
HOUSE BILL 2029

State of Washington 64th Legislature 2015 Regular Session

By Representatives Fey, Jenkins, and Sawyer

Read first time 02/09/15. 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 must be selected to assure proportional representation,
17 based on population, of each of the component cities located within
18 the public transportation benefit area and the unincorporated areas
19 of the county located within the public transportation benefit area,
20 to the extent possible within the restrictions placed on the size of
21 the governing body of a public transportation benefit area. If

1 necessary to assure such proportional representation, multiple cities
2 may be represented by a single elected official from one of the
3 cities. If at the time a public transportation benefit area authority
4 assumes the public transportation functions previously provided under
5 the interlocal cooperation act (chapter 39.34 RCW) there are citizen
6 positions on the governing board of the transit system, those
7 positions may be retained as positions on the governing board of the
8 public transportation benefit area authority.

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

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

26 There is one nonvoting member of the public transportation
27 benefit area authority. The nonvoting member is recommended by the
28 labor organization representing the public transportation employees
29 within the local public transportation system. If the public
30 transportation employees are represented by more than one labor
31 organization, all such labor organizations shall select the nonvoting
32 member by majority vote. The nonvoting member shall comply with all
33 governing bylaws and policies of the authority. The chair or cochair
34 of the authority shall exclude the nonvoting member from attending
35 any executive session held for the purpose of discussing negotiations
36 with labor organizations. The chair or cochair may exclude the
37 nonvoting member from attending any other executive session. The
38 requirement that a nonvoting member be appointed to the governing
39 body of a public transportation benefit area authority does not apply
40 to an authority that has no employees represented by a labor union.

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

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

34 A person holding office as commissioner for two or more special
35 purpose districts shall receive only that per diem compensation
36 authorized for one of his or her commissioner positions as
37 compensation for attending an official meeting or conducting official
38 services or duties while representing more than one of his or her
39 districts. However, such commissioner may receive additional per diem

1 compensation if approved by resolution of all boards of the affected
2 commissions.

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

5 After a public transportation benefit area has been in existence
6 for four years, members of the county legislative authority and the
7 elected representative of each city within the boundaries of the
8 public transportation benefit area shall review the composition of
9 the governing body of the benefit area and change the composition of
10 the governing body if the change is deemed appropriate. When
11 determining if a change to the composition of the governing body is
12 appropriate, the proportional representation requirements of RCW
13 36.57A.050 must be taken into consideration, and the composition of
14 the governing body must be changed if necessary to meet this
15 requirement. The review shall be at a meeting of the designated
16 representatives of the component county and cities, and the majority
17 of those present shall constitute a quorum at such meeting. Twenty
18 days notice of the meeting shall be given by the chief administrative
19 officer of the public transportation benefit area authority. After
20 the initial review, a review shall be held every four years.

21 If an area having a population greater than fifteen percent, or
22 areas with a combined population of greater than twenty-five percent
23 of the population of the existing public transportation benefit area
24 as constituted at the last review meeting, annex to the public
25 transportation benefit area, or if an area is added under RCW
26 36.57A.140(2), the representatives of the component county and cities
27 shall meet within ninety days to review and change the composition of
28 the governing body, if the change is deemed appropriate. This meeting
29 is in addition to the regular four-year review meeting and shall be
30 conducted pursuant to the same notice requirement and quorum
31 provisions of the regular review.

32 NEW SECTION. **Sec. 3.** This act takes effect August 1, 2015.

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