

ENROLLED SENATE
BILL NO. 159

By: Haney and Hobson of the
Senate

and

Settle and Begley of the
House

An Act relating to transportation; amending Section 67 of Enrolled Senate Bill No. 161 of the 1st Session of the 47th Oklahoma Legislature, which relates to the Department of Transportation; modifying appropriation; making an appropriation to the Department of Transportation; stating purpose; requiring transfers of certain monies; requiring expenditures for certain purposes; providing for transfer of certain funds; amending Section 65 of Enrolled Senate Bill No. 161 of the 1st Session of the 47th Oklahoma Legislature, which relates to the Department of Transportation; modifying appropriations; requiring certain funds to be used for certain purposes; prohibiting certain funds from being used for certain purposes; requiring and limiting expenditure of certain funds; requiring budgeting in certain categories and amounts; requiring performance measures for budget categories; providing for duties and compensation of employees; limiting the salary of the Director; providing budgetary limitations; authorizing the Department to match certain federal funds and coordinate with the Department of Civil Emergency Management for expenditure; authorizing expenditure of funds in conjunction or cooperation with federal agencies or institutions; making certain appropriations nonfiscal; providing lapse dates; requiring certain budget procedures; prohibiting certain budget procedures; and providing an effective date.

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

DEPARTMENT OF TRANSPORTATION

SECTION 1. AMENDATORY Section 67 of Enrolled Senate Bill No. 161 of the 1st Session of the 47th Oklahoma Legislature, is amended to read as follows:

Section 67. 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, 2000, the sum of ~~Forty-two Million One Hundred Twenty-nine Thousand Nine Hundred Thirty-four Dollars (\$42,129,934.00)~~ Forty Million Six Hundred Twenty-nine Thousand Nine Hundred Thirty-four Dollars (\$40,629,934.00) or so much thereof as may be necessary to perform the duties as set forth in Section 2002 of Title 69 of the Oklahoma Statutes. 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 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, 2000, the sum of One Million Five Hundred Thousand Dollars (\$1,500,000.00) or so much thereof as may be necessary to perform the duties imposed upon the Department of Transportation by law. The appropriation set forth in this section shall be transferred to the Public Transit Revolving Fund.

SECTION 3. AMENDATORY Section 65 of Enrolled Senate Bill No. 161 of the 1st Session of the 47th Oklahoma Legislature, is amended to read as follows:

Section 65. There is hereby appropriated to the Department of Transportation from any monies not otherwise appropriated from the State Transportation Fund of the State Treasury for the fiscal year ending June 30, 2000, the sum of ~~One Hundred Seventy-six Million Seven Hundred Seventy-nine Thousand Seven Hundred Fourteen Dollars (\$176,779,714.00)~~ One Hundred Seventy-six Million Four Hundred Seventy-six Thousand Sixty-one Dollars (\$176,476,061.00) or so much thereof as may be necessary to perform the duties imposed upon the Department of Transportation by law. Said appropriation 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 4. The 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 5. The 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 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	\$750,000.00
Other Operating Expenses	<u>150,000.00</u>
TOTAL OPERATIONS	\$900,000.00

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 Fifteen Thousand Dollars (\$15,000.00) for the renting, leasing or chartering of aircraft necessary to enable the Commission to perform the duties imposed upon it by law.

SECTION 7. For the fiscal year ending June 30, 2000, the Department of Transportation shall budget all funds in the following categories and amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
Administration	\$ 24,701,532.00	\$ 40,000,000.00
Operations	118,918,121.00	208,550,000.00
Engineering	18,283,556.00	53,000,000.00
Intermodal	1,500,000.00	70,000,000.00
County Roads, Bridges and Equipment	0.00	100,000,000.00
Industrial and Lake Access	5,000,000.00	10,000,000.00
Capital Improvement Program	131,961,198.00	300,000,000.00
State Aid Roads and Bridges	7,589,764.00	14,000,000.00
Federal Aid Roads and Bridges	6,362,163.00	350,000,000.00
Right-of-Way Acquisition	<u>6,000,000.00</u>	<u>75,000,000.00</u>
TOTAL	\$320,316,334.00	\$1,220,550,000.00

The Department shall develop outcome-based performance measures for each budget category.

SECTION 8. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Department of Transportation by law shall be set by the Director. The salary of the Director of the 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, 2000. The Department of Transportation for the fiscal year ending June 30, 2000, shall be subject to the following budgetary limitations on full-time-equivalent employees and 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 9. The 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 Department of Transportation shall coordinate with the Department of Civil Emergency Management for expenditure of funds for such purpose.

SECTION 10. All funds available by law for expenditure by the 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. Appropriations made by this act, not including appropriations made for capital outlay purposes, may be budgeted for the fiscal year ending June 30, 2000 (hereafter FY-00) or may be budgeted for the fiscal year ending June 30, 2001 (hereafter FY-01). Funds budgeted for FY-00 may be encumbered only through June 30, 2000, and must be expended by November 15, 2000. Any funds remaining after November 15, 2000, and not budgeted for FY-01, shall lapse to the credit of the proper fund for the then current fiscal year. Funds budgeted for FY-01 may be encumbered only through June 30, 2001. Any funds remaining after November 15, 2001, shall lapse to the credit of the proper fund for the then current fiscal year. These appropriations may not be budgeted in both fiscal years simultaneously. Funds budgeted in FY-00, and not required to pay obligations for that fiscal year, may be budgeted for FY-01, after the agency to which the funds have been appropriated has prepared and submitted a budgeted work program revision removing these funds from the FY-00 budget work program and after such revision has been approved by the Office of State Finance.

SECTION 12. This act shall become effective September 1, 1999.

Passed the Senate the 28th day of May, 1999.

President of the Senate

Passed the House of Representatives the 28th day of May, 1999.

Speaker of the House of
Representatives