

SHORT TITLE: Roads, bridges and ferries; making an appropriation; modifying State Infrastructure Bank and Revolving Fund. Effective date.

STATE OF OKLAHOMA

2nd Session of the 46th Legislature (1998)

SENATE BILL NO. 1334

By: Dickerson

AS INTRODUCED

An Act relating to transportation; making an appropriation; stating purpose; amending Section 1, Chapter 303, O.S.L. 1996, as amended by Section 8, Chapter 218, O.S.L. 1997 (69 O.S. Supp. 1997, Section 403), which relates to the State Infrastructure Bank; providing for rules that encourage county fiscal contributions; amending Section 2, Chapter 303, O.S.L. 1996 (69 O.S. Supp. 1997, Section 404), which relates to the State Infrastructure Bank Revolving Fund; expanding revenue sources to the fund; making expenditures contingent on receipt of a certain federal grant; authorizing certain investment of funds; providing for deposit of interest earnings; providing for codification; and providing an effective date.

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

SECTION 1. There is hereby appropriated to the State Infrastructure Bank Revolving Fund from any monies not otherwise appropriated from the General Revenue Fund of the Constitutional Reserve Fund the sum of Twenty-five Million Dollars (\$25,000,000.00) or so much thereof as may be necessary for the purpose of improving county roads and bridges.

SECTION 2. AMENDATORY Section 1, Chapter 303, O.S.L. 1996, as amended by Section 8, Chapter 218, O.S.L. 1997 (69 O.S. Supp. 1997, Section 403), is amended to read as follows:

Section 403. A. The Transportation Commission is hereby authorized to create a "State Infrastructure Bank", pursuant to the federal National Highway Act of 1995, for the purpose of pooling available federal, private and state appropriated or revolving fund monies specifically authorized by the Legislature for such use. The Commission shall be the instrumentality to make application to the Federal Highway Administration for the capitalization grant which is to be placed in the State Infrastructure Bank. The Commission shall adopt all rules necessary to implement and effectuate the provisions of ~~this act~~ this section and Section 404 of this title. Provided, such rules shall encourage counties to provide matching monies to supplement State Infrastructure Bank loans.

B. The State Infrastructure Bank authorized by this section may be utilized by the various counties of Oklahoma for pooling available federal, private and state appropriated or revolving fund monies specifically authorized by the Legislature for capital improvements. The various counties of Oklahoma are authorized to receive and repay monies from the ~~Oklahoma~~ Department of Transportation revolving fund designated as the "State Infrastructure Bank Revolving Fund" for the purpose specifically authorized by the Legislature.

SECTION 3. AMENDATORY Section 2, Chapter 303, O.S.L. 1996 (69 O.S. Supp. 1997, Section 404), is amended to read as follows:

Section 404. There is hereby created in the State Treasury a revolving fund for the Oklahoma Department of Transportation to be designated the "State Infrastructure Bank Revolving Fund". The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of all monies received by the Department of

Transportation as provided ~~in Section 1 of this act~~ by Section 403 of this title and interest earnings on the fund balance. All monies accruing to the credit of the fund are hereby appropriated and may be budgeted and expended by the Oklahoma Department of Transportation for the purposes of effectuating the provisions of ~~Section 1 of this act~~ 403 of this title; provided, however, that no expenditures shall be made unless and until the State of Oklahoma is awarded a capitalization grant by the Federal Highway Administration. Expenditures from the fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of State Finance for approval and payment.

SECTION 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 404.1 of Title 69, unless there is created a duplication in numbering, reads as follows:

The State Treasurer is hereby authorized to invest the maximum amount of funds in the State Infrastructure Bank Revolving Fund in accordance with the following principles:

1. With the care, skill, prudence and diligence under the circumstances then prevailing that a prudent person acting in a like capacity and familiar with such matters would use in the conduct of an enterprise of like character and with like aims; and

2. By diversifying the investments of the fund so as to minimize the risk of large losses, unless under the circumstances it is clearly prudent not to do so.

All interest earnings generated by investment of funds from the State Infrastructure Bank Revolving Fund shall be deposited to the credit of the State Infrastructure Bank Revolving Fund.

SECTION 5. This act shall become effective September 1, 1998.

46-2-2424

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