

**HB 1198** - S COMM AMD

By Committee on Transportation

**NOT CONSIDERED 04/26/2021**

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

3 **"Sec. 1.** 2019 c 396 s 1 (uncodified) is amended to read as  
4 follows:

5 The legislature finds that with the increase in air traffic  
6 operations, combined with the projections for the rapid expansion of  
7 these operations in both the short and the long term, concerns  
8 regarding the environmental, health, social, and economic impacts of  
9 air traffic are increasing as well. The legislature also finds that  
10 advancing Washington's position as a national and international  
11 trading leader is dependent upon the development of a highly  
12 competitive, statewide passenger and cargo air transportation system.  
13 Therefore, the legislature seeks to identify a location for a new  
14 primary commercial aviation facility in Washington, taking into  
15 consideration the data and conclusions of appropriate air traffic  
16 studies, community representatives, and industry experts. Options for  
17 a new primary commercial aviation facility in Washington may include  
18 expansion of an existing airport facility. It is the intent of the  
19 legislature to establish a state commercial aviation coordinating  
20 commission to provide a location recommendation by January 1,  
21 ((2022)) 2024. The legislature also recognizes any preferred location  
22 will require substantial environmental, land use, governance, and  
23 funding decisions from state and local governments.

24 **Sec. 2.** 2019 c 396 s 2 (uncodified) is amended to read as  
25 follows:

26 (1) The state commercial aviation coordinating commission is  
27 created to carry out the functions of this chapter. The commission  
28 shall consist of fifteen voting members.

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

1 (a) Four as representatives of commercial service airports and  
2 ports, one of whom shall represent a port located in a county with a  
3 population of two million or more, one of whom shall represent a port  
4 in eastern Washington with an airport runway of at least thirteen  
5 thousand five hundred feet in length, one of whom shall represent a  
6 commercial service airport in eastern Washington located in a county  
7 with a population of four hundred thousand or more, and one  
8 representing an association of ports;

9 (b) Three as representatives from the airline industry and the  
10 private sector;

11 (c) Two citizen representatives with one appointed from eastern  
12 Washington and one appointed from western Washington. The citizen  
13 appointees must:

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

16 (ii) Understand the impacts of a large commercial aviation  
17 facility on a community;

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

19 (e) A representative from the trucking industry;

20 (f) A representative from a community organization that  
21 understands the impacts of a large commercial aviation facility on a  
22 community; and

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

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

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

26 (b) A representative from the division of aeronautics of the  
27 department of transportation.

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

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

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

31 (c) Two members from the senate, with one member from each of the  
32 two largest caucuses in the senate, appointed by the president of the  
33 senate;

34 (d) Two members from the house of representatives, with one  
35 member from each of the two largest caucuses in the house of  
36 representatives, appointed by the speaker of the house of  
37 representatives;

38 (e) A representative from the division of aeronautics of the  
39 department of transportation;

1 (f) A representative from an eastern Washington metropolitan  
2 planning organization;

3 (g) A representative from a western Washington metropolitan  
4 planning organization;

5 (h) A representative from an eastern Washington regional airport;  
6 and

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

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

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

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

21 (8) ~~((The))~~ Subject to the availability of amounts appropriated  
22 for this specific purpose, the department of transportation shall  
23 provide staff support for coordinating and administering the  
24 commission and technical assistance as requested by commission  
25 members. The department shall consider cost-saving options such as  
26 using online conferencing tools. Meetings shall be held in Olympia,  
27 Washington unless resources allow for alternative locations.

28 (9) At the direction of the commission, and ~~((as resources~~  
29 ~~allow))~~ subject to the availability of amounts appropriated for this  
30 specific purpose, the department of transportation is authorized to  
31 hire a consultant to assist with the review and research efforts of  
32 the commission. The contract is exempt from the competitive  
33 procurement requirements in chapter 39.26 RCW.

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

36 (11) This section expires July 1, ~~((2022))~~ 2024.

37 **Sec. 3.** 2019 c 396 s 3 (uncodified) is amended to read as  
38 follows:

1 (1) The state commercial aviation coordinating commission will  
2 review existing data and conduct research to determine Washington's  
3 long-range commercial aviation facility needs and the site of a new  
4 primary commercial aviation facility. Research for each potential  
5 site must include the feasibility of constructing a commercial  
6 aviation facility in that location and its potential environmental,  
7 community, and economic impacts. Options for a new primary commercial  
8 aviation facility in Washington may include expansion of an existing  
9 airport facility but may not include siting a facility on or in the  
10 vicinity of a military installation that would be incompatible with  
11 the installation's ability to carry out its mission requirements. The  
12 work of the commission shall include the following:

13 (a) Recommendations to the legislature on future Washington state  
14 long-range commercial aviation facility needs including possible  
15 additional aviation facilities or expansion of current aviation  
16 facilities, excluding those located in a county with a population of  
17 two million or more with the highest volume of deplanements, to meet  
18 anticipated commercial aviation, general aviation, and air cargo  
19 demands. The commission shall explore the use of community benefits  
20 agreements in making its recommendations; and

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

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

26 (ii) Recommending a final short list of no more than six  
27 locations by January 1, (~~2021~~) 2023;

28 (iii) Identifying the top two locations from the final six  
29 locations by September 1, (~~2021~~) 2023; and

30 (iv) Identifying a single preferred location for a new primary  
31 commercial aviation facility by January 1, (~~2022~~) 2024.

32 (2) The commission shall submit a report of its findings and  
33 recommendations to the transportation committees of the legislature  
34 by January 1, (~~2022~~) 2024. The commission must allow a minority  
35 report to be included with the commission report if requested by a  
36 voting member of the commission.

37 (3) This section expires July 1, (~~2022~~) 2024.

38 **Sec. 4.** 2019 c 396 s 4 (uncodified) is amended to read as  
39 follows:

1 (1) The state commercial aviation coordinating commission shall  
2 project a timeline for the development of an additional commercial  
3 aviation facility that is completed and functional by 2040.

4 (2) This section expires July 1, (~~2022~~) 2024.

5 **Sec. 5.** 2019 c 396 s 5 (uncodified) is amended to read as  
6 follows:

7 (1) Nothing in this act shall be construed to endorse, limit, or  
8 otherwise alter existing or future plans for capital development and  
9 capacity enhancement at existing commercial airports in Washington.

10 (2) This section expires July 1, (~~2022~~) 2024.

11 NEW SECTION. **Sec. 6.** This act is necessary for the immediate  
12 preservation of the public peace, health, or safety, or support of  
13 the state government and its existing public institutions, and takes  
14 effect immediately."

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15 On page 1, line 2 of the title, after "commission;" strike the  
16 remainder of the title and insert "amending 2019 c 396 ss 1-5  
17 (uncodified); providing expiration dates; and declaring an  
18 emergency."

EFFECT: Provides that the following provisions of the bill are  
subject to the availability of amounts appropriated:

(1) The department of transportation shall provide staff support  
for coordinating and administering the commission and technical  
assistance as requested by commission members; and

(2) The department of transportation is authorized to hire a  
consultant to assist with the review and research efforts of the  
commission.

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