

1-1 By: Fraser S.B. No. 915  
1-2 (In the Senate - Filed March 6, 2003; March 11, 2003, read  
1-3 first time and referred to Committee on Government Organization;  
1-4 April 8, 2003, reported adversely, with favorable Committee  
1-5 Substitute by the following vote: Yeas 7, Nays 0; April 8, 2003,  
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 915 By: Ratliff

1-8 A BILL TO BE ENTITLED  
1-9 AN ACT

1-10 relating to the method and source of funding for the State Aircraft  
1-11 Pooling Board.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Subsections (b) and (c), Section 2205.007,  
1-14 Government Code, are amended to read as follows:

1-15 (b) An officer, employee, or paid consultant of a Texas  
1-16 trade association in the field of aircraft sales and leasing may not  
1-17 be a board member or a board employee who is exempt from the board's  
1-18 [~~state's position classification plan or is compensated at or above~~  
1-19 ~~the amount prescribed by the General Appropriations Act for step 1,~~  
1-20 ~~salary group 17, of the~~] position classification salary schedule.

1-21 (c) A person who is the spouse of an officer, manager, or  
1-22 paid consultant of a Texas trade association in the field of  
1-23 aircraft sales and leasing may not be a board member and may not be a  
1-24 board employee who is exempt from the board's [~~state's position~~  
1-25 ~~classification plan or is compensated at or above the amount~~  
1-26 ~~prescribed by the General Appropriations Act for step 1, salary~~  
1-27 ~~group 17, of the~~] position classification salary schedule.

1-28 SECTION 2. Subsection (a), Section 2205.012, Government  
1-29 Code, is amended to read as follows:

1-30 (a) The board may employ and compensate staff [~~as provided~~  
1-31 ~~by legislative appropriation~~] or may use staff provided by the  
1-32 Texas Building and Procurement [General Services] Commission or the  
1-33 state auditor's office.

1-34 SECTION 3. Section 2205.016, Government Code, is amended to  
1-35 read as follows:

1-36 Sec. 2205.016. ANNUAL REPORT. [~~(a)~~] The board shall file  
1-37 annually with the governor and the presiding officer of each house  
1-38 of the legislature a complete and detailed written report  
1-39 accounting for all funds received and disbursed by the board during  
1-40 the preceding fiscal year.

1-41 [~~(b) The annual report must be in the form and reported in~~  
1-42 ~~the time provided by the General Appropriations Act.~~]

1-43 SECTION 4. Subchapter A, Chapter 2205, Government Code, is  
1-44 amended by adding Section 2205.020 to read as follows:

1-45 Sec. 2205.020. SOURCE OF FUNDING. The board may not receive  
1-46 appropriations from the state. All expenses of the board shall be  
1-47 paid from funds received under Section 2205.040.

1-48 SECTION 5. Subsections (b) and (c), Section 2205.032,  
1-49 Government Code, are amended to read as follows:

1-50 (b) The board may purchase aircraft with funds received  
1-51 under Section 2205.040 [appropriated for that purpose].

1-52 (c) As part of the strategic plan that the board develops  
1-53 and submits under Chapter 2056, the board shall develop a  
1-54 long-range plan for its pool of aircraft. [~~The board shall include~~  
1-55 ~~appropriate portions of the long-range plan in its legislative~~  
1-56 ~~appropriations request.~~] The long-range plan must include  
1-57 estimates of future aircraft replacement needs and other fleet  
1-58 management needs, including any projected need to increase or  
1-59 decrease the number of aircraft in the pool. In developing the  
1-60 long-range plan, the board shall consider at a minimum for each  
1-61 aircraft in the pool:

1-62 (1) how much the aircraft is used and the purposes for  
1-63 which it is used;

2-1 (2) the cost of operating the aircraft and the revenue  
2-2 generated by the aircraft; and  
2-3 (3) the demand for the aircraft or for that type of  
2-4 aircraft.

2-5 SECTION 6. Subsection (a), Section 2205.034, Government  
2-6 Code, is amended to read as follows:

2-7 (a) The board may acquire appropriate facilities for the  
2-8 accommodation of all aircraft owned or leased by the state. The  
2-9 facilities may be purchased or leased as determined by the board to  
2-10 be most economical for the state [~~and as provided by legislative~~  
2-11 ~~appropriations~~]. The facilities may include adequate hangar space,  
2-12 an indoor passenger waiting area, a flight-planning area,  
2-13 communications facilities, and other related and necessary  
2-14 facilities.

2-15 SECTION 7. Section 2205.040, Government Code, is amended to  
2-16 read as follows:

2-17 Sec. 2205.040. RATES AND BILLING PROCEDURES. (a) The  
2-18 board shall adopt rates for interagency aircraft services that are  
2-19 sufficient to recover [~~in the aggregate and to the extent~~  
2-20 ~~possible,~~] all expenses of [direct costs for] the board [services  
2-21 provided], including current obligations for capital equipment  
2-22 financed under the Texas Public Finance Authority's master lease  
2-23 purchase program and aircraft replacement costs [a state agency's  
2-24 pro rata share of major maintenance, overhauls of equipment and  
2-25 facilities, and pilots' salaries].

2-26 (b) The board shall deposit revenue in an amount sufficient  
2-27 to pay its current obligations for aircraft and other capital  
2-28 equipment financed under the Texas Public Finance Authority's  
2-29 master lease purchase program to the credit of a special account  
2-30 established by the comptroller in the general revenue fund. The  
2-31 board may, in its discretion, deposit additional revenue into and  
2-32 pay additional expenses from the account.

2-33 (c) The Legislative Budget Board, in cooperation with the  
2-34 board and the state auditor, shall:

2-35 (1) prescribe a billing procedure for passenger travel  
2-36 on state-operated aircraft; and

2-37 (2) confirm that the rates adopted under this section  
2-38 are sufficient to recover all expenses of the board.

2-39 SECTION 8. This Act takes effect September 1, 2003.

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