

HB 2101 - H AMD TO H AMD (2101 AMH CLIB LEAT 072) **866**
By Representative Simpson

1 Beginning on page 1, line 3 of the amendment, strike all
2 material through page 4, line 24, and insert the following:

3 "NEW SECTION. **Sec. 1.** (1) In 2006, the regional
4 transportation commission was created and tasked with evaluating
5 transportation governance in the central Puget Sound region and
6 directed to develop options for a new regional transportation
7 governance proposal. The commission's 2006 report to the
8 legislature strongly recommended creating a regional entity that
9 has authority over the planning, prioritizing, and funding of
10 regional transportation projects in the area.

11 (2) The existing transportation delivery system is highly
12 fragmented. While each individual entity or agency may perform
13 well, there is no overall political or performance accountability
14 for the system as a whole. Implementation of a regional decision-
15 making entity would facilitate the coordination and integration of
16 both capital and operational planning, prioritizing, and funding,
17 and could offer an improved method of decision-making for the Puget
18 Sound region. Previously adopted performance measures, such as
19 concurrency, have not resulted in reliable and predictable mobility
20 for people and goods throughout the region. Implementation of a
21 regional decision-making entity could assist in the development of
22 new performance measures and expectations which lead to
23 optimization of both existing transportation resources and future
24 investments.

25 (3) Moving toward unification of some transportation functions
26 and decision-making in a regional entity is a complex undertaking,
27 requiring careful planning and consideration of existing and
28 potential roles and responsibilities and existing and required
29 contracts and operational challenges. The legislature finds that
30 it is in the best interest of the citizens of the state to plan for
31 the institutional and structural changes needed to achieve a more

1 unified approach to regional transportation, and that any
2 legislation that may be necessary to create a regional authority
3 and implement sweeping changes to existing governance structures
4 must be carefully, deliberately, and thoughtfully considered in
5 order to avoid unintended consequences.

6 (4) In moving toward structural change, it is imperative that
7 transportation improvements that are being implemented in the Puget
8 Sound region through the combined efforts of the transportation
9 partnership act, the nickel package, and the Sound Move projects,
10 and the progress being made on the joint roads and transit package
11 required by the legislature in 2006, should be preserved and
12 supported to avoid delays and additional cost and to maintain
13 public confidence.

14 NEW SECTION. **Sec. 2.** IMPLEMENTATION BOARD FOR REGIONAL
15 TRANSPORTATION. (1) An implementation board for regional
16 transportation is created within the geographic boundaries of any
17 regional transportation planning organization that contains a
18 county with a population greater than one million five hundred
19 thousand. An implementation board for regional transportation is
20 a separate and independent authority from the regional
21 transportation planning organization and has the same boundaries as
22 the planning authority. The implementation board's primary purpose
23 is to enable and assist with the transition to and formation of a
24 regional transportation decision-making entity, as prescribed under
25 this act.

26 (2) The implementation board for regional transportation shall
27 consist of the following individuals:

28 (a) Eight legislative members chosen by the co-chairs of the
29 joint transportation committee. The co-chairs shall designate the
30 chair of the board;

31 (b) The governor, or the governor's designee; and

32 (c) The county executive, or chair of the county legislative
33 authority, as appropriate, of King, Pierce, Snohomish, and Kitsap
34 counties.

35
36 NEW SECTION. **Sec. 3.** POWERS AND DUTIES The implementation
37 board for regional transportation has the following powers and
38 duties:

1 (1) Prepare findings, recommendations, and legislation directed
2 toward the goal of providing for a more unified transportation
3 system in the region, improving both political and performance
4 accountability. The implementation board will recommend actions
5 consistent with recommendation 6 from the blue ribbon commission on
6 transportation, dated December 2000: "Provide regions with the
7 ability to plan, select, fund, and implement (or contract for the
8 implementation of) projects identified to meet the region's
9 transportation and land use goals," and with the findings of the
10 regional transportation commission, dated December 2006. The
11 implementation board must examine opportunities for improving
12 transportation decision-making and for improving the reliable and
13 predictable movement of people and goods throughout the region.
14 The proposed legislation must make recommendations addressing the
15 following accountability and regional decision-making issues:

16 (a) The appropriate responsibilities of a regional entity
17 related to all modes of transportation, including ferries,
18 highways, streets, roads, transit, rail, marine, and air, and the
19 relationship to the existing entities or agencies responsible for
20 these modes;

21 (b) The legal, financial, and programmatic details of any
22 enabling legislation relating to existing local authorities, local
23 transit agencies, and regional transit authorities;

24 (c) The responsibility for defining regional transportation
25 goals and objectives, and the standards that the region should use
26 to monitor achievement and performance and to ensure public
27 accountability;

28 (d) Integration of regional planning with regional
29 transportation planning, to ensure that the region's goals are met
30 and that adverse externalities are minimized;

31 (e) The steps necessary for the orderly transition of existing
32 organizations into a regional entity, if required, and the steps
33 necessary for federal approval to transition any newly formed
34 entity into the region's metropolitan planning organization;

35 (f) The participation mechanisms to be used to ensure adequate
36 participation in policy development by local and regional
37 governments; and

38 (g) Required revenue and other legal authority needed by the
39 regional entity.

1 (2) Provide direction on reorganizing the department of
2 transportation's existing administrative regions, such that only
3 one administrative region is dedicated solely to supporting the
4 central Puget Sound region, and that this administrative region
5 coordinate, plan, and integrate project schedules and design plans
6 with local and regional entities;

7 (3) Meet periodically and adopt its own rules and procedures.
8 All meetings of the board shall be public meetings and shall comply
9 with the open public meetings act, chapter 42.30 RCW;

10 (4) Maintain proper records, which shall be subject to public
11 records requests pursuant to chapter 42.56 RCW;

12 (5) Contract with appropriate professional consultants and
13 establish legal, technical, and advisory work groups to assist in
14 its work, as necessary;

15 (6) Contract with the department of transportation for
16 administrative support and technical assistance;

17 (7) Authorize all expenses related to the board's work;

18 (8) The implementation board may be entitled to state funding,
19 as appropriated by the legislature, to pay for expenses incurred by
20 the board or through contracts in carrying out the duties
21 authorized in this act; and

22 (9) The implementation board shall submit to the legislative
23 standing transportation committees and the governor, along with any
24 supporting material:

25 (a) By January 1, 2008, draft legislation forming a regional
26 transportation decision-making entity, including appropriate
27 initial powers and duties; and

28 (b) By January 1, 2009:

29 (i) A status report reflecting progress made toward federal
30 approval to transition any newly formed entity into the region's
31 metropolitan planning organization;

32 (ii) Findings and recommendations regarding reorganizing the
33 department of transportation's existing administrative regions, as
34 directed in subsection (2) of this section; and

35 (iii) Final findings and recommendations regarding the powers
36 and duties that should be assigned to a regional transportation
37 decision-making entity, addressing the issues identified in
38 subsection (1) of this section.

1 NEW SECTION. **Sec. 4.** A new section is added to chapter 43.09
2 RCW as follows:

3 The state auditor shall conduct an independent and
4 comprehensive analysis of the benefits and costs associated with
5 forming a regional transportation decision-making entity, as
6 determined by the implementation board for regional transportation
7 pursuant to subsection (3) of this act. The auditor shall submit
8 a preliminary analysis, based on the implementation board's 2008
9 draft legislation and recommendations, as required under section 2
10 of this act, to the joint transportation committee and governor no
11 later than June 1, 2008. A final report shall be submitted to the
12 legislative standing transportation committees and the governor by
13 January 1, 2009.

14 NEW SECTION. **Sec. 5.** This act is necessary for the
15 immediate preservation of the public peace, health, or safety, or
16 support of the state government and its existing public
17 institutions, and takes effect immediately.

18 NEW SECTION. **Sec. 6.** Sections 1 through 3 constitute a new
19 chapter in Title 47 RCW.

20 NEW SECTION. **Sec. 7.** Captions and part headings used in
21 this act are not any part of the law."

EFFECT: Strikes all material in the striking amendment,
which finds that the current system of transportation
governance in the central Puget Sound region is inadequate
to meet the needs of the region and state, directs the Joint
Transportation Committee to convene a task force to consider
the impacts of establishing a new regional governance
structure, and requires the task force to submit draft
legislation to the Legislature by December 15, 2007 that
implements the recommendations of the Regional
Transportation Commission.

Provides that the existing transportation delivery system is
highly fragmented, and that implementation of a regional
transportation decision-making entity would facilitate the
coordination and integrating of capital and operational
planning, prioritizing, and funding.

Creates a thirteen-member implementation board for regional
transportation within the full boundaries of King, Pierce,

Snohomish, and Kitsap counties. The board is comprised as follows: Eight legislators, chosen by the co-chairs of the Joint Transportation Committee; the Governor or her designee; and the county executive, or chair of the county legislative authority, of King, Pierce, Snohomish, and Kitsap counties.

Establishes that the primary purpose of the implementation board is to enable and assist with the transition to and creation of a regional transportation decision-making authority that results in a more unified transportation system with improved public accountability.

Provides that implementation board must maintain records, which are subject to the Public Records Act, and hold public meetings in accordance with the Open Public Meetings.

Requires the State Auditor to conduct a cost-benefit analysis of forming a regional entity.

Requires that the implementation board submit to the Legislature and Governor, by January 1, 2008, draft legislation creating a new regional decision-making entity and establishing its initial powers and duties; and, by January 1, 2009, final recommendations for the entity's powers and duties, as well as a status report regarding redesignation of the new entity as the region's metropolitan planning organization, and recommendations for reorganizing the Department of Transportation's administrative regions.