

SENATE COMMITTEE AMENDMENTS

2026 Regular Session

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Original Senate Bill No. 514 by Senator Owen

1 AMENDMENT NO. 1

2 On page 1, line 2, after "reenact" delete the remainder of the line and insert the following:
3 "R.S. 2:1(15), (16), and (17), 2.1(B)(1), 5, 6(B)(1), 7, 7.1, 8, 9, 10, 13, 14, 81 through 87,
4 131(A), 135.1(F), (G), (H), (J), and (L)(1), 135.2, 135.3(A) and (B), 135.4(B), 136, 331(A),
5 381, 382, 383, 384, 385(A) and (B), 386(A) and (B), and the introductory paragraph of
6 386(C), 390, 601(5) and (6), 607(B), 609(2), 801 through 809, 811 through 814, 901, 902,
7 903(A), to enact R.S. 2:2.1(B)(2)(p), (G), (H), and (I), and to repeal R.S. 2:135.1(N)(3), and
8 2:1001 through 1004, relative to the Department of "

9 AMENDMENT NO. 2

10 On page 1, line 4, after "powers;" insert "to provide for shifting powers and duties from the
11 secretary of the Department of Transportation and Development to the commissioner of the
12 office of multimodal commerce; provides for name change of certain departments; to
13 provide for distinction of terms;"

14 AMENDMENT NO. 3

15 On page 1 delete lines 7 through 17 and delete page 2 and insert the following:

16 "Section 1. R.S. 2:1(15), (16), and (17), 2.1(B)(1), 5, 6(B)(1), 7, 7.1, 8, 9, 10, 13, 14,
17 81 through 87, 131(A), 135.1(F), (G), (H), (J), and (L)(1), 135.2, 135.3(A) and (B),
18 135.4(B), 136, 331(A), 381, 382, 383, 384, 385(A) and (B), 386 (A) and (B), and the
19 introductory paragraph of 386(C), 390, 601(5) and (6), 607(B), 609(2), 801 through 809, 811
20 through 814, 901, 902, 903(A) are hereby amended and reenacted and R.S. 2:2.1(B)(2)(p),
21 (G), (H), and (I) are hereby enacted to read as follows:

22 §1. Definitions

23 For the purposes of this Title, the following definitions shall apply:

24 * * *

25 (15) "Department" or "Department of Public Works" means the Department
26 of Transportation and Development, except where the Department of Public Safety
27 and Corrections is specified **office of multimodal commerce**.

28 (16) "Director" means the Assistant Secretary Aviation **director of**
29 **aeronautics, office of multimodal commerce, aeronautics division**, Louisiana
30 Department of Transportation and Development.

31 (17) "Fixed-base operator" or "FBO" means an individual or a firm operating
32 at an airport and providing general aircraft or air cargo services including, but not
33 limited to **sale of fuel**, maintenance, storage, repair, and ground and flight
34 instructions.

35 * * *

36 §2.1. Louisiana Advanced Aviation and Drone Advisory Committee

37 * * *

38 B.(1) The ~~secretary of the Department of Transportation and Development~~
39 **commissioner of multimodal commerce** shall create the Louisiana Advanced
40 Aviation and Drone Advisory Committee and it shall be comprised of fifteen
41 members. The members shall be selected by the following individuals as a means of
42 representing a diverse set of stakeholders involved in the deployment and
43 advancement of drone technologies in the state. The committee shall provide
44 recommendations to the ~~secretary of the Department of Transportation and~~
45 ~~Development~~ **commissioner of multimodal commerce** as well as both the House
46 Committee on Transportation, Highways and Public Works and the Senate

1 Committee on Transportation, Highways and Public Works on policy and regulatory
2 issues related to the adoption of drone technologies.

3 (2) The members shall be appointed by the following groups or individuals:

4 * * *

5 (p) One member from the governor's office of homeland security and
6 emergency preparedness appointed by the director.

7 * * *

8 **G. Advanced aeronautics functions of the department**

9 **(1) The functions of the office of multimodal commerce aeronautics**
10 **division within the Department of Transportation and Development shall be to**
11 **study, administer, construct, improve, promote, and regulate the use of**
12 **advanced air mobility systems and to perform such other functions with regard**
13 **to public aeronautical facilities and to provide recommendations to the**
14 **commissioner of the office of multimodal commerce, secretary of the**
15 **Department of Transportation and Development, and both the House**
16 **Committee on Transportation, Highways and Public Works, and the Senate**
17 **Committee on Transportation, Highways, and Public Works, on policy and**
18 **regulatory issues related to the adoption of and advancement of advanced**
19 **aviation technologies, including, advanced air mobility, new air traffic control**
20 **system, unmanned aircraft systems, urban air mobility, rural air mobility,**
21 **universal traffic management, vertiports, and airspace integration technologies.**
22 **The legislature directs the secretary and commissioner to establish an advanced**
23 **aeronautics director and functions to administer and progress advanced air**
24 **mobility and associated functions.**

25 **(2) Annually, or as required by the joint committee, the department shall**
26 **issue a report regarding the state of unmanned and advanced aeronautics**
27 **technologies and shall summarize the progress on all projects previously**
28 **approved. This report shall be submitted to the joint committee by February 1**
29 **of each year.**

30 **(3) The commissioner of the office of multimodal commerce, or his**
31 **designee, shall serve as the department liaison with the Federal Aviation**
32 **Administration to address issues with federal, state, and local laws governing**
33 **unmanned aircraft systems, unmanned aerial systems, advanced air mobility**
34 **and airspace integration.**

35 **(4) In performing the functions provided in this Section, the department**
36 **may consult with industry stakeholders representing diverse interests in**
37 **advanced aviation technologies, including but not limited to representatives**
38 **from agriculture, public safety, surveying, oil and gas, unmanned vehicle**
39 **systems associations, educational institutions, rotorcraft industry, and airport**
40 **management.**

41 **H.(1) The department may establish and operate funding and**
42 **development programs to support the development, adoption, economic**
43 **integration, and promotion of advanced aviation technologies in the state,**
44 **including but not limited to:**

45 **(a) Grants for research, innovation, infrastructure development, and**
46 **workforce training related to unmanned aircraft systems, unmanned aerial**
47 **systems, and advanced air mobility.**

48 **(b) Pursuit and administration of federal funding opportunities,**
49 **including grants from the Federal Aviation Administration, Department of**
50 **Homeland Security, or other agencies for drone integration, counter-unmanned**
51 **aircraft technologies, and strategic economic and implementation plans.**

52 **(2) Such programs shall be developed in alignment with the state's**
53 **strategic economic plans, including the Louisiana advanced air mobility**
54 **strategic plan, and shall prioritize projects that enhance safety, security,**
55 **economic impact, workforce development, and job creation. Funding for these**
56 **programs may be derived from legislative appropriations, federal grants,**
57 **public-private partnerships, or other available sources. The department shall**
58 **include updates on funding program activities, awards, and outcomes in the**
59 **annual reports required under Subsection B of this Section.**

60 **(3)(a) Eligibility for program funding shall be determined based on**
61 **criteria established by the Department, including demonstrated economic**
62 **benefit to the state, compliance with federal and state regulations, and**

involvement of diverse stakeholders. The office may contract with qualified consultants for grant writing and program administration services as needed.

(b) Prior to implementing the established criteria and procedures, the department shall secure the approval of these procedures by the joint committee in accordance with the administrative procedure act. The procedures shall be the approved set of guidelines for administering applications through the program and shall be made available to eligible industry stakeholders.

I. The department may employ or contract for such personnel and resources as necessary to efficiently perform the functions provided in this Section.

* * *

§5. Duties of Department of Transportation and Development; aeronautic activities; exceptions

The ~~secretary and employees of the department designated by him~~ commissioner of the office of multimodal commerce, or his designee, shall supervise and direct all aeronautic activities and facilities, ~~except those activities pertaining to aircraft registration, identification, equipment, and enforcement delegated to the secretary of the Department of Public Safety and Corrections or his designee.~~ Unless specified, all licenses, orders, rules, and regulations pertaining to aeronautics shall bear the ~~secretary's~~ commissioner's signature, or the signature of employees designated by him to sign such licenses, orders, rules, or regulations; and the ~~secretary~~ commissioner shall insure that all rules and regulations of the department pertaining to aeronautics are obeyed. He shall direct investigations with respect to aeronautic activities. He, and any employee designated by him, may ~~administer oaths when necessary in the discharge of official duties and may affix his jurat to any license or document pertaining to the promotion or regulation of aviation, whether state or federal, concerning which oath is to be made.~~

§6. Powers and duties of the department; promulgation of rules and regulations pertaining to aeronautics

* * *

B.(1) Accordingly, the department may prescribe such reasonable rules and regulations as it deems necessary and advisable:

(a) For the public safety and for the promotion of aeronautics governing the designing, laying out, location, building, equipping, operation, and use of all airports, landing fields, or landing strips;

~~(b) Governing the curriculum, equipment, personnel, and operation and management of all air instruction;~~

~~(c) For the purpose of protecting the health and safety of students receiving or to receive such instruction of student aviators;~~

~~(d)~~ (b) For the public safety and safety of those engaged in aeronautics;

~~(e)~~ (c) For the promotion of aeronautics governing the establishment, location, maintenance, and operation of all air markings, air beacons, and other nonfederal air-navigation facilities.

* * *

§7. Powers and duties of the department; development of aeronautics

The department shall assist in the development of ~~aviation and aviation~~ aeronautics and aeronautical facilities for the purpose of safeguarding, growing and, optimizing the interests of those engaged in all phases of the industry and of the general public and of promoting aeronautics and probatively advancing multimodal commerce initiatives. Accordingly, the department may expend any or all the moneys allocated and deposited for the acquisition or enlargement by purchase, grant, lease, condemnation, or other means, and for the construction, ~~operation~~, and maintenance of airports, landing fields, vertiports, advanced air mobility, electrical vertical takeoff and land facilities, or emergency landing strips, or of other aeronautic facilities or services for the safety and advancement, and promotion of economic improvement and development of aeronautics, which shall include the joint establishment or provision of such aeronautic facilities

1 or services in cooperation with other state or federal departments or with other
 2 political subdivisions.

3 §7.1. Operation and maintenance of aeronautical navigation aids

4 The Department of Transportation and Development may, subject to
 5 legislative appropriation of sufficient funds, enter into a contract or contracts to
 6 maintain, repair, and use such **nonfederal** air navigation aids as the department
 7 deems necessary to operate a statewide aeronautical navigation system. ~~A plan for~~
 8 ~~such a system shall be presented to the Joint Legislative Committee on the Budget~~
 9 ~~for approval before the program is put into effect.~~

10 §8. Powers and duties of the department; aeronautics; license; fees

11 All proposed airports, ~~landing fields, air schools, flying clubs, air beacons,~~
 12 ~~or other navigation facilities, and landing fields~~ shall first be approved by the
 13 department before they are so used or operated. No airport, landing field, ~~air school,~~
 14 ~~flying club, vertiport, advanced air mobility facility,~~ air beacon, or other air
 15 navigation facility, ~~except airports and landing fields constructed and operated prior~~
 16 ~~to July 28, 1936,~~ shall be used or operated without the approval of the department,
 17 and no aircraft, except in case of emergency, shall land upon or take off from any
 18 area other than an airport, landing field, or landing strip. No license, rule, order, or
 19 regulation promulgated under the authority of this Section or of this Chapter shall
 20 apply to airports, landing fields, ~~air beacons, air markings,~~ or other air navigation
 21 facilities owned or operated by the government of the United States ~~or by this state.~~
 22 The department may issue a certificate of its approval **registration** in each case and
 23 make reasonable charges therefor.
 24

25 §9. Powers and duties of the secretary; aeronautics; investigations and hearings

26 The ~~secretary or any person designated by the secretary~~ **commissioner, or**
 27 **his designee**, may hold investigations, inquiries, and hearings concerning matters
 28 covered by the provisions of this Chapter, and all accidents in aeronautics, ~~except for~~
 29 ~~aircraft registration, identification, equipment, and enforcement delegated to the~~
 30 ~~Department of Public Safety and Corrections.~~ All hearings conducted in accordance
 31 with the provisions of this Section shall be open to the public. The ~~secretary,~~
 32 **commissioner** and every person designated by him to hold any inquiry,
 33 investigation, or hearing may administer oaths and affirmations, certify to all official
 34 acts, issue subpoenas, compel the attendance and testimony of witnesses, and the
 35 production of papers, books, and documents. In case of failure to comply with any
 36 subpoena or order issued under authority of this Chapter, the ~~secretary or his~~
 37 ~~authorized representative~~ **commissioner, or his designee**, may invoke the aid of any
 38 district court which may have jurisdiction in such cases. The court may thereupon
 39 order the witness to comply with the requirements of the subpoena or order to give
 40 evidence touching the matter in question. Any failure to obey the order of said court
 41 may be punished by the court as a contempt thereof.

42 §10. Powers and duties of the ~~secretary~~ **commissioner**; exceptions; aeronautics;
 43 investigations and hearings; reports and testimony

44 To facilitate the making of investigations by the ~~secretary~~ **commissioner or**
 45 **his designee**, in the interest of the public safety and the promotion of aeronautics,
 46 the reports of investigations or hearings, or any part thereof, or any testimony given
 47 thereat, shall not be admitted in evidence or used for any purpose in any suit, action,
 48 or proceeding growing out of any matter referred to in said investigation, hearing,
 49 or report thereof, except in case of criminal or other proceedings instituted by or on
 50 behalf of the Department of Public Safety and Corrections under the provisions of
 51 this Chapter.

52 * * *

53 §13. Powers and duties of the department; aeronautics; license rejection

54 In any case where the department rejects an application for ~~permission~~
 55 ~~registration to operate or establish an airport, landing field, air school, flying club,~~
 56 ~~air beacon, or other air navigation facility, or in any case where the department shall~~
 57 ~~issue any order requiring certain things to be done, it shall set forth its reasons and~~

1 shall state the requirements to be met before such ~~approval~~ **registration** shall be
2 given or the order modified or changed. In any case where the department may deem
3 it necessary it may order the closing of any airport, landing field, ~~or order any air~~
4 ~~school, flying club, or air beacon~~; or other air navigation facility to cease operations
5 until it complies with the requirements of the department. The ~~secretary~~
6 **commissioner** or any person designated by him, and any officer, state, parish, or
7 municipal, charged with the duty of enforcing any provisions of this Chapter, ~~may~~
8 **shall** inspect and examine at reasonable hours any premises, and the buildings and
9 other structures thereon, where airports, landing fields, ~~air schools, flying clubs, air~~
10 ~~beacons~~, **vertiports, advanced air mobility facilities**, or other air navigation
11 facilities are operated. Any order made by the department pursuant to this Chapter
12 shall be served upon the interested person by registered mail or in person before such
13 order shall become effective.

14 §14. Appeal from department order or regulation pertaining to aeronautics
15 Any person against whom an order has been entered may, within ten
16 **calendar** days after service, appeal to the district court for the parish in which
17 property affected by the order is located, for the purpose of having the
18 reasonableness or lawfulness of the order inquired into or determined.

19 * * *

20 §81. Authority of state to own airports; operation of airports by ~~Department of~~
21 ~~Public Works~~

22 **A.** The department of ~~public works in~~ **on** behalf of and in the name of the
23 state, out of funds available for such purposes, may plan, establish, construct,
24 enlarge, improve, maintain, equip, operate, regulate, protect, **promote**, and police
25 airports and air navigation facilities within the state. The department may construct,
26 install, equip, maintain, and operate at such airports buildings and other facilities for
27 the servicing of aircraft ~~or for the accommodation of air travelers~~, **education,**
28 **workforce development, economic growth, and public-private initiatives to**
29 **leverage public airport assets and infrastructure to attract, develop, and scale**
30 **new and innovative entrants for transportation, logistics, and defense to ensure**
31 **alignment with market demand and collaboration of resources across the state.**

32 **B.** All airports, and other air navigation facilities presently owned or leased
33 or which may be owned or leased hereafter by the state shall be maintained, managed
34 and operated by the department, which may charge such fees as it shall see fit for the
35 use of said airports or air navigation facilities. The department may enter into such
36 contracts as it shall deem advisable for the sale of aviation fuel and lubricants and
37 for the operation of other concessions and it may grant leases of every type covering
38 its hangars, buildings and other real and personal property for such sums and upon
39 such terms as it may see fit.

40 **C.** All revenues earned or produced by the department on account of such
41 fees, contracts or leases shall be kept separate from all other funds of the state and
42 shall be deposited in ~~one of the banks of the City of Baton Rouge~~ **a FDIC insured**
43 **bank** subject to withdrawal by the ~~Director of Public Works~~ **commissioner, or his**
44 **designee**, who may use them to pay salaries, to purchase and repair equipment and
45 to meet other expenses incidental to the operation, development and maintenance of
46 these facilities.

47 §82. Acquisition of airports by state; limitations
48 For the purposes set forth in R.S. 2:81 the department of ~~public works~~ by
49 purchase, donation, lease, or condemnation may acquire property or an interest
50 therein, including servitudes in airport hazards or land outside the boundaries of an
51 airport, necessary to permit safe and efficient operation of the airports, to permit the
52 removal, obstruction-marking, or obstruction-lighting of airport hazards, or to
53 prevent the establishment of airport hazards. In like manner, the department may
54 acquire existing airports and air navigation facilities. The department shall not
55 acquire any airport or air navigation facility owned or controlled by a political
56 subdivision of the state without consent first being obtained in writing from the
57 governing authority of the political subdivision.

1 §83. Authority of state to dispose of airports

2 A. The department may dispose of any airport, air navigation facility, and
 3 portion thereof, or any interest therein. The disposal shall be in accordance with the
 4 laws governing the disposition of property of the state; except that disposal to a
 5 political subdivision of the state or to the United States for aeronautical purposes
 6 may be effected upon such terms and conditions as the department deems in the best
 7 interest of the state.

8 B. ~~The secretary of the Department of Transportation and Development is~~
 9 ~~hereby authorized to either transfer the Harry P. Williams Memorial Airport in~~
 10 ~~Patterson, Louisiana to the St. Mary Parish governing authority or to take whatever~~
 11 ~~steps are necessary to close the Harry P. Williams Memorial Airport and to dispose~~
 12 ~~of any interest the state may have in the airport to the St. Mary Parish governing~~
 13 ~~authority. In addition to the authority hereinabove granted the secretary to transfer~~
 14 ~~or close the Harry P. Williams Memorial Airport, the secretary may enter into a~~
 15 ~~cooperative endeavor agreement with the St. Mary Parish governing authority~~
 16 ~~whereby the state shall retain legal ownership and the St. Mary Parish governing~~
 17 ~~authority shall operate and maintain the said airport. For a period of one year from~~
 18 ~~July 14, 1988, the St. Mary Parish governing authority shall not be required to~~
 19 ~~comply with the provisions of the Public Bid Law for agreements pertaining to~~
 20 ~~operations, but shall be required to comply with the public bid law for any~~
 21 ~~purchasing or construction. The secretary is authorized to execute any and all~~
 22 ~~agreements or documents which may be necessary to accomplish either the transfer~~
 23 ~~or closure of the airport. The secretary shall have full power and authority to utilize~~
 24 ~~whatever method he deems in the best interest of the state to accomplish the purposes~~
 25 ~~of this Section.~~

26
 27 §84. Department of public works as agent for political subdivisions in securing
 28 federal aid

29 The department of public works may act as agent for any municipality or
 30 parish in Louisiana in applying for, accepting, receiving, receipting for, and
 31 disbursing any federal funds **or other nonstate funding** made available to finance,
 32 in whole or in part, the planning, acquisition, construction, improvement,
 33 maintenance, or operation of any municipal or parish **publicly owned and public-**
 34 **use** airport or air navigation facility.

35 §85. Authority of municipality or parish to designate department of public works its
 36 agent

37 The governing authority of any municipality or parish may authorize the
 38 department of public works to act as its agent **through a cooperative endeavor**
 39 **agreement** for the purposes set forth in R.S. 2:84.

40 §86. Authority of ~~department of public works~~ **the department** to contract with the
 41 United States

42 The department of public works, as principal for the state and as agent for
 43 any municipality or parish when authorized in writing, may contract with the United
 44 States or its subdivisions as required in connection with a grant or loan of federal
 45 funds for airport or air navigation facilities.

46 §87. Disposition of funds by department of public works

47 The department of public works shall deposit in the state treasury funds
 48 received pursuant to R.S. 2:84 and R.S. 2:86. ~~Unless otherwise prescribed by the~~
 49 ~~authority from which the moneys are received, the~~ **The** funds shall be kept in a
 50 separate fund designated according to the purposes for which the funds are made
 51 available. The funds shall be held and disbursed by the state for such purposes and
 52 upon such conditions upon which they are made available.

53 §131. Definition; political subdivisions may acquire airports

54 A. "Political subdivision" as used in this Part means any parish of this state
 55 as well as any city or county of another adjoining or adjacent state which is
 56 authorized by the law of that state to engage in a joint endeavor for the creation and
 57 operation of an airport district with a political subdivision of this state. ~~In any such~~
 58 ~~joint endeavor, except to the extent manifestly inconsistent with this Part, the law of~~

1 ~~that state will govern the acquisition of lands in such other state and the appointment,~~
2 ~~term of service, and compensation for commissioners appointed by or for such city~~
3 ~~or county.~~

4 * * *

5 §135.1. Authority to equip, improve, establish fees and charges, and lease airport
6 facilities

7 * * *

8 F. Notwithstanding any provisions of law to the contrary, no municipality,
9 parish, airport district, airport authority, or other political subdivision may grant a
10 lease of an entire airport nor may the public be deprived of its rightful, equal, and
11 uniform use of the airport or landing field or portion thereof, except at such times as
12 may be required in the interest of public safety, and no exclusive concession, license,
13 or lease agreement may be made relative to the business of servicing, repairing, or
14 furnishing of supplies for aircraft or the sale, rental, or leasing of aircraft or flight
15 instruction. Prospective lessees providing such services ~~must have complied~~ **shall**
16 **comply** with the minimum aeronautical standards established by the lessor.

17 G. Lease agreements entered into with fixed-base operators prior to June 22,
18 1978, may be amended so as to provide for an initial or primary term of up to thirty
19 years and **an** optional extension terms of up to an additional twenty-five years
20 without advertising or competitive bidding, with the terms, conditions, fees, and
21 rentals in such lease agreement to be agreed upon by the authority and the fixed-base
22 operator.

23 H. The provisions of this Section shall not apply to the Department of
24 Military Affairs of the state of Louisiana when leasing airport space at a publicly-
25 owned airport for military **aeronautical** purposes.

26 * * *

27 J. All leases with a term of five years or more shall contain a provision for
28 **annual** periodic adjustments based on a recognized economic index.

29 * * *

30 L.(1) Notwithstanding any other provision of law to the contrary, leases of
31 public airport operational space, facilities, equipment, and other airport land and
32 improvements at any air facility may be entered into with persons engaged in the
33 manufacture, storage, maintenance, retrofitting, repair, or maintenance of aircraft ~~in~~
34 ~~excess of eighty-eight thousand pounds commonly used by the military services of~~
35 ~~the United States or any state,~~ or private person engaged in air carrier operations, or
36 scheduled commuter operations, or nonscheduled charter of persons, or property, or
37 mail, for initial terms of up to thirty years, and for optional extension terms of up to
38 an additional twenty-five years, without advertising or competitive bidding.

39 * * *

40
41 §135.2. Distribution of sales tax revenue

42 When an airport is located in more than one political subdivision, sales and
43 use tax revenues generated at the airport shall be ~~distributed to each of the political~~
44 ~~subdivisions based upon the acreage contained in each political subdivision in~~
45 ~~relation to the total acreage of the airport. The provisions of this Section shall apply~~
46 ~~only if the majority of the acreage of such airport is located within the parish of~~
47 ~~Jefferson~~ **used in accordance with the provisions of the Federal Aviation**
48 **Administration policy and procedures concerning the use of airport revenues.**

49
50 §135.3. Aerial applicators; discrimination prohibited

51 A. No city, town, or other political subdivision of this state which establishes
52 airports or landing fields, or which acquires, leases, or sets apart real property for
53 such purposes shall use any aspect of its authority to discriminate against the use of
54 such airports or landing fields by any aerial applicator appropriately licensed by the
55 Department of Agriculture for aerial application of seeds, fertilizers, or pesticides
56 provided such aerial applicator complies with all regulations as may be promulgated
57 by the airport owner or operator or **in accordance with the provisions of R.S.**
58 **2:135.1(N) or (O),** the Department of Transportation and Development for the
59 furtherance of flying safety and protection of the airport environs.

B. In the event that any airport authority objects to the use of its facilities by a licensed aerial applicator, **the airport sponsor shall notify the FAA Flight Standards district office**, the office of agricultural and environmental sciences of the Department of Agriculture and Forestry ~~shall upon request send a representative and the department. The airport sponsor may request a representative from each agency~~ to inspect and monitor the field prior to, during, and after the use by the aerial applicator to ascertain if any harmful chemicals and other residues remain as a result of the use by the aerial applicator. If ~~the commissioner of the Department of Agriculture and Forestry~~ **any one of the agencies** determines that the applicator is or has been in violation, ~~the commissioner shall have the authority to suspend the offending applicator from further use of the airport or landing strip~~ **each agency shall take the appropriate action to ensure the safety and protection of the airport operating environment.**

* * *

§135.4. Payment methods at airports

* * *

B.(1) All ~~air-carrier~~ airports or their authorized agents may collect payment by credit card, debit card, or a similar approved payment device for any transaction including but not limited to food and beverage or other consumer-related purchases in commercial terminal facilities.

(2) No ~~air-carrier~~ airport or its authorized agent shall prohibit the use of United States currency, coin or paper money, for the payment of such transactions.

* * *

§136. Funds for operation may be raised by taxation and otherwise

The local public authorities having power to appropriate monies within the cities, or other political subdivisions of this state, acquiring, establishing, developing, operating, maintaining, or controlling airports or landing fields under the provisions of this Part, may appropriate and cause to be raised by taxation or otherwise in such political subdivisions, monies sufficient to carry out therein the provisions of this Part; and ~~may~~ **shall** use for such purposes monies derived from the airports or landing fields.

* * *

§331. Authority to acquire or improve land for industrial parks

A. In addition to any other authority conferred by the constitution and statutes of this state, any airport district, commission, board or airport authority may acquire, ~~except by expropriation,~~ and/or improve land for industrial parks within the limits of the district, commission, board or authority, and may acquire, purchase, construct or improve industrial plant buildings and necessary property and appurtenances thereto and lease, by suitable and appropriate contract, to any enterprise locating or existing within such airport district, commission, board or airport authority, a plant site, appurtenances and plant building or buildings, either, both or severally. ~~Leases authorized to be executed hereunder may be entered into by the airport district without advertisement for bids, provided that any lease having a term of three years or longer shall first be submitted to and approved by the Board of Commerce and Industry of the State of Louisiana.~~

* * *

CHAPTER 3. AIRPORT **AERONAUTICAL** ZONING

§381. Authority of municipalities and parishes

For promoting safety or the general welfare of the community the governing body of all incorporated cities, towns and villages and of the parishes ~~may~~ **shall** promulgate, administer, and enforce airport zoning regulations limiting the height of structures and objects of natural growth and otherwise regulate the use of property in the vicinity of airports and landing fields. Any regulations adopted shall comply with any United States Department of Transportation, Federal Aviation Administration, advisory circular, order, regulation, safety guideline, recommendation, or other official document in order to ensure ~~aviation~~ **aeronautical** safety and compatible land use.

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§382. Declaration of effect of ~~airport~~ **aeronautical** hazards
 It is hereby found and declared that an ~~airport~~ **aeronautical** hazard endangers the lives and property of users of ~~the airport~~ **aeronautical facilities** and of occupants of land in its vicinity, and also, if of the obstruction type, in effect reduces the size of the area available for landing, taking-off, and maneuvering of aircraft, thus tending to destroy or impair the utility of the ~~airport~~ **aeronautical facility** or landing field and the public health, public safety, or general welfare.

§383. ~~Airport~~ **Aeronautical** zoning regulations by parishes, cities, towns, villages and other political subdivisions

Every parish, incorporated city, town, village, or other political subdivision ~~may~~ **shall** adopt, administer, and enforce under the police power and in the manner and upon the conditions prescribed, airport zoning regulations for any ~~airport~~ **aeronautical** or landing field within its jurisdiction, which regulations shall divide the area surrounding the ~~airport~~ **aeronautical facility** or landing field into zones and within such zones, specify the land uses permitted and regulate and restrict the height to which structures and trees may be erected or allowed to grow. In adopting or revising any such zoning regulations, the political subdivision shall consider, among other things, the character of the flying operations to be conducted at the ~~airport~~ **aeronautical facility** or landing field, the nature of the terrain, the height of existing structures and trees above the level of the ~~airport~~ **aeronautical facility** or landing field, the possibility of lowering or removing existing obstructions, and the views of the agency of the federal government charged with fostering of civil aeronautics, as to the aerial approaches necessary to safe flying operations at the ~~airport~~ **aeronautical facility** or landing field.

§384. General zoning ordinances; effect or scope; joint boards; extent of jurisdiction of political subdivisions; reasonable regulations

A. In the event that a political sub-division has adopted, or hereafter adopts, a general zoning ordinance, regulating, among other things, the height of buildings, any ~~airport~~ **aeronautical** zoning regulations adopted for the same area or portion thereof under this Chapter, may be incorporated in and made a part of such general zoning regulations, and be administered and enforced in connection therewith, but such general zoning regulations shall not limit the effectiveness or scope of the regulations adopted under this Chapter.

B. Any two or more parishes or other political subdivisions may agree, by ordinance duly adopted, to create a joint board and delegate to said board the powers herein conferred to promulgate, administer, and enforce airport zoning regulations to protect the aerial approaches of any ~~airport~~ **aeronautical** or landing field located within the corporate limits of any one or more of said political subdivisions. Such joint boards shall have as members two representatives appointed by the chief executive officer of each political subdivision participating in the creation of said board and a chairman elected by a majority of the members so appointed.

C. The jurisdiction of each parish or other political subdivision is hereby extended to the promulgation, administering and enforcement of airport zoning regulations to protect the approaches of any airport or landing field which is owned by said parish or other political subdivision but located wholly or partially outside the corporate limits of the parish or other political subdivision. In case of conflict with any ~~airport~~ **aeronautical** zoning or regulations promulgated by any other parish or other political subdivision, the regulations adopted pursuant to this sub-section shall prevail.

D. All ~~airport~~ **aeronautical** zoning regulations adopted under this Chapter shall be reasonable and none shall require the removal, lowering, or other change or alteration of any structure or tree not conforming to the regulations when adopted or amended, or otherwise interfere with the continuance of any non-conforming use, except as provided in R.S. 2:385A.

§385. Permits; variances; obstruction marking and lighting

A. Permits. If ~~airport~~ **aeronautical** zoning regulations are adopted a system shall be established by any political subdivision for the granting of permits to establish or construct new structures and other uses and to replace existing structures

1 and other uses or make substantial changes therein or substantial repairs thereof. In
 2 any event, before any non-conforming structure or tree may be replaced,
 3 substantially altered or repaired, rebuilt, allowed to grow higher, or replanted, a
 4 permit shall be secured from the administrative agency authorized to administer and
 5 enforce the regulations, authorizing such replacement, change, or repair. No such
 6 permit shall be granted that would allow the structure or tree in question to be made
 7 higher or become a greater hazard to air navigation than it was when the applicable
 8 regulation was adopted; and whenever the administrative agency determines that a
 9 non-conforming structure or tree has been abandoned or more than eighty percent
 10 torn down, destroyed, deteriorated, or decayed: (1) no permit shall be granted that
 11 would allow the structure or tree to exceed the applicable height limit or otherwise
 12 deviate from the zoning regulations; and (2) whether application is made for a permit
 13 under this Subsection or not, the agency may by appropriate action compel the owner
 14 of the non-conforming structure or tree, at his own expense, to lower, remove,
 15 reconstruct, or equip such object as may be necessary to conform to the regulations
 16 or, if the owner of the non-conforming structure or tree shall neglect or refuse to
 17 comply with such order for ten days after notice thereof, the agency may proceed to
 18 have the object so lowered, removed, reconstructed, or equipped and assess the cost
 19 and expense thereof upon the object or the land whereon it is or was located. Unless
 20 such an assessment is paid within ninety days from the service of notice thereof on
 21 the agent or owner of such object or land, the sum shall bear interest at the rate of ten
 22 percent per annum until paid, and shall be collected in the same manner as are
 23 general taxes. Except as indicated, all applications for permits for replacement,
 24 change or repair of non-conforming uses shall be granted.

25 B. Variances. Any person desiring to erect any structures, or increase the
 26 height of any structure, or permit the growth of any tree, or otherwise use his
 27 property, in violation of airport aeronautical zoning regulations adopted under this
 28 Chapter, may apply to the board of appeals, as provided in R.S. 2:386 for a variance
 29 from the zoning regulations in question. Such variances shall be allowed where a
 30 literal application or enforcement of the regulations would result in practical
 31 difficulty or unnecessary hardship and the relief granted would not be contrary to the
 32 public interest but do substantial justice and be in accordance with the spirit of the
 33 regulations and this Chapter.

34 * * *

35 §386. Procedure for adoption and administration of regulations; appeals

36 A. Adoption of zoning regulations. No airport aeronautical zoning
 37 regulations shall be adopted, amended, or changed under this Chapter except by
 38 action of the legislative body of the parish or other political subdivision in question,
 39 or the joint board provided for in R.S. 2:384(B) after a public hearing in relation
 40 thereto, at which parties of interest and citizens shall have an opportunity to be heard.
 41 At least thirty days' notice of the hearing shall be published in an official paper, or
 42 a paper of general circulation, in the political subdivision or subdivisions in which
 43 the airport or landing field is located.

44 B. Administration of zoning regulations—Administrative agency. The
 45 legislative body of any political subdivision adopting airport aeronautical zoning
 46 regulations under this chapter may delegate the duty of administering and enforcing
 47 such regulations to any administrative agency under its jurisdiction, or may create
 48 a new administrative agency to perform such duty, but such administrative agency
 49 shall not be or include any member of the board of appeals. The duties of such
 50 administrative agency shall include that of hearing and deciding all permits under
 51 R.S. 2:385A, but such agency shall not have or exercise any of the powers delegated
 52 to the board of appeals.

53 C. Administration of airport aeronautical zoning regulations; board of
 54 appeal. Airport zoning regulations adopted under this Chapter shall provide for a
 55 board of appeals to have and exercise the following powers:

56 * * *

57 §390. Short title

58 This Chapter may be known as the Airport Aeronautical Zoning Law.

59

1 §601. Definitions

2 The following words or terms whenever used or referred to in this Chapter
3 shall have the following respective meanings unless different meanings clearly
4 appear from the context:

5 * * *

6 (5) "~~Air navigation~~ **Aeronautical** facility" means any facility—other than one
7 owned and operated by the United States—used in, available for use in, or designed
8 for use in aid of air navigation, including any structures, mechanisms, lights,
9 beacons, markers, communicating systems, or other instrumentalities, or devices
10 used or useful as an aid, or constituting an advantage or convenience, to the safe
11 taking-off, navigation, and landing of aircraft, or the safe and efficient operation or
12 maintenance of an airport, and any combination of any or all of such facilities.

13 (6) "**Aeronautical** hazard" means any structure, object of natural growth, or
14 use of land which obstructs the airspace required for the flight of aircraft in landing
15 or taking-off at an airport or is otherwise hazardous to such landing or taking-off of
16 aircraft.

17 * * *

18 §607. Federal and state aid

19 * * *

20 B. An authority is authorized to designate the ~~office of aviation~~ **aeronautics**
21 **division** of the Department of Transportation and Development as its agent to accept,
22 receive, receipt for, and disburse federal and state monies, and other monies, public
23 or private, made available by grant or loan or both, to accomplish in whole or in part,
24 any of the purposes of this Chapter; and to designate the said department as its agent
25 in contracting for and supervising the planning, acquisition, development,
26 construction, improvement, maintenance, equipment, or operation of any airport or
27 other air navigation facility. An authority may enter into an agreement with the said
28 department prescribing the terms and conditions of the agency in accordance with
29 such terms and conditions as are prescribed by the United States, if federal money
30 is involved, and in accordance with the applicable laws of this state. All federal
31 monies accepted under this Section by the ~~office of aviation~~ **aeronautics division**
32 of the Department of Transportation and Development shall be accepted and
33 transferred or expended by said department upon such terms and conditions as are
34 prescribed by the United States. All monies received by the ~~office of aviation~~
35 **aeronautics division** pursuant to this Subsection shall be deposited in the
36 **Transportation Trust Fund of the** state treasury and, unless otherwise prescribed
37 by the agency from which such monies were received, shall be kept in separate funds
38 designated according to the purposes for which the monies were made available and
39 held by the state in trust for such purpose.

40 * * *

41 §609. Subdivision cooperation

42 For the purpose of aiding and cooperating in the planning, undertaking,
43 construction, or operations of airports or air navigation facilities pursuant to the
44 provisions of this Chapter, any subdivision for which an authority has been created
45 may, upon such terms, with or without consideration, as it may determine:

46 * * *

47 (2) Provide that all or a portion of the taxes or funds available or to become
48 available to, or required by law to be used by, the subdivision for airport purposes,
49 be transferred or paid directly to the airport authority as such funds become available
50 to the subdivision; **and unless otherwise prescribed by the agency from which the**
51 **monies were received, shall be kept in separate funds designated according to**
52 **the purposes for which the monies were made available and held in trust for**
53 **such purpose.**

54 * * *

55 CHAPTER 7. AIRPORT CONSTRUCTION AND DEVELOPMENT
56 PRIORITY PROGRAM

1 §801. Definitions

2 As used in this Chapter, unless the context clearly indicates otherwise, the
 3 following definitions shall apply:

4 (1) "Airport authority" means the owner of any airport ~~or~~ landing field,
 5 **vertiport, advanced air mobility facility**, or the governing authority of any airport
 6 district.

7 (2) ~~"Airport construction and development priority program" means the~~
 8 ~~priority list of projects submitted by the department and approved by the joint~~
 9 ~~committee pursuant to this Chapter~~ **Airport development program" means a**
 10 **program of infrastructure improvements and development projects of**
 11 **qualifying airports submitted by the department and approved by the Senate**
 12 **and House committees on transportation, highway and public works pursuant**
 13 **to this chapter..**

14 (3) "Construction or development project" means a program of construction
 15 or development, either new or continuing, that will be planned and implemented with
 16 the primary goal of improving aviation **aeronautical** activities in the state.

17 (4) "Department" means the Department of Transportation and Development,
 18 **office of multimodal commerce.**

19 (5) "Joint committee" means **legislative committees including** the House
 20 Committee on Transportation, Highways and Public Works and the Senate
 21 Committee on Transportation, Highways and Public Works, ~~functioning as a joint~~
 22 ~~legislative committee.~~

23 (6) "Sponsor" means any state agency, city, town, parish, airport authority,
 24 **airport district, airport commission** or other political subdivision which owns,
 25 leases, or controls any airport, landing field, landing strip, seaplane base, helipad, or
 26 aid to air navigation.

27
 28 §802. Methodology for airport project evaluation

29 ~~A.(1) Applications for funding of any airport construction or development~~
 30 ~~project may be submitted by any airport authority, except as provided in R.S. 2:806.~~
 31 ~~However, to be eligible for state funding from the Airport Construction and~~
 32 ~~Development Priority Program for an airport project, an airport authority located in~~
 33 ~~a political subdivision which has adopted airport zoning regulations, shall certify to~~
 34 ~~the Department of Transportation and Development that the political subdivision's~~
 35 ~~regulations are in compliance with United States Department of Transportation,~~
 36 ~~Federal Aviation Administration, advisory circulars, orders, regulations, safety~~
 37 ~~guidelines, recommendations, or other official documents that have been issued for~~
 38 ~~the purpose of ensuring aviation safety and compatible land use. Equal consideration~~
 39 ~~shall be given to rural aviation and commercial urban aviation. Applications shall be~~
 40 ~~made to the Department of Transportation and Development by November first of~~
 41 ~~each year, for consideration of funding in the following fiscal year. Applications~~
 42 ~~submitted in accordance with the provisions of this Chapter shall not be subject to~~
 43 ~~the provisions of R.S. 39:104, 111, 114, and 121. Information to be provided in the~~
 44 ~~application shall include but not be limited to the following:~~

- 45 (a) ~~Description of the project and demonstration of immediate need for the~~
 46 ~~project.~~
- 47 (b) ~~Preliminary project design and cost estimate.~~
- 48 (c) ~~Description of project area.~~

49 **A.(1) Applications for state funding of any airport construction or**
 50 **development project shall be submitted by any airport sponsor. To be eligible**
 51 **for state funding from the Airport Development Program for an airport**
 52 **project, an airport sponsor located in a political subdivision which has adopted**
 53 **airport aeronautical zoning regulations, shall certify to the Department of**
 54 **Transportation and Development that the political subdivision's regulations are**
 55 **in compliance with United States Department of Transportation, Federal**
 56 **Aviation Administration, advisory circulars, orders, regulations, safety**
 57 **guidelines, recommendations, or other official documents that have been issued**
 58 **for the purpose of ensuring aeronautical safety and compatible land use. Final**
 59 **applications submitted in accordance with the provisions of this Chapter shall**
 60 **not be subject to the provisions of R.S. 39:104, 111, 114, and 121. Information**
 61 **to be provided in the application shall be submitted in accordance with the**
 62 **Louisiana Aeronautical Development Manual.**

1 (2) Project applications shall not be subjected to formal review and
 2 evaluation until the information required in the application has been submitted.

3 ~~(3) Projects being funded on August 15, 2010, and projects on the proposed~~
 4 ~~Airport Priority Program for FY 2010-2011 on August 15, 2010, are exempt from~~
 5 ~~the requirements of this Subsection.~~

6 B. ~~Applications shall be reviewed by the department and any other~~
 7 ~~appropriate state agencies which meet the provisions of R.S. 2:802(C) and meet~~
 8 ~~the eligibility requirements within the evaluation procedures, shall be included~~
 9 ~~in the Airport Development Program.~~

10 **C. If the sponsor, or any local unit of government obtains ninety percent**
 11 **or more funding for an aeronautical project, from federal sources or from**
 12 **sources other than state funds, the legislature shall give priority to funding the**
 13 **local match amount necessary for the aeronautical project.**

14 **D.** Procedures for **application** review and evaluation shall be developed by
 15 the department. Prior to implementing the review and evaluation procedures, the
 16 department shall secure the approval of these procedures by the joint committee in
 17 accordance with the Administrative Procedure Act. The procedures ~~and a~~ **shall be**
 18 **approved by a** set of guidelines for completing project applications shall be made
 19 available to eligible airport authorities ~~prior to September 1, 1989.~~

20 **E.(1) The commissioner of multimodal commerce, or his designee, shall**
 21 **for the purpose of administering the provisions of this Chapter, divide and**
 22 **classify the airports of the Louisiana airport system by type, volume and kind**
 23 **of traffic, operational status, federal status, federal obligation requirements,**
 24 **purpose, or otherwise to ensure a system that is safe, efficient, and complies**
 25 **with state and federal safety standards.**

26 **(2) The commissioner of multimodal commerce shall classify airports**
 27 **comprising of functional operations and shall establish current standards for**
 28 **their functional classification. It shall undertake a continuing study of the needs**
 29 **of the various airports for the purpose of maintaining safety standards and shall**
 30 **update such study every two years with the most current information and data**
 31 **to support funding allocations and justify overall development objectives.**

32 **(3) The department shall prepare and update a master plan to support**
 33 **and sustain the justification for the classification and characterization of the**
 34 **Louisiana integrated airport system requirements to be updated every two**
 35 **years in coordination with the federal national plan of integrated airport**
 36 **systems report by the federal aviation administration for program inclusion.**

37 **(a) Every two years the department shall provide to the legislative**
 38 **committees a report on the classification and characterization of the airport**
 39 **system.**

40 **(b) The department shall promulgate rules, procedures, and**
 41 **implementation policies and publish them in the Louisiana Aeronautical**
 42 **Development Manual in accordance with the Administrative Procedure Act.**

43 §803. Priority list of projects; public hearings; final program **Proposed Program**
 44 **of Airport Development**

45 A. ~~Prior to the convening of each regular session of the legislature,~~
 46 ~~beginning with the 1990 Regular Session, the department shall prepare and shall~~
 47 ~~furnish the priority list to the joint committee which shall hold a public hearing or~~
 48 ~~hearings for the purpose of reviewing the priority list of projects for the coming~~
 49 ~~fiscal year. Prior to each hearing, the department shall publish the appropriate~~
 50 ~~official notice in the necessary journals. Subsequent to the joint committee hearing~~
 51 ~~and prior to the convening of the regular session, the department shall prepare the~~
 52 ~~final construction program for the coming fiscal year for submission to the joint~~
 53 ~~committee. When this final construction program, as approved by the joint~~
 54 ~~committee, is presented to the legislature for funding for the coming fiscal year, the~~
 55 ~~legislature shall not add any projects to this final construction program except as~~
 56 ~~provided in Subsection B of this Section.~~

57 B. ~~If the governing authority of an airport authority district, parish, or of any~~
 58 ~~local unit of government obtains ninety percent or more funding for an airport, or for~~
 59 ~~an airport project, from federal sources or from sources other than state funds, the~~
 60 ~~legislature shall give priority to funding the remaining amount necessary for the~~

1 airport or for the airport project, even if the project is not on the priority list of
 2 projects.

3 A. Each year, the department shall submit to the legislative committee
 4 an airport development program to be commenced in the ensuing fiscal year.

5 B. The department shall provide to the Senate and House committees on
 6 transportation, highways and public works a supplemental program proposed
 7 to be commenced which are in various stages of planning.

8
 9 §804. Proposed program of construction Airport Development Program; public
 10 hearings; final program

11 A. Each year, beginning with the fiscal year commencing in 1990, the
 12 department shall submit to the joint committee an airport construction or
 13 development priority program to be commenced in the ensuing fiscal year, which
 14 shall be based upon the anticipated revenues to be appropriated by the legislature,
 15 and listed in an order of priority of the projects herein.

16 B. The department also shall provide to the joint committee annually a
 17 supplemental list of projects proposed to be commenced within the ensuing four
 18 years which are in various stages of planning and preparation. The supplemental list
 19 shall be subject to change by the department until the department finally approves
 20 each project for construction.

21 A. Prior to the convening of each regular session of the legislature, the
 22 department shall prepare and shall furnish the recommended list of proposed
 23 projects to the legislative committees which shall hold a public hearing or
 24 hearings for the purpose of reviewing the program applications for the coming
 25 fiscal year. Prior to each hearing, the department shall publish the appropriate
 26 official notice in the official journal of the state. Subsequent to the committee
 27 hearing and prior to the convening of the regular session, the department shall
 28 prepare the final airport development program for the coming fiscal year for
 29 submission to the Senate and House committees on transportation, highways
 30 and public works. When this final airport development program, as approved
 31 by the both committees, is presented to the legislature for funding for the
 32 coming fiscal year, the legislature shall not add any projects to this final airport
 33 development program.

34 B. The legislature declares it to be in the public interest that a program
 35 for development of airport infrastructure be utilized to develop the airport
 36 development program that accomplishes the following:

37 (1) Prioritizes, above all else, transparency to the public, accuracy, and
 38 efficiency of program delivery.

39 (2) Brings and maintains the state airport system into a good state of
 40 repair and optimizes the efficiency and economic growth of airport facilities.

41 (3) Improves safety for aeronautical users and communities.

42 (4) Supports resiliency in the multimodal transportation system.

43 (5) Fosters diverse economic development and job growth, international
 44 and domestic commerce, and tourism.

45 (6) Fosters and encourages multimodal connectivity.

46 (7) Ensures airport safety compliance for the public interest and
 47 provides a system of compliance review and adherence.

48 (8) Encourages use and adoption of advanced and innovative
 49 technologies.

50 (9) Ensures a right-sized system of airports to enhance and grow the
 51 state economy.

52 §805. Projects undertaken by the department

53 ~~A.~~ After adoption of the department's recommendations by the joint
 54 committee Senate and House committees on transportation, highways and public
 55 works, the approved list of projects program shall be forwarded to the department
 56 for implementation subject to the ~~limitation of appropriated~~ appropriation of funds.
 57 The department shall not delete, add, or substitute any projects for those approved
 58 by the joint committee; revise any projects applications approved by the
 59 committees, except as provided in R.S. 2:806; however, the secretary of the
 60 department may the commissioner of multimodal commerce, or his designee, at
 61 his discretion, authorize projects to be undertaken and financed due to an emergency
 62 out of the secretary's emergency fund. At least semiannually, or as often as required

1 by the joint committee, the department shall summarize and report the progress to
 2 date on all projects previously approved and shall submit a recapitulation of all
 3 emergency projects for the preceding six-month period, outlining the nature of the
 4 emergency and the cost of each project.

5 B. No airport project shall be undertaken by the department involving
 6 Transportation Trust Fund appropriations except those included in the approved
 7 program listing for that fiscal year with the exception of projects undertaken and
 8 financed out of the secretary's emergency fund **through funds recovered from**
 9 **completed projects and/or nonactive projects that have been canceled, closed,**
 10 **audited, or finalized.**

11 §806. Commencement of projects; substitutions; New Orleans International Airport

12 A. The projects planned for the year for which appropriations have been
 13 made shall **have six months upon the appropriation to** be commenced in that year;
 14 however, if a project cannot be commenced within **six months of** the year for which
 15 it is planned, the secretary of the department shall file with the project records a
 16 public statement as to the factors causing the delay, and the next priority project shall
 17 be substituted therefor. When the delaying factors have been overcome, the delayed
 18 project shall be placed in the highest priority for the next ensuing fiscal year.
 19 Unresolved debt resulting from project cost overruns approved by the department
 20 shall be paid from current year funds. Any remaining debt shall be given top priority
 21 in the following year. Funds allocated for each project shall remain so allocated until
 22 the project is completed and the project costs are liquidated **appropriations have**
 23 **been made, the department shall cancel the project. The sponsor shall submit**
 24 **a new application for the project which shall then be placed in the airport**
 25 **development program and re-evaluated for inclusion.**

26 B. The New Orleans International Airport or its successor shall be prohibited
 27 from participating in the airport priority program for five consecutive years from the
 28 first fiscal year in which such priority program is funded by the legislature only if,
 29 as, and when House Bill No. 80 of the 1989 Regular Session of the Legislature of
 30 Louisiana is finally adopted and approved by the electorate.*
 31

32 §807. Allocation, reallocation of funds; deposit to Transportation Trust Fund

33 A. The Transportation Trust Fund shall be **one of** the source of state funds
 34 provided for any airport **aeronautical** project ~~on the priority list~~ **airport**
 35 **development program** commenced pursuant to the provisions of this Chapter. Prior
 36 to the commencement of any work, the department shall require the presiding officer
 37 or owner of each airport authority **sponsor** involved in a project to execute an
 38 agreement and statement of sponsorship, **and compliance certification** which
 39 includes but is not limited to an agreement to assume all maintenance and operation
 40 and utility service costs for the project as may be required without cost to the state.

41 B. Any monies allocated for any project not needed for said project may be
 42 reallocated for the completion of any other project or projects specified. Any monies
 43 not needed for the completion of said projects shall be deposited in and credited to
 44 the Transportation Trust Fund, for reallocation to the ~~Airport Construction and~~
 45 ~~Development Priority~~ **Airport Development** Program.
 46

47 §808. Preparation of plans and specifications; letting of bids for construction;
 48 supervision of construction

49 The department may prepare **or contract for** the necessary plans and
 50 specifications, may let the contract for bid, and may supervise the construction of the
 51 project.

52 §809. Inspection

53 A. The department may approve the engineering, ~~and construction,~~ **and**
 54 **design build** plans for any proposed **airport** projects that are prepared by consultant
 55 or contract engineers for any recipient ~~airport authority~~ **sponsor**. The department
 56 may inspect the construction of a project at any time to assure project compliance.
 57

58 B. The department may inspect a complete project with the consultant or
 59 contract engineer. **The sponsor or contract engineer shall notify the department**
 60 **in writing at least seven business days prior to the inspection being conducted.**
 61 The sponsor or contract engineer shall notify the department in writing at least seven
 business days prior to the inspection being conducted. The sponsor shall certify to

1 the department as a condition of grant acceptance that construction is in accordance
2 with plans and specifications. ~~The department may inspect a completed project at~~
3 ~~any time to assure that the project is being maintained in accordance with project~~
4 ~~specifications and agreements.~~

5 * * *

6 §811. Audit of distribution to recipient ~~airport authorities~~ **sponsors**

7 The monies distributed to the recipient ~~authorities~~ **sponsors** shall be audited
8 by the legislative auditor or a certified public accountant at least biennially pursuant
9 to R.S. 24:513(A) and shall issue and distribute all audit reports pursuant to R.S.
10 24:516(A). To the extent that funds available to the legislative auditor permit, the
11 audits of each recipient ~~airport authority~~ **sponsor** of the use of the monies shall
12 include an investigation of any failure to comply with the recommendations for
13 planning, design, and construction adopted by the department. The recipient ~~airport~~
14 ~~authority~~ **sponsor** shall certify annually to the legislative auditor that the funds made
15 available under this Chapter have been expended in accordance with the standards
16 established by law.

17
18 §812. Report of any misuse of funds

19 If the legislative auditor determines that any expenditures by the recipient
20 ~~airport authority~~ **sponsor** have not been made in accordance with this Chapter, he
21 shall promptly report the facts of such expenditure to the Legislative Audit Advisory
22 Council. The council shall make further investigation of the matter as it deems
23 necessary.

24
25 §813. Misuse of funds; withholding of distribution; notification of district attorney

26 A.(1) If, on the basis of the report of the legislative auditor, or from its own
27 investigation, the Legislative Audit Advisory Council, hereinafter referred to as the
28 "council", determines that there has been a misuse by a recipient ~~airport authority~~
29 **sponsor** of funds from the program, it shall then determine whether a partial or total
30 withholding of the ~~authority's~~ **sponsor's** appropriation for any remaining portion of
31 the current fiscal year shall be necessary. Should the council determine that it is
32 necessary to withhold all or any part of the ~~authority's~~ **sponsor's** appropriation, the
33 council shall send notification of its determination to the co-chairmen of the joint
34 committee and to each member of the legislature who represents any portion of the
35 ~~authority~~ **sponsor**.

36 (2) If, thirty days after the members of the legislature and the co-chairmen
37 of the **Senate and House committees on transportation, highways, and public**
38 **works**, are notified, the council determines that the misuse has not yet ceased, the
39 council shall send a resolution instructing the state treasurer **and the department** to
40 immediately suspend distributions to the ~~airport authority~~ **sponsor** of funds
41 appropriated for the program. The suspension of funds shall remain in effect until the
42 Legislative Audit Advisory Council verifies, in writing, to the state treasurer **and the**
43 **department** that the offending ~~authority~~ **sponsor** is again in compliance with this
44 Chapter. Such written verification shall be given when the legislative auditor
45 certifies to the council that, to the best of his knowledge, the ~~authority~~ **sponsor** is in
46 compliance with this Chapter or, in the absence of said certification, when the
47 council determines that the ~~authority~~ **sponsor** is in compliance with this Chapter.
48 Upon receipt of the council's written verification, the state treasurer **and the**
49 **department** shall reinstate the distribution of funds and distribute all funds
50 previously withheld to the affected recipient ~~airport authority~~ **sponsor**.

51 (3) The council shall report any action it has taken with regard to the
52 suspension of funds to the ~~joint committee~~ **Senate and House committees on**
53 **transportation, highways and public works** and the legislature at the next regular
54 session, along with any recommendations it may have for forfeiture of suspended
55 funds by those ~~authorities~~ **sponsors** which are still in noncompliance with this
56 Chapter. Forfeiture of funds can be authorized only by the legislature.

57 B. In any case where there has been a determination made by the council that
58 there has been a misuse by a recipient ~~airport authority~~ **sponsor** of funds
59 appropriated for the program, the council shall furnish a copy of the written
60 resolution directing the state treasurer to withhold funds to the district attorney of the
61 parish or parishes where the misuse of funds occurred. The district attorney shall,

1 within thirty days, advise the chairman of the council as to action he has taken or
2 proposes to take in connection with the misuse of funds cited in the resolution.
3 Where future action is proposed by the district attorney, the council shall set a date
4 for receipt of further advice in the matter. Where such advice is not forthcoming
5 from the district attorney, or where it is evident that suitable action has not been
6 taken, the council shall report the matter to the joint committee and the legislature
7 at its next regular session for whatever action the joint committee and the legislature
8 deems advisable under the circumstances.
9

10 §814. Project development; schedule

11 When ~~aviation~~ **aeronautical** projects receiving funding from the Federal
12 Aviation Administration are being negotiated by the ~~department, the department, the~~
13 ~~local~~ **sponsor, the department, the** sponsor of the project, and the Federal Aviation
14 Administration shall agree upon an official schedule of project development which
15 shall set the project time schedule. ~~If the department is unable to complete timely~~
16 ~~reviews as stipulated within the schedule, for reasons solely in the control of the~~
17 ~~department, the project shall be deemed to be approved in accordance with the~~
18 ~~standard process of the Federal Aviation Administration.~~

19 §901. ~~Creation and~~ **Program** administration

20 The General Aviation ~~and Reliever~~ Airport Maintenance Grant Program is
21 hereby created within the division of ~~aviation~~ **aeronautics** of the Department of
22 Transportation and Development for the purpose of providing for **airport basic**
23 **airside airport** maintenance to assist Louisiana general aviation and ~~reliever airports~~
24 ~~and to enhance their safety~~ **airports with the cost of maintenance materials and**
25 **implementation that enhance their safety of aircraft operations.**

26 §902. Grant eligibility

27 A. Grants made through the program shall be limited to Louisiana general
28 aviation ~~and reliever airports~~ **as identified in the airport system in accordance**
29 **with R.S. 2:802 and 804** and shall be awarded to those projects **applications** which
30 address **basic airside airport** maintenance needs and attempt to enhance safety **of**
31 **aircraft operations and infrastructure** issues at existing airport facilities.

32 B. Each successful grant applicant shall provide a like match in funds from
33 ~~other sources~~ **sponsor sources other than state funds**. All matching funds must be
34 available to the program after the date of the grant award and funds spent prior to the
35 grant award shall not be considered in fulfillment of the match requirement.

36 C. ~~(1) Except as provided in Paragraph (2) of this Subsection, grants shall be~~
37 ~~limited to not more than ten thousand dollars per airport per fiscal year.~~

38 ~~(2)~~ Applications for additional grant ~~money~~ **funding** by an airport that has
39 been awarded the maximum amount in a fiscal year may be considered for additional
40 funding after April thirtieth of a fiscal year if all of the applications for grants which
41 have been submitted for the fiscal year have been accepted or rejected and any funds
42 in the grant program remain unallocated for the fiscal year.

43 D. Funding through the grant program shall be subject to but not limited to
44 the following criteria:

45 (1) The availability of funds.

46 (2) A comparative needs analysis of requested projects **applications** as
47 determined by the division of ~~aviation~~ **aeronautics**.

48 (3) Demonstrated **safety** benefits to be derived from the project **application**.
49

50 §903. Rules and regulations

51 A. The department shall promulgate rules and regulations to implement this
52 Chapter which shall include but not necessarily be limited to:

53 (1) Project **Application** submission.

54 (2) Project **Application** evaluation, including but not limited to financial
55 feasibility.

56 (3) Program administration.

57 (4) Prioritization of projects.

58 (5) Grant awards.

59 **(6) Airport Certification program.**

60 **(7) Airport compliance evaluation.**
61 * * *

1
2

Section 2. R.S. 2:135.1(N)(3) and 1001 through 1004 are hereby repealed."