

SSB 5370 - H COMM AMD

By Committee on Transportation

NOT ADOPTED 04/16/2019

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** The legislature finds that with the
4 increase in air traffic operations, combined with the projections for
5 the rapid expansion of these operations in both the short and the
6 long term, concerns regarding the environmental, health, social, and
7 economic impacts of air traffic are increasing as well. The
8 legislature also finds that advancing Washington's position as a
9 national and international trading leader is dependent upon the
10 development of a highly competitive, statewide passenger and cargo
11 air transportation system. Therefore, the legislature seeks to
12 identify a location for a new primary commercial aviation facility in
13 Washington, taking into consideration the data and conclusions of
14 appropriate air traffic studies, community representatives, and
15 industry experts. Options for a new primary commercial aviation
16 facility in Washington may include expansion of an existing airport
17 facility. It is the intent of the legislature to establish a state
18 commercial aviation coordinating commission to provide a location
19 recommendation by January 1, 2023.

20 NEW SECTION. **Sec. 2.** (1) The state commercial aviation
21 coordinating commission is created to carry out the functions of this
22 chapter. The commission shall consist of sixteen voting members.

23 (2) The governor shall appoint eleven voting members to represent
24 the following interests:

25 (a) Four as representatives of commercial service airports and
26 ports, one of whom shall represent a port located in a county with a
27 population of two million or more, one of whom shall represent a port
28 in eastern Washington with an airport runway of at least thirteen
29 thousand five hundred feet in length, one of whom shall represent a
30 commercial service airport in eastern Washington located in a county

1 with a population of four hundred thousand or more, and one
2 representing an association of ports;

3 (b) Three as representatives from the airline industry and the
4 private sector;

5 (c) A representative from an eastern Washington metropolitan
6 planning organization;

7 (d) A representative from a western Washington metropolitan
8 planning organization; and

9 (e) Two citizen representatives with one appointed from eastern
10 Washington and one appointed from western Washington. The citizen
11 appointees must:

12 (i) Represent the public interests in the communities that are
13 included in the commission's site research; and

14 (ii) Understand the impacts of a large commercial aviation
15 facility on a community.

16 (3) The remaining five members shall consist of:

17 (a) A representative from the department of commerce;

18 (b) A representative from the division of aeronautics of the
19 department of transportation;

20 (c) A representative from the freight forwarding industry;

21 (d) A representative from the trucking industry; and

22 (e) A representative from the federal aviation administration's
23 flight standards district office in Washington.

24 (4) The commission shall invite the following nonvoting members:

25 (a) A representative from the federal aviation administration;

26 (b) A representative from the Washington state aviation alliance;

27 (c) A representative from the department of defense;

28 (d) Two members from the senate, with one member from each of the
29 two largest caucuses in the senate, appointed by the president of the
30 senate;

31 (e) Two members from the house of representatives, with one
32 member from each of the two largest caucuses in the house of
33 representatives, appointed by the speaker of the house of
34 representatives;

35 (f) A representative from a statewide environmental organization;

36 (g) A representative from an organization concerned with land
37 and/or water use in the state;

38 (h) Congressional staff from the fourth and ninth congressional
39 districts with expertise in aviation; and

1 (i) A representative from the division of aeronautics of the
2 department of transportation.

3 (5) The governor may appoint additional nonvoting members as
4 deemed appropriate. The commission shall allow additional nonvoting
5 members at the request of the federal aviation administration.

6 (6) The commission shall select a chair from among its membership
7 and shall adopt rules related to its powers and duties under this
8 chapter.

9 (7) Legislative members of the commission are reimbursed for
10 travel expenses in accordance with RCW 44.04.120. Nonlegislative
11 members are not entitled to be reimbursed for travel expenses if they
12 are elected officials or are participating on behalf of an employer,
13 governmental entity, or other organization. Any reimbursement for
14 other nonlegislative members is subject to chapter 43.03 RCW. The
15 commission has all powers necessary to carry out its duties as
16 prescribed by this chapter.

17 (8) The department of transportation shall provide staff support
18 for coordinating and administering the commission and technical
19 assistance as requested by commission members.

20 (9) At the direction of the commission, the department of
21 transportation is authorized to hire a consultant to assist with the
22 review and research efforts of the commission. The contract is exempt
23 from the competitive procurement requirements in chapter 39.26 RCW.

24 (10) The governor or the governor's designee shall convene the
25 initial meeting of the commission as soon as practicable.

26 (11) This section expires July 1, 2023.

27 NEW SECTION. **Sec. 3.** (1) The state commercial aviation
28 coordinating commission will review existing data and conduct
29 research to determine Washington's long-range commercial aviation
30 facility needs and the site of a new primary commercial aviation
31 facility. Research for each potential site must include the
32 feasibility of constructing a commercial aviation facility in that
33 location and its potential environmental, community, and economic
34 impacts. Options for a new primary commercial aviation facility in
35 Washington may include expansion of an existing airport facility. The
36 work of the commission shall include the following:

37 (a) Recommendations to the legislature on future Washington state
38 long-range commercial aviation facility needs including possible
39 additional aviation facilities or expansion of current aviation

1 facilities, excluding those located in a county with a population of
2 two million or more, to meet anticipated commercial aviation, general
3 aviation, and air cargo demands; and

4 (b) Identifying a preferred location for a new primary commercial
5 aviation facility. The commission shall make recommendations and
6 shall select a single preferred location by a sixty percent majority
7 vote using the following process:

8 (i) Initiating a broad review of potential sites;

9 (ii) Recommending a final short list of no more than six
10 locations by January 1, 2022;

11 (iii) Identifying the top two locations from the final six
12 locations by September 1, 2022; and

13 (iv) Identifying a single preferred location for a new primary
14 commercial aviation facility by January 1, 2023.

15 (2) The commission shall submit a report of its findings and
16 recommendations to the transportation committees of the legislature
17 by January 1, 2023. The commission must allow a minority report to be
18 included with the commission report if requested by a voting member
19 of the commission.

20 (3) This section expires July 1, 2023.

21 NEW SECTION. **Sec. 4.** (1) The state commercial aviation
22 coordinating commission shall project a timeline for the development
23 of an additional commercial aviation facility that is completed and
24 functional by 2040.

25 (2) This section expires July 1, 2023.

26 NEW SECTION. **Sec. 5.** (1) Nothing in this act shall be construed
27 to endorse, limit, or otherwise alter existing or future plans for
28 capital development and capacity enhancement at existing commercial
29 airports in Washington.

30 (2) This section expires July 1, 2023."

31 Correct the title.

EFFECT: The following changes are made:

(1) Increases the Commercial Aviation Coordinating Commission
(Commission) membership from 13 voting members and two nonvoting
members to 16 voting members and 12 required nonvoting members.

(2) Makes changes to the Commission's voting membership by
including representation from: (a) A commercial service airport in
eastern Washington located in a county with a population of 400,000

or more; (b) citizens at large; (c) the freight forwarding industry; (d) the trucking industry; and (e) the federal aviation administration's flight standards district office in Washington.

(3) Makes changes to the Commission's voting membership by removing the Governor or the Governor's designee and representation from the Freight Mobility Strategic Investment Board.

(4) Makes changes to the Commission's nonvoting membership by including representatives from: (a) The U.S. Department of Defense; (b) each of the two largest caucuses in the Senate; (c) each of the two largest caucuses in the House of Representatives; (d) a statewide environmental organization; (e) an organization concerned with land and/or water use; (f) congressional staff from the fourth and ninth congressional districts with expertise in aviation; and (g) an additional representative from the Washington State Department of Transportation's (WSDOT's) aeronautics division.

(5) Allows WSDOT, at the direction of the Commission, to hire a consultant to assist with the review and research efforts of the Commission.

(6) Specifies that for each location under considering for a new commercial aviation facility, the Commission's research must include the feasibility of constructing a commercial aviation facility in that location and its potential environmental, community, and economic impacts.

(7) Requires the Commission's recommendations to the Legislature to include possible additional facilities or expansion of current facilities, excluding those located in a county with a population of two million or more, to meet anticipated commercial aviation, general aviation, and air cargo demands.

(8) Requires that the identification of a preferred location for a new primary commercial aviation facility is to be determined by a 60 percent majority vote rather than a simple majority.

(9) Requires the Commission to allow a minority report to be included with the Commission's report to the Legislature if requested by a voting member of the Commission.

(10) Removes the requirement that the Commission's recommendations to be consistent with the WSDOT's Long-term Air Transportation Study.

(11) Allows legislative members of the Commission to be reimbursed for travel expenses as allowed by current law.

(12) Moves all date-specific deadlines back by two years, so that the Commission's report is due to the Legislature on January 1, 2023, rather than January 1, 2021.

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