STATE OF OKLAHOMA

1st Session of the 50th Legislature (2005)

CONFERENCE COMMITTEE
SUBSTITUTE
FOR ENGROSSED
HOUSE BILL NO. 1122

By: Benge and Newport of the House

and

Morgan and Crutchfield of the Senate

CONFERENCE COMMITTEE SUBSTITUTE

An Act relating to the Oklahoma Tourism and Recreation Department; making appropriation to the Oklahoma Tourism and Recreation Department; authorizing the Oklahoma Tourism and Recreation Department to expend certain funds; stating purpose; limiting expenditure of funds for certain purposes; prohibiting allocation of certain funds to certain organizations; providing monetary limit to be expended by the Oklahoma Tourism and Recreation Department for certain financial assistance; requiring all funds to be budgeted in certain categories and amounts; providing for duties and compensation of employees; providing budgetary limitations; requiring Oklahoma Tourism and Recreation Department to provide certain administrative services for the Oklahoma Scenic Rivers Commission; providing for transfer of certain monies by the Director of State Finance; providing lapse dates; providing certain budget procedures; 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, 2006, the sum of Twenty-five Million Nine Hundred Fifty-five Thousand Nine Hundred Fifty-nine Dollars ($25,955,959.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma Tourism and Recreation Department by law.

SECTION 2. The Oklahoma Tourism and Recreation Department is authorized to expend an amount not to exceed Two Million Four Hundred Thousand Dollars ($2,400,000.00) from the Rural Economic Action Plan Water Projects Fund from the gross production tax, as apportioned by Section 1004 of Title 68 of the Oklahoma Statutes, to be transferred to the Oklahoma Tourism and Recreation Department Revolving Fund (#215), for the purposes of addressing environmental, sewage, and water infrastructure issues and conservation planning in the Oklahoma State Parks and for the duties imposed upon the Oklahoma Tourism and Recreation Department by law.

SECTION 3. 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) shall be made available to the multicounty organizations as defined by paragraph 1 of subsection A of Section 1830 of Title 74 of the Oklahoma Statutes, as a grant partnership program allowed under subsection B of Section 1834 of Title 74 of the Oklahoma Statutes. Multicounty organizations may apply individually for such grant funds. If multicounty organizations apply jointly for such grant funds, the total for each joint application shall not exceed fifteen percent (15%) of the total allocation. No funds authorized by this section are allocated to multicounty organizations receiving more than twenty percent (20%) of the base funding for multicounty organizations as provided for by this act.

SECTION 4. 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 system.

SECTION 5. For the fiscal year ending June 30, 2006, the Oklahoma Tourism and Recreation Department shall budget all funds in the following categories and amounts:

Category	Appropriation	Total
Administration Services Division	$ 2,827,674.00	$ 3,326,307.00
Parks, Resorts and Golf Courses	17,469,663.00	56,638,323.00
Travel and Tourism Division	3,966,755.00	13,386,874.00
Oklahoma Today Magazine	251,638.00	1,641,036.00
Multicounty Organizations	750,000.00	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	100,000.00	100,000.00
Pollard Theater	150,000.00	150,000.00
Greenwood Cultural Center	150,000.00	150,000.00
Jazz Hall of Fame	200,000.00	200,000.00
TOTAL	$25,955,959.00	$76,957,769.00

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 Executive Director of the Oklahoma Tourism and Recreation Department shall not exceed Eighty-two Thousand Two Hundred Dollars ($82,200.00) per annum, payable monthly for the fiscal year ending June 30, 2006. The Oklahoma Tourism and Recreation Department for the fiscal year ending June 30, 2006, 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:

Budgetary Limitation	Amount
Average Number of Full-Time-Equivalent Employees, Excluding Seasonal Employees and Project Labor	808.0
Lease-Purchase Agreements	$1,863,011.00

SECTION 7. 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 8. Any monies remaining in the Golf Course Operations Revolving Fund ("230 Fund") shall be transferred to the Oklahoma Tourism and Recreation Department Revolving Fund ("215 Fund") by the Director of State Finance on or after November 1, 2005.

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, 2006 (hereafter FY-06) or may be budgeted for the fiscal year ending June 30, 2007 (hereafter FY-07). Funds budgeted for FY-06 may be encumbered only through June 30, 2006, and must be expended by November 15, 2006. Any funds remaining after November 15, 2006, and not budgeted for FY-07, shall lapse to the credit of the proper fund for the then current fiscal year. Funds budgeted for FY-07 may be encumbered only through June 30, 2007. Any funds remaining after November 15, 2007, 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-06, and not required to pay obligations for that fiscal year, may be budgeted for FY-07, 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-06 budget work program and after such revision has been approved by the Office of State Finance.

SECTION 10. This act shall become effective July 1, 2005.

SECTION 11. 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.

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