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HOUSE BILL 1860

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State of Washington                      65th Legislature                      2017 Regular Session

By Representatives Fey, Jenkins, and Sawyer

Read first time 02/01/17. Referred to Committee on Transportation.

1            AN ACT Relating to population-based representation on the  
2 governing body of public transportation benefit areas; amending RCW  
3 36.57A.050 and 36.57A.055; and providing an effective date.

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

5            **Sec. 1.** RCW 36.57A.050 and 2010 c 278 s 3 are each amended to  
6 read as follows:

7            Within sixty days of the establishment of the boundaries of the  
8 public transportation benefit area the members of the county  
9 legislative authority and the elected representative of each city  
10 within the area shall provide for the selection of the governing body  
11 of such area, the public transportation benefit area authority, which  
12 shall consist of elected officials selected by and serving at the  
13 pleasure of the governing bodies of component cities within the area  
14 and the county legislative authority of each county within the area.  
15 The members of the governing body of the public transportation  
16 benefit area, if the population of the county in which the public  
17 transportation benefit area is located is more than four hundred  
18 thousand and the county does not also contain a city with a  
19 population of seventy-five thousand or more operating a transit  
20 system pursuant to chapter 35.95 RCW, must be selected to assure  
21 proportional representation, based on population, of each of the

1 component cities located within the public transportation benefit  
2 area and the unincorporated areas of the county located within the  
3 public transportation benefit area, to the extent possible within the  
4 restrictions placed on the size of the governing body of a public  
5 transportation benefit area. If necessary to assure such proportional  
6 representation, multiple cities may be represented by a single  
7 elected official from one of the cities. If at the time a public  
8 transportation benefit area authority assumes the public  
9 transportation functions previously provided under the interlocal  
10 cooperation act (chapter 39.34 RCW) there are citizen positions on  
11 the governing board of the transit system, those positions may be  
12 retained as positions on the governing board of the public  
13 transportation benefit area authority.

14 Within such sixty-day period, any city may by resolution of its  
15 legislative body withdraw from participation in the public  
16 transportation benefit area. The county legislative authority and  
17 each city remaining in the public transportation benefit area may  
18 disapprove and prevent the establishment of any governing body of a  
19 public transportation benefit area if the composition thereof does  
20 not meet its approval.

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

31 There is one nonvoting member of the public transportation  
32 benefit area authority. The nonvoting member is recommended by the  
33 labor organization representing the public transportation employees  
34 within the local public transportation system. If the public  
35 transportation employees are represented by more than one labor  
36 organization, all such labor organizations shall select the nonvoting  
37 member by majority vote. The nonvoting member shall comply with all  
38 governing bylaws and policies of the authority. The chair or cochairs  
39 of the authority shall exclude the nonvoting member from attending  
40 any executive session held for the purpose of discussing negotiations

1 with labor organizations. The chair or cochairs may exclude the  
2 nonvoting member from attending any other executive session. The  
3 requirement that a nonvoting member be appointed to the governing  
4 body of a public transportation benefit area authority does not apply  
5 to an authority that has no employees represented by a labor union.

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

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

39 A person holding office as commissioner for two or more special  
40 purpose districts shall receive only that per diem compensation

1 authorized for one of his or her commissioner positions as  
2 compensation for attending an official meeting or conducting official  
3 services or duties while representing more than one of his or her  
4 districts. However, such commissioner may receive additional per diem  
5 compensation if approved by resolution of all boards of the affected  
6 commissions.

7 **Sec. 2.** RCW 36.57A.055 and 1991 c 318 s 16 are each amended to  
8 read as follows:

9 After a public transportation benefit area has been in existence  
10 for four years, members of the county legislative authority and the  
11 elected representative of each city within the boundaries of the  
12 public transportation benefit area shall review the composition of  
13 the governing body of the benefit area and change the composition of  
14 the governing body if the change is deemed appropriate. When  
15 determining if a change to the composition of the governing body is  
16 appropriate, the proportional representation requirements of RCW  
17 36.57A.050 must be taken into consideration if the population of the  
18 county in which the public transportation benefit area is located is  
19 more than four hundred thousand and the county does not also contain  
20 a city with a population of seventy-five thousand or more operating a  
21 transit system pursuant to chapter 35.95 RCW, and the composition of  
22 the governing body must be changed if necessary to meet this  
23 requirement. The review shall be at a meeting of the designated  
24 representatives of the component county and cities, and the majority  
25 of those present shall constitute a quorum at such meeting. Twenty  
26 days notice of the meeting shall be given by the chief administrative  
27 officer of the public transportation benefit area authority. After  
28 the initial review, a review shall be held every four years.

29 If an area having a population greater than fifteen percent, or  
30 areas with a combined population of greater than twenty-five percent  
31 of the population of the existing public transportation benefit area  
32 as constituted at the last review meeting, annex to the public  
33 transportation benefit area, or if an area is added under RCW  
34 36.57A.140(2), the representatives of the component county and cities  
35 shall meet within ninety days to review and change the composition of  
36 the governing body, if the change is deemed appropriate. This meeting  
37 is in addition to the regular four-year review meeting and shall be  
38 conducted pursuant to the same notice requirement and quorum  
39 provisions of the regular review.

1        NEW SECTION.   **Sec. 3.**   This act takes effect August 1, 2017.

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