

1 STATE OF OKLAHOMA

2 2nd Session of the 51st Legislature (2008)

3 COMMITTEE SUBSTITUTE  
4 FOR

5 SENATE BILL 1630

6 By: Ford

7 COMMITTEE SUBSTITUTE

8 [ tourism - "Oklahoma Today Magazine" Division -  
9 effective date -

10 emergency ]

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

12 SECTION 1. AMENDATORY Section 38, Chapter 363, O.S.L.  
13 2005, as amended by Section 4, Chapter 90, O.S.L. 2006 (74 O.S.  
14 Supp. 2007, Section 2237), is amended to read as follows:

15 Section 2237. A. There is hereby created within the Oklahoma  
16 Tourism and Recreation Department, the "Oklahoma Today Magazine"  
17 Division. The Division shall be responsible for the publication of  
18 the "Oklahoma Today Magazine" a minimum of six (6) times per year.

19 B. "Oklahoma Today Magazine" is hereby authorized to sell  
20 advertising. All advertising shall be approved by the appropriate  
21 division director prior to acceptance for publication.

22 ~~B.~~ C. In addition to a regular salary, any employee of the  
23 "Oklahoma Today Magazine" who obtains advertising, bulk  
24 subscription, newsstand, or ancillary product sales, for "Oklahoma

1 Today Magazine", at the discretion of the Executive Director, may be  
2 awarded additional compensation in the form of a commission on net  
3 sales by the employee. The commission shall not exceed twenty-five  
4 percent (25%), with the commission percentage to be determined by  
5 the Executive Director. In no case shall the additional  
6 compensation, when combined with the salary of the employee, exceed  
7 ninety-five percent (95%) of the salary of the Executive Director.  
8 Commission payments shall be paid monthly, based on collected  
9 revenues from sales by the employee.

10 ~~C.~~ D. The sale of advertising and negotiation of rates for the  
11 advertising shall not be subject to the Oklahoma Central Purchasing  
12 Act of 1974 or the Administrative Procedures Act.

13 ~~D.~~ E. "Oklahoma Today Magazine" articles, and photographs  
14 produced by or for "Oklahoma Today Magazine", shall be available for  
15 public inspection during Department business hours. The Department  
16 shall not be required to provide copies or allow copying of the  
17 magazine, articles, or photographs other than as the Department  
18 provides copies of "Oklahoma Today Magazine" for newsstand and  
19 subscription sales.

20 SECTION 2. AMENDATORY Section 40, Chapter 363, O.S.L.  
21 2005 (74 O.S. Supp. 2007, Section 2239), is amended to read as  
22 follows:

23 Section 2239. Merchandise for resale purchased for and sold  
24 through "Oklahoma Today Magazine" or in Department retail outlets,

1 such as golf course pro shops, marinas, restaurants, and other  
2 support facilities which are necessary for the efficient and  
3 economical operation of Department-operated facilities and programs  
4 and production of merchandise for resale, are exempt from the  
5 Oklahoma Central Purchasing Act. Payment for services of writers,  
6 artists, photographers or others ~~involved in the artistic production~~  
7 ~~of "Oklahoma Today Magazine" and other products produced by the~~  
8 ~~magazine such as separators, prepress houses, film houses and such~~  
9 ~~as designers, prepress houses, and shippers of artistic and resale~~  
10 ~~merchandise involved in the artistic production of "Oklahoma Today~~  
11 ~~Magazine" and other products produced by the magazine shall also be~~  
12 exempt from the Oklahoma Central Purchasing Act. Production and  
13 mailing of revenue-generating materials such as monthly renewals and  
14 direct mail efforts which are necessary to the ongoing operation of  
15 "Oklahoma Today Magazine" shall also be exempt from the Oklahoma  
16 Central Purchasing Act.

17 SECTION 3. This act shall become effective July 1, 2008.

18 SECTION 4. It being immediately necessary for the preservation  
19 of the public peace, health and safety, an emergency is hereby  
20 declared to exist, by reason whereof this act shall take effect and  
21 be in full force from and after its passage and approval.

22  
23 51-2-3564 JT 5/19/2008 9:37:13 AM  
24