

(2ND EXTRAORDINARY SESSION)
ENGROSSED HOUSE
BILL NO. 1061

By: Bengé, Newport and Hickman
of the House

and

Crutchfield and Rabon of
the Senate

An Act relating to the Department of Transportation; requiring expenditures for certain purposes; requiring and authorizing certain transfer; requiring budgeting in certain categories and amounts; requiring certain 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 Oklahoma Department of Emergency Management for expenditure of funds; authorizing expenditure of funds in conjunction or cooperation with federal agencies or institutions; authorizing transfer of funds under certain conditions; providing restrictions of use of funds; making certain appropriations nonfiscal; providing lapse dates; requiring and prohibiting certain budget procedures; and providing an effective date.

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

SECTION 1. The Department of Transportation shall expend from the funds dedicated to construction up to Four Million Five Hundred Ninety-three Thousand Dollars (\$4,593,000.00) for the construction of roads to existing industrial sites and roads for economic development purposes, and up to Three Million Two Hundred Seventy-nine Thousand Dollars (\$3,279,000.00) for the construction, maintenance and repair of roads to historical sites and lake access roads.

SECTION 2. TRANSFER The Director of Finance shall transfer the sum of Three Million Dollars (\$3,000,000.00) from the Revolving Fund for the Office of the Secretary of State ("200 Fund") of the Office of the Secretary of State to the State Highway Construction and Maintenance Fund of the State Treasury 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. For the fiscal year ending June 30, 2007, the Department of Transportation shall budget all funds in the following categories and amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
Administration	\$ 0.00	\$ 40,000,000.00
Operations	5,493,088.00	240,000,000.00
Engineering	0.00	160,000,000.00
Intermodal	0.00	90,000,000.00
County Roads, Bridges and Equipment	0.00	165,000,000.00
Industrial and Lake Access	0.00	20,000,000.00
Capital Improvement Program	69,349,428.00	110,000,000.00
State Aid Roads and Bridges	0.00	155,000,000.00
Federal Aid Roads and Bridges	0.00	860,000,000.00
Right-of-Way Acquisition	<u>0.00</u>	<u>415,000,000.00</u>
TOTAL	\$74,842,516.00	\$2,255,000,000.00

SECTION 4. 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 Seventeen Thousand Seven Hundred Five Dollars (\$117,705.00) per annum, payable monthly for the fiscal year ending June 30, 2007. The Department of Transportation for the fiscal year ending June 30, 2007, 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	2,850.0
Lease-Purchase Agreements	\$400,000.00

SECTION 5. 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 Oklahoma Department of Emergency Management for expenditure of funds for such purpose.

SECTION 6. 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 7. The Transportation Commission may transfer a sum of not to exceed Ten Million Dollars (\$10,000,000.00) to the Department of Environmental Quality to be used in responding to subsidence risk at the Tar Creek Super Fund site. Such transfer shall be contingent upon the authorization for the use of the Department of Transportation of equivalent additional Federal funds from the Federal Highway Administration pursuant to Section 1944 of the Highway Reauthorization Act, HR3 SAFETEA-LU. As provided in Sections 2201 through 2206 of Title 27A of the Oklahoma Statutes, homeowners may only receive funds if they have continuously resided in the area since January 31, 2006, and businesses may only receive assistance if they are located within the area of greatest subsidence risk. No person shall receive assistance without full documentation of their qualifications pursuant to Sections 2201 through 2206 of Title 27A of the Oklahoma Statutes.

SECTION 8. Appropriations and authorizations made by Sections 30, 31 and 32 of Enrolled Senate Bill No. 80 of the 2nd Extraordinary Session of the 50th Oklahoma Legislature, not including appropriations made for capital outlay purposes, may be budgeted for the fiscal year ending June 30, 2007 (hereafter FY-07) or may be budgeted for the fiscal year ending June 30, 2008 (hereafter FY-08). Funds budgeted for FY-07 may be encumbered only through June 30, 2007, and must be expended by November 15, 2007. Any funds remaining after November 15, 2007, and not budgeted for FY-08, shall lapse to the credit of the proper fund for the then current fiscal year. Funds budgeted for FY-08 may be encumbered only through June 30, 2008. Any funds remaining after November 15, 2008, 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-07, and not required to pay obligations for that fiscal year, may be budgeted for FY-08, 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-07 budget work program and after such revision has been approved by the Office of State Finance.

SECTION 9. This act shall become effective July 1, 2006.

Passed the House of Representatives the 21st day of June, 2006.

Presiding Officer of the House of
Representatives

Passed the Senate the ____ day of _____, 2006.

Presiding Officer of the Senate