

1 STATE OF OKLAHOMA

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

3 SENATE BILL 438

By: Schulz of the Senate

4 and

5 Armes of the House

6  
7  
8 AS INTRODUCED

9 An Act relating to railroads; amending 66 O.S. 2001,  
10 Section 309, which relates to the Oklahoma Railroad  
Maintenance Revolving Fund; removing prohibition for  
11 expenditure of state funds for certain railroad  
maintenance activities; requiring the State Treasurer  
12 to appropriate certain funds from the General Revenue  
Fund; stating purpose; providing for allocation over  
13 certain time period; requiring report within certain  
time period; requiring distribution of report;  
14 authorizing Department to promulgate rules; providing  
for noncodification; and declaring an emergency.

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

18 SECTION 1. AMENDATORY 66 O.S. 2001, Section 309, is  
19 amended to read as follows:

20 Section 309. There is hereby created in the State Treasurer's  
21 office a revolving fund for the Department of Transportation, to be  
22 designated the Oklahoma Railroad Maintenance Revolving Fund. The  
23 fund shall be composed of all revenues generated by the provisions  
24 of Sections 2201 et seq. of Title 68 of the Oklahoma Statutes, which

1 are, beginning July 1, 1978, henceforth levied for and dedicated to  
2 the implementation of the provisions of this act together with any  
3 federal grants, or financial assistance payments or contributions by  
4 any state or agency thereof or any authority constituted by a state,  
5 private donation or the proceeds from any rail property sale or  
6 payments for the use of any rail property and any accumulated  
7 interest thereon. ~~No state funds except those appropriated for the~~  
8 ~~purposes of this act shall be expended by the Department of~~  
9 ~~Transportation in furtherance of the provisions of this act.~~

10 SECTION 2. NEW LAW A new section of law not to be  
11 codified in the Oklahoma Statutes reads as follows:

12 A. In addition to any monies accruing to the Oklahoma Railroad  
13 Maintenance Revolving Fund, pursuant to the provisions of Section  
14 309 of Title 66 of the Oklahoma Statutes, beginning with the fiscal  
15 year 2010, the State Treasurer shall appropriate a total of Five  
16 Million Dollars (\$5,000,000.00) from the General Revenue Fund of the  
17 State Treasury for the purpose of providing repairs and maintenance  
18 to state-owned railroad shortline tracks.

19 B. The Five Million Dollar (\$5,000,000.00) annual appropriation  
20 required in subsection A shall continue through fiscal year 2020.

21 C. The Department of Transportation shall, within ninety (90)  
22 days following the effective date of this act, devise a plan for  
23 appropriating the funds required pursuant to this section, the time  
24 frame for allocating such funds, and a list of the projects for

1 which the funds shall be used. Such report shall be updated  
2 annually and distributed to the Governor, the President Pro Tempore  
3 of the Senate and the Speaker of the House of Representatives.

4 D. The Department is authorized to promulgate any rule  
5 necessary to carry out the provisions of this act.

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

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11 52-1-956 MJM 3/6/2009 4:33:50 AM

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