STATE OF OKLAHOMA

2nd Session of the 47th Legislature (2000)

CONFERENCE COMMITTEE SUBSTITUTE
FOR ENGROSSED
HOUSE BILL NO. 2546

By: Webb, Nations, Dunegan, Wells, Adair, Calvey, Coleman, Erwin, Fields, Gilbert, Hefner, Matlock, Miller, Nance, Piatt, Plunk, Rice, Thornbrugh and Tyler of the House

and

Snyder, Fisher and Price of the Senate

CONFERENCE COMMITTEE SUBSTITUTE

An Act relating to the Oklahoma Aeronautics and Space Commission; establishing the Oklahoma Aeronautics and Space Commission as a separate state agency; providing for the continuance of certain powers, duties, and responsibilities; requiring certain employee positions to be transferred; establishing minimum and maximum number of full-time-equivalent positions; authorizing the Oklahoma Aeronautics and Space Commission and the Oklahoma Department of Transportation to enter into certain agreement for transfer of personnel; requiring written consent of employee to be transferred; permitting certain classified employees to retain certain status and salary; requiring certain benefits to be retained by employees; requiring the Office of Personnel Management to coordinate transfers; authorizing the Oklahoma Aeronautics and Space Commission to rent, lease, or own property; permitting the Oklahoma Aeronautics and Space Commission and the Director to accept certain gifts; providing for funding and payment of transfer costs; abolishing certain division; requiring the Director of State Finance to coordinate transfer of assets and obligations; requiring the Department of Central Services to coordinate transfer of property and records; repealing 69 O.S. 1991, Section 4011, which relates to the transfer of the Oklahoma Aeronautics and Space Commission to the Oklahoma Department of Transportation; providing for codification; providing an effective date; and declaring an emergency.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 84.2 of Title 3, unless there is created a duplication in numbering, reads as follows:

A. Beginning July 1, 2000, the Oklahoma Aeronautics and Space Commission shall cease to be part of or a division of the Oklahoma Department of Transportation and shall be deemed to be a separate and distinct agency and not under the Merit System of Personnel Administration. The Aeronautics and Space Commission and the Director of Aeronautics shall continue to exercise their statutory powers, duties, and responsibilities. All records, property, equipment, assets, monies, matters pending, and funds shall be transferred to the Aeronautics and Space Commission.

B. The number of full-time-equivalent employees for the Aeronautics and Space Commission shall not be less than five, nor more than the number of employees currently allowed by law for the Aeronautics and Space Commission division of the Department of Transportation and who transfer to the Aeronautics and Space Commission pursuant to this section. In no event shall the total full-time-equivalent employees of the Aeronautics and Space Commission transferring or electing to remain with the Department of Transportation exceed fourteen full-time-equivalent positions. All full-time-equivalent employee positions for the Aeronautics and Space Commission shall not be under the Merit System of Personnel Administration and shall be considered unclassified service. All employees shall serve at the pleasure of the Director of the Aeronautics and Space Commission. The Aeronautics and Space Commission and the Department of Transportation may enter into an agreement for the transfer of personnel from the Department of Transportation to the Aeronautics and Space Commission. No selected employee shall be transferred to the Aeronautics and Space Commission except on the freely given written consent of the employee. All classified employees under the Merit System of

Personnel Administration who are not transferred to the Aeronautics and Space Commission shall retain the status in the class to which the position occupied by the employee on July 1, 2000, is allocated by the Office of Personnel Management. The salary of such an employee shall not be reduced as a result of such position allocation. All employees who are transferred to the Aeronautics and Space Commission shall not be required to accept a lesser grade or salary than presently received. All employees shall retain leave, sick and annual time earned, and any retirement and longevity benefits which have accrued during their tenure with the Department of Transportation. The transfer of personnel among the state agencies shall be coordinated with the Office of Personnel Management.

C. The Aeronautics and Space Commission shall be authorized to rent, lease, or own the appropriate office space and property in order to conduct its business. The Aeronautics and Space Commission, and its Director, are authorized to accept gifts, bequests, devises, contributions, and grants, public or private, including federal funds or funds from any other source for use in furthering the purpose of the Aeronautics and Space Commission.

D. Funding for the Aeronautics and Space Commission shall be provided for in the appropriation process of the Legislature, in addition to any funding provided by law. The expenses incurred by the Aeronautics and Space Commission as a result of the transfer required by this section shall be paid by the Aeronautics and Space Commission.

E. The division within the Department of Transportation known as the Aeronautics and Space Commission shall be abolished by the Transportation Commission after the transfer has been completed.

F. The Director of State Finance is directed to coordinate the transfer of assets, funds, allotments, purchase orders, liabilities, outstanding financial obligations or encumbrances provided for in

this section. The Department of Central Services shall coordinate the transfer of property and records provided for in this section.

SECTION 2. REPEALER 69 O.S. 1991, Section 4011, is hereby repealed.

SECTION 3. This act shall become effective July 1, 2000.

SECTION 4. 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.

47-2-9350 JAF 6/11/15