

STATE OF OKLAHOMA

1st Session of the 59th Legislature (2023)

COMMITTEE SUBSTITUTE
FOR

SENATE BILL NO. 1187

By: Thompson (Roger) and Hall
of the Senate

and

Wallace and Martinez of the
House

COMMITTEE SUBSTITUTE

An Act relating to Oklahoma Aeronautics Commission;
making an appropriation; identifying source;
establishing amount; providing purpose; requiring and
limiting the utilization of funds; creating certain
special account; limiting duration of account;
requiring certain determination; providing and
limiting the nature of the account and funds within
the account; authorizing agency to submit request for
certain deposit or transfer; requiring certain
compliance and verification; authorizing certain
memorandums of understanding; limiting scope;
prohibiting certain memoranda terms; authorizing and
limiting the promulgation of rules and utilization of
procedures; authorizing and limiting the retention of
monies for administration costs; requiring certain
reports and submissions to certain entities;
requiring appearance before certain joint committee;
limiting duration of certain requirements; and
declaring an emergency.

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

SECTION 1. There is hereby appropriated to the Oklahoma
Aeronautics Commission from any monies not otherwise appropriated
from the Statewide Recovery Fund of the State Treasury created in

1 Enrolled House Bill No. 3349 of the 2nd Session of the 58th Oklahoma
2 Legislature, the sum of Six Hundred Thousand Dollars (\$600,000.00)
3 or so much thereof as may be necessary to address the negative
4 economic and public health impacts of the pandemic experienced by
5 the dedicated air and space museums and their ability to provide
6 education services. Such funds shall be utilized in a manner
7 consistent with the recommendations adopted by the Joint Committee
8 on Pandemic Relief Funding on May 11, 2023.

9 SECTION 2. A. There is hereby created in the State Treasury a
10 Statewide Recovery Special Account for the Oklahoma Aeronautics
11 Commission for the appropriated monies as provided in Section 1 of
12 this act. The duration of such account shall continue for the
13 period of time that monies related to the American Rescue Plan Act
14 of 2021 are being budgeted, expended, or managed in the state. The
15 ending of such period shall be determined by the State Treasurer,
16 and shall result in the closing of such account as a matter of law.
17 Such account shall be a continuing account as otherwise provided in
18 this section, not subject to fiscal year limitations, and shall
19 exclusively consist of monies related to the relevant appropriation
20 made in this act and as otherwise directed by law. All monies
21 deposited to the credit of such account are hereby appropriated and
22 may be budgeted and expended by the Oklahoma Aeronautics Commission
23 in accordance with the provisions of this act. Expenditures from
24 such account shall be made upon warrants issued by the State

1 Treasurer against claims filed as prescribed by law with the
2 Director of the Office of Management and Enterprise Services for
3 approval and payment.

4 B. The Oklahoma Aeronautics Commission is authorized to request
5 in writing that the monies appropriated by the provisions of this
6 act be deposited or transferred to the account created pursuant to
7 subsection A of this section. No later than seven (7) calendar days
8 from the date of such request, the Director of the Office of
9 Management and Enterprise Services shall comply with such request
10 and verify to the requesting agency that such deposit or transfer
11 has been completed.

12 SECTION 3. The Oklahoma Aeronautics Commission may enter into
13 memorandums of understanding with other agencies of the State of
14 Oklahoma for the auditing, documentation, evaluation,
15 implementation, oversight, reporting, and management of funds and
16 associated efforts related to the appropriation made in this act;
17 provided, no such memorandum of understanding shall require or
18 include, as an option or condition, the direct or practical transfer
19 or relinquishment of control by the agency appropriated such funds
20 to budget, expend, allocate, and request the distribution of the
21 funds appropriated by this act.

22 SECTION 4. The Oklahoma Aeronautics Commission may promulgate
23 rules, utilize existing rules, establish procedures, and utilize
24 existing procedures to implement the provisions of this act,

1 provided such rules and procedures do not conflict with or impede
2 the provisions of this act.

3 SECTION 5. The Oklahoma Aeronautics Commission shall retain no
4 more than two percent (2%) of the funds appropriated by this act to
5 reimburse:

6 1. Costs incurred by the Oklahoma Aeronautics Commission; or
7 2. Costs incurred on the agency's behalf,
8 associated with the administration of the appropriated funds and
9 programming required by the Oklahoma Aeronautics Commission under
10 the provisions of this act; provided, no funds shall be retained
11 that would be disallowable under the provisions of the American
12 Rescue Plan Act of 2021.

13 SECTION 6. A. The Oklahoma Aeronautics Commission shall:

14 1. Submit to the chairs of the Joint Committee on Pandemic
15 Relief Funding, or any successor of the Oklahoma State Senate or
16 Oklahoma House of Representatives legislative committee or joint
17 committee, as designated by the President Pro Tempore of the
18 Oklahoma State Senate and the Speaker of the Oklahoma House of
19 Representatives:

- 20 a. a written or electronic quarterly report detailing the
21 budgeting, expenditure, and management of all monies
22 appropriated in this act, and
23 b. a copy of all memorandums of understanding and
24 contracts with third parties entered into by the

Oklahoma Aeronautics Commission to facilitate, assist,
or administer powers and duties provided to the
Commission under the provisions of this act; and

2. At the Joint Committee on Pandemic Relief Funding's request,
appear before the Joint Committee no later than six (6) months after
the effective date of this act, and as otherwise requested by the
Joint Committee, to provide a status update regarding the
implementation of the provisions of this act.

B. The provisions of subsection A of this section shall remain
applicable for the period of time that monies appropriated under
this act are being budgeted, expended, or managed in the state. The
ending of such period shall be determined by the State Treasurer,
and shall be reported to the Governor, the President Pro Tempore of
the Oklahoma State Senate, and the Speaker of the Oklahoma House of
Representatives.

SECTION 7. It being immediately necessary for the preservation
of the public peace, health or 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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