

1 STATE OF OKLAHOMA

2 1st Session of the 52nd Legislature (2009)

3 HOUSE BILL 1194

By: Miller and Martin (Scott)
of the House

4 and

5 Johnson (Mike) and Myers of
6 the Senate

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9 AS INTRODUCED

10 An Act relating to the Department of Transportation;
11 authorizing certain expenditures for certain
12 purposes; making an appropriation to the Department
of Transportation; stating purposes; requiring
13 transfers of certain monies; providing budgetary
limitations; providing for duties and compensation of
14 employees; limiting the salary of the Director;
authorizing the Department to match certain federal
15 funds and coordinate with the Oklahoma Department of
Emergency Management for expenditure of funds;
16 authorizing expenditure of certain funds in
conjunction or cooperation with federal agencies or
17 institutions; making certain appropriations
nonfiscal; providing lapse dates; requiring certain
18 budget procedures; prohibiting certain budget
procedures; providing an effective date; and
declaring an emergency.

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

22 SECTION 1. The Department of Transportation is hereby
23 authorized to expend during the fiscal year ending June 30, 2010,
24 from the State Transportation Fund of the State Treasury, the sum of

1 _____ Dollars (\$0.00) or so much thereof as may be necessary
2 to perform the duties imposed upon the Department of Transportation
3 by law. Said authorization shall be transferred to the State
4 Highway Construction and Maintenance Fund and shall be expended in
5 the same manner and for the same purposes as provided by law for
6 other monies accruing to the credit of the State Highway
7 Construction and Maintenance Fund.

8 SECTION 2. There is hereby appropriated to the Department of
9 Transportation from any monies not otherwise appropriated from the
10 State Transportation Fund of the State Treasury for the fiscal year
11 ending June 30, 2010, the sum of _____ Dollars (\$0.00) or so much
12 thereof as may be necessary to perform the duties imposed upon the
13 Department of Transportation by law. Said appropriation shall be
14 transferred to the State Highway Construction and Maintenance Fund
15 and shall be expended for the purpose set forth in Section 2002 of
16 Title 69 of the Oklahoma Statutes.

17 SECTION 3. The Department of Transportation shall expend from
18 the funds dedicated to construction not less than _____ Dollars
19 (\$0.00) for the construction of roads to existing industrial sites
20 and roads for economic development purposes, and not less than
21 _____ Dollars (\$0.00) for the construction, maintenance and repair
22 of roads to historical sites and lake access roads.

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1 SECTION 4. For the fiscal year ending June 30, 2010, the
 2 Department of Transportation shall budget all funds in the following
 3 categories and amounts:

5 <u>Category</u>	4 <u>Authorization/ Appropriation</u>	5 <u>Total</u>
6 Administration	\$0.00	\$0.00
7 Operations	0.00	0.00
8 Engineering	0.00	0.00
9 Intermodal	0.00	0.00
10 County Roads, Bridges		
11 and Equipment	0.00	0.00
12 Industrial and Lake		
13 Access	0.00	0.00
14 Capital Improvement		
15 Program	0.00	0.00
16 State Aid Roads and		
17 Bridges	0.00	0.00
18 Federal Aid Roads and		
19 Bridges	0.00	0.00
20 Right-of-Way		
21 Acquisition	<u>0.00</u>	<u>0.00</u>
22 TOTAL	\$0.00	\$0.00

23 SECTION 5. The duties and compensation of employees, not
 24 otherwise prescribed by law, necessary to perform the duties imposed

1 upon the Department of Transportation by law shall be set by the
2 Director. The salary of the Director of the Department of
3 Transportation shall not exceed _____ Dollars (\$0.00) per annum,
4 payable monthly for the fiscal year ending June 30, 2010. The
5 Department of Transportation for the fiscal year ending June 30,
6 2010, shall be subject to the following budgetary limitations on
7 full-time-equivalent employees and expenditures excluding
8 expenditures for capital and special projects, except as may be
9 authorized pursuant to the provisions of Section 3603 of Title 74 of
10 the Oklahoma Statutes:

<u>Budgetary Limitation</u>	<u>Amount</u>
Average Number of Full-time-equivalent Employees, Excluding Engineering Interns	0.0
Lease-Purchase Agreements	\$0.00

16 SECTION 6. The Department of Transportation is hereby
17 authorized to use any funds available to the Department to match
18 funds which are advanced under the provisions of Sections 402, 403
19 and 419, P.L. 93-288, Disaster Relief Act of 1974, to repair,
20 restore, reconstruct or replace public transportation facilities or
21 to remove debris or wreckage from publicly owned facilities. The
22 Department of Transportation shall coordinate with the Oklahoma
23 Department of Emergency Management for expenditure of funds for such
24 purpose.

1 SECTION 7. All funds available by law for expenditure by the
2 Department of Transportation may be used and expended in conjunction
3 or cooperation with any federal agency or instrumentality pursuant
4 to such terms and conditions as may be necessary to obtain grants or
5 federal aid assistance in accordance with state law.

6 SECTION 8. Appropriations made by this act, not including
7 appropriations made for capital outlay purposes, may be budgeted for
8 the fiscal year ending June 30, 2010 (hereafter FY-10) or may be
9 budgeted for the fiscal year ending June 30, 2011 (hereafter FY-11).
10 Funds budgeted for FY-10 may be encumbered only through June 30,
11 2010, and must be expended by November 15, 2010. Any funds
12 remaining after November 15, 2010, and not budgeted for FY-11, shall
13 lapse to the credit of the proper fund for the then current fiscal
14 year. Funds budgeted for FY-11 may be encumbered only through June
15 30, 2011. Any funds remaining after November 15, 2011, shall lapse
16 to the credit of the proper fund for the then current fiscal year.
17 These appropriations may not be budgeted in both fiscal years
18 simultaneously. Funds budgeted in FY-10, and not required to pay
19 obligations for that fiscal year, may be budgeted for FY-11, after
20 the agency to which the funds have been appropriated has prepared
21 and submitted a budget work program revision removing these funds
22 from the FY-10 budget work program and after such revision has been
23 approved by the Office of State Finance.

24 SECTION 9. This act shall become effective July 1, 2009.

1 SECTION 10. It being immediately necessary for the preservation
2 of the public peace, health and safety, an emergency is hereby
3 declared to exist, by reason whereof this act shall take effect and
4 be in full force from and after its passage and approval.

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6 52-1-15098 TWM 12/23/08

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