

IN THE SENATE

SENATE BILL NO. 1330

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO AIR NAVIGATION FACILITIES; AMENDING SECTION 21-401, IDAHO CODE,  
TO REMOVE LANGUAGE RELATING TO AN ELECTION REGARDING CERTAIN BONDS.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 21-401, Idaho Code, be, and the same is hereby amended to read as follows:

21-401. AUTHORITY TO PROVIDE FACILITIES -- EXPENSE -- ISSUANCE OF BONDS -- DUTIES OF COMMISSIONERS AND COUNCILMEN -- RESTRICTION ON LEASE OF FACILITIES. Counties, highway districts and cities are hereby authorized to acquire by purchase, lease, condemnation, or otherwise, take over and hold lands either wholly or partly within or without the boundaries or corporate limits of such counties, highway districts or cities, or wholly or partly within or without the state of Idaho, for the purpose of constructing and maintaining aviation fields, airports, hangars and other air navigation facilities; to provide equipment necessary or incidental to the maintenance and operation of such aviation fields or airports; to maintain, operate and manage such aviation fields, airports and grounds and prescribe rules and regulations for the maintenance, operation and management thereof, and fix fees and rentals to be charged for the use of the same or any part thereof; to survey, plat, map, grade, ornament and otherwise improve such lands and all appurtenances thereto, whether owned and operated or owned or leased by such counties, highway districts or cities, and all approaches and avenues leading to or adjacent thereto; to lease for aviation purposes or for any purposes connected therewith and incidental thereto and for such commercial purposes as the governing bodies of such counties, highway districts and cities may determine upon all or any part of the land or lands so required, under such regulations and upon such terms and conditions as shall be established by such governing bodies, and not subject to the limitation as to length of term prescribed in section 31-836, Idaho Code; to construct, operate and maintain hangars, buildings and equipment necessary or convenient to the maintenance and operation of aviation fields or airports.

Counties, highway districts and cities are hereby empowered to provide for all costs and expenses necessary or incident to the exercise of the foregoing powers or the attainment of the foregoing objects or any of them, out of the general funds or out of any of the funds made available for such purposes, of such counties, highway districts and cities, or to issue bonds pursuant to law for the payment of any or all of such costs and expenses except for the maintenance and operation of such aviation fields or airports; ~~provided, that no bonds shall be issued for the purposes aforesaid unless and until authorized by a vote of two-thirds (2/3) of the qualified electors of the county, highway district or municipality, voting at such election held subject to the provisions of section 34-106, Idaho Code.~~ Nothing contained

1 in this chapter shall be construed to increase the maximum of any tax levies  
2 for counties, highway districts or cities.

3 The boards of county commissioners of their respective counties, the  
4 highway commissioners of their respective highway districts and the coun-  
5 cilmen of their respective cities, shall have jurisdiction and power under  
6 such limitations and restrictions as are prescribed by law to carry into full  
7 force and effect all of the provisions of this law.

8 Such aviation fields or airports shall in no case be leased to any per-  
9 son, association or corporation under such terms or conditions as to give  
10 such person, association or corporation, the exclusive right to the use of  
11 such aviation fields or airports.