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## HOUSE BILL NO. 1597

Offered January 12, 2005

Prefiled December 13, 2004

A BILL to amend and reenact §§ 8, 9, 10, and 14, and § 24 as amended of Chapter 140 of the Acts of Assembly of 1986, relating to the Roanoke Regional Airport Commission.

Patron—Fralin

Referred to Committee on Transportation

**Be it enacted by the General Assembly of Virginia:**

**1. That §§ 8, 9 10, and 14, and § 24 as amended of Chapter 140 of the Acts of Assembly of 1986 are amended and reenacted as follows:**

§ 8. Name of airport.-The name of the airport operated by the Commission within the boundaries of the City of Roanoke and Roanoke County shall be "Roanoke Regional Airport, Woodrum Field;" or such other name as the Commission shall adopt, provided that the words "Woodrum Field" are part of such other name.

§ 9. Rules and regulations.-The Commission shall have the power to adopt, amend, and repeal rules and regulations for the use, maintenance and operation of its facilities and governing the conduct of persons and organizations using its facilities.

Unless the Commission shall by unanimous vote of all Commissioners present determine that an emergency exists, the Commission shall, prior to the adoption of any rule or regulation or alteration, amendment or modification thereof:

a. Make such rule, regulation, alteration, amendment or modification in convenient form available for public inspection in the office of the Commission for at least five days; and

b. Post in a public place a notice declaring the Commission's intention to consider adopting such rule, regulation, alteration, amendment or modification and informing the public that the Commission will at a public meeting consider the adoption of such rule or regulation or such alteration, amendment, or modification, on a day and at a time to be specified in the notice, after the expiration of at least five days from the first day of the posting of the notice thereof.

The Commission's rules and regulations shall be available for public inspection in the Commission's principal office.

The Commission's rules and regulations relating to:

a. Traffic, including but not limited to motor vehicle speed limits and the location of and payment of public parking;

b. Access to Commission facilities, including but not limited to solicitation, handbilling, and picketing; and

c. Aircraft operation and maintenance; shall have the force and effect of law, as shall any other rule or regulation of the Commission which shall contain a determination by the Commission that it is necessary to accord the same force and effect of law in the interest of the public safety; ~~provided, however, that with respect to motor vehicle traffic rules and regulations, the Commission shall obtain the approval of the traffic engineer or comparable official of the political subdivision in which such rules or regulations are to be enforced.~~ The violation of any rule or regulation of the Commission relating to motor vehicle traffic shall be tried and punished in the same manner as if it had been committed on the public roads of the participating political subdivision in which such violation occurred. All other violations of the Commission's rules and regulations having the force and effect of law shall be punishable as misdemeanors.

All ordinances, rules and regulations duly adopted for the regulation, administration and operation of Roanoke Regional Airport, Woodrum Field, in force at the effective date of this Act shall remain in full force and effect insofar as they or any part thereof are not inconsistent with the provisions of this Act until amended or repealed in accordance with this Act.

§ 10. Police powers.-The Commission's employees meeting the minimum *registration* requirements of the *Department of Criminal Justice Officers Training Standards Commission* shall be given special ~~police power~~ *Services may be appointed as special conservators of the peace* by the circuit court of any participating political subdivision. The authority conferred upon such special ~~policemen~~ *conservators* shall be exercised only upon the Commission's facilities located within such participating political subdivision, and shall be in all terms consistent with the requirements of Chapter 3 2 of Title 15.4 19.2 of the Code of Virginia.

Such special ~~policemen~~ *conservators of the peace* shall have all powers vested in ~~police~~ officers

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59 under Chapter 3 2 of Title 15-1 19.2 of the Code of Virginia and shall be responsible upon the  
60 Commission's facilities for enforcing authorized to enforce the Commission's rules and regulations and  
61 all other applicable statutes, ordinances, rules, and regulations of the United States of America and  
62 agencies and instrumentalities thereof and this Commonwealth and political subdivisions, agencies and  
63 instrumentalities thereof upon the Commission's facilities, subject to and limited by the Commission's  
64 applicable policies, procedures, and regulations.

65 Such special policemen conservators of the peace may issue summons to appear, or arrest on view or  
66 on competent jurisdiction any person violating any rule or regulation of the Commission or other  
67 applicable statute, ordinance, rule or regulation.

68 For the purpose of enforcing such statutes, ordinances, rules and regulations, the court or courts  
69 having jurisdiction for the trial of criminal offenses of the participating political subdivision wherein the  
70 offense was committed shall have jurisdiction to try a person charged with the violating of any such  
71 statutes, ordinances, rules and regulations.

72 The Commission shall have the authority to seek appointment of such other law-enforcement officers  
73 as shall be permitted by applicable law.

74 § 14. Deposit and investment of funds.-All moneys received pursuant to the authority of this Act,  
75 whether as proceeds from the sale of bonds or as revenues or otherwise, shall be deemed to be trust  
76 funds to be held and applied solely as provided in this Act. All moneys of the Commission shall be  
77 deposited as soon as practicable in a separate account or accounts in one or more banks or trust  
78 companies organized under the laws of the Commonwealth or national banking associations having their  
79 principal offices in the Commonwealth. Such deposits shall be continuously secured in accordance with  
80 the Virginia Security for Public Deposits Act.

81 Funds of the Commission not needed for immediate use or disbursement may, subject to the  
82 provisions of any contract between the Commission and the holders of its bonds, be invested in  
83 securities which are considered lawful investments for fiduciaries.

84 § 24. Fiscal year; Commission budget.

85 A. The fiscal year of the Commission shall begin on July 1 and end on June 30.

86 B. The Commission shall annually, prior to March 16 31, prepare and submit to the participating  
87 political subdivisions (i) a proposed operating budget showing its estimated revenues and expenses on an  
88 accrual basis for the forthcoming fiscal year, and if such estimated expenses exceed such estimated  
89 revenues, the portion of the deficit proposed to be borne by each participating political subdivision, and  
90 (ii) a proposed capital budget showing its estimated expenditures for such fiscal year for assets costing  
91 more than \$20,000 (or such higher amount as the Commission and the participating political  
92 subdivisions may determine) and having an estimated useful life of twenty 20 years or more and the  
93 source of funds for such expenditures, including any amount requested from the participating political  
94 subdivisions. Depreciation shall be excluded from the Commission's operating budget with respect to  
95 assets purchased by the Commission with funds appropriated to it for such purpose by a participating  
96 political subdivision and, for this determination, it shall be assumed that any appropriation so made is  
97 for the purchase of assets set forth in the applicable Commission budget to the extent such purchase  
98 price is included in the approved budget. Assets purchased by the Commission with bond proceeds shall  
99 be depreciated over the useful life of such assets purchased with bond proceeds.

100 C. If the governing body of a participating political subdivision shall approve the Commission's  
101 proposed operating budget, it shall appropriate to the Commission such political subdivision's portion of  
102 such deficit. If during any fiscal year the Commission shall receive revenues in excess of those  
103 estimated by the Commission in its approved budget for such year, the budgeted deficit for such fiscal  
104 year shall automatically be reduced and, except as herein provided, the appropriation of each  
105 participating political subdivision shall be proportionately reduced. Notwithstanding the foregoing, with  
106 the consent of the governing bodies of the participating subdivisions, all or a portion of such  
107 appropriations may be maintained so as to enable the Commission to expend such excess revenues for  
108 its proper purposes.

109 D. If the governing body of a participating political subdivision shall approve the Commission's  
110 proposed capital budget, it shall appropriate to the Commission such participating political subdivision's  
111 portion of the expenditures set forth therein. Any such appropriation shall automatically be reduced by  
112 the participating political subdivision's proportionate share of any grant funds received by the  
113 Commission for the purchase of assets included in the Commission's approved capital budget in excess  
114 of the grant funds shown in such capital budget as a source of funds for such expenditure, unless  
115 prohibited by the basic provider of the grant funds.

116 E. The Commission may expend any and all moneys within its control without obtaining the  
117 approval of the participating political subdivisions, but, except as otherwise provided in this Act with  
118 respect to contracts and agreements between the Commission and any political subdivision, the  
119 Commission shall not commit any participating political subdivision in an amount in excess of that  
120 appropriated to the Commission by the governing body of such political subdivision.

**121** F. If at any time during any fiscal year it shall appear that the cash disbursements of the Commission  
**122** will exceed its cash receipts for such fiscal year, including amounts appropriated to it by the  
**123** participating political subdivisions, the Commission may request supplemental appropriations from the  
**124** participating political subdivisions and any other political subdivision.

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