

Legislation Report 10/1/11

AB 81: (Beall): Sales and use taxes: exemptions: fuel and petroleum products: air common carriers

This bill would exempt from state sales and use taxes on sale of fuel and petroleum products to air common carriers gross receipts in excess of \$2.22 per gallon. The bill is assigned to the Assembly Committee on Revenue and Taxation. The bill was amended on 3/23 and re-referred to the Committee. The bill was placed on the Committee suspense file on 4/4/11. On 4/25 the bill was amended and re-referred to the Committee, where it passed 7-1 on 5/16. It was re-referred to the Assembly Committee on Appropriations, where it is currently on the suspense file. It did not pass out of the house of origin by the June 3 deadline and becomes a two year bill.

AB 511 (Yamada): Aeronautics: meteorological towers

The bill requires meteorological towers, used in siting wind farms, between 50 and 200 feet in height to be marked and lighted as specified in the bill. The bill passed in the Assembly 78-0 on May 19. It was heard in the Senate Committee on Transportation and Housing on July 5, where it failed on a 2-7 vote. Reconsideration was granted and it will be taken up again in January 2012.

AB 662 (Hueso): San Diego County Regional Airport Authority

This bill would from the requirement to include the area surrounding a military airport in the Authority's compatible land use plan for the City of Coronado. The bill is assigned to the Assembly Committee on Local Government. The bill did not pass out of the house of origin by the June 3 deadline and becomes a two year bill.

AB 731: (Jeffries): Firefighting

This bill appropriates \$1.03 million annually for the purchase of specified firefighting equipment. The bill specifies tax and fee sources of revenue currently received by the state to be assigned to firefighting equipment fund. \$15,000 annually would be appropriated from the Aeronautics Account, thereby reducing revenue available to fund state airport grant programs. The bill is assigned to the Assembly Committees on Governmental Organization and Natural Resources. Hearing is set for 3/30/11 in Governmental Organization. The hearing was postponed by the committee. The bill failed to pass out of committee by the May 6 deadline and becomes a two year bill.

SB 194: (Committee on Governance and Finance): Local Government: omnibus bill

One section of this bill would clarify the intent of SB 1333 (2010). It would require the owner or operator of an airport to pay the recording fees for filing a notice of termination of an avigation easement. The bill is in the Senate Committee on Governance and Finance. The bill passed in committee 9-0 on 4/27 and was ordered to the Senate Consent Calendar. It passed the Senate

40-0 on 5/5. The bill passed in the Assembly Committee on Local Government on a 7-0 vote. It passed in the Assembly 8/27 78-0, with Senate concurrence in the Assembly amendments on 8/30 78-0. The bill has completed enrollment and was delivered to the Governor's Legislative Office on 9/6. The bill was signed by the Governor on September 30.

SB 295: (Price): Public postsecondary education: community colleges: site acquisitions

Existing law requires that the governing board of a community college have a proposed site evaluated prior to acquiring a site on which it proposes to construct a school building. Existing law contains prohibitions, restrictions, and procedures applicable to the proposed siting of school buildings within two miles of an airport runway. This bill would repeal the provisions relating to the relocation of a site within two miles of an airport runway. The bill is assigned to the Senate Committee on Education. Hearing was set for 3/23/11 but has been canceled at the request of the author. The bill failed to pass out of committee by the May 6 deadline and becomes a two year bill.

SB 446: (Dutton): Ontario International Airport

This bill would establish the Ontario International Airport Authority and authorize the Authority to enter into an agreement with the City of Los Angeles to facilitate the transfer of management and operational control of the Ontario International Airport from the City to the Authority. The bill is in the Senate Committee on Rules. The bill passed in committee 9-0 on 5/3. The bill passed in the Senate 33-1 on May 31. It is now in the Assembly Committee on Local Government, where it is being held at the author's request as a two year bill.

SB 619: (Fuller): California Private Postsecondary Education Act of 2009: exemptions

The California Private Postsecondary Education Act of 2009 (AB 48) replaced the Private Postsecondary Education and Reform Act of 1989. The earlier bill and implementing regulations provided an exemption for Federal Aviation Administration approved schools. AB 48 removed that exemption, thereby bringing all flight training and aircraft maintenance training under regulation by the Bureau of Private Postsecondary Education (BPPE). It is widely believed in the flight training industry that the fees imposed by AB 48 will put most independent flight instructors and medium to small flight schools out of business. As currently written, SB 619 provides an exemption from BPPE regulation for all flight instructors and flight schools that do not accept payment in advance. It is anticipated that the bill will be amended to allow certain advance payments and clearly define which flight schools may fall under BPPE regulation. The bill is assigned to the Senate Committee on Business, Professions, and Economic Development. Hearing is set for April 25. The bill passed 9-0 and re-referred to the Senate Appropriations Committee. The bill received a Senate Rule 28.8 determination on 5/9 and was sent to the Senate Floor without committee vote. The bill passed in the Senate 39-0 on May 23 and is now in the Assembly. The bill was double referred to the Committee on Business, Professions & Consumer Protection, where it passed 9-0 June 28, and the Committee on

Higher Education, where it passed 8-0 on July 5. The bill passed in the Assembly Appropriations Committee August 17 17-0 and passed the Assembly on August 25 on consent. It passed in the Senate on August 30 37-0. Enrollment was completed and the bill delivered to the Governor's Legislative Office on September 7. The Governor signed the bill on September 21. Since the bill contains an urgency clause, it took effect immediately.