

## Aviation-Related Legislation in the California Legislature

1. **AB 1436 (Correa): “Military Base Reuse: Orange County”**: AB 1436 would prohibit the annexation of any inhabited property on El Toro to any city, until El Toro has been transferred to the local redevelopment authority recognized pursuant to California statute. AB 1436 is in the Inactive File on the Senate Floor.
2. **AB 2095 (Kehoe) and SB 1703 (Peace): “San Diego Regional Agency”**: These bills would create this Agency, which would replace the San Diego Association of Governments (SANDAG) as the metropolitan planning organization/regional transportation planning agency for the region. The Agency will consist of 19 members from designated areas in San Diego County, and is intended “to meet the challenges of continued population growth in the San Diego Region.” *AB 2095 is scheduled for hearing in the Assembly Committee on Transportation on April 15, 2002; the bill is also pending in the Assembly Committee on Local Government. SB 1703 is pending in the Senate Committee on Transportation.*
3. **AB 2304 (Wyman): “Income and Bank and Corporation Taxes: Credit: Aviation Wages”**: This bill would provide, between 2003 and 2013, a tax credit of up to \$10,000 annually, for wages earned under contract with the “Department of Defense, a branch of the military, the National Aeronautics and Space Administration, or a private commercial or general aviation company, to research, develop, manufacture, test, distribute, or refurbish property for use in aircraft”. This bill would take effect immediately as a tax levy. *AB 2304 is pending in the Assembly Committee on Revenue and Taxation.*
4. **AB 2333 (Nakano): “Transportation: Funding”**: This bill cites the need for a “fair-share distribution” of passenger and cargo demand among the four urbanized counties in the Southern California Association of Governments (SCAG) region. SCAG will also assure that the principles of environmental justice are adhered to in the Regional Transportation Plan’s (RTP’s) aviation program. This program would be implemented under the review of the Southern California Regional Airport Authority (SCRAA). The SCRAA would determine if each county is making reasonable progress towards implementing the RTP’s aviation program. Interregional planning funds for surface transportation projects would not be allocated to any county that is inconsistent with the aviation element of the RTP. *AB 2333 is pending in the Assembly Committee on Transportation.*
5. **AB 2439 (Campbell): “Airports: Land Use”**: This bill would require an airport land use commission to review, within two years of the date of the closure, “any related comprehensive land use plan” of a military airport that has been deemed closed. *AB 2439 is scheduled for hearing in the Assembly Committee on Local Government on April 10, 2002; it is also pending in the Assembly Committee on Transportation.*
6. **AB 2522 (Dutra): “Office of Emergency Services (OES): Transportation Facilities”**: The bill cites the November 20, 2001 security and safety hearing of the Assembly Transportation Committee. AB 2522 would require OES, in cooperation with all levels of government, to perform a risk assessment of the state’s transportation facilities (including airports) and services, and to submit the confidential report to the Legislature by July 1, 2002. The assessment would identify security deficiencies and mitigation measures. The bill would take effect immediately as an urgency statute. *We understand that OES has concerns about the bill. AB 2522 is pending in the Assembly Transportation and Governmental Organization Committees.*
7. **AB 2719 (Maldonado): “Aeronautics”**: The California Transportation Commission (CTC) has an advisory committee, the Technical Advisory Committee on Aeronautics (TACA). The **sales**

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tax on jet fuel generates over \$100 million in revenues annually for the State's General Fund. The aircraft jet fuel **excise** tax generates \$2.7 million annually for programs administered by the California Department of Transportation's (Department's) Division of Aeronautics. This bill would require CTC to work with the Business, Transportation & Housing Agency, and the Technology, Trade & Commerce Agency, to develop and implement legislative proposals for the aviation system, as recommended by TACA: a) Identify potential roles and policies for the State aviation system; b) Augment the roles and responsibilities of the Department; c) Ensure that those which benefit from a program pays for the program; and d) Retain funds derived from general aviation (GA) fuel taxes for GA purposes. The bill also appropriates \$19 million from aircraft jet fuel **excise** tax revenues for airport security and safety grants for GA airports. AB 2719 would appropriate \$10 million annually after January 15, 2003 from the General Fund to the Aeronautics Account for security and safety needs of airport facilities. *AB 2719 is scheduled for hearing in the Assembly Committee on Transportation on April 8, 2002.*

8. **AB 2776 (Simitian): "Airport Noise: Disclosure Notice"**: The bill states that it is the intent of the Legislature, in subsequent legislation, to require mechanisms to be implemented that provide "real and constructive notice to homebuyers of the proximity and potential impact of airports to the real property they are about to purchase." The Department is cooperating with the author's office and the real estate industry to develop the mechanisms for disclosure of airports to homebuyers. AB 2776 has not yet been assigned to a policy committee in the Assembly.
9. **AB 2815 (Simitian): "Airport Ground Transportation"**: The bill states that it is the intent of the Legislature, in subsequent legislation, to require drivers and owners of ground transportation carriers at airports to be licensed by the Public Utilities Commission, and be subject to public safety background checks. The PUC would cooperate with the federal Transportation Security Administration. AB 2815 has not yet been assigned to a policy committee in the Assembly.
10. **AB 2897 (Wiggins) and SB 1510 (Knight): "Sales and Use Taxes on Fuel: Exemptions: Air Common Carriers"**: These bills would reduce the sales taxes on air carriers' purchase of aircraft jet fuel. AB 2897 would exempt the sales amount above \$.50 per gallon from the sales tax on jet fuel. SB 1510 would exempt from the sales tax on jet fuel the amount sold for use beyond the first out-of-state destination by an air carrier. These bills would take effect immediately as tax levies. *AB 2897 is pending in the Assembly Committee on Revenue and Taxation, and SB 1510 is scheduled for hearing in the Senate Committee on Revenue and Taxation on April 10, 2002.*
11. **ACR 119 and ACR 120 (Runner): "Aerospace Highway" and "Aerospace Valley Monument"**: These resolutions would dedicate a portion of State Highway 14 near Edwards Air Force Base as the "Aerospace Highway," and establish a monument and plaque in that area, in recognition of the major accomplishments of aviators in the region. *ACR 119 and ACR 120 are scheduled for hearing in the Assembly Committee on Transportation on April 1, 2002.*
12. **AJR 31 (Thomson): "Terrorism Funding"**: This resolution would request Congress and the President to enact legislation to provide funds to state and local governments for increased security measures since September 11, 2001. *AJR 31 is scheduled for hearing in the Assembly Committee on Governmental Organization on April 8, 2002.*
13. **AJR 39 (Alquist) and AJR 40 (Diaz): "Airport Security Screeners"**: AJR 39 would memorialize the Congress and the President to: a) Suspend or eliminate the requirement that security screeners be U.S. citizens, b) Screeners that have applied for citizenship should be allowed to retain their jobs, and c) These screeners should not be subject to waiting time

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penalties. AJR 40 cites the Legislature's strong support of two Congressional bills, H.R. 3416 and H.R. 3503, which would assist noncitizen airport security screeners to become U.S. citizens. AJR 40 would also provide assistance to these screeners through extended unemployment benefits, job retraining programs, and naturalization assistance if the noncitizen requirement in the federal law is not repealed. *AJR 39 is scheduled for hearing in the Assembly Committee on Transportation on April 8, 2002. AJR 40 has not yet been assigned to a policy committee in the Assembly.*

14. **SB 865 (Polanco): "California-Mexico Border Infrastructure Financing Authority":** Population growth along the California and Mexico border will lead to "escalating infrastructure deficits" by 2020, including airports. This bill would create the above authority, which would be required to issue revenue bonds for construction of infrastructure. Projects would be revenue-generating, such as air cargo facilities. The bill is pending in the Assembly Committee on Appropriations.
15. **SB 1053 (Knight): "Centennial of Flight Program":** Under existing law, the California Department of Education (CDE) is required to assist school districts in developing an aviation education program. SB 1053 would emphasize, in that aviation education program, materials to commemorate the 100<sup>th</sup> anniversary of the Wright Brothers' first flight. CDE would be encouraged to use resources from the National Aeronautics and Space Administration and the U.S. Centennial of Flight Commission. School districts are encouraged to integrate aviation into mathematics, science, social studies, and vocational training, and to work with NASA centers in California. SB 1053's 2001 hearing in the Assembly Committee on Appropriations was postponed.
16. **SB 1243 (Torlakson): "Metropolitan Transportation Commission (MTC): ABAG":** *The bill expresses the Legislature's intent to begin the process of merging MTC and the Association of Bay Area Governments to create a new functional regional commission by January 1, 2004, but retain the existing governing bodies. By January 1, 2005 the commission would: a) Have had at least one hearing, and b) Require the commission to report to the Legislature. SB 1243 was scheduled for hearing on April 24, 2002 in the Senate Committee on Local Government, but the author requested the cancellation of the hearing.*
17. **SB 1279 (Murray): "Bond Act: Antiterrorism Safety":** This bill would provide funds (amount unknown) through a bond act, for (among others) airport "security improvements and enhancements". The bill states that "'Seaport or airport agency' means a port serving a large metropolitan area". If enacted, the bill would go before California's voters for approval. SB 1279 is pending in the Senate Committee on Governmental Organization.
18. **SB 1468 (Knight): "General Plans: Military Facilities":** *Existing law requires: a) Cities and counties to prepare General Plans, including land use elements; and b) Consistency between airport compatibility land use plans and city and county general plans. SB 1468 would require the General Plan's land use element to consider the importance of military facilities when proposing zoning ordinances. SB 1468 is scheduled for hearing in the Senate Committee on Local Government on April 24, 2002.*
19. **SB 1533 (Poochigian): "Airport Security Grants":** This bill would allow public-use airports to use state security funds to match federal security grants funded by the Airport Improvement Program. The Department has learned from the sponsor, the Regional Council of Rural Counties, that the intent of the bill is to use state funds for 100% of the local match for airport security

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projects at rural GA airports. *SB 1533 is scheduled for hearing in the Senate Committee on Transportation on May 7, 2002.*

20. **SB 1896 (Peace): “San Diego County Regional Airport Authority”:** Governor Davis requested the authors of AB 93, Chapter 946 of the Statutes of 2001, to submit clean-up legislation to resolve concerns about AB 93. This bill removes the previous mandate that all state and federal grants for all airports in San Diego County pass through the Airport Authority. SB 1896 requires the Authority to develop a plan to evaluate sites for a regional airport for the County. If a site other than Lindbergh Field is considered, this would become a ballot measure before the voters of San Diego County in the November 2, 2004 election. No other public agency would be allowed to significantly expand an existing airport, or construct a new one, unless it is approved by the Authority to be consistent to its Regional Air Transportation Plan. The Port of San Diego would retain control of the San Diego Harbor Police Department, which will provide exclusive security services to the San Diego International Airport as long as it remains at Lindbergh Field. The bill would take effect immediately as an urgency statute. *SB 1896 is scheduled for hearing in the Senate Committee on Local Government on April 24, 2002.*
21. **SCR 70 (Knight): “Aviation Maintenance Technician Day”:** *This resolution would recognize the achievements of Charles Taylor in developing the first engine for the Wright brothers’ historic December 17, 1903 flight. Mr. Taylor’s birthday of May 24, 2002 would be declared “Aviation Maintenance Technician Day” in California. SCR 70 is scheduled for hearing in the Senate Committee on Rules on April 10, 2002.*
22. **SJR 17 (Vincent): “Federal Interstate Highways: International Airports: Schools”:** SJR 17 stated that airports and freeways have a “significant detrimental impact on adjacent schools”; the resolution suggests that billboard revenue could offset the detrimental impacts. The resolution urges Congress and the President to establish a “Federal Transportation Impact Assistance Program” for schools located within two miles of an international airport, or adjacent to federal-aid highways. The resolution passed the Senate and is pending in the Assembly Committee on Transportation.
23. **SJR 24 (Knight): Military Base Closures”:** The author states that additional military bases will close in 2003 and 2005. This resolution would advocate the continued existence of military bases in California through the next round of base closures. SJR 24 is pending in the Senate Committee on Governmental Organization.