

HOUSE OF REPRESENTATIVES

Monday, March 22, 1999

ENGROSSED

Senate Bill No. 233

As Amended

ENGROSSED SENATE BILL NO. 233 -- By CAPPS of the Senate and NATIONS of the House.

An Act relating to the Oklahoma Aeronautics Commission Act; amending 3 O.S. 1991, Section 84, as amended by Section 3, Chapter 181, O.S.L. 1995 (3 O.S. Supp. 1998, Section 84), which relates to the commission districts; clarifying language; requiring appointment of members to be confirmed by the Senate; specifying composition of commission districts; and declaring an emergency.

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

SECTION 1. AMENDATORY 3 O.S. 1991, Section 84, as amended by Section 3, Chapter 181, O.S.L. 1995 (3 O.S. Supp. 1998, Section 84), is amended to read as follows:

Section 84. A. There is hereby created the Oklahoma Aeronautics and Space Commission, which shall be the successor to the Oklahoma Aviation Commission created by ~~Sections~~ Section 72 et seq. of ~~Title 3 of the Oklahoma Statutes~~ this title. The Oklahoma Aeronautics and Space Commission shall consist of seven (7) members, who shall be appointed by the Governor and confirmed by the Senate and who shall continue in office, as designated by the Governor at the time of appointment,

through the last day of the second, third, fourth, fifth, sixth, and seventh calendar years, respectively, following the passage of this act, with the initial seventh member remaining in office until the end of the calendar year 1979. The successors of the members initially appointed shall be appointed for terms of six (6) years in the same manner as the members originally appointed ~~under this act~~ pursuant to Section 81 et seq. of this title, except that any person appointed to fill a vacancy shall be appointed only for the remainder of such term. Each member shall serve until the appointment and qualification of a successor. No more than one of the original six (6) members or their successors shall be from any one congressional district, as created by Section 1 of Title 14 of the Oklahoma Statutes while the seventh member and the successors may be from any part of the state.

To qualify for appointment to the Commission, an appointee shall have the following minimum qualifications:

(1) 1. A citizen and bona fide resident of the state and the district in which the Commissioner serves;

(2) 2. Three (3) years' experience in aeronautical activities, such as general aviation, agricultural aviation, airport management, or air carrier operation.

Members of the Commission shall receive no salary but shall be entitled to be reimbursed for necessary travel expenses pursuant to the State Travel Reimbursement Act. The members of the Commission may be removed by the Governor for inefficiency, neglect of duty, or malfeasance in office in the manner provided by law for the removal of officers not subject to impeachment.

B. The DISTRICTS OF EACH OF THE COMMISSIONERS OF THE OKLAHOMA AERONAUTICS AND SPACE

COMMISSION shall comprise the following counties:

District 1. Tulsa, Pawnee, Noble, Kay, Grant, Garfield, Alfalfa, Major, Woodward, and Woods.

District 2. Osage, Washington, Nowata, Craig, Ottawa, Rogers, Mayes, Delaware, Adair, Cherokee, Wagoner,

Okmulgee, Muskogee, McIntosh, Haskell, and Sequoyah.

District 3. LeFlore, McCurtain, Latimer, Pushmataha, Pittsburg, Atoka, Choctaw, Bryan, Marshall, Johnston, Murray,

Carter, and Love.

District 4. Coal, Hughes, Pontotoc, Seminole, Pottawatomie, Okfuskee, Lincoln, Creek, Payne, and Logan.

District 5. Garvin, McClain, Cleveland, Oklahoma, and Canadian.

District 6. Cimarron, Texas, Beaver, Harper, Ellis, Roger Mills, Dewey, Blaine, Kingfisher, Beckham, Custer, Washita,

Greer, Harmon, Jackson, Tillman, Kiowa, Caddo, Grady, Comanche, Cotton, Stephens, and Jefferson.

The seventh Commissioner is considered at large and shall represent the entire state.

C. (4) 1. A Director of Aeronautics shall be appointed by the Commission, who shall serve at the pleasure of the Commission. The Director shall be appointed with due regard to such person's fitness, by aeronautical education and by knowledge of and recent practical experience in aeronautics for the efficient dispatch of the powers and duties duly vested in and imposed upon the Director. The Director shall devote full time to the duties of the office and shall not be actively engaged or employed in any other business, vocation, or employment, nor shall the Director have any pecuniary interest in or any stock in or bonds of any civil aeronautics enterprise. The Director shall be reimbursed for all traveling and other expenses incurred in the discharge of the official duties of the Director, subject to general statutory limitations on such expenses as contained in the State Travel Reimbursement Act.

(2) 2. The Director shall be the executive officer of the Commission and under its supervision shall administer the provisions of ~~this act~~ Section 81 et seq. of this title and rules, regulations, and orders established thereunder and all other laws

of the state relative to aeronautics. The Director shall attend all meetings of the Commission, but shall have no vote. The Director shall be in charge of the offices of the Commission and responsible to the Commission for the preparation of reports and the collection and dissemination of data and other public information relating to aeronautics. The Director is hereby empowered to execute all contracts entered into by the Commission.

(3) 3. The Commission may, by written order filed in its office, delegate to the Director any of the powers or duties vested in or imposed upon it by ~~this act~~ Section 81 et seq. of this title. Such delegated powers and duties may be exercised by the Director in the name of the Commission.

(4) 4. The Director shall appoint, subject to the approval of the Commission, such experts, field and office assistants, clerks, and other employees as may be required and authorized for the proper discharge of the functions of the Commission.

~~C.~~ D. The Commission shall, within thirty (30) days after its appointment, organize, adopt a seal, and make such rules and regulations for its administration, not inconsistent herewith, nor inconsistent with, or contrary to, any act of the Congress of the United States or regulations promulgated or standards established pursuant thereto, as it may deem expedient and from time to time amend such rules and regulations. At such organizational meeting it shall elect from among its members a ~~chairman~~ chair, a ~~vice-chairman~~ vice-chair, and a secretary, to serve for one (1) year, and annually thereafter shall elect such officers, all to serve until their successors are appointed and qualified. The Commission shall schedule meetings at a convenient time and place as they become necessary. Five (5) members shall constitute a quorum, and no action shall be taken by less than a majority of the Commission. Special meetings may be called as provided by the rules and regulations of the Commission. Regular meetings shall be held at the established offices of the Commission, but, whenever the convenience of the public or of the parties may be promoted, or delay or expense may be prevented, the Commission may hold meetings,

hearings, or proceedings at any other place designated by it. The Commission shall report in writing to the Governor on or about July 31 of each year. The report shall contain a summary of the proceedings of the Commission during the preceding fiscal year, a detailed and itemized statement of all revenue and of all expenditures made by or in behalf of the Commission, such other information as it may deem necessary or useful, and any additional information which may be requested by the Governor.

~~D.~~ E. Suitable office space shall be provided by the Department of Central Services for the Commission in the City of Oklahoma City, and the Commission may incur the necessary expense for office rent, furniture, stationery, printing, incidental expenses, and other necessary expenses needed for the administration of this act.

SECTION 2. 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.