

LEGISLATURE OF NEBRASKA
ONE HUNDRED THIRD LEGISLATURE
FIRST SESSION
LEGISLATIVE BILL 87

Introduced by McGill, 26.

Read first time January 10, 2013

Committee: Urban Affairs

A BILL

1 FOR AN ACT relating to the Cities Airport Authorities Act; to amend
2 section 3-502, Reissue Revised Statutes of Nebraska; to
3 change provisions for filling vacancies on the board; and
4 to repeal the original section.
5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 3-502, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 3-502 (1) Any city may create an airport authority to be
4 managed and controlled by a board. The board, when and if appointed,
5 shall have full and exclusive jurisdiction and control over all
6 facilities owned or thereafter acquired by such city for the purpose
7 of aviation operation, air navigation, and air safety operation.

8 (2) The Cities Airport Authorities Act shall not become
9 operative as to any city unless the mayor and city council in their
10 discretion activate the airport authority by the mayor appointing and
11 the council approving the board members as provided in this section.
12 Each such board shall be a body corporate and politic, constituting a
13 public corporation and an agency of the city for which such board is
14 established.

15 (3) Each board in cities of the primary, first, and
16 second classes and in villages shall consist of five members to be
17 appointed by the mayor with the approval of the city council to serve
18 until their successors elected pursuant to section 32-547 take
19 office. Members of such board shall be residents of the city for
20 which such authority is created. Any vacancy on such board shall be
21 filled by ~~temporary~~ appointment by the mayor, with the approval of
22 the city council, ~~until a successor can be elected, at the next~~
23 ~~general city election,~~ to serve the unexpired portion, ~~if any,~~ of the
24 term. A member of such board may be removed from office for
25 incompetence, neglect of duty, or malfeasance in office. An action

1 for the removal of such officer may be brought, upon resolution of
2 the city council, in the district court of the county in which such
3 city is located.

4 (4) Each board in cities of the metropolitan class shall
5 consist of five members who shall be nominated by the mayor and
6 approved by the city council and shall serve for terms of five years.
7 Any vacancy on such board shall be filled by appointment by the
8 mayor, with the approval of the city council, and such appointee
9 shall serve the unexpired portion, ~~if any,~~ of the term of the member
10 whose office was vacated. Any member of such board may be removed
11 from office by the mayor, for incompetence, neglect of duty, or
12 malfeasance in office, with the consent and approval of the city
13 council.

14 (5) The members of the board hereby created shall not be
15 entitled to compensation for their services but shall be entitled to
16 reimbursement of expenses paid or incurred in the performance of the
17 duties imposed upon them by the Cities Airport Authorities Act, to be
18 paid as provided in section 23-1112 for county officers and
19 employees. A majority of the members of the board then in office
20 shall constitute a quorum. The board may delegate to one or more of
21 the members, or to its officers, agents, and employees, such powers
22 and duties as it may deem proper.

23 (6) The board and its corporate existence shall continue
24 only for a period of twenty years from the date of appointment of the
25 members thereof and thereafter until all its liabilities have been

1 met and its bonds have been paid in full or such liabilities and
2 bonds have otherwise been discharged. When all liabilities incurred
3 by the authority of every kind and character have been met and all
4 its bonds have been paid in full or such liabilities and bonds have
5 otherwise been discharged, all rights and properties of the authority
6 shall pass to and be vested in the city. The authority shall have and
7 retain full and exclusive jurisdiction and control over all projects
8 under its jurisdiction, with the right and duty to charge and collect
9 revenue therefrom, for the benefit of the holders of any of its bonds
10 or other liabilities. Upon the authority's ceasing to exist, all its
11 remaining rights and properties shall pass to and vest in the city.

12 Sec. 2. Original section 3-502, Reissue Revised Statutes
13 of Nebraska, is repealed.