

SENATE FILE NO. SF0066

Aeronautics commission-amendments.

Sponsored by: Management Audit Committee

A BILL

for

1 AN ACT relating to the aeronautics commission; removing  
2 limitations on loans and grants; increasing the size of the  
3 commission as specified; requiring the commission to meet  
4 as specified; specifying that joint powers boards may  
5 participate in the grant-in-aid program; establishing and  
6 modifying duties of the commission as specified; requiring  
7 a report; amending the authority of the department of  
8 transportation to provide air transportation to state  
9 agencies as specified; providing term limit for  
10 commissioners; authorizing position and appropriation;  
11 repealing a duty of the commission; and providing for an  
12 effective date.

13

14 *Be It Enacted by the Legislature of the State of Wyoming:*

15

16 **Section 1.** W.S. 10-3-101(a) and by creating a new  
17 subsection (h), 10-3-201(b), (c)(intro), (ii) and by

1 creating new subsections (d) through (h), 10-3-202,  
2 10-3-401(a) and by creating a new subsection (d), 10-3-402  
3 and 10-3-403(a) are amended to read:

4

5 **10-3-101. Creation; composition; appointment; term;**  
6 **removal; qualifications; vacancies; compensation; office;**  
7 **acceptance of grants.**

8

9 (a) The commission is created to consist of ~~seven (7)~~  
10 eight (8) commissioners. Seven (7) commissioners shall be  
11 appointed by the governor, by and with the consent of the  
12 senate, each to serve for a term of six (6) years not to  
13 exceed two (2) terms. Two (2) commissioners shall be  
14 appointed at-large for a term of six (6) years. The  
15 director of the department shall serve as an ex officio and  
16 eighth member of the commission but shall not vote on  
17 matters before the commission. The governor may remove any  
18 appointed commissioner as provided in W.S. 9-1-202.

19

20 (h) The commission shall meet as necessary to  
21 properly exercise its functions, but shall meet not less  
22 than quarterly to consider the distribution of grants and  
23 loans under W.S. 10-3-401 and 10-3-403.

24

1           **10-3-201. Powers and duties generally.**

2

3           (b) In lieu of the requirements of this subsection,  
4 any airport sponsor may directly apply for, receive or  
5 disburse federal airport funds, and may also direct all  
6 construction and maintenance of the airport. The  
7 aeronautics commission may designate the airports to be  
8 built and maintained with the assistance of state or  
9 federal funds and is the sole authority to determine the  
10 disbursement of funds for the state's airports. The  
11 aeronautics commission through the department shall be the  
12 authority in the state to apply for, or directly accept,  
13 receive, receipt for or disburse any funds granted by the  
14 United States government for airport construction or  
15 maintenance. A county, city, town or ~~other political~~  
16 ~~subdivision~~ joint powers board may enter into an agreement  
17 with the division describing the terms and conditions of  
18 the agency in accordance with federal laws, rules and  
19 regulations and applicable laws of this state. The division  
20 may enforce the proper maintenance of these airports by the  
21 counties, cities and towns or joint powers boards as agreed  
22 in the contracts existing between the sponsors of the  
23 airports and the federal government. All construction and

1 maintenance of these airports shall be under the direction  
2 of the department.

3

4 (c) The department may offer engineering or other  
5 technical advice to any municipality, county, joint powers  
6 board or other qualified party in connection with the  
7 construction, maintenance or operation of airports. The  
8 commission shall encourage:

9

10 (ii) Interest in private flying and privately-  
11 owned planes; and

12

13 (d) The commission shall establish policies as may be  
14 appropriate for the division to implement the decisions of  
15 the commission and the aeronautical purposes of this title  
16 and for the exercise of duties of the division.

17

18 (e) The commission shall assist communities in  
19 coordinating efforts, facilitating, recruiting and  
20 attracting and promoting the development, improvement and  
21 retention of commercial air service in the state. The  
22 assistance may include studying airline and aircraft  
23 profitability, route analysis, air fare monitoring and

1 recommendations for legislative changes to enhance air  
2 services in the state.

3

4 (f) There is created a new position in the office of  
5 the governor that shall coordinate with the commission to  
6 market and advocate airline service in Wyoming pursuant to  
7 subsection (e) of this section. The person appointed by  
8 the governor may be an at-will employee or an at-will  
9 contract employee and may be removed by the governor as  
10 provided in W.S. 9-1-202.

11

12 (g) The commission may promulgate reasonable rules,  
13 regulations and procedures and establish standards as  
14 necessary to carry out the functions of the division.

15

16 (h) No later than September 1, 2006, the commission  
17 shall submit a report to the joint transportation and  
18 highways interim committee detailing the duties performed  
19 by the division and commission, including recommendations  
20 regarding the structure and functions of the division and  
21 commission, and whether the division should continue their  
22 duties within the department or operate as a separate  
23 operating agency. In addition, the commission shall report

1 on the efficacy of the position in the governor's office to  
2 market and advocate airline service in Wyoming.

3

4 **10-3-202. Authority to provide air transportation to**  
5 **departments and agencies of state.**

6

7 The ~~department may~~ division may provide air transportation  
8 to departments and agencies of state government directly,  
9 but may contract for such services under fractional  
10 ownership agreements or otherwise under conditions which  
11 are considered by the department or agency head to be  
12 urgent and to justify such air transportation and when  
13 justified within the limits of W.S. 9-4-204(p) and  
14 9-4-205(e).

15

16 **10-3-401. Grants-in-aid for airport construction and**  
17 **improvement and air service promotion; authority to make;**  
18 **limitation.**

19

20 (a) The commission may make grants-in-aid from state  
21 funds for construction and development of airports to  
22 counties, cities, ~~and~~ towns and joint powers boards within  
23 the state. No grant-in-aid for planning, construction or  
24 improvement of any airport shall be made unless the airport

1 is owned, leased or held under a state or federal special  
2 use permit or agreement, exclusively or jointly, by the  
3 county, city, ~~or town~~ or joint powers board to which the  
4 grant is made. ~~Each grant shall be limited to five hundred~~  
5 ~~thousand dollars (\$500,000.00).~~ Grants may be spent for  
6 runways, terminals, hangars and other improvements and for  
7 planning any such improvements to the airport. The  
8 commission may designate state funds for purposes of  
9 creating, amending and updating any system plan of an  
10 airport for the state.

11

12 (d) In administering the grant program, and in  
13 consultation with the Federal Aviation Administration and  
14 local airport sponsors, the commission shall establish,  
15 amend and have available, at least one hundred twenty (120)  
16 days before each biennial legislative budget session, a  
17 five (5) year capital improvement plan for airports in the  
18 state and a system for prioritizing projects to be funded  
19 by state and federal grants.

20

21 **10-3-402. Grants-in-aid for airport construction and**  
22 **improvement; expenditures by county, city or town.**

23

1 ~~No~~ Expenditure of state funds shall be made under W.S.  
2 ~~10-3-401~~ unless the county, city or town expends at least  
3 ~~fifty percent (50%) of the local-state share of any project~~  
4 ~~for which the grant-in-aid is made. However, the commission~~  
5 ~~may grant in excess of fifty percent (50%) of the local-~~  
6 ~~state share of a project if the commission determines that~~  
7 ~~the applicant is utilizing all other local revenue sources~~  
8 ~~reasonably and legally available to finance a project~~ the  
9 discretion of the commission.

10  
11 **10-3-403. Loans for airport construction and**  
12 **improvement and air service promotion; authority to make;**  
13 **security; rulemaking authority; limitation.**

14  
15 (a) The commission may make loans to counties, cities  
16 and towns and joint powers boards within the state for  
17 construction, development and improvement of airport  
18 facilities generating user fees. The loans shall be from  
19 the permanent mineral trust fund and shall not exceed the  
20 aggregate of ~~two million dollars (\$2,000,000.00)~~ four  
21 million dollars (\$4,000,000.00), not including all loans  
22 made under this subsection prior to July 1, ~~1999~~ 2003 and  
23 still outstanding on that date. ~~No single loan shall exceed~~  
24 ~~five hundred thousand dollars (\$500,000.00).~~



1

2 **Section 2.** W.S. 10-3-201(c)(iv) is repealed.

3

4 **Section 3.** There is appropriated seventy-six thousand  
5 dollars (\$76,000.00), or as much thereof as is necessary,  
6 from the general fund to the governor's office for the  
7 fiscal year beginning July 1, 2003, for one (1) full-time  
8 equivalent position for the fiscal year beginning July 1,  
9 2003, to implement the purposes of this act, provided this  
10 position shall coordinate with the commission.

11

12 **Section 4.** This act is effective July 1, 2003.

13

14 (END)