

SENATE FLOOR VERSION

February 28, 2024

AS AMENDED

SENATE BILL NO. 1509

By: Haste of the Senate

and

Miller of the House

An Act relating to the Department of Transportation; amending 47 O.S. 2021, Section 1167, as amended by Section 193, Chapter 282, O.S.L. 2022 (47 O.S. Supp. 2023, Section 1167), which relates to the Weigh Station Improvement Revolving Fund; allowing the transfer of monies between fund and agency disbursing funds; amending 66 O.S. 2021, Section 309, which relates to the Oklahoma Railroad Maintenance Revolving Fund; allowing the transfer of monies to and from fund; amending 68 O.S. 2021, Section 6512, which relates to the Driving on Road Infrastructure with Vehicles of Electricity (DRIVE) Revolving Fund; allowing the transfer of monies between fund and agency disbursing funds; amending 69 O.S. 2021, Section 506, which relates to the High Priority State Bridge Revolving Fund; allowing the transfer of monies between fund and agency disbursing funds; amending 69 O.S. 2021, Section 507, which relates to the County Improvements for Roads and Bridges Fund; allowing the transfer of monies between fund and agency disbursing funds; amending 69 O.S. 2021, Section 1501, which relates to the State Highway Construction and Maintenance Fund; allowing the transfer of monies between fund and agency disbursing funds; amending 69 O.S. 2021, Section 1521, which relates to the Rebuilding Oklahoma Access and Driver Safety Fund; allowing the transfer of monies between fund and agency disbursing funds; amending 69 O.S. 2021, Section 1913, as amended by Section 1, Chapter 17, 1st Extraordinary Session, O.S.L. 2023 (69 O.S. Supp. 2023, Section 1913), which relates to the Rural Economic Transportation Reliability and Optimization Fund; allowing transfer of monies between fund and

1 agency disbursing funds; amending 69 O.S. 2021,
2 Section 4031, which relates to the Public Transit
3 Revolving Fund; allowing transfer of monies between
4 fund and agency disbursing funds; amending 82 O.S.
5 2021, Section 1141, which relates to the McClellan-
6 Kerr Arkansas River Navigation System Infrastructure
7 Revolving Fund; allowing transfer of monies between
8 fund and agency disbursing funds; updating statutory
9 language; updating statutory references; providing an
10 effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY 47 O.S. 2021, Section 1167, as
amended by Section 193, Chapter 282, O.S.L. 2022 (47 O.S. Supp.
2023, Section 1167), is amended to read as follows:

Section 1167. A. The Corporation Commission is hereby
authorized to promulgate rules pursuant to the Administrative
Procedures Act to establish the amounts of fees, fines and penalties
as set forth in Section 1166 et seq. of this title. The Corporation
Commission shall notify all interested parties of any proposed rules
to be promulgated as provided herein and shall provide such parties
an opportunity to be heard prior to promulgation.

B. The Corporation Commission shall adjudicate enforcement
actions initiated by Corporation Commission personnel.

C. Revenue derived from all fines and penalties collected or
received by the Corporation Commission pursuant to the provisions of
the Trucking One-Stop Shop Act shall be apportioned as follows:

1 1. For the period beginning August 23, 2013, the first Three
2 Hundred Thousand Dollars (\$300,000.00) collected or received each
3 fiscal year shall be remitted to the Department of Public Safety for
4 the purpose of staffing the port of entry weigh stations to conduct
5 safety inspections. The next Five Hundred Fifty Thousand Dollars
6 (\$550,000.00) shall be remitted to the Oklahoma Tax Commission and
7 apportioned as provided in Section 1104 of this title; and

8 2. The remaining amount shall be deposited to the Trucking One-
9 Stop Shop Fund created in subsection D of this section.

10 D. There is hereby created in the State Treasury a revolving
11 fund for the Corporation Commission to be known and designated as
12 the "Trucking One-Stop Shop Fund". The Trucking One-Stop Shop Fund
13 shall consist of:

14 1. All funds apportioned thereto in subsection C of this
15 section;

16 2. Fees collected by the Commission to be retained as a
17 licensed operator or other Corporation Commission registration or
18 motor fuel fees as allowed by statute or rule; and

19 3. Any other monies to be utilized for the Trucking One-Stop
20 Shop Act.

21 The fund shall be a continuing fund, not subject to fiscal year
22 limitations, and shall not be subject to legislative appropriation.
23 Monies in the Trucking One-Stop Shop Fund shall only be expended for
24 direct expenses relating to the Trucking One-Stop Shop Act.

1 Expenditures from the revolving fund shall be made pursuant to the
2 laws of this state. In addition, expenditures from the revolving
3 fund may be made pursuant to the Oklahoma Central Purchasing Act for
4 the purpose of immediately responding to emergency situations,
5 within the Commission's jurisdiction, having potentially critical
6 environmental or public safety impact. Warrants for expenditures
7 from the fund shall be drawn by the State Treasurer against claims
8 filed as prescribed by law with the Director of the Office of
9 Management and Enterprise Services for approval and payment.

10 E. There is hereby created in the State Treasury a revolving
11 fund for the Department of Transportation to be designated the
12 "Weigh Station Improvement Revolving Fund". The fund shall be a
13 continuing fund, not subject to fiscal year limitations, and shall
14 consist of all monies deposited thereto. All monies accruing to the
15 credit of the fund are hereby appropriated and may be budgeted, ~~and~~
16 expended, and transferred to and between the agency disbursing funds
17 for the current or prior fiscal years by the Department for the
18 purpose of constructing, equipping and maintaining facilities to
19 determine the weight of vehicles traveling on the roads and highways
20 of this state. Expenditures from the fund shall be made upon
21 warrants issued by the State Treasurer against claims filed as
22 prescribed by law with the Director of the Office of Management and
23 Enterprise Services for approval and payment.

1 SECTION 2. AMENDATORY 66 O.S. 2021, Section 309, is
2 amended to read as follows:

3 Section 309. There is hereby created in the State Treasurer's
4 office a revolving fund for the Department of Transportation, to be
5 designated the Oklahoma Railroad Maintenance Revolving Fund. The
6 fund shall be composed of all revenues generated by the provisions
7 of Sections 2201 et seq. of Title 68 of the Oklahoma Statutes, which
8 are, beginning July 1, 1978, henceforth levied for and dedicated to
9 the implementation of the provisions of this act together with any
10 federal grants, or financial assistance payments or contributions by
11 any state or agency thereof or any authority constituted by a state,
12 private donation or the proceeds from any rail property sale or
13 payments for the use of any rail property and any accumulated
14 interest thereon. ~~No state funds except those appropriated for the~~
15 ~~purposes of this act shall be expended by the Department of~~
16 ~~Transportation in furtherance of the provisions of this act.~~
17 Appropriations, federal monies, or any other monies collected by or
18 for the Department, and monies from the current and prior fiscal
19 years may be transferred to and between the agency disbursing funds
20 for the current or prior fiscal years, the Oklahoma Railroad
21 Maintenance Revolving Fund, and any other funds authorized for the
22 use by the Department as necessary to carry out the duties of the
23 Department under the Railroad Revitalization Act. Expenditures from
24 the fund shall be made upon warrants issued by the State Treasurer

1 against claims filed as prescribed by law with the Director of the
2 Office of Management and Enterprise Services for approval and
3 payment.

4 SECTION 3. AMENDATORY 68 O.S. 2021, Section 6512, is
5 amended to read as follows:

6 Section 6512. There is hereby created in the State Treasury a
7 revolving fund for the Oklahoma Department of Transportation to be
8 designated the "Driving on Road Infrastructure with Vehicles of
9 Electricity (DRIVE) Revolving Fund". The fund shall be a continuing
10 fund, not subject to fiscal year limitations, and shall consist of
11 all monies received by the Department of Transportation from sources
12 provided by law. All monies accruing to the credit of said fund are
13 hereby appropriated and may be budgeted, and expended, and
14 transferred to and between the agency disbursing funds for the
15 current or prior fiscal years by the Department of Transportation
16 for the purpose of administering the provisions of ~~this act~~ the
17 Driving on Road Infrastructure with Vehicles of Electricity (DRIVE)
18 Act of 2021. Expenditures from said fund shall be made upon
19 warrants issued by the State Treasurer against claims filed as
20 prescribed by law with the Director of the Office of Management and
21 Enterprise Services for approval and payment.

22 SECTION 4. AMENDATORY 69 O.S. 2021, Section 506, is
23 amended to read as follows:

1 Section 506. A. There is hereby created in the State Treasury
2 a revolving fund to be known as the "High Priority State Bridge
3 Revolving Fund". The fund shall be a continuing fund, not subject
4 to fiscal year limitations, and shall consist of all appropriations
5 and transfers made by the Legislature and the apportionments made
6 pursuant to Sections 500.6 and 500.7 of Title 68 of the Oklahoma
7 Statutes. All monies accruing to the credit of said fund are hereby
8 appropriated and may be budgeted, and expended, and transferred to
9 and between the agency disbursing funds for the current or prior
10 fiscal years beginning with the fiscal year ending June 30, 2008,
11 and each fiscal year thereafter pursuant to subsection B of this
12 section. Expenditures from said fund shall be made upon warrants
13 issued by the State Treasurer against claims filed as prescribed by
14 law with the Director of the Office of Management and Enterprise
15 Services for approval and payment.

16 B. The funds shall be used for the sole purpose of construction
17 or reconstruction of bridges on the state highway system that are of
18 the highest priority as defined by the Transportation Commission.
19 The fund shall be invested in whatever instruments are authorized by
20 law for investments by the State Treasurer and the interest earned
21 by any investment of monies from the fund shall be credited to the
22 fund which shall earn the same, if there is any unexpended balance
23 of such fund to which to credit the interest.

SECTION 5. AMENDATORY 69 O.S. 2021, Section 507, is

amended to read as follows:

Section 507. A. There is hereby created in the State Treasury a revolving fund to be known as the "County Improvements for Roads and Bridges Fund". The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of all appropriations and transfers made by the Legislature and the apportionments made pursuant to subsection L of Section 1104 of Title 47 of the Oklahoma Statutes. All monies accruing to the credit of said fund are hereby appropriated and may be budgeted, ~~and~~ expended, and transferred to and between the agency disbursing funds for the current or prior fiscal years beginning with the fiscal year ending June 30, 2008, and each fiscal year thereafter pursuant to subsection B of this section. Expenditures from said fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of the Office of Management and Enterprise Services for approval and payment.

B. The funds apportioned pursuant to subsection L of Section 1104 of Title 47 of the Oklahoma Statutes shall be in equal amounts to the various Transportation Commission districts. The funds shall be used for the sole purpose of construction or reconstruction of county roads or bridges on the county highway system that are of the highest priority as defined by the Transportation Commission. Counties may accumulate annual funding for a period of up to five

1 (5) years for a specific project, with such funding to be held by
2 the Transportation Commission to the credit of the county project.
3 The Transportation Commission shall promulgate rules for the
4 administration of the process and the development of criteria for
5 determining the level of priority for projects and include such
6 projects in a five-year construction plan that will be updated
7 annually. Projects in the five-year construction plan shall be
8 contracted as provided by law and awarded by the Transportation
9 Commission.

10 C. The fund shall be invested in whatever instruments are
11 authorized by law for investments by the State Treasurer and the
12 interest earned by any investment of monies from the fund shall be
13 credited to the fund which shall earn the same, if there is any
14 unexpended balance of such fund to which to credit the interest.
15 The interest credited herein shall be expended pursuant to this
16 section.

17 SECTION 6. AMENDATORY 69 O.S. 2021, Section 1501, is
18 amended to read as follows:

19 Section 1501. ~~(a)~~ A. All monies received by taxation or
20 otherwise for use on the state highways of this state shall, unless
21 otherwise provided by law, be placed in the State Treasury in a fund
22 to be known as the State Highway Construction and Maintenance Fund.
23 The fund shall also consist of revenues specifically apportioned to
24 such fund by provisions of the Oklahoma Statutes.

1 ~~(b)~~ B. All monies remaining in the State Highway Construction
2 and Maintenance Fund created by 69 O.S. 1961, Section 44(d), when
3 this Code becomes effective, and all other assets thereof, and all
4 taxes, revenue and other funds payable to or required to be
5 deposited in such fund under the provisions of other laws when this
6 Code becomes effective, shall be transferred to, be deposited in and
7 be a part of the State Highway Construction and Maintenance Fund
8 created by this section; and the latter fund shall be liable for the
9 payment of all outstanding obligations existing against the former
10 fund and may be budgeted, expended, and transferred to and between
11 the agency disbursing funds for the current or prior fiscal years.

12 ~~(c)~~ C. Of the monies deposited in the State Highway
13 Construction and Maintenance Fund pursuant to the apportionment of
14 Motor Fuels Tax Fees provided in Section ~~4~~ 101 et seq. of this ~~act~~
15 title, the lesser of Ten Thousand Dollars (\$10,000.00) and one and
16 one-half percent (1 1/2%) of such monies may be used for the
17 development and maintenance of alternative fuel corridors as defined
18 by the Federal Highway Administration.

19 SECTION 7. AMENDATORY 69 O.S. 2021, Section 1521, is
20 amended to read as follows:

21 Section 1521. A. There is hereby created in the State Treasury
22 a fund to be known as the "Rebuilding Oklahoma Access and Driver
23 Safety Fund". The fund shall be a continuing fund, not subject to
24 fiscal year limitations, and shall consist of all appropriations and

1 transfers made by the Legislature. All monies accruing to the
2 credit of the fund are hereby appropriated and may be budgeted, ~~and~~
3 expended, and transferred to and between the agency disbursing funds
4 for the current or prior fiscal years by the Department of
5 Transportation for the purposes authorized by subsection F of this
6 section in amounts as authorized by the Oklahoma Legislature.
7 Expenditures from the fund shall be made upon warrants issued by the
8 State Treasurer against claims filed as prescribed by law with the
9 Director of the Office of Management and Enterprise Services for
10 approval and payment.

11 B. Beginning July 1, 2021, except for an amount equivalent to
12 the amount of revenue apportioned to the Rebuilding Oklahoma Access
13 and Driver Safety Fund pursuant to Section 500.4B of Title 68 and
14 Section 1104 of Title 47 of the Oklahoma Statutes and from other
15 sources apportioned to the Fund by law, there shall be apportioned
16 to the funds specified in this subsection from the monies that would
17 otherwise be apportioned to the General Revenue Fund by Section 2352
18 of Title 68 of the Oklahoma Statutes from the revenues derived
19 pursuant to subsections A, B and E of Section 2355 of Title 68 of
20 the Oklahoma Statutes amounts as follows:

21 1. Subject to any reductions required by subsection E of this
22 section, there shall be apportioned to the Rebuilding Oklahoma
23 Access and Driver Safety Fund:

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- 1 a. for the fiscal year beginning July 1, 2021, and for
2 each fiscal year thereafter, Eighty Million Dollars
3 (\$80,000,000.00), which shall be allocated and used by
4 the Department of Transportation first for the purpose
5 of making any required payments for principal,
6 interest or other costs of borrowing with respect to
7 the obligations issued pursuant to Section 341 of
8 Title 73 of the Oklahoma Statutes and after any such
9 required payment has been made then for the purposes
10 otherwise authorized by this section, plus
- 11 b. the total amount apportioned to the Rebuilding
12 Oklahoma Access and Driver Safety Fund for the
13 preceding fiscal year which, except for the amount
14 prescribed by subparagraph a of this paragraph, shall
15 be apportioned before any other amount is apportioned
16 pursuant to Section 2352 of Title 68 of the Oklahoma
17 Statutes, plus
- 18 c. an additional amount that is required in order for the
19 total apportionment to the Rebuilding Oklahoma Access
20 and Driver Safety Fund from all sources for such
21 fiscal year to equal:
- 22 (1) Five Hundred Seventy-five Million Dollars
23 (\$575,000,000.00) for the fiscal year beginning
24 July 1, 2021, and

1 (2) Five Hundred Ninety Million Dollars
2 (\$590,000,000.00) for the fiscal year beginning
3 July 1, 2022, and for each fiscal year
4 thereafter.

5 All amounts apportioned pursuant to this paragraph shall be
6 divided into twelve equal amounts to be apportioned each month
7 during the fiscal year except the amount specified in subparagraph a
8 of this paragraph which amount shall be allocated in its full amount
9 in cash not later than July 30 each year or such later date as may
10 be required in order for the amount to be allocated in cash; and

11 2. For each fiscal year after the apportionments required by
12 paragraph 1 of this subsection have been made:

13 a. the next Two Million Dollars (\$2,000,000.00) shall be
14 apportioned to the Oklahoma Tourism and Passenger Rail
15 Revolving Fund created pursuant to Section 325 of
16 Title 66 of the Oklahoma Statutes to be used for
17 capital and operating costs for the "Heartland Flyer"
18 rail project, and

19 b. the next Three Million Dollars (\$3,000,000.00) shall
20 be apportioned to the Public Transit Revolving Fund
21 created pursuant to Section 4031 of this title to be
22 used for purposes authorized by law other than the
23 purpose described by subparagraph a of this paragraph.
24

1 All amounts apportioned pursuant to this paragraph shall be
2 divided into twelve equal amounts to be apportioned each month
3 during the fiscal year.

4 C. The monies apportioned to the Rebuilding Oklahoma Access and
5 Driver Safety Fund shall not be used to supplant or replace existing
6 state funds used for transportation purposes.

7 D. In order to ensure that the funds from the ROADS Fund are
8 used to enhance and not supplant state funding for the Department of
9 Transportation, the State Board of Equalization shall examine and
10 investigate expenditures from the fund each year. For purposes of
11 this examination, monies used to retire outstanding debt obligations
12 for which the Department of Transportation is responsible shall be
13 excluded. At the meeting of the State Board of Equalization held
14 within five (5) days after the monthly apportionment in February of
15 each year, the State Board of Equalization shall issue a finding and
16 report which shall state whether expenditures from the ROADS Fund
17 were used to enhance or supplant state funding for the Department of
18 Transportation. If the State Board of Equalization finds that state
19 funding for the Department of Transportation was supplanted by funds
20 from the ROADS Fund, the Board shall specify the amount by which
21 such funding was supplanted. In this event, the Legislature shall
22 not make any appropriations for the ensuing fiscal year until an
23 appropriation in that amount is made to replenish state funding for
24 the Department of Transportation.

1 E. In the event that the Director of the Office of Management
2 and Enterprise Services declares a General Revenue Fund revenue
3 failure pursuant to Section 34.49 of Title 62 of the Oklahoma
4 Statutes, and agency allocations are reduced pursuant to the
5 provisions of Section 34.49 of Title 62 of the Oklahoma Statutes,
6 the amounts that would otherwise be apportioned to the ROADS Fund
7 by:

8 1. Subparagraph a of paragraph 1 of subsection B of this
9 section, only to the extent that the amount is not required for debt
10 service related to the obligations authorized pursuant to Section
11 341 of Title 73 of the Oklahoma Statutes, Section 350 of Title 73 of
12 the Oklahoma Statutes and Section 1 of Enrolled House Bill No. 2896
13 of the 1st Session of the 58th Oklahoma Legislature;

14 2. Subparagraphs b and c of paragraph 1 of subsection B of this
15 section; and

16 3. Subparagraphs a and b of paragraph 2 of subsection B of this
17 section,
18 shall be reduced by a percentage equal to that required of the
19 General Revenue Fund appropriations to state agencies and such
20 reductions shall occur during the entire fiscal year and for any
21 month during which such reductions are required by the Office of
22 Management and Enterprise Services and by the same percentage as
23 that required of the agencies for such General Revenue Fund
24 appropriations.

1 F. The Department of Transportation shall use the monies in the
2 Rebuilding Oklahoma Access and Driver Safety Fund for:

3 1. The construction and maintenance of state roads, bridges and
4 highways;

5 2. The direct expenses of operating and maintaining the state
6 highway system, including bridges;

7 3. Direct expenses incurred in constructing, repairing, and
8 maintaining state highways, farm-to-market roads, county highways
9 and bridges as authorized by law;

10 4. Matching federal funds;

11 5. The purchase of materials, tools, machinery, motor vehicles,
12 and equipment necessary or convenient for the construction and
13 maintenance of the state highway system and bridges;

14 6. Debt service incurred prior to January 1, 2006, for Capital
15 Improvement Program bonds sold pursuant to Section 2001 of this
16 title; and

17 7. Debt service incurred on or after July 1, 2009, with respect
18 to obligations authorized to be issued pursuant to Section 341 of
19 Title 73 of the Oklahoma Statutes, Section 350 of Title 73 of the
20 Oklahoma Statutes and Section 1 of Enrolled House Bill No. 2896 of
21 the 1st Session of the 58th Oklahoma Legislature.

22 G. From the monies allocated pursuant to the provisions of
23 subparagraph a of paragraph 1 of subsection B of this section each
24 fiscal year, the Department of Transportation shall make payments

1 required for the payment of principal, interest and other costs
2 related to the obligations issued by the Oklahoma Capitol
3 Improvement Authority as authorized by Section 341 of Title 73 of
4 the Oklahoma Statutes, Section 350 of Title 73 of the Oklahoma
5 Statutes and Section 1 of Enrolled House Bill No. 2896 of the 1st
6 Session of the 58th Oklahoma Legislature, and such payments shall be
7 made by the Department each fiscal year before such monies are used
8 for any other purpose.

9 SECTION 8. AMENDATORY 69 O.S. 2021, Section 1913, as
10 amended by Section 1, Chapter 17, 1st Extraordinary Session, O.S.L.
11 2023 (69 O.S. Supp. 2023, Section 1913), is amended to read as
12 follows:

13 Section 1913. There is hereby established a fund within the
14 State Treasury to be known as the "Rural Economic Transportation
15 Reliability and Optimization Fund" to be administered by the
16 Oklahoma Department of Transportation. The fund shall be a
17 continuing fund, not subject to fiscal year limitations, and shall
18 consist of any general revenues as may be directly appropriated or
19 otherwise provided by law.

20 Any monies appropriated to the Rural Economic Transportation
21 Reliability and Optimization Fund shall not result in a decrease in
22 historic and traditional total state transportation funding levels
23 or be used to supplant or replace existing state funds used for
24 transportation purposes.

1 In order to ensure that the funds from the Rural Economic
2 Transportation Reliability and Optimization Fund are used to enhance
3 and not supplant state funding for the Department of Transportation,
4 the State Board of Equalization shall examine and investigate the
5 funding levels as described. At the meeting of the State Board of
6 Equalization held within five (5) days after the monthly
7 apportionment in February of each year, the State Board of
8 Equalization shall issue a finding and report which shall state
9 whether expenditures from the Rural Economic Transportation
10 Reliability and Optimization Fund were used to enhance or supplant
11 state funding for the Department of Transportation. If the State
12 Board of Equalization finds that state funding for the Department of
13 Transportation was supplanted by funds from the Rural Economic
14 Transportation Reliability and Optimization Fund, the Board shall
15 specify the amount by which such funding was supplanted. In this
16 event, the Legislature shall not make any appropriations for the
17 ensuing fiscal year until an appropriation in that amount is made to
18 replenish state funding for the Department of Transportation.

19 All monies accruing to the credit of the Rural Economic
20 Transportation Reliability and Optimization Fund are hereby
21 appropriated and may be budgeted, expended, and transferred to and
22 between the agency disbursing funds for the current or prior fiscal
23 years. Such funds shall be used to assist the Department in the
24 equitable prioritization of construction, repair and maintenance of

1 state highways in rural areas where robust economic development has
2 resulted in traffic safety and circulation difficulties attributed
3 to significant and unanticipated increases in traffic volumes and as
4 fully recorded and documented by the Department. "Robust economic
5 development", as used in this act, shall mean those conditions of
6 the highways of this state in counties with a population of less
7 than seventy-five thousand (75,000) where traffic volumes have
8 increased to become so impaired or hazardous as to constitute a
9 threat to the safety of persons or property traveling over or upon
10 such highways.

11 When such traffic conditions as described may arise in rural
12 areas, the Department of Transportation shall engage the Oklahoma
13 Department of Commerce, the Oklahoma Tax Commission or other
14 agencies or entities of the state, as necessary, to confirm the
15 relationship of traffic conditions to robust economic development.
16 Once said relationship is confirmed and documented, the Department
17 of Transportation may utilize any proceeds from the Rural Economic
18 Transportation Reliability and Optimization Fund in an amount not to
19 exceed fifty percent (50%) of the total project costs to incentivize
20 and leverage the acceleration and prioritization of improvement
21 projects existing in or to be incorporated into the Department's
22 Eight-Year Construction Work Plan.

23 SECTION 9. AMENDATORY 69 O.S. 2021, Section 4031, is
24 amended to read as follows:

1 Section 4031. There is hereby created in the State Treasury a
2 revolving fund for the Department of Transportation, to be
3 designated the "Public Transit Revolving Fund". The fund shall be a
4 continuing fund, not subject to fiscal year limitations, and shall
5 consist of all monies received ~~by the Department~~ for deposit in the
6 fund. All monies accruing to the credit of ~~said~~ the fund are hereby
7 appropriated and may be budgeted, ~~and~~ expended, and transferred to
8 and between the agency disbursing funds for the current or prior
9 fiscal years by the Department of Transportation for the purpose of
10 ~~establishing, expanding, improving, and maintaining rural and urban~~
11 ~~public mass transportation services~~ conducting training or
12 certification of individuals seeking to become registered as highway
13 construction materials technicians. Expenditures from ~~said~~ the fund
14 shall be made upon warrants issued by the State Treasurer against
15 claims filed as prescribed by law with the Director of the Office of
16 Management and Enterprise Services for approval and payment.

17 SECTION 10. AMENDATORY 82 O.S. 2021, Section 1141, is
18 amended to read as follows:

19 Section 1141. There is hereby created in the State Treasury a
20 revolving fund for the Oklahoma Department of Transportation to be
21 designated the "McClellan-Kerr Arkansas River Navigation System
22 Infrastructure Revolving Fund". The fund shall be a continuing
23 fund, not subject to fiscal year limitations, for the purpose of
24 pooling all monies received by the Oklahoma Department of

1 Transportation from appropriations, dedicated revenues, federal
2 funds, private contributions or other sources authorized by law
3 dedicated to the McClellan-Kerr Arkansas River Navigation System
4 (MKARNS). All monies accruing to the credit of the fund are hereby
5 appropriated and may be budgeted, and expended, and transferred to
6 and between the agency disbursing funds for the current or prior
7 fiscal years by the Oklahoma Department of Transportation upon a
8 recommendation by the Waterways Advisory Board of the Oklahoma
9 Department of Transportation and upon consultation with all Native
10 American tribes with an ownership interest in the Arkansas riverbed
11 for the purpose of repairing or constructing assets which are part
12 of the MKARNS located in the State of Oklahoma which are essential
13 to the safe and efficient operation of such system and may also be
14 used to match federal grants and awards associated with channel
15 improvements of the MKARNS, whether due to natural disasters,
16 emergency conditions, operations and maintenance needs or
17 construction projects. Expenditures from the fund shall be made
18 upon warrants issued by the State Treasurer against claims filed as
19 prescribed by law with the Director of the Office of Management and
20 Enterprise Services for approval and payment.

21 SECTION 11. This act shall become effective July 1, 2024.

22 SECTION 12. It being immediately necessary for the preservation
23 of the public peace, health or safety, an emergency is hereby
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1 declared to exist, by reason whereof this act shall take effect and
2 be in full force from and after its passage and approval.

3 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS
4 February 28, 2024 - DO PASS AS AMENDED
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