ENGROSSED SENATE
BILL NO. 303

BY: TALIAFERRO of the SENATE

and

HUDSON of the HOUSE

AN ACT RELATING TO COUNTIES AND COUNTY OFFICERS; AMENDING 19 O.S. 1981, SECTION 339, AS LAST AMENDED BY SECTION 1, CHAPTER 183, O.S.L. 1990 (19 O.S. SUPP. 1990, SECTION 339), WHICH RELATES TO THE GENERAL POWERS OF THE BOARD OF COUNTY COMMISSIONERS; AUTHORIZING THE BOARD TO DESIGNATE COUNTY FUNDS FOR THE PURPOSE OF DRUG ENFORCEMENT PROGRAMS; AND DECLARING AN EMERGENCY.

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

SECTION 1. AMENDATORY 19 O.S. 1981, Section 339, as last amended by Section 1, Chapter 183, O.S.L. 1990 (19 O.S. Supp. 1990, Section 339), is amended to read as follows:

Section 339. A. They shall have power:

1. To make all orders respecting the real property of the county, to sell the public grounds of the county and to purchase other grounds in lieu thereof; and for the purpose of carrying out the provisions of this section it shall be sufficient to convey all the interests of the county in such grounds when an order made for the sale and a deed is executed in the name of the county by the chairman of the board of county commissioners, reciting the order, and signed and acknowledged by him for and on behalf of the county.

2. To audit the accounts of all officers having the care, management, collection or disbursement of any money belonging to the county or appropriated for its benefit.

3. To construct and repair bridges and to open, lay out and vacate highways: Provided, however, that when any state institution, school or department shall own, lease or otherwise control land on both sides of any established highway, the governing board or body of the same shall have the power to vacate, alter or relocate said highway adjoining said property in the following manner:

If it should appear that it would be to the best use and interest of such institution, school or department to vacate, alter or relocate such highway, the governing board or body shall notify the board of county commissioners, in writing, of their intention to hold a public hearing and determine whether to vacate, alter or relocate such highway, setting forth the location and terminals of said road, and all data concerning the proposed right-of-way if changed or relocated, and shall give fifteen (15) days' notice of such hearing by publication in some newspaper in the county or counties in which the road is located, and such hearing shall be held at the county seat of the county in which the road is located, and if a county line road, may be heard in either county. At such hearing testimony may be taken, and any protests or suggestions shall be received as to the proposed measure, and at the conclusion thereof if the governing board or body shall find that it would be to the best use and interest of such institution, school or department, and the public generally, they may make an appropriate order either vacating, altering or relocating said highway, which order shall be final; provided further, that such institution, school or department may by agreement share the cost of changing any such road; and provided further, that no property owner shall be denied access to a public highway by such order.

4. Until January 1, 1983, to furnish necessary blank books, plats, blanks and stationery for the clerk of the district court, county clerk, register of deeds, county treasurer and county judge, sheriff, county superintendent of schools, county surveyor and county attorney, justices of the peace, and constables, to be paid for out of the county treasury; also a fire-proof vault sufficient in which to keep all the books, records, vouchers and papers pertaining to the business of the county.

5. To set off, organize and change the boundaries of townships and to designate and give names therefor: Provided, that the boundaries of no township shall be changed within six (6) months next preceding a general election.

6. To lease tools, apparatus, machinery or equipment of the county to another political subdivision or a state agency. The Association of County Commissioners of Oklahoma, the Oklahoma State University Center for Local Government Technology and the Office of the State Auditor and Inspector, together, shall establish a system of uniform rates for the leasing of such tools, apparatus, machinery and equipment.

7. To jointly, with other counties, buy heavy equipment and to loan or lease such equipment across county lines.

8. To develop minimum personnel policies for the county with the approval of a majority of all county elected officers.

9. To purchase, rent, or lease-purchase uniforms, safety devices and equipment for the officers and employees of the county.

10. To provide for payment of notary commissions, filing fees, and the cost of notary seals and bonds.

11. To do and perform such other duties and acts that the board of county commissioners may be required by law to do and perform.

B. <u>The county commissioners of a county or, in counties where there is a county budget board, the county budget board may designate money from general county funds for the designated purpose</u>

of drug enforcement and drug abuse prevention programs within the county.

C. When any lease or lease purchase is made on behalf of the county by the board pursuant to the provisions of this section, the county shall be allowed to have trade in values for transactions involving the Oklahoma Central Purchasing Act, Section 85.1 et seq. of Title 74 of the Oklahoma Statutes.

SECTION 2. 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 4th day of March, 1991.

President of the Senate

Passed the House of Representatives the ____ day of _____, 1991.

Speaker of the House of Representatives