

STATE OF OKLAHOMA

2nd Session of the 48th Legislature (2002)

CONFERENCE COMMITTEE
SUBSTITUTE
FOR ENGROSSED
HOUSE BILL NO. 2585

By: Mass and Bonny of the House

and

Haney and Hobson of the
Senate

CONFERENCE COMMITTEE SUBSTITUTE

An Act relating to the Department of Transportation; making appropriations to the Department of Transportation; stating purposes; requiring transfers of certain monies; requiring expenditures for certain purposes; requiring budgeting in certain categories and amounts; 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; reappropriating and redesignating certain monies; providing lapse dates; repealing 69 O.S. 2001, Section 1234, which relates to the Highway Advance Right-of-Way Acquisition and Management Fund; providing an effective date; and declaring an emergency.

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 State Transportation Fund of the State Treasury for the fiscal year ending June 30, 2003, the sum of One Hundred Eighty Million Eight Hundred Ninety-six Thousand Nine Hundred Fifty-nine Dollars (\$180,896,959.00) 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 purpose 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 State Transportation Fund of the State Treasury for the fiscal year ending June 30, 2001, the sum of Four Million One Hundred Sixty-eight Thousand Seven Hundred Twenty-six Dollars (\$4,168,726.00) 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 3. 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, 2003, the sum of Nine Million Six Hundred Sixty-two Thousand Nine Hundred Seventy Dollars (\$9,662,970.00) 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 for the purpose set forth in Section 2002 of Title 69 of the Oklahoma Statutes.

SECTION 4. 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, 2003, the sum of One Million Nine Hundred Thousand Dollars (\$1,900,000.00) 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 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, 2003, the sum of Thirty-three Million Two Hundred Twenty-eight Thousand Two Hundred Seventy-eight Dollars (\$33,228,278.00) 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 for the purposes set forth in Section 2002 of Title 69 of the Oklahoma Statutes.

SECTION 6. 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 7. For the fiscal year ending June 30, 2003, the Department of Transportation shall budget all funds in the following categories and amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
Administration	\$ 11,497,369.00	\$ 50,000,000.00
Operations	118,568,316.00	225,000,000.00
Engineering	25,000,000.00	85,000,000.00
Intermodal	1,900,000.00	50,000,000.00
County Roads, Bridges and Equipment	0.00	80,000,000.00
Industrial and Lake Access	5,000,000.00	15,000,000.00

Capital Improvement		
Program	60,568,638.00	150,000,000.00
State Aid Roads		
and Bridges	5,000,000.00	25,000,000.00
Federal Aid Roads		
and Bridges	10,000,000.00	360,000,000.00
Right-of-Way Acquisition	<u>10,000,000.00</u>	<u>80,000,000.00</u>
TOTAL	\$247,534,323.00	\$1,120,000,000.00

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 One Hundred Ten Thousand Dollars (\$110,000.00) per annum, payable monthly for the fiscal year ending June 30, 2003. The Department of Transportation for the fiscal year ending June 30, 2003, 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>
Average Number of Full-time-equivalent	
Employees, Excluding Engineering Interns	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. REAPPROPRIATION AND REDESIGNATION The cash balance of Two Million Six Hundred Three Thousand Five Hundred Eighty-five Dollars and thirty-nine cents (\$2,603,585.39) remaining in the County Farm to Market Road Fund, abolished by Section 99, Chapter 179, O.S.L. 1985, is hereby reappropriated and redesignated to the County Equipment Revolving Fund established by Section 636 of Title 69 of the Oklahoma Statutes, for the duties imposed upon the Department of Transportation by law. If, on the date this act is approved, any of the amount originally appropriated, as adjusted by expenditures, encumbrances and transfers, results in an unencumbered balance less than the redesignated amount, that redesignated amount is reduced to the unencumbered balance.

SECTION 12. REAPPROPRIATION AND REDESIGNATION The cash balance of Seventy-three Thousand Ninety-three Dollars and sixty-eight cents (\$73,093.68) remaining in the Highway Advance Right-of-Way Acquisition and Management Fund, established by Section 1234 of Title 69 of the Oklahoma Statutes, is hereby reappropriated and redesignated to the State Transportation Fund, established by Section 1501.1 of Title 69 of the Oklahoma Statutes, for the duties imposed upon the Department of Transportation by law. If, on the date this act is approved, any of the amount originally appropriated, as adjusted by expenditures, encumbrances and transfers, results in an unencumbered balance less than the redesignated amount, that redesignated amount is reduced to the unencumbered balance.

SECTION 13. REPEALER 69 O.S. 2001, Section 1234, is hereby repealed.

SECTION 14. Appropriations made by this act, not including appropriations made for capital outlay purposes, may be budgeted for the fiscal year ending June 30, 2003 (hereafter FY-03) or may be budgeted for the fiscal year ending June 30, 2004 (hereafter FY-04). Funds budgeted for FY-03 may be encumbered only through June 30, 2003, and must be expended by November 15, 2003. Any funds remaining after November 15, 2003, and not budgeted for FY-04, shall lapse to the credit of the proper fund for the then current fiscal year. Funds budgeted for FY-04 may be encumbered only through June 30, 2004. Any funds remaining after November 15, 2004, 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-03, and not required to pay obligations for that fiscal year, may be budgeted for FY-04, after the agency to which the funds have been appropriated has prepared and submitted a budget work program revision removing these funds from the FY-03 budget work program and after such revision has been approved by the Office of State Finance.

SECTION 15. This act shall become effective July 1, 2002.

SECTION 16. 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.

48-2-15509 JG 6/12/15