

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Amend the Process of Federal Aviation Administration Airport Improvement Program Grants

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 6 MRSA §3, sub-§25-C is enacted to read:

25-C. Primary airport. "Primary airport" means an airport that has at least 10,000 passenger boardings per year.

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Sec. 3. 6 MRSA §17, sub-§9, as enacted by PL 1977, c. 678, §30, is repealed.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

2-A. Primary Airport Capital Improvement Grant Program; administration approval. Notwithstanding subsection 2, 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. 5. 6 MRSA §18, sub-§3, as enacted by PL 1977, c. 678, §31, is amended to read:

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 ~~subsections 2 of this section and 2#A.~~ 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.

Effective 90 days following adjournment of the 125th
Legislature, First Regular Session, unless otherwise indicated.