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February 20, 2020

AS AMENDED

SENATE BILL NO. 1403

By: Hall

An Act relating to the County Road Improvement Act; amending 69 O.S. 2011, Section 687.1, as amended by Section 1, Chapter 193, O.S.L. 2013 (69 O.S. Supp. 2019, Section 687.1), which relates to circuit engineering districts; deleting requirement for independent audit; providing for operational audits by the State Auditor and Inspector; authorizing promulgation of rules; **eliminating rules, forms and procedures for pool equipment purchasing**; updating statutory references; providing an effective date; **and declaring an emergency.**

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

SECTION 1. AMENDATORY 69 O.S. 2011, Section 687.1, as amended by Section 1, Chapter 193, O.S.L. 2013 (69 O.S. Supp. 2019, Section 687.1), is amended to read as follows:

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

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

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~~ State Auditor
11 and Inspector shall perform an operational audit of each circuit
12 engineering district upon completion of each fiscal year. The State
13 Auditor and Inspector is authorized to promulgate rules outlining
14 the necessary reporting requirements and forms for each circuit
15 engineering district to ensure compliance.

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

19 F. ~~The State Auditor and Inspector shall prescribe the~~
20 ~~necessary rules, forms and procedures to provide for the efficient~~
21 ~~and timely means by which the pool purchase of supplies and~~
22 ~~equipment may be accomplished on behalf of the participating~~
23 ~~counties. The rules, forms and procedures developed by the State~~
24 ~~Auditor and Inspector for pool purchasing may be utilized by the~~

~~Oklahoma Department of Transportation County Advisory Board in coordination with the circuit engineering districts for the purpose of pool purchasing utilizing funds from the County Road Machinery and Equipment Revolving Fund. For the purpose of obtaining access to pricing and bids available on a national level, counties shall be eligible to participate in such pool purchasing in a manner as determined by the State Auditor and Inspector.~~

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

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

1. Have the power to conduct business, including the development of policies and procedures, incur expenses, and contract for services so long as such business furthers the provisions of ~~this act~~ 687.1 et seq. of this title;

2. Coordinate activities between circuit engineering districts;

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

4. Have authority to promulgate rules to carry out the provisions of ~~this act~~ 687.1 et seq. of this title.

1 ~~I.~~ H. A circuit engineering district created pursuant to this
2 section shall be deemed a political subdivision of the state.

3 ~~J.~~ I. A district may hire up to one registered professional
4 engineer per three counties within each circuit engineering
5 district.

6 **SECTION 2. This act shall become effective July 1, 2020.**

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

11 COMMITTEE REPORT BY: COMMITTEE ON GENERAL GOVERNMENT
12 February 20, 2020 - DO PASS AS AMENDED
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