

SENATE BILL REPORT

SB 5385

As Passed Senate, March 2, 2021

Title: An act relating to the size of the airport a municipality must control or operate for that municipality to enact minimum labor standards for employees at the airport.

Brief Description: Concerning the size of the airport a municipality must control or operate for that municipality to enact minimum labor standards for employees at the airport.

Sponsors: Senators Keiser, Saldaña and Nguyen.

Brief History:

Committee Activity: Labor, Commerce & Tribal Affairs: 2/04/21, 2/08/21 [DP, DNP].

Floor Activity: Passed Senate: 3/2/21, 36-13.

Brief Summary of Bill

- Provides that the number of annual commercial air service boardings at an airport is averaged over the most recent seven years for the minimum size requirement an airport must meet in order for a municipality that operates or controls the airport to enact a minimum labor standard for employees working at the airport.

SENATE COMMITTEE ON LABOR, COMMERCE & TRIBAL AFFAIRS

Majority Report: Do pass.

Signed by Senators Keiser, Chair; Conway, Vice Chair, Labor; Stanford, Vice Chair, Commerce & Tribal Affairs; King, Ranking Member; Braun, Robinson and Saldaña.

Minority Report: Do not pass.

Signed by Senators Honeyford and Schoesler.

Staff: Jarrett Sacks (786-7448)

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.

Background: Municipal Airports. Municipalities may establish, operate, and regulate municipal airports and other air navigational facilities. Municipal airports are under the exclusive jurisdiction, subject to state and federal law, of the municipality that controls or operates the airport. A municipality may be a county, city, town, airport district, or port district.

Minimum Wages. Employers covered under the Minimum Wage Act must pay employees age 18 or older at least the state minimum hourly wage. The state minimum wage is set in statute until January 1, 2021, at which point the Department of Labor and Industries must adjust the minimum wage by the rate of inflation. The current state minimum wage is \$13.50 per hour. Local jurisdictions are authorized to enact minimum wages and other standards more favorable to employees.

In 2013, Proposition 1 established a variety of requirements for hospitality and transportation businesses in the city of SeaTac, including a minimum wage standard of \$15 per hour, adjusted for inflation. In 2015, the Washington State Supreme Court held that Proposition 1 could be enforced at SeaTac Airport, which is owned and operated by the Port of Seattle, so long as it did not interfere with airport operations.

Engrossed Substitute Senate Bill 6217. Last year, the Legislature authorized municipalities that control or operate an airport with more than 20 million annual commercial passenger boardings to enact a minimum labor standard for employees at the airport when the following conditions apply:

- the minimum labor standard meets, but does not exceed, those enacted by any other municipality in which the airport or other property is located;
- the airport is located within a city that has a local minimum labor standard that applies to certain employers at the airport;
- the labor standard only applies to employers expressly excluded from the existing local minimum wage standard due to their goods or service type; and
- the employers are both on the municipal property and within the city that has a local standard.

Summary of Bill: For the purposes of whether an airport meets the size requirement for a municipality that operates or controls the airport to enact a minimum labor standard for employees working at the airport, the number of annual commercial air service boardings at an airport is averaged over the most recent seven years.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: This is a trailer bill for the bill that passed last year and mostly a technical fix because enplanements dropped significantly in the last year.

Persons Testifying: PRO: Senator Karen Keiser, Prime Sponsor.

Persons Signed In To Testify But Not Testifying: No one.