

STATE OF OKLAHOMA

2nd Session of the 47th Legislature (2000)

CONFERENCE COMMITTEE SUBSTITUTE  
FOR ENGROSSED  
SENATE BILL 1089

By: Herbert of the Senate

and

Hutchison of the House

CONFERENCE COMMITTEE SUBSTITUTE

An Act relating to tourism; amending Section 1, Chapter 115, O.S.L. 1993, as amended by Section 1, Chapter 64, O.S.L. 1998, and 74 O.S. 1991, Section 5026, as last amended by Section 2, Chapter 11, O.S.L. 1995 (74 O.S. Supp. 1999, Sections 1852.1 and 5026), which relate to the cost and revenue reporting system for state parks and the Oklahoma Film Office; changing scope of audit; authorizing audit by independent consultant in lieu of required audit; modifying penalty for destroying certain records; changing name and mission of the Oklahoma Film Office; requiring the Office to assist the music industry for certain purpose; changing name of the Oklahoma Film Office Advisory Commission; establishing the Oklahoma Music Advisory Commission within the Oklahoma Tourism and Recreation Department; providing for membership and appointment; stating responsibilities of the Commission; deleting obsolete language; and providing an effective date.

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

SECTION 1. AMENDATORY Section 1, Chapter 115, O.S.L. 1993, as amended by Section 1, Chapter 64, O.S.L. 1998 (74 O.S. Supp. 1999, Section 1852.1), is amended to read as follows:

Section 1852.1 A. The Oklahoma Tourism and Recreation Department shall establish a cost and revenue reporting system for all budget activities and subactivities of the Department.

B. ~~In addition to such other audits as may be required of or desired by the Oklahoma Tourism and Recreation Department, the~~ 1. ~~The~~ Department shall annually have an independent audit performed by the State Auditor and Inspector or his or her designated agent.

This audit shall be conducted in accordance with ~~the~~ Generally Accepted Government Auditing Standards ~~as~~ issued by the Comptroller General of the United States. The cost of the audit shall be borne by the Department.

~~The scope of the audit required by this section shall be a financial-related audit of the operation of the Department's lodges, golf courses and parks. On a rotating three-year basis, the audit scope shall include the lodges in the first year, the golf courses in the second year, and the parks in the third year.~~

~~The required audit reports shall be prepared in a comparable format as prescribed by the State Auditor and Inspector and shall include but not be limited to a schedule of cash flow activities of the lodges, golf courses and parks. In addition, the report shall address the adequacy of relevant and related statutes, policies, procedures and internal controls with emphasis on cash receipting activities.~~

2. Matters to be considered in determining the types of activities to be audited and the scope of the audit shall be based on an analysis of:

- a. the date and results of prior audits, reviews, and/or independent studies,
- b. financial exposure,
- c. potential loss and risk,
- d. requests by the Commission and/or Executive Management of the Department,
- e. major changes in operations, programs, systems, and controls, and
- f. opportunities to achieve operating benefits.

The audit may be conducted in accordance with Section 213.2 of this title; in lieu of such audit, the Oklahoma Tourism and Recreation Commission may direct that independent consultants conduct a review of Department activities.

3. The Department's internal auditors shall conduct internal audits of the Department's facilities and programs ~~that complement the audits required by this section.~~ ~~The internal audits shall be conducted in compliance with~~ pursuant to the provisions of Section 228 of this title.

4. The audits required by this section shall be completed on or before December 31 of each year and shall, upon distribution, become public record.

C. Any person who intentionally alters or destroys records needed for the performance of an audit as provided for in this section or intentionally causes or directs a subordinate to do such acts, shall be subject to immediate removal from office or employment ~~and all accrued benefits shall be terminated immediately.~~

D. The Oklahoma Tourism and Recreation Commission shall provide notice to Department employees affected by this section of the prohibited acts and the penalties ~~provided for in~~ pursuant to the provisions of this section.

SECTION 2. AMENDATORY 74 O.S. 1991, Section 5026, as last amended by Section 2, Chapter 11, O.S.L. 1995 (74 O.S. Supp. 1999, Section 5026), is amended to read as follows:

Section 5026. A. There is hereby created within the Oklahoma Tourism and Recreation Department, the Office of the Oklahoma Film Office and Music Commission. The Office shall have the primary responsibility in state government for promoting the State of Oklahoma as a location for producing motion pictures, television programs ~~and~~, videos and recording or performing music. The ~~office~~ Office shall assist the motion picture, television and video film and music industries by providing production contacts in the state, suggesting possible filming, performing, and recording locations, and other activities that may be required to promote the state as a filming and music center. The Office shall, to the extent that resources are available, further assist the music industry by

providing production contacts in the state, suggesting possible publishing, production, and recording locations, and other activities that may be required to promote the state as a music center; developing resource guides, a data base, and a website; and developing listings of music festivals and music events being held in Oklahoma.

B. 1. There is hereby established within the Oklahoma Tourism and Recreation Department, the Oklahoma Film ~~Office~~ Advisory Commission which shall consist of the Lieutenant Governor, who shall serve as an ex officio member and as ~~Chairman~~ Chair of the Advisory Commission, and eight (8) members appointed by the Director of the Department. Appointed members shall serve two-year terms. Five appointed members shall have experience in the development and implementation of economic development programs. Three appointed members shall possess a broad working knowledge of the film industry.

2. The Oklahoma Film ~~Office~~ Advisory Commission shall have the following responsibilities:

~~1.—Focus~~

a. focus the film-industry-related activities and functions of the Office of the Oklahoma Film ~~Office~~ and Music Commission to provide the maximum economic development impact to the State of Oklahoma~~†~~†

~~2.—Promote~~

b. promote the film industry to local communities~~†~~†

~~3.—Solicit~~

c. solicit input annually from a cross section of the public including industry, business~~†~~† and community leaders~~†~~†

~~4.—Assist~~

d. assist the Office of the Oklahoma Film Office and Music Commission in developing a marketing plan and a production manual, and

~~5. Assist~~

e. assist the Office of the Oklahoma Film Office and Music Commission in the preparation of the annual report.

C. 1. There is hereby established within the Oklahoma Tourism and Recreation Department, the Oklahoma Music Advisory Commission which shall consist of the Lieutenant Governor, who shall serve as an ex officio member and as Chair of the Advisory Commission, and eleven (11) members appointed by the Director of the Department. Appointed members shall serve two-year terms. Six of the appointed members shall have experience in economic development. Five of the appointed members shall have knowledge of the music industry.

2. The Oklahoma Music Advisory Commission shall have the following responsibilities:

- a. focus the music-industry-related activities and functions of the Office of the Oklahoma Film and Music Commission to provide the maximum economic development impact to the State of Oklahoma,
- b. promote the music industry to local communities,
- c. serve a clearinghouse for the Oklahoma music industry using databases which it develops and maintains,
- d. promote Oklahoma music and musicians to a national and international audience,
- e. solicit input annually from a cross section of the public including industry, business and community leaders,
- f. assist the Office of the Oklahoma Film and Music Commission in developing a marketing plan and a production and recording manual, and

g. assist the Office of the Oklahoma Film and Music Commission in the preparation of the annual report.

D. The Office of the Oklahoma Film Office and Music Commission shall cooperate with other state and local offices as required to promote the film ~~industry~~ and music industries in ~~the~~ this state.

~~D.~~ E. The Office of the Oklahoma Film Office and Music Commission shall submit an annual report to the Governor, the Speaker of the House of Representatives, and the President Pro Tempore of the Senate prior to February 1 of each year regarding the activities of the ~~office~~ Office. The report shall provide information about the number of filming productions that the ~~office~~ Office has helped bring to the state and the economic impact of those productions, as well as similar information concerning the efforts of the Office to promote the music industry in this state.

~~E. On September 1, 1993, the Oklahoma Film Office shall be transferred to the Oklahoma Department of Tourism and Recreation. The transfer shall include all personnel, equipment, files and funds necessary to operate the Oklahoma Film Office. The employees of the Oklahoma Film Office shall be transferred without a change in status and shall remain subject to the merit system of personnel administration as provided in the Oklahoma Personnel Act, Section 840.1 et seq. of Title 74 of the Oklahoma Statutes. All transferring employees shall, except as otherwise provided for in this subsection, be exempt from any examination or other employment requirements for new employees.~~

SECTION 3. This act shall become effective November 1, 2000.