

SHORT TITLE: Department of Transportation; making appropriations for highway construction and maintenance, Rural Economic Action Program, airport improvements, rail passenger service, public transit systems, and intermodal railyards; making appropriations nonfiscal; effective date.

STATE OF OKLAHOMA

1st Session of the 46th Legislature (1997)

SENATE BILL NO. 176

By: Stipe of the Senate

and

Tyler of the House

AS INTRODUCED

An Act relating to the Department of Transportation; making appropriations to the Department; stating purposes; requiring transfer of funds; amending Section 5, Chapter 193, O.S.L. 1996 (62 O.S. Supp. 1996, Section 2005), which relates to the Rural Economic Action Plan; clarifying statutory language; modifying amounts; making an appropriation; requiring transfer of funds; requiring certain expenditure of funds; authorizing certain use of funds; prohibiting certain expenditures; making an appropriation; specifying purpose; requiring transfer of funds; making an appropriation to the Public Transit Revolving Fund; stating purpose; making an appropriation; stating purpose; making appropriations nonfiscal; and providing an effective date.

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, 1998, the sum of Seventy-seven Million Five Hundred

Thousand Dollars (\$77,500,000.00), or so much thereof as may be necessary, to perform the duties imposed upon the Department of Transportation by law. The appropriation made by this section 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, 1998, the sum of Twenty Million Dollars (\$20,000,000.00), or so much thereof as may be necessary, to implement the provisions of Section 2005 of Title 62 of the Oklahoma Statutes.

SECTION 3. AMENDATORY Section 5, Chapter 193, O.S.L. 1996 (62 O.S. Supp. 1996, 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~~ Section 2 of this act 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, 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)~~ Two Million Dollars (\$2,000,000.00) 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 of this act~~ 2007 of this 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)~~ One Million Dollars (\$1,000,000.00) 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 of this act~~ 2007 of this 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~~ July 1, 1996. Applications may be submitted to the Oklahoma Department of Transportation on or after July 1, 1996.

SECTION 4. 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, 1998, the sum of Ten Million Dollars (\$10,000,000.00), or so much thereof as may be necessary, to perform the duties imposed upon the Department of Transportation by law. The appropriation shall be transferred to the Oklahoma Aeronautics Commission Revolving Fund and shall be expended for the repair, construction or extension of airport runways and facilities, for providing lighting and safety markers at airports and to provide 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 5. 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, 1998, the sum of Five Million Dollars (\$5,000,000.00), or so much thereof as may be necessary, to perform the duties imposed upon the Department of Transportation by law for the purpose of the Oklahoma Tourism and Passenger Rail Act, Section 321 et seq. of Title 66 of the Oklahoma Statutes. The appropriation

shall be transferred to the Oklahoma Tourism and Passenger Rail Revolving Fund.

SECTION 6. 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, 1998, the sum of Five Million Dollars (\$5,000,000.00), or so much thereof as may be necessary, to perform the duties imposed upon the Department of Transportation by law.

SECTION 7. 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, 1998, the sum of Two Million Five Hundred Thousand Dollars (\$2,500,000.00), or so much thereof as may be necessary, to develop intermodal railyards at the Port of Catoosa and the Port of Muskogee.

SECTION 8. 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 9. This act shall become effective September 1, 1997.

46-1-0592

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