

STATE OF OKLAHOMA

2nd Session of the 46th Legislature (1998)

CONFERENCE COMMITTEE SUBSTITUTE

FOR ENGROSSED

SENATE BILL NO. 940

By: Haney and Hobson of the
Senate

and

Hamilton and Settle of
the House

CONFERENCE COMMITTEE SUBSTITUTE

An Act relating to cultural development entities; making an appropriation to the Oklahoma Arts Council; stating purpose; requiring budgeting 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 appropriations to the Oklahoma Tourism and Recreation Department; stating purposes; requiring certain funds to be budgeted in certain categories and amounts; authorizing granting of monies for certain purpose; requiring certain display; reappropriating funds to the Oklahoma Tourism and Recreation Department; providing for duties and compensation of employees; providing budgetary limitations; restricting the employment of certain position contingent on certain funds; stating maximum compensation for certain unclassified employee positions; prohibiting the closure of state parks without legislative authorization; providing exception; authorizing the establishment of certain internship program in the area of tourism management; making an appropriation to the Oklahoma Educational Television Authority; stating purpose; reappropriating monies for duties and redesignating them for certain equipment purchases; reappropriating monies for duties and redesignating them for development of a Documentary Program Unit; requiring budgeting of certain funds in certain categories and amounts; providing for duties and compensation of employees; limiting the salary of the Director; providing budgetary limitations; requiring certain funds to be expended by certain date; providing lapse dates authorizing certain funds be expended after certain date for certain purpose; and providing an effective date.

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

OKLAHOMA ARTS COUNCIL

SECTION 1. There is hereby appropriated to the Oklahoma Arts Council, from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1999, the sum of Five Hundred Twenty-four Thousand Three Hundred Seventy-seven Dollars (\$524,377.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma Arts Council by law.

SECTION 2. For the fiscal year ending June 30, 1999, the Oklahoma 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	\$3,625,108.00	\$4,500,000.00
Learning and the Arts	<u>394,536.00</u>	<u>1,300,000.00</u>
TOTAL	\$4,019,644.00	\$5,800,000.00

SECTION 3. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Oklahoma Arts Council by law shall be set by the Council. The salary of the Chief Administrative Officer shall not exceed Fifty Thousand Six Hundred Seventeen Dollars (\$50,617.00) per annum, payable monthly for the fiscal year ending June 30, 1999. The Oklahoma Arts Council for the fiscal year ending June 30, 1999, 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	\$10,000.00

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, 1999, the sum of One Million One Hundred Thirty-three Thousand Eight Hundred Thirty-five

Dollars (\$1,133,835.00) or so much thereof as may be necessary to perform the duties imposed upon the 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, 1999, the sum of Three Hundred Sixty-five Thousand Dollars (\$365,000.00) or so much thereof as may be necessary for tourism infrastructure and equipment.

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, 1999, the sum of Sixty-seven Thousand Nine Hundred Sixty Dollars (\$67,960.00) or so much thereof as may be necessary for the Parks Division to provide resources to develop park programs for visitors and guests.

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, 1999, the sum of Five Hundred Nine Thousand Five Hundred Dollars (\$509,500.00) or so much thereof as may be necessary for market development and tourism promotion.

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, 1999, the sum of Two Hundred Thirty-one Thousand Dollars (\$231,000.00) or so much thereof as may be necessary for the operation, maintenance, and construction of Welcome Centers. The Oklahoma Tourism and Recreation Department may use the funds in this section for the purpose of granting to a private not-for-profit entity or entities monies to develop and construct a tourism information facility or facilities in accordance with the administrative rules promulgated by the Department for local project grants.

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, 1999, the sum of Eighty Thousand Dollars (\$80,000.00) or so much thereof as may be necessary for the Oklahoma Film Office.

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, 1999, the sum of Thirty-one Thousand Three Hundred Eighty-eight Dollars (\$31,388.00) or so much thereof as may be necessary for the construction and installation of fifty (50) park site radius maps and thirty-five (35) museum site radius maps. Such maps are to be displayed on a statewide basis at predetermined locations for the purpose of promoting historic and recreational sites within the State of Oklahoma.

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, 1999, the sum of One Hundred Fifty Thousand Dollars (\$150,000.00) or so much thereof as may be necessary for the administration, development, and operations of the Traveler Response Information Program (TRIP).

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, 1999, the sum of One Hundred Thousand Dollars (\$100,000.00) or so much thereof as may be necessary for the administration, development, and operations of a Multi-Cultural Tourism Program within the Travel and Tourism Division.

SECTION 13. 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, 1999, the sum of One Hundred

Thirty-eight Thousand One Hundred Seventy Dollars (\$138,170.00) or so much thereof as may be necessary for the administration, development, and operations of State Golf Courses.

SECTION 14. REAPPROPRIATION The sum of Two Hundred Twenty Thousand Dollars (\$220,000.00) of the original appropriation of Three Hundred Fifty Thousand Dollars (\$350,000.00) appropriated to the Oklahoma Tourism and Recreation Department by Section 19, Chapter 12, O.S.L. 1996, from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1995, for the repair of the sewage lagoon systems at Lake Murray State Park is hereby continued and reappropriated in the original amount and for the original purpose, as adjusted by transfer, less amounts that have been expended on the effective date of this act.

SECTION 15. For the fiscal year ending June 30, 1999, 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	\$ 3,414,321.00	\$ 3,904,321.00
Division of State Parks	13,982,100.00	26,247,100.00
Golf Courses	879,693.00	7,754,693.00
Division of Planning and Development	837,000.00	1,868,026.00
Division of State Resorts	2,285,015.00	12,635,015.00
Division of Travel and Tourism	2,317,610.00	7,077,610.00
Film Office	325,965.00	347,465.00
Division of Human Resources	502,314.00	527,314.00
Welcome Centers	1,498,100.00	1,628,100.00
Oklahoma Today Magazine	222,751.00	1,442,751.00
Multicounty Organizations	997,288.00	1,022,288.00
Scenic Rivers Commission		363,837.00
556,337.00		
TRIP	350,000.00	1,050,000.00
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
Greenwood Cultural Center	100,000.00	100,000.00
Jazz Hall of Fame	125,000.00	125,000.00
Shakespearean Festival	<u>30,000.00</u>	<u>30,000.00</u>
TOTAL	\$28,382,169.00	\$67,601,030.00

SECTION 16. 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, 1999, shall be subject to the following budgetary limitation 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	792.0
Lease-Purchase Agreements	\$1,863,011.00

SECTION 17. Of the seven hundred ninety-two full-time-equivalent employee positions authorized in Section 16 of this act, one (1.0) full-time-equivalent employee position shall be filled contingent upon receipt of federal funds for the purposes set forth in Section 1461 of Title 82 of the Oklahoma Statutes which establishes the Scenic Rivers Commission.

SECTION 18. 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, 1999, shall be subject to the following maximum salaries paid per annum:

<u>Position</u>	<u>Maximum</u>
Executive Director	\$72,000.00

Executive Assistant	\$49,209.00
Deputy Director	\$57,991.00
Administrative Services Division Director	\$55,891.00
Administrative Services Division Assistant Director	\$46,620.00
Park Division Director	\$55,891.00
Park Division Assistant Directors	\$46,220.00
Travel and Tourism Division Director	\$55,891.00
Travel and Tourism Division Assistant Director	\$46,220.00
Resort Division Director	\$55,891.00
Resort Division Assistant Director	\$46,220.00
Oklahoma Today Magazine Division Director	\$55,891.00
Oklahoma Today Magazine Division Assistant Director	\$46,220.00
Planning and Development Division Director	\$55,891.00
Planning and Development Division Assistant Director	\$46,220.00
Human Resources Division Director	\$55,891.00
Human Resources Division Assistant Director	\$46,220.00
Film Office Division Director	\$55,891.00
Film Office Division Assistant Director	\$46,220.00
Golf Division Director	\$55,891.00

SECTION 19. 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 20. 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.

OKLAHOMA EDUCATIONAL TELEVISION AUTHORITY

SECTION 21. 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, 1999, the sum of One Hundred One Thousand Seven Hundred One Dollars (\$101,701.00) or so much

thereof as may be necessary to perform the duties imposed upon the Oklahoma Educational Television Authority by law.

SECTION 22. REAPPROPRIATION AND REDESIGNATION The amount of Three Hundred Sixty-four Thousand Five Hundred Dollars (\$364,500.00), originally appropriated to the Oklahoma Educational Television Authority by Section 19, Chapter 297, O.S.L. 1997, from the General Revenue Fund of the State Treasury, for the fiscal year ending June 30, 1998, to perform the duties imposed upon the Oklahoma Educational Television Authority by law, is hereby reappropriated to the Oklahoma Educational Television Authority and redesignated for one-half of the cost of the purchase and installation of digital satellite equipment.

SECTION 23. REAPPROPRIATION AND REDESIGNATION The amount of One Hundred Seventy-nine Thousand One Hundred Fifty-five Dollars (\$179,155.00), originally appropriated to the Oklahoma Educational Television Authority by Section 19, Chapter 297, O.S.L. 1997, from the General Revenue Fund of the State Treasury, for the fiscal year ending June 30, 1998, to perform the duties imposed upon the Oklahoma Educational Television Authority by law, is hereby reappropriated to the Oklahoma Educational Television Authority and redesignated for one-half of the cost to develop a Documentary Program Unit.

SECTION 24. For the fiscal year ending June 30, 1999, 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	\$1,090,901.00	\$1,560,752.00
Technical Services	1,688,962.00	3,150,188.00
Administration	<u>605,519.00</u>	<u>715,064.00</u>
TOTAL	\$3,385,382.00	\$5,426,004.00

SECTION 25. 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-seven Thousand One Hundred Sixteen Dollars (\$57,116.00) per annum, payable monthly for the fiscal year ending

June 30, 1999. The Oklahoma Educational Television Authority for the fiscal year ending June 30, 1999, 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	80.0

SECTION 26. Appropriations made by this act, not including appropriations made for capital outlay purposes, may be budgeted for the fiscal year ending June 30, 1999 (hereafter FY-99) or may be budgeted for the fiscal year ending June 30, 2000 (hereafter FY-00). Funds budgeted for FY-99 may be encumbered only through June 30, 1999, and must be expended by November 15, 1999. Any funds remaining after November 15, 1999, and not budgeted for FY-00, shall lapse to the credit of the proper fund for the then current fiscal year. Funds budgeted for FY-00 may be encumbered only through June 30, 2000. Any funds remaining after November 15, 2000, 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-99, and not required to pay obligations for that fiscal year, may be budgeted for FY-00, after the agency to which the funds have been appropriated has prepared and submitted a budget work program revision removing these funds from the FY-99 budget work program and after such revision has been approved by the Office of State Finance.

SECTION 27. This act shall become effective September 1, 1998.

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