

CS for EHB 2542

1 THE STATE SENATE
2 Tuesday, April 6, 2004

3 Committee Substitute for
4 ENGROSSED
5 House Bill No. 2542

6 COMMITTEE SUBSTITUTE FOR ENGROSSED HOUSE BILL NO. 2542 - By: CAREY
7 and DORMAN of the House and GUMM of the Senate.

8 [public lands - Commissioners of the Land Office - real
9 property - Oklahoma Tourism and Recreation Commission -
10 codification -
11 emergency]

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

13 SECTION 1. NEW LAW A new section of law to be codified
14 in the Oklahoma Statutes as Section 51.1 of Title 64, unless there
15 is created a duplication in numbering, reads as follows:

16 A. The Commissioners of the Land Office may invest the
17 permanent school funds in real property owned or acquired by the
18 State of Oklahoma or the Oklahoma Tourism and Recreation Department
19 and under the jurisdiction of the Oklahoma Tourism and Recreation
20 Commission. The Commissioners of the Land Office shall not invest
21 more than three percent (3%) of the total value of the permanent
22 school funds in connection with this investment.

23 B. The Commissioners of the Land Office are authorized to
24 acquire, exchange, and grant any real property under its

1 jurisdiction as is necessary to carry out the investment in the real
2 property.

3 C. The Commissioners of the Land Office may carry out the
4 investment as authorized in this section only if the investment
5 complies with all provisions of the Oklahoma Constitution related to
6 preservation and use of the permanent school fund and with all other
7 trust requirements under law related to investment of the fund.

8 D. Any investment in or acquisition, exchange or grant of any
9 real property by the Commissioners of the Land Office relating to
10 the Texoma State Park, Lake Texoma Lodge or any real property in the
11 area owned by the Oklahoma Tourism and Recreation Department shall
12 be subject to the following provisions:

13 1. The employees at Texoma State Park and/or Lake Texoma Lodge
14 shall have primacy in any and all employment opportunities created
15 by any successor operator of a resort or park facility located on
16 the lands held by the Oklahoma Tourism and Recreation Department on
17 the effective date of this act;

18 2. Any investment in or acquisition, exchange or grant of real
19 property authorized by this section shall ensure a fair return to
20 the Oklahoma Tourism and Recreation Department to be distributed as
21 provided for in paragraph 3 of this subsection;

22 3. All proceeds to the Oklahoma Tourism and Recreation
23 Department from any such investment in or acquisition, exchange or

1 grant of state property in the park shall be reinvested in the
2 Texoma area in projects that enhance the visitor experience or
3 augment the facilities available to visitors;

4 4. Any such investment in or acquisition, exchange or grant of
5 state property must lead to the highest and best use of the
6 property;

7 5. Existing concessionaires in and around the park shall be
8 consulted and given opportunities to participate in any business
9 opportunities and improvements resulting from such investment in or
10 acquisition, exchange or grant of real property. The private
11 investments of existing concessionaires in and around the park shall
12 be given due consideration by any state agency that is a party to
13 any investment in or acquisition, exchange or grant of real property
14 authorized by this act; and

15 6. Any such investment in or acquisition, exchange or grant of
16 any real property shall include a provision to ensure the Lake
17 Texoma Association headquarters be granted to the association which
18 shall be allowed to remain at its current location.

19 SECTION 2. It being immediately necessary for the preservation
20 of the public peace, health and safety, an emergency is hereby
21 declared to exist, by reason whereof this act shall take effect and
22 be in full force from and after its passage and approval.

23 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS, dated 3-31-04 - DO
24 PASS, As Amended.