

STATE OF OKLAHOMA

2nd Session of the 46th Legislature (1998)

HOUSE BILL NO. 2275

By: Beutler

AS INTRODUCED

An Act relating to public finance; amending Section 5, Chapter 193, O.S.L. 1996 (62 O.S. Supp. 1997, Section 2005), which relates to rural transportation projects; modifying categories for authorized expenditures; authorizing expenditures for equipment; and declaring an emergency.

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

SECTION 1. AMENDATORY Section 5, Chapter 193, O.S.L. 1996 (62 O.S. Supp. 1997, Section 2005), is amended to read as follows:

Section 2005. A. Except as otherwise provided by this section, the monies appropriated by Section 3 of Enrolled House Bill No. 2830 of the 2nd Session of the 45th Oklahoma Legislature shall be administered by the Oklahoma Department of Transportation in the same manner as provided by law for the distribution of other funds for rural transportation projects.

B. The monies referred to in subsection A of this section shall be distributed to eligible cities and towns, unincorporated areas or other qualified entities located within the areas represented by the following organizations:

1. Association of Central Oklahoma Governments (ACOG);
2. Association of South Central Oklahoma Governments (ASCOG);
3. Central Oklahoma Economic Development District (COEDD);
4. Eastern Oklahoma Economic Development District (EOEDD);
5. Grand Gateway Economic Development Association (GGEDA);
6. Indian Nations Council of Governments (INCOG);
7. Kiamichi Economic Development District (KEDDO);
8. Northern Oklahoma Development Association (NODA);
9. Oklahoma Economic Development Association (OEDA);
10. Southern Oklahoma Development Association (SODA); and
11. South Western Oklahoma Development Authority (SWODA).

C. The monies referred to in subsection A of this section shall not be expended for the benefit of cities or towns with a population in excess of seven thousand (7,000) persons according to the latest Federal Decennial Census. Any municipality may enter into an agreement with an entity described in subsection B of this section to apply for available funds described by this section if the municipality is located within the area served by the entity. Upon approval of the application, funds shall be paid to the municipality requesting the funds.

D. An entity described in subsection B of this section may apply for a grant to be used for the benefit of an unincorporated area within a county served by that entity. Any county may enter into an agreement with an entity described in subsection B of this section if the county is located within the area served by the entity. Upon approval of the application, funds shall be paid to the county requesting the funds.

E. The monies referred to in subsection A of this section may be expended for rural transportation projects, including but not limited to road and street construction or repair, road surfacing or road repair equipment, drainage projects, county road construction or repair, county bridge construction or repair, rural highway improvements, industrial access road construction or repair, or other specific transportation projects located within a qualified city or town or in an unincorporated area. Rural road projects currently on the five-year capital plan that are designated by the Department of Transportation as a Rural Oklahoma Assistance and Development System (ROADS) project, shall be replaced by a similar road project in the same Transportation Commission district.

F. Any city or town with a population less than one thousand five hundred (1,500) persons according to the latest Federal Decennial Census shall have a higher priority for funds allocated by the Oklahoma Department of Transportation from the amount referred to in subsection A of this section than jurisdictions of greater size. Among such cities or towns, those municipalities having relatively weaker fiscal capacity shall have a priority for project funding in preference to other municipalities.

G. The Oklahoma Department of Transportation shall establish ten separate accounts containing Seven Hundred Fifty Thousand Dollars (\$750,000.00) per account. Each account shall be available for distribution to qualified entities located within the area served by entities described in subsection A of Section 7 2007 of this ~~act~~ title or for distribution to benefit unincorporated areas with the exception of one account which shall be divided equally into two subaccounts containing Three Hundred Seventy-five Thousand Dollars (\$375,000.00) each. Each of the two subaccounts shall be available for distribution to qualified entities located within the respective jurisdiction of one of the entities described by subsection B of Section 7 2007 of this ~~act~~ title or for distribution

to benefit unincorporated areas. No funds deposited into one account or subaccount shall be transferred to any other account. The total expenditure from any one account or subaccount for each fiscal year may not exceed the amount of funds available to each account as may be provided by law.

H. No city, town or other entity to which funds shall be awarded pursuant to this section shall be required to provide any form of match to obtain the funds, whether through cash, services or any other method.

I. The Oklahoma Department of Transportation shall not be allowed to retain any of the funds referred to in subsection A of this section for administration. All such funds shall be distributed to eligible entities as authorized by law.

J. In order to permit equal access to the funds referred to in subsection A of this section, the Oklahoma Department of Transportation shall not act upon any application for such funds until the expiration of six (6) months from the effective date of this act. Applications may be submitted to the Oklahoma Department of Transportation on or after July 1, 1996.

SECTION 2. 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.

46-2-8828

MAH