

1 STATE OF OKLAHOMA

2 1st Session of the 51st Legislature (2007)

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL 378

By: Ballenger of the Senate

and

(Rousselot) of the House

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9 COMMITTEE SUBSTITUTE

10 [roads, bridges and ferries - clarifying powers of
11 the circuit engineering board - effective date]

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

14 SECTION 1. AMENDATORY 69 O.S. 2001, Section 687.1, is
15 amended to read as follows:

16 Section 687.1 A. The board of county commissioners of any
17 county in this state may create a circuit engineering district with
18 any other county or counties ~~located within its Association of~~
19 ~~County Commissioners of Oklahoma district.~~ The objectives of the
20 circuit engineering district shall be:

21 1. To allow county governments to make the most efficient use
22 of their powers by enabling them to cooperate with each other and
23 other units of government on a basis of mutual advantage and thereby
24 to provide services and facilities in a manner and pursuant to forms

1 of governmental organization that will accord best with geographic,
2 economic, population and other factors influencing the needs and
3 development of county government;

4 2. To provide research and research support to county
5 government;

6 3. To provide assistance to county governments in performing
7 the functions delegated by law including, but not limited to, the
8 operation of road maintenance, construction, inspection, and
9 equipment purchases and management;

10 4. To conduct public discussion groups, forums, panels,
11 lectures, and other similar programs;

12 5. To present courses of instruction and education;

13 6. To obtain, develop and present scientific and all other
14 types of information relative to the operation of the public
15 transportation system in this state;

16 7. For long-range planning and growth of the transportation
17 system within the circuit engineering district and other circuit
18 engineering districts within this state; and

19 8. To provide services to counties in a coordinated manner that
20 will improve the quality of the transportation system and be cost
21 effective.

22 B. The authority of the circuit engineering district shall be
23 as follows:

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- 1 1. To comply with and carry out the provisions of the
2 Interlocal Cooperation Act;
- 3 2. To advise and assist its members with how to implement and
4 make an effective transportation plan for the best interest of each
5 member of the circuit engineering district;
- 6 3. To prepare such programs of research as may be necessary and
7 advisable in carrying out its purposes;
- 8 4. To contract for services with persons, firms or units of
9 government to carry out the purposes of the circuit engineering
10 district;
- 11 5. To provide periodic reports for the circuit engineering
12 district or for its members as may be required by federal or state
13 legislation or regulations pertaining thereto, and as are within the
14 scope and range of the purpose of the circuit engineering district;
- 15 6. To acquire and hold property for its use and to incur
16 expenses to carry out its functions;
- 17 7. To receive gifts, contributions and donations to carry out
18 the purposes for which it is formed;
- 19 8. To assess its members for the services rendered in carrying
20 out its functions;
- 21 9. To apply for, contract for, administer, receive and expend
22 funds or grants from any participating member, the State of
23 Oklahoma, the federal government, or any other source; and
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1 10. To publish studies in connection with its work which may be
2 of benefit to its members or other agencies within and outside of
3 the circuit engineering district.

4 C. Circuit engineering districts may, by affirmative vote of
5 their board, determine that the association representing the county
6 commissioners of Oklahoma be designated to negotiate for services,
7 required by law or necessity, on behalf of the circuit engineering
8 districts.

9 D. The circuit engineering district may, from time to time, as
10 its board of directors deems necessary, cause to be formed legal
11 trusts which shall be formed to promote and develop specific
12 projects. The primary goal of each trust created pursuant to this
13 subsection shall be the economic growth and development within the
14 district. However, the trust shall be limited to functions within
15 the category for which it is specifically organized. The trust
16 shall be totally responsible for its contractual obligations and
17 holdings, holding the circuit engineering district harmless for
18 claims or liabilities created by the trust.

19 E. The board of directors of the circuit engineering district
20 shall elect a liaison officer. The liaison officer shall be a
21 nonvoting member of each trust formed pursuant to subsection D of
22 this section. The liaison shall be permitted to attend all meetings
23 and enter into all discussions of the trust's board of trustees, and
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1 shall report all actions to the board of directors of the circuit
2 engineering district.

3 F. The circuit engineering district shall conduct an
4 independent audit upon completion of each fiscal year.

5 G. The board of directors may employ an attorney to provide
6 legal research, advice and opinions on contracts and other matters
7 which may come before the board of directors.

8 H. The State Auditor and Inspector shall prescribe the
9 necessary rules, forms and procedures to provide for the efficient
10 and timely means by which the pool purchase of supplies and
11 equipment may be accomplished on behalf of the participating
12 counties. The rules, forms and procedures developed by the State
13 Auditor and Inspector for pool purchasing may be utilized by the
14 Oklahoma Department of Transportation County Advisory Board in
15 coordination with the circuit engineering districts for the purpose
16 of pool purchasing utilizing funds from the County Road Machinery
17 and Equipment Revolving Fund. For the purpose of obtaining access
18 to pricing and bids available on a national level, counties shall be
19 eligible to participate in such pool purchasing in a manner as
20 determined by the State Auditor and Inspector.

21 I. Circuit engineering districts may participate in the County
22 Road Machinery and Equipment Revolving Fund pursuant to the
23 provisions of Section 302.1 of this title.

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1 J. Circuit engineering districts are authorized to organize a
2 statewide board consisting of the chairpersons duly elected by each
3 of their respective circuit engineering districts. ~~The statewide~~
4 ~~board may conduct business and coordinate activities as determined~~
5 ~~by the members of the circuit engineering districts subject to the~~
6 ~~provisions of this act.~~ The statewide board organized pursuant to
7 this section shall:

8 1. Have the power to conduct business, including the
9 development of policies and procedures, incur expenses, and contract
10 for services so long as such business furthers the provisions of
11 this Act;

12 2. Coordinate activities between circuit engineering districts;

13 3. Administer the Statewide Circuit Engineering District
14 Revolving Fund, created pursuant to Section 687.2 of this title; and

15 4. Have authority to promulgate rules to carry out the
16 provisions of this act.

17 SECTION 2. AMENDATORY Section 1, Chapter 414, O.S.L.
18 2005 (69 O.S. Supp. 2006, Section 687.2), is amended to read as
19 follows:

20 Section 687.2 There is hereby created in the State Treasury a
21 revolving fund for the State ~~Auditor and Inspector~~ Treasurer to be
22 designated the "Statewide Circuit Engineering District Revolving
23 Fund". The fund shall be a continuing fund, not subject to fiscal
24 year limitations, and shall consist of all monies received by the

1 ~~Auditor and Inspector~~ State Treasurer pursuant to the provisions of
2 Section 227.3 of Title 74 of the Oklahoma Statutes and any other
3 monies designated by law for deposit thereto. All monies accruing
4 to the credit of the fund are hereby appropriated and may be
5 budgeted and expended by the ~~Auditor and Inspector~~ State Treasurer
6 solely for the purpose of funding the statewide circuit engineering
7 ~~districts~~ board organized pursuant to Section 687.1 of this title.
8 Expenditures from the fund shall be made upon warrants issued by the
9 State Treasurer against claims filed as prescribed by law with the
10 Director of State Finance for approval and payment.

11 SECTION 3. This act shall become effective November 1, 2007.

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