

SECOND REGULAR SESSION

# SENATE BILL NO. 818

97TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR KEHOE.

Read 1st time February 3, 2014, and ordered printed.

TERRY L. SPIELER, Secretary.

5719S.011

## AN ACT

To repeal section 305.230, RSMo, and to enact in lieu thereof one new section relating to the state aviation trust fund.

*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Section 305.230, RSMo, is repealed and one new section  
2 enacted in lieu thereof, to be known as section 305.230, to read as follows:

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

11 2. Any political subdivision or instrumentality of this state or the owner  
12 or owners of any privately owned airport designated as a reliever by the Federal  
13 Aviation Administration receiving state funds for the purchase, construction, or  
14 improvement, except maintenance, of an airport shall agree before any funds are  
15 paid to it to control by ownership or lease the airport for a period equal to the  
16 useful life of the project as determined by the commission following the last  
17 payment of state or federal funds to it. In the event an airport authority ceases  
18 to exist for any reason, this obligation shall be carried out by the governing body  
19 which created the authority.

**EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

20           3. Unless otherwise provided, grants to political subdivisions,  
21 instrumentalities or to the owner or owners of any privately owned airport  
22 designated as a reliever by the Federal Aviation Administration shall be made  
23 from the aviation trust fund. In making grants, the commission shall consider  
24 whether the local community has given financial support to the airport in the  
25 past. Priority shall be given to airports with local funding for the past five years  
26 with no reduction in such funding. The aviation trust fund is a revolving trust  
27 fund exempt from the provisions of section 33.080 relating to the transfer of funds  
28 to the general revenue funds of the state by the state treasurer. All interest  
29 earned upon the balance in the aviation trust fund shall be deposited to the credit  
30 of the same fund.

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

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

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

39           (b) For the acquisition of land for the development and improvement of  
40 airports;

41           (c) For the earthwork and drainage necessary for the construction,  
42 reconstruction or repair of runways, taxiways, and aircraft parking areas;

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

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

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

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

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

53           (i) For purchase, installation or repair of air navigational and landing aid  
54 facilities and communication equipment;

55           (j) For engineering related to a project funded under the provisions of this

56 section and technical studies or consultation related to aeronautics;

57 (k) For airport planning projects including master plans and site selection  
58 for development of new airports, for updating or establishing master plans [and],  
59 airport layout plans, **airport business plans, and strategic plans** at existing  
60 airports;

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

64 (m) If at least [six] **four million five hundred thousand** dollars is  
65 deposited into the aviation trust fund in the previous calendar year, [up to two  
66 million dollars may be expended annually upon] **funds may be spent for** the  
67 study or promotion of expanded domestic or international scheduled commercial  
68 service, the study or promotion of intrastate scheduled commercial service, **the**  
69 **promotion of aviation in the state**, or to assist airport sponsors participating  
70 in a federally funded air service program supporting intrastate scheduled  
71 commercial service, **subject to the following provisions:**

72 **a. No more than two million dollars may be spent from the**  
73 **aviation trust fund for the purposes provided in this paragraph in any**  
74 **calendar year; and**

75 **b. The commission shall be required to expend at least four**  
76 **million dollars of the annual, calendar year deposits into the aviation**  
77 **trust fund for purposes other than the purposes described in this**  
78 **paragraph;**

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

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

82 (b) For the printing and distribution of state aeronautical charts and state  
83 airport directories on an annual basis, and a newsletter on a quarterly basis or  
84 the publishing and distribution of any public interest information deemed  
85 necessary by the commission;

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

87 (d) For the promotion of aerospace education;

88 (3) As total funds with no local match, up to five hundred thousand  
89 dollars per year may be used for the cost of operating existing air traffic control  
90 towers that do not receive funding from the Federal Aviation Administration or  
91 the United States Department of Defense, except no more than one hundred

92 sixty-seven thousand dollars per year may be used for any individual control  
93 tower;

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

100 5. In the event of a natural or manmade disaster which closes any runway  
101 or renders inoperative any electronic or visual landing aid at an airport, any  
102 funds appropriated for the purpose of capital improvements or maintenance of  
103 airports may be made immediately available for necessary repairs once they are  
104 approved by the commission. For projects designated as emergencies by the  
105 commission, all requirements relating to normal procurement of engineering and  
106 construction services are waived.

107 6. As used in this section, the term "instrumentality of the state" shall  
108 mean any state educational institution as defined in section 176.010 or any state  
109 agency which owned or operated an airport on January 1, 1997, and continues to  
110 own or operate such airport.

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