecutive terms.

The name prescribed by this section shall not affect in any manner whatsoever any legal relationships, bonds, contracts, supervisory authority of the Council, title to property, obligations, or any other phase or aspect of the legal status of the Council for any purpose, except that the Council shall be referred to as the "Oklahoma Arts Council" in all current and future references to the Council.

Supplies, including but not limited to letterheads, which on the effective date of this section carry or are labeled with the name "State Arts Council of Oklahoma" shall be utilized after the effective date of this section until such supplies are depleted. Any new supplies ordered for use after the effective date of this section shall bear the name "Oklahoma Arts Council". For purposes of this section, "supplies" shall not mean signs designating the name of the Council.

SECTION 7. AMENDATORY 53 O.S. 1991, Section 171, is amended to read as follows:

Section 171. The ~~State~~ Oklahoma Arts Council ~~of Oklahoma~~ shall dispense funds for arts purposes only. The ~~State~~ Oklahoma Arts Council ~~of Oklahoma~~ shall enter into contracts with other state agencies or nonprofit corporations holding a valid exemption from taxation issued pursuant to Section 501(a) of the Internal Revenue Code, 1954, and listed as an exempt organization in Section 501(c)(3) of the Internal Revenue Code, 1954, of the United States, as amended. These nonprofit corporations must demonstrate that the goods and services provided meet the intent of the state policy provided in this act.

Funds shall not be applied, donated or used directly or indirectly for the use, benefit or support of any sect, church, denomination or system of religion, or for the use, benefit, or support of any priest, preacher, minister, or other religious teacher or dignitary, or sectarian institution as such.

The ~~State~~ Oklahoma Arts Council ~~of Oklahoma~~ shall provide opportunity, by public notices, to all organizations interested in providing these goods and services, who will submit written applications to be received and acted upon by the Council. At the conclusion of the contract, each state agency or nonprofit corporation shall provide the ~~State~~ Oklahoma Arts Council ~~of Oklahoma~~ with proof of fulfillment of the contract in proper order

and must be affirmed on the proper form, provided by the ~~State Oklahoma~~ Arts Council ~~of Oklahoma~~, by the managing officers of the state agency or nonprofit group making the contract.

SECTION 8. AMENDATORY 53 O.S. 1991, Section 172, is amended to read as follows:

Section 172. Any scholarships awarded pursuant to the Summer Arts Institute scholarship program funded by the ~~State Oklahoma~~ Arts Council shall be given to residents of this state.

SECTION 9. AMENDATORY 68 O.S. 1991, Section 50015, as last amended by Section 3, Chapter 296, O.S.L. 1995 (68 O.S. Supp. 1995, Section 50015), is amended to read as follows:

Section 50015. A. There is hereby created an Oklahoma Tourism Promotion Advisory Committee which shall advise the Oklahoma Tourism and Recreation Department on matters of statewide tourism promotion. The Committee shall consist of thirteen (13) members and one ex officio nonvoting member as follows:

1. Chair of the Senate Tourism Committee, or designee;
2. Chair of the House of Representatives Tourism and Recreation Committee, or designee;
3. President of the Oklahoma Travel Industry Association, or designee;
4. President of the Oklahoma Lakes and Countries Association, or designee;
5. Member of the Oklahoma Tourism and Recreation Commission, selected by the Oklahoma Tourism and Recreation Commission, whose occupation shall be in the tourism industry;
6. President of the Oklahoma Hotel/Motel Association, or designee;
7. President of the Oklahoma Restaurant Association, or designee;
8. Representative of the City Convention and Tourism Bureau or a representative of a municipal chamber of commerce, appointed by the Oklahoma Tourism and Recreation Commission;
9. Director of the ~~State Oklahoma~~ Arts Council ~~of Oklahoma~~, or designee;
10. Representative of the tour operator or travel agent sector, appointed by the Oklahoma Tourism and Recreation Commission;
11. Representative of the transportation sector, including but not limited to, airlines, bus companies, car rental business, appointed by the Oklahoma Tourism and Recreation Commission;
12. Executive Director of the Oklahoma Historical Society, or designee; and
13. Director of the Indian Affairs Commission, or designee.

The Director of the Division of Travel and Tourism of the Oklahoma Tourism and Recreation Department, or designee, shall serve as the ex officio nonvoting member.

B. The initial appointed members shall be appointed on or before January 1, 1988. The term of office of each appointed member shall be for one (1) year and end on December 31 of each year, but all members shall hold office until their successors are appointed.

C. The membership shall annually elect a chair and vice-chair of the Committee, each of whom shall serve for a term of one (1) fiscal year and until their successor is elected, and who shall perform such duties as the Committee directs.

D. The members of the Committee shall receive no compensation for their services or reimbursements for any expenses incurred.

E. The Committee shall hold at least four regular meetings each calendar year at a place and time to be fixed by the Oklahoma Tourism and Recreation Commission.

SECTION 10. AMENDATORY 70 O.S. 1991, Section 1210.561, as amended by Section 3, Chapter 248, O.S.L. 1992 (70 O.S. Supp. 1995, Section 1210.561), is amended to read as follows:

Section 1210.561 A. Contingent upon the provision of appropriated funds designated for Alternative Approaches grants, the State Board of Education is authorized to award one or more such competitive grants to local education agencies or nonprofit organizations for programs providing services to high challenge children and youth. High challenge children and youth are those at risk of failing to complete a satisfactory education. Alternative Approaches grants shall include high challenge grants and grants for alternative education. Alternative Approaches grants shall be awarded to local education agencies or nonprofit organizations for programs serving school districts identified by the Board as having high percentages of children who are considered to be high challenge students. Such competitive grants shall be of local and state significance and shall be replicable across the state. Beginning July 1, 1993, at least twenty percent (20%) of the total dollar amount of Alternative Approaches grants shall be awarded to districts replicating state-validated programs. State validation is a process carried out by the Alternative Approaches Programs Technical Assistance Center by which grant-funded programs are evaluated for effectiveness in reaching the targeted population, local and state significance, and replicability. The Technical Assistance Center shall report to the State Department of Education the name and description of any program which receives state validation.

B. The State Board of Education is further authorized to award one competitive grant for operation of an Alternative Approaches Programs Technical Assistance Center. Said programs shall not supplant programs or activities funded by the United States Government pursuant to Chapter 1 of Title I of the Elementary and Secondary Education Act of 1965, as amended. The High Challenge Programs Technical Assistance Center grant recipient shall have priority, if its operations are deemed satisfactory by the State Board of Education and if funds are available, for annual renewal of the grant.

C. Service program grant recipients shall have priority, if recommended by the Technical Assistance Center and if funds are available, for annual renewal of grants by the State Board of Education in amounts and on conditions as provided in this section. If a district has received grants for an at risk or high challenge program for three consecutive school years and if the program upon evaluation by the Technical Assistance Center meets the criteria set forth in subsection A of this section and satisfies criteria set forth in rules adopted by the State Board of Education pursuant to subsection D of this section, funding shall be as follows:

1. Funding for the fourth consecutive school year shall be in the amount of fifty percent (50%) of the average amount of grants awarded for the program pursuant to this section for the first three (3) consecutive school years;

2. Except as otherwise provided, funding for the fifth consecutive school year shall be awarded only if the program has been state-validated and replicated by another district; for programs that have received funding for three (3) years prior to ~~the effective date of this act~~ July 1, 1992, funding will be awarded only if the program is state-validated and the grantee documents attempts to have the program replicated; if funding is awarded, it shall be in the amount of twenty-five percent (25%) of the average

amount of grants awarded to the program pursuant to this section for the first three (3) consecutive school years.

All grants for the fourth and fifth school years as provided above shall be matched with local funds or in-kind contributions. Programs which received grants continuously for five (5) consecutive school years shall not thereafter be eligible for grants pursuant to this section.

D. Rules adopted by the State Board of Education shall incorporate or provide for, but not necessarily be limited to:

1. Definition of the children and youth deemed high challenge for whom services are sought; provided the definition shall be consistent with the description of high challenge children and youth set forth in subsection A of this section;

2. The possibility of awards for one or more of a variety of program proposals targeted for services to limited portions of the high challenge population according to such distinctions as age groupings, rural or urban settings, other cultural characteristics, or innovative service delivery strategies;

3. Requirements that service program grant recipients have clear and measurable goals and objectives; show evidence of having given reasonable consideration to coordination with other community agencies and resources, where appropriate, in the development of their proposals; and agree to comply with all requirements of the Technical Assistance Center regarding use of assessment instruments, provision of data, and provision of information necessary for program evaluation;

4. Requirements that the recipient of the Technical Assistance Center grant show command of relevant research and demonstrate capability for: Providing technical assistance, including operation of clearinghouse functions; coordinating with agencies such as the ~~State Oklahoma~~ Arts Council of ~~Oklahoma~~; performing assessment of high challenge children and youth; evaluating programs for effectiveness; making program cost assessments; promoting replication of successful programs; and capability for assisting program providers in attaining national validation of their programs and qualifying for federal funding;

5. Utilization of a selection committee to review applications for program and Technical Assistance Center grants and make recommendations to the State Board of Education, said selection committee to include, to the greatest extent feasible under constraints of time and funding, nationally recognized experts in the education of high challenge children and youth; and

6. Revocation of any high challenge or at risk grant awarded to, and ineligibility for award of any future high challenge grant pursuant to this act to, any grant recipient who has employed prior to May 24, 1991, any person who served as a volunteer assisting with the initial preparation of proposed rules for high challenge (formerly designated as at risk) grant programs or any person serving as a member of a selection committee during or within two (2) years following such person's service pursuant to paragraph 5 of this subsection.

SECTION 11. AMENDATORY Section 62, Chapter 290, O.S.L. 1994 (70 O.S. Supp. 1995, Section 1210.563), is amended to read as follows:

Section 1210.563 A. Contingent upon the provision of appropriated funds designated for Alternative Education Academies pilot programs, the State Board of Education is authorized to award one or more competitive grants for alternative education programs to school districts, nonprofit organizations, or entities formed by interlocal cooperative agreements pursuant to Section 5-117b of

Title 70 of the Oklahoma Statutes. The grant awards shall be made to school districts located in counties with a high number of dropouts as reported by the Office of Accountability for the school year preceding the year for which the grant is being sought and a high number of referrals to the juvenile justice system or, if the grant award is to a nonprofit organization or entity formed by an interlocal cooperative agreement, the program to be funded shall serve students in school districts located in counties with a high number of dropouts and a high number of referrals to the juvenile justice system. Programs eligible for funding shall include but not be limited to programs provided:

1. Directly by a school district;
2. Pursuant to an interlocal cooperative agreement with another school district or districts or an area vocational and technical school district; or
3. Pursuant to contract with a nonprofit organization.

B. In order to be eligible for an Alternative Education Academy Grant, a program shall:

1. Allow class sizes and student/teacher ratios which are conducive to effective learning for at-risk students;
2. Incorporate appropriate structure, curriculum, and interaction and reinforcement strategies designed to provide effective instruction;
3. Include an intake and screening process to determine eligibility of students;
4. Demonstrate that teaching faculty are appropriately certified teachers;
5. Demonstrate that teaching faculty have been selected on the basis of a record of successful work with at-risk students or personal and educational factors that qualify them for work with at-risk students;
6. Reflect appropriate collaborative efforts with state agencies and local agencies serving youth;
7. Provide courses that meet the curricular standards adopted by the State Board of Education and remedial courses;
8. Offer individualized instruction;
9. State clear and measurable program goals and objectives;
10. Include counseling and social services components with the provision that providers of services are not required to be certified as school counselors;
11. Require a plan leading to graduation be developed for each child in the program;
12. Offer life skills instruction;
13. Provide opportunities for arts education to students, including Artists in Residence programs coordinated with the State Oklahoma Arts Council;
14. Provide a proposed annual budget;
15. Include an evaluation component including an annual written self-evaluation; and
16. Be appropriately designed to serve middle school, junior high school and secondary school students in grades six through twelve who are most at risk of not completing a high school education for a reason other than that identified in Section 13-101 of Title 70 of the Oklahoma Statutes.

C. Grant recipients shall have priority, if recommended by the Alternative Education Academy Grants Technical Assistance Center as provided for in subsection F of this section, and if funds are available, for annual renewal of grants by the State Board of Education in amounts and on conditions as provided in this section. If a district receives grants for an Alternative Education Academy

program for three (3) consecutive school years and if the program upon evaluation by the Technical Assistance Center meets the criteria set forth in subsection B of this section, funding shall be as follows:

1. Funding for the fourth consecutive school year shall be in an amount of fifty percent (50%) of the average amount of grants awarded for the program pursuant to this section for the first three (3) consecutive school years;

2. Funding for the fifth consecutive school year shall be awarded only if the program has been state-validated and replicated by another district; if funding is awarded, it shall be in the amount of twenty-five percent (25%) of the average amount of grants awarded to the program pursuant to this section for the first three (3) consecutive school years;

3. All grants for the fourth and fifth school years as provided above shall be matched with local funds or in-kind contributions. Programs which received grants continuously for five (5) consecutive school years shall not thereafter be eligible for grants pursuant to this section.

D. School districts that receive Alternative Education Academy Grants shall not use the grant funds to supplant budgeted district expenditures for existing alternative education programs. Provided, programs that have been funded in prior years by Alternative Approaches grants pursuant to Section 1210.561 of ~~Title 70 of the Oklahoma Statutes~~ this title may be funded through Alternative Education Academy Grants if included in the grant request and approved.

E. By September 15 of each school year, all revenue received and expended for students participating in alternative education academies created in subsection A of this section shall be reported to the State Department of Education by major object codes and by program classifications pursuant to the Oklahoma Cost Accounting System as adopted by the State Board of Education pursuant to Section 5-135 of ~~Title 70 of the Oklahoma Statutes~~ this title.

F. Recipients of Alternative Education Academy Grants shall be subject to statutes and rules applicable to alternative education, including any exemptions from statutory or regulatory requirements authorized by statutes or rule.

G. 1. From funds appropriated for Alternative Education Academy Grants, the State Board of Education shall contract for technical assistance for operation of an Alternative Education Academy Grants Technical Assistance Center. The technical assistance provider shall be an entity located in Oklahoma that is officially recognized by the United States Department of Education to assess and facilitate dissemination of validated educational programs in Oklahoma. The technical assistance provider shall have priority, if its operations are deemed satisfactory by the State Board of Education and if funds are available, for annual renewal of the contract.

2. The duties of the technical assistance provider shall include, but shall not be limited to:

- a. recommending programs to the State Board of Education for Alternative Education Academy Grants,
- b. providing initial and ongoing training of personnel who will educate at-risk populations through programs funded pursuant to this section,
- c. providing technical assistance to districts identified by the State Department of Education as eligible for initial grants pursuant to subsection A of this section,

- d. providing technical assistance to grant recipients to enhance probability of success of grant-funded programs,
- e. evaluating grant-funded programs for possible state validation as defined in Section 1210.561 of ~~Title 70 of the Oklahoma Statutes~~ this title,
- f. reporting to the State Board of Education the name and description of any program which receives state validation, and
- g. providing in-depth program analysis and evaluation of grant-funded programs to the State Board of Education and the Legislature no later than November 1 following the end of the school year in which one or more grant-funded programs were implemented.

H. The State Board of Education shall promulgate rules as necessary to administer the Alternative Education Academy Grants and the process by which the grant funding shall be allocated.

I. Any school district which does not participate in the Alternative Education Academy Grants created in this section may provide an alternative education program pursuant to the provisions of this section.

SECTION 12. AMENDATORY 74 O.S. 1991, Section 1201, as last amended by Section 1, Chapter 56, O.S.L. 1995 (74 O.S. Supp. 1995, Section 1201), is amended to read as follows:

Section 1201. A. There is hereby created the Oklahoma Indian Affairs Commission. The Commission shall consist of nineteen (19) members: nine appointed members and ten nonvoting, ex officio members. The appointed members shall be appointed by the Governor with the advice and consent of the Senate. Each appointed member shall be an enrolled member of one of the thirty-nine (39) tribal governments in Oklahoma. All Commission members shall be residents of the State of Oklahoma at the time of their appointment. All appointments to the Commission shall be for terms of three (3) years. Members shall serve until their successors are appointed and confirmed. Failure of any appointed member to attend three consecutive regularly scheduled monthly meetings shall result in forfeiture of appointment. Provided, absences may be excused under extraordinary circumstances as determined by the Commission.

B. Appointments to the Commission shall be made as follows:

1. Four of the members shall be appointed from a list of persons supplied by the tribes represented by the Bureau of Indian Affairs Office located in Muskogee, Oklahoma;

2. Four of the members shall be appointed from a list of persons supplied by the tribes represented by the Bureau of Indian Affairs Office located in Anadarko, Oklahoma; and

3. One of the members shall be appointed at large.

C. The ten nonvoting, ex officio members shall be:

1. The Superintendent of Public Instruction, or designee;

2. The Director of the Oklahoma Department of Commerce, or designee;

3. The Director of the Oklahoma Department of Tourism and Recreation, or designee;

4. The Director of the Department of Human Services, or designee;

5. The Director of the Oklahoma Historical Society, or designee;

6. The Director of the ~~State~~ Oklahoma Arts Council, or designee;

7. The Attorney General, or designee;

8. The Secretary of State, or designee;

9. The Secretary of Transportation, or designee; and
10. The Governor of the State of Oklahoma, or designee.

D. A Director, who must be an American Indian of at least one-quarter blood, shall be appointed by the Commission to serve at the pleasure of the Commission. The Director shall attend and serve as secretary of all meetings of the Commission and shall be responsible for the execution and administration of the program and projects of the Commission authorized by law and adopted by the Commission in furtherance thereof.

E. In appointing members of the Commission to succeed those previously appointed, appointments shall be restricted to not more than one representative of any tribe. Appointments to the Commission will be geographically distributed to represent the various tribal governments in Oklahoma.

F. The Department of Central Services shall provide suitable office space for said Commission in the State Capitol or other buildings in the State Capitol area.

G. The Commission shall meet regularly at least once every other month and at such other times as may be set by the Chair. Members of the Commission shall receive no salary, but shall be entitled to travel reimbursement as provided by the State Travel Reimbursement Act, Section 500.1 et seq. of this title.

SECTION 13. AMENDATORY Section 4, Chapter 388, O.S.L. 1994 (74 O.S. Supp. 1995, Section 1226.2), is amended to read as follows:

Section 1226.2 A. There is hereby created a body corporate and politic to be known as the "Native American Cultural and Educational Authority of Oklahoma", and by that name the Authority may sue and be sued, and plead and be impleaded. The Authority is hereby constituted an agency of the state, and the exercise by the Authority of the powers conferred by this act shall be deemed to be essential governmental functions of the state with all the attributes thereof. Provided, however, the Authority is authorized to carry liability insurance to the extent authorized by the Authority, and in addition thereto it shall be subject to the workers' compensation laws of the State of Oklahoma the same as a private employer.

B. The Authority shall consist of six members appointed to serve defined terms, five ex officio members and four appointed members from the business community. Each appointed member and each ex officio member shall have one vote for purposes of conducting the business of the Authority. The six members appointed to serve defined terms shall serve overlapping terms and shall be chosen as follows: two members shall be appointed by the Governor; two members shall be appointed by the Speaker of the House of Representatives; and two members shall be appointed by the President Pro Tempore of the Senate. The appointed members shall be residents of the state, and shall have been qualified electors therein for a period of at least one (1) year preceding their appointment. Each of the members appointed to serve defined terms by the Governor, Speaker of the House of Representatives and President Pro Tempore of the Senate respectively shall be a member of a federally recognized American Indian tribe located within this state. Such tribal membership shall be determined by the respective tribes. Appointments shall be made from names provided by tribal governments, councils or other recognized tribal entities. Appointments shall be restricted to not more than one representative of any tribe. Such appointed members initially appointed shall continue in office for terms of from three (3) to seven (7) years, respectively, from the date of their appointment, and thereafter

until their respective successors shall be duly appointed and qualified, with the term of each initially appointed member to be designated by the Governor at the time of the appointment, with one member to be appointed to a three-year term, one member to be appointed to a four-year term, one member to be appointed to a five-year term, one member to be appointed to a six-year term, and two members to be appointed to a seven-year term; but their successors shall each be appointed for a term of seven (7) years, except that any person appointed to fill a vacancy shall serve only for the unexpired term. At the expiration of any term, the person holding such office shall continue to serve until such person's duly appointed successor shall be appointed and qualified. Any member of the Authority shall be eligible for reappointment, and no member shall be removed from office except for good cause shown. One ex officio member shall be the Executive Director of the Oklahoma Indian Affairs Commission, or the designee of the same. One ex officio member shall be the Lieutenant Governor, or the designee of same. One ex officio member shall be the Director of the Oklahoma Historical Society, or the designee of same. One ex officio member shall be the Director of the Tribal Government Assistance Program of the Department of Commerce, or the designee of same. One ex officio member shall be the Executive Director of the ~~State~~ Oklahoma Arts Council of Oklahoma, or the designee of same. The four appointed members from the business community shall be chosen as follows: two members shall be appointed by the Governor; one member shall be appointed by the Speaker of the House of Representatives; and one member shall be appointed by the President Pro Tempore of the Senate. Each member shall have at least fifteen (15) years' experience in business, banking, finance or corporate law, and shall have demonstrated outstanding ability in business or industry. At least one of the two appointed members from the Governor shall be a member of a federally recognized American Indian tribe located within this state. The members shall serve at the pleasure of the respective appointing authority.

C. The Authority shall elect one of its members as chairperson, and another as vice-chairperson, and also shall elect a secretary, treasurer and such other officers as the Authority may deem appropriate. A majority of the members of the Authority (exclusive of vacancies) shall constitute a quorum and the vote of a majority of the members (exclusive of vacancies) shall be necessary for any action taken by the Authority. No vacancy in the membership of the Authority shall impair the right of a quorum to exercise all the rights and perform all the duties of the Authority.

D. Before the issuance of any revenue bonds under the provisions of this act, each member of the Authority shall execute a surety bond in the penal sum of Twenty-five Thousand Dollars (\$25,000.00) and the secretary and treasurer shall execute a surety bond in the penal sum of One Hundred Thousand Dollars (\$100,000.00), each such surety bond to be conditioned upon the faithful performance of the duties of his or her office, to be executed by a surety company authorized to transact business in the State of Oklahoma as surety, and to be filed in the office of the Secretary of State.

E. The members of the Authority shall not be entitled to compensation for their services, but each member shall be reimbursed for actual expenses necessarily incurred in the performance of duties on behalf of the Authority, provided that members of the Authority shall be compensated for their travel expenses pursuant to the State Travel Reimbursement Act, Section 500.1 et seq. of Title 74 of the Oklahoma Statutes. All expenses incurred in carrying out

the provisions of this act shall be payable solely from funds provided under the authority of this act and no liability or obligation shall be incurred by the Authority hereunder beyond the extent to which monies shall have been provided under the authority of this act.

SECTION 14. AMENDATORY 74 O.S. 1991, Section 1891, is amended to read as follows:

Section 1891. A. There is hereby established the Oklahoma Tourism Signage Advisory Task Force for the purpose of screening and issuing recommendations to the Department of Transportation concerning directional signs for tourist and traveler-related attractions and enterprises in this state.

B. The task force shall be composed of ten (10) members as follows:

1. One person appointed by the Governor;
2. The Chairman of the Senate Tourism and Recreation Committee or his designee;
3. The Chairman of the House of Representatives Tourism and Recreation Committee or his designee;
4. A representative from each of the following organizations or state agencies to be selected by that organization or agency:
  - a. Department of Transportation,
  - b. Department of Tourism and Recreation,
  - c. Oklahoma Historical Society,
  - d. Oklahoma Museums Association,
  - e. Oklahoma Lakes and Countries Association, and
  - f. Oklahoma Travel Industry Association;
5. The Director of the ~~State~~ Oklahoma Arts Council or designee.

SECTION 15. AMENDATORY 74 O.S. 1991, Section 4103, is amended to read as follows:

Section 4103. A. The State Capitol Preservation Commission shall be composed of fifteen (15) members as follows:

1. Three members shall be appointed by the Governor;
2. Three members shall be appointed by the President Pro Tempore of the Senate;
3. Three members shall be appointed by the Speaker of the House of Representatives;
4. One member shall be appointed by the Chief Justice of the Oklahoma Supreme Court; and
5. The following shall be ex officio members:
  - a. Chairman of the ~~State~~ Oklahoma Arts Council ~~of Oklahoma,~~
  - b. President of the Oklahoma Historical Society,
  - c. Capitol Architect and Curator,
  - d. Superintendent of the Capitol, and
  - e. Director of Public Affairs or a designee.

B. The initial term of office of the appointed members shall be as follows:

1. One of the members appointed by the Governor, the President Pro Tempore of the Senate, the Speaker of the House of Representatives, and the member appointed by the Chief Justice of the Oklahoma Supreme Court shall serve a one-year term;
2. One of the members appointed by the Governor, the President Pro Tempore of the Senate, and the Speaker of the House of Representatives shall serve a three-year term; and
3. One of the members appointed by the Governor, the President Pro Tempore of the Senate, and the Speaker of the House of Representatives shall serve a five-year term.

The term of office for each successor shall be for five (5) years. Any member of the Legislature who is appointed to the

Commission shall serve only as long as he is a member of the respective house from which he was appointed.

C. The Commission shall elect a chairman and a vice-chairman from its membership to serve for a period of two (2) years. Members of the Commission shall not be compensated except for reimbursement as provided in the State Travel Reimbursement Act.

D. The ~~Office~~ Department of Public Affairs Central Services shall make the necessary arrangements for support services for the State Capitol Preservation Commission.

SECTION 16. This act shall become effective July 1, 1996.

SECTION 17. 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 23rd day of May, 1996.

Speaker of the House of  
Representatives

Passed the Senate the 23rd day of May, 1996.

President of the Senate