

ENROLLED SENATE  
BILL NO. 115

By: Morgan and Crutchfield of  
the Senate

and

Benge, Newport, Liotta and  
Perry of the House

An Act relating to the Department of Transportation; making appropriations; stating purposes; requiring transfers of certain monies; requiring expenditures for certain purposes; 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 Department of Emergency Management for expenditure of funds; authorizing expenditure of funds in conjunction or cooperation with federal agencies or institutions; making certain appropriations nonfiscal; providing lapse dates; requiring and prohibiting certain budget procedures; 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, 2006, the sum of One Hundred Ninety-nine Million Six Hundred Thirteen Thousand Nine Hundred Forty-one Dollars (\$199,613,941.00) or so much thereof as may be necessary to perform the duties imposed upon the Department of Transportation by law. Said amount 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 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, 2006, the sum of Sixty-nine Million Three Hundred Forty-nine Thousand Four Hundred Twenty-eight Dollars (\$69,349,428.00) or so much thereof as may be necessary to perform the duties 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 3. There is hereby appropriated to the Department of Transportation from any monies not otherwise appropriated from the Special Cash Fund of the State Treasury the sum of One Million One Hundred Fifty Thousand Dollars (\$1,150,000.00) 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. 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, 2006, the sum of Two Hundred Twenty-two Thousand Dollars (\$222,000.00) 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 5. 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, 2004, 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. Said appropriation shall be transferred to the Public Transit Revolving Fund.

SECTION 6. 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, 2005, the sum of Three Hundred Sixty-nine Dollars (\$369.00) 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 7. 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, 2004, the sum of Two Million Nine Hundred Twelve Thousand Three Hundred Ninety-nine Dollars (\$2,912,399.00) 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 8. The Department of Transportation shall expend from the funds dedicated to construction up to Three Million Ninety-three Thousand Dollars (\$3,093,000.00) 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 9. For the fiscal year ending June 30, 2006, the Department of Transportation shall budget all funds in the following categories and amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
Administration	\$ 17,000,000.00	\$ 40,000,000.00
Operations	145,430,779.00	240,000,000.00
Engineering	24,820,000.00	120,000,000.00
Intermodal	1,900,000.00	50,000,000.00
County Roads, Bridges and Equipment	0.00	120,000,000.00
Industrial and Lake Access	6,372,000.00	20,000,000.00
Capital Improvement Program	69,349,428.00	90,000,000.00
State Aid Roads and Bridges	8,275,930.00	60,000,000.00
Federal Aid Roads and Bridges	0.00	745,000,000.00
Right-of-Way Acquisition	<u>2,000,000.00</u>	<u>300,000,000.00</u>
TOTAL	\$275,148,137.00	\$1,785,000,000.00

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

SECTION 10. 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 Twelve Thousand One Hundred Dollars (\$112,100.00) per annum, payable monthly for the fiscal year ending June 30, 2006. The Oklahoma Department of Transportation for the fiscal year ending June 30, 2006, 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 11. 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 Emergency Management for expenditure of funds for such purpose.

SECTION 12. 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 13. Appropriations made by this act, not including appropriations made for capital outlay purposes, may be budgeted for the fiscal year ending June 30, 2006 (hereafter FY-06) or may be budgeted for the fiscal year ending June 30, 2007 (hereafter FY-07). Funds budgeted for FY-06 may be encumbered only through June 30, 2006, and must be expended by November 15, 2006. Any funds remaining after November 15, 2006, and not budgeted for FY-07, shall lapse to the credit of the proper fund for the then current fiscal year. Funds budgeted for FY-07 may be encumbered only through June 30, 2007. Any funds remaining after November 15, 2007, 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-06, and not required to pay obligations for that fiscal year, may be budgeted for FY-07, 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-06 budget work program and after such revision has been approved by the Office of State Finance.

SECTION 14. This act shall become effective July 1, 2005.

SECTION 15. 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 25th day of May, 2005.

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Presiding Officer of the Senate

Passed the House of Representatives the 26th day of May, 2005.

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Presiding Officer of the House  
of Representatives