STATE OF OKLAHOMA

2nd Session of the 47th Legislature (2000)

SENATE BILL 1524 By: Herbert

AS INTRODUCED

An Act relating to tourism and recreation; amending 74 O.S. 1991, Section 1813, as last amended by Section 1, Chapter 167, O.S.L. 1998, and Section 1813.3, as last amended by Section 1, Chapter 56, O.S.L. 1998 (74 O.S. Supp. 1999, Sections 1813 and 1813.3), which relate to Oklahoma Tourism and Recreation Department; providing for public inspection of certain documents and media during business hours; authorizing Division to refuse to copy or allow copies; and providing an effective date.

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

SECTION 1. AMENDATORY 74 O.S. 1991, Section 1813, as last amended by Section 1, Chapter 167, O.S.L. 1998 (74 O.S. Supp. 1999, Section 1813), is amended to read as follows:

Section 1813. A. The Division of Travel and Tourism shall:

1. Encourage the orderly growth and development of tourism to and within the state by preparing and maintaining a comprehensive five-year travel development master plan and supporting marketing plan jointly with the private sector;

2. Organize, coordinate, and conduct state, regional, national, and international marketing programs to create and perpetuate a responsible and accurate image of the state and its natural, cultural, historical, recreational attractions and events in order to increase the number of domestic and international travelers to Oklahoma;

3. Advise and provide technical assistance to the planning, development, and execution of promotional programs for Oklahoma's city, county, and regional tourism promotion organizations with the

purpose of coordinating those programs with the Division's promotional programs;

4. Create, develop, produce, distribute, implement, and evaluate public information programs, including publicity, brochures, public relations activities, film and slide production, still and audio visual photography, public service programs, advertising, and other informational aids for the promotion of tourism to the general public and the media;

5. Cooperate and participate with neighboring states and the federal government to promote travel to the regional states from domestic and international markets;

6. Coordinate, advise, and provide technical assistance to cities, counties, and regional organizations in the promotion and solicitation of group meetings, conferences, and conventions to be held within the state;

7. Develop timely research data to measure traveler volume and economic impact, determine traveler profiles, evaluate, and analyze market and advertising effectiveness;

8. Plan, coordinate, and conduct statewide conferences, seminars, and workshops to inform and educate representatives from the state's public and private sector regarding programs and travel trends which affect the tourism industry;

9. Plan, construct, lease, operate, and maintain state-of-the-art welcome centers and a central fulfillment warehouse for the purpose of distributing information on the state's tourism facilities, services, and opportunities. The state-of-the-art welcome centers shall include, when feasible and necessary to effectuate the provisions of subsection C of Section 1863 of this title, restaurant or concession areas, recreational vehicle utility hook-ups and overnight parking areas, multimedia information displays, telecommunications centers, and such other technological accoutrements necessary to aid the traveler in obtaining up-to-date

hotel and motel reservation information, weather and road conditions, route information, and community and state, public or private tourist attraction and event information;

10. Provide organization and coordination assistance to public and private tourism promotion organizations for participation in cooperative advertising and promotion opportunities with the Division, including travel trade marketplaces, consumer sport, travel, and recreation shows within and outside the state;

11. Administer matching grant programs to multicounty organizations which promote travel and tourism to their area of the state that are in concert and coordinated with the statewide travel Marketing Plan;

12. Assist other Divisions within the Department and, where possible, assist other state agencies with special tourism promotion projects, development of professional training opportunities and other projects which provide services to travelers; and

13. Issue tour bus permits in this state as provided in Section 1171 of Title 47 of the Oklahoma Statutes.

B. The Division may facilitate travel to and within the state by encouraging development of a tourism industry infrastructure which provides investment incentives to tourism businesses and tourism product development.

C. The Division may contract with professionally qualified companies ~~and/~~or individuals for services to assist in the development and production of advertising, promotion, publicity, and public relations programs, primary and secondary research data collection including analysis of state travel marketing programs and economic impact information.

D. 1. The Division may obligate and expend funds for marketing, advertising, promotion, research, and information disseminating activities in accordance with the laws of this state governing such activities.

2. Marketing, advertising, promotion, research, information, photographs, film recordings, video recordings, sound recordings, and digital records of the same nature produced by or for the Division shall be available for public inspection during Division business hours; however, the Division shall not be required to provide copies or allow copying of the materials.

E. The Division may, upon approval of the Oklahoma Tourism and Recreation Commission, lease for a reasonable rate, retail and advertising space in state-operated welcome centers. A performance bond, certificate of deposit, letter of credit, or cash equivalent, may be required by the Commission on any such lease. The Commission shall promulgate rules to implement this subsection.

SECTION 2. AMENDATORY 74 O.S. 1991, Section 1813.3, as last amended by Section 1, Chapter 56, O.S.L. 1998 (74 O.S. Supp. 1999, Section 1813.3), is amended to read as follows:

Section 1813.3 A. The Oklahoma Today Magazine is hereby authorized to sell advertising~~,~~; provided, that all such advertising shall be approved by the appropriate division director prior to acceptance for publication.

B. One additional full-time-equivalent position is authorized to Oklahoma Today magazine for the purpose of managing the advertising program authorized by this section.

C. In addition to the regular salary, any employee of the Oklahoma Today Magazine who obtains advertising for Oklahoma Today Magazine, at the discretion of the Director of the Oklahoma Department of Tourism and Recreation, may be awarded additional compensation in the form of a commission on net advertising sales by ~~said~~ the employee. The commission shall not exceed twenty-five percent (25%), with the commission percentage to be determined by the Executive Director. In no case shall the additional compensation, when combined with an employee's salary, exceed ninety-five percent (95%) of the salary of the Executive Director.

This commission payment shall be paid monthly, based on collected revenues from sales by ~~said~~ the employee.

D. The sale of advertising and negotiation of rates for the advertising shall not be subject to the Public Competitive Bidding Act of 1974 and the Administrative Procedures Act.

E. Oklahoma Today Magazine and articles, notes, and photographs produced by or for Oklahoma Today Magazine shall be available for public inspection during Oklahoma Tourism and Recreation Department business hours; however, the Department shall not be required to provide copies or allow copying of the magazine, articles, notes, or photographs other than as the Department provides copies of Oklahoma Today Magazine for newsstand and subscription sales.

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

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