

CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 5370

Chapter 396, Laws of 2019

66th Legislature
2019 Regular Session

COMMERCIAL AVIATION COORDINATING COMMISSION

EFFECTIVE DATE: July 28, 2019

Passed by the Senate April 26, 2019
Yeas 47 Nays 0

CYRUS HABIB

President of the Senate

Passed by the House April 27, 2019
Yeas 97 Nays 0

FRANK CHOPP

Speaker of the House of Representatives

Approved May 13, 2019 4:42 PM

JAY INSLEE

Governor of the State of Washington

CERTIFICATE

I, Brad Hendrickson, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 5370** as passed by the Senate and the House of Representatives on the dates hereon set forth.

BRAD HENDRICKSON

Secretary

FILED

May 16, 2019

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 5370

AS AMENDED BY THE CONFERENCE COMMITTEE

Passed Legislature - 2019 Regular Session

State of Washington

66th Legislature

2019 Regular Session

By Senate Transportation (originally sponsored by Senators Keiser, Warnick, Saldaña, Hasegawa, Wilson, C., and Honeyford)

READ FIRST TIME 02/19/19.

1 AN ACT Relating to creating a state commercial aviation
2 coordinating commission; creating new sections; and providing
3 expiration dates.

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

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

1 any preferred location will require substantial environmental, land
2 use, governance, and funding decisions from state and local
3 governments.

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

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

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

17 (b) Three as representatives from the airline industry and the
18 private sector;

19 (c) Two citizen representatives with one appointed from eastern
20 Washington and one appointed from western Washington. The citizen
21 appointees must:

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

24 (ii) Understand the impacts of a large commercial aviation
25 facility on a community;

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

27 (e) A representative from the trucking industry;

28 (f) A representative from a community organization that
29 understands the impacts of a large commercial aviation facility on a
30 community; and

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

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

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

34 (b) A representative from the division of aeronautics of the
35 department of transportation.

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

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

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

1 (c) Two members from the senate, with one member from each of the
2 two largest caucuses in the senate, appointed by the president of the
3 senate;

4 (d) Two members from the house of representatives, with one
5 member from each of the two largest caucuses in the house of
6 representatives, appointed by the speaker of the house of
7 representatives;

8 (e) A representative from the division of aeronautics of the
9 department of transportation;

10 (f) A representative from an eastern Washington metropolitan
11 planning organization;

12 (g) A representative from a western Washington metropolitan
13 planning organization;

14 (h) A representative from an eastern Washington regional airport;
15 and

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

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

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

22 (7) Legislative members of the commission are reimbursed for
23 travel expenses in accordance with RCW 44.04.120. Nonlegislative
24 members are not entitled to be reimbursed for travel expenses if they
25 are elected officials or are participating on behalf of an employer,
26 governmental entity, or other organization. Any reimbursement for
27 other nonlegislative members is subject to chapter 43.03 RCW. The
28 commission has all powers necessary to carry out its duties as
29 prescribed by this chapter.

30 (8) The department of transportation shall provide staff support
31 for coordinating and administering the commission and technical
32 assistance as requested by commission members. The department shall
33 consider cost-saving options such as using online conferencing tools.
34 Meetings shall be held in Olympia, Washington unless resources allow
35 for alternative locations.

36 (9) At the direction of the commission, and as resources allow,
37 the department of transportation is authorized to hire a consultant
38 to assist with the review and research efforts of the commission. The
39 contract is exempt from the competitive procurement requirements in
40 chapter 39.26 RCW.

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

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

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

17 (a) Recommendations to the legislature on future Washington state
18 long-range commercial aviation facility needs including possible
19 additional aviation facilities or expansion of current aviation
20 facilities, excluding those located in a county with a population of
21 two million or more, to meet anticipated commercial aviation, general
22 aviation, and air cargo demands; and

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

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

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

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

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

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

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

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

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

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

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

Passed by the Senate April 26, 2019.

Passed by the House April 27, 2019.

Approved by the Governor May 13, 2019.

Filed in Office of Secretary of State May 16, 2019.

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