

SENATE BILL REPORT

SB 6298

As of January 16, 2002

Title: An act relating to airport security.

Brief Description: Encouraging airport security.

Sponsors: Senators Prentice, Roach, Franklin, Gardner, Fairley, Keiser, Poulsen, Kline, McAuliffe and Oke.

Brief History:

Committee Activity: Labor, Commerce & Financial Institutions:

SENATE COMMITTEE ON LABOR, COMMERCE & FINANCIAL INSTITUTIONS

Staff: Joanne Conrad (786-7472)

Background: Aviation-based terrorist attacks have made airport security a major concern in America. State and federal policymakers are trying to develop ways to make air travel more secure. Many of the new security measures are controversial, however. Law enforcement, air travelers and aviation industry experts do not agree on what is most likely to be effective.

Summary of Bill: With the stated intent of improving aviation security, port districts with populations greater than one million and with airports serving more than 20 scheduled jet flights per day (in Washington State, SeaTac airport) develop programs to reduce turnover and monitor employment standards for "all businesses" operating at the airport, including lessees, tenants, sublessees, service contractors, and subcontractors (businesses).

Port districts must monitor employment conditions, training, and worker retention rates for all businesses operating at the airport. Businesses must provide the port district with full access to employment records. The port district evaluates the impact of workforce stability for all current and prospective leasing, tenancy, and contract decisions, uses "turnover mitigation measures," and issues written findings for each decision.

Port districts issue public reports and hold public hearings on employment conditions and workforce turnover at least twice a year. Port districts develop comprehensive airport workforce stability plans, dealing with recruitment, training, security training, employment and performance standards, and update the plans annually.

Port districts must ensure that current and prospective businesses have satisfactory records of statutory compliance and "business integrity." Before contracting, port districts must justify the contract by certifying a business's ability and integrity. Certification factors include evaluation of financial resources, technical qualifications, experience, organization, material, equipment, facilities, expertise, and performance record, as well as compliance with

statutes and rules, including federal, state and local laws on health, safety, environment, labor, employment, and licensing.

The certification process includes a questionnaire, developed by the port district and completed by prospective by businesses, under penalty of perjury. Perjury is a felony.

The questionnaires are public records, and must be provided to requesters by the port district within one business day. Questionnaires must include disclosure of any preliminary findings of legal noncompliance with federal, state or local laws in any location operated by the business. The port district makes a determination of responsibility or nonresponsibility to qualify or disqualify the business. An appeal process is provided.

Businesses in a contractual relationship with the port district at the airport are under a continuing duty to promptly disclose any investigations by a government agency that may result in findings, and to notify the port district of findings, including preliminary findings. Businesses are given an opportunity to cure violations, or face declaration of material breach of contract. Businesses must "pledge" compliance, under penalty of perjury.

Appropriation: None.

Fiscal Note: Requested on January 15, 2002.

Effective Date: The bill contains an emergency clause and takes effect immediately.