

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 56th Legislature (2018)

4 HOUSE BILL 2998

 By: Vaughan

7 AS INTRODUCED

8 An Act relating to counties; amending 69 O.S. 2011,
9 Section 687.1, as amended by Section 1, Chapter 193,
10 O.S.L. 2013 (69 O.S. Supp. 2017, Section 687.1),
11 which relates to circuit engineering districts;
12 directing Statewide Circuit Engineering Districts
13 Board to develop statewide procedure to protect
14 county infrastructure in certain circumstances;
15 including requirements for procedure; and providing
16 an effective date.

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

16 SECTION 1. AMENDATORY 69 O.S. 2011, Section 687.1, as
17 amended by Section 1, Chapter 193, O.S.L. 2013 (69 O.S. Supp. 2017,
18 Section 687.1), is amended to read as follows:

19 Section 687.1 A. The board of county commissioners of any
20 county in this state may create a circuit engineering district with
21 any other county or counties. The objectives of the circuit
22 engineering district shall be:

23 1. To allow county governments to make the most efficient use
24 of their powers by enabling them to cooperate with each other and

1 other units of government on a basis of mutual advantage and thereby
2 to provide services and facilities in a manner and pursuant to forms
3 of governmental organization that will accord best with geographic,
4 economic, population and other factors influencing the needs and
5 development of county government;

6 2. To provide research and research support to county
7 government;

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

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

14 5. To present courses of instruction and education;

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

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

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

1 B. The authority of the circuit engineering district shall be
2 as follows:

3 1. To comply with and carry out the provisions of the
4 Interlocal Cooperation Act;

5 2. To advise and assist its members with how to implement and
6 make an effective transportation plan for the best interest of each
7 member of the circuit engineering district;

8 3. To prepare such programs of research as may be necessary and
9 advisable in carrying out its purposes;

10 4. To contract for services with persons, firms or units of
11 government to carry out the purposes of the circuit engineering
12 district;

13 5. To provide periodic reports for the circuit engineering
14 district or for its members as may be required by federal or state
15 legislation or regulations pertaining thereto, and as are within the
16 scope and range of the purpose of the circuit engineering district;

17 6. To acquire and hold property for its use and to incur
18 expenses to carry out its functions;

19 7. To receive gifts, contributions and donations to carry out
20 the purposes for which it is formed;

21 8. To assess its members for the services rendered in carrying
22 out its functions;

1 9. To apply for, contract for, administer, receive and expend
2 funds or grants from any participating member, the State of
3 Oklahoma, the federal government, or any other source; and

4 10. To publish studies in connection with its work which may be
5 of benefit to its members or other agencies within and outside of
6 the circuit engineering district.

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

12 D. The circuit engineering district shall conduct an
13 independent audit upon completion of each fiscal year.

14 E. The board of directors may employ an attorney to provide
15 legal research, advice and opinions on contracts and other matters
16 which may come before the board of directors.

17 F. The State Auditor and Inspector shall prescribe the
18 necessary rules, forms and procedures to provide for the efficient
19 and timely means by which the pool purchase of supplies and
20 equipment may be accomplished on behalf of the participating
21 counties. The rules, forms and procedures developed by the State
22 Auditor and Inspector for pool purchasing may be utilized by the
23 Oklahoma Department of Transportation County Advisory Board in
24 coordination with the circuit engineering districts for the purpose

1 of pool purchasing utilizing funds from the County Road Machinery
2 and Equipment Revolving Fund. For the purpose of obtaining access
3 to pricing and bids available on a national level, counties shall be
4 eligible to participate in such pool purchasing in a manner as
5 determined by the State Auditor and Inspector.

6 G. Circuit engineering districts may participate in the County
7 Road Machinery and Equipment Revolving Fund pursuant to the
8 provisions of Section 302.1 of this title.

9 H. Circuit engineering districts are authorized to organize a
10 statewide board consisting of the chairpersons duly elected by each
11 of their respective circuit engineering districts. The statewide
12 board organized pursuant to this section shall:

13 1. Have the power to conduct business, including the
14 development of policies and procedures, incur expenses, and contract
15 for services so long as such business furthers the provisions of
16 this act;

17 2. Coordinate activities between circuit engineering districts;

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

20 4. Have authority to promulgate rules to carry out the
21 provisions of this act.

22 I. A circuit engineering district created pursuant to this
23 section shall be deemed a political subdivision of the state.

24

1 J. A district may hire up to one registered professional
2 engineer per three counties within each circuit engineering
3 district.

4 K. The Statewide Circuit Engineering Districts Board shall
5 develop and make available a uniform procedure for all county
6 governments to protect existing county infrastructure during energy
7 industry and utility company activity including, but not limited to,
8 the placing of pipeline, installation of transmission lines,
9 drilling, windmill construction or utility construction. This
10 procedure shall provide for one or a combination of the following:

11 1. A bonding process, by which bonds are required equal to the
12 cost of the reconstruction of the adjacent infrastructure as a
13 safeguard against damage; or

14 2. Memorandums of understanding or infrastructure maintenance
15 agreements which are planned or negotiated in advance of industry
16 activities.

17 SECTION 2. This act shall become effective November 1, 2018.

18
19 COMMITTEE REPORT BY: COMMITTEE ON TRANSPORTATION, dated 02/27/2018 -
20 DO PASS.