STATE OF OKLAHOMA

1st Session of the 48th Legislature (2001)

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1007 By: Webb and Dunegan

COMMITTEE SUBSTITUTE

An Act relating to the Oklahoma Aeronautics Commission; establishing the Oklahoma Aeronautics 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 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 Commission to rent, lease, or own property; permitting the Oklahoma Aeronautics Commission 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 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, 2001, the Oklahoma Aeronautics 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 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 Commission.

B. The number of full-time-equivalent employees for the Aeronautics Commission shall not be less than ten, nor more than the number of employees currently allowed by law for the Aeronautics Commission division of the Department of Transportation and who transfer to the Aeronautics Commission pursuant to this section. In no event shall the total full-time-equivalent employees of the Aeronautics 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 Commission shall not be under the Merit System of Personnel Administration but such employee positions shall be considered unclassified service. All employees shall serve at the pleasure of the Director of the Aeronautics Commission. The Aeronautics Commission and the Department of Transportation may enter into an agreement for the transfer of personnel from the Department of Transportation to the Aeronautics Commission. No employee shall be transferred to the Aeronautics 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 Commission shall retain the status in the class to which the position occupied by the employee on July 1, 2001, 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 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 Commission shall be authorized to rent, lease, or own the appropriate office space and property in order to conduct its business. The Aeronautics Commission is 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 Commission.

D. Funding for the Aeronautics 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 Commission as a result of the transfer required by this section shall be paid by the Aeronautics Commission.

E. The division within the Department of Transportation known as the Aeronautics 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, 2001.

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.

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