

ENROLLED HOUSE
BILL NO. 1219

By: Mitchell and Bonny of the
House

and

Morgan and Robinson of the
Senate

An Act relating to the Oklahoma Tourism and Recreation Department; making appropriations to the Oklahoma Tourism and Recreation Department; stating purposes; limiting expenditure of certain funds for certain purpose; prohibiting allocation of certain funds to certain organizations; reappropriating and continuing funds to the Oklahoma Tourism and Recreation Department; stating purposes; requiring certain funds to be budgeted in certain categories and amounts; providing for duties and compensation of employees; limiting the salary of the Director; providing budgetary limitations; prohibiting the closing of certain state parks without legislative approval; requiring Oklahoma Tourism and Recreation Department to provide certain administrative services for the Oklahoma Scenic Rivers Commission; providing lapse dates; requiring and prohibiting certain budget procedures; creating the Tourism and Recreation Environmental Loan Proceeds Revolving Fund; stating purpose; providing for use; providing for deposits and expenditures; providing for administrative direction; providing for codification; providing an effective date; and declaring an emergency.

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

SECTION 1. 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, 2004, the sum of Twenty-two Million Six Hundred Sixteen Thousand Four Hundred Eighty-two Dollars (\$22,616,482.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma Tourism and Recreation Department by law.

SECTION 2. Of the total expenditures from the Oklahoma Tourism Promotion Act as created by Sections 50010 through 50015 of Title 68 of the Oklahoma Statutes, not more than Four Hundred Thousand Dollars (\$400,000.00) may be made available to the multicounty organizations as created by Sections 1830 and 1830.1 of Title 74 of the Oklahoma Statutes for the purpose established by law, provided that no funds authorized by this section are allocated to

multicounty organizations receiving more than twenty-two percent (22%) of the base funding for multicounty organizations as provided for by this act.

SECTION 3. It is the intent of the Oklahoma State Legislature that the Oklahoma Tourism and Recreation Department shall expend an amount not to exceed Four Hundred Seventy-seven Thousand Six Hundred Seventy-four Dollars (\$477,674.00) or so much thereof as may be necessary for the purpose of repaying any financial assistance the Department may receive from the Oklahoma Water Resources Board to remediate environmental issues within the state park, resort and golf course system.

SECTION 4. REAPPROPRIATION The amount of Twelve Million Seven Hundred Eighty Thousand Dollars (\$12,780,000.00) originally appropriated to the Oklahoma Tourism and Recreation Department by Section 66, Chapter 189, O.S.L. 1993, from the proceeds of the sale of bonds deposited in the Oklahoma Building Bonds of 1992 Fund (A) in the State Treasury for the construction, furnishing and equipping of new buildings, for equipping, remodeling, modernizing and repairing existing buildings, and for other capital expenditures, as reappropriated by Section 41, Chapter 275, O.S.L. 1995, and continued and reappropriated by Section 41, Chapter 270, O.S.L. 1997, and continued and reappropriated by Section 13, Chapter 352, O.S.L. 1999, and continued and reappropriated by Section 1, Chapter 371, O.S.L. 2001, is hereby continued and reappropriated to the Oklahoma Tourism and Recreation Department in the original amount and for the original purposes, as adjusted by transfer, less the amounts that have been expended as of the effective date of this act.

SECTION 5. For the fiscal year ending June 30, 2004, 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 Services Division	\$2,695,110.00	\$2,949,485.00
Parks, Resorts and Golf Courses	14,346,374.00	47,904,795.00
Travel and Tourism Division	3,586,729.00	9,269,862.00
Oklahoma Today Magazine	178,040.00	1,492,798.00
Multicounty Organizations	1,250,000.00	1,275,000.00
Cherokee National Historical Society - Tsa La Gi	29,324.00	29,324.00
Red Earth	30,000.00	30,000.00
Summer Arts Institute	30,905.00	30,905.00
Shakespeare Festival	120,000.00	120,000.00
Greenwood Cultural Center	150,000.00	150,000.00

Jazz Hall of Fame	<u>200,000.00</u>	<u>200,000.00</u>
TOTAL	\$22,616,482.00	\$63,452,169.00

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 Director. The salary of the Director shall not exceed Seventy-four Thousand Dollars (\$74,000.00) per annum, payable monthly for the fiscal year ending June 30, 2004. The Oklahoma Tourism and Recreation Department for the fiscal year ending June 30, 2004, shall be subject to the following budgetary limitation 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	808.0
Lease-Purchase Agreements	\$1,863,011.00

SECTION 7. No additional state parks shall be closed on an annual basis without the specific authorization of the Legislature.

SECTION 8. The Oklahoma Tourism and Recreation Department shall continue to provide necessary administrative services for the Oklahoma Scenic Rivers Commission as created by subsection B of Section 1461 of Title 82 of the Oklahoma Statutes at no additional cost to the Oklahoma Scenic Rivers Commission.

SECTION 9. Appropriations made by this act, not including appropriations made for capital outlay purposes, may be budgeted for the fiscal year ending June 30, 2004 (hereafter FY-04) or may be budgeted for the fiscal year ending June 30, 2005 (hereafter FY-05). Funds budgeted for FY-04 may be encumbered only through June 30, 2004, and must be expended by November 15, 2004. Any funds remaining after November 15, 2004, and not budgeted for FY-05, shall lapse to the credit of the proper fund for the then current fiscal year. Funds budgeted for FY-05 may be encumbered only through June 30, 2005. Any funds remaining after November 15, 2005, 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-04, and not required to pay obligations for that fiscal year, may be budgeted for FY-05, 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-04 budget work program and after such revision has been approved by the Office of State Finance.

SECTION 10. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1851.2 of Title 74, unless there is created a duplication in numbering, reads as follows:

There is hereby created in the State Treasury a revolving fund for the Oklahoma Tourism and Recreation Department to be designated

the "Tourism and Recreation Environmental Loan Proceeds Revolving Fund". The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of all monies received from the State Revolving Fund loan programs as administered by the Oklahoma Water Resources Board designated specifically for the purposes of reimbursements, construction, repair, remediation, or improvement of eligible facilities under the jurisdiction of the Oklahoma Tourism and Recreation Commission. The loan proceeds revolving fund shall be under the administrative direction of the Oklahoma Tourism and Recreation Department. All monies accruing to the credit of said fund may be budgeted and expended by the Oklahoma Tourism and Recreation Department for the purpose of constructing, repairing, remediating, improving loan eligible projects, reimbursing the Department for eligible planning and design expenses, or paying for associated loan financing requirements. Expenditures from the fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of State Finance for approval of payment.

SECTION 11. This act shall become effective July 1, 2003.

SECTION 12. 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 30th day of May, 2003.

Presiding Officer of the House of
Representatives

Passed the Senate the 30th day of May, 2003.

Presiding Officer of the Senate