

ESSB 6002 - H AMD 1161

By Representative Harmsworth

OUT OF ORDER 02/27/2018

1 On page 3, line 13, after "port district," insert "regional
2 transit authority,"

3 On page 9, after line 6, insert the following:

4 **"NEW SECTION. Sec. 211.** A new section is added to chapter
5 81.112 RCW to read as follows:

6 (1) Any regional transit authority created under this chapter
7 must be governed by a board consisting of eleven directly elected
8 nonpartisan members. By January 1, 2019, the board of any existing
9 regional transit authority must create an election system for the
10 board, in accordance with the authority provided in this act. The
11 election system may provide for district-based elections, as provided
12 in this act.

13 (2) Elected board members have terms of office for four years,
14 commencing January 1st after the election. The initial terms of board
15 member positions may be designated into two or four-year terms, as
16 determined by the secretary of the Washington state department of
17 transportation, in order to provide for staggered terms.

18 (3) The membership and authority of any existing board is
19 effective through December 31, 2019, after which time the board is
20 dissolved. The board membership elected in the 2019 general election
21 shall take over all functions of the existing board beginning January
22 1, 2020.

23 **Sec. 212.** RCW 81.112.030 and 2007 c 509 s 3 are each amended to
24 read as follows:

25 Two or more contiguous counties each having a population of four
26 hundred thousand persons or more may establish a regional transit
27 authority to develop and operate a high capacity transportation
28 system as defined in chapter 81.104 RCW.

29 The authority shall be formed in the following manner:

30 (1) The joint regional policy committee created pursuant to RCW
31 81.104.040 shall adopt a system and financing plan, including the

1 definition of the service area. This action shall be completed by
2 September 1, 1992, contingent upon satisfactory completion of the
3 planning process defined in RCW 81.104.100. The final system plan
4 shall be adopted no later than June 30, 1993. In addition to the
5 requirements of RCW 81.104.100, the plan for the proposed system
6 shall provide explicitly for a minimum portion of new tax revenues to
7 be allocated to local transit agencies for interim express services.
8 Upon adoption the joint regional policy committee shall immediately
9 transmit the plan to the county legislative authorities within the
10 adopted service area.

11 (2) The legislative authorities of the counties within the
12 service area shall decide by resolution whether to participate in the
13 authority. This action shall be completed within forty-five days
14 following receipt of the adopted plan or by August 13, 1993,
15 whichever comes first.

16 ~~(3) ((Each county that chooses to participate in the authority
17 shall appoint its board members as set forth in RCW 81.112.040 and
18 shall submit its list of members to the secretary of the Washington
19 state department of transportation. These actions must be completed
20 within thirty days following each county's decision to participate in
21 the authority.~~

22 ~~(4))~~ The secretary shall call the first meeting of the
23 authority, to be held within thirty days following receipt of the
24 ~~((appointments))~~ names of the elected board members. At its first
25 meeting, the authority shall elect officers and provide for the
26 adoption of rules and other operating procedures.

27 ~~((+5))~~ (4) The authority is formally constituted at its first
28 meeting and the board shall begin taking steps toward implementation
29 of the system and financing plan adopted by the joint regional policy
30 committee. If the joint regional policy committee fails to adopt a
31 plan by June 30, 1993, the authority shall proceed to do so based on
32 the work completed by that date by the joint regional policy
33 committee. Upon formation of the authority, the joint regional policy
34 committee shall cease to exist. The authority may make minor
35 modifications to the plan as deemed necessary and shall at a minimum
36 review local transit agencies' plans to ensure feeder service/high
37 capacity transit service integration, ensure fare integration, and
38 ensure avoidance of parallel competitive services. The authority
39 shall also conduct a minimum thirty-day public comment period.

1 (~~(6)~~) (5) If the authority determines that major modifications
2 to the plan are necessary before the initial ballot proposition is
3 submitted to the voters, the authority may make those modifications
4 with a favorable vote of two-thirds of the entire membership. Any
5 such modification shall be subject to the review process set forth in
6 RCW 81.104.110. The modified plan shall be transmitted to the
7 legislative authorities of the participating counties. The
8 legislative authorities shall have forty-five days following receipt
9 to act by motion or ordinance to confirm or rescind their continued
10 participation in the authority.

11 (~~(7)~~) (6) If any county opts to not participate in the
12 authority, but two or more contiguous counties do choose to continue
13 to participate, the authority's board shall be revised accordingly.
14 The authority shall, within forty-five days, redefine the system and
15 financing plan to reflect elimination of one or more counties, and
16 submit the redefined plan to the legislative authorities of the
17 remaining counties for their decision as to whether to continue to
18 participate. This action shall be completed within forty-five days
19 following receipt of the redefined plan.

20 (~~(8)~~) (7) The authority shall place on the ballot within two
21 years of the authority's formation, a single ballot proposition to
22 authorize the imposition of taxes to support the implementation of an
23 appropriate phase of the plan within its service area. In addition to
24 the system plan requirements contained in RCW 81.104.100(2)(d), the
25 system plan approved by the authority's board before the submittal of
26 a proposition to the voters shall contain an equity element which:

27 (a) Identifies revenues anticipated to be generated by corridor
28 and by county within the authority's boundaries;

29 (b) Identifies the phasing of construction and operation of high
30 capacity system facilities, services, and benefits in each corridor.
31 Phasing decisions should give priority to jurisdictions which have
32 adopted transit-supportive land use plans; and

33 (c) Identifies the degree to which revenues generated within each
34 county will benefit the residents of that county, and identifies when
35 such benefits will accrue.

36 A simple majority of those voting within the boundaries of the
37 authority is required for approval. If the vote is affirmative, the
38 authority shall begin implementation of the projects identified in
39 the proposition. However, the authority may not submit any
40 authorizing proposition for voter-approved taxes prior to July 1,

1 1993; nor may the authority issue bonds or form any local improvement
2 district prior to July 1, 1993.

3 ~~((+9))~~ (8) If the vote on a proposition fails, the board may
4 redefine the proposition, make changes to the authority boundaries,
5 and make corresponding changes to the composition of the board,
6 subject to section 211 of this act. If the composition of the board
7 is changed, the participating counties shall revise the membership of
8 the board ~~((accordingly))~~ subject to section 211 of this act. The
9 board may then submit the revised proposition or a different
10 proposition to the voters. No single proposition may be submitted to
11 the voters more than twice. Beginning no sooner than the 2007 general
12 election, the authority may place additional propositions on the
13 ballot to impose taxes to support additional phases of plan
14 implementation.

15 ~~((+10))~~ (9) At the 2007 general election, the authority shall
16 submit a proposition to support a system and financing plan or
17 additional implementation phases of the authority's system and
18 financing plan as part of a single ballot proposition that includes a
19 plan to support a regional transportation investment plan developed
20 under chapter 36.120 RCW. The authority's plan shall not be
21 considered approved unless both a majority of the persons voting on
22 the proposition residing within the authority vote in favor of the
23 proposition and a majority of the persons voting on the proposition
24 residing within the proposed regional transportation investment
25 district vote in favor of the proposition.

26 ~~((+11))~~ (10) Additional phases of plan implementation may
27 include a transportation subarea equity element which (a) identifies
28 the combined authority and regional transportation investment
29 district revenues anticipated to be generated by corridor and by
30 county within the authority's boundaries, and (b) identifies the
31 degree to which the combined authority and regional transportation
32 investment district revenues generated within each county will
33 benefit the residents of that county, and identifies when such
34 benefits will accrue. For purposes of the transportation subarea
35 equity principle established under this subsection, the authority may
36 use the five subareas within the authority's boundaries as identified
37 in the authority's system plan adopted in May 1996.

38 ~~((+12))~~ (11) If the authority is unable to achieve a positive
39 vote on a proposition within two years from the date of the first
40 election on a proposition, the board may, by resolution, reconstitute

1 the authority as a single-county body. With a two-thirds vote of the
2 entire membership of the voting members, the board may also dissolve
3 the authority.

4 **Sec. 213.** RCW 81.112.040 and 1994 c 109 s 1 are each amended to
5 read as follows:

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

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

21 ~~(a) An elected official who serves on the legislative authority
22 of a city or as mayor of a city within the boundaries of the
23 authority;~~

24 ~~(b) On the legislative authority of the county, if fifty percent
25 of the population of the legislative official's district is within
26 the authority boundaries; or~~

27 ~~(c) A county executive from a member county within the authority
28 boundaries.~~

29 ~~When making appointments, each county executive shall ensure that
30 representation on the board includes an elected city official
31 representing the largest city in each county and assures proportional
32 representation from other cities, and representation from
33 unincorporated areas of each county within the service area. At least
34 one-half of all appointees from each county shall serve on the
35 governing authority of a public transportation system.~~

36 ~~Members appointed from each county shall serve staggered four-
37 year terms. Vacancies shall be filled by appointment for the
38 remainder of the unexpired term of the position being vacated.~~

1 ~~The governing board shall be reconstituted, with regard to the~~
2 ~~number of representatives from each county, on a population basis,~~
3 ~~using the official office of financial management population~~
4 ~~estimates, five years after its initial formation and, at minimum, in~~
5 ~~the year following each official federal census. The board membership~~
6 ~~may be reduced, maintained, or expanded to reflect population changes~~
7 ~~but under no circumstances may the board membership exceed twenty-~~
8 ~~five.~~

9 (2)) Major decisions of the authority shall require a favorable
10 vote of two-thirds of the entire membership of the voting members.
11 "Major decisions" include at least the following: System plan
12 adoption and amendment; system phasing decisions; annual budget
13 adoption; authorization of annexations; modification of board
14 composition; and executive director employment.

15 ((3)) (2) Each member of the board is eligible to be reimbursed
16 for travel expenses in accordance with RCW 43.03.050 and 43.03.060
17 and to receive compensation as provided in RCW 43.03.250."

18 Correct any internal references accordingly and correct the
19 title.

EFFECT: Requires any regional transit authority (RTA) to have an eleven member elected board, and subjects RTA elections to the act. Requires any existing RTA board to create an election system for board elections beginning in 2019.

--- END ---