

# FINAL BILL REPORT

## ESHB 2986

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Synopsis as Enacted

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

**Sponsors:** House Committee on Local Government & Housing (originally sponsored by Representatives Simpson, Upthegrove, Campbell, Carlyle, Lias, Driscoll, Williams, Ormsby, Sullivan, Nelson, Sells, Appleton, Chase, Seaquist, Ericks, Goodman, Morrell, Green, Dickerson, Hudgins, Van De Wege, White, Maxwell, Miloscia, Conway, Moeller, Jacks, Hurst, Kenney and Hasegawa).

**House Committee on Local Government & Housing**  
**Senate Committee on Government Operations & Elections**

### **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 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

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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.

**Summary:**

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 representing the majority of its employees. This requirement is applicable to governing bodies of the public transportation systems of the following types:

- a metropolitan transit commission;
- a county transportation authority; and
- a public transportation benefit area.

The governing body of the public transportation system 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 public transportation benefit area 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.

**Votes on Final Passage:**

House	66	29	
Senate	28	19	(Senate amended)
House	63	32	(House concurred)

**Effective:** June 10, 2010