

1 **SENATE FLOOR VERSION**

2 February 26, 2020

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL NO. 1775

6 By: Treat

7 [Oklahoma Turnpike Authority - transfer of employees
8 - division of the Department of Transportation -
9 codification - effective date]

10
11 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

12 SECTION 1. NEW LAW A new section of law to be codified
13 in the Oklahoma Statutes as Section 4002.1 of Title 69, unless there
14 is created a duplication in numbering, reads as follows:

15 A. In order to achieve efficiencies in the operations of the
16 Oklahoma Turnpike Authority and the Oklahoma Department of
17 Transportation, this section authorizes shared functions between two
18 entities. The Authority shall nevertheless remain a body corporate
19 and constituting an instrumentality of this state pursuant to
20 Section 1701 et seq. of Title 69 of the Oklahoma Statutes, and shall
21 retain all corporate powers set forth in the Oklahoma Turnpike
22 Authority Enabling Act, for so long as any bonds, notes or other
23 obligations of the Authority remain outstanding and are not fully
24

1 discharged. Nothing contained in this act shall be deemed to limit
2 or alter in any way the rights and obligations of the Authority:

3 1. To fulfill and observe all requirements of any trust
4 agreement, indenture or resolution authorized by the Oklahoma
5 Turnpike Authority Enabling Act including, but not limited to,
6 collection and application of tolls and other revenues pledged
7 thereunder;

8 2. To establish and collect such fees, rentals and other
9 charges as may be necessary or required to produce sufficient
10 revenues to meet and to fulfill the terms and provisions of the
11 contracts made with the holders and owners of the bonds, notes or
12 other obligations; or

13 3. In any way impair the constitutional rights of the holders
14 and owners of the bonds, notes or other obligations of the
15 Authority.

16 B. Pursuant to subsection A of this section:

17 1. The Director of the Department of Transportation and the
18 Oklahoma Turnpike Authority are hereby authorized and empowered to
19 contract with each other to provide personnel and equipment and
20 other resources, either of the Department, the Authority or
21 consulting or contracting firms for:

22 a. recordkeeping, reporting, administrative, planning,
23 engineering, legal, financial and clerical functions,
24 and

1 b. construction, operation and maintenance of turnpike
2 projects and highways of this state; and

3 2. The Authority shall retain its separate identity, powers and
4 duties as an instrumentality of the state. Duplication of effort,
5 facilities and equipment shall be minimized by the Authority and the
6 Director of the Department of Transportation in operation and
7 maintenance of turnpikes and highways of this state. The Authority
8 and the Department are authorized to take such action as necessary
9 to implement the provisions of this subsection, including the
10 temporary transfer of personnel, property and equipment from the
11 Authority to the Department and the Department to the Authority.
12 The charges for services shall be made on the basis of the total and
13 actual cost to the Authority and Department, as applicable, of all
14 wages, salaries, expenses, equipment rental, damage to equipment,
15 depreciation or other charges and expenses chargeable to the
16 services to be rendered by the Authority to the Department and the
17 Department to the Authority, or pursuant to contractual terms with
18 third parties.

19 SECTION 2. This act shall become effective November 1, 2020.

20 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS
21 February 26, 2020 - DO PASS AS AMENDED