

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1487 Session of 2007

INTRODUCED BY R. TAYLOR, MURT, SHAPIRO, O'NEILL, BLACKWELL, BUXTON, CALTAGIRONE, CARROLL, CASORIO, COSTA, DERMODY, DONATUCCI, EACHUS, FABRIZIO, FREEMAN, GERGELY, GIBBONS, GOODMAN, HARKINS, HARPER, HORNAMAN, JAMES, JOSEPHS, KENNEY, KIRKLAND, KORTZ, KOTIK, MAHONEY, McGEEHAN, MELIO, MENSCH, M. O'BRIEN, OLIVER, PALLONE, PARKER, PASHINSKI, PAYTON, PETRI, PETRONE, READSHAW, SABATINA, SAINATO, SAMUELSON, SANTONI, SCAVELLO, SHIMKUS, SIPTROTH, K. SMITH, M. SMITH, STURLA, VEREB, WALKO, WANSACZ, WATERS, J. WHITE, WILLIAMS, WOJNAROSKI, YEWIC, TANGRETTI, WATSON, YOUNGBLOOD AND MOYER, JUNE 7, 2007

AS REPORTED FROM COMMITTEE ON TRANSPORTATION, HOUSE OF REPRESENTATIVES, AS AMENDED, JULY 2, 2007

AN ACT

1 Imposing limitations on the use of property in Horsham Township,
2 Montgomery County, known as the Willow Grove Naval Air <—
3 Station Joint Reserve Base JOINT INTERAGENCY INSTALLATION in <—
4 the event the Commonwealth acquires the property.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. Limitation on use of Willow Grove Naval Air Station <—
8 Joint Reserve Base.

9 In the event the Commonwealth or any instrumentality thereof
10 acquires ownership, leases or controls the real property located
11 in Horsham Township, Montgomery County, known as the Willow
12 Grove Naval Air Station Joint Reserve Base, the real property
13 may not be used by the Commonwealth or any instrumentality
14 thereof or any other person as a civilian airport or for

1 ~~commercial cargo flights.~~

2 SECTION 1. LIMITATION ON USE OF WILLOW GROVE JOINT INTERAGENCY
3 INSTALLATION. <—

4 (A) GENERAL RULE.--IN THE EVENT THE COMMONWEALTH OR ANY
5 INSTRUMENTALITY THEREOF OWNS, LEASES OR EXERCISES JURISDICTION
6 AND OPERATIONAL CONTROL OF THE AIRPORT AT THE JOINT INTERAGENCY
7 INSTALLATION TO BE ESTABLISHED ON PROPERTY KNOWN AS NAVAL AIR
8 STATION JOINT RESERVE BASE (NASJRB) WILLOW GROVE, IN HORSHAM
9 TOWNSHIP, MONTGOMERY COUNTY, THE PROPERTY SHALL BE USED BY THE
10 PENNSYLVANIA NATIONAL GUARD, DEPARTMENT OF DEFENSE COMPONENTS,
11 FEDERAL, STATE AND LOCAL GOVERNMENT AGENCIES, AND ASSOCIATED
12 USERS, TO PERFORM NATIONAL DEFENSE, HOMELAND SECURITY AND
13 EMERGENCY PREPAREDNESS MISSIONS. THE COMMONWEALTH MAY NOT PERMIT
14 USE OF AIRFIELD PROPERTY UNDER ITS JURISDICTION AND OPERATIONAL
15 CONTROL AT THE JOINT INTERAGENCY INSTALLATION FOR REGULARLY
16 SCHEDULED COMMERCIAL PASSENGER OPERATIONS, REGULARLY SCHEDULED
17 CARGO OPERATIONS, FOR ROUTINE RELIEVER AIRPORT OPERATIONS OR
18 OTHER NONGOVERNMENTAL AVIATION OPERATIONS NOT RELATED TO THE
19 NATIONAL DEFENSE, HOMELAND SECURITY AND EMERGENCY PREPAREDNESS
20 MISSIONS OF THE INSTALLATION.

21 (B) CONSTRUCTION.--NOTHING IN THIS SECTION SHALL BE
22 CONSTRUED TO DIMINISH OR ALTER AUTHORIZED USES OF THE
23 INSTALLATION BY THE FEDERAL GOVERNMENT OR ITS AGENCIES OR
24 INSTRUMENTALITIES OR TO LIMIT USE OF THE PROPERTY FOR ANY
25 AUTHORIZED PURPOSE IN EXIGENT CIRCUMSTANCES.

26 (C) DEFINITIONS.--AS USED IN THIS SECTION, THE FOLLOWING
27 WORDS AND PHRASES SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS
28 SUBSECTION:

29 "ASSOCIATED USERS." NONGOVERNMENTAL ORGANIZATIONS AND
30 PRIVATE ENTITIES THAT USE THE AIRPORT FOR PURPOSES RELATED TO

1 THE NATIONAL DEFENSE, HOMELAND SECURITY AND EMERGENCY
2 PREPAREDNESS MISSIONS OF THE INSTALLATION OR UNDER CONTRACT WITH
3 OR ON BEHALF OF ANY COMPONENT OF THE JOINT INTERAGENCY
4 INSTALLATION.

5 "EXIGENT CIRCUMSTANCES." UNUSUAL CONDITIONS, INCLUDING, BUT
6 NOT LIMITED TO, ADVERSE OR UNUSUAL WEATHER CONDITIONS ALERTS AND
7 ACTUAL OR THREATENED EMERGENCIES, WHICH ARE DETERMINED BY
8 APPROPRIATE GOVERNMENT AUTHORITY TO REQUIRE LIMITED-DURATION USE
9 OF THE AIRPORT AT THE JOINT INTERAGENCY INSTALLATION FOR FLIGHT
10 OPERATIONS OTHER THAN THOSE THAT ORDINARILY TAKE PLACE THERE.

11 "REGULARLY SCHEDULED COMMERCIAL CARGO OPERATIONS." CARGO
12 OPERATIONS BY A COMMERCIAL CARGO OR FREIGHT CARRIER, INVOLVING
13 OPERATIONS NOT RELATED TO THE NATIONAL DEFENSE, HOMELAND
14 SECURITY OR EMERGENCY PREPAREDNESS MISSIONS OF THE INSTALLATION
15 AND NOT UNDER CONTRACT WITH ANY COMPONENT OF THE INSTALLATION,
16 WHERE CARGO IS DELIVERED TO AND FLOWN FROM THE INSTALLATION
17 UNDER ESTABLISHED SCHEDULES.

18 "REGULARLY SCHEDULED COMMERCIAL PASSENGER OPERATIONS."
19 PASSENGER OPERATIONS BY A COMMERCIAL PASSENGER CARRIER WHEN
20 INDIVIDUALS WHOSE FLIGHTS ARE NOT RELATED TO THE NATIONAL
21 DEFENSE, HOMELAND SECURITY OR EMERGENCY PREPAREDNESS MISSIONS OF
22 THE INSTALLATION OR ARE NOT UNDER CONTRACT WITH ANY COMPONENT OF
23 THE INSTALLATION, ARE BOARDED OR ENPLANED ON A TICKETED OR
24 CHARTER BASIS UNDER ESTABLISHED SCHEDULES.

25 Section 2. Effective date.

26 This act shall take effect immediately.