JOB CREATION AND ECONOMIC DEVELOPMENT
DRIVE AVIATION SALES TAX ELIMINATION

The elimination of tax on aircraft sales, parts, maintenance and repairs in Pennsylvania will result in the creation of thousands of new and good paying jobs over the next 20 years.

As of press time for this newsletter, the Aviation Council has received written confirmation that HondaJet has elected to build their Northeast Service Center in New York. The letter clearly indicates that Pennsylvania’s aviation sales taxes were a major reason for HondaJet’s decision not to locate here.

The aviation community in Pennsylvania has been actively supporting a change so the HondaJet story is not repeated. On March 11, 2008, the Pennsylvania House Transportation Committee held public hearings in Harrisburg to learn first-hand how the elimination of aviation sales taxes would create thousands of new, family-sustaining jobs in the Commonwealth.

Under the leadership of Representatives Joseph Markosek and Richard Geist, the Pennsylvania aviation community came out in force to share their stories of how our current aviation sales taxes have crippled the aviation industry in the Commonwealth.

Testimony was provided by Aviation Council President Jay Beratan and Executive Director Bob Rockmaker. Other testifiers included David Ford, President of Keystone Helicopters, Lawrence Krauter, Deputy Director of Lehigh Valley International Airport, Kelly Fredericks, Aviation Consultant, and

AVIATION COUNCIL TESTIFIES ON
AIRPORT ZONING REGULATIONS (HB 2159)

The Aviation Council of Pennsylvania provided testimony before the Pa. House Local Government Committee on March 26, 2008, in Chanceford Township, Brogue. Aviation Council board member John C. Rinehart presented the legislators with an opportunity to understand why the present Pennsylvania airport zoning laws are fine as they stand. “The Aviation Council does not support HB 2159,” Rinehart said.

“In our view [HB 2159] might be better titled, the ‘Pennsylvania Privately-Owned, Public-Use Airport Closure Act of 2008.’ Our principle concerns are:

1. The need for uniform safety
2. The continued operation of privately owned, public-use airports
3. Funding,
4. Support for present law.”

1. The need for uniform safety
Safety is the principle concern of all engaged in aviation. We pilots are continually drilled in all matters of safety for our own health and welfare and for all those on the ground. Ours is a common goal: to depart from, proceed to, and arrive safely at our destination.

We airport administrators keep continual watch over our airports to maintain and operate them in a manner that ensures the safe operation of aircraft on the airport and in the regulated airspace surrounding the airport.

PennDO T Wins Prestigious Transportation Awards

Fly-Ins and More from Williamsport Pilots Club

Philadelphia Marketplace Celebrates 10 Years
We continue to promote the passage of the sales tax elimination bill for aviation-related services. Both sides of the legislature have held hearings and are receptive to passing this bill. The bill will facilitate aviation throughout the Commonwealth. Many of us have spent numerous hours promoting the passage of this bill. Please contact your senators and representatives to support HB 2301 and SB 1231 as there is a good possibility that the bill can be passed this term.

One of the residual outcomes of this process is the realization that the Aviation Council of Pennsylvania now has a voice heard on the hill. Most of the legislators we spoke with indicated that they had no idea of the importance of rescinding the tax on aviation services would have such a positive effect. They were not aware that most of the states surrounding Pennsylvania have already rescinded this tax and have seen aviation-related businesses locate in their states and not in ours.

We will continue to fight for what is necessary to promote aviation in Pennsylvania and be the voice of aviation which is now heard loud and clear.

Jay Beratan,
President, Aviation Council of PA

KEEP IN TOUCH
If you have any comments or suggestions, please contact me at: 215-399-4314
Email: jay.beratan@dmjmaviation.com
**GENERAL AVIATION GROWTH CONTINUES**

The general aviation (GA) industry is one of the world’s most important industries. There are over 320,000 general aviation aircraft in the world. These include every type of aircraft from a two-seat training airplane to intercontinental business jets. The United States’ share of that number is 221,000 aircraft.

If U.S. commercial air service continues to reduce capacity and supply, it would appear that GA will grow at a more rapid rate over the next five years.

The general aviation industry is a large economic engine that needs to be further tapped in Pennsylvania. The service sector for GA is growing rapidly. The firms that provide repairs, parts, and maintenance to the GA fleet pay family-sustaining wages which are critical to Pennsylvania’s economy.

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**General aviation airplane shipments worldwide in past ten years by type of airplane manufactured**

<table>
<thead>
<tr>
<th>Year</th>
<th>Grand total</th>
<th>Single engine</th>
<th>Multi engine</th>
<th>Piston total</th>
<th>Turboprop</th>
<th>Turbojet/ turbofan</th>
<th>Turbine total</th>
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<tr>
<td>1998</td>
<td>2,457</td>
<td>1,508</td>
<td>98</td>
<td>1,606</td>
<td>336</td>
<td>515</td>
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<td>1999</td>
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<td>1,689</td>
<td>112</td>
<td>1,801</td>
<td>340</td>
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<tr>
<td>2000</td>
<td>3,147</td>
<td>1,877</td>
<td>103</td>
<td>1,980</td>
<td>415</td>
<td>752</td>
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<tr>
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<td>2,998</td>
<td>1,645</td>
<td>147</td>
<td>1,792</td>
<td>422</td>
<td>784</td>
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<td>1,721</td>
<td>280</td>
<td>676</td>
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<tr>
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<td>2004</td>
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<td>52</td>
<td>2,051</td>
<td>319</td>
<td>591</td>
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<td>375</td>
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<td>2,513</td>
<td>242</td>
<td>2,755</td>
<td>412</td>
<td>886</td>
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<td>4,272</td>
<td>2,417</td>
<td>258</td>
<td>2,675</td>
<td>459</td>
<td>1,138</td>
<td>1,597</td>
</tr>
</tbody>
</table>

Source: General Aviation Manufacturers Association. Used by permission.

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**GENERAL AVIATION STATISTICS FOR U.S.**

221,000 general aviation aircraft in the U.S.

* * *

GA contributes more than $150 billion to the U.S. economy.

* * *

GA employs more than 1,265,000 people in the U.S.

* * *

There are 4,000 paved GA airports open to the public in the U.S. compare to 500 airports with scheduled service.

* * *

GA is the primary training ground for most commercial airline pilots.

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**Display advertising rates**

The Aviation Council newsletter is accepting advertising to be included in the publication. Placing your organization in front of the Pennsylvania aviation community is a great way to highlight your firm. The Council publishes its newsletter 2-3 times per year. Contact the Council office for reservation information at 610-797-6911. Reservations are being accepted now. Forms/ad specs online at www.acpfly.com
Economic developers have come to learn that aviation plays a keen role in the decision-making process. Firms with multiple aircraft are typically Fortune 500 firms which create thousands of jobs when they move to a community. These are family-sustaining jobs.

Rockmaker, who has been working with several Aviation Council members to help support major proposals to attract new aviation service firms to several airports in Pennsylvania, says, “The Council appreciates the ongoing support of our members and industry followers who have helped to continue to guide this project. It is critical to the future of the Pennsylvania aviation industry and our wonderful system of airports.”

Pennsylvania losing mega-bucks to adjoining states

At present, Pennsylvania does not have even one turbine engine overhaul shop or heavy maintenance facility. “This is not a project designed for big business,” according to Bob Rockmaker, Executive Director of the Aviation Council. “This project will have an impact on aircraft owners and operators of all sizes.”

The Aviation Council retained the services of Nel Sanders Stubbs from the firm of Conklin & de Decker. Stubbs, the leading aircraft sales tax specialist in North America, was very clear all the way back in 2006 when she spoke at our statewide aviation conference in Wilkes-Barre, Pa. Stubbs told attendees there that she was steering business aircraft owners away from Pennsylvania every week due to the non-favorable tax structure on aviation. She indicated that Pennsylvania was rated quite low when it came to rating states for aviation tax friendliness.

In most cases, businesses with one or more aircraft will study the aviation taxes of a given state before deciding if that state is a possible candidate for a partial or full relocation. Economic developers have come to learn that aviation plays a keen role in the decision-making process.

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SAVE THE DATE
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HARRISBURG
TUESDAY 9/24/08

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Philadelphia International Airport received the highest numerical score among large airports (30+ million passengers/year) in the proprietary J.D. Power and Associates 2008 North America Airport Satisfaction StudySM. Study based on 36,949 total evaluations from passengers measuring 19 large airports and measures opinions of passengers May 2007–March 2008. Proprietary study results are based on experiences and perceptions of passengers surveyed within one month of flight. Your experiences may vary. Visit jdpower.com
A cliff hanger highway, a floating bridge considered to be a technological marvel, and an economic lifeline are among the outstanding transportation projects winning the prestigious America’s Transportation Award. The competition, sponsored by the AAA, U.S. Chamber of Commerce, and the American Association of State Highway and Transportation Officials, honors state department of transportation projects from the Northeastern Association of State Transportation Officials (NASTO) region.

The transportation projects were judged according to their size in three categories: “Innovative Management,” “On Time,” and “On Budget” construction.

**PennDOT on top in two categories**

The Aviation Council is proud to congratulate the Pennsylvania Department of Transportation for winning the On Time/Large Project category for its entry, the Route 22/322 Lewistown Narrows Project, Mifflin and Juniata Counties, Pa.

The 6.65-mile, $110 million project was the second largest construction project ever awarded by PennDOT and featured the longest mechanically stabilized earthen wall in the U.S. (second longest in the world). Pa. State Representative C. Adam Harris (R-82nd District) said, “this is truly an engineering marvel. PennDOT was able to upgrade this hazardous section to a safe and modern four lane highway... completed nearly a full year ahead of schedule.”

A second round of applause to PennDOT for winning the On Budget/Medium Project category for its entry, the Route 830 Airport Access Project, Jefferson County, Pa. At a cost of $25.5 million, the Route 830 Airport Access Project demonstrates transportation efficiency while promoting economic and fiscal health. Built in two phases, it consists of a new Interstate 80 interchange and a new five-mile road to DuBois Regional Airport. Construction began on Phase I in July 2004, and the entire project was opened to the public on July 13, 2007. DuBois Regional Airport Manager Robert Shaffer, who represents the Clearfield-Jefferson Counties Regional Airport Authority, said, “This road will allow for us to spur development with our Air Commerce Park with benefits far beyond what we can see on the near horizon.”

Other regional winners include the Rhode Island, New York, and Maryland Departments of Transportation.

“America’s Transportation Award gives worthy recognition to those professionals and projects that are making our nation’s transportation system safer and better,” said AASHTO President Pete Rahn, who presented the awards in Pittsburgh. “These improvements are saving taxpayers both dollars and precious time,” Rahn said.

**On the nationals**

Regional contests for the Midwest, West, and South will be held in July and August. Top regional winners compete for the National America’s Transportation Award. The national awards will be presented at AASHTO’s Annual Meeting on October 19 in Hartford, Ct.


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**Advocacy Day** from page 1

put it simply, “this is an event anyone who has an interest in aviation in Pennsylvania should attend.”

Aviation is a key engine in driving the overall economic health of our great state. It is critical that the system of airports be maintained in order for business and industry, along with families and vacationers.

The Aviation Council’s board of directors encourages both council members and non-members to go to Harrisburg on September 24, to support Aviation Advocacy Day. Attendees are encouraged to set up meetings with their legislators between the hours of 9:30 a.m. and 1:00 p.m.

A printed schedule for Aviation Advocacy Day 2008 will be mailed this summer. The event is open to anyone who has an interest in supporting aviation in Pennsylvania.
WILLIAMSPORT REGIONAL ASSOCIATION OF PILOTS HOSTS JUNE FLY-IN

The Williamsport Regional Association of Pilots (WRAP) is comprised of fifty-two members, including fourteen students from the Montoursville Area School District who are enrolled in the Aviation Education class of Mr. Harry Boyer. The pilots are proud to have these students as part of WRAP and welcome them to all activities. The mission of the organization is “the education, promotion of safety, and support of general aviation in the region of Williamsport, Pa.”

WRAP has grown rapidly since their organizational meeting held in November 2006 with ten pilots in attendance. WRAP was officially organized in January 2007 and became incorporated in the summer of 2007. WRAP just held their Second Annual Fly-in on June 14. The focus of the event is safety. Scheduled speakers included Jonathan Greenway, Chief Flight Instructor with the AOPA Air Safety Foundation, and Bob Miller, CFII and publisher of Over the Airways—The Journal for the Proficient Pilot. Over two hundred pilots and passengers were estimated to fly or drive in for this event. WRAP hosted their first Fly-In in June 2007 with approximately 24 planes and 90 attendees.

Locating a permanent home
The club’s largest endeavor is finally coming to fruition. Last spring, a few WRAP board members traveled to Wilkes-Barre, Pa., and visited an active club at the Wyoming Valley Airport. Their visit inspired them to look for a larger, more permanent facility for WRAP’s headquarters. They located a vacant building on airport property owned by Textron-Lycoming. Textron was glad to be of help.

The next hurdle was talking to the Williamsport Regional Airport Authority. The Authority shared Textron’s belief that this would permit more promotion of flying, flight training, and airplane ownership. After months of putting all of the pieces together, the club is about to sign a lease with Textron and the Airport Authority.

For more information about WRAP and their Annual Fly-In, visit their website: www.williamsportpilots.org.

ZIG ZIGLAR’S WORDS TO LIVE BY
Obstacles are the things we see when we take our eyes off our goals.

***

Ability can take you to the top, but it takes character to keep you there.

***

What comes out of your mouth is determined by what goes into your mind.

***

The purpose of life is not to be happy. It is to be useful, to be honorable, to be compassionate, to have it make some difference that you have lived and lived well.

—Ralph Waldo Emerson
As one of the country’s premiere airport food and retail programs, Philadelphia Marketplace has now enjoyed a decade of serving passengers at Philadelphia International Airport (PHL). This June, Philadelphia Marketplace is celebrating its past and looking forward to its future with special events, contests, giveaways, and more. Throughout the month, merchants are offering special discounts in honor of the anniversary. And, one lucky passenger will win a $1,000 shopping spree at Philadelphia Marketplace by entering online at www.philamarketplace.com. The online contest runs until June 30.

The Philadelphia Marketplace success story started in the 1990s, when the City of Philadelphia decided to upgrade its shopping and dining offerings in conjunction with the remodel and expansion of terminals B and C. Philadelphia International partnered with MarketPlace Redwood L.P. to manage the airport’s food and shops program, and on June 4, 1998, Philadelphia Marketplace Food & Shops opened with nineteen retailers in the new B/C Connector, making a total of 67 merchants throughout the airport. Over the past decade, that 67 grew to 160 shops, restaurants, and services. Philadelphia Marketplace maintains a line-up of national favorites while showcasing local retailers and restaurants, giving passengers a uniquely Philadelphia experience.

Philadelphia Marketplace merchants were honored during a cocktail reception on June 4 at the Airport Marriott. Special recognition was given to those merchants who have been with the Food & Shops family for the past ten years. “Our merchants have been the key to our success over the past decade,” said Anna DiGregorio, Director of Marketing for Philadelphia Marketplace Food & Shops. “They work hard every day to make each passenger’s experience at PHL a great one. In fact, our airport was ranked number one in customer satisfaction among large airports by J.D. Power and Associates.”
AVIATION COUNCIL COMMITTEES

The Aviation Council of PA is comprised of a wide selection of committees. The board of directors encourages members to volunteer on one or more of the Council's committees. Like many organizations, the committee work is where things start in many instances. Here are the current ACP committees.

Please call the Council office (610-797-6911) or the chairman of the committee on which you would like to serve.

Annual Conference
Rick Holes 814-472-7700

Annual Conference Site Selection
Tom Hart 570-368-2444

Awards & Scholarships
Sara Walfoort 412-391-5590

By-Laws
Jay Beratan 215-399-4314

Economic Development
Roger Moog 215-238-2884

Education
Lowell Levengood 610-689-0787

Finance
John Carlen 412-472-6700

Fixed-Base Operation
Vern Moyer 610-258-0473

Legislative/Public Affairs
Larry Krauter 610-266-6001

Membership
Lou Beemer 717-773-2194
Everitt duPont 610-268-2048

Nominating
Dan Gallogly 724-449-1179

Security
John Carlen 412-472-6700

Small Airports
Everitt duPont 610-268-2048

Statewide System Plan
Sara Walfoort 412-391-5590

Supplier
Dan Gallogly 724-449-1179

ADD-ON COWORKER MEMBERSHIPS MAKE SENSE

Many of the Aviation Council’s airport, FBO, flight school, charter, and supplier members have found that ADD-ON COWORKER membership is a great way to let their staff stay up-to-date on the latest aviation happenings in Pennsylvania. At only $50 per person, add-ons are worth every cent because the important content of PA Aviation News and all Council mailings reaches multiple employees within your organization at the same time.

Contact the Council at 610-797-6911 or www.acpfly.com for more information.

SAVE THE DATE
28TH ANNUAL PA AVIATION CONFERENCE
GETTYSBURG
OCTOBER 22-24, 2008

ATH CaLL ON CONGRESS TO END RAMPANT OIL SPECULATION

On June 17, the Air Transport Association of America (ATA)—the industry trade organization for the leading U.S. airlines—testified before the Senate Committee on Agriculture Nutrition and Forestry and Appropriations Subcommittee on Financial Services and General Government on the crisis facing the airline industry resulting from record-high jet fuel prices. ATA also called on Congress to act immediately to impose common-sense measures to ensure transparency and reel back the overwhelming odds now favoring index speculators and institutional investors, particularly those trading on foreign exchanges.

“The impact of these unprecedented jet fuel prices on the airlines is devastating and airlines may see 2008 losses nearing $10 billion, on par with the worst financial year in aviation history,” ATA President and CEO James C. May said. “This year, airlines will spend more than $61 billion on fuel, slightly more than the total fuel bill combined for the first four years of this decade.” If oil prices continue their upward path, potentially 200 communities could lose all scheduled air service. “If Congress does not act soon, this country will not have a viable airline industry,” May concluded.

ATA airline members and their affiliates transport more than 90 percent of all U.S. airline passenger and cargo traffic.

WELCOME NEW MEMBERS

The Council extends a special welcome to the following individuals who have recently joined the Aviation Council of Pennsylvania. We appreciate your support and look forward to your participation in our activities and committees.

DAVID L. BELLAMY pilot
HENRY MARSHALL pilot
REGINALD B. SNYDER pilot
WILLIAM GENTILESCO Gladstone Partners, LP
JILL A. MORAN, Attorney Gladstone Partners, LP
MARK STEAR EMBRAER
DEE LAFFERTY PUGH, Attorney
BRADLEY D. HENGST pilot
EDWARD B. STOTT pilot
CHRISTOPHER L. RODGERS Erie Municipal Airport Authority
THEODORE L. WILLKE pilot

If you would like to join the Aviation Council or would like additional information on membership, please call 610-797-6911 or visit us at www.acpfly.com

ADD-ON COWORKER MEMBERSHIPS MAKE SENSE

This is a reminder that 2008 Aviation Council membership dues renewal forms have been sent out. Please take a moment to send in your membership dues if you have not already paid them for 2008. Thank you.

10 www.acpfly.com
Aviation Council of Pennsylvania’s  
2008 Aviation Scholarship Program

Deadline: August 1, 2008

Awards ranging from $1,000 to $3,000 are available in the following categories:

AVIATION TECHNOLOGY — Wilfred M. “Wiley” Post Scholarship
AVIATION MANAGEMENT — John W. “Reds” Macfarlane Scholarship
PROFESSIONAL PILOT and Arnold Palmer Scholarship

If you are a Pennsylvania resident interested in an aviation career and would like to apply, please download the application documents at: www.acpfly.com

Photo: The new AIRBUS A380 is the world’s first double-decker jetliner. Photo by e’m company/H. Gousé, courtesy of AIRBUS S.A.S.

The Aviation Council would like to publicly share our thoughts on a true leader within the Pennsylvania aviation family.

John W. “Reds” Macfarlane Sr., 96, of Mechanicsburg, Pa., died Monday, January 21, 2008, at Holy Spirit Hospital, East Pennsboro Township. A pilot, Reds was a founding member and past president of the Aviation Council of Pennsylvania. He retired from the Commonwealth of Pa. in 1972. He was the Executive Director of the Pa. Aeronautical Commission and Director of Bureau of Aviation/PennDOT. He was instrumental in construction and operation of the former Penn-Harris Airport in Chambers Hill.

Reds, as he was called by his friends and governors, was a real leader, always out there in support of the aviation industry. As chief pilot for the Commonwealth, Reds would get the ear of many a governor. Talk about a real time advocate, Reds would invite the governor to jump up front in the right seat and chat.

Those who remember Reds will always recall how he spoke openly and honestly to advance the aviation agenda in Pennsylvania. He would share with and mentor younger Aviation Council board members. He liked constructive controversy between the aviation industry and the government sector. He reminded us that apathy is a bad thing and leads to failures. Reds would often say that communities and citizens who support their local airport are creating a strong and lasting dividend for their future. How true this has become.

A TRIBUTE TO JOHN W. REDS MACFARLANE SR.

Reds with the Commonwealth’s twin engine Beechcraft D-18

Reds at work as Director of the Bureau of Aviation and Chief Pilot

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The Aviation Council would like to publicly share our thoughts on a true leader within the Pennsylvania aviation family.

John W. “Reds” Macfarlane Sr., 96, of Mechanicsburg, Pa., died Monday, January 21, 2008, at Holy Spirit Hospital, East Pennsboro Township. A pilot, Reds was a founding member and past president of the Aviation Council of Pennsylvania. He retired from the Commonwealth of Pa. in 1972. He was the Executive Director of the Pa. Aeronautical Commission and Director of Bureau of Aviation/PennDOT. He was instrumental in construction and operation of the former Penn-Harris Airport in Chambers Hill.

Reds, as he was called by his friends and governors, was a real leader, always out there in support of the aviation industry. As chief pilot for the Commonwealth, Reds would get the ear of many a governor. Talk about a real time advocate, Reds would invite the governor to jump up front in the right seat and chat.

Those who remember Reds will always recall how he spoke openly and honestly to advance the aviation agenda in Pennsylvania. He would share with and mentor younger Aviation Council board members. He liked constructive controversy between the aviation industry and the government sector. He reminded us that apathy is a bad thing and leads to failures. Reds would often say that communities and citizens who support their local airport are creating a strong and lasting dividend for their future. How true this has become.
There are 102 small and rural communities in the United States that have access to scheduled airline service with the help of the U.S. Department of Transportation’s Essential Air Service (EAS) program. The program was started in 1978 at the same time as the Airline Deregulation Act of 1978 was passed. Federal subsidies guarantee air routes in these communities.

The federal government plans to cut the 2009 EAS budget to $50 million from $117 million, which is less than half of the annual program budget in each of the last seven years.

The U.S. Department of Transportation has stated that many EAS carriers are in very serious need of fuel cost relief to maintain reliable essential air service to small communities. Without rapid relief, many EAS carriers would begin to file the 90-day notices to suspend subsidized service.

This is indicative of the fact that their subsidies are not sufficient to financially operate the routes. Some air carriers that operate predominantly in EAS markets may close their doors. In 2008, the Federal EAS program has seen three carriers shutdown—Big Sky, Sky Way, and Air Midwest.

Since May 2007, forty-eight of the total 102 EAS communities have had 90-day termination notices filed by the airline serving the community. Many EAS airlines are ceasing operation due to the financial burdens which have grown exponentially due to the cost of jet fuel.

Presently, there are five communities in Pennsylvania with EAS—Altoona, Bradford, DuBois, Johnstown, and Oil City/Franklin. Without some level of airline service, citizens in these communities will be forced to drive two or three hours by car to begin their scheduled airline service.

### AVERAGE JET FUEL PRICES 2007-2008

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Source: Department of Transportation

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**Reds from previous page**

John W. Macfarlane was born on April 22, 1911, in Harwood, Luzerne County, to the late John Barraman and Anna Williams Macfarlane. He graduated in 1929 from John Harris High School in Harrisburg, and from Parks College of St. Louis University, Mo.

Reds was a flight instructor for World Training Service/Civil Pilot Training Program and chief flight instructor for Fayette Airways (Connellsville). He was a founding member and past president of the American Assoc. of Airport Executives; founding member and past president of OX-5, Aviation Pioneers of America; Silver Wings (Harrisburg); Fraternity of Quiet Birdman; and was a member of Baughman Memorial United Methodist Church in New Cumberland.

Reds was preceded in death by his wives Sara (Minnich) Macfarlane and Helen (Smith) Macfarlane and daughter, Starr Chaplin. He is survived by a son, John W. Macfarlane Jr. and his wife Carol; three grandchildren; and three great-great grandchildren.
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ruin most of the 62 privately-owned, public-use airports and could be easily used as a tool by a municipality and airport neighbors to force the closure of airports within the municipality.

### 3. Funding

One of the issues at hand is the matter of which party will bear whatever costs may be incurred in the endeavor to ensure hazard zoning protection for privately-owned public-use airports. Municipalities may argue that the requirement to impose hazard zoning constitutes an “unfunded mandate.” If required to bear the costs, privately-owned public-use airport owners could argue in like manner.

The Aviation Council contends that expenses should be borne by the municipality in conjunction with the Commonwealth because the zoning is necessary for the health, safety, and welfare of all its citizens. Further, since many municipalities have failed to take action since the statute was enacted in 1984, they should bear the increased costs resulting from their delay.

The Aviation Council believes that HB 2159 should be referred to the House Finance Committee as it has real potential financial implications for the state and local governments; appropriations may need to be made to address litigation and to pay for damages that may be awarded by the court.

### 4. Support for present law

In closing, the Aviation Council supports Pennsylvania Airport Hazard Zoning Act (164) enacted in 1984 and subsequently resolved in the courts of Pennsylvania. We are concerned that HB 2159 is intended to circumnavigate the will of the people of Pennsylvania as expressed by the General Assembly and the courts. The present law should not be weakened to advance the interests of the very few over largely local disputes at the expense of safety. Any such weakening might encourage other communities to take restrictive actions against any and all airports.

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**Zoning from page 12**

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