**6414 AMH HARM H5100.1 - NOT FOR FLOOR USE**

**SB 6414** - H AMD **1273**

By Representative Harmsworth

**NOT ADOPTED 03/01/2018**

Strike everything after the enacting clause and insert the following:

"**Sec.**  RCW 36.57A.050 and 2010 c 278 s 3 are each amended to read as follows:

((~~Within sixty days of the establishment of the boundaries of the public transportation benefit area the members of the county legislative authority and the elected representative of each city within the area shall provide for the selection of the governing body of such area, the public transportation benefit area authority, which shall consist of elected officials selected by and serving at the pleasure of the governing bodies of component cities within the area and the county legislative authority of each county within the area. If at the time a public transportation benefit area authority assumes the public transportation functions previously provided under the Interlocal Cooperation Act (chapter 39.34 RCW) there are citizen positions on the governing board of the transit system, those positions may be retained as positions on the governing board of the public transportation benefit area authority.~~)) (1) A public transportation benefit area is governed by a board consisting of nine directly elected nonpartisan members, or fifteen directly elected nonpartisan members in the case of a multicounty area. One nonpartisan member must be elected from each of the nine numbered electoral districts or fifteen numbered electoral districts in the case of a multicounty area, in primary and general elections commencing with the elections held in 2018. Commencing with such elections, a person seeking election or serving on the board may not hold other public office and must be a registered voter residing in the relevant electoral district during the term in office and for a period from at least thirty days before filing a petition for candidacy.

(2) A five-member districting commission appointed by the governor must define the districts as soon as possible after the effective date of this section. The districting commission has all reasonably necessary powers and must determine a reasonable budget, which must be funded upon its request by a public transportation benefit area. The districting commission must promptly approve a plan for the requisite number of numbered electoral districts in a public transportation benefit area, and publicize and file the plan with the county clerk of the county or counties within a public transportation benefit area. The plan must be drawn to ensure that the electoral districts: Have nearly equal populations in accordance with the one person, one vote principle; do not divide a precinct; are compact, convenient, and contiguous; and minimize the number of districts that consist of portions of different counties if there are multiple counties in the public transportation benefit area. An objection to the plan must commence within thirty days, and be heard within sixty days, of filing the plan.

(3) Upon certification of the 2018 general election, terms of office of the public transportation benefit area board members expire, if any are existing on the effective date of this section, and the elected nonpartisan members must take office. Each elected member must serve the remainder of 2018 plus an additional period of two or four years. Lots must be drawn to determine which five of the nine elected members or eight of the fifteen elected members must serve an additional four years, and which four of the nine elected members or seven of the fifteen elected members must serve an additional two years. All successors elected in subsequent elections in odd-numbered years must have terms of office for four years, commencing January 1st after the election.

(4) An authority's board positions become vacant upon failure to maintain residence or other qualification, recall, death, resignation, or adjudication of permanent disability. The nonpartisan vacancy must be filled as provided in chapter 42.12 RCW. The appointed temporary member must serve until a successor for the remainder of the vacated term is chosen in the next primary and general election.

(5) Local jurisdiction expenditures incurred through administering the election of the public transportation benefit area's board members must be reimbursed by the authority.

(6) Every decade, after the release of federal census information, the governor must appoint a new districting commission in accordance with subsection (2) of this section. The commission must operate in accordance with the standards provided in subsection (2) of this section and prepare a timetable for transition to any new districts.

(7) To allow staggered terms after a redistricting, a board member who has an uncompleted four-year term and no longer resides in his or her prior district solely due to redistricting must serve the remainder of the four-year term.

(8) Within ((~~such sixty-day period~~)) sixty days of the establishment of the public transportation benefit area, any city may by resolution of its legislative body withdraw from participation in the public transportation benefit area. ((~~The county legislative authority and each city remaining in the public transportation benefit area may disapprove and prevent the establishment of any governing body of a public transportation benefit area if the composition thereof does not meet its approval.~~

~~In no case shall the governing body of a single county public transportation benefit area be greater than nine voting members and in the case of a multicounty area, fifteen voting members. Those cities within the public transportation benefit area and excluded from direct membership on the authority are hereby authorized to designate a member of the authority who shall be entitled to represent the interests of such city which is excluded from direct membership on the authority. The legislative body of such city shall notify the authority as to the determination of its authorized representative on the authority.~~))

(9) There is one nonvoting member of the public transportation benefit area authority. The nonvoting member is recommended by the labor organization representing the public transportation employees within the local public transportation system. If the public transportation employees are represented by more than one labor organization, all such labor organizations shall select the nonvoting member by majority vote. The nonvoting member shall comply with all governing bylaws and policies of the authority. The chair or cochairs of the authority shall exclude the nonvoting member from attending any executive session held for the purpose of discussing negotiations with labor organizations. The chair or cochairs may exclude the nonvoting member from attending any other executive session. The requirement that a nonvoting member be appointed to the governing body of a public transportation benefit area authority does not apply to an authority that has no employees represented by a labor union.

(10) Each member of the authority is eligible to be reimbursed for travel expenses in accordance with RCW 43.03.050 and 43.03.060 and to receive compensation, as set by the authority, in an amount not to exceed forty-four dollars for each day during which the member attends official meetings of the authority or performs prescribed duties approved by the chair of the authority. Except that the authority may, by resolution, increase the payment of per diem compensation to each member from forty-four dollars up to ninety dollars per day or portion of a day for actual attendance at board meetings or for performance of other official services or duties on behalf of the authority. In no event may a member be compensated in any year for more than seventy-five days, except the chair who may be paid compensation for not more than one hundred days: PROVIDED, That compensation shall not be paid to an elected official or employee of federal, state, or local government who is receiving regular full-time compensation from such government for attending meetings and performing prescribed duties of the authority.

(11) The dollar thresholds established in this section must be adjusted for inflation by the office of financial management every five years, beginning July 1, 2008, based upon changes in the consumer price index during that time period. "Consumer price index" means, for any calendar year, that year's annual average consumer price index, for Washington state, for wage earners and clerical workers, all items, compiled by the bureau of labor and statistics, United States department of labor. If the bureau of labor and statistics develops more than one consumer price index for areas within the state, the index covering the greatest number of people, covering areas exclusively within the boundaries of the state, and including all items shall be used for the adjustments for inflation in this section. The office of financial management must calculate the new dollar threshold and transmit it to the office of the code reviser for publication in the Washington State Register at least one month before the new dollar threshold is to take effect.

(12) A person holding office as commissioner for two or more special purpose districts shall receive only that per diem compensation authorized for one of his or her commissioner positions as compensation for attending an official meeting or conducting official services or duties while representing more than one of his or her districts. However, such commissioner may receive additional per diem compensation if approved by resolution of all boards of the affected commissions.

NEW SECTION. **Sec.**  RCW 36.57A.055 (Governing body—Periodic review of composition) and 1991 c 318 s 16 & 1983 c 65 s 4 are each repealed."

Correct the title.

EFFECT: Requires elected boards for public transportation benefit areas (PTBAs) and provides a method of establishment for such elected boards. Repeals RCW 36.57A.055 regarding the periodic review of the composition of PTBA governing boards. Removes the effective date section, so that the bill will take effect 90 days after adjournment of session.