

ENROLLED HOUSE
BILL NO. 2821

By: Hamilton, Steidley,
Eddins, Askins, Maddux,
Boyd (Laura), Boyd
(Betty), Staggs and
Blackburn of the House

and

Haney, Hobson and
Williams (Penny) of the
Senate

An Act relating to appropriations; making appropriations to the Department of Transportation; stating purposes; making an appropriation to the Department of Transportation Public Transit Revolving Fund; stating purpose; specifying that funds be included in certain budget categories; providing for the duties and compensation of employees; providing budgetary limitations; providing for transfer of certain monies to the Oklahoma Aeronautics Commission Revolving Fund; stating purpose; prohibiting expenditures of such funds for certain purposes; requiring expenditures for certain purposes; authorizing use of funds to match certain federal funds; stating purpose; requiring coordination of certain expenditures; authorizing use and expenditure of funds to obtain grants or federal aid assistance; authorizing expenditures for certain purposes; requiring transfer of certain deposits by State Treasurer; requiring transfer of funds to the Special Cash Fund; making appropriations to the Oklahoma Department of Commerce; stating purposes; exempting certain expenditures from certain requirements; specifying that certain funds be included in certain budget categories; making appropriation to the Board of Medicolegal Investigations; stating purpose; amending Section 25 of Enrolled Senate Bill No. 818 of the 2nd Session of the 45th Oklahoma Legislature, which relates to the Board of Medicolegal Investigations; modifying amounts; providing for the duties and compensation of employees; making appropriation to the Department of Corrections; stating purposes; requiring certain facilities for certain training programs; providing lapse dates; repealing Section 30 of Enrolled House Bill No. 1780 of the 2nd Session of the 45th Oklahoma Legislature, which relates to certain budgetary expenditures; repealing Section 24 of Enrolled Senate Bill No. 814 of the 2nd Session of the 45th Oklahoma Legislature and Section 13 of Enrolled House Bill No. 1787 of the 2nd Session of the 45th Oklahoma Legislature, which relate to the transfer of certain sums of money; providing that appropriations shall not be budgeted until a

certain date; providing an effective 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 General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1995, the sum of One Million Four Hundred Eleven Thousand Seven Hundred Eighty-one Dollars (\$1,411,781.00), 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. There is hereby appropriated to the Department of Transportation from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1996, the sum of Nine Million Six Hundred Fourteen Thousand One Hundred Twenty-one Dollars (\$9,614,121.00), 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 3. There is hereby appropriated to the Department of Transportation from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1997, the sum of Six Hundred Seventy-four Thousand Ninety-eight Dollars (\$674,098.00), 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 4. There is hereby appropriated to the Department of Transportation from any monies not otherwise appropriated from the Special Cash Fund of the State Treasury, the sum of Two Million Five Hundred Thousand Dollars (\$2,500,000.00) 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 5. There is hereby appropriated to the Department of Transportation's Public Transit Revolving Fund from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1995, the sum of Five Hundred Thousand Dollars (\$500,000.00), or so much thereof as may be necessary to perform the duties imposed upon the Department of Transportation by law.

SECTION 6. For the fiscal year ending June 30, 1997, the Department of Transportation shall budget all funds in the following categories and amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
Administration	\$ 19,000,000.00	\$ 34,725,508.00
Operations	98,920,500.00	160,894,563.00
Engineering	16,600,000.00	33,367,975.00
Intermodal Transportation	3,657,000.00	29,482,565.00
County Roads, Bridges and Equipment	0.00	45,054,988.00
Industrial Access	2,750,000.00	7,000,000.00
Lake and Historical Access	2,750,000.00	2,750,000.00
State Aid Roads and Bridges	19,700,000.00	23,993,750.00
Federal Aid Roads and Bridges	38,178,371.00	257,933,370.00
Right-of-Way Acquisition	<u>3,759,200.00</u>	<u>36,525,580.00</u>
TOTAL	\$205,315,071.00	\$631,728,299.00

SECTION 7. 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 Eighty-five Thousand Thirty-nine Dollars (\$85,039.00) per annum, payable monthly for the fiscal year ending June 30, 1997. The Department of Transportation, for the fiscal year ending June 30, 1997, shall be subject to the following budgetary limitations on full-time-equivalent employees, except hours coded as overtime wages, and expenditures, 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
Lease-Purchase Agreements	\$400,000.00

SECTION 8. The Department of Transportation shall transfer from any monies available in the State Highway Construction and Maintenance Fund to the Oklahoma Aeronautics Commission Revolving Fund the sum of Two Million Five Hundred Thousand Dollars (\$2,500,000.00) 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 9. 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 10. 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 11. 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 12. TRANSFER The State Treasurer shall transfer, from unclaimed deposits received prior to July 1, 1994, Three Thousand Eight Hundred Seventy-two Dollars and eighty-eight cents (\$3,872.88) to the Vault to compensate for a cumulative net shortage position as of June 30, 1994; further the State Treasurer shall transfer, from the balance of unclaimed deposits received prior to July 1, 1994, Sixteen Thousand Five Hundred Dollars and forty-three cents (\$16,500.43) to the Special Cash Fund.

SECTION 13. TRANSFER The Director of State Finance, on the effective date of this act, shall transfer the sum of One Million Dollars (\$1,000,000.00) from the State Insurance Commissioner Revolving Fund to the Special Cash Fund of the State Treasury.

SECTION 14. There is hereby appropriated to the Oklahoma Department of Commerce from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1995, the sum of Two Hundred Thousand Dollars (\$200,000.00) or so much thereof as may be necessary for moving costs.

SECTION 15. There is hereby appropriated to the Oklahoma Department of Commerce from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1997, the sum of Fifty Thousand Dollars (\$50,000.00) or so much thereof as may be necessary for contractual responsibilities with the Central Oklahoma Economic Development District for the purpose of promoting economic and community development in Oklahoma communities within the geographic service area. Funds expended for the programs shall be exempt from the requirements of the Central Purchasing Act, Section 85.1 et seq. of Title 74 of the Oklahoma Statutes.

SECTION 16. There is hereby appropriated to the Oklahoma Department of Commerce from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1997, the sum of Twenty-five Thousand Dollars (\$25,000.00) or so much thereof as may be necessary for contractual responsibilities with the Kiamichi Economic Development District for the purpose of promoting economic and community development in Oklahoma communities within the geographic service area. Funds expended for the programs shall be exempt from the requirements of the Central Purchasing Act, Section 85.1 et seq. of Title 74 of the Oklahoma Statutes.

SECTION 17. There is hereby appropriated to the Oklahoma Department of Commerce from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1997, the sum of Forty-five Thousand Dollars (\$45,000.00) or so much thereof as may be necessary for advertising and marketing of Oklahoma to economic development prospects.

SECTION 18. There is hereby appropriated to the Oklahoma Department of Commerce from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1997, the sum of Twenty Thousand Dollars (\$20,000.00) or so much thereof as may be necessary for contractual responsibilities with the Eastern Oklahoma Development District for the purpose of promoting economic and community development in Oklahoma communities within the geographic service area. Funds expended for the programs shall be exempt from the requirements of the Central Purchasing Act, Section 85.1 et seq. of Title 74 of the Oklahoma Statutes.

SECTION 19. There is hereby appropriated to the Oklahoma Department of Commerce from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1997, the sum of Sixty-five Thousand Dollars (\$65,000.00) or so much thereof as may be necessary for a feasibility study related to development of a Native American Cultural Center.

SECTION 20. For the fiscal year ending June 30, 1997, the Oklahoma Department of Commerce shall budget all funds in the following categories and amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Amount</u>
Administrative Support	\$ 3,113,607.00	\$ 4,101,962.00
Business Financing	348,012.00	15,108,329.00
Business Services	2,188,555.00	2,550,138.00
Community Investment	7,987,740.00	54,393,699.00
Global Trade	1,367,120.00	1,637,120.00
Information Services	1,496,064.00	6,345,155.00
Marketing and Sales	<u>2,112,502.00</u>	<u>2,365,140.00</u>
TOTAL	\$18,613,600.00	\$86,501,543.00

SECTION 21. There is hereby appropriated to the Board of Medicolegal Investigations from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1997, the sum of One Hundred Seventeen Thousand Dollars (\$117,000.00) or so much thereof as may be necessary for one pathologist position.

SECTION 22. AMENDATORY Section 25 of Enrolled Senate Bill No. 818 of the 2nd Session of the 45th Oklahoma Legislature, is amended to read as follows:

Section 25. For the fiscal year ending June 30, 1997, the Board of Medicolegal Investigations shall budget all funds in the following categories and amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
Administrative	\$ 331,017.00	\$ 331,017.00
Investigations	<u>2,263,055.00</u>	<u>2,750,055.00</u>
Total	<u>\$2,477,072.00</u>	<u>\$2,964,072.00</u>
	<u>\$2,594,072.00</u>	<u>\$3,081,072.00</u>

SECTION 23. AMENDATORY Section 26 of Enrolled Senate Bill No. 818 of the 2nd Session of the 45th Oklahoma Legislature, is amended to read as follows:

Section 26. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Board of Medicolegal Investigations by law shall be set by the Board. The salary of the Chief Medical Examiner shall not exceed Ninety-five Thousand Six Hundred Ninety-six Dollars (\$95,696.00) per annum, payable monthly for the fiscal year ending June 30, 1997. The Board of Medicolegal Investigations for the fiscal year ending June 30, 1997, shall be subject to the following budgetary limitations on full-time-equivalent employees and expenditures excluding expenditures for capital, intra-agency payments and special projects, except as 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	<u>54.0</u>
	<u>55.0</u>

SECTION 24. There is hereby appropriated to the Department of Corrections from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1997, the sum of Three Hundred Thousand Dollars (\$300,000.00) or so much thereof as may be necessary to staff and operate an infirmary at the Mabel Basset Correctional Center located in Oklahoma City, Oklahoma.

SECTION 25. The Department of Corrections shall provide classroom facilities and utilities for the benefit of inmate training programs at the Northeast Oklahoma Correctional Center located in Vinita and the Charles E. "Bill" Johnson Correctional Center located in Alva.

SECTION 26. Appropriations made by this act may be budgeted for the fiscal year ending June 30, 1997 (hereafter FY-97) or may be budgeted for the fiscal year ending June 30, 1998 (hereafter FY-98). Funds budgeted for FY-97 may be encumbered only through June 30, 1997, and must be expended by November 15, 1997. Any funds remaining after November 15, 1997, and not budgeted for FY-98, shall lapse to the credit of the proper fund for the then current fiscal year. Funds budgeted for FY-98 may be encumbered only through June 30, 1998. Any funds remaining after November 15, 1998, shall lapse to the credit of the proper fund for the then current fiscal year. These appropriations may not be budgeted in both fiscal years simultaneously. Funds budgeted in FY-97, and not required to pay obligations for that fiscal year, may be budgeted for FY-98, after the agencies have prepared and submitted a budget work program revision removing these funds from the FY-97 budget work program and after such revision has been approved by the Office of State Finance.

SECTION 27. REPEALER Section 30 of Enrolled House Bill No. 1780 of the 2nd Session of the 45th Oklahoma Legislature, is hereby repealed.

SECTION 28. REPEALER Section 24 of Enrolled Senate Bill No. 814 of the 2nd Session of the 45th Oklahoma Legislature, is hereby repealed.

SECTION 29. REPEALER Section 13 of Enrolled House Bill No. 1787 of the 2nd Session of the 45th Oklahoma Legislature, is hereby repealed.

SECTION 30. The appropriations made by Section 2 of this act shall not be budgeted until July 1, 1996.

SECTION 31. Sections 1, 3 through 11, 14 through 27 and 30 of this act shall become effective July 1, 1996.

SECTION 32. 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 House of Representatives the 31st day of May, 1996.

Speaker of the House of
Representatives

Passed the Senate the 31st day of May, 1996.

President of the Senate