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**SUBSTITUTE SENATE BILL 5905**

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**State of Washington**

**65th Legislature**

**2017 Regular Session**

**By** Senate Transportation (originally sponsored by Senators Hobbs, Wellman, Conway, Darneille, Mullet, and Keiser)

READ FIRST TIME 03/31/17.

1           AN ACT Relating to taxpayer relief for persons subject to a motor  
2 vehicle excise tax imposed by a regional transit authority; amending  
3 RCW 81.112.040; and adding a new section to chapter 81.112 RCW.

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

5           **Sec. 1.** RCW 81.112.040 and 1994 c 109 s 1 are each amended to  
6 read as follows:

7           (1) The regional transit authority shall be governed by a board  
8 consisting of representatives appointed by the county executive and  
9 confirmed by the council or other legislative authority of each  
10 member county. Membership shall be based on population from that  
11 portion of each county which lies within the service area. Board  
12 members shall be appointed initially on the basis of one for each one  
13 hundred forty-five thousand population within the county. Such  
14 appointments shall be made following consultation with city and town  
15 jurisdictions within the service area. In addition, the secretary of  
16 transportation or the secretary's designee shall serve as a member of  
17 the board and may have voting status with approval of a majority of  
18 the other members of the board. Only board members, not including  
19 alternates or designees, may cast votes.

20           Each member of the board, except the secretary of transportation  
21 or the secretary's designee, shall be:

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

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

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

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

16 Members appointed from each county shall serve staggered four-  
17 year terms. Vacancies shall be filled by appointment for the  
18 remainder of the unexpired term of the position being vacated.

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

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

36 NEW SECTION. **Sec. 2.** A new section is added to chapter 81.112  
37 RCW to read as follows:

38 Upon annual review, if an authority finds that revenues allow for  
39 the defeasance of any or all bonds backed in part or whole by the

1 motor vehicle excise tax authorized in RCW 81.104.160 or before July  
2 15, 2015, without negatively impacting an authority's high capacity  
3 transportation system plan, an authority must act as soon as  
4 practicable to defease such bonds.

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