

STATE OF OKLAHOMA

1st Session of the 46th Legislature (1997)

HOUSE BILL NO. 1384

By: Mitchell

AS INTRODUCED

An Act relating to tourism; amending 74 O.S. 1991, Sections 1809, 1811, as amended by Section 3, Chapter 368, O.S.L. 1992, 1811.1 and 1811.3 (74 O.S. Supp. 1996, Section 1811), which relate to park rangers; creating a Division of Park Rangers within the Oklahoma Tourism and Recreation Department; removing park rangers from the Division of Parks; modifying powers and duties of the Division of Parks; including the Division of Park Rangers in the Oklahoma Tourism and Recreation Department Revolving Fund; providing for jurisdiction, powers and duties of the Division of Park Rangers; amending 74 O.S. 1991, Section 150.23, which relates to certain sidearms and badges; authorizing retired officers and agents and spouses of officers and agents of the Oklahoma Tourism and Recreation Department and the Oklahoma Corporation Commission killed in the line of duty to have possession of certain firearms and badges; 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 1809, is amended to read as follows:

Section 1809. There are hereby created within the Department, the Division of Lodges, the Division of Parks, the Division of Travel and Tourism ~~and~~, the Division of Special Events; provided and the Division of Park Rangers. Provided, however, the Commission shall have authority, by resolution, to create other divisions and may, by resolution, combine or abolish any or all such divisions, as deemed to be necessary to carry out its duties under this act. The Division formerly known as the Division of Marketing Services is hereby renamed the Division of Travel and Tourism.

SECTION 2. AMENDATORY 74 O.S. 1991, Section 1811, as amended by Section 3, Chapter 368, O.S.L. 1992 (74 O.S. Supp. 1996, Section 1811), is amended to read as follows:

Section 1811. The Division of Parks shall, subject to the ~~policies, rules and regulations~~ of the Commission:

1. Plan, supervise, acquire, construct, enlarge, erect, improve, equip, furnish, conserve and preserve public recreation facilities and resources in state parks, except lodges, but including cabins in parks where there is no state lodge, camping sites, scenic trails, picnic sites, golf courses, boating and bathing facilities and other similar facilities in state parks reasonably necessary and useful in promoting the public use of state parks under the jurisdiction and control of the Commission;

2. Administer state parks, establish rules ~~and regulations~~ for the use of public recreation facilities therein and establish rentals for the use of lands or interests therein; providing, however, nothing in this paragraph shall allow the charging of admission fees to any state park. All moneys collected shall be deposited to the Oklahoma Tourism and Recreation Department Revolving Fund; provided, not less than eighty-five percent (85%) of such moneys collected shall be spent on repairs, upkeep or

improvement of park areas in Pawnee Bill State Park. Within sixty (60) days of the end of the pilot program, the Division shall prepare an evaluation of the program and recommendations for continuation, termination or expansion of the program. The evaluation shall be submitted to the President Pro Tempore of the Senate and the Speaker of the House of Representatives; and

3. Exercise all authority and powers now vested in the Division of Parks and Recreation and derived from the Oklahoma Industrial Development and Park Department relating to parks and recreation, except as regards state-owned lodges; ~~and~~

~~4. Commission any officer or employee who is certified pursuant to Section 3311 of Title 70 of the Oklahoma Statutes as a park ranger as the Department deems necessary to secure the parks and property of the Department and to maintain law and order therein.~~

SECTION 3. AMENDATORY 74 O.S. 1991, Section 1811.1, is amended to read as follows:

Section 1811.1 There is hereby created in the State Treasury a revolving fund for the Oklahoma Tourism and Recreation Department to be designated the "Oklahoma Tourism and Recreation Department Revolving Fund". The fund shall consist of all monies that are received by the Oklahoma Tourism and Recreation Department, pursuant to provisions of Sections 1810, 1811 and 1813 of this title, but not including appropriated funds. The revolving fund shall be a continuing fund not subject to fiscal year limitations and shall be under the administrative direction of the Oklahoma Tourism and Recreation Department. Expenditures from the fund created by this section shall be for the operating expenses of the Division of Travel and Tourism, for publication and promotion of "Oklahoma Today" magazine ~~and~~, for expenses of operation and major maintenance of the Division of Parks and the Division of Lodges and for expenses of the Division of Park Rangers, and shall be made pursuant to the laws of this state and the statutes relating to said Department, and

without legislative appropriation. Warrants for expenditures from said fund shall be drawn by the State Treasurer, based on claims signed by an authorized employee of the Department and approved for payment by the Director of State Finance.

SECTION 4. AMENDATORY 74 O.S. 1991, Section 1811.3, is amended to read as follows:

Section 1811.3 A. The Division of Park Rangers shall commission any officer or employee who is certified pursuant to Section 3311 of Title 70 of the Oklahoma Statutes as a park ranger as the Department deems necessary to secure the parks and property of the Department and to maintain law and order therein.

B. Subject to the direction of the Division of Park Rangers, rangers shall have jurisdiction over all parts and aspects of the parks, including the state lodges located therein, whether state operated or leased to private operators. ~~However, the~~ The Division of Parks shall not acquire any control over the lodges ~~thereby, and rangers.~~ Rangers shall enforce the rules ~~and regulations~~ of the Division of Lodges. Nothing herein shall preclude the calling in of county sheriffs or highway patrol should the need arise.

SECTION 5. AMENDATORY 74 O.S. 1991, Section 150.23, is amended to read as follows:

Section 150.23 A. An officer or agent of the Oklahoma State Bureau of Investigation ~~or,~~ the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control, the Oklahoma Tourism and Recreation Department or the Oklahoma Corporation Commission shall be entitled to receive, upon retirement by reason of length of service, the continued custody and possession of the sidearm and badge carried by such officer or agent immediately prior to retirement.

B. An officer or agent of either Bureau or of the Department or of the Commission may be entitled to receive, upon retirement by reason of disability, the continued custody and possession of the sidearm and badge carried by such officer or agent immediately prior

to retirement upon written approval of the applicable Director of the appropriate Bureau or Department or upon written approval of the Oklahoma Corporation Commission in the case of an officer or agent of the Oklahoma Corporation Commission.

C. Custody and possession of the sidearm and badge of an officer or agent killed in the line of duty may be awarded by the applicable Director of the appropriate Bureau or the Department or by the Corporation in the case of an officer or agent of the Oklahoma Corporation Commission to the spouse or next-of-kin of the deceased officer or agent.

SECTION 6. This act shall become effective July 1, 1997.

SECTION 7. 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.

46-1-5521

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