

STATE OF OKLAHOMA

2nd Session of the 46th Legislature (1998)

CONFERENCE COMMITTEE SUBSTITUTE

FOR ENGROSSED

HOUSE BILL NO. 3048

By: Hamilton and Settle of
the House

and

Haney and Hobson of the
Senate

CONFERENCE COMMITTEE SUBSTITUTE

An Act relating to the Oklahoma Department of Transportation and the Oklahoma State Regents for Higher Education; making appropriations to the Oklahoma Department of Transportation; stating purposes; requiring expenditures for certain purpose; changing name of the Oklahoma Aeronautics Commission to the Oklahoma Aeronautics and Space Commission and clarifying effect of name change; providing for the transfer of certain funds; limiting expenditure of certain funds; providing funds for the Oklahoma Aeronautics and Space Commission; providing purposes; limiting certain expenditures; providing for duties and compensation of employees of the Oklahoma Department of Transportation; limiting the salary of the Director; providing budgetary limitations; providing for certain categories and amounts for expenditures; authorizing the Department to match certain federal funds and coordinate with the Oklahoma Department of Civil Emergency Management for expenditure; authorizing expenditure of funds in conjunction or cooperation with federal agencies or institutions; amending Section 1 of Enrolled House Bill No. 3039 of the 2nd Session of the 46th Oklahoma Legislature, which relates to the Oklahoma State Regents for Higher Education; making appropriations to the Oklahoma State Regents for Higher Education; providing that appropriations not be subject to certain limitations; providing for codification; 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 Oklahoma 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, 1999, the sum of Nine Million

Two Hundred Forty Thousand Eighty-eight Dollars (\$9,240,088.00) or so much thereof as may be necessary to perform the duties set forth in Enrolled House Bill No. 1629 of the 1st Session of the 46th Oklahoma Legislature. The appropriation set forth in this section shall be transferred to the State Highway Construction and Maintenance Fund.

SECTION 2. There is hereby appropriated to the Oklahoma 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, 1999, 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 Oklahoma Department of Transportation by law. The appropriation set forth in this section shall be transferred to the Public Transit Revolving Fund.

SECTION 3. The Oklahoma Department of Transportation shall expend from the funds dedicated to construction not less than Two Million Five Hundred Thousand Dollars (\$2,500,000.00) for the construction of roads to existing industrial sites and roads for economic development purposes, and not less than Two Million Five Hundred Thousand Dollars (\$2,500,000.00) for the construction, maintenance and repair of roads to historical sites and lake access roads.

SECTION 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 84.1 of Title 3, unless there is created a duplication in numbering, reads as follows:

The official name of the Oklahoma Aeronautics Commission is hereby changed to the Oklahoma Aeronautics and Space Commission. Wherever the term "Oklahoma Aeronautics Commission" appears in statute, it shall mean "Oklahoma Aeronautics and Space Commission". The name change herein prescribed shall not affect in any manner any contract, other legal relationship, or legal status of the Commission.

SECTION 5. The Oklahoma Department of Transportation shall transfer from any monies available in the State Highway Construction and Maintenance Fund to the Aeronautics Revolving

Fund the sum of Two Million Five Hundred Thousand Dollars (\$2,500,000.00) for use by the Oklahoma Aeronautics and Space Commission for the repair, construction or extension of airport runways and facilities, for providing lighting and safety markers at airports and to provide the funds for administration and operating expenses. The funds may be used for matching purposes. The funds shall not be expended for the construction or repair of hangars, fixed base operator facilities or passenger terminal buildings.

SECTION 6. The Oklahoma Department of Transportation shall expend from any monies available in the Aeronautics Revolving Fund for the fiscal year ending June 30, 1999, the following amount or so much thereof as may be necessary for administration and operating expenses of the Oklahoma Aeronautics and Space Commission required in the enforcement of the Oklahoma Aeronautics Act by law:

Personal Services	\$600,000.00
Other Operating Expenses	<u>125,000.00</u>
TOTAL OPERATIONS	\$725,000.00

Said funds may be used by the Oklahoma Aeronautics and Space Commission to support aviation educational programs in the State of Oklahoma. The Oklahoma Aeronautics and Space 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 duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Oklahoma Department of Transportation by law shall be set by the Director of the Oklahoma Department of Transportation. The salary of the Director of the Oklahoma 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, 1999. The Oklahoma Department of Transportation, for the fiscal year ending June 30, 1999, shall be subject to the following budgetary limitations on full-time-equivalent employees, except hours coded as overtime wages, and

Req. No. 10405Page 3

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
Lease-Purchase Agreements	\$400,000.00

SECTION 8. For the fiscal year ending June 30, 1999, the Oklahoma Department of Transportation shall budget all funds in the following categories and amounts.

<u>Category</u>	<u>Appropriations</u>	<u>Total</u>
Administration	\$ 14,437,656.00	\$
35,000,000.00		
Operations	114,000,000.00	
167,000,000.00		
Engineering	27,700,000.00	
53,000,000.00		
Intermodal	3,000,000.00	
46,000,000.00		
County Roads, Bridges and Equipment	0.00	
80,000,000.00		
Industrial and Lake Access	5,000,000.00	
10,000,000.00		
Capital Improvement Program		137,381,141.00
	488,000,000.00	
State Aid Roads and Bridges		13,950,000.00
	18,000,000.00	
Federal Aid Roads and Bridges	10,000,000.00	
270,000,000.00		
Right-of-Way Acquisition	<u>3,000,000.00</u>	
<u>55,000,000.00</u>		
TOTAL	\$328,468,797.00	
\$1,222,000,000.00		

SECTION 9. The Oklahoma 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 Oklahoma Department of Transportation shall coordinate with the Oklahoma Department of Civil Emergency Management for expenditure of funds for this purpose.

SECTION 10. All funds available by law for expenditure by the Oklahoma 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 11. AMENDATORY Section 1 of Enrolled House Bill No. 3039 of the 2nd Session of the 46th Oklahoma Legislature, is amended to read as follows:

Section 1. There is hereby appropriated to the Oklahoma State Regents for Higher Education from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1999, the sum of ~~Ten Million Six Hundred Thirty-seven Thousand Two Hundred Seventy-one Dollars (\$10,637,271.00)~~ Fourteen Million Eight Hundred Fifty-nine Thousand Five Hundred Dollars (\$14,859,500.00) or so much thereof as may be necessary for allocation by the Oklahoma State Regents for Higher Education pursuant to the provisions of Article XIII-A of the Oklahoma Constitution to the institutions of The Oklahoma State System of Higher Education for the education and general operating budgets of the institutions and for other programs, construction, renovation or repairs administered by the Oklahoma State Regents for Higher Education.

SECTION 12. There is hereby appropriated to the Oklahoma State Regents for Higher Education from any monies not otherwise appropriated from the Special Cash Fund of the State Treasury, the sum of Five Million One Hundred Forty Thousand Five Hundred

Dollars (\$5,140,500.00) or so much thereof as may be necessary for allocation by the Oklahoma State Regents for Higher Education pursuant to the provisions of Article XIII-A of the Oklahoma Constitution to the institutions of The Oklahoma State System of Higher Education for the education and general operating budgets of the institutions and for other programs, construction, renovation or repairs administered by the Oklahoma State Regents for Higher Education.

SECTION 13. 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 14. This act shall become effective July 1, 1998.

SECTION 15. 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.

46-2-10405 GS