

SENATE AMENDMENT NO. _____

Offered by _____ of _____

Amend _____ Bill No. _____, Page _____, Section _____, Line _____

2 by inserting after all of said line the following:

3 "305.230. 1. The state highways and transportation
4 commission shall administer an aeronautics program within this
5 state. The commission shall encourage, foster and participate
6 with the political subdivisions of this state in the promotion
7 and development of aeronautics. The commission may provide
8 financial assistance in the form of grants from funds
9 appropriated for such purpose to any political subdivision or
10 instrumentality of this state acting independently or jointly or
11 to the owner or owners of any privately owned airport designated
12 as a reliever by the Federal Aviation Administration for the
13 planning, acquisition, construction, improvement or maintenance
14 of airports, or for other aeronautical purposes.

15 2. Any political subdivision or instrumentality of this
16 state or the owner or owners of any privately owned airport
17 designated as a reliever by the Federal Aviation Administration
18 receiving state funds for the purchase, construction, or
19 improvement, except maintenance, of an airport shall agree before
20 any funds are paid to it to control by ownership or lease the
21 airport for a period equal to the useful life of the project as
22 determined by the commission following the last payment of state

1 or federal funds to it. In the event an airport authority ceases
2 to exist for any reason, this obligation shall be carried out by
3 the governing body which created the authority.

4 3. Unless otherwise provided, grants to political
5 subdivisions, instrumentalities or to the owner or owners of any
6 privately owned airport designated as a reliever by the Federal
7 Aviation Administration shall be made from the aviation trust
8 fund. In making grants, the commission shall consider whether
9 the local community has given financial support to the airport in
10 the past. Priority shall be given to airports with local funding
11 for the past five years with no reduction in such funding. The
12 aviation trust fund is a revolving trust fund exempt from the
13 provisions of section 33.080 relating to the transfer of funds to
14 the general revenue funds of the state by the state treasurer.
15 All interest earned upon the balance in the aviation trust fund
16 shall be deposited to the credit of the same fund.

17 4. The moneys in the aviation trust fund shall be
18 administered by the commission and, when appropriated, shall be
19 used for the following purposes:

20 (1) As matching funds on an up to ninety percent state/ten
21 percent local basis, except in the case where federal funds are
22 being matched, when the ratio of state and local funds used to
23 match the federal funds shall be fifty percent state/fifty
24 percent local:

25 (a) For preventive maintenance of runways, taxiways and
26 aircraft parking areas, and for emergency repairs of the same;

27 (b) For the acquisition of land for the development and
28 improvement of airports;

29 (c) For the earthwork and drainage necessary for the

1 construction, reconstruction or repair of runways, taxiways, and
2 aircraft parking areas;

3 (d) For the construction, or restoration of runways,
4 taxiways, or aircraft parking areas;

5 (e) For the acquisition of land or easements necessary to
6 satisfy Federal Aviation Administration safety requirements;

7 (f) For the identification, marking or removal of natural
8 or manmade obstructions to airport control zone surfaces and
9 safety areas;

10 (g) For the installation of runway, taxiway, boundary,
11 ramp, or obstruction lights, together with any work directly
12 related to the electrical equipment;

13 (h) For the erection of fencing on or around the perimeter
14 of an airport;

15 (i) For purchase, installation or repair of air
16 navigational and landing aid facilities and communication
17 equipment;

18 (j) For engineering related to a project funded under the
19 provisions of this section and technical studies or consultation
20 related to aeronautics;

21 (k) For airport planning projects including master plans
22 and site selection for development of new airports, for updating
23 or establishing master plans **[and]**, airport layout plans, airport
24 business plans, and strategic plans at existing airports;

25 (l) For the purchase, installation, or repair of safety
26 equipment and such other capital improvements and equipment as
27 may be required for the safe and efficient operation of the
28 airport;

29 (m) If at least **[six]** four million five hundred thousand

1 dollars is deposited into the aviation trust fund in the previous
2 calendar year, [up to two million dollars may be expended
3 annually upon] funds may be spent for the study or promotion of
4 expanded domestic or international scheduled commercial service,
5 the study or promotion of intrastate scheduled commercial
6 service, the promotion of aviation in the state, or to assist
7 airport sponsors participating in a federally funded air service
8 program supporting intrastate scheduled commercial service,
9 subject to the following provisions:

10 a. No more than two million dollars may be spent from the
11 aviation trust fund for the purposes provided in this paragraph
12 in any calendar year; and

13 b. The commission shall be required to expend at least four
14 million dollars of the annual, calendar year deposits into the
15 aviation trust fund for purposes other than the purposes
16 described in this paragraph;

17 (2) As total funds, with no local match:

18 (a) For providing air markers, windsocks, and other items
19 determined to be in the interest of the safety of the general
20 flying public;

21 (b) For the printing and distribution of state aeronautical
22 charts and state airport directories on an annual basis, and a
23 newsletter on a quarterly basis or the publishing and
24 distribution of any public interest information deemed necessary
25 by the commission;

26 (c) For the conducting of aviation safety workshops;

27 (d) For the promotion of aerospace education;

28 (3) As total funds with no local match, up to five hundred
29 thousand dollars per year may be used for the cost of operating

1 existing air traffic control towers that do not receive funding
2 from the Federal Aviation Administration or the United States
3 Department of Defense, except no more than one hundred
4 sixty-seven thousand dollars per year may be used for any
5 individual control tower;

6 (4) As total funds with a local match, up to five hundred
7 thousand dollars per year may be used for air traffic control
8 towers partially funded by the federal government under a
9 cost-share program. Any expenditures under this program require
10 a nonfederal match, comprised of a ratio of fifty percent state
11 and fifty percent local funds. No more than one hundred thousand
12 dollars per year may be expended for any individual control
13 tower.

14 5. In the event of a natural or manmade disaster which
15 closes any runway or renders inoperative any electronic or visual
16 landing aid at an airport, any funds appropriated for the purpose
17 of capital improvements or maintenance of airports may be made
18 immediately available for necessary repairs once they are
19 approved by the commission. For projects designated as
20 emergencies by the commission, all requirements relating to
21 normal procurement of engineering and construction services are
22 waived.

23 6. As used in this section, the term "instrumentality of
24 the state" shall mean any state educational institution as
25 defined in section 176.010 or any state agency which owned or
26 operated an airport on January 1, 1997, and continues to own or
27 operate such airport."; and

28 Further amend the title and enacting clause accordingly.