An Act

ENROLLED SENATE
BILL NO. 1009

By: Marlatt and Ballenger of the Senate

and

Murphey of the House

An Act relating to circuit engineering districts; amending 69 O.S. 2011, Section 687.1, which relates to objectives of circuit engineering districts; modifying certain objectives; providing an effective date; and declaring an emergency.

SUBJECT: Circuit engineering districts

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

SECTION 1. AMENDATORY 69 O.S. 2011, 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 to provide services and facilities in a manner and pursuant to forms of governmental organization that will accord best with geographic, economic, population and other factors influencing the needs and development of county government;

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

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

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

5. To present courses of instruction and education;

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

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

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

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

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

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

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

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

5. To provide periodic reports for the circuit engineering district or for its members as may be required by federal or state

legislation or regulations pertaining thereto, and as are within the scope and range of the purpose of the circuit engineering district;

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

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

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

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

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

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

D. ~~The circuit engineering district may, from time to time, as its board of directors deems necessary, cause to be formed legal trusts which shall be formed to promote and develop specific projects. The primary goal of each trust created pursuant to this subsection shall be the economic growth and development within the district. However, the trust shall be limited to functions within the category for which it is specifically organized. The trust shall be totally responsible for its contractual obligations and holdings, holding the circuit engineering district harmless for claims or liabilities created by the trust.~~

~~E. The board of directors of the circuit engineering district shall elect a liaison officer. The liaison officer shall be a nonvoting member of each trust formed pursuant to subsection D of this section. The liaison shall be permitted to attend all meetings and enter into all discussions of the trust's board of trustees, and~~

~~shall report all actions to the board of directors of the circuit engineering district.~~

~~F.~~ The circuit engineering district shall conduct an independent audit upon completion of each fiscal year.

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

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

~~I.~~ 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.

~~J.~~ H. 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;

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.

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

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

SECTION 2. This act shall become effective July 1, 2013.

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

Passed the Senate the 13th day of March, 2013.

Presiding Officer of the Senate

Passed the House of Representatives the 23rd day of April, 2013.

Presiding Officer of the House of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 24th day of April, 2013, at 2:13 o'clock P M.

By: Audrey Rockwell

Approved by the Governor of the State of Oklahoma this 29th day of April, 2013, at 4:45 o'clock P M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 29th day of April, 2013, at 5:30 o'clock P. M.

By: