

ENROLLED SENATE
BILL NO. 249

By: Haney and Hobson of the
Senate

and

Mass and Bonny of the
House

An Act relating to transportation; making appropriations to the Department of Transportation; stating purposes; authorizing certain expenditures; amending Section 71 of Enrolled House Bill No. 1564 of the 1st Session of the 48th Oklahoma Legislature, which relates to appropriations to the Department of Transportation; modifying amounts of appropriation to the Department of Transportation; requiring transfers of certain monies; requiring expenditures for certain purposes; providing for transfer of certain funds; requiring certain funds to be used for certain purposes; requiring budgeting in certain categories and amounts; requiring performance measures; 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 appropriation to the Space Industry Development Authority; stating purposes; requiring transfer; making certain appropriations nonfiscal; providing lapse dates; requiring certain budget procedures; prohibiting certain budget procedures; providing an effective date; and declaring an emergency.

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

DEPARTMENT OF TRANSPORTATION

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, 2002, the sum of One Million One Hundred Forty Six Thousand Eight Hundred Sixty-four Dollars (\$1,146,864.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma Department of Transportation by law.

SECTION 2. Of the funds appropriated to the Department of Transportation in Section 70 of Enrolled House Bill No. 1564 of the 1st Session of the 48th Oklahoma Legislature, the sum of Nine Million One Hundred Sixty Thousand Three Hundred Thirty-nine Dollars (\$9,160,339.00) or so much thereof as may be necessary shall be expended 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 3. The Oklahoma Department of Transportation is authorized to expend an amount not to exceed Four Million Eight Hundred Twenty Thousand Eight Hundred Seventy-nine Dollars (\$4,820,879.00) in earnings resulting from the investment of proceeds of the Oklahoma Capitol Improvement Authority State Highway Capital Improvement Revenue Bonds, Series 1998 to fund the construction and improvements to the highway system authorized in Section 2002 of Title 69 of the Oklahoma Statutes. The Oklahoma Capitol Improvement Authority shall make funds available upon the request of the Oklahoma Department of Transportation.

SECTION 4. AMENDATORY Section 71 of Enrolled House Bill No. 1564 of the 1st Session of the 48th Oklahoma Legislature, is amended to read as follows:

Section 71. 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, 2002, the sum of ~~Thirty-three Million Seven Hundred Thirty Thousand Nine Hundred Nine Dollars (\$33,730,909.00)~~ Twenty-eight Million Nine Hundred Ten Thousand Thirty Dollars (\$28,910,030.00) 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. Said appropriation shall be transferred to the State Highway Construction and Maintenance Fund.

SECTION 5. TRANSFER Of the amount appropriated by Section 70 of Enrolled House Bill No. 1564 of the 1st Session of the 48th Oklahoma Legislature, the Department of Transportation shall transfer the sum of One Million Five Hundred Thousand Dollars (\$1,500,000.00) to the Public Transit Revolving Fund.

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, 2002, the Department of Transportation shall budget all funds in the following categories and amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
Administration	\$ 13,172,030.00	\$ 40,000,000.00

Operations	120,205,203.00	230,000,000.00
Engineering	34,172,030.00	75,000,000.00
Intermodal	0.00	70,000,000.00
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	42,891,248.00	300,000,000.00
State Aid Roads and Bridges	5,000,000.00	25,000,000.00
Federal Aid Roads and Bridges	10,000,000.00	390,000,000.00
Right-of-Way Acquisition	<u>10,000,000.00</u>	<u>90,000,000.00</u>
TOTAL	\$240,440,511.00	\$1,315,000,000.00

The agency 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 One Hundred Ten Thousand Dollars (\$110,000.00) per annum, payable monthly for the fiscal year ending June 30, 2002. The Department of Transportation for the fiscal year ending June 30, 2002, 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. There is hereby appropriated to the Oklahoma Space Industry Development Authority from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 2002, the sum of Three Hundred Thousand Dollars (\$300,000.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma Space Industry Development Authority by law. The monies appropriated in this section shall be transferred to the Oklahoma Space Industry Development Authority Revolving Fund created pursuant to Section 5208.1 of Title 74 of the Oklahoma Statutes.

SECTION 12. Appropriations made by this act, not including appropriations made for capital outlay purposes, may be budgeted for the fiscal year ending June 30, 2002 (hereafter FY-02), or may be budgeted for the fiscal year ending June 30, 2003 (hereafter FY-03). Funds budgeted for FY-02 may be encumbered only through June 30, 2002, and must be expended by November 15, 2002. Any funds remaining after November 15, 2002, and not budgeted for FY-03, shall lapse to the credit of the proper fund for the then current fiscal year. Funds budgeted for FY-03 may be encumbered only through June 30, 2003. Any funds remaining after November 15, 2003, 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-02, and not required to pay obligations for that fiscal year, may be budgeted for FY-03, 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-02 budget work program and after such revision has been approved by the Office of State Finance.

SECTION 13. This act shall become effective July 1, 2001.

SECTION 14. 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.

Passed the Senate the 18th day of May, 2001.

Presiding Officer of the Senate

Passed the House of Representatives the 23rd day of May, 2001.

Presiding Officer of the House
of Representatives