

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 2998

By: Vaughan

6 AS INTRODUCED

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

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

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

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

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

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

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

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

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

13 5. To present courses of instruction and education;

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

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

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

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

- 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 shall conduct an
10 independent audit upon completion of each fiscal year.

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

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

1 eligible to participate in such pool purchasing in a manner as
2 determined by the State Auditor and Inspector.

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

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

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

14 2. Coordinate activities between circuit engineering districts;

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

17 4. Have authority to promulgate rules to carry out the
18 provisions of this act.

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

21 J. A district may hire up to one registered professional
22 engineer per three counties within each circuit engineering
23 district.

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

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

11 2. Memorandums of understanding or infrastructure maintenance
12 agreements which are planned or negotiated in advance of industry
13 activities.

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

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