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**SUBSTITUTE SENATE BILL 5370**

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**State of Washington 66th Legislature 2019 Regular Session**

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

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

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

NEW SECTION. **Sec.**  The legislature finds that with the increase in air traffic operations, combined with the projections for the rapid expansion of these operations in both the short and the long term, concerns regarding the environmental, health, social, and economic impacts of air traffic are increasing as well. The legislature also finds that advancing Washington's position as a national and international trading leader is dependent upon the development of a highly competitive, statewide passenger and cargo air transportation system. Therefore, the legislature seeks to identify a location for a new primary commercial aviation facility in Washington, taking into consideration the data and conclusions of appropriate air traffic studies, community representatives, and industry experts. Options for a new primary commercial aviation facility in Washington may include expansion of an existing airport facility. It is the intent of the legislature to establish a state commercial aviation coordinating commission to provide a location recommendation by January 1, 2021.

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

(2) The governor shall appoint nine voting members to represent the following interests:

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

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

(c) A representative from an eastern Washington metropolitan planning organization; and

(d) A representative from a western Washington metropolitan planning organization.

(3) The remaining four members shall consist of:

(a) A representative from the department of commerce;

(b) A representative from the division of aeronautics of the department of transportation;

(c) The governor or the governor's designee; and

(d) A representative from the freight mobility strategic investment board.

(4) A representative of the federal aviation administration and a representative of the Washington state aviation alliance shall serve as nonvoting members.

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

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

(7) Nonlegislative members are not entitled to be reimbursed for travel expenses if they are elected officials or are participating on behalf of an employer, governmental entity, or other organization. Any reimbursement for other nonlegislative members is subject to chapter 43.03 RCW. The commission has all powers necessary to carry out its duties as prescribed by this chapter.

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

(9) The governor or the governor's designee shall convene the initial meeting of the commission as soon as practicable.

(10) This section expires July 1, 2021.

NEW SECTION. **Sec.**  (1) The state commercial aviation coordinating commission shall review existing data and conduct research as needed to determine Washington's long-range commercial aviation facility needs and the site of a new primary commercial aviation facility. Options for a new primary commercial aviation facility in Washington may include expansion of an existing airport facility. The work of the commission shall include the following:

(a) Recommendations to the legislature on future Washington state long-range commercial aviation facility needs;

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

(i) Initiating a broad review of potential sites;

(ii) Recommending a final short list of no more than six locations by January 1, 2020;

(iii) Identifying the top two locations from the final six locations by September 1, 2020; and

(iv) Identifying a single preferred location for a new primary commercial aviation facility by January 1, 2021.

(2) The commission shall submit findings and recommendations to the transportation committees of the legislature by January 1, 2021.

(3) This section expires July 1, 2021.

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

(2) This section expires July 1, 2021.

NEW SECTION. **Sec.**  (1) When assessing future Washington state long-term commercial aviation facility needs under this act, the state commercial aviation coordinating commission's recommendations must be consistent with the department of transportation's long-term air transportation study. Nothing in this act shall be construed to endorse, limit, or otherwise alter existing or future plans for capital development and capacity enhancement at existing commercial airports in Washington.

(2) This section expires July 1, 2021.

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