LRB093 07122 DRH 11751 a

- 1 AMENDMENT TO HOUSE BILL 1338
- 2 AMENDMENT NO. ____. Amend House Bill 1338 by replacing
- 3 the title with the following:
- 4 "AN ACT in relation to air transportation."; and
- 5 by replacing every thing after the enacting clause with the
- 6 following:
- 7 "Section 1. Short title. This Act may be cited as the
- 8 County Air Corridor Protection Act.
- 9 Section 5. Definitions. As used in this Act:
- 10 (a) "Air Installation Compatible Use Zone Study" means
- 11 the study conducted by the United States Air Force that
- 12 reaffirms the policy of promoting public health, safety, and
- general welfare in the areas surrounding Air Force bases.
- 14 (b) "Clear zones and runway protection zones" mean the
- 15 zones that have the highest potential for an aircraft
- 16 accident among the safety zones designated by the United
- 17 States Air Force around an Air Force base.
- 18 (c) "Accident potential zones I" mean the zones that,
- 19 other than clear zones and runway protection zones, have the
- 20 highest potential for an aircraft accident among the safety
- 21 zones designated by the United States Air Force around an Air

- 1 Force base.
- 2 (d) "Accident potential zones II" mean the zones that,
- 3 other than clear zones and runway protection zones and
- 4 accident potential zones I, have the highest potential for an
- 5 aircraft accident among the safety zones established by the
- 6 United State Air Force around an Air Force base.
- 7 (e) "Sixty-five decibel A-weighted noise contour" means
- 8 the noise level that has been determined by the United States
- 9 Air Force to result from aircraft operations and flight
- 10 tracks around an Air Force base.
- 11 Section 10. County land use authority. Any county with a
- 12 United States Air Force installation with runways of at least
- 7,500 feet in length has the authority to protect the safety
- of the community by controlling the use of land around that
- installation, notwithstanding any ordinance of or authority
- 16 granted to any municipality. The county's land use authority
- 17 is limited to the area designated in the Air Installation
- 18 Compatible Use Zone Study adopted by the United States Air
- 19 Force for that installation and the runways it occupies or
- uses.
- 21 Section 15. County eminent domain powers. If a land use
- 22 exists or a municipality approves a land use that is
- 23 incompatible with the Air Installation Compatible Use Zone
- 24 Study, and any portion of the affected land is within areas
- 25 designated in the Air Installation Compatible Use Zone Study
- 26 as clear zones and runway protection zones, accident
- 27 potential zones I, or accident potential zones II, or is
- within the 65 decibel A-weighted noise contour, the county
- 29 may use eminent domain, including quick take authority, to
- 30 acquire either the fee simple title or development rights to
- 31 that portion of the affected land. If a municipality within
- 32 those zones controls the use of land in a manner compatible

- 1 with the Air Installation Compatible Use Zone Study, the
- 2 county does not have quick take authority.
- 3 Section 99. Effective date. This act takes effect on
- 4 becoming law.".