

1 ENGROSSED SENATE
2 BILL NO. 1187

By: Thompson (Roger) and Hall
of the Senate

3 and

4 Wallace and Martinez of the
5 House

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

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

18 SECTION 1. There is hereby appropriated to the Oklahoma
19 Aeronautics Commission from any monies not otherwise appropriated
20 from the Statewide Recovery Fund of the State Treasury created in
21 Enrolled House Bill No. 3349 of the 2nd Session of the 58th Oklahoma
22 Legislature, the sum of Six Hundred Thousand Dollars (\$600,000.00)
23 or so much thereof as may be necessary to address the negative
24 economic and public health impacts of the pandemic experienced by

1 the dedicated air and space museums and their ability to provide
2 education services. Such funds shall be utilized in a manner
3 consistent with the recommendations adopted by the Joint Committee
4 on Pandemic Relief Funding on May 11, 2023.

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

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

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

19 SECTION 4. The Oklahoma Aeronautics Commission may promulgate
20 rules, utilize existing rules, establish procedures, and utilize
21 existing procedures to implement the provisions of this act,
22 provided such rules and procedures do not conflict with or impede
23 the provisions of this act.

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

4 1. Costs incurred by the Oklahoma Aeronautics Commission; or

5 2. Costs incurred on the agency's behalf,

6 associated with the administration of the appropriated funds and
7 programming required by the Oklahoma Aeronautics Commission under
8 the provisions of this act; provided, no funds shall be retained
9 that would be disallowable under the provisions of the American
10 Rescue Plan Act of 2021.

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

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

18 a. a written or electronic quarterly report detailing the
19 budgeting, expenditure, and management of all monies
20 appropriated in this act, and

21 b. a copy of all memorandums of understanding and
22 contracts with third parties entered into by the
23 Oklahoma Aeronautics Commission to facilitate, assist,
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1 or administer powers and duties provided to the
2 Commission under the provisions of this act; and

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

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

15 SECTION 7. It being immediately necessary for the preservation
16 of the public peace, health or safety, an emergency is hereby
17 declared to exist, by reason whereof this act shall take effect and
18 be in full force from and after its passage and approval.

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Passed the Senate the 17th day of May, 2023.

Presiding Officer of the Senate

Passed the House of Representatives the ____ day of _____,
2023.

Presiding Officer of the House
of Representatives