

HOUSE BILL REPORT

HB 1712

As Reported by House Committee On:
Transportation

Title: An act relating to municipal airport commissions.

Brief Description: Concerning municipal airport commissions.

Sponsors: Representatives Dent, Riccelli, Dufault, Eslick and Griffey.

Brief History:

Committee Activity:

Transportation: 1/18/22, 2/7/22 [DPS].

Brief Summary of Substitute Bill

- Makes various changes to the powers and duties of a municipal airport commission (Commission) and the requirements for Commission members.
- Requires reauthorization of a Commission every two years and allows the municipality to vest authority in a Commission to apply for loans through the Public Use General Aviation Airport Loan program.
- Reduces the maximum term of a lease entered into after the effective of the bill to 50 years.

HOUSE COMMITTEE ON TRANSPORTATION

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 28 members: Representatives Fey, Chair; Wylie, 1st Vice Chair; Bronoske, 2nd Vice Chair; Ramos, 2nd Vice Chair; Barkis, Ranking Minority Member; Eslick, Assistant Ranking Minority Member; Robertson, Assistant Ranking Minority Member; Volz, Assistant Ranking Minority Member; Berry, Chapman, Dent, Donaghy, Duerr, Entenman, Goehner, Griffey, Hackney, Klicker, Orcutt, Paul, Ramel, Riccelli, Slatter, Sutherland,

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

Taylor, Valdez, Walsh and Wicks.

Staff: David Munnecke (786-7315).

Background:

The Revised Airports Act of 1945 (RAA) grants municipalities the authority to establish, operate, and regulate municipal airports and other air navigational facilities. Additionally, under the RAA, municipalities that have established or may establish airports or other air navigation facilities within their boundaries are granted specific powers related to airport operations, including the authority to:

- vest authority for the construction, enlargement, maintenance, equipment, operation, and regulation of airports or related facilities in an officer, board, or body of the municipality;
- adopt and amend all needed rules, regulations, and ordinances for the management, government, and use of airport properties under its control;
- sell or lease real or personal property acquired for airport purposes and belonging to the municipality, which, in the judgment of its governing body, may not be required for aircraft landings, aircraft takeoffs or related aeronautic purposes; and
- determine, with some limitations, the charges or rental for the use of any properties under its control and the terms and conditions under which the properties may be used.

Summary of Substitute Bill:

The powers and duties of a municipal airport commission (Commission) are clarified to include construction, enlargement, improvement, maintenance, equipment, and operation, in addition to the currently explicit allowance for industrial and commercial development. Management is added to the list of powers and duties of a Commission and the list of expenses that are the responsibility of the municipality creating the Commission. The travel compensation for municipal airport commissioners (Commissioners) is capped at the United States General Services Administration per diem rate.

New requirements for Commissioners are created, as follows:

- In a municipality with a population of 35,000 or greater, Commissioners must be residents of the municipality.
- In a municipality with a population of fewer than 35,000, at least two Commissioners must be residents of the municipality or the county in which the municipality is located, with any remaining Commissioners residents of a county or counties adjoining the municipality or the county in which the municipality is located.
- A majority of the Commissioners must have expertise in: the aviation industry; business administration or operations; finance; accounting; marketing; economic development; commercial real estate development; engineering; planning and

- construction; law; utilities; or other related experience from industries that have a logical nexus with airport administration, operations, and development.
- Commissioners must agree to adhere to the ethical standards of conduct adopted by the municipality or the Commission.

The municipality establishing a Commission is required to reauthorize it every two years, in order to prevent the dissolution of the Commission. In the event of dissolution, any assets of the Commission must be used to settle any outstanding obligations, with the remainder becoming the property of the municipality.

The municipality is allowed to vest authority in a Commission to apply for loans through the Public Use General Aviation Airport Loan program.

The maximum term of a lease entered into after the effective of the act is reduced to 50 years.

Substitute Bill Compared to Original Bill:

The allowance for leases entered into before the effective date of the act to extend beyond 75 years is removed.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Substitute Bill: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) An airport commission has existed in Moses Lake for more than 20 years. Some members of the commission were not residents of Moses Lake, which was found to be illegal, so an advisory commission was created instead. This bill would provide an option, but does not require the use of a commission.

This bill has been tailored to work for all airports, and especially for the members of a commission and the expertise that they need. Importantly, it also requires adherence to ethical standards, and adjusts lease terms in order to meet Federal Aviation Administration standards.

This bill would not apply to Spokane International Airport, but instead mostly small airports.

(Opposed) None.

Persons Testifying: Representative Tom Dent, prime sponsor; and Larry Krauter, Spokane Airports.

Persons Signed In To Testify But Not Testifying: None.