

Short Title: Transportation; modifying language; effective date.

STATE OF OKLAHOMA

2nd Session of the 47th Legislature (2000)

HOUSE BILL NO. _____

By: Tyler

AS INTRODUCED

An Act relating to transportation; amending Section 12, Chapter 80, O.S.L. 1992, as amended by Section 1, Chapter 94, O.S.L. 1998 (69 O.S. Supp. 1999, Section 687.1), which relates to circuit engineering districts; modifying language; amending 61 O.S. 1991, Section 62.1, which relates to consultant and construction contracts; updating statutory references; and providing an effective date.

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

SECTION 1. AMENDATORY Section 12, Chapter 80, O.S.L. 1992, as amended by Section 1, Chapter 94, O.S.L. 1998 (69 O.S. Supp. 1999, Section 687.1), is amended to read as follows:

Section 687.1 A. The board of county commissioners of any county in this state may create a circuit engineering district with any other county or counties located within its Association of County Commissioners of Oklahoma district. The objectives of the circuit engineering district shall be:

1. To allow county governments to make the most efficient use of their powers by enabling them to cooperate with each other and other units of government on a basis of mutual advantage and thereby to provide services and facilities in a manner and pursuant to forms of governmental organization that will accord best with geographic, economic, population and other factors influencing the needs and development of county government;
2. To provide research and research support to county government;

1 3. To provide assistance to county governments in performing
2 the functions delegated by law including, but not limited to, the
3 operation of road maintenance, construction, inspection, and
4 equipment purchases and management;

5 4. To conduct public discussion groups, forums, panels,
6 lectures, and other similar programs;

7 5. To present courses of instruction and education;

8 6. To obtain, develop and present scientific and all other
9 types of information relative to the operation of the public
10 transportation system in this state;

11 7. For long-range planning and growth of the transportation
12 system within the circuit engineering district and other circuit
13 engineering districts within this state; and

14 8. To provide services to counties in a coordinated manner that
15 will improve the quality of the transportation system and be cost
16 effective.

17 B. The authority of the circuit engineering district shall be
18 as follows:

19 1. To comply with and carry out the provisions of the
20 Interlocal Cooperation Act;

21 2. To advise and assist its members with how to implement and
22 make an effective transportation plan for the best interest of each
23 member of the circuit engineering district;

24 3. To prepare such programs of research as may be necessary and
25 advisable in carrying out its purposes;

26 4. To contract for services with persons, firms or units of
27 government to carry out the purposes of the circuit engineering
28 district;

29 5. To provide periodic reports for the circuit engineering
30 district or for its members as may be required by federal or state
31 legislation or regulations pertaining thereto, and as are within the
32 scope and range of the purpose of the circuit engineering district;

1 6. To acquire and hold property for its use and to incur
2 expenses to carry out its functions;

3 7. To receive gifts, contributions and donations to carry out
4 the purposes for which it is formed;

5 8. To assess its members for the services rendered in carrying
6 out its functions;

7 9. To apply for, contract for, administer, receive and expend
8 funds or grants from any participating member, ~~the State of Oklahoma~~
9 this state, the federal government, or any other source; and

10 10. To publish studies in connection with its work which may be
11 of benefit to its members or other agencies within and outside of
12 the circuit engineering district.

13 C. Circuit engineering districts may, by affirmative vote of
14 their board, determine that the association representing the county
15 commissioners of Oklahoma be designated to negotiate for services,
16 required by law or necessity, on behalf of the circuit engineering
17 districts.

18 D. The circuit engineering district may, from time to time, as
19 its board of directors deems necessary, cause to be formed legal
20 trusts which shall be formed to promote and develop specific
21 projects. The primary goal of each trust created pursuant to this
22 subsection shall be the economic growth and development within the
23 district. However, the trust shall be limited to functions within
24 the category for which it is specifically organized. The trust
25 shall be totally responsible for its contractual obligations and
26 holdings, holding the circuit engineering district harmless for
27 claims or liabilities created by the trust.

28 E. The board of directors of the circuit engineering district
29 shall elect a liaison officer. The liaison officer shall be a
30 nonvoting member of each trust formed pursuant to subsection D of
31 this section. The liaison shall be permitted to attend all meetings
32 and enter into all discussions of the trust's board of trustees, and

1 shall report all actions to the board of directors of the circuit
2 engineering district.

3 F. The circuit engineering district shall conduct an
4 independent audit upon completion of each fiscal year.

5 G. The board of directors may employ an attorney to provide
6 legal research, advice and opinions on contracts and other matters
7 which may come before the board of directors.

8 H. The State Auditor and Inspector shall prescribe the
9 necessary rules, forms and procedures to provide for the efficient
10 and timely means by which the pool purchase of supplies and
11 equipment may be accomplished on behalf of the participating
12 counties. The rules, forms and procedures developed by the State
13 Auditor and Inspector for pool purchasing may be utilized by the
14 Oklahoma Department of Transportation County Advisory Board in
15 coordination with the circuit engineering districts for the purpose
16 of pool purchasing utilizing funds from the County Road Machinery
17 and Equipment Revolving Fund. For the purpose of obtaining access
18 to pricing and bids available on a national level, counties shall be
19 eligible to participate in such pool purchasing in a manner as
20 determined by the State Auditor and Inspector.

21 SECTION 2. AMENDATORY 61 O.S. 1991, Section 62.1, is
22 amended to read as follows:

23 Section 62.1 Except as provided by Sections 61 and 62 of ~~Title~~
24 ~~61~~ this title and in addition to other statutory requirements, after
25 January 1, 1984, all consultant and construction contracts shall be
26 in accordance with the provisions of the Public Building
27 Construction and Planning Act.

28 SECTION 3. This act shall become effective November 1, 2000.

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