

1 Language Proposed by AOT re: Sale of Caledonia County State Airport

2 Sec. __. 2023 Acts and Resolves No. 62, Sec. 8 is amended to read:

3 Sec. 8. SALE OR LEASE OF CALEDONIA COUNTY STATE

4 AIRPORT

5 (a)(1) The Agency of Transportation is authorized to issue a request for
6 proposals for the purchase or lease of the Caledonia County State Airport,
7 located in the Town of Lyndon, and the Agency shall consult with the Town of
8 Lyndon on any requests for proposals related to the purchase or lease of the
9 Airport prior to the issuance of any requests for proposals related to the
10 purchase or lease of the Airport.

11 (2) The request for proposal shall include a request for a business plan,
12 which shall, at a minimum, include the prospective purchaser's or lessor's
13 plans for investments in the Airport and the surrounding communities and may
14 include plans for partnerships with secondary and post-secondary institutions
15 in the surrounding communities.

16 (b) Subject to obtaining any necessary approvals from the U.S. Federal
17 Aviation Administration, the Vermont Secretary of Transportation, as agent for
18 the State, is authorized to convey the Airport property by warranty deed
19 according to the terms of a purchase and sale agreement or through a long-term
20 lease.

1 (c) Any such conveyance shall:

2 (1) include assignment of the State’s interest in easements, leases,
3 licenses, and other agreements pertaining to the Airport and the acceptance of
4 the State’s obligations under such easements, leases, licenses, and other
5 agreements that requires, at a minimum, that any leases and terms of leases that
6 are in effect at the time of the conveyance of the Airport are fully honored for
7 the balance of the lease term;

8 (2) ensure that there are investments in the Airport to address current
9 deficiencies and necessary repairs;

10 (3) ensure that the Airport continues to be a public-use airport and that
11 the public continues to have access to the Airport for general aviation uses in
12 perpetuity;

13 ~~(4) ensure that the Airport continues to be identified as a public use~~
14 ~~airport within the National Plan of Integrated Airport Systems until at least~~
15 ~~2050, subject to federal determination;~~

16 ~~(5)~~ include, if the Airport is conveyed through a purchase and sale
17 agreement, a six-month right of first refusal, running from the date that the
18 owner of the Airport provides notice to the State of an intent to sell the Airport,
19 for the State to repurchase the Airport at fair market value before the Airport is
20 resold or transferred to a new owner; and

1 ~~(6)~~(5) include, if the Airport is leased, that the lease cannot be either
2 assigned or the lessor cannot sub-lease all or substantially all of the Airport
3 without the written approval of the Vermont Secretary of Transportation.

4 (d) The Agency shall not proceed with a sale or lease of the Airport unless:

5 (1) there is a fair market value offer, as required under 19 V.S.A.
6 § 10k(b) or 26a(a), that meets the requirements of subsection (c) of this
7 section; and

8 (2) the Town of Lyndon is given the opportunity to review and comment
9 on the final purchase and sale agreement or lease as applicable.

10 (e) This section shall constitute specific prior approval, including of any
11 sale or lease terms, by the General Assembly for purposes of 5 V.S.A. § 204.

12 Sec. __. 2023 Acts and Resolves No. 62, Sec. 9 is amended to read:

13 Sec. 9. REPEAL OF AUTHORITY FOR SALE OR LEASE OF
14 CALEDONIA COUNTY STATE AIRPORT

15 Sec. 8 of this act shall be repealed on ~~May 1, 2026~~ November 1, 2027.