

State of Arizona
Senate
Forty-fifth Legislature
First Regular Session
2001

CHAPTER 99

SENATE BILL 1218

AN ACT

AMENDING SECTION 28-8424, ARIZONA REVISED STATUTES; AMENDING LAWS 2000,
CHAPTER 99, SECTION 11; RELATING TO THE GRAND CANYON NATIONAL PARK AIRPORT.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 28-8424, Arizona Revised Statutes, is amended to
3 read:

4 28-8424. Nonprofit corporation lessees; status; authority;
5 exemptions

6 A. A nonprofit corporation that is a lessee as provided in section
7 28-8423:

8 1. Is a validly organized and existing body politic and corporate
9 exercising its powers for the benefit of the people, for the improvement of
10 the people's health and welfare and for the increase of the people's traffic
11 and prosperity.

12 2. Is engaged in a public purpose essential to transportation and
13 communication.

14 3. Performs an essential governmental function as an agency or
15 instrumentality of the city, town, county or state.

16 4. Is exempt from property taxation by this state or an agency of this
17 state.

18 5. Possesses and may exercise police powers and other governmental
19 powers on the terms, conditions, limitations, restrictions and agreements
20 provided in the lease agreements.

21 6. May issue bonds, incur obligations and pledge its revenues as
22 security for the payment of bonds and obligations for airport and air
23 terminal purposes to the extent provided by the lease agreement as it exists
24 or as it may be amended, without regard to any statutory limitation of
25 indebtedness of corporations having authorized capital stock.

26 B. THE FOLLOWING DO NOT APPLY TO A NONPROFIT CORPORATION THAT LEASES
27 THE GRAND CANYON NATIONAL PARK AIRPORT AS PROVIDED IN SECTION 28-8423:

28 1. CHAPTER 20, ARTICLE 2 OF THIS TITLE.

29 2. TITLE 33, CHAPTER 7, ARTICLE 6.

30 3. TITLE 41, CHAPTER 4, ARTICLE 5 AND 6.

31 4. TITLE 41, CHAPTER 6.

32 5. TITLE 41, CHAPTER 23.

33 Sec. 2. Laws 2000, chapter 99, section 11 is amended to read:

34 Sec. 11. Lease of Grand Canyon national park airport; transfer
35 of powers and matters to lessee; appropriation;
36 reversion

37 A. ~~On or before March 1, 2001,~~ The department of transportation shall
38 lease any and all land, buildings, facilities and other property comprising
39 the Grand Canyon national park airport located in the Kaibab national forest,
40 Coconino county, to a nonprofit corporation formed for the purpose of leasing
41 and operating the airport and selected by the director of the department of
42 transportation without regard to any bidding, notice or other requirements,
43 including the requirements prescribed in section 28-8425, Arizona Revised
44 Statutes, as amended by this act. The lease may be for a term of not more
45 than twenty years, may contain an option to renew the lease for an additional

1 ~~period of not more than twenty years and~~ may be amended, renewed or extended
2 as provided by law, including sections 28-8423 and 28-8425, Arizona Revised
3 Statutes. The department of transportation shall submit the lease for review
4 by the joint legislative budget committee not less than thirty days before
5 it intends to execute the lease. The department of transportation shall not
6 execute the lease until the joint legislative budget committee reviews the
7 lease and submits a report summarizing the terms of the lease to the speaker
8 of the house of representatives and the president of the senate. Joint
9 legislative budget committee staff shall submit this report within thirty
10 days after receipt of the lease from the department of transportation.

11 B. In connection with the leasing of the Grand Canyon national park
12 airport, with the exception of the real property and the improvements on the
13 real property, the department of transportation may transfer, assign or
14 otherwise confer in any manner to the lessee all matters, including
15 contracts, permits, rights, licenses, cash, revenues and property related to
16 the airport or required under the lease, without regard to any bidding,
17 notice or other procedures or requirements of law. All amounts in the Grand
18 Canyon national park airport account of the state aviation fund are
19 appropriated to the department of transportation ~~for the fiscal year in which~~
20 ~~this act becomes effective~~ and shall be transferred by the department to the
21 nonprofit corporation leasing the Grand Canyon national park airport on the
22 effective date of the lease.

23 C. Any amounts that are appropriated to the department of
24 transportation for transfer to the nonprofit corporation leasing the Grand
25 Canyon national park airport pursuant to subsection B of this section and
26 that have not been so transferred and remain unexpended and unencumbered in
27 the Grand Canyon national park airport account of the state aviation fund on
28 July 1, 2001 2002 revert to the state aviation fund.

29 Sec. 3. Emergency

30 This act is an emergency measure that is necessary to preserve the
31 public peace, health or safety and is operative immediately as provided by
32 law.

APPROVED BY THE GOVERNOR APRIL 11, 2001.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 12, 2001.

SENATE CONCURS IN HOUSE
AMENDMENTS AND FINAL PASSAGE

Passed the Senate April 5, 2001,

by the following vote: 25 Ayes,

4 Nays, 1 Not Voting
with emergency

Randall Ament
President of the Senate

Norma Lovel
Asst. Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

5 day of April, 2001,

at 1:07 o'clock P M.

Sandra Ramirez
Secretary to the Governor

APPROVED THIS 11 day of

April, 2001,

at 1:42 o'clock P M.

Jon Kyl
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 12 day of April, 2001,

at 3:30 o'clock P M.

Kathy Bowers
Secretary of State

S.B. 1218