

SENATE CHAMBER

STATE OF OKLAHOMA

DISPOSITION BY SENATE

FLOOR AMENDMENT

No. _____

(Date)

Mr./Madame President:

I move to amend House Bill No. 3055, Page 7, Line 1, as follows:

By inserting a new SECTION 3 to read as per attached, by renumbering subsequent sections, and by amending the title to conform.

Submitted by:

Senator Leftwich

Leftwich-JT-FA-Req#3831
4/5/2010 1:55 PM

1 "SECTION 3. AMENDATORY 19 O.S. 2001, Section 339, as
2 last amended by Section 2, Chapter 255, O.S.L. 2006 (19 O.S. Supp.
3 2009, Section 339), is amended to read as follows:

4 Section 339. A. The county commissioners shall have power:

5 1. To make all orders respecting the real property of the
6 county, to sell the public grounds of the county and to purchase
7 other grounds in lieu thereof; and for the purpose of carrying out
8 the provisions of this section it shall be sufficient to convey all
9 the interests of the county in those grounds when an order made for
10 the sale and a deed is executed in the name of the county by the
11 chair of the board of county commissioners, reciting the order, and
12 signed by the chair and acknowledged by the county clerk for and on
13 behalf of the county;

14 2. To audit the accounts of all officers having the care,
15 management, collection or disbursement of any money belonging to the
16 county or appropriated for its benefit;

17 3. To construct and repair bridges and to open, lay out and
18 vacate highways; provided, however, that when any state institution,
19 school or department shall own, lease or otherwise control land on
20 both sides of any established highway, the governing board or body
21 of the same shall have the power to vacate, alter or relocate the
22 highway adjoining the property in the following manner:

23 If it should appear that it would be to the best use and
24 interest of the institution, school or department to vacate, alter

1 or relocate such highway, the governing board or body shall notify
2 the board of county commissioners, in writing, of their intention to
3 hold a public hearing and determine whether to vacate, alter or
4 relocate the highway, setting forth the location and terminals of
5 the road, and all data concerning the proposed right-of-way if
6 changed or relocated, and shall give fifteen (15) days' notice of
7 the hearing by publication in some newspaper in the county or
8 counties in which the road is located, and the hearing shall be held
9 at the county seat of the county in which the road is located, and
10 if a county line road, may be heard in either county. At the
11 hearing testimony may be taken, and any protests or suggestions
12 shall be received as to the proposed measure, and at the conclusion
13 thereof if the governing board or body shall find that it would be
14 to the best use and interest of the institution, school or
15 department, and the public generally, they may make an appropriate
16 order either vacating, altering or relocating the highway, which
17 order shall be final if approved by the board of county
18 commissioners. The institution, school or department may by
19 agreement share the cost of changing any such road. No property
20 owner shall be denied access to a public highway by the order;

21 4. To recommend or sponsor an employee or prospective employee
22 for job-related training and certification in an area that may
23 require training or certification to comply with state or federal
24 law as such training or certification is provided by the Department

1 of Transportation, the Federal Highway Administration, or any other
2 state agency, technology center school, or university;

3 5. Until January 1, 1983, to furnish necessary blank books,
4 plats, blanks and stationery for the clerk of the district court,
5 county clerk, register of deeds, county treasurer and county judge,
6 sheriff, county surveyor and county attorney, justices of the peace,
7 and constables, to be paid for out of the county treasury; also a
8 fireproof vault sufficient in which to keep all the books, records,
9 vouchers and papers pertaining to the business of the county;

10 6. To set off, organize and change the boundaries of townships
11 and to designate and give names therefor; provided, that the
12 boundaries of no township shall be changed within six (6) months
13 next preceding a general election;

14 7. To lease tools, apparatus, machinery or equipment of the
15 county to another political subdivision or a state agency. The
16 Association of County Commissioners of Oklahoma, the Oklahoma State
17 University Center for Local Government Technology and the Office of
18 the State Auditor and Inspector, together, shall establish a system
19 of uniform rates for the leasing of such tools, apparatus, machinery
20 and equipment;

21 8. To jointly, with other counties, buy heavy equipment and to
22 loan or lease such equipment across county lines;

23 9. To develop minimum personnel policies for the county with
24 the approval of a majority of all county elected officers;

1 10. To purchase, rent, or lease-purchase uniforms, safety
2 devices and equipment for the officers and employees of the county
3 and provide incentive awards for safety-related job performance.
4 However, no employee shall be recognized more than once per calendar
5 year and the award shall not exceed the value of Two Hundred Fifty
6 Dollars (\$250.00); further, no elected official shall be eligible to
7 receive a safety award. The county commissioners may pay for any
8 safety training or safety devices and safety equipment out of the
9 general county funds or any county highway funds available to the
10 county commissioners;

11 11. To provide for payment of notary commissions, filing fees,
12 and the cost of notary seals and bonds;

13 12. To do and perform other duties and acts that the board of
14 county commissioners may be required by law to do and perform;

15 13. To make purchases at a public auction pursuant to the
16 county purchasing procedures in subsection D of Section 1505 of this
17 title;

18 14. To deposit interest income from highway funds in the
19 general fund of the county;

20 15. To submit sealed bids for the purchase of equipment from
21 this state, or any agency or political subdivision of this state;

22 16. To utilize county-owned equipment, labor and supplies at
23 their disposal on property owned by the county, public schools, two-
24 year colleges or technical branches of colleges that are members of

1 The Oklahoma State System of Higher Education, state and
2 municipalities with a population less than five thousand (5,000) or
3 with a population less than fifteen thousand (15,000) if the
4 municipality or county has passed a sales tax with the proceeds
5 earmarked for construction, maintenance, improvement or repair of
6 any of the streets or roadways in the county. Cooperative
7 agreements may be general in terms of routine maintenance or
8 specific in terms of construction and agreed to and renewed on an
9 annual basis. Work performed pursuant to Section 36-113 of Title 11
10 of the Oklahoma Statutes shall comply with the provisions of this
11 section;

12 17. To enter into intergovernmental cooperative agreements with
13 the federally recognized Indian tribes within this state to address
14 issues of construction and maintenance of streets, roads, bridges
15 and highways exclusive of the provisions of Section 1221 of Title 74
16 of the Oklahoma Statutes;

17 18. To execute hold harmless agreements with the lessor in the
18 manner provided by subsection B of Section 636.5 of Title 69 of the
19 Oklahoma Statutes when leasing or lease-purchasing equipment;

20 19. To accept donations of right-of-way or right-of-way
21 easements pursuant to Section 381 et seq. of Title 60 of the
22 Oklahoma Statutes;

23

24

1 20. To establish by resolution the use of per diem for specific
2 purposes in accordance with the limitations provided by Sections
3 500.8 and 500.9 of Title 74 of the Oklahoma Statutes;

4 21. To apply to the Department of Environmental Quality for a
5 waste tire permit to bale waste tires for use in approved
6 engineering projects; ~~and~~

7 22. To enter into the National Association of Counties (NACo)
8 Prescription Drug Discount Program; and

9 23. To work with federal, state, municipal, and public school
10 district properties in an effort to minimize cost to such entities.

11 B. The county commissioners of a county or, in counties where
12 there is a county budget board, the county budget board may
13 designate money from general county funds for the designated purpose
14 of drug enforcement and drug abuse prevention programs within the
15 county.

16 C. When any lease or lease purchase is made on behalf of the
17 county by the board pursuant to the provisions of this section, the
18 county shall be allowed to have trade in values for transactions
19 involving the Oklahoma Central Purchasing Act.

20 D. In order to timely comply with the Oklahoma Vehicle License
21 and Registration Act with regard to county vehicles, the board of
22 county commissioners may, by resolution, create a petty cash
23 account. The board of county commissioners may request a purchase
24 order for petty cash in an amount necessary to pay the expense of

1 license and registration fees for county motor vehicles. Any
2 balance in the petty cash account after the license and registration
3 fees have been paid shall be returned to the account or fund from
4 which the funds originated. The county purchasing agent shall be
5 the custodian of the petty cash account, and the petty cash account
6 shall be subject to audit.

7 E. When the board of county commissioners approve an express
8 trust, pursuant to Sections 176 through 180.3 of Title 60 of the
9 Oklahoma Statutes, for the purpose of operating a county jail, the
10 trustees of the public trust may appoint commissioned peace
11 officers, certified by the Council on Law Enforcement Education and
12 Training, to provide security for inmates that are required to be
13 transported outside of the detention facility, and investigate
14 violations of law within the detention facility. Other personnel
15 necessary to operate the jail may be employed and trained or
16 certified as may be required by applicable state or federal law."

17
18 52-2-3831 JT 4/5/2010 1:55:10 PM
19
20
21
22
23
24