

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                               STATE OF OKLAHOMA

3                               1st Session of the 59th Legislature (2023)

4   ENGROSSED SENATE  
5   BILL NO. 1187

                              By: Thompson (Roger) and Hall  
                              of the Senate

6   and

7   Wallace and Martinez of the  
8   House

9       An Act relating to Oklahoma Aeronautics Commission;  
10      making an appropriation; identifying source;  
11      establishing amount; providing purpose; requiring and  
12      limiting the utilization of funds; creating certain  
13      special account; limiting duration of account;  
14      requiring certain determination; providing and  
15      limiting the nature of the account and funds within  
16      the account; authorizing agency to submit request for  
17      certain deposit or transfer; requiring certain  
18      compliance and verification; authorizing certain  
19      memorandums of understanding; limiting scope;  
20      prohibiting certain memoranda terms; authorizing and  
21      limiting the promulgation of rules and utilization of  
22      procedures; authorizing and limiting the retention of  
23      monies for administration costs; requiring certain  
24      reports and submissions to certain entities;  
25      requiring appearance before certain joint committee;  
26      limiting duration of certain requirements; and  
27      declaring an emergency.

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

29       SECTION 1. There is hereby appropriated to the Oklahoma  
30      Aeronautics Commission from any monies not otherwise appropriated  
31      from the Statewide Recovery Fund of the State Treasury created in  
32      Enrolled House Bill No. 3349 of the 2nd Session of the 58th Oklahoma

1 Legislature, the sum of Six Hundred Thousand Dollars (\$600,000.00)  
2 or so much thereof as may be necessary to address the negative  
3 economic and public health impacts of the pandemic experienced by  
4 the dedicated air and space museums and their ability to provide  
5 education services. Such funds shall be utilized in a manner  
6 consistent with the recommendations adopted by the Joint Committee  
7 on Pandemic Relief Funding on May 11, 2023.

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

1 Director of the Office of Management and Enterprise Services for  
2 approval and payment.

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

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

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

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.

COMMITTEE REPORT BY: COMMITTEE ON JOINT COMMITTEE ON APPROPRIATIONS  
AND BUDGET, dated 05/16/2023 - DO PASS, As Amended.