



1 enactment of any measure in the future providing for travel  
2 reimbursement of state officers and employees on the basis of  
3 "actual and necessary" expenses or in any other manner inconsistent  
4 with Sections 500.1 through 500.18 of this title shall be deemed to  
5 provide for reimbursement in accordance with Sections 500.1 through  
6 500.18 of this title unless a contrary intent is explicitly  
7 expressed in this section. Sections 500.1 through 500.18 of this  
8 title shall not apply, however, to travel reimbursements made by  
9 political subdivisions of this state, except as otherwise provided  
10 by law.

11 B. The agencies listed below are authorized certain exceptions  
12 and/or exemptions to the provisions of Sections 500.1 through 500.18  
13 of this title to the extent specified:

14 1. State Department of Agriculture:

15 The actual and reasonable expenses of travel and subsistence in  
16 pursuing and developing markets for Oklahoma agricultural products  
17 incurred by the Commissioner, Deputy Commissioner and such employees  
18 designated by the State Board of Agriculture within the marketing  
19 development programs of the State Department of Agriculture shall be  
20 reimbursed to the employee incurring such expenses. Reimbursement  
21 of such expenses shall be in accordance with rules adopted by the  
22 Board. Expenses claimed shall, prior to reimbursement, be reviewed

1 by the Board at a regular meeting and individually approved or  
2 disapproved.

3 2. Wheat Utilization, Research and Market Development  
4 Commission:

5 The actual and reasonable expenses of travel, lodging and  
6 subsistence in pursuing and developing markets for Oklahoma wheat  
7 and wheat products incurred by the Commission, staff and such  
8 persons authorized by the Commission shall be reimbursed to the  
9 person incurring such expenses. Expenses of wheat trade officials  
10 on wheat trade missions from foreign countries and from other states  
11 can be reimbursed to the person previously authorized by the  
12 Commission to incur the expense. No actual and reasonable expenses  
13 shall be paid except for time spent working with wheat trade  
14 officials on wheat trade missions. Reimbursement of such expenses  
15 shall be made in accordance with rules adopted by the Commission.  
16 Expenses claimed shall, prior to reimbursement, be reviewed by the  
17 Commission at each regular meeting and individually approved or  
18 disapproved.

19 3. Department of Public Safety:

20 When traveling with the Governor or at the Governor's request,  
21 personnel assigned by the Commissioner for executive security and  
22 pilots on executive assignment shall be allowed their actual and

1 necessary traveling expenses, upon claims approved by the  
2 Commissioner.

3 4. Department of Corrections:

4 The Department of Corrections shall be exempt from limitations  
5 of reimbursement for rented automobiles, as set forth in Section  
6 500.5 of Title 74 of the Oklahoma Statutes, when the rental is by a  
7 Correctional Officer or Transportation Officer for the limited  
8 purpose of transporting inmates. Reimbursement for the expense  
9 shall be on the basis of actual cost.

10 5. Oklahoma Tourism and Recreation Department:

11 The Oklahoma Tourism and Recreation Commission and Department  
12 staff who promote in-state and out-of-state business for Oklahoma's  
13 state-operated or state-owned parks and lodges and the tourism and  
14 recreation industry, may be reimbursed for the actual and necessary  
15 expense of travel, subsistence and entertainment for this purpose.  
16 The Director of the Oklahoma Tourism and Recreation Department may  
17 reimburse the Publisher of Oklahoma Today magazine and its staff for  
18 expenses for meals and other entertainment in order to gain  
19 advertising and promotion for Oklahoma Today magazine. The Oklahoma  
20 Tourism and Recreation Department may reimburse the Director of the  
21 Oklahoma Film and Music Office and staff for the actual and  
22 necessary expenses for meals and other entertainment in order to  
23 promote the film ~~industry~~ and music industries in ~~the~~ this state.

1 Reimbursement of all actual and necessary expenses shall be in  
2 accordance with rules adopted by the Oklahoma Tourism and Recreation  
3 Commission.

4 6. Oklahoma Department of Commerce:

5 a. The actual and necessary expenses incurred by the  
6 Director and other employees of the Department  
7 authorized by the Director for the purpose of business  
8 recruitment shall be reimbursed. Reimbursement of  
9 expenses shall be in accordance with rules adopted by  
10 the Director of the Oklahoma Department of Commerce.  
11 Expenses claimed shall, prior to reimbursement, be  
12 reviewed by the Director and individually approved or  
13 disapproved.

14 b. The Department, at the discretion of the Director, may  
15 charter aircraft for the purposes of carrying out its  
16 duties and responsibilities related to business  
17 recruitment and performing the duties of the Director.  
18 The cost of such charter shall be exempt from the  
19 provisions of Section 500.6 of this title. Claims  
20 filed with the Office of State Finance shall bear the  
21 following certification:  
22 The best interests of the citizens of Oklahoma were  
23 better served in that conventional ground

1 transportation was not practical or feasible for this  
2 trip, aircraft from the Department of Public Safety  
3 were not available for this trip, and no other claim  
4 has been or will be filed as a payment for the cost of  
5 transportation in connection with this trip.

6 7. Department of Central Services:

7 The actual and necessary expenses of travel and subsistence  
8 incurred by the Director, any state employee approved by his or her  
9 appointing authority, or state officials, for travel outside the  
10 state in performance of duties related to bond financing shall be  
11 reimbursed to the employee or state official incurring such  
12 expenses. Reimbursement for lodging expenses shall be supported by  
13 three telephone bids from hotels within a reasonable distance of the  
14 activity for which the travel was approved.

15 8. Oklahoma Futures:

16 The actual and necessary expenses incurred by the members of  
17 Oklahoma Futures in the performance of their duties shall be  
18 reimbursed to the members incurring such expenses. Reimbursement of  
19 all actual and necessary expenses shall be in accordance with rules  
20 adopted by Oklahoma Futures.

21 9. Oklahoma Development Finance Authority:

22 The actual and necessary expenses incurred by the members and  
23 employees of the Oklahoma Development Finance Authority in the

1 performance of their duties shall be reimbursed to the person  
2 incurring such expenses. Reimbursement of all actual and necessary  
3 expenses shall be in accordance with the bylaws of the Authority.

4 10. Oklahoma Center for the Advancement of Science and  
5 Technology:

6 The actual and necessary expenses incurred by the members and  
7 employees of the Oklahoma Center for the Advancement of Science and  
8 Technology in the performance of their duties shall be reimbursed to  
9 the person incurring such expenses. Reimbursement of all actual and  
10 necessary expenses shall be in accordance with the bylaws of the  
11 Center.

12 11. Center for International Trade Development:

13 The actual and necessary expenses of travel, lodging and  
14 subsistence incurred by the Director and authorized employees of the  
15 Center for International Trade Development for performance of their  
16 duties for the purpose of business recruitment and assistance shall  
17 be reimbursed to the person incurring such expenses. Reimbursement  
18 of such expenses shall be in accordance with the rules adopted by  
19 the Director of the Center for International Trade Development.  
20 Expenses claimed shall be reviewed and individually approved or  
21 disapproved, prior to reimbursement, first by the Director, and  
22 finally by either the Vice President, Business and Finance of

1 Oklahoma State University or the President of Oklahoma State  
2 University.

3 12. Oklahoma State Bureau of Investigation:

4 The actual and necessary expenses incurred by the Director and  
5 other employees of the Bureau authorized by the Director as a result  
6 of conducting investigations shall be reimbursed to each such  
7 employee incurring the expenses. Reimbursement of the expenses  
8 shall be in accordance with rules adopted by the Director of the  
9 Oklahoma State Bureau of Investigation. Prior to reimbursement,  
10 expenses claimed shall be reviewed by the Director and individually  
11 approved or disapproved.

12 13. Department of Human Services:

13 a. The actual and necessary expenses of travel, lodging  
14 and subsistence incurred by employees of the Legal  
15 Division in the performance of their duties for the  
16 purpose of representing the Department of Human  
17 Services or any of its officials, employees,  
18 institutions or hospitals at any proceeding, including  
19 depositions, held before any court, administrative  
20 body or representative thereof, shall be reimbursed to  
21 the employee incurring such expenses. Expenses  
22 claimed shall be approved by the General Counsel and  
23 the Director of Human Services prior to reimbursement.

1           b.    The Department, at the discretion of the Director, may  
2                    charter aircraft when determined by the Director such  
3                    charter would be more practical or less expensive than  
4                    normal modes of transportation and when aircraft of  
5                    the Department of Public Safety are unavailable. The  
6                    costs of such charter shall be exempt from the  
7                    provisions of Section 500.6 of this title.

8           14.   Oklahoma Health Care Authority:

9           The actual and necessary expenses of travel, lodging and  
10           subsistence incurred by employees of the Legal Division in the  
11           performance of their duties for the purpose of representing the  
12           Authority or any of its officials or employees, at any proceeding,  
13           including depositions, held before any court, administrative body or  
14           representative thereof, shall be reimbursed to the employee  
15           incurring such expenses. Expenses claimed shall be approved by the  
16           Administrator prior to reimbursement.

17           15.   Oklahoma State Bureau of Narcotics and Dangerous Drugs  
18           Control:

19           The actual and necessary expenses incurred by the Director and  
20           other employees of the Bureau authorized by the Director as a result  
21           of conducting investigations shall be reimbursed to each employee  
22           incurring the expenses. Reimbursement of the expenses shall be in  
23           accordance with rules adopted by the Director of the Oklahoma State

1 Bureau of Narcotics and Dangerous Drugs Control. Prior to  
2 reimbursement, expenses claimed shall be reviewed by the Director  
3 and individually approved or disapproved.

4 16. University Hospitals:

5 The actual and necessary expenses of travel, lodging and  
6 subsistence incurred by employees of the Legal Office in the  
7 performance of their duties for the purpose of representing the  
8 University Hospitals or any of its officials, employees,  
9 institutions or hospitals at any proceeding, including depositions,  
10 held before any court, administrative body or representative  
11 thereof, shall be reimbursed to the employee incurring such  
12 expenses. Expenses shall be approved by the Chief Executive Officer  
13 of the University Hospitals or by the University Hospitals  
14 Authority.

15 17. Oklahoma Historical Society:

16 The actual and necessary expenses of travel, subsistence and  
17 entertainment incurred by the Executive Director, Deputy Director  
18 and any employees designated by the Executive Committee of the  
19 Oklahoma Historical Society Board of Directors in pursuing and  
20 developing programs and projects for the preservation and marketing  
21 of Oklahoma history shall be reimbursed to the person incurring the  
22 expenses. Reimbursement of expenses shall be in accordance with  
23 rules adopted by the Oklahoma Historical Society Board of Directors.

1 Prior to reimbursement, expenses claimed shall be reviewed by the  
2 Executive Committee at a regularly scheduled meeting and each claim  
3 shall be individually approved or disapproved.

4 18. The Oklahoma Department of Mines:

5 The actual and necessary expenses of travel, lodging and  
6 subsistence incurred by employees of the Department in the  
7 performance of their duties for the purpose of representing the  
8 Department or any of its officials or employees, at any proceeding,  
9 hearing or meeting with federal agencies, boards, commissions,  
10 congressional representatives, congressional committees or staff,  
11 shall be reimbursed to the employee incurring such expenses.

12 Expenses claimed shall be approved by the executive Director prior  
13 to reimbursement.

14 19. The Office of Attorney General:

15 The actual and necessary expenses of travel, lodging and  
16 subsistence incurred by its employees in the performance of their  
17 duties for the purpose of representing the state, the Legislature,  
18 any state board, agency or commission, or any employee or official  
19 of the state entitled to representation, at any proceeding,  
20 including depositions, held before any court, administrative body or  
21 any representative thereof, shall be reimbursed to the employee  
22 incurring the expenses. The expenses shall be approved by the  
23 Attorney General prior to reimbursement.

1        20. District Attorneys Council:

2        The actual and necessary expenses incurred by each district  
3 attorney and other employees of the district attorney authorized by  
4 the district attorney as a result of conducting investigations shall  
5 be reimbursed to each employee incurring the expenses.

6 Reimbursement of the expenses shall be in accordance with rules  
7 adopted by the District Attorneys Council. Prior to reimbursement,  
8 expenses claimed shall be reviewed by the Council and individually  
9 approved or disapproved.

10       21. The Department of Securities:

11       The actual and necessary expenses of travel, lodging and  
12 subsistence incurred by the Administrator and other employees of the  
13 Department of Securities in the performance of their duties for the  
14 purpose of representing the Department of Securities, at any  
15 proceeding, including depositions, held before any court,  
16 administrative body or any representative thereof, conducting on-  
17 site examinations, or conducting investigations, shall be reimbursed  
18 to each employee incurring the expenses. The expenses shall be  
19 approved by the Administrator of the Department of Securities prior  
20 to reimbursement.

21       C. The agencies listed in subsection B of this section shall be  
22 required to report annually the actual expenses excepted or exempted  
23 from Sections 500.1 through 500.18 of this title to the Governor,

1 the President Pro Tempore of the Senate, and the Speaker of the  
2 House of Representatives. The report shall be submitted no later  
3 than the first day of September following the end of each fiscal  
4 year.

5 SECTION 2. AMENDATORY Section 1, Chapter 115, O.S.L.  
6 1993, as amended by Section 1, Chapter 64, O.S.L. 1998 (74 O.S.  
7 Supp. 1999, Section 1852.1), is amended to read as follows:

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

11 B. 1. ~~In addition to such other audits as may be required of~~  
12 ~~or desired by the Oklahoma Tourism and Recreation Department, the~~  
13 The Department shall annually have an independent audit performed by  
14 the State Auditor and Inspector or ~~his or her designated agent~~ an  
15 independent auditor. This audit shall be conducted in accordance  
16 with ~~the~~ Generally Accepted Government Auditing Standards ~~as~~ issued  
17 by the Comptroller General of the United States. The cost of the  
18 audit shall be borne by the Department.

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

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

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

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

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

1        3. The Department's internal auditors shall conduct internal  
2 audits of the Department's facilities and programs ~~that complement~~  
3 ~~the audits required by this section.~~ ~~The internal audits shall be~~  
4 ~~conducted in compliance with~~ pursuant to the provisions of Section  
5 228 of this title.

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

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

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

18        SECTION 3.        AMENDATORY        74 O.S. 1991, Section 5026, as  
19 last amended by Section 2, Chapter 11, O.S.L. 1995 (74 O.S. Supp.  
20 1999, Section 5026), is amended to read as follows:

21        Section 5026. A. There is hereby created within the Oklahoma  
22 Tourism and Recreation Department, the Oklahoma Film and Music  
23 Office. The Office shall have the primary responsibility in state

1 government for promoting the State of Oklahoma as a location for  
2 producing motion pictures, television programs ~~and,~~ videos and  
3 recording or performing music. The office shall assist the motion  
4 picture, television and video film and music industries by providing  
5 production contacts in the state, suggesting possible filming,  
6 performing, and recording locations, and other activities that may  
7 be required to promote the state as a filming and music center. The  
8 office shall further assist the music industry by providing  
9 production contacts in the state, suggesting possible publishing,  
10 production and recording locations, and other activities that may be  
11 required to promote the state as a music center; developing resource  
12 guides, a data base, and a website; developing listings of music  
13 festivals and music events being held in Oklahoma.

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

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

3            ~~1.—Focus~~ a.     focus the activities and functions of the  
4            Oklahoma Film and Music Office to provide the maximum  
5            economic development impact to the State of Oklahoma~~†~~‡

6            ~~2.—Promote~~ b.     promote the film ~~industry~~ and music  
7            industries to local communities~~†~~‡

8            ~~3.—Solicit~~ c.     solicit input annually from a cross section  
9            of the public including industry, business~~‡~~‡ and  
10           community leaders~~†~~‡

11           ~~4.—Assist~~ d.     assist the Oklahoma Film and Music Office  
12           in developing a marketing plan and a production  
13           manual~~†~~‡ and

14           ~~5.—Assist~~ e.     assist the Oklahoma Film and Music Office  
15           in the preparation of the annual report.

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

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

3        1. Focus the activities and functions of the Oklahoma Film and  
4 Music Office to provide the maximum economic development impact to  
5 the State of Oklahoma;

6        2. Promote the music industry to local communities;

7        3. Serve as a clearinghouse for the Oklahoma music industry  
8 using databases which it develops and maintains;

9        4. Promote Oklahoma music and musicians to a national and  
10 international audience;

11        5. Solicit input annually from a cross section of the public  
12 including industry, business and community leaders;

13        6. Assist the Oklahoma Film and Music Office in developing a  
14 marketing plan and a production and recording manual; and

15        7. Assist the Oklahoma Film and Music Office in the preparation  
16 of the annual report.

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

20        ~~D.~~ E. The Oklahoma Film and Music Office shall submit an annual  
21 report to the Governor, the Speaker of the House of Representatives,  
22 and the President Pro Tempore of the Senate prior to February 1 of  
23 each year regarding the activities of the office. The report shall

1 provide information about the number of filming productions that the  
2 office has helped bring to the state and the economic impact of  
3 those productions.

4 ~~E. On September 1, 1993, the Oklahoma Film Office shall be~~  
5 ~~transferred to the Oklahoma Department of Tourism and Recreation.~~  
6 ~~The transfer shall include all personnel, equipment, files and funds~~  
7 ~~necessary to operate the Oklahoma Film Office. The employees of the~~  
8 ~~Oklahoma Film Office shall be transferred without a change in status~~  
9 ~~and shall remain subject to the merit system of personnel~~  
10 ~~administration as provided in the Oklahoma Personnel Act, Section~~  
11 ~~840.1 et seq. of Title 74 of the Oklahoma Statutes. All~~  
12 ~~transferring employees shall, except as otherwise provided for in~~  
13 ~~this subsection, be exempt from any examination or other employment~~  
14 ~~requirements for new employees.~~

15 SECTION 4. This act shall become effective November 1, 2000.

16 COMMITTEE REPORT BY: COMMITTEE ON TOURISM & RECREATION, dated  
17 2-24-00 - DO PASS, As Coauthored.