

SENATE BILL REPORT

SB 5538

As Reported By Senate Committee On:
Highways & Transportation, February 27, 2003

Title: An act relating to election and authority of Sound Transit board members.

Brief Description: Electing Sound Transit board members.

Sponsors: Senators Esser, Prentice, Rossi, Benton, Finkbeiner, Johnson, T. Sheldon, Roach, Schmidt and Oke.

Brief History:

Committee Activity: Highways & Transportation: 2/5/03, 2/27/03 [DPS, DNP].

SENATE COMMITTEE ON HIGHWAYS & TRANSPORTATION

Majority Report: That Substitute Senate Bill No. 5538 be substituted therefor, and the substitute bill do pass.

Signed by Senators Horn, Chair; Benton, Vice Chair; Swecker, Vice Chair; Esser, Finkbeiner, Mulliken and Prentice.

Minority Report: Do not pass.

Signed by Senators Haugen, Jacobsen, and Spanel.

Staff: Kelly Simpson (786-7403)

Background: The King, Pierce, and Snohomish County Councils voted in 1993 to establish the Central Puget Sound Regional Transit Authority (now known as Sound Transit). Sound Transit is vested with high capacity transportation system development authority in the three county area, including the imposition of voter-approved taxes for development and operation of such transportation systems.

In 1996, voters in the urban areas of King, Pierce, and Snohomish counties approved a plan and authorized funding to provide high capacity transportation services for the Central Puget Sound Region.

The current Sound Transit Board is composed of 18 appointed members who are city and county elected officials, with the exception of the Secretary of the Washington State Department of Transportation.

Summary of Substitute Bill: Beginning with the primary and general elections of 2003, a regional transit authority board must be composed of nine elected members. The members must be elected from nine separate electoral districts in the authority area. The positions are partisan positions. A five-member districting commission must be appointed by the Governor to establish the electoral districts, which must be drawn to ensure nearly equal populations.

If the elected board determines that a light rail proposal in a county with a population over 1.5 million persons has materially changed from that understood by the voters, then the board may terminate the proposal and (1) submit a revised proposal to the voters or (2) direct light rail resources, for capital purposes only, to an alternative transit system.

An appointed regional transit authority board may not implement a light rail system in a county with a population over 1.5 million persons, except to retire debt or honor contractual obligations, if any, relative to the light rail system.

Substitute Bill Compared to Original Bill: The bill was redrafted to make the language more consistent with the language in the current chapter in the code regarding regional transit authorities. A provision was added requiring a regional transit authority, if redirecting light rail resources to an alternative transit system, to spend that money on capital purposes only. A provision was added to permit a regional transit authority, in the event it stops implementing light rail, to spend money on light rail solely to retire debt or to fulfill outstanding contractual obligations, if any. Finally, emergency and retroactivity clauses were added.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill contains an emergency clause and takes effect immediately.

Testimony For: Sound Transit has failed to honor the intention of the voters who in 1996 approved the original regional transit system plan. The agency has mismanaged funds, significantly altered the original transit plan as understood by the voters, and has failed to provide alternatives to the current light rail system that has seen cost overruns and a cutback in the length of its original route. Additionally, the current governance board is not directly accountable to Sound Transit voters.

Testimony Against: Sound Transit is operating in a financially sound and efficient manner. The agency continues to receive local voter support at the ballot. Although the agency had some management problems in the past, it has successfully addressed those issues. For example, the agency underwent six performance audits, its subarea equity provisions have never been violated, the project control system has been updated, a citizen oversight panel was created, the federal government continues to provide financial support to the agency, the Federal Transit Administration recently gave Sound Transit a favorable rating, its contractors are all from the private sector, and the agency's work has resulted in adding millions of dollars into the local economy. Legislation should not be enacted to impede Sound Transit's continued success.

Testified: Joni Eurl, Sound Transit (con); Rich Borkowski, People for Modern Transit (con); Pat Matteson, League of Women Voters (con); Brian Carpenter, Pierce Co. Bldg. Trades (con); Duke Schaub, Assoc. of General Contractors (con); John Littel, King Co. Bldg. Trades (con); Maggi Fimia, Michael Godfried, Rich Harknes, Charles Horner, CETA & Puget Sd. Regional Monorail (pro); Martin Durkan, Jr., MJD Inc. (pro); Rob McKenna, King County Council (pro); Peter Sherwin (pro).