
HOUSE BILL 1963

State of Washington 58th Legislature 2003 Regular Session

By Representatives Murray, Ericksen and Dickerson

Read first time 02/18/2003. Referred to Committee on Transportation.

1 AN ACT Relating to selection of board members of a regional transit
2 authority; amending RCW 81.112.030 and 81.112.040; and providing an
3 effective date.

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 initial board members as set forth in RCW 81.112.040 and
12 shall submit its list of members to the secretary of the Washington
13 state department of transportation. These actions must be completed
14 within thirty days following each county's decision to participate in
15 the 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

1 authorities of the participating counties. The legislative authorities
2 shall have forty-five days following receipt to act by motion or
3 ordinance to confirm or rescind their continued participation in the
4 authority.

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

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

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

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

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

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

37 (9) If the vote on a proposition fails, the board may redefine the
38 proposition, make changes to the authority boundaries, and make

1 corresponding changes to the composition of the board. If the
2 composition of the board is changed, the participating counties shall
3 revise the membership of the board accordingly. The board may then
4 submit the revised proposition or a different proposition to the
5 voters. No single proposition may be submitted to the voters more than
6 twice. The authority may place additional propositions on the ballot
7 to impose taxes to support additional phases of plan implementation.

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

14 **Sec. 2.** RCW 81.112.040 and 1994 c 109 s 1 are each amended to read
15 as follows:

16 (1) The regional transit authority shall be governed by a board
17 consisting of a representative((s)) appointed by the county executive
18 of each county in the authority and confirmed by the council or other
19 legislative authority of each member county and a representative
20 appointed by the mayor of the largest city in each county and by the
21 mayor of any other cities in the authority with a population over one
22 hundred thousand persons. The appointment by each mayor is subject to
23 confirmation by the city council. The governor shall appoint two other
24 members to the authority. The governor shall take into account the
25 population and geographical representation of the board when making
26 those appointments. ((Membership shall be based on population from
27 that portion of each county which lies within the service area. Board
28 members shall be appointed initially on the basis of one for each one
29 hundred forty five thousand population within the county. Such
30 appointments shall be made following consultation with city and town
31 jurisdictions within the service area.)) In addition, the secretary of
32 transportation or the secretary's designee shall serve as a nonvoting
33 member of the board ((and may have voting status with approval of a
34 majority of the other members of the board)). Only board members, not
35 including alternates or designees, may cast votes.

36 ~~((Each member of the board, except the secretary of transportation~~
37 ~~or the secretary's designee, shall be:~~

1 ~~(a) An elected official who serves on the legislative authority of~~
2 ~~a city or as mayor of a city within the boundaries of the authority;~~

3 ~~(b) On the legislative authority of the county, if fifty percent of~~
4 ~~the population of the legislative official's district is within the~~
5 ~~authority boundaries; or~~

6 ~~(c) A county executive from a member county within the authority~~
7 ~~boundaries.~~

8 ~~When making appointments, each county executive shall ensure that~~
9 ~~representation on the board includes an elected city official~~
10 ~~representing the largest city in each county and assures proportional~~
11 ~~representation from other cities, and representation from~~
12 ~~unincorporated areas of each county within the service area. At least~~
13 ~~one half of all appointees from each county shall serve on the~~
14 ~~governing authority of a public transportation system.))~~

15 ~~Members appointed ((from each county shall serve staggered four-~~
16 ~~year terms. Vacancies shall be filled by appointment for the remainder~~
17 ~~of the unexpired term of the position being vacated)) serve at the~~
18 ~~pleasure of the appointing authority.~~

19 ~~The governing board shall be reconstituted, with regard to the~~
20 ~~((number of representatives from each county, on a population basis))~~
21 ~~mayoral appointees, using the official office of financial management~~
22 ~~population estimates, five years after its initial formation and, at~~
23 ~~minimum, in the year following each official federal census. ((The~~
24 ~~board membership may be reduced, maintained, or expanded to reflect~~
25 ~~population changes but under no circumstances may the board membership~~
26 ~~exceed twenty five.))~~

27 (2) Major decisions of the authority shall require a favorable vote
28 of two-thirds of the entire membership of the voting members. "Major
29 decisions" include at least the following: System plan adoption and
30 amendment; system phasing decisions; annual budget adoption;
31 authorization of annexations; modification of board composition; and
32 executive director employment.

33 (3) Each member of the board is eligible to be reimbursed for
34 travel expenses in accordance with RCW 43.03.050 and 43.03.060 and to
35 receive compensation as provided in RCW 43.03.250.

1 NEW SECTION. **Sec. 3.** This act takes effect January 1, 2005.

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