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SENATE BILL 5314

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State of Washington

57th Legislature

2001 Regular Session

By Senators Roach, Benton, Fairley, Honeyford, Johnson, Stevens, Swecker, Hochstatter and Finkbeiner

Read first time 01/18/2001. Referred to Committee on Transportation.

1 AN ACT Relating to requiring voter approval on significant  
2 alterations to regional transit authority projects; and amending RCW  
3 81.112.030.

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

5 **Sec. 1.** RCW 81.112.030 and 1994 c 44 s 1 are each amended to read  
6 as follows:

7 Two or more contiguous counties each having a population of four  
8 hundred thousand persons or more may establish a regional transit  
9 authority to develop and operate a high capacity transportation system  
10 as defined in chapter 81.104 RCW.

11 The authority shall be formed in the following manner:

12 (1) The joint regional policy committee created pursuant to RCW  
13 81.104.040 shall adopt a system and financing plan, including the  
14 definition of the service area. This action shall be completed by  
15 September 1, 1992, contingent upon satisfactory completion of the  
16 planning process defined in RCW 81.104.100. The final system plan  
17 shall be adopted no later than June 30, 1993. In addition to the  
18 requirements of RCW 81.104.100, the plan for the proposed system shall  
19 provide explicitly for a minimum portion of new tax revenues to be

1 allocated to local transit agencies for interim express services. Upon  
2 adoption the joint regional policy committee shall immediately transmit  
3 the plan to the county legislative authorities within the adopted  
4 service area.

5 (2) The legislative authorities of the counties within the service  
6 area shall decide by resolution whether to participate in the  
7 authority. This action shall be completed within forty-five days  
8 following receipt of the adopted plan or by August 13, 1993, whichever  
9 comes first.

10 (3) Each county that chooses to participate in the authority shall  
11 appoint its board members as set forth in RCW 81.112.040 and shall  
12 submit its list of members to the secretary of the Washington state  
13 department of transportation. These actions must be completed within  
14 thirty days following each county's decision to participate in the  
15 authority.

16 (4) The secretary shall call the first meeting of the authority, to  
17 be held within thirty days following receipt of the appointments. At  
18 its first meeting, the authority shall elect officers and provide for  
19 the adoption of rules and other operating procedures.

20 (5) The authority is formally constituted at its first meeting and  
21 the board shall begin taking steps toward implementation of the system  
22 and financing plan adopted by the joint regional policy committee. If  
23 the joint regional policy committee fails to adopt a plan by June 30,  
24 1993, the authority shall proceed to do so based on the work completed  
25 by that date by the joint regional policy committee. Upon formation of  
26 the authority, the joint regional policy committee shall cease to  
27 exist. The authority may make minor modifications to the plan as  
28 deemed necessary and shall at a minimum review local transit agencies'  
29 plans to ensure feeder service/high capacity transit service  
30 integration, ensure fare integration, and ensure avoidance of parallel  
31 competitive services. The authority shall also conduct a minimum  
32 thirty-day public comment period.

33 (6) If the authority determines that major modifications to the  
34 plan are necessary before the initial ballot proposition is submitted  
35 to the voters, the authority may make those modifications with a  
36 favorable vote of two-thirds of the entire membership. Any such  
37 modification shall be subject to the review process set forth in RCW  
38 81.104.110. The modified plan shall be transmitted to the legislative  
39 authorities of the participating counties. The legislative authorities

1 shall have forty-five days following receipt to act by motion or  
2 ordinance to confirm or rescind their continued participation in the  
3 authority.

4 (7) If any county opts to not participate in the authority, but two  
5 or more contiguous counties do choose to continue to participate, the  
6 authority's board shall be revised accordingly. The authority shall,  
7 within forty-five days, redefine the system and financing plan to  
8 reflect elimination of one or more counties, and submit the redefined  
9 plan to the legislative authorities of the remaining counties for their  
10 decision as to whether to continue to participate. This action shall  
11 be completed within forty-five days following receipt of the redefined  
12 plan.

13 (8) The authority shall place on the ballot within two years of the  
14 authority's formation, a single ballot proposition to authorize the  
15 imposition of taxes to support the implementation of an appropriate  
16 phase of the plan within its service area. In addition to the system  
17 plan requirements contained in RCW 81.104.100(2)(d), the system plan  
18 approved by the authority's board before the submittal of a proposition  
19 to the voters shall contain an equity element which:

20 (a) Identifies revenues anticipated to be generated by corridor and  
21 by county within the authority's boundaries;

22 (b) Identifies the phasing of construction and operation of high  
23 capacity system facilities, services, and benefits in each corridor.  
24 Phasing decisions should give priority to jurisdictions which have  
25 adopted transit-supportive land use plans; and

26 (c) Identifies the degree to which revenues generated within each  
27 county will benefit the residents of that county, and identifies when  
28 such benefits will accrue.

29 A simple majority of those voting within the boundaries of the  
30 authority is required for approval. If the vote is affirmative, the  
31 authority shall begin implementation of the projects identified in the  
32 proposition. However, the authority may not submit any authorizing  
33 proposition for voter-approved taxes prior to July 1, 1993; nor may the  
34 authority issue bonds or form any local improvement district prior to  
35 July 1, 1993.

36 (9) If the vote on a proposition fails, the board may redefine the  
37 proposition, make changes to the authority boundaries, and make  
38 corresponding changes to the composition of the board. If the  
39 composition of the board is changed, the participating counties shall

1 revise the membership of the board accordingly. The board may then  
2 submit the revised proposition or a different proposition to the  
3 voters. No single proposition may be submitted to the voters more than  
4 twice. The authority may place additional propositions on the ballot  
5 to impose taxes to support additional phases of plan implementation.

6 If the authority is unable to achieve a positive vote on a  
7 proposition within two years from the date of the first election on a  
8 proposition, the board may, by resolution, reconstitute the authority  
9 as a single-county body. With a two-thirds vote of the entire  
10 membership of the voting members, the board may also dissolve the  
11 authority.

12 (10) At any time if a proposition approved by the voters is  
13 significantly altered by actions of the board, the proposition will be  
14 resubmitted to the voters within the boundaries of the originally  
15 approved proposition.

16 A significant alteration to a proposition is:

17 (a) An increase in cost for completion of the proposition approved  
18 by the voters equal to or greater than thirty percent of the cost  
19 identified in the proposition approved by the voters;

20 (b) A delay of twenty-four months or more of the entire proposition  
21 submitted to and approved by the voters;

22 (c) Elimination of any portion or element of the original  
23 proposition submitted to and approved by the voters.

24 Once a significant alteration to the proposition has been approved  
25 by an action or an accumulation of actions by the board of the  
26 proposition originally approved by the voters, the board must submit to  
27 the voters within the boundaries of the authority at the next general  
28 election for approval of the significant alteration of the original  
29 proposal.

30 If the authority is unable to achieve an affirmative vote on the  
31 increase of the cost, delay, or modification of the proposition  
32 originally submitted to the voters, the board may submit an alternative  
33 proposition in each of the next two general elections.

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