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**HOUSE BILL 1198**

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**State of Washington**

**67th Legislature**

**2021 Regular Session**

**By** Representatives Dent and Orwall

Read first time 01/14/21. Referred to Committee on Transportation.

1 AN ACT Relating to the state commercial aviation coordinating  
2 commission; amending 2019 c 396 ss 1-5 (uncodified); providing  
3 expiration dates; and declaring an emergency.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** 2019 c 396 s 1 (uncodified) is amended to read as  
6 follows:

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

1 commission to provide a location recommendation by January 1,  
2 ((2022)) 2024. The legislature also recognizes any preferred location  
3 will require substantial environmental, land use, governance, and  
4 funding decisions from state and local governments.

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

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

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

12 (a) Four as representatives of commercial service airports and  
13 ports, one of whom shall represent a port located in a county with a  
14 population of two million or more, one of whom shall represent a port  
15 in eastern Washington with an airport runway of at least thirteen  
16 thousand five hundred feet in length, one of whom shall represent a  
17 commercial service airport in eastern Washington located in a county  
18 with a population of four hundred thousand or more, and one  
19 representing an association of ports;

20 (b) Three as representatives from the airline industry and the  
21 private sector;

22 (c) Two citizen representatives with one appointed from eastern  
23 Washington and one appointed from western Washington. The citizen  
24 appointees must:

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

27 (ii) Understand the impacts of a large commercial aviation  
28 facility on a community;

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

30 (e) A representative from the trucking industry;

31 (f) A representative from a community organization that  
32 understands the impacts of a large commercial aviation facility on a  
33 community; and

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

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

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

37 (b) A representative from the division of aeronautics of the  
38 department of transportation.

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

- 1 (a) A representative from the Washington state aviation alliance;
- 2 (b) A representative from the department of defense;
- 3 (c) Two members from the senate, with one member from each of the
- 4 two largest caucuses in the senate, appointed by the president of the
- 5 senate;
- 6 (d) Two members from the house of representatives, with one
- 7 member from each of the two largest caucuses in the house of
- 8 representatives, appointed by the speaker of the house of
- 9 representatives;
- 10 (e) A representative from the division of aeronautics of the
- 11 department of transportation;
- 12 (f) A representative from an eastern Washington metropolitan
- 13 planning organization;
- 14 (g) A representative from a western Washington metropolitan
- 15 planning organization;
- 16 (h) A representative from an eastern Washington regional airport;
- 17 and
- 18 (i) A representative from a western Washington regional airport.
- 19 (5) The governor may appoint additional nonvoting members as
- 20 deemed appropriate.
- 21 (6) The commission shall select a chair from among its membership
- 22 and shall adopt rules related to its powers and duties under this
- 23 chapter.
- 24 (7) Legislative members of the commission are reimbursed for
- 25 travel expenses in accordance with RCW 44.04.120. Nonlegislative
- 26 members are not entitled to be reimbursed for travel expenses if they
- 27 are elected officials or are participating on behalf of an employer,
- 28 governmental entity, or other organization. Any reimbursement for
- 29 other nonlegislative members is subject to chapter 43.03 RCW. The
- 30 commission has all powers necessary to carry out its duties as
- 31 prescribed by this chapter.
- 32 (8) The department of transportation shall provide staff support
- 33 for coordinating and administering the commission and technical
- 34 assistance as requested by commission members. The department shall
- 35 consider cost-saving options such as using online conferencing tools.
- 36 Meetings shall be held in Olympia, Washington unless resources allow
- 37 for alternative locations.
- 38 (9) At the direction of the commission, and as resources allow,
- 39 the department of transportation is authorized to hire a consultant
- 40 to assist with the review and research efforts of the commission. The

1 contract is exempt from the competitive procurement requirements in  
2 chapter 39.26 RCW.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

19 NEW SECTION. **Sec. 6.** This act is necessary for the immediate  
20 preservation of the public peace, health, or safety, or support of  
21 the state government and its existing public institutions, and takes  
22 effect immediately.

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