



This Bill Analysis reflects the contents of the bill as it was presented in committee.

# HOUSE BILL 1037: Lincolnton Airport Authority/Contract Length.

2016-2017 General Assembly

<b>Committee:</b>	Senate State and Local Government	<b>Date:</b>	June 1, 2016
<b>Introduced by:</b>	Rep. Saine	<b>Prepared by:</b>	Brad Krehely
<b>Analysis of:</b>	Second Edition		Committee Co-Counsel

**SUMMARY:** House Bill 1037 would amend the length of time for which the Lincolnton-Lincoln County Airport Authority may contract for lease of property and would make a technical correction to the session laws related to the Airport Authority. The act would be effective when it becomes law.

**CURRENT LAW:** In 1977, the General Assembly authorized the creation of the City of Lincolnton-County of Lincoln Airport Authority. According to the Airport Authority, an airport was opened in 1986.

In 1996, without repealing the 1977 session law, the General Assembly created the Lincolnton-Lincoln County Airport Authority (the "Airport Authority"). The Airport Authority consists of seven members, three appointed to staggered three-year terms by the Lincolnton City Council, three appointed to staggered three-year terms by the Lincoln County Board of Commissioners, and one appointed by the other six members of the Airport Authority. The members appointed by the Lincolnton City Council must be qualified voters of the City of Lincolnton, and the members appointed by the Lincoln County Board of Commissioners and the Airport Authority must be qualified voters of the County of Lincoln.

Via the 1996 Session, the Airport Authority received certain powers and authorities that include:

- Establishing, maintaining, and operating airports and landing fields for the use of airplanes and other aircraft within the limits of Lincoln County.
- To sue and be sued, and make contracts, in the name of the Airport Authority.
- Charging and collecting reasonable and adequate fees and rents for the use of airport property.
- Making reasonable rules and regulations for the proper maintenance, use, operation, and control of the airport.
- Issuing bonds pursuant to Article 5 of Chapter 159 of the General Statutes.
- Selling, leasing, or otherwise disposing of any real or personal property belonging to the Airport Authority, in accordance the General Statutes and with the approval of the Lincoln County Board of Commissioners and the Lincolnton City Council.
- Purchasing any insurance that the Federal Aviation Administration or the Airport Authority deems necessary.
- Investing funds as provided by the Local Government Finance Act.
- Purchase any of its outstanding bonds or notes.
- Operating, owning, leasing, or granting to others, for a period not to exceed 25 years, the right to operate on any airport premises restaurants, snack bars, vending machines, food and beverage dispensing outlets, rental car services, catering services, novelty shops, insurance sales, advertising media, merchandising outlets, motels,

Karen Cochrane-Brown  
Director



Legislative Analysis  
Division  
919-733-2578

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hotels, barber shops, automobile parking and storage facilities, automobile service establishments, and all other types of facilities related to the airport.

- Contracting, for terms not to exceed 25 years, for the operation of airline-scheduled passenger and freight flights, nonscheduled flights, and any other airplane activities.
- Constructing buildings, hangars, shops, and other improvements and facilities, and lease those improvements and facilities for a term or terms not to exceed 25 years.
- Subject to the limitations of S.L. 1996es-10, to have all the same power and authority granted to cities and counties under Chapter 63 of the General Statutes, Aeronautics.
- To have a corporate seal, which may be altered at will.

**BILL ANALYSIS:** House Bill 1037 would do both of the following:

- Amend the powers and duties of the Airport Authority to permit that body to enter into certain contracts for a period of up to 50 years, rather than the current authorization for up to 25 years.
- Repeal the 1977 session law that is no longer in active use governing the Airport Authority.

**EFFECTIVE DATE:** Effective when it becomes law.

\*R. Erika Churchill, Counsel to House Local Government, contributed substantially to this summary.