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## Transportation Committee

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### HB 1712

**Brief Description:** Concerning municipal airport commissions.

**Sponsors:** Representatives Dent, Riccelli, Dufault, Eslick and Griffey.

**Brief Summary of Bill**

- Makes various changes to the powers and duties of a municipal airport commission (Commission) and the requirements for Commission members.
- Requires reauthorization of a Commission every two years and allows the municipality to vest authority in a Commission to apply for loans through the Public Use General Aviation Airport Loan program.
- Allows leases entered into before the effective date of the bill to extend beyond the current maximum 75-year term, but reduces the maximum term of a lease entered into after the effective of the bill to 50 years.

**Hearing Date:** 1/18/22

**Staff:** David Munnecke (786-7315).

**Background:**

The Revised Airports Act of 1945 (RAA) grants municipalities the authority to establish, operate, and regulate municipal airports and other air navigational facilities. Additionally, under the RAA, municipalities that have established or may establish airports or other air navigation facilities within their boundaries are granted specific powers related to airport operations, including the authority to:

- vest authority for the construction, enlargement, maintenance, equipment, operation, and regulation of airports or related facilities in an officer, board, or body of the municipality;

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- adopt and amend all needed rules, regulations, and ordinances for the management, government, and use of airport properties under its control;
- sell or lease real or personal property acquired for airport purposes and belonging to the municipality, which, in the judgment of its governing body, may not be required for aircraft landings, aircraft takeoffs or related aeronautic purposes; and
- determine, with some limitations, the charges or rental for the use of any properties under its control and the terms and conditions under which the properties may be used.

### **Summary of Bill:**

The powers and duties of a municipal airport commission (Commission) are clarified to include construction, enlargement, improvement, maintenance, equipment, and operation, in addition to the currently explicit allowance for industrial and commercial development. Management is added to the list of powers and duties of a Commission and the list of expenses that are the responsibility of the municipality creating the Commission. The travel compensation for municipal airport commissioners (Commissioners) is capped at the U.S. General Services Administration per diem rate.

New requirements for Commissioners are created, as follows:

- in a municipality with a population of 35,000 or greater, Commissioners must be residents of the municipality;
- in a municipality with a population of fewer than 35,000, at least two Commissioners must be residents of the municipality or the county in which the municipality is located, with any remaining Commissioners residents of a county or counties adjoining the municipality or the county in which the municipality is located;
- a majority of the Commissioners must have expertise in: the aviation industry; business administration or operations; finance; accounting; marketing; economic development; commercial real estate development; engineering; planning and construction; law; utilities; or other related experience from industries that have a logical nexus with airport administration, operations, and development; and
- Commissioners must agree to adhere to the ethical standards of conduct adopted by the municipality or the Commission.

The municipality establishing a Commission is required to reauthorize it every two years, in order to prevent the dissolution of the Commission. In the event of dissolution, any assets of the Commission must be used to settle any outstanding obligations, with the remainder becoming the property of the municipality.

The municipality is allowed to vest authority in a Commission to apply for loans through the Public Use General Aviation Airport Loan program.

Leases entered into before the effective date of the bill are allowed to extend beyond the current maximum 75-year term, but the maximum term of a lease entered into after the effective of the bill is reduced to 50 years.

**Appropriation:** None.

**Fiscal Note:** Requested on January 11, 2022.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.