

1 ENGROSSED HOUSE AMENDMENT
TO
2 ENGROSSED SENATE BILL NO. 1347

By: Schulz of the Senate
and
McNiel of the House

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8 An Act relating to state government; amending Chapter
363, O.S.L. 2005, Sections 12, 44, and 31, as amended
9 by Section 2, Chapter 90, O.S.L. 2006, (74 O.S. Supp.
2009, Sections 2211, 2230 and 2243), which relate to
10 the Oklahoma Tourism, Parks and Recreation
Enhancement Act; modifying name of certain division;
11 modifying approval amount for expenditures; providing
an effective date; and declaring an emergency.
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14 AMENDMENT NO. 1. Strike the title, enacting clause and entire bill
and insert
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16 "An Act relating to state government; amending 68
O.S. 2001, Section 50015, which relates to the
17 Oklahoma Tourism Promotion Advisory Committee;
modifying name of certain division; amending
18 Sections 12 and 44, Chapter 363, O.S.L. 2005, and
Section 31, Chapter 363, O.S.L. 2005, as amended by
19 Section 2, Chapter 90, O.S.L. 2006 (74 O.S. Supp.
2009, Sections 2211, 2230 and 2243), which relate to
20 the Oklahoma Tourism, Parks and Recreation
Enhancement Act; modifying name of certain division;
21 modifying approval amount for expenditures; amending
74 O.S. 2001, Section 3105, which relates to
22 information to be included in certain state reports;
modifying name of certain division; providing an
23 effective date; and declaring an emergency.
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1 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

2 SECTION 1. AMENDATORY 68 O.S. 2001, Section 50015, is
3 amended to read as follows:

4 Section 50015. A. There is hereby created an Oklahoma Tourism
5 Promotion Advisory Committee which shall advise the Oklahoma Tourism
6 and Recreation Department on matters of statewide tourism promotion.
7 The Committee shall consist of thirteen (13) members and one ex
8 officio nonvoting member as follows:

9 1. Chair of the Senate Tourism Committee, or designee;

10 2. Chair of the House of Representatives Tourism and Recreation
11 Committee, or designee;

12 3. President of the Oklahoma Travel Industry Association, or
13 designee;

14 4. President of the Oklahoma Lakes and Countries Association,
15 or designee;

16 5. Member of the Oklahoma Tourism and Recreation Commission,
17 selected by the Oklahoma Tourism and Recreation Commission, whose
18 occupation shall be in the tourism industry;

19 6. President of the Oklahoma Hotel/Motel Association, or
20 designee;

21 7. President of the Oklahoma Restaurant Association, or
22 designee;

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1 8. Representative of the City Convention and Tourism Bureau or
2 a representative of a municipal chamber of commerce, appointed by
3 the Oklahoma Tourism and Recreation Commission;

4 9. Director of the Oklahoma Arts Council, or designee;

5 10. Representative of the tour operator or travel agent sector,
6 appointed by the Oklahoma Tourism and Recreation Commission;

7 11. Representative of the transportation sector, including but
8 not limited to, airlines, bus companies, car rental business,
9 appointed by the Oklahoma Tourism and Recreation Commission;

10 12. Executive Director of the Oklahoma Historical Society, or
11 designee; and

12 13. Director of the Native American Cultural and Educational
13 Authority, or designee.

14 The Director of the ~~Division of Travel and Tourism~~ Promotion
15 Division of the Oklahoma Tourism and Recreation Department, or
16 designee, shall serve as the ex officio nonvoting member.

17 B. The initial appointed members shall be appointed on or
18 before January 1, 1988. The term of office of each appointed member
19 shall be for one (1) year and end on December 31 of each year, but
20 all members shall hold office until their successors are appointed.

21 C. The membership shall annually elect a chair and vice-chair
22 of the Committee, each of whom shall serve for a term of one (1)
23 fiscal year and until their successor is elected, and who shall
24 perform such duties as the Committee directs.

1 D. The members of the Committee shall receive no compensation
2 for their services or reimbursements for any expenses incurred.

3 E. The Committee shall hold at least four regular meetings each
4 calendar year at a place and time to be fixed by the Oklahoma
5 Tourism and Recreation Commission.

6 SECTION 2. AMENDATORY Section 12, Chapter 363, O.S.L.
7 2005 (74 O.S. Supp. 2009, Section 2211), is amended to read as
8 follows:

9 Section 2211. There are hereby created within the Oklahoma
10 Tourism and Recreation Department the Division of State Parks, the
11 ~~Division of Travel and Tourism~~ Promotion Division, "Oklahoma Today
12 Magazine", and the Division of Administrative Services; provided,
13 however, the Commission shall have authority, by resolution, to
14 create other divisions and may, by resolution, combine or abolish
15 any or all such divisions, as deemed to be necessary to carry out
16 its duties under the Oklahoma Tourism, Parks and Recreation
17 Enhancement Act.

18 SECTION 3. AMENDATORY Section 44, Chapter 363, O.S.L.
19 2005 (74 O.S. Supp. 2009, Section 2243), is amended to read as
20 follows:

21 Section 2243. Expenditure of funds for all purchases in excess
22 of ~~Twenty five Thousand Dollars (\$25,000.00)~~ Fifty Thousand Dollars
23 (\$50,000.00) shall not be contracted except upon approval of a
24 majority of the Oklahoma Tourism and Recreation Commission. The

1 amount exempted by paragraph 1 of subsection A of Section 85.7 of
2 Title 74 of the Oklahoma Statutes shall apply to each separate
3 department facility as identified by the annual budget submitted to
4 the Office of State Finance pursuant to Section ~~41.7~~ 34.42 of Title
5 62 of the Oklahoma Statutes.

6 SECTION 4. AMENDATORY Section 31, Chapter 363, O.S.L.
7 2005, as amended by Section 2, Chapter 90, O.S.L. 2006 (74 O.S.
8 Supp. 2009, Section 2230), is amended to read as follows:

9 Section 2230. A. ~~The Division of Travel and Tourism~~ Promotion
10 Division shall:

11 1. Encourage the orderly growth and development of tourism to
12 and within the state by preparing and maintaining a comprehensive
13 five-year travel development master plan and supporting marketing
14 plan jointly with the private sector;

15 2. Create and convey an accurate, responsible, and elevated
16 image of the state and its natural, cultural, historical, and
17 recreational attractions and events;

18 3. Organize, coordinate, and conduct state, regional, national,
19 and international marketing programs to increase the number of
20 domestic and international travelers to Oklahoma;

21 4. Create, develop, produce, distribute, implement, and
22 evaluate the effectiveness of public information programs, including
23 publicity, brochures, public relations activities, film and slide
24 production, still and audio visual photography, digital and

1 electronic media, public service programs, advertising, and other
2 informational aids for the promotion of tourism to the general
3 public and the media;

4 5. Coordinate, advise and provide technical assistance to
5 cities, counties, and regional tourism organizations in the state in
6 the planning, development, and execution of tourism programs;

7 6. Cooperate and participate with neighboring states and the
8 federal government to promote travel from domestic and international
9 markets;

10 7. Develop and partner with other entities of government and
11 private entities to obtain timely research data to measure traveler
12 volume and economic impact, determine traveler profiles, evaluate,
13 and analyze market and advertising effectiveness;

14 8. Plan, coordinate, and conduct statewide conferences,
15 seminars, and workshops to inform and educate representatives from
16 the public and private sector in the state about programs and travel
17 trends which affect the tourism industry;

18 9. Provide organization and coordination assistance to public
19 and private tourism promotion organizations for participation in
20 cooperative advertising and promotion opportunities with the
21 Department, including travel trade marketplaces, consumer sport,
22 travel, and recreation shows within and outside the state;

23 10. Administer matching grant programs to multicounty
24 organizations which promote travel and tourism to their areas of the

1 state that are consistent and coordinated with the statewide travel
2 marketing plan; and

3 11. Assist other state agencies with special tourism promotion
4 projects, development of professional training opportunities and
5 other projects which provide services to travelers.

6 B. The Division may facilitate travel to and within the state
7 by encouraging development of a tourism industry infrastructure
8 which provides investment incentives to tourism businesses and
9 tourism product development.

10 C. The Division may contract with professionally qualified
11 companies or individuals for services to assist in the development
12 and production of advertising, promotion, publicity, and public
13 relations programs, primary and secondary research data collection
14 including analysis of state travel marketing programs and economic
15 impact information.

16 D. The Division may plan, construct, lease, operate, and
17 maintain state-of-the-art tourism information centers and a central
18 fulfillment warehouse. The centers shall be utilized for the
19 purpose of providing services, selling merchandise, and distributing
20 information to travelers on the tourism facilities and opportunities
21 in the state.

22 E. The Division may, upon approval of the Commission, lease for
23 a reasonable rate, retail and advertising space in state-operated
24 tourism information centers. A performance bond, certificate of

1 deposit, letter of credit, or cash equivalent, may be required by
2 the Commission on any such lease.

3 F. Photographs, film recordings, video recordings, digital
4 records and like recordings or records produced by or for the
5 Division shall be available for public inspection during Division
6 business hours; however, the Division shall not be required to
7 provide copies or allow copying of the materials.

8 SECTION 5. AMENDATORY 74 O.S. 2001, Section 3105, is
9 amended to read as follows:

10 Section 3105. A. Unless otherwise provided by law, every
11 agency, department, board, commission or institution of the State of
12 Oklahoma shall list the following information at a prominent place
13 near the beginning of each publication issued by them:

14 1. Name of the issuing agency, department, board, commission or
15 institution;

16 2. Authorization for publication. If such publication is not
17 specifically authorized by statute the name of the person or persons
18 so authorizing shall be stated;

19 3. The number of copies printed;

20 4. Name of printing firm doing printing; and

21 5. Assurance of compliance with Section 3-114 of Title 65 of
22 the Oklahoma Statutes.

23 B. The information shall be set forth in a separate paragraph
24 and shall conform as nearly as practical to the following format:

1 "This publication, printed by (name of printing firm) is
2 issued by (here list the agency, department, board,
3 commission or institution) as authorized by _____.
4 _____ copies have been prepared and distributed at a cost
5 of \$_____. Copies have been deposited with the
6 Publications Clearinghouse of the Oklahoma Department of
7 Libraries."

8 C. State promotion and informational publications produced by
9 the Oklahoma Tourism and Recreation Department, ~~Division of Travel~~
10 ~~and Tourism~~ Promotion Division, and the Oklahoma Department of
11 Commerce shall be exempt from the provisions of this section.

12 SECTION 6. This act shall become effective July 1, 2010.

13 SECTION 7. It being immediately necessary for the preservation
14 of the public peace, health and safety, an emergency is hereby
15 declared to exist, by reason whereof this act shall take effect and
16 be in full force from and after its passage and approval."

1 Passed the House of Representatives the 13th day of April, 2010.

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4 Presiding Officer of the House of
Representatives
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6 Passed the Senate the ____ day of _____, 2010.

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9 Presiding Officer of the Senate
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