

# SENATE BILL REPORT

## EHB 1584

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As Passed Senate, April 10, 2019

**Title:** An act relating to restricting the availability of state funds to regional transportation planning organizations that do not provide a reasonable opportunity for voting membership to certain federally recognized tribes.

**Brief Description:** Restricting the availability of state funds to regional transportation planning organizations that do not provide a reasonable opportunity for voting membership to certain federally recognized tribes.

**Sponsors:** Representatives Riccelli, Ormsby, Fey, Fitzgibbon, Lovick, Ramos, Stanford and Leavitt.

**Brief History:** Passed House: 3/07/19, 64-33.

**Committee Activity:** Transportation: 3/18/19, 3/20/19 [DP, DNP, w/oRec].

**Floor Activity:**

Passed Senate: 4/10/19, 27-19.

### Brief Summary of Bill

- Requires regional transportation planning organizations to provide a reasonable opportunity for voting membership to federally recognized Tribes in order to receive state transportation funding.

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### SENATE COMMITTEE ON TRANSPORTATION

**Majority Report:** Do pass.

Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; Cleveland, Das, Lovelett, Nguyen, Randall, Takko and Wilson, C..

**Minority Report:** Do not pass.

Signed by Senators King, Ranking Member; Fortunato, O'Ban and Padden.

**Minority Report:** That it be referred without recommendation.

Signed by Senator Zeiger.

**Staff:** Kelly Simpson (786-7403)

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

**Background:** Under current state law, regional transportation planning organizations (RTPOs) are voluntary associations of local governments within a county, or within geographically contiguous counties, created primarily to prepare regional transportation plans and to ensure local and regional coordination of transportation planning within counties. An RTPO can cover both urban and rural areas and receives state funding in support of its planning efforts. The voting membership of RTPOs include local elected officials from the participating jurisdictions. Current law does not require RTPOs to including voting membership from federally recognized tribes.

Biennial appropriations are made to RTPOs in the state transportation budget through the Planning Program within the state Department of Transportation. For the 2017-2019 biennium, \$4.9 million is appropriated for RTPOs.

**Summary of Bill:** In order to receive state funding, an RTPO must provide a reasonable opportunity for voting membership to federally recognized tribes that hold reservation or trust lands within the RTPO planning area. Those tribes that do not have voting membership in the RTPO must be offered voting membership every two years or when the composition of the RTPO board is modified.

**Appropriation:** None.

**Fiscal Note:** Available.

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

**Effective Date:** The bill takes effect on August 1, 2019.

**Staff Summary of Public Testimony:** PRO: The Spokane Tribe requested this bill in order for RTPO boards to be more inclusionary. In 2011, the Spokane Tribe requested voting membership on their local RTPO but there has been no action to date. True regional transportation planning can not occur without Tribal representation. Tribal representation on RTPOs provides many benefits: holistic planning, coordination with both Tribal and non-Tribal entities, planning for veterans, coordination with the state Department of Transportation, and coordination with other plans in the region.

OTHER: The Spokane RTPO has prescriptive rules regarding modifying its voting membership. The best opportunity to modify voting membership is after the upcoming census. The best way to modify voting membership is through an interlocal agreement. Losing state transportation funding is a concern.

**Persons Testifying:** PRO: Representative Marcus Riccelli, Prime Sponsor; Tiger Peone, Spokane Tribal Business Council; Archie Metlow, Planning Director, Spokane Tribe of Indians.

OTHER: Mike Burgess, Spokane County.

**Persons Signed In To Testify But Not Testifying:** No one.