
HOUSE BILL 1033

State of Washington

57th Legislature

2001 Regular Session

By Representatives Pennington and Mielke

Read first time 01/11/2001. Referred to Committee on Agriculture & Ecology.

1 AN ACT Relating to local air authorities; and amending RCW
2 70.94.100 and 70.94.130.

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

4 **Sec. 1.** RCW 70.94.100 and 1991 c 199 s 704 are each amended to
5 read as follows:

6 (1) The governing body of each authority shall be known as the
7 board of directors.

8 (2) In the case of an authority comprised of one county the
9 board shall be comprised of two appointees of the city selection
10 committee, at least one of whom shall represent the city having
11 the most population in the county, and two representatives to be
12 designated by the board of county commissioners. In the case of an
13 authority comprised of two, three, four, or five counties, the
14 board shall be comprised of one appointee from each county, who
15 shall represent the city having the most population in such
16 county, to be designated by the mayor and city council of such
17 city, and one representative from each county to be designated by
18 the board of county commissioners of each county making up the

1 authority. In the case of an authority comprised of six or more
2 counties, the board shall be comprised of one representative from
3 each county to be designated by the board of county commissioners
4 of each county making up the authority, and three appointees, one
5 each from the three largest cities within the local authority's
6 jurisdiction to be appointed by the mayor and city council of such
7 city. Any authority comprised of two counties or more shall also
8 include, at the legislator's discretion, a legislator from the
9 district in which the counties are located selected by the
10 legislators from that district. In the event the counties
11 comprising the authority are located in different legislative
12 districts, a legislator from the district that includes the
13 largest city by population shall be appointed by the group of
14 legislators representing those districts.

15 (3) If the board of an authority otherwise would consist of an
16 even number, the members selected as above provided shall agree
17 upon and elect an additional member who shall be either a member
18 of the governing body of one of the towns, cities or counties
19 comprising the authority, or a private citizen residing in the
20 authority.

21 (4) The terms of office of board members shall be four years.

22 (5) Wherever a member of a board has a potential conflict of
23 interest in an action before the board, the member shall declare
24 to the board the nature of the potential conflict prior to
25 ~~((participating in the action review. The board shall, if the~~
26 ~~potential conflict of interest, in the judgment of a majority of~~
27 ~~the board, may prevent the member from a fair and objective review~~
28 ~~of the case, remove the member from participation in the action))~~
29 the board's review of the action, and shall refrain from voting on
30 the action before the board.

31 (6) A member of the board of directors may not work in any
32 capacity for an entity that is regulated by a local air authority
33 of which the director is a member. If a member of a board of
34 directors is offered a position of employment with an entity that
35 is, or in the past two years has been, regulated by the local air
36 authority of which the director is a member, the member is
37 required to choose between continued service on the board or the
38 employment position.

1 **Sec. 2.** RCW 70.94.130 and 1998 c 342 s 1 are each amended to read
2 as follows:

3 The board shall exercise all powers of the authority except as
4 otherwise provided. The board shall conduct its first meeting
5 within thirty days after all of its members have been appointed or
6 designated as provided in RCW 70.94.100. The board shall meet at
7 least ten times per year. All meetings shall be publicly announced
8 prior to their occurrence. All meetings shall be open to the
9 public. A majority of the board shall constitute a quorum for the
10 transaction of business and shall be necessary for any action
11 taken by the board. The board shall elect from (~~its members~~) the
12 elected officials on the board a chair and such other officers as
13 may be necessary. Any member of the board may designate a regular
14 alternate to serve on the board in his or her place with the same
15 authority as the member when he or she is unable to attend. In no
16 event may a regular alternate serve as the permanent chair. Each
17 member of the board, or his or her representative, shall receive
18 from the authority compensation consistent with such authority's
19 rates (but not to exceed one thousand dollars per year) for time
20 spent in the performance of duties under this chapter, plus the
21 actual and necessary expenses incurred by the member in such
22 performance. The board may appoint a control officer, and any
23 other personnel, and shall determine their salaries, and pay same,
24 together with any other proper indebtedness, from authority funds.

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