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LOCAL AND SPECIAL ACTS AND RESOLUTIONS OF THE GENERAL ASSEMBLY OF THE STATE OF GEORGIA 1988

LOCAL AND SPECIAL ACTS AND RESOLUTIONS OF THE GENERAL ASSEMBLY OF THE STATE OF GEORGIA 1988

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Sequential Number: 260

Short Title: CLARKE COUNTY AIRPORT AUTHORITY -- CREATION.

Law Number: No. 1132

Origin: (Senate Bill No. 245).

Type: AN ACT

To create the Clarke County Airport Authority; to declare the need for the airport authority; to declare the purposes and objectives of this Act; to define certain terms; to provide for the membership of the authority; to provide for the terms of the members; to provide for application of the county policy on minority participation; to provide for the election of officers, quorum, bylaws, procedures, and meetings; to provide for compensation of members; to provide for filling vacancies; to provide for removal of members; to provide for the appointment and compensation of an executive director, treasurer, and other administrative officers and employees of the authority; to provide that no member or officer or employee of the authority shall have any financial dealings with the authority; to provide that any member or officer or employee having financial dealings with the authority shall be subject to removal; to provide for the powers of the authority; to define the types of activity in which the authority is prohibited from engaging, and otherwise to restrict the powers of the authority; to provide for the execution of contracts, leases, and other legal documents; to provide for the issuance and validation of revenue bonds; to provide for the location of the authority; to provide for the replacement of lost or mutilated bonds; to provide that such bonds may be secured by a trust indenture; to provide for additional powers relative to the issuance of revenue bonds and the security for such bonds; to provide for the protection of interests of bondholders; to exempt the bonds and interest therefrom from taxation; to provide that such bonds may be used as lawful deposits of securities for public officers; to provide that the property of the authority shall be deemed to be public property; to provide for the transfer of airports and related facilities from municipalities and counties to the authority; to provide that conveyances and transfers shall be accomplished so as to protect the interests of bondholders and others affected thereby; to provide that airports acquired by the authority shall be subject to the control of the authority; to provide that the powers of the authority shall be limited to airports; to provide that the funds of the

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authority shall be used only for airports; to provide for publication of financial data; to provide for fire and emergency medical protection; to provide for maintenance of roads, taxiways, and runways; to provide for transfer of federal funds; to provide for immunity from liability; to provide for immunity from taxation; to provide for rights of personnel; to provide for dissolution; to provide for lease of certain lands; to provide for

service of process; to provide for other matters relative to the foregoing; to provide for severability; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

Section 1. Creation of authority. There is created the Clarke County Airport Authority which is hereinafter referred to in this Act as the "authority." The authority created shall be an instrumentality and political subdivision of the State of Georgia and a public corporation. The authority may contract and be contracted with, sue and be sued, plead and be impleaded, and complain and defend in all courts of law and equity only as hereinafter set out. The authority may exercise the powers set out in this Act at any place within Clarke County and any contiguous land outside the county which is used for airport purposes as provided in this Act.

Section 2. Determination of need for the authority. It is determined and declared that the present and projected rapid growth in commercial and private air traffic in the Clarke County area, the need for adequate airports to serve safely and efficiently the air transportation needs of the state, Clarke County, and the metropolitan areas in Clarke County, the need to eliminate airport hazards, the need to raise large amounts of capital for the establishment, operation, and maintenance of present and future airports, and the need to coordinate the operation of various airports within certain metropolitan areas of the state necessitates the creation of an airport authority for the present and future operation of Clarke County's airport facilities and aviation business. It is further determined and declared that the establishment of such authority is necessary and essential to ensure the welfare, safety, and convenience of citizens of the entire state and to ensure the proper economic development of the entire state.

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Section 3. Declaration of purposes. The purposes and objectives of this Act and the authority created hereunder shall be to meet the needs and requirements recognized in Section 2 of this Act through the establishment, maintenance, and operation of unified and coordinated airport systems in the Clarke County area, to ensure the orderly and proper use and growth of public airports; to ensure that the maximum public benefit is obtained from any public airports presently in existence and from any future airports; to ensure proper planning and establishment of airports needed in the future; to ensure the maximum participation of this state in national and international programs of air transportation; to promote public transportation and commerce; and all of this to the end of providing the most effective and economical use of public airports for the public welfare, safety, and convenience.

Section 4. Definitions. As used in this Act, unless the context in which they are used required otherwise, the following terms shall have the following meanings:

- (1) The term "airport" means:
 - (A) Any area of land or water or any structure which is or has been used, or which the authority may plan to use, for the landing and taking off of commercial, private, and military aircraft, including helicopters; and all buildings, equipment, facilities, or other property and improvements of any kind or nature located within the bounds of any such land or water area or structure;
 - (B) Facilities of any type for the accommodation of passengers, maintenance, servicing, and operation of aircraft, business offices and facilities of private businesses and governmental agencies, parking of automobiles, and all other activities which are or have been carried on or which may be necessary or convenient in conjunction with the landing and taking off of commercial, private, and military aircraft; and
 - (C) All buildings, equipment, facilities, and other property and improvements of any kind or nature located outside the bounds of any such land or water

area or structure which is or has been used or which the authority plans to use for the landing and taking off of commercial, private, and military aircraft which are necessary for the safe operation of aircraft, including without limitation, aviation easements and other real or personal property.

- (2) The term "airport hazard" means any structure, terrain, or object of natural growth, or use thereof, which obstructs the airspace required for the flight, landing, or taking off of aircraft to or from an airport, or any other thing that is hazardous to the flight, landing, or taking off of aircraft to or from an airport.
- (3) The term "county" means Clarke County.
- **Section 5.** Authority; membership. (a) The authority shall be composed of six members who shall be residents and qualified voters of Clarke County. At least one of the six members shall reside within five miles of the airport. The term of office of each member shall begin on the first day of January of each year. All members of the authority shall be appointed by the governing authority of Clarke County for a term of four years and until their qualified successors are duly appointed. Two members of said authority shall initially be appointed for a term of one year. One member of said authority shall initially be appointed for a term of two years. One member of said authority shall initially be appointed for a term of three years. The remaining two members of said authority shall be appointed for a term of four years. Thereafter, each member shall serve for a term of four years. All members of the said authority shall serve without compensation. Any members of the said authority otherwise qualified shall be eligible for reappointment unless such member has served for two consecutive four-year terms in which case said member shall not be eligible for reappointment until after a period of one year's absence from authority membership.
- (b) The county administrator of Clarke County, Georgia, shall serve as a nonvoting ex-officio member of the authority for the purpose of assisting in the coordination of activities between the authority and the Board of Commissioners of Clarke County.

- (c) The policy pertaining to minority business participation applicable to the Board of Commissioners and departments of Clarke County shall also be applicable in like force and effect to the members and employees of the authority.

Section 6. Election of officers, quorum, bylaws, procedures, and meetings. After the appointment of all members, the full membership of the authority shall meet as soon as practicable and shall elect one of its members as chairman and one as vice-chairman, each of whom shall serve in such position until the first meeting in January of the succeeding year and until his successor is elected. Thereafter, a chairman and a vice-chairman shall be elected in the same manner in January of each year to serve for the succeeding year and until their successors are elected. The chairman shall preside at meetings of the authority and the vice-chairman shall preside in his absence, and they shall have such other powers, duties, and responsibilities as are set out elsewhere in this Act and in the bylaws of the authority. The authority shall also designate a secretary to keep the minutes and records of the authority. Four members of the authority shall constitute a quorum for the purpose of transacting business, nevertheless, at least four affirmative votes of the membership shall be required for the approval of any matter or the exercise of any of the powers of the authority. The authority shall, as soon as practicable, adopt its own bylaws, rules of procedure, and rules of conduct of its business. The authority shall meet at least once a month and at such other times as it may deem necessary.

Section 7. Compensation of members. The members shall receive no compensation but shall be reimbursed from the funds of the authority for reasonable and necessary expenses incurred in pursuing the business of the authority.

Section 8. Vacancies in authority. Should an appointed member vacate his office either by resignation, death, change of residence, or removal as provided in Section 9 of this Act or for any other reason, the governing authority of the county shall, as soon as practicable, appoint another qualified person to serve as a member of the authority for the unexpired term.

Section 9. Removal of members. Any member may be removed from office for good cause affecting his ability to perform

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his duties as a member, for misfeasance, malfeasance, or nonfeasance in office, or for violating the conflict of interests provisions of this Act, by vote of three of the other members, but only after a public hearing at which such member is given the right to present evidence in his own behalf and only upon a finding by three of the other members that good cause for removal affecting the member's ability to perform his duties as a member exists, that he was guilty of misfeasance, malfeasance, or nonfeasance in office, or that he violated the conflict of interest provisions of this Act. Any member who fails to attend three consecutive regular meetings of the authority shall automatically by reason of such fact cease to be a member of the authority. However, such person shall be eligible for reappointment to the authority upon a showing of good cause for failure to attend such meetings.

Section 10. Executive director, treasurer, and other administrative officers and employees. The authority may appoint and fix the compensation of an executive director, under such terms and conditions as it deems appropriate. The executive director shall be the chief executive and operating officer of the authority. Under the supervision of the authority, the executive director shall be responsible for the operation, management, and promotion of all activities with which the authority is charged under this Act, together with such other duties as may be prescribed by the authority. The executive director shall have such powers as are necessarily incident to the performance of the duties of the office and such others as may be granted by the authority. Additionally, the authority may in a like manner appoint and fix the compensation of a treasurer who shall have custody of all moneys, funds, notes, bonds, and other securities as the authority may prescribe. The authority may also authorize and employ such other administrative officers and employees under such terms and conditions as it shall consider necessary and appropriate to effectuate its purposes under this Act. The county administrator of Clarke County, or the designee of the county administrator, shall be authorized to serve as a purchasing agent or officer for the authority for supplies, materials, equipment, or other items of property on such terms as deemed appropriate by the authority and the Board of Commissioners of Clarke County, Georgia.

Section 11. Conflicts of interest. No member of the authority or officer or employee thereof shall have a financial interest,

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direct or indirect, in any contract with the authority, or be financially interested, directly or indirectly, in the sale to the authority of any lands, material, supplies, or services, except on behalf of the authority as a member, officer, or employee thereof. Any violation of this provision by a member of this authority shall be grounds for removal pursuant to Section 9 of this Act. Any violation of this provision by the executive director or any officer or employee of the authority shall be grounds for removal by the authority.

- **Section 12.** Powers of the authority. (a) The authority shall possess, subject to the conditions and limitations set out elsewhere in this Act, all the powers necessary or convenient for it to accomplish the

purposes of this Act, including the following specific powers, which shall not be construed as a limitation upon the general or other specific powers conferred in this Act:

- (1) To adopt a seal to be used for the authentication of legal documents, obligations, contracts, and other instruments and to alter same at its pleasure;
- (2) To acquire by purchase, lease, gift, or otherwise and to hold, lease, sell, use, and dispose of real and personal property of every kind and character or any interest therein;
- (3) To request the county to exercise the power of eminent domain to acquire any private real property or any rights or interests therein including any easements, as necessary or convenient for the accomplishment of the purposes of this Act, including the elimination of airport hazards, in accordance with the provisions of any and all existing laws applicable to the exercise of such power and to pay for such acquisition with its own funds;
- (4) To appoint, select, and contract for the services of engineers, architects, building contractors, accountants and other fiscal agents, attorneys, and such other persons, firms, or corporations as are necessary to accomplish the purposes of this Act, for such fees or compensation and under such terms and conditions as it deems appropriate;
- (5) To plan, acquire, establish, develop, construct, enlarge, improve, maintain, equip, and lease all airports

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which shall come under its control under the provisions of this Act or which it may acquire or plan to acquire; to regulate, protect, and police such airports and all related activities and facilities; to enter into any contracts, leases, or other agreements, promulgate any orders, set any tolls, fees, or other charges for the use of its property or services and collect and use same as necessary to operate the airports under its control and to accomplish any purposes of this Act; and to make any purchases or sales necessary for such purposes;

- (6) To contract with any persons, firms, or public or private corporations to supply goods, commodities, facilities, and services to the public, employees of the authority, and employees of air carriers and other commercial interests located at any airport under its control under such terms and conditions as it may prescribe including, if desirable, exclusive rights, franchises, or concessions;
 - (7) To adopt and enforce reasonable rules and regulations for the orderly, safe, efficient, and sanitary operation of airports and related facilities under its control; to provide its own security force and peace officers with powers of arrest or to arrange for such security force or peace officers in connection with the county; and to prescribe reasonable penalties for the breach of any rule or regulation. All such rules, regulations, or orders shall become effective upon approval by the authority and after publication of a notice containing a substantive statement of the rules and regulations and the penalties for violation thereof in a newspaper of general circulation of all counties in which such rules and regulations are to be applied. The notice shall state that the breach of any such rule or regulation will subject the violator to a penalty, shall state the penalty, and shall state that the full text of all rules and regulations shall be maintained in the principal office of the authority where same will be open to public inspection and perusal. All rules and regulations shall in fact be so maintained. Said rules and regulations, when promulgated as provided herein shall be judicially recognized by and enforceable in the court having jurisdiction over the offense and located in the county in which the violation occurs;
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- (8) To provide its own fire and emergency medical protection and crash and rescue services or to arrange for such services in connection with any federal, state, municipal, or county agency or any private firm in the business of providing such services;
- (9) To make application directly or indirectly to any federal, state, county, or municipal government or agency or to any other source, public or private, for loans, grants, guarantees, or other financial assistance in aid of airports under its control and to accept and use same upon such terms and conditions as are prescribed by the federal, state, county, or municipal government or agency or other source;
- (10) To enter into agreements with the state, any subdivision thereof, or any county or municipality or the federal government or any agency thereof to use in the performance of its functions the facilities or the services of the state or such subdivision or such county or municipality or the federal government or any agency thereof in order to accomplish the purposes of this Act;
- (11) To borrow money to accomplish its purposes and execute evidences of indebtedness therefor and secure such indebtedness in such manner as the authority may provide by its resolution authorizing such indebtedness to be incurred; provided that the authority shall not pledge to the payment of such indebtedness revenue pledged to the payment of any other indebtedness then outstanding or encumber property in violation of the terms of any existing contract, agreement, or trust indenture securing existing indebtedness;
- (12) To issue negotiable bonds, including revenue and refunding bonds, under such terms and conditions as it deems appropriate and to provide for the payment of same and for the rights of the holders therefor;
- (13) To sell, lease, or otherwise dispose of surplus personal property and to sell, lease, or otherwise dispose of land and any improvements thereon owned by the authority which the authority may determine is no longer

required to accomplish the purposes of this Act, including property which is suitable for industrial development. Any such property shall be sold, leased, or otherwise disposed of pursuant to the same procedures and requirements as provided for by state law for the sale or disposal of county owned property. The proceeds of any such sale may be used by the authority to accomplish any of the purposes of this Act;

- (14) To determine what usage may be made of airports and to determine what classes of aircraft may use particular airports in order to derive the maximum public benefit from all airports;
- (15) To exercise each and every power that any county could exercise, under laws existing at the time this Act becomes law, over airports owned or operated by any county;
- (16) To enter into contracts, leases, or other agreements with federally certificated air carriers, other commercial air carriers, and other commercial users of its airports for the use of such airports under such terms and conditions as it deems appropriate and for such charges, rentals, and fees as it deems appropriate;
- (17) To enter into such agreement with any municipality or the county presently operating airports of which the authority may subsequently assume control with respect to the manner of transfer of airport employees from any municipality or the county to the authority as the authority deems

necessary and appropriate, or to contract with such governmental agency for the continued services of such officers and employees on such terms as are deemed to be appropriate;

- (18) To establish a plan of civil service for officers and employees of the authority or to provide by resolution that such officers and employees of the authority shall be covered under any state, county, or municipal civil service plan which is available to such employees under the laws of the state or any county or municipality; and
- (19) To establish a plan for retirement, disability, hospitalization, and death benefits for officers and employees

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of the authority or to provide by resolution that such officers and employees shall be covered under any state, county, or municipal plan available to them under the laws of the state or any county or municipality.

- (b) Notwithstanding any other provision of this Act to the contrary, the authority shall not:
 - (1) Own or maintain aircraft or perform maintenance on aircraft owned by others;
 - (2) Engage in flight instruction, flight charter, or other aircraft for hire business; or
 - (3) Perform maintenance on radios, propellers, or other aircraft accessories.

Section 13. Execution of contracts, leases, and other legal instruments. Any and all contracts, leases, obligations, agreements, and other legal instruments of the authority shall be approved by resolution of the authority and shall be executed by those individuals designated in such resolution or, in the absence of such designation, by the chairman or vice-chairman. Nothing in this provision shall prohibit general resolutions authorizing the executive director or other officers, agents, or employees to execute such contracts, leases, or other legal documents as the authority may prescribe.

Section 14. Revenue bonds. The authority shall have the power and is authorized, at one time or from time to time as it deems necessary to accomplish the purpose of this Act, to issue revenue bonds pursuant to the "Revenue Bond Law," Article 3 of Chapter 82 of Title 36 of the O.C.G.A. The authority is determined to be a "governmental body" within the meaning of that law and is authorized to utilize any and all procedures set out herein, and to exercise any and all powers of a "governmental body" thereunder. The members of the authority shall constitute the "governing body" as that term is used therein. Nothing in this section shall be construed so as to limit the power of the authority to issue any bonds other than under the "Revenue Bond Law" which it may legally issue pursuant to Section 12 of this Act.

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Section 15. Validation of revenue bonds; location of authority. For purposes of validation of bonds under the "Revenue Bond Law," Article 3 of Chapter 82 of Title 36 of the O.C.G.A., the authority shall be considered to be located in Clarke County.

Section 16. Replacement of lost or mutilated bonds. The authority may provide for the replacement of any bonds issued by it which shall be mutilated or destroyed.

- **Section 17.** Bonds; trust indenture as security. (a) In the discretion of the authority, any issue of bonds pursuant to this Act may be secured by a trust indenture by and between the authority and a corporate trustee, which may be any trust company or bank having the powers of a trust company inside or outside

the state. Such trust indenture may pledge or assign fees, tolls, revenues, and earnings to be received by the authority, including the proceeds derived from the sale from time to time of any surplus real or personal property of the authority. The resolution providing for the issuance of such bonds or the trust indenture may contain such provisions for protecting and enforcing the rights and remedies of the bondholders as may be reasonable and proper and not in violation of law, including covenants setting forth the duties of the authority in relation to the acquisition of property; the construction of airports; the maintenance, operation, repair, and insurance of property; and the custody, safeguarding, and application of all moneys of the authority. Such resolution or trust indenture may also:

- (1) Provide that any project shall be construed and paid for under the supervision and approval of consulting engineers or architects satisfactory to the trustee or to the bondholders;
 - (2) Require that the security given by any contracts and by any depository of the proceeds of the bonds or revenues or other moneys be satisfactory to such trustee or bondholders; or
 - (3) Contain provisions concerning the conditions, if any, upon which additional revenue bonds may be issued.
- (b) It shall be lawful for any bank or trust company incorporated under the laws of this state to act as such depository

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and to furnish such security as may be required by the authority. Such resolution or trust indenture may set forth rights and remedies of the bondholders and of the trustee and may restrict the individual right of action of bondholders as is customary in trust indentures securing bonds and debentures of corporations. In addition to the foregoing, such resolution or trust indenture may contain such other provisions as the authority may deem reasonable and proper for the security of the bondholders. All expenses incurred in connection with any such trust indenture may be treated as operating expenses of the authority.

Section 18. Revenue bonds; additional powers as to security. In addition to other powers granted in this Act as to the issuance of revenue bonds and security for such bonds, the authority shall have the power to enter into any financial and contractual arrangements with users of its airports, including commercial air carriers, which it deems appropriate in order to provide security to bondholders; and for such purposes the authority may also enter into joint agreements, arrangements, or trust indentures with such users and a trustee or trustees under any trust indenture authorized under Section 17 of this Act in order that funds may be procured to accomplish the purposes of this Act at the least possible cost to the authority.

Section 19. Revenue bonds; interest of bondholders protected. While any of the bonds issued by the authority remain outstanding, the powers, duties, or existence of the authority or of its officers, employees, or agents shall not be diminished or impaired in any manner that will adversely affect the interests and rights of the holders of such bonds; and no other entity, department, agency, or authority will be created which will compete with the authority to such an extent as to adversely affect the interests and rights of the holders of such bonds.

Section 20. Revenue bonds; exemption from taxation. All revenue bonds issued under the provisions of this Act are declared to be issued for an essential public and governmental purpose and the said bonds and the income therefrom shall be exempt from all taxation within the state.

Section 21. Bonds as legal investments for trustees and as lawful deposits of securities with public officers. Any bonds issued by the authority under the provisions of this Act are

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made securities in which public officers and bodies of this state, all municipalities, all municipal subdivisions, all insurance companies and associations and other persons carrying on an insurance business, all banks, bankers, trust companies, savings banks, savings associations, investment companies and other persons carrying on a banking business, all administrators, guardians, executors, trustees and other fiduciaries, and all other persons who are now or may hereafter be authorized to invest in bonds or other obligations of the state may properly and legally invest funds including capital in their control or belonging to them. The bonds are also made securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and municipal subdivisions for any purpose for which the deposit of the bonds or other obligations of this state is now or may hereafter be authorized.

Section 22. Property of authority deemed to be public property. It is declared that all property of the authority, held pursuant to the terms of this Act, whether real or personal, tangible or intangible, and of any kind or nature, and any income or revenue therefrom, is held for an essential public and governmental purpose, and all such property is deemed to be public property.

Section 23. Transfer of airports and related facilities from municipalities and counties to authority; public necessity. The authority may by resolution, at such times as it shall deem appropriate, determine what public airports within its territorial jurisdiction, as set out in Section 1 of this Act, are necessary to accomplish the purposes of this Act, and may inform the local government owning such airports of such determinations and the proper officials or officers of the local government may convey by deed all of their interest in real property and any other property making up such airports to the authority for a nominal consideration. It is declared that the conveyance of such property is necessary and essential in order to accomplish the purposes of this Act so as to secure the public welfare, safety, and convenience.

Section 24. Transfer of contracts to authority. Upon conveyance of airports to the authority pursuant to Section 23 of this Act, all contracts, commitments, leases and other obligations of the local government formerly owning the airport in respect to such airport shall transferred to the authority; and the

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authority shall stand in the place of the local government for the purposes of such contracts, commitments, leases or other obligations, subject to the provisions of Section 25 of this Act.

Section 25. Conveyances and transfers pursuant to Sections 23 and 24 to be accomplished so as to protect interests of bondholders and others affected thereby. The conveyance of airports and related facilities by local governments to the authority pursuant to Section 23 of this Act, and the transfer of contracts, commitments, leases, and any other obligations to the authority from any local government pursuant to Section 24 of this Act shall be accomplished under such terms and conditions as may be necessary to protect the interests of bondholders of any local government affected by such conveyances and transfers and other parties affected thereby. Transfers may be conditioned so as to protect such interests; and the authority and any local government may enter into any agreements with each other or other parties necessary to protect such interests.

Section 26. Airports subject to control of authority. All airports acquired by the authority pursuant to this Act or acquired by the authority in any legal manner and any other property held by the authority shall be under the control of the authority and the authority shall have the right to exercise any and all of the powers set out in this Act in regard thereto.

Section 27. Powers of authority limited to airports. All of the powers, general and specific, granted to the authority pursuant to this Act shall be exercised only in regard to airports. The authority shall not have the power to plan, construct, finance, operate, or maintain any facilities other than airports and related facilities. However, nothing in this Act shall be construed to prohibit the authority from cooperating with other federal, state, county, or municipal governmental agencies or public corporations in order to coordinate other types of facilities with airports under its control or purchasing, selling, exchanging, or otherwise acquiring any property from or with same.

Section 28. Funds of authority to be used only for airports. The funds of the authority, from whatever source derived, shall be used only in support of airports as defined in Section 4 of this Act, but nothing in this section shall prohibit the authority from making any and all expenditures of any kind or nature necessary to support airports.

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Section 29. Fiscal year, budget, and financial reporting. The authority shall operate on the same fiscal year as is used by the governing authority of Clarke County, Georgia, and at the end of each fiscal year the authority shall furnish to the governing authority of Clarke County, Georgia, an audit of its operations for the preceding year, or in the alternative, the authority may contract with the governing authority of Clarke County to have the required audit report of its operations prepared by the accounting firm employed by the county for the preparation of the county's annual audit. The annual audit of the authority shall constitute public information.

Section 30. Immunity from liability. The authority shall have the same immunity and exemption from liability from torts and negligent acts as the governing authority of Clarke County; and the members, officers, agents, and employees of the authority in performance of the work of the authority shall have the same immunity and exemption from liability from torts and negligent acts as the officers, agents, and employees of the State of Georgia when in performance of their public duties or work of the state. The authority may be sued in the same manner as private corporations on any contractual obligations of the authority.

Section 31. Taxation of the authority. The property, obligations, and interest on the obligations of the authority shall have the same immunity from taxation as the property, obligations, and interest on the obligations of Clarke County. The exemption from taxation herein provided shall not extend to tenants or lessees of the authority.

Section 32. Dissolution. In the event of dissolution of the authority, all property, real and personal, tangible and intangible, shall revert to, and be the property of the county, subject, however, to all rights and encumbrances thereon; and the county, by acceptance thereof, shall fulfill all obligations of the authority.

Section 33. Principal office of authority; service of process. The principal office of the authority shall be in Clarke County. Service of process on the authority may be had upon the executive director or other officers of the authority as in the case of private corporations incorporated or domesticated under the laws of this state.

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Section 34. Severability. In the event any section, subsection, sentence, clause, or phrase of this Act shall be declared or adjudged invalid or unconstitutional, such adjudication shall in no manner affect the other sections, subsections, sentences, clauses, or phrases of this Act, which shall remain of full force and effect as if the section, subsection, sentence, clause, or phrase so declared or adjudged invalid or unconstitutional were not originally a part hereof. The General Assembly declares that it would have passed the remaining parts of this Act if it had known that such part or parts hereof would be declared or adjudged invalid or unconstitutional.

Section 35. General repealer. All laws and parts of laws in conflict with this Act are repealed.

NOTICE OF INTENTION TO INTRODUCE LOCAL LEGISLATION

Notice is given that there will be introduced at the regular 1987 session of the General Assembly of Georgia local legislation to create a Clarke County Airport Authority; to provide for matters relating thereto; and for

other purposes.

BOARD OF COMMISSIONERS OF CLARKE COUNTY, GEORGIA

PN: 1-15

GEORGIA, FULTON COUNTY

Personally appeared before me, the undersigned authority, duly authorized to administer oaths, Paul C. Broun, who, on oath, deposes and says that he is Senator from the 46th District, and that the attached copy of Notice of Intention to Introduce Local Legislation was published in the **Athens** Observer which is the official organ of Clarke County, on the following date: January 15, 1987.

/s/ Paul C. Broun Senator, 46th District

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Sworn to and subscribed before me,

this 3rd day of February, 1987.

/s/ Connie F. Smith

Notary Public, Clayton County, Georgia

My Commission Expires Nov. 21, 1989

Approval Date: Approved March 28, 1988.