

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
6 expanded duties of the commission as specified; requiring a
7 report; amending the authority of the department of
8 transportation to provide air transportation to state
9 agencies as specified; creating a revolving loan program as
10 specified; repealing a duty of the commission; and
11 providing for an effective date.

12

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

14

15 **Section 1.** W.S. 10-3-101(a) and by creating a new
16 subsection (h), 10-3-201(b), (c)(intro), (ii) and by
17 creating new subsections (d) through (g), 10-3-202,

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

3

4 **10-3-101. Creation; composition; appointment; term;**
5 **removal; qualifications; vacancies; compensation; office;**
6 **acceptance of grants.**

7

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

18

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

23

24 **10-3-201. Powers and duties generally.**

1

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

21

22 (c) The ~~department~~ division may offer engineering or
23 other technical advice to any municipality, county, joint
24 powers board or other qualified party in connection with

1 the construction, maintenance or operation of airports. The
2 commission shall encourage:

3

4 (ii) Interest in private flying and privately-
5 owned planes; and

6

7 (d) The commission shall establish policies as may be
8 appropriate for the division to implement the decisions of
9 the commission and the aeronautical purposes of this title
10 and for the exercise of duties of the division.

11

12 (e) The commission shall assist communities in
13 coordinating efforts, facilitating, recruiting and
14 attracting and promoting the development, improvement and
15 retention of commercial air service in the state. The
16 assistance may include studying airline and aircraft
17 profitability, route analysis, air fare monitoring and
18 recommendations for legislative changes to enhance air
19 services in the state.

20

21 (f) The commission may promulgate reasonable rules,
22 regulations and procedures and establish standards as
23 necessary to carry out the functions of the division.

24

1 (g) No later than September 1, 2006, the commission
2 shall submit a report to the joint transportation and
3 highways interim committee detailing the duties performed
4 by the division and commission, including recommendations
5 regarding the structure and functions of the division and
6 commission, and whether the division and commission should
7 continue their duties within the department or operate as a
8 separate operating agency and commission, respectively.

9
10 **10-3-202. Authority to provide air transportation to**
11 **departments and agencies of state.**

12
13 The ~~department may~~ division shall not provide air
14 transportation to departments and agencies of state
15 government directly, but may contract for such services
16 under fractional ownership agreements or otherwise under
17 conditions which are considered by the department or agency
18 head to be urgent and to justify such air transportation
19 and when justified within the limits of W.S. 9-4-204(p) and
20 9-4-205 (e) .

21
22 **10-3-401. Grants-in-aid for airport construction and**
23 **improvement and air service promotion; authority to make;**
24 **limitation.**

1

2 (a) The commission may make grants-in-aid from state
3 funds for construction and development of airports to
4 counties, cities, ~~and towns~~ and joint powers boards within
5 the state. No grant-in-aid for planning, construction or
6 improvement of any airport shall be made unless the airport
7 is owned, leased or held under a state or federal special
8 use permit or agreement, exclusively or jointly, by the
9 county, city, ~~or town~~ or joint powers board to which the
10 grant is made. ~~Each grant shall be limited to five hundred~~
11 ~~thousand dollars (\$500,000.00).~~ Grants may be spent for
12 runways, terminals, hangars and other improvements and for
13 planning any such improvements to the airport. The
14 commission may designate state funds for purposes of
15 creating, amending and updating any system plan of an
16 airport for the state.

17

18 (d) In administering the grant program, and in
19 consultation with the Federal Aviation Administration and
20 local airport sponsors, the commission shall establish,
21 amend and have available, at least one hundred twenty (120)
22 days before each biennial legislative budget session, a
23 five (5) year capital improvement plan for airports in the

1 state and a system for prioritizing projects to be funded
2 by state and federal grants.

3

4 **10-3-402. Grants-in-aid for airport construction and**
5 **improvement; expenditures by county, city or town.**

6

7 (a) No expenditure of state funds shall be made under
8 W.S. 10-3-401 unless the county, city, ~~or town~~ or joint
9 powers board expends at least ~~fifty percent (50%) of the~~
10 ~~local-state~~ share of any project for which the grant-in-aid
11 is made in accordance with the formula established in
12 subsection (b) of this section. However, the commission may
13 grant in excess of ~~fifty percent (50%) of the local-state~~
14 such share of a project if the commission determines that
15 the applicant is utilizing all other local revenue sources
16 reasonably and legally available to finance a project.

17

18 (b) Expenditures of state funds made under W.S.
19 10-3-401 shall be made on a matching fund basis. If federal
20 funds are involved, the matching formula shall be ninety
21 percent (90%) federal funds, eight percent (8%) state funds
22 and two percent (2%) local funds. If federal funds are not
23 involved, the matching ratio between state and local funds
24 shall be determined by the commission.

1

2 **10-3-403. Loans for airport construction and**
3 **improvement and air service promotion; authority to make;**
4 **security; rulemaking authority; limitation.**

5

6 (a) The commission may make loans to counties, cities
7 and towns and joint powers boards within the state for
8 construction, development and improvement of airport
9 facilities generating user fees. The loans shall be from
10 ~~the permanent mineral trust~~ a revolving loan fund which is
11 hereby established and shall not exceed the aggregate of
12 ~~two million dollars (\$2,000,000.00)~~ four million dollars
13 (\$4,000,000.00), not including all loans made under this
14 subsection prior to July 1, ~~1999~~ 2003 and still outstanding
15 on that date. ~~No single loan shall exceed five hundred~~
16 ~~thousand dollars (\$500,000.00).~~

17

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

19

20 **Section 3.** This act is effective July 1, 2003.

21

22

(END)