

MAINE STATE LEGISLATURE

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TRANSPORTATION

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
125TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 585, L.D. 778, Bill, "An Act To Amend the Process of Federal Aviation Administration Airport Improvement Program Grants"

Amend the bill by striking out all of sections 2 and 3 and inserting the following:

Sec. 2. 6 MRSA §17, sub-§1, as enacted by PL 1977, c. 678, §30, is amended to read:

1. Development. Aid and assist municipalities and other political subdivisions in the development, maintenance and operation of their public airports;

Sec. 3. 6 MRSA §17, sub-§9, as enacted by PL 1977, c. 678, §30, is repealed.

Sec. 4. 6 MRSA §18, sub-§2, as enacted by PL 1977, c. 678, §31, is repealed.

Sec. 5. 6 MRSA §18, sub-§2-A is enacted to read:

2-A. Primary Airport Capital Improvement Grant Program; administration approval. The Primary Airport Capital Improvement Grant Program, referred to in this subsection as "the state grant program," is established as a discretionary grant program administered by the department. The department shall distribute available state grant program funds to primary airports for eligible capital improvement projects as determined by the department. Funds may also be distributed to an eligible municipality or political subdivision of the State for airport equipment that is eligible under the administration's airport improvement program. The department shall provide state grant program funds to evenly share the local match with the eligible municipality or political subdivision of the State for the administration's airport improvement program grant offer and award an amount contingent upon the availability of state grant program funds. State grant program funds may be distributed only to projects ready for construction that are approved by the administration as eligible for state grant program funds. The department is not responsible for oversight or eligibility of projects under this subsection.

Sec. 6. 6 MRSA §18, sub-§3, as enacted by PL 1977, c. 678, §31, is amended to read:

COMMITTEE AMENDMENT

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3. Federal aid. This State, municipalities and other political subdivisions separately, and municipalities and other political subdivisions jointly with one another or with the State, are authorized to accept, establish, construct, own, lease, control, equip, improve, maintain and operate airports for the use of aircraft within their respective boundaries, or without those boundaries with the consent of the municipality or other political subdivision where the airport is or is to be located, and may use for the purpose or purposes any land suitable and available ~~therefor~~.

The State, municipalities and other political subdivisions separately, and municipalities and other political subdivisions jointly with one another or with the State, by and through their duly constituted representatives, are authorized to apply for and accept federal aid to further any purpose related to the development of aeronautics and to do all things necessary or incidental thereto, ~~subject to subsection 2 of this section.~~ A request for federal aid under the federal Airport and Airway Improvement Act of 1982, 49 United States Code, Chapter 471, as amended, made by a municipality or other political subdivision in this State for a primary airport project is not required to be approved by the commissioner.

Airports owned and operated by any city, town or county are declared to be governmental agencies and entitled to the same immunities as any agency of the State.'

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SUMMARY

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This amendment strikes those sections of the bill that require state aid funds for airport development projects receiving both federal and state funds under the Federal Aviation Administration's airport improvement program to be administered in accordance with federal law and allow a municipality or other political subdivision to discuss federal aid with the Federal Aviation Administration. The amendment provides that the Department of Transportation is not responsible for aiding and assisting municipalities and other political subdivisions in the maintenance and operation of their public airports. The amendment also repeals the requirement in current law that the department aid and assist in the repair of, maintenance of and removal of snow from municipal, state and county airports.

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This amendment also requires the department to administer the Primary Airport Capital Improvement Grant Program, which the amendment establishes. The amendment requires the department to distribute available state grant program funds to primary airports for eligible capital improvement projects as determined by the department. The amendment provides that state grant program funds may also be used for Federal Aviation Administration-eligible equipment. The amendment directs the department to evenly share the local match with the eligible municipality or other political subdivision in this State for the Federal Aviation Administration airport improvement program grant offer and award an amount contingent upon the availability of state grant program funds. The amendment further provides that airport improvement projects must be approved by the Federal Aviation Administration to be eligible for state grant program funds. The amendment provides that the department is not responsible for oversight or eligibility of airport improvement projects.

COMMITTEE AMENDMENT "A" to H.P. 585, L.D. 778

1 This amendment also provides that federal aid requests made by municipalities or
2 other political subdivisions for primary airport improvement projects are not subject to
3 approval by the Commissioner of Transportation.