

OFFICE OF LEGISLATIVE RESEARCH
PUBLIC ACT SUMMARY



PA 12-138—sHB 5467

Commerce Committee
Appropriations Committee
Transportation Committee
Environment Committee

**AN ACT CREATING A WORKFORCE TO MAKE IMPROVEMENTS
AROUND CONNECTICUT'S PUBLIC AIRPORTS**

SUMMARY: This act provides another way for the state to preserve state-licensed, privately owned airports with paved runways and at least 5,000 take offs and landings per year. It specifically (1) authorizes the state to establish noise mitigation programs in neighborhoods surrounding these airports where noise levels exceed applicable Federal Aviation Administration (FAA) standards and (2) requires the Department of Transportation (DOT) to have war veterans perform some of the noise mitigation work.

Existing law already allows the state to preserve privately owned airports by:

1. exercising its right of first refusal to purchase, for fair market value, any airport solely to preserve it if threatened with sale or closure;
2. acquiring, through the DOT, an airport's development rights for fair market value as long as the airport remains open to the public;
3. funding 90% of eligible capital improvements at private airports, as determined by the transportation commissioner; and
4. establishing an airport zoning category for FAA-defined "imaginary surfaces," which are areas that extend upward and outward from runways where obstructions deemed hazardous to navigation are prohibited.

Proposed developments within these imaginary surface areas must comply with FAA notice requirements and obstruction standards (14 CFR Part 77). The act eliminates a redundant provision stating the federal requirement.

EFFECTIVE DATE: July 1, 2012

NOISE MITIGATION PROGRAMS

The act allows the state to undertake noise mitigation programs as part of its efforts to preserve privately owned airports. It (1) authorizes the state to establish such programs in neighborhoods surrounding the airports where noise levels exceed applicable FAA standards, (2) requires the programs to be funded with available federal dollars, and (3) allows them to be combined with existing energy conservation programs.

VETERANS SET-ASIDES

As part of the noise mitigation initiative, the act requires DOT to contract with veterans who served during wars to perform a portion of the work. It specifically

OLR PUBLIC ACT SUMMARY

requires DOT to set aside, in consultation with the Labor and Veterans Affairs departments, at least 30% of the noise mitigation program's projects or contracts for such veterans.

DOT can award the contracts to the veterans directly or to businesses that employ them. In either case, a veteran must have served in a time of war for (1) at least 90 days or (2) the entire war if it lasted less than 90 days. Veterans who served for shorter time periods qualify only if they were separated from service because of a service-connected disability. They also must have been certified in weatherization and insulation techniques through a training program funded under the federal American Recovery and Reinvestment Act of 2009.

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