An Act

ENROLLED SENATE
BILL NO. 1347

By: Schulz of the Senate

and

McNiel of the House

An Act relating to state government; amending 68 O.S. 2001, Section 50015, which relates to the Oklahoma Tourism Promotion Advisory Committee; modifying name of certain division; amending Sections 12 and 44, Chapter 363, O.S.L. 2005, and Section 31, Chapter 363, O.S.L. 2005, as amended by Section 2, Chapter 90, O.S.L. 2006 (74 O.S. Supp. 2009, Sections 2211, 2230 and 2243), which relate to the Oklahoma Tourism, Parks and Recreation Enhancement Act; modifying name of certain division; modifying approval amount for expenditures; amending 74 O.S. 2001, Section 3105, which relates to information to be included in certain state reports; modifying name of certain division; providing an effective date; and declaring an emergency.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Section 2243. Expenditure of funds for all purchases in excess of ~~Twenty-five Thousand Dollars ($25,000.00)~~ Fifty Thousand Dollars ($50,000.00) shall not be contracted except upon approval of a

majority of the Oklahoma Tourism and Recreation Commission. The amount exempted by paragraph 1 of subsection A of Section 85.7 of Title 74 of the Oklahoma Statutes shall apply to each separate department facility as identified by the annual budget submitted to the Office of State Finance pursuant to Section ~~41.7~~ 34.42 of Title 62 of the Oklahoma Statutes.

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

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

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

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

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

4. Create, develop, produce, distribute, implement, and evaluate the effectiveness of public information programs, including publicity, brochures, public relations activities, film and slide production, still and audio visual photography, digital and electronic media, public service programs, advertising, and other informational aids for the promotion of tourism to the general public and the media;

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

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

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

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

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

10. Administer matching grant programs to multicounty organizations which promote travel and tourism to their areas of the state that are consistent and coordinated with the statewide travel marketing plan; and

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

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

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

D. The Division may plan, construct, lease, operate, and maintain state-of-the-art tourism information centers and a central fulfillment warehouse. The centers shall be utilized for the purpose of providing services, selling merchandise, and distributing

information to travelers on the tourism facilities and opportunities in the state.

E. The Division may, upon approval of the Commission, lease for a reasonable rate, retail and advertising space in state-operated tourism information centers. A performance bond, certificate of deposit, letter of credit, or cash equivalent, may be required by the Commission on any such lease.

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

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

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

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

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

3. The number of copies printed;

4. Name of printing firm doing printing; and

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

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

> "This publication, printed by (name of printing firm) is issued by (here list the agency, department, board,

commission or institution) as authorized by _____. _____ copies have been prepared and distributed at a cost of $_____. Copies have been deposited with the Publications Clearinghouse of the Oklahoma Department of Libraries."

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

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

SECTION 7. 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.

Passed the Senate the 5th day of May, 2010.

Presiding Officer of the Senate

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

Presiding Officer of the House of Representatives

OFFICE OF THE GOVERNOR

Received by the Governor this 6th

day of May, 2010,

at 1:26 o'clock P M.

By: [illegible]

Approved by the Governor of the State of Oklahoma the 10th day of

May, 2010, at 6:32 o'clock P M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Secretary of State this

11th day of May, 2010,

at 11:52 o'clock A. M.

By: M. Susan Savage