

SSB 5370 - CONF REPT
By Conference Committee

HOUSE ADOPTED 04/27/2019; SENATE ADOPTED 04/26/2019

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, 2022. The legislature also recognizes
20 any preferred location will require substantial environmental, land
21 use, governance, and funding decisions from state and local
22 governments.

23 NEW SECTION. **Sec. 2.** (1) The state commercial aviation
24 coordinating commission is created to carry out the functions of this
25 chapter. The commission shall consist of fifteen voting members.

26 (2) The governor shall appoint thirteen voting members to
27 represent the following interests:

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

1 thousand five hundred feet in length, one of whom shall represent a
2 commercial service airport in eastern Washington located in a county
3 with a population of four hundred thousand or more, and one
4 representing an association of ports;

5 (b) Three as representatives from the airline industry and the
6 private sector;

7 (c) Two citizen representatives with one appointed from eastern
8 Washington and one appointed from western Washington. The citizen
9 appointees must:

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

12 (ii) Understand the impacts of a large commercial aviation
13 facility on a community;

14 (d) A representative from the freight forwarding industry;

15 (e) A representative from the trucking industry;

16 (f) A representative from a community organization that
17 understands the impacts of a large commercial aviation facility on a
18 community; and

19 (g) A representative from a statewide environmental organization.

20 (3) The remaining two members shall consist of:

21 (a) A representative from the department of commerce; and

22 (b) A representative from the division of aeronautics of the
23 department of transportation.

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

25 (a) A representative from the Washington state aviation alliance;

26 (b) A representative from the department of defense;

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

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

34 (e) A representative from the division of aeronautics of the
35 department of transportation;

36 (f) A representative from an eastern Washington metropolitan
37 planning organization;

38 (g) A representative from a western Washington metropolitan
39 planning organization;

1 (h) A representative from an eastern Washington regional airport;
2 and

3 (i) A representative from a western Washington regional airport.

4 (5) The governor may appoint additional nonvoting members as
5 deemed appropriate.

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. The department shall
20 consider cost-saving options such as using online conferencing tools.
21 Meetings shall be held in Olympia, Washington unless resources allow
22 for alternative locations.

23 (9) At the direction of the commission, and as resources allow,
24 the department of transportation is authorized to hire a consultant
25 to assist with the review and research efforts of the commission. The
26 contract is exempt from the competitive procurement requirements in
27 chapter 39.26 RCW.

28 (10) The department of transportation shall convene the initial
29 meeting of the commission as soon as practicable.

30 (11) This section expires July 1, 2022.

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

1 may not include siting a facility on or in the vicinity of a military
2 installation that would be incompatible with the installation's
3 ability to carry out its mission requirements. The work of the
4 commission shall include the following:

5 (a) Recommendations to the legislature on future Washington state
6 long-range commercial aviation facility needs including possible
7 additional aviation facilities or expansion of current aviation
8 facilities, excluding those located in a county with a population of
9 two million or more, to meet anticipated commercial aviation, general
10 aviation, and air cargo demands; and

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

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

16 (ii) Recommending a final short list of no more than six
17 locations by January 1, 2021;

18 (iii) Identifying the top two locations from the final six
19 locations by September 1, 2021; and

20 (iv) Identifying a single preferred location for a new primary
21 commercial aviation facility by January 1, 2022.

22 (2) The commission shall submit a report of its findings and
23 recommendations to the transportation committees of the legislature
24 by January 1, 2022. The commission must allow a minority report to be
25 included with the commission report if requested by a voting member
26 of the commission.

27 (3) This section expires July 1, 2022.

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

32 (2) This section expires July 1, 2022.

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

37 (2) This section expires July 1, 2022."

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1 On page 1, line 2 of the title, after "commission;" strike the
2 remainder of the title and insert "creating new sections; and
3 providing expiration dates."

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