

STATE OF OKLAHOMA

2nd Session of the 44th Legislature (1994)

HOUSE BILL NO. 2759

By: Hamilton (James) and  
Steidley of the House

and

Taylor and Haney of the  
Senate

AS INTRODUCEDAn Act relating to the Department of Transportation;  
making an appropriation to the Department of Transportation;  
authorizing certain expenditures for urban mass transit, railroad  
planning and waterways; authorizing expenditures for roads to  
industrial sites and for economic development, historical sites and  
lake access; authorizing expenditures by the Oklahoma Aeronautics  
Commission; providing for duties and compensation of employees;  
limiting the salary of the Director; providing budgetary  
limitations; stating purposes; authorizing the expenditure of  
certain funds for certain purposes by the Oklahoma Aeronautics  
Commission; authorizing expenditure of certain funds in conjunction  
with grants or federal aid assistance; requiring the Department of  
Transportation to submit certain budget work program; making certain  
appropriations nonfiscal; providing an effective date; and declaring  
an emergency.

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

DEPARTMENT OF TRANSPORTATION

SECTION 1. 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 \_\_\_\_\_ Dollars (\$\_\_\_\_\_.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 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 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	\$0.00
Professional and Personal Services	
Contracts, Excluding Prior Years'	
Encumbrances and Obligations	\$0.00
Lease-Purchase Agreements	\$0.00
Purchase of Equipment, Excluding	
Prior Years' Encumbrances and Obligations	\$0.00
Receipts of Federal Funds, Excluding	
Prior Years' Encumbrances and Obligations	\$0.00

Total Expenditures for Operations  
of the Oklahoma Aeronautics Commission,  
Excluding Prior Years' Encumbrances  
and Obligations and Capital Projects \$0.00

Total Expenditures for Operations,  
Excluding Prior Years' Encumbrances and  
Obligations and Capital Projects \$0.00

SECTION 6. 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, 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	\$0.00
Other Operating Expenses	<u>0.00</u>
TOTAL OPERATIONS	\$0.00

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. The Department of Transportation is hereby authorized to enter into an agreement with the Oklahoma Turnpike Authority for the purpose of conducting a joint feasibility study regarding any turnpike or part or parts thereof as authorized in paragraph (22) of subsection (e) of Section 1705 of Title 69 of the Oklahoma Statutes. The Department of Transportation shall make an estimate of when such a road or part or parts thereof could be constructed as a public highway.

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

SECTION 11. 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 12. This act shall become effective July 1, 1994.

SECTION 13. 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.

