

STATE OF OKLAHOMA

2nd Session of the 50th Legislature (2006)

HOUSE BILL 2956

By: Hickman

AS INTRODUCED

An Act relating to tourism and recreation; amending Sections 21 and 55, Chapter 363, O.S.L. 2005 (74 O.S. Supp. 2005, Sections 2220 and 2254), which relate to the Oklahoma Tourism, Parks and Recreation Enhancement Act; requiring monies collected from the use of state lodges, state parks, state golf courses, and for certain activities to be used at certain state lodges or parks; modifying source of funds and purpose of the State Park System Improvement Revolving Fund; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY Section 21, Chapter 363, O.S.L. 2005 (74 O.S. Supp. 2005, Section 2220), is amended to read as follows:

Section 2220. A. The Commission may prescribe and collect reasonable rates and fees pursuant to the provisions of this section for the services, facilities and commodities rendered by all property of the Commission.

1. The Commission may establish maximum rates for rooms at the state lodges and cabins, for recreational activities, for recreational vehicles and camping sites, and for community facilities under control of the Commission. All monies collected for the use of rooms at the state lodges and cabins, for recreational activities, for recreational vehicle and camping sites, and for the use of community facilities shall be used for the operation of and capital improvements at the state lodges and state parks where the monies were collected. The method whereby the rates are determined shall be promulgated pursuant to Article I of the

Administrative Procedures Act. At least twenty (20) days prior to the adoption or approval of any rate changes by the Commission, the Department shall submit a copy of the proposed rates, for informational purposes, to the Governor, Speaker of the House of Representatives and President Pro Tempore of the Senate. Any change in the rates during the year when the Legislature is not in session shall be reported in writing to the Governor, Speaker of the House of Representatives and President Pro Tempore of the Senate within five (5) business days of such Commission action.

2. The Commission may establish maximum charges for all activities at state-owned golf courses. The charges may vary among the different golf courses according to the practices of the golf industry. All monies collected for golf-course activities shall be used for the operation of and capital improvements at the state parks where the charges were collected. The method whereby the maximum charges are determined shall be in accordance with rules promulgated pursuant to Article I of the Administrative Procedures Act. At least twenty (20) days prior to the adoption or approval of any rate changes by the Commission, the Department shall submit a copy of such proposed charges, for informational purposes, to the Governor, Speaker of the House of Representatives and President Pro Tempore of the Senate.

3. The Commission may establish entrance or day-use charges for the state park system. All monies collected from entrance or day-use charges shall be used for the operation of and capital improvements at the state parks where the charges were collected. The Commission may establish an annual pass for visitors. The method whereby the maximum charges are determined, sold, and collected shall be in accordance with rules promulgated pursuant to Article I of the Administrative Procedures Act. At least twenty (20) days prior to the adoption or approval of any rate changes by the Commission, the Department shall submit a copy of such proposed

charges, for informational purposes, to the Governor, Speaker of the House of Representatives and President Pro Tempore of the Senate.

4. Fees shall be promulgated pursuant to Article I of the Administrative Procedures Act.

5. Fees may reflect the seasonal usage of the parks and facilities and for promotional purposes and goals.

B. All fees, licenses and other charges shall be posted in a convenient place in each park. Every person using any of the facilities in a park shall be charged the same fees, licenses and every other charge except:

1. Residents of this state sixty-two (62) years of age and over and their spouses, and nonresidents sixty-two (62) years of age and over and their spouses. The Commission may promulgate rules establishing different fees for residents and nonresidents specified in this paragraph. Identification may be established by presentation of proof of age, residency, a state driver license, a state license for identification only, birth certificate or any other form of identification authorized by the Commission;

2. Individuals who have been certified as totally disabled under state or federal law and their spouses shall be entitled to a fifty percent (50%) reduction of fees which apply to recreational use facilities;

3. Children's groups, volunteer groups as specified by the Commission, or governmental entities that provide beneficial services at the facility for which the fee may be reduced or waived; and

4. Special discount rates as authorized in this section may be waived for individuals who are members of a group being provided a special group rate as allowed by law.

C. The failure to collect such fees, licenses and other charges shall subject an employee of the Commission to a fine of Twenty-five Dollars (\$25.00) for each and every violation.

SECTION 2. AMENDATORY Section 55, Chapter 363, O.S.L. 2005 (74 O.S. Supp. 2005, Section 2254), is amended to read as follows:

Section 2254. There is hereby created in the State Treasury a revolving fund for the Oklahoma Tourism and Recreation Department to be designated the "State Park System Improvement Revolving Fund". The fund shall be a continuing fund not subject to fiscal year limitations. The fund shall consist of all monies that are received by the Department, for the use of rooms at the state lodges and cabins, for recreational activities, for recreational vehicle and camping sites, for the use of community facilities, for golf-course activities, and from all entrance or day-use charges for the state lodges and state park system, including charges for an annual pass for visitors to the state parks. All monies accruing to the fund are hereby appropriated and may be expended by the Department for the exclusive purpose of the operation of and capital improvements at the state lodge and state park where the charges were collected. 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 and payment.

SECTION 3. This act shall become effective July 1, 2006.

SECTION 4. 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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