

SENATE BILL REPORT

HB 1243

As Passed Senate - Amended, April 12, 2023

Title: An act relating to municipal airport commissions.

Brief Description: Concerning municipal airport commissions.

Sponsors: Representatives Dent, Riccelli, Christian and Eslick.

Brief History: Passed House: 3/8/23, 97-0.

Committee Activity: Local Government, Land Use & Tribal Affairs: 3/21/23, 3/23/23 [DP-TRAN].

Transportation: 3/27/23, 4/04/23 [DPA, w/oRec].

Floor Activity: Passed Senate - Amended: 4/12/23, 46-3.

Brief Summary of Bill
(As Amended by Senate)

- Expands the powers and duties that may be vested in a municipal airport commission (MAC).

SENATE COMMITTEE ON LOCAL GOVERNMENT, LAND USE & TRIBAL AFFAIRS

Majority Report: Do pass and be referred to Committee on Transportation.

Signed by Senators Lovelett, Chair; Salomon, Vice Chair; Torres, Ranking Member; Kauffman and Short.

Staff: Maggie Douglas (786-7279)

SENATE COMMITTEE ON TRANSPORTATION

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.

Majority Report: Do pass as amended.

Signed by Senators Lias, Chair; Lovick, Vice Chair; Shewmake, Vice Chair; King, Ranking Member; Holy, Assistant Ranking Member; Cleveland, Fortunato, Kauffman, Lovelett, MacEwen, Nobles, Randall, Valdez, Wilson, C. and Wilson, J..

Minority Report: That it be referred without recommendation.

Signed by Senators Hawkins and Padden.

Staff: Kelly Simpson (786-7403)

Background: Municipal Airports. Counties, cities, airport districts, and port districts (local governments) are authorized to establish, regulate, and operate municipal airports. This includes the authority to:

- acquire, lease, and sell land;
- construct airport facilities;
- raise funds for the airport;
- impose charges;
- adopt rules and regulations for the airport, as well as penalties for the violation of those rules; and
- to use revenue from the airport to finance airport maintenance and expansion or to finance commercial or industrial buildings.

Municipal Airport Commissions. The local government may vest authority for industrial and commercial development in a municipal airport commission (MAC) consisting of at least five resident taxpayers of the municipality by ordinance or resolution. Such an ordinance or resolution must include:

- terms of office;
- method of appointment and filling vacancies;
- a provision that there shall be no compensation, but may provide a per diem not to exceed \$25 per day plus travel expenses for time spent on commission business;
- the powers and duties of the MAC; and
- any other matters necessary to the exercise of the powers relating to industrial and commercial development.

The expenses of the airport's construction, enlargement, improvement, maintenance, equipment, industrial and commercial development, operation, and regulation are the responsibility of the local government.

Community Aviation Revitalization Board. The Community Aviation Revitalization Board (CARB) is a board convened by the State Department of Transportation. The CARB is authorized to make public use general aviation airport loans to public use airports for airport improvements that primarily support general aviation activities.

Per Diem Rates. The United States General Services Administration sets per diem rates for

travelling federal employees. The standard General Services Administration per diem in Washington is \$98 for lodging, and \$59 for meals and incidental expenses.

Summary of Amended Bill: A local government may vest authority for the construction, enlargement, improvement, maintenance, equipment, operation, management, industrial and commercial development, and regulation of a municipal airport in a MAC by ordinance or resolution. Such an ordinance or resolution must include a provision that there is no compensation, but the provision may provide per diem for time spent on commission business of not more than \$25 per day plus travel expenses or, in lieu of travel expenses when travel requires overnight lodging, a per diem payment not more than the United States General Services Administration's per diem rates. The expenses of the airport's management are added to the list of expenses that are the responsibility of the local government.

In a local government with a population of greater than 35,000, all MAC commissioners must be residents. In a local government with fewer than 35,000 people, a majority of the MAC's members must be residents of the municipality or the county where the municipality is located. Remaining nonresident members must be residents of an adjacent county or counties. Immediate family members of the governing body of the municipality, and current and former employees of the municipal airport, may not be appointed to the commission.

A majority of MAC members 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 logically have a nexus with airport administration, operations, and development.

Members must agree to adhere to ethical standards adopted by the MAC or by the local government.

The local government may authorize the MAC to apply for public use general aviation airport loans.

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 (Local Government, Land Use & Tribal Affairs):
PRO: In some small communities, it is difficult to get enough residents to serve as commissioners on the municipal airport commission. This bill allows communities fewer than 35,000 to select up to three commissioners from an adjacent county. The bill also

provides a per diem rate to reimburse commissioners if traveling for business related to the commission. This is a tool to help small communities and their municipal airports.

Persons Testifying (Local Government, Land Use & Tribal Affairs): PRO: Representative Tom Dent, Prime Sponsor.

Persons Signed In To Testify But Not Testifying (Local Government, Land Use & Tribal Affairs): No one.

Staff Summary of Public Testimony (Transportation): *The committee recommended a different version of the bill than what was heard.* PRO: The bill started with an issue in Moses Lake where it was discovered the existing law did not allow the airport commission to manage the airport. As well, it was hard to find volunteers within the taxing district to sit on the commission. This bill would particularly help smaller areas that would like to have a citizen board of volunteers run existing small airports.

Persons Testifying (Transportation): PRO: Representative Tom Dent, Prime Sponsor.

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