

1 STATE OF OKLAHOMA

2 2nd Session of the 55th Legislature (2016)

3 SENATE BILL 1400

By: Dahm

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6 AS INTRODUCED

7 An Act relating to the Oklahoma Aeronautics
8 Commission; amending 3 O.S. 2011, Section 84, as
9 amended by Section 20, Chapter 304, O.S.L. 2012 (3
10 O.S. Supp. 2015, Section 84), which relates to
11 commission membership; providing for termination of
12 current membership by certain date; providing new
13 method of appointment; providing makeup of
14 membership; specifying terms; providing for certain
15 reimbursement; allowing for removal under certain
16 circumstances; modifying authorization for removal of
17 director; authorizing retention of legal counsel;
18 modifying requirement for quorum; and declaring an
19 emergency.

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1 ~~and who shall continue in office, as designated by the Governor at~~
2 ~~the time of appointment, through the last day of the second, third,~~
3 ~~fourth, fifth, sixth, and seventh calendar years, respectively,~~
4 ~~following the passage of this act, with the initial seventh member~~
5 ~~remaining in office until the end of the calendar year 1979. The~~
6 ~~successors of the members initially appointed shall be appointed for~~
7 ~~terms of six (6) years in the same manner as the members originally~~
8 ~~appointed under this act, except that any person appointed to fill a~~
9 ~~vacancy shall be appointed only for the remainder of such term.~~

10 Each member shall serve until the appointment and qualification of a
11 successor. One member shall be appointed from each congressional
12 district and any remaining members shall be appointed from the state
13 at large. However, when congressional districts are redrawn each
14 member appointed prior to July 1 of the year in which such
15 modification becomes effective shall complete the current term of
16 office and appointments made after July 1 of the year in which such
17 modification becomes effective shall be based on the redrawn
18 districts. Appointments made after July 1 of the year in which such
19 modification becomes effective shall be from any redrawn districts
20 which are not represented by a board member until such time as each
21 of the modified congressional districts are represented by a board
22 member. No appointments may be made after July 1 of the year in
23 which such modification becomes effective if such appointment would
24 result in more than two members serving from the same modified

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

3 1. A citizen and bona fide resident of the state; and

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

7 Members of the Commission shall receive no salary but shall be
8 entitled to be reimbursed for necessary travel expenses pursuant to
9 the State Travel Reimbursement Act. The members of the Commission
10 may be removed by the Governor for inefficiency, neglect of duty, or
11 malfeasance in office in the manner provided by law for the removal
12 of officers not subject to impeachment. Effective July 1, 2016, the
13 members of the Commission shall be appointed pursuant to subsection
14 C of this section and shall be governed by the provisions of this
15 section, except for subsection A of this section.

16 B. Effective July 1, 2016, the terms of the members of the
17 Oklahoma Aeronautics Commission appointed pursuant to subsection A
18 of this section shall be terminated. Any existing vacancy until
19 that time shall be appointed in the manner provided by subsection A
20 of this section and that person may serve until the date provided in
21 this subsection.

22 C. Effective July 1, 2016, the Commission shall consist of nine
23 (9) members as follows:

1 1. Five members shall be lay persons and each person shall
2 represent one of the congressional districts and shall be appointed
3 by the Governor with the advice and consent of the Senate. Any
4 future appointments to accommodate a change in congressional
5 districts shall be made pursuant to Section 2.4 of Title 74 of the
6 Oklahoma Statutes; and

7 2. Four members shall have experience in the aeronautical
8 industry. The members shall be appointed by the Governor with the
9 advice and consent of the Senate.

10 Except for the initial terms as provided in this subsection, the
11 terms of the members of the Commission shall be for four (4) years
12 and members may be appointed to successive terms. Successors shall
13 be appointed in the same manner as the members originally appointed.
14 Any member appointed to fill a vacancy shall serve the remainder of
15 that term. The first three members initially appointed shall serve
16 a term of two (2) years. The next three members initially appointed
17 shall serve a term of three (3) years. The last three members
18 initially appointed shall serve a term of four (4) years.

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

1 1181 et seq. of Title 22 of the Oklahoma Statutes or Section 91 of
2 Title 51 of the Oklahoma Statutes. Members may also be removed by
3 the Legislature upon the passage of a concurrent resolution
4 specifying the member to be removed.

5 1. A Director of Aeronautics shall be appointed by the
6 ~~Commission~~ Governor, who ~~shall serve at the pleasure of the~~
7 ~~Commission~~ may be removed by the Legislature with the passage of a
8 concurrent resolution. The Director shall be appointed with due
9 regard to such person's fitness, by aeronautical education and by
10 knowledge of and recent practical experience in aeronautics for the
11 efficient dispatch of the powers and duties duly vested in and
12 imposed upon the Director. The Director shall devote full time to
13 the duties of the office and shall not be actively engaged or
14 employed in any other business, vocation, or employment, nor shall
15 the Director have any pecuniary interest in or any stock in or bonds
16 of any civil aeronautics enterprise. The Director shall be
17 reimbursed for all traveling and other expenses incurred in the
18 discharge of the official duties of the Director, subject to general
19 statutory limitations on such expenses as contained in the State
20 Travel Reimbursement Act.

21 2. The Director shall be the executive officer of the
22 Commission and under its supervision shall administer the provisions
23 of this act and rules, regulations, and orders established
24 thereunder and all other laws of the state relative to aeronautics.

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

7 3. The Commission may, by written order filed in its office,
8 delegate to the Director any of the powers or duties vested in or
9 imposed upon it by this act. Such delegated powers and duties may
10 be exercised by the Director in the name of the Commission.

11 4. The Director shall appoint, subject to the approval of the
12 Commission, such experts, field and office assistants, clerks, and
13 other employees as may be required and authorized for the proper
14 discharge of the functions of the Commission. The Director may also
15 retain legal counsel to advise and assist operations of the
16 Commission when necessary.

17 ~~C.~~ E. The Commission shall, within thirty (30) days after its
18 appointment, organize, adopt a seal, and make such rules and
19 regulations for its administration, not inconsistent herewith, nor
20 inconsistent with, or contrary to, any act of the Congress of the
21 United States or regulations promulgated or standards established
22 pursuant thereto, as it may deem expedient and from time to time
23 amend such rules and regulations. At such organizational meeting it
24 shall elect from among its members a chair, a vice chair, and a

1 secretary, to serve for one (1) year, and annually thereafter shall
2 elect such officers, all to serve until their successors are
3 appointed and qualified. The Commission shall schedule meetings at
4 a convenient time and place as they become necessary. ~~Four~~(4) Five
5 (5) members shall constitute a quorum, and no action shall be taken
6 by less than a majority of the Commission. Special meetings may be
7 called as provided by the rules and regulations of the Commission.
8 Regular meetings shall be held at the established offices of the
9 Commission, but, whenever the convenience of the public or of the
10 parties may be promoted, or delay or expense may be prevented, the
11 Commission may hold meetings, hearings, or proceedings at any other
12 place designated by it. The Commission shall report in writing to
13 the Governor on or about January 31 of each year. The report shall
14 contain a summary of the proceedings of the Commission during the
15 preceding fiscal year, a detailed and itemized statement of all
16 revenue and of all expenditures made by or in behalf of the
17 Commission, such other information as it may deem necessary or
18 useful, and any additional information which may be requested by the
19 Governor.

20 ~~D.~~ F. Suitable office space shall be provided by the Office of
21 Management and Enterprise Services for the Commission in the City of
22 Oklahoma City, and the Commission may incur the necessary expense
23 for office rent, furniture, stationery, printing, incidental
24

1 expenses, and other necessary expenses needed for the administration
2 of this act.

3 SECTION 2. It being immediately necessary for the preservation
4 of the public peace, health and safety, an emergency is hereby
5 declared to exist, by reason whereof this act shall take effect and
6 be in full force from and after its passage and approval.

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