

ENROLLED SENATE
BILL NO. 143

BY: TAYLOR and HANEY of the
SENATE

and

HAMILTON (James) and
STEIDLEY of the HOUSE

AN ACT RELATING TO THE DEPARTMENT OF
TRANSPORTATION; MAKING APPROPRIATIONS THERETO;
LIMITING AND DIRECTING MANNER IN WHICH
APPROPRIATIONS MAY BE EXPENDED; PROVIDING FOR
DUTIES AND COMPENSATION OF EMPLOYEES; LIMITING
THE SALARY OF THE DIRECTOR; PROVIDING BUDGETARY
LIMITATIONS; AUTHORIZING USE OF FUNDS FOR
CERTAIN PURPOSES; REQUIRING COORDINATION WITH
OTHER AGENCIES; REQUIRING THE FILING OF CERTAIN
WORK PROGRAMS; AMENDING 69 O.S. 1981, SECTION
1510, WHICH RELATES TO SPECIAL MAINTENANCE
PROJECTS AND PERFORMANCE PROCEDURES; MODIFYING
PROJECT LIMITS; MAKING APPROPRIATIONS NONFISCAL;
PROVIDING AN OPERATIVE DATE; AND DECLARING AN
EMERGENCY.

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

SECTION 1. There is hereby appropriated to the Department of Transportation from any monies not otherwise appropriated from the Transportation Fund of the State Treasury for the fiscal year ending June 30, 1992, the sum of Two Hundred Five Million Seven Hundred Eighty-eight Thousand Seven Hundred Ninety-nine Dollars (\$205,788,799.00) or so much thereof as may be necessary to perform the duties imposed upon the Department of Transportation by law. The funds appropriated by this section shall be allocated to the Department of Transportation for the fiscal year ending June 30, 1992, as they are apportioned to the Transportation Fund until such time as the full appropriated amount is allocated. Said appropriation shall be transferred to the State Highway Construction and Maintenance Fund and shall be expended in the same manner and for the same purposes as provided by law for other monies accruing to the credit of the State Highway Construction and Maintenance Fund.

SECTION 2. There is hereby appropriated to the Department of Transportation from any monies not otherwise appropriated from the Transportation Fund of the State Treasury for the fiscal year ending June 30, 1991, the sum of Three Thousand Four Hundred Seventy-eight Dollars (\$3,478.00) or so much thereof as may be necessary to perform the duties imposed upon the Department of Transportation by law. The funds appropriated by this section shall be allocated to the Department of Transportation for the fiscal year ending June 30, 1992, as they are apportioned to the Transportation Fund until such time as the full appropriated amount is allocated. Said appropriation shall be transferred to the State Highway Construction and Maintenance Fund and shall be expended in the same manner and

for the same purposes as provided by law for other monies accruing to the credit of the State Highway Construction and Maintenance Fund.

SECTION 3. The Department of Transportation is authorized to expend from any monies available in the State Highway Construction and Maintenance Fund an amount not to exceed Four Million Three Hundred Seventy-seven Thousand Dollars (\$4,377,000.00) or so much thereof as may be necessary for operational expenses of the urban mass transit and railroad planning branches of the Department, and an amount not to exceed Three Million Nine Hundred Fifty Thousand Dollars (\$3,950,000.00) or so much thereof as may be necessary for operation expenses and other expenses of the Highway Safety Division of the Department as provided by law.

SECTION 4. The Department of Transportation shall expend from the funds dedicated to construction, not less than Two Million Seven Hundred Fifty Thousand Dollars (\$2,750,000.00) for the construction of roads to existing industrial sites and roads for economic development purposes, and not less than Two Million Seven Hundred Fifty Thousand Dollars (\$2,750,000.00) for the construction, maintenance and repair of roads to historical sites and lake access roads.

SECTION 5. The Department of Transportation is authorized to expend from any monies available in the State Highway Construction and Maintenance Fund the sum of Five Hundred Seventy-four Thousand Dollars (\$574,000.00) or so much thereof as may be necessary for usage by the Oklahoma Aeronautics Commission for the repair, construction, or extension of airport runways and facilities, and for providing lighting and safety markers at airports. Such funds may be used for matching purposes. Such funds shall not be expended for the construction or repair of hangars, fixed base operator facilities, or passenger terminal buildings.

SECTION 6. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Department of Transportation by law shall be set by the Director of the Department of Transportation. The salary of the Director of the Department of Transportation shall not exceed Sixty-nine Thousand Six Hundred Twenty Dollars (\$69,620.00) per annum, payable monthly for the fiscal year ending June 30, 1992. The salary of the Director of the Oklahoma Aeronautics Commission shall not exceed Thirty-eight Thousand Three Hundred Seventy-nine Dollars (\$38,379.00) per annum, payable monthly for the fiscal year ending June 30, 1992. The Department of Transportation, for the fiscal year ending June 30, 1992, shall be subject to the following budgetary limitations on full-time-equivalent employees, except hours coded as overtime wages, and expenditures excluding expenditures for capital and special projects, except as may be authorized pursuant to the provisions of Section 3603 of Title 74 of the Oklahoma Statutes:

<u>Budgetary Limitation</u>	<u>Amount</u>
Full-time-equivalent Employees	3,313.0
Payroll, Salaries or Wages, Including Tax-sheltered Deferment Contracts and Longevity Payments Authorized by State Statutes	\$80,181,755.00
Professional and Personal Services Contracts, Excluding Prior Years Encumbrances and Obligations	\$12,000,000.00
Lease-Purchase Agreements	\$400,000.00

Purchase of Equipment, Excluding Prior Years Encumbrances and Obligations	\$22,000,000.00
Receipts of Federal Funds, Excluding Prior Years Encumbrances and Obligations	\$254,000,000.00
Total Expenditures for Operations of the Oklahoma Aeronautics Commission, Excluding Prior Years Encumbrances and Obligations and Capital Projects	\$2,010,445.00
Total Expenditures for Operations, Excluding Prior Years Encumbrances and Obligations and Capital Projects	\$509,459,074.00

SECTION 7. The Department of Transportation shall expend from any monies available in the State Highway Construction and Maintenance Fund for the fiscal year ending June 30, 1992, the following amount or so much thereof as may be necessary for administration and operating expenses of the Oklahoma Aeronautics Commission required in the enforcement of the Oklahoma Aeronautics Act by law:

Personal Services	\$400,900.00
Other Operating Expenses	<u>40,000.00</u>
TOTAL OPERATIONS	\$440,900.00

Said funds may be used by the Oklahoma Aeronautics Commission to support aviation educational programs in the State of Oklahoma. The Oklahoma Aeronautics Commission shall not utilize more than Five Thousand Dollars (\$5,000.00) for the renting, leasing, or chartering of aircraft necessary to enable the Commission to perform the duties imposed upon it by law.

SECTION 8. The Department of Transportation is hereby authorized to use any funds available to the Department to match funds which are advanced under the provisions of Sections 402, 403 and 419, Public Law 93-288, Disaster Relief Act of 1974, to repair, restore, reconstruct or replace public transportation facilities or to remove debris or wreckage from publicly owned facilities. The Department of Transportation shall coordinate with the Oklahoma Department of Civil Defense for expenditure of funds for this purpose.

SECTION 9. All funds available in accordance with law for expenditure by the Department of Transportation may be used and expended in conjunction or cooperation with any federal agency or instrumentality pursuant to such terms and conditions as may be necessary to obtain grants or federal aid assistance in accordance with state law.

SECTION 10. Pursuant to the provisions of Section 41.7 of Title 62 of the Oklahoma Statutes, the Department of Transportation shall file its budget work program with the Director of State Finance and the Legislative Service Bureau for the fiscal year ending June 30, 1992, to include the following operating budget entities and activities: Administration, Maintenance, Engineering, Purchase of Equipment, Data Services, Highway Safety and Aeronautics. The following capital budget entities and activities shall also be included in the Department of Transportation budget work program filed with the Director of State Finance and the Legislative Service Bureau: Engineering Contracts, Federal Aid Projects, State Aid

Projects excluding industrial and lake access roads, Industrial Access Roads, Lake Access Roads, Purchase of Right-of-Way, County Projects and Other Capital Outlay Projects.

SECTION 11. AMENDATORY 69 O.S. 1981, Section 1510, is amended to read as follows:

Section 1510. Special maintenance projects under ~~One Hundred Thousand Dollars (\$100,000.00)~~ Two Hundred Thousand Dollars (\$200,000.00) should be performed and carried out by state special maintenance crews, who may also carry out projects above said amount, if in the judgment of the Transportation Commission the same shall be in the best interests of the State of Oklahoma, except that special maintenance projects involving asphaltic material overlay may be let to contract if the same shall be in the best interests of the state in the judgment of the Commission.

SECTION 12. The appropriations made by this act shall not be subject to fiscal year limitations and shall be available for encumbrance and expenditure purposes for a period of thirty (30) months from the date this act is approved.

SECTION 13. This act shall become operative July 1, 1991.

SECTION 14. 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 22d day of May, 1991.

President of the Senate

Passed the House of Representatives the 23d day of May, 1991.

Speaker of the House of Representatives