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SENATE BILL 6012

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State of Washington                      61st Legislature                      2009 Regular Session

By Senators Sheldon, Swecker, Eide, Kilmer, King, Jarrett, and Haugen

Read first time 02/13/09. Referred to Committee on Transportation.

1            AN ACT Relating to the amount of funds granted or loaned by the  
2 department of transportation for airports owned or controlled by  
3 municipalities or federally recognized Indian tribes; and amending RCW  
4 47.68.090.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6            **Sec. 1.** RCW 47.68.090 and 1980 c 67 s 1 are each amended to read  
7 as follows:

8            The department of transportation may make available its engineering  
9 and other technical services, with or without charge, to any  
10 municipality or person desiring them in connection with the planning,  
11 acquisition, construction, improvement, maintenance or operation of  
12 airports or air navigation facilities.

13            The department may render financial assistance by grant or loan or  
14 both to any municipality or municipalities acting jointly in the  
15 planning, acquisition, construction, improvement, maintenance, or  
16 operation of an airport owned or controlled, or to be owned or  
17 controlled by such municipality or municipalities, or to any Indian  
18 tribe recognized as such by the federal government or such tribes  
19 acting jointly in the planning, acquisition, construction, improvement,

1 maintenance or operation of an airport, owned or controlled, or to be  
2 owned or controlled by such tribe or tribes and to be held available  
3 for the general use of the public, out of appropriations made by the  
4 legislature for such purposes. Such financial assistance may be  
5 furnished in connection with federal or other financial aid for the  
6 same purposes: PROVIDED, That no grant or loan or both shall be in  
7 excess of (~~two hundred fifty~~) five hundred thousand dollars for any  
8 one project: PROVIDED FURTHER, That no grant or loan or both shall be  
9 granted unless the municipality or municipalities acting jointly, or  
10 the tribe or tribes acting jointly shall from their own funds match any  
11 funds made available by the department upon such ratio as the  
12 department may prescribe.

13 The department is authorized to act as agent of any municipality or  
14 municipalities acting jointly or any tribe or tribes acting jointly,  
15 upon the request of such municipality or municipalities, or such tribe  
16 or tribes in accepting, receiving, receipting for and disbursing  
17 federal moneys, and other moneys public or private, made available to  
18 finance, in whole or in part, the planning, acquisition, construction,  
19 improvement, maintenance or operation of an airport or air navigation  
20 facility; and if requested by such municipality or municipalities, or  
21 tribe or tribes, may act as its or their agent in contracting for and  
22 supervising such planning, acquisition, construction, improvement,  
23 maintenance, or operation; and all municipalities and tribes are  
24 authorized to designate the department as their agent for the foregoing  
25 purposes. The department, as principal on behalf of the state, and any  
26 municipality on its own behalf, may enter into any contracts, with each  
27 other or with the United States or with any person, which may be  
28 required in connection with a grant or loan of federal moneys for  
29 airport or air navigation facility purposes. All federal moneys  
30 accepted under this section shall be accepted and transferred or  
31 expended by the department upon such terms and conditions as are  
32 prescribed by the United States. All moneys received by the department  
33 pursuant to this section shall be deposited in the state treasury, and,  
34 unless otherwise prescribed by the authority from which such moneys  
35 were received, shall be kept in separate funds designated according to  
36 the purposes for which the moneys were made available, and held by the  
37 state in trust for such purposes. All such moneys are hereby  
38 appropriated for the purposes for which the same were made available,

1 to be disbursed or expended in accordance with the terms and conditions  
2 upon which they were made available: PROVIDED, That any landing fee or  
3 charge imposed by any Indian tribe or tribes for the privilege of use  
4 of an airport facility planned, acquired, constructed, improved,  
5 maintained, or operated with financial assistance from the department  
6 pursuant to this section must apply equally to tribal and nontribal  
7 members: PROVIDED FURTHER, That in the event any municipality or  
8 municipalities or Indian tribe or tribes, or any distributor of  
9 aircraft fuel as defined by RCW 82.42.020 which operates in any airport  
10 facility which has received financial assistance pursuant to this  
11 section, fails to collect the aircraft fuel excise tax as specified in  
12 chapter 82.42 RCW, all funds or value of technical assistance given or  
13 paid to such municipality or municipalities or Indian tribe or tribes  
14 under the provisions of this section shall revert to the department,  
15 and shall be due and payable to the department immediately.

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