

ENROLLED HOUSE  
BILL NO. 1535

By: Mass and Bonny of the House

and

Haney and Hobson of the  
Senate

An Act relating to cultural development entities; making an appropriation to the Oklahoma Arts Council; specifying purposes; requiring budgeting of certain funds in certain categories and amounts; providing for duties and compensation of employees; setting maximum salary of the Chief Administrative Officer; providing budgetary limitations; making appropriations to the Oklahoma Tourism and Recreation Department; stating purposes; requiring budgeting of certain funds in certain categories and amounts; providing for duties and compensation of employees; limiting the salary of the Executive Director; providing budgetary limitations; making filling of certain position contingent on receipt of certain funds; transferring certain funds; prohibiting the closing of certain state parks without legislative approval; providing exception; authorizing the establishment of certain internship program in the area of tourism management; making appropriations to the Oklahoma Educational Television Authority; specifying purposes; requiring and providing certain expenditure of funds for certain purposes; providing procedures for receipt of certain funds; providing for reappropriation of certain funds; providing budgeting of certain funds in certain categories and amounts; requiring certain performance measures; providing for duties and compensation of employees; limiting maximum salary of the Director; setting budgetary limitations; requiring budgeting of certain funds in certain years; requiring certain budgeting procedures; prohibiting certain budget procedures; providing lapse dates; providing an effective date; and declaring an emergency.

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, 2002, the sum of Four Million Five Hundred Forty-five Thousand Seven Hundred Seventy-two Dollars (\$4,545,772.00) 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, 2002, 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	\$4,095,772.00	\$5,253,987.00
Learning and the Arts	<u>450,000.00</u>	<u>1,100,000.00</u>
TOTAL	\$4,545,772.00	\$6,353,987.00

The agency shall develop outcome-based performance measures for each budget category.

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-nine Thousand Five Hundred Dollars (\$59,500.00) per annum, payable monthly for the fiscal year ending June 30, 2002. The Oklahoma Arts Council for the fiscal year ending June 30, 2002, 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	\$0.00

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, 2002, the sum of Thirty-three Million Three Hundred Fifty Thousand Two Hundred Seventy-three Dollars (\$33,350,273.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma Tourism and Recreation Department by law.

SECTION 5. For the fiscal year ending June 30, 2002, 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	\$ 2,913,065.00	\$ 3,696,440.00
Division of State Parks	16,020,097.00	28,990,361.00
Golf Courses	1,082,114.00	7,593,426.00
Division of Planning and		

Development	877,673.00	3,106,423.00
Division of State Resorts	3,473,165.00	13,509,415.00
Division of Travel and Tourism	2,448,779.00	7,294,500.00
Oklahoma Film Office and Production Rebate Program	486,631.00	517,006.00
Division of Human Resources	527,945.00	552,945.00
Welcome Centers	1,567,265.00	1,651,840.00
Oklahoma Today Magazine	250,726.00	1,593,226.00
Multicounty Organizations	1,241,258.00	1,266,258.00
Scenic Rivers Commission	388,805.00	577,149.00
TRIP	910,575.00	935,575.00
Cherokee National Historical Society - Tsa La Gi	37,575.00	37,575.00
Red Earth	30,000.00	30,000.00
Summer Arts Institute	39,600.00	39,600.00
Shakespearean Festival	105,000.00	105,000.00
Cherokee Heritage Center	100,000.00	100,000.00
Greenwood Cultural Center	150,000.00	150,000.00
Bicycle Trail Matching Grant Program	500,000.00	3,000,000.00
Jazz Hall of Fame	<u>200,000.00</u>	<u>200,000.00</u>
TOTAL	\$33,350,273.00	\$74,946,739.00

SECTION 6. 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 Executive Director. The salary of the Executive Director shall be set by the Oklahoma Tourism and Recreation Commission and shall not exceed Seventy-four Thousand Dollars (\$74,000.00) per annum, payable monthly for the fiscal year ending June 30, 2002. The Oklahoma Tourism and Recreation Department for the fiscal year ending June 30, 2002, shall be subject to the following budgetary limitations 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	823.0

Lease-Purchase Agreements made pursuant  
to the appropriations in this Act \$1,863,011.00

SECTION 7. Of the eight hundred twenty-three (823.0) full-time-equivalent employee positions authorized in 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 8. The Tourism and Recreation Department, on the effective date of this act, shall transfer the sum of One Million Dollars (\$1,000,000.00) of the funds appropriated to the Tourism and Recreation Department by this act to the Tourism Equipment Revolving Fund 240 ("240 Fund").

SECTION 9. No additional state parks shall be closed for part of the year without the specific authorization of the Legislature. State parks that 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 10. 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 11. 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, 2002, the sum of Two Hundred Nineteen Thousand Four Hundred Fifteen Dollars (\$219,415.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma Educational Television Authority by law.

SECTION 12. There is hereby appropriated to the Oklahoma Educational Television Authority from any monies not otherwise appropriated from the Special Cash Fund of the State Treasury, the sum of Six Million Seven Hundred Thousand Dollars (\$6,700,000.00) or so much thereof as may be necessary for the cost of digital conversion and any other duties imposed upon the Oklahoma Educational Television Authority by law. Of this amount, the Oklahoma Educational Television Authority is directed to provide One Million One Hundred Thousand Dollars (\$1,100,000.00) no later than October 1, 2001, to any public higher education institution with an existing noncommercial television broadcast license which has Federal Communication Commission (FCC) construction permits for allocated digital television frequencies for the purpose of providing funding for federally mandated digital conversion. In order to qualify for funds pursuant to this section, a higher education institution must present a request for funds to the Oklahoma Educational Television Authority no later than June 15, 2001, and must show documentation of application for federal grants to provide funding for digital conversion prior to March 1, 2001.

SECTION 13. REAPPROPRIATION The amount of Two Hundred Sixty-seven Thousand Dollars (\$267,000.00) originally appropriated

to the Oklahoma Educational Television Authority by Section 10, Chapter 105, O.S.L. 1998, from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1999, to perform the duties imposed upon the Oklahoma Educational Television Authority by law, and reappropriated and redesignated by Section 1, Chapter 345, O.S.L. 1999, is hereby reappropriated for the purposes designated by Section 1, Chapter 345, O.S.L. 1999, for engineering tower and frequency studies related to conversion to digital satellite broadcasting, as adjusted for transfer, less any amount that has been expended upon the effective date of this act.

SECTION 14. For the fiscal year ending June 30, 2002, 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	\$1,434,764.00	\$2,566,326.00
Technical Services	8,340,168.00	9,973,136.00
Administration	<u>863,800.00</u>	<u>1,047,676.00</u>
TOTAL	\$10,638,732.00	\$13,587,138.00

The agency shall develop outcome-based performance measures for each budget category.

SECTION 15. 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-nine Thousand One Hundred Sixteen Dollars (\$59,116.00) per annum, payable monthly for the fiscal year ending June 30, 2002. The Oklahoma Educational Television Authority for the fiscal year ending June 30, 2002, shall be subject to the following budgetary limitations 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>
Full-Time-Equivalent Employees	84.0
Lease-Purchase Agreements	0.00

SECTION 16. Appropriations made by this act, not including appropriations made for capital outlay purposes, may be budgeted for the fiscal year ending June 30, 2002 (hereafter FY-02) or may be budgeted for the fiscal year ending June 30, 2003 (hereafter FY-03). Funds budgeted for FY-02 may be encumbered only through June 30, 2002, and must be expended by November 15, 2002. Any funds remaining after November 15, 2002, and not budgeted for FY-03, shall lapse to the credit of the proper fund for the then current fiscal year. Funds budgeted for FY-03 may be encumbered only through June 30, 2003. Any funds remaining after November 15, 2003, 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-02, and not required to pay obligations for that fiscal year, may be budgeted for FY-03, 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-02 budget work program and after such revision has been approved by the Office of State Finance.

SECTION 17. This act shall become effective July 1, 2001.

SECTION 18. 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.

Passed the House of Representatives the 21st day of May, 2001.

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Presiding Officer of the House of  
Representatives

Passed the Senate the 21st day of May, 2001.

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Presiding Officer of the Senate