
HOUSE BILL 2938

State of Washington 52nd Legislature 1992 Regular Session

By Representatives Prentice, R. Fisher, Wood and Day

Read first time 02/03/92. Referred to Committee on Transportation.

1 AN ACT Relating to governance of public transportation benefit
2 areas; amending RCW 36.57A.030 and 36.57A.050; and adding a new section
3 to chapter 36.57A RCW.

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

5 **Sec. 1.** RCW 36.57A.030 and 1977 ex.s. c 44 s 1 are each amended to
6 read as follows:

7 Any conference which finds it desirable to establish a public
8 transportation benefit area or change the boundaries of any existing
9 public transportation benefit area shall fix a date for a public
10 hearing thereon, or the legislative bodies of any two or more component
11 cities or the county legislative body by resolution may require the
12 public transportation improvement conference to fix a date for a public
13 hearing thereon. Prior to the convening of the public hearing, the
14 county governing body shall delineate the area of the county proposed

1 to be included within the transportation benefit area, and shall
2 furnish a copy of such delineation to each incorporated city within
3 such area. Each city shall advise the county governing body, on a
4 preliminary basis, of its desire to be included or excluded from the
5 transportation benefit area. Except as provided in RCW 36.57A.050(2),
6 the county governing body shall cause the delineations to be revised to
7 reflect the wishes of such incorporated cities. This delineation shall
8 be considered by the conference at the public hearing for inclusion in
9 the public transportation benefit area.

10 Notice of such hearing shall be published once a week for at least
11 four consecutive weeks in one or more newspapers of general circulation
12 within the area. The notice shall contain a description and map of the
13 boundaries of the proposed public transportation benefit area and shall
14 state the time and place of the hearing and the fact that any changes
15 in the boundaries of the public transportation benefit area will be
16 considered at such time and place. At such hearing or any continuation
17 thereof, any interested person may appear and be heard on all matters
18 relating to the effect of the formation of the proposed public
19 transportation benefit area.

20 The conference may make such changes in the boundaries of the
21 public transportation benefit area as they shall deem reasonable and
22 proper, but may not delete any portion of the proposed area which will
23 create an island of included or excluded lands, and may not delete a
24 portion of any city. If the conference shall determine that any
25 additional territory should be included in the public transportation
26 benefit area, a second hearing shall be held and notice given in the
27 same manner as for the original hearing. The conference may adjourn
28 the hearing on the formation of a public transportation benefit area
29 from time to time not exceeding thirty days in all.

1 Following the conclusion of such hearing the conference shall adopt
2 a resolution fixing the boundaries of the proposed public
3 transportation benefit area, declaring that the formation of the
4 proposed public transportation benefit area will be conducive to the
5 welfare and benefit of the persons and property therein.

6 Within thirty days of the adoption of such conference resolution,
7 the county legislative authority of each county wherein a conference
8 has established proposed boundaries of a public transportation benefit
9 area, may by resolution, upon making a legislative finding that the
10 proposed benefit area includes portions of the county which could not
11 be reasonably expected to benefit from such benefit area or excludes
12 portions of the county which could be reasonably expected to benefit
13 from its creation, disapprove and terminate the establishment of such
14 public transportation benefit area within such county.

15 **Sec. 2.** RCW 36.57A.050 and 1983 c 65 s 3 are each amended to read
16 as follows:

17 (1) Within sixty days of the establishment of the boundaries of the
18 public transportation benefit area the members of the county
19 legislative authority and the elected representative of each city
20 within the area shall provide for the selection of the governing body
21 of such area, the public transportation benefit area authority, which
22 shall consist of elected officials selected by and serving at the
23 pleasure of the governing bodies of component cities within the area
24 and the county legislative authority of each county within the area.
25 If at the time a public transportation benefit area authority assumes
26 the public transportation functions previously provided under the
27 Interlocal Cooperation Act (chapter 39.34 RCW) there are citizen
28 positions on the governing board of the transit system, those positions

1 may be retained as positions on the governing board of the public
2 transportation benefit area authority.

3 (2) Within such sixty-day period, any city may by resolution of its
4 legislative body withdraw from participation in the public
5 transportation benefit area. The county legislative authority and each
6 city remaining in the public transportation benefit area may disapprove
7 and prevent the establishment of any governing body of a public
8 transportation benefit area if the composition thereof does not meet
9 its approval. However, in a county having a population over one
10 hundred fifty thousand that is required to develop comprehensive plans
11 under chapter 36.70A RCW, where no public transportation benefit area
12 exists and within which a city is operating a transit system, that city
13 may not withdraw from participation in the public transportation
14 benefit area without the consent of the county legislative authority if
15 the population proposed to be included within the benefit area, not
16 counting the city population, is greater than the population of the
17 city.

18 (3) In no case shall the governing body of a single county public
19 transportation benefit area be greater than nine members and in the
20 case of a multicounty area, fifteen members. Those cities within the
21 transportation benefit area and excluded from direct membership on the
22 authority are hereby authorized to designate a member of the authority
23 who shall be entitled to represent the interests of such city which is
24 excluded from direct membership on the authority. The legislative body
25 of such city shall notify the authority as to the determination of its
26 authorized representative on the authority.

27 (4) Each member of the authority is eligible to be reimbursed for
28 travel expenses in accordance with RCW 43.03.050 and 43.03.060 and to
29 receive compensation, as set by the authority, in an amount not to
30 exceed forty-four dollars for each day during which the member attends

1 official meetings of the authority or performs prescribed duties
2 approved by the chairman of the authority. In no event may a member be
3 compensated in any year for more than seventy-five days, except the
4 chairman who may be paid compensation for not more than one hundred
5 days: PROVIDED, That compensation shall not be paid to an elected
6 official or employee of federal, state, or local government who is
7 receiving regular full-time compensation from such government for
8 attending meetings and performing prescribed duties of the authority.

9 NEW SECTION. **Sec. 3.** A new section is added to chapter 36.57A RCW
10 to read as follows:

11 (1) In a county within which a public transportation benefit area
12 has been formed and where a city, wholly contained within that county,
13 operates a public transit system, the legislative authorities of cities
14 and unincorporated areas within the public transportation benefit area,
15 if they collectively represent a population greater than that of the
16 city that operates a public transportation system, may place on the
17 ballot the issue of annexation of the city system into the benefit
18 area.

19 The issue shall be voted upon within both the benefit area and the
20 city. Approval by a majority of those voting within the combined area
21 is required to approve the annexation and the collection of taxes by
22 the public transportation benefit area within its borders. For the
23 purposes of population, the county legislative authority represents the
24 unincorporated population within the county.

25 (2) This section applies only within counties having a population
26 over one hundred fifty thousand that are required to develop
27 comprehensive land use plans under chapter 36.70A RCW.