

Hall of the House of Representatives

88th General Assembly - Regular Session, 2011

Amendment Form

Subtitle of Senate Bill No. 207

TO AMEND THE REGIONAL AIRPORT ACT.

Amendment No. 2 to Senate Bill No. 207

Amend Senate Bill No. 207 as engrossed, S2/7/11 (version: 2/7/2011 08:55:44 AM)

Delete the title in its entirety and substitute the following:
"AN ACT TO AMEND THE LAW CONCERNING AIRPORT AUTHORITY; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES."

AND

Delete the subtitle in its entirety and substitute the following:
"TO AMEND THE LAW CONCERNING AIRPORT AUTHORITY AND TO DECLARE AN EMERGENCY."

AND

Page 2, line 9, delete "and located"

AND

Page 2, line 10, delete "adjacent to a navigable river"

AND

Page 2, delete lines 14 and 15, and substitute the following:
"same queing access as all commercial shuttles, limos, taxi cabs, airport-owned vans or buses, and valet services.

(C) The For an airport located in a county with a population of at least three hundred sixty thousand (360,000) and in a city with a population of at least one hundred seventy-five thousand (175,000) according to the most recent federal decennial census, tolls and fees fixed by the authority shall not be subject to supervision or regulation by any other commission, board, bureau, or agency of the State of Arkansas;

SECTION 2. Arkansas Code § 14-359-109 is amended to read as follows:
14-359-109. Authority of commissioners.



(a)(1) The commissioners appointed under this chapter shall have full and complete authority to manage, operate, improve, extend, and maintain the municipal airport and its related properties and facilities.

(2) The commissioners shall have full and complete charge of the airport and its related properties and facilities, including the right to employ or remove any and all assistants and employees of whatsoever nature, kind, or character and to fix, regulate, and pay their salaries.

(b)(1) It is the intention of this chapter to vest in the commissioners unlimited authority to operate, manage, maintain, improve, and extend the municipally owned airport and its related properties and facilities, and to have full and complete charge of it, including without limitation the authority to charge and collect tolls and fees from vehicles accessing or departing from the airport, and to make reasonable tolls and fees in accordance with industry standards and to make reasonable classifications of vehicles for this purpose.

(2)(A) The tolls or fees levied for use of airport roads by private off-facility parking services at an airport located in a county with a population of at least three hundred sixty thousand (360,000) and in a city with a population of at least one hundred seventy-five thousand (175,000) according to the most recent federal decennial census, shall not exceed the local sales tax rate of the municipality in which the airport is located.

(B) Private off-facility parking services shall have full access to drop off and pick up airport passengers and the same queing access as all commercial shuttles, limos, taxi cabs, airport-owned vans or buses, and valet services.

(C) For an airport located in a county with a population of at least three hundred sixty thousand (360,000) and in a city with a population of at least one hundred seventy-five thousand (175,000) according to the most recent federal decennial census, tolls and fees fixed by the authority shall not be subject to supervision or regulation by any other commission, board, bureau, or agency of the State of Arkansas.

SECTION 3. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that some tolls and fees being charged by airports in the state are much higher than the local sales tax rate; that this is inequitable; and that this act is immediately necessary because there is a high potential for an illegal exaction lawsuit against these airports. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on:

(1) The date of its approval by the Governor;

(2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or

(3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto."

The Amendment was read _____
By: Representative Carter
KLL/YTC - 02/18/11 12:00
KLL161

Chief Clerk

