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## Transportation Committee

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### HB 2929

**Brief Description:** Requiring the appointment of labor members to public transportation governing bodies.

**Sponsors:** Representative Appleton.

#### Brief Summary of Bill

- Modifies the governing board requirements for metropolitan transit commissions, county transportation authorities, and public transportation benefit areas, to convert the mandated nonvoting labor representative into a voting member of the board, of each entity with such a member.
- Prevents the labor representative on the governing board from voting on matters involving negotiations with labor organizations or discipline of represented employees.
- Removes the requirement that the nonvoting labor representative on the governing board be excluded from attending executive sessions regarding labor negotiations.
- Removes the ability of the chair or co-chairs of the governing board to exclude the nonvoting labor representative from attending executive sessions.

**Hearing Date:** 2/10/20

**Staff:** David Munnecke (786-7315).

#### **Background:**

##### Metropolitan Transit Commission.

State law authorizes two or more cities to create a metropolitan municipal corporation for the purpose of providing essential services to the residents of the metropolitan area encompassed by the participating cities. The creation of a metropolitan municipal corporation requires voter approval, and the functions, authority, and governance of the corporation are subject to specified

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statutory requirements. The corporation is governed by an appointed body known as the metropolitan municipal council (council).

A metropolitan municipal corporation is authorized to provide regional transportation services through the creation of a metropolitan transit commission (MTC). An MTC may be granted the authority to construct, own, and operate a regional transportation system in accordance with specified requirements. An MTC is governed by a commission consisting of seven voting members, six of whom are appointed by the council. The six appointed commissioners must meet specified criteria as a prerequisite to holding office. The seventh member is the chair of the council and acts as the ex officio chair of the MTC. Commissioners serve four-year terms and receive compensation as determined by the council.

A county that establishes a metropolitan municipal corporation for the provision of essential county services is not required to establish an MTC as the governing body of the county transit system. In such instances, the governing body of the county itself serves as the governing body of the transit system.

#### County Transportation Authority.

The legislative body of a county is authorized to create a county transportation authority (CTA) to provide transportation services to a county and the cities located therein. A CTA may be granted the authority to construct, own, and operate a county-wide transportation system in accordance with specified requirements. A CTA is managed by a six-member governing body consisting of elected officials from the county and cities within the county and who are appointed in accordance with specified criteria.

#### Public Transportation Benefit Area.

A public transportation benefit area (PTBA) is a type of municipal corporation created to provide regional transportation service to all or a portion of a county or multiple counties. It is authorized to construct, own, and operate a regional transportation system within its jurisdictional boundaries in accordance with specified statutory requirements. The creation of a PTBA requires the convening of a public transportation improvement conference attended by an elected official from each city and county falling within the jurisdiction of the proposed PTBA. The governance of a PTBA is provided by a governing body consisting of not more than nine (or 15 if the PTBA is multi-county) elected officials from the governments of the cities and counties participating in the PTBA.

#### Labor Organization Recommended Members.

A public transportation system owned or operated by specified categories of public transportation entities must include in its governing body a nonvoting member recommended by the labor organization or organizations representing its employees. This requirement is applicable to governing bodies of the public transportation systems of the following types:

- an MTC;
- a CTA; and
- a PTBA.

The governing body of one of the specified public transportation systems must exclude the nonvoting labor representative member from attending any portion of an executive session held for the purpose of discussing negotiations with labor organizations. The chair or co-chair may

exclude the nonvoting member from attending any other executive session. Such member must comply with all bylaws and policies of the governing body of the transit entity to which he or she is appointed.

A PTBA authority is exempt from the requirement that a nonvoting member be appointed to its governing body if the authority has no employees represented by a labor union.

**Summary of Bill:**

The requirements for the governing boards of MTCs, CTAs, and PTBAs are modified in order to convert the mandated nonvoting labor representative of the board into a voting member of the board, of each entity with such a member.

The labor representative on the governing boards of MTCs, CTAs, and PTBAs is prevented from voting on matters involving negotiations with labor organizations or discipline of represented employees.

The requirement that the nonvoting labor representative on the governing board of MTCs, CTAs, and PTBAs be excluded from attending executive sessions regarding labor negotiations is removed, as is the ability of the chair or co-chairs of such governing boards to exclude the nonvoting labor representative from attending executive sessions.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.