

ENROLLED HOUSE
BILL NO. 2759

By: Hamilton (James) and
Steidley of the House

and

Taylor and Haney of the
Senate

An Act relating to the Department of Transportation; amending Section 117 of Enrolled Senate Bill No. 896 of the 2nd Session of the 44th Oklahoma Legislature, which relates to an appropriation made to the Department of Transportation; modifying appropriation thereto; stating purpose; requiring and specifying the expenditure of certain funds; stating purposes; authorizing the transfer of certain monies to the Aeronautics Revolving Fund; stating purposes; prohibiting use for certain purposes; providing duties and compensation of employees; limiting salary of the Director; providing budgetary limitations; providing for certain expenditures; stating purposes; authorizing the use of funds to match certain federal funds; stating purposes; authorizing the Department of Transportation to enter into agreement with the Oklahoma Turnpike Authority; stating purpose; requiring the Department to make certain estimate; providing that funds available to the Department of Transportation may be used to obtain grants or federal aid assistance; requiring budget work program; providing lapse date; and providing an effective date.

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

SECTION 1. AMENDATORY Section 117 of Enrolled Senate Bill No. 896 of the 2nd Session of the 44th Legislature, is amended to read as follows:

Section 117. There is hereby appropriated to the Department of Transportation from any monies not otherwise appropriated from the State Transportation Fund of the State Treasury for the fiscal year ending June 30, 1995, the sum of ~~One Hundred Seventy-one Million Four Hundred Ninety-five Thousand Four Hundred Six Dollars (\$171,495,406.00)~~ One Hundred Sixty-nine Million Eight Hundred Seventy-seven Thousand Three Hundred Seventy-six Dollars (\$169,877,376.00), or so much thereof as may be necessary to perform the duties imposed upon the Department of Transportation by law. 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. 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 not less than One Hundred Eighty Thousand Dollars (\$180,000.00) for operational expenses of the Waterways Division of the Department.

SECTION 3. 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 4. The Department of Transportation is authorized to transfer from any monies available in the State Highway Construction and Maintenance Fund to the Aeronautics Revolving Fund the sum of Two Million Twenty-five Thousand Dollars (\$2,025,000.00) for usage by the Oklahoma Aeronautics Commission for the repair, construction or extension of airport runways and facilities, for providing lighting and safety markers at airports and to provide such funds for administration and operating expenses. 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 5. 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 Seventy-three Thousand One Hundred One Dollars (\$73,101.00) per annum, payable monthly for the fiscal year ending June 30, 1995. The Department of Transportation, for the fiscal year ending June 30, 1995, 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	3,125.0
Payroll, Salaries or Wages, Including Tax-sheltered Deferment Contracts and Longevity Payments Authorized by State Statutes	\$79,222,419.00
Professional and Personal Services Contracts, Excluding Prior Years' Encumbrances and Obligations	\$14,000,000.00
Lease-Purchase Agreements	\$400,000.00
Purchase of Equipment, Excluding Prior Years' Encumbrances and Obligations	\$28,000,000.00

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 \$3,040,000.00

Total Expenditures for Operations,
Excluding Prior Years' Encumbrances and
Obligations and Capital Projects \$185,600,000.00

SECTION 6. The Department of Transportation shall expend from any monies available in the Aeronautics Revolving Fund for the fiscal year ending June 30, 1995, 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	\$449,073.00
Other Operating Expenses	<u>75,000.00</u>
TOTAL OPERATIONS	\$524,073.00

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 Seven Thousand Dollars (\$7,000.00) for the renting, leasing or chartering of aircraft necessary to enable the Commission to perform the duties imposed upon it by law.

SECTION 7. 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 Emergency Management for expenditure of funds for this purpose.

SECTION 8. 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 9. 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, 1995, to include the following operating budget entities and activities: Administration, Operations, Engineering, Purchase of Equipment, Data Services, Highway Safety and Aeronautics.

SECTION 10. 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 11. This act shall become effective September 1, 1994.
Passed the House of Representatives the 19th day of May, 1994.

Speaker of the House of
Representatives

Passed the Senate the 19th day of May, 1994.

President of the Senate