

SB 6414 - H AMD 1273

By Representative Harmsworth

NOT ADOPTED 03/01/2018

1 Strike everything after the enacting clause and insert the
2 following:

3 "Sec. 1. RCW 36.57A.050 and 2010 c 278 s 3 are each amended to
4 read as follows:

5 ~~((Within sixty days of the establishment of the boundaries of the~~
6 ~~public transportation benefit area the members of the county~~
7 ~~legislative authority and the elected representative of each city~~
8 ~~within the area shall provide for the selection of the governing body~~
9 ~~of such area, the public transportation benefit area authority, which~~
10 ~~shall consist of elected officials selected by and serving at the~~
11 ~~pleasure of the governing bodies of component cities within the area~~
12 ~~and the county legislative authority of each county within the area.~~
13 ~~If at the time a public transportation benefit area authority assumes~~
14 ~~the public transportation functions previously provided under the~~
15 ~~Interlocal Cooperation Act (chapter 39.34 RCW) there are citizen~~
16 ~~positions on the governing board of the transit system, those~~
17 ~~positions may be retained as positions on the governing board of the~~
18 ~~public transportation benefit area authority.))~~ (1) A public
19 transportation benefit area is governed by a board consisting of nine
20 directly elected nonpartisan members, or fifteen directly elected
21 nonpartisan members in the case of a multicounty area. One
22 nonpartisan member must be elected from each of the nine numbered
23 electoral districts or fifteen numbered electoral districts in the
24 case of a multicounty area, in primary and general elections
25 commencing with the elections held in 2018. Commencing with such
26 elections, a person seeking election or serving on the board may not
27 hold other public office and must be a registered voter residing in
28 the relevant electoral district during the term in office and for a
29 period from at least thirty days before filing a petition for
30 candidacy.

31 (2) A five-member districting commission appointed by the
32 governor must define the districts as soon as possible after the

1 effective date of this section. The districting commission has all
2 reasonably necessary powers and must determine a reasonable budget,
3 which must be funded upon its request by a public transportation
4 benefit area. The districting commission must promptly approve a plan
5 for the requisite number of numbered electoral districts in a public
6 transportation benefit area, and publicize and file the plan with the
7 county clerk of the county or counties within a public transportation
8 benefit area. The plan must be drawn to ensure that the electoral
9 districts: Have nearly equal populations in accordance with the one
10 person, one vote principle; do not divide a precinct; are compact,
11 convenient, and contiguous; and minimize the number of districts that
12 consist of portions of different counties if there are multiple
13 counties in the public transportation benefit area. An objection to
14 the plan must commence within thirty days, and be heard within sixty
15 days, of filing the plan.

16 (3) Upon certification of the 2018 general election, terms of
17 office of the public transportation benefit area board members
18 expire, if any are existing on the effective date of this section,
19 and the elected nonpartisan members must take office. Each elected
20 member must serve the remainder of 2018 plus an additional period of
21 two or four years. Lots must be drawn to determine which five of the
22 nine elected members or eight of the fifteen elected members must
23 serve an additional four years, and which four of the nine elected
24 members or seven of the fifteen elected members must serve an
25 additional two years. All successors elected in subsequent elections
26 in odd-numbered years must have terms of office for four years,
27 commencing January 1st after the election.

28 (4) An authority's board positions become vacant upon failure to
29 maintain residence or other qualification, recall, death,
30 resignation, or adjudication of permanent disability. The nonpartisan
31 vacancy must be filled as provided in chapter 42.12 RCW. The
32 appointed temporary member must serve until a successor for the
33 remainder of the vacated term is chosen in the next primary and
34 general election.

35 (5) Local jurisdiction expenditures incurred through
36 administering the election of the public transportation benefit
37 area's board members must be reimbursed by the authority.

38 (6) Every decade, after the release of federal census
39 information, the governor must appoint a new districting commission
40 in accordance with subsection (2) of this section. The commission

1 must operate in accordance with the standards provided in subsection
2 (2) of this section and prepare a timetable for transition to any new
3 districts.

4 (7) To allow staggered terms after a redistricting, a board
5 member who has an uncompleted four-year term and no longer resides in
6 his or her prior district solely due to redistricting must serve the
7 remainder of the four-year term.

8 (8) Within ((such sixty day period)) sixty days of the
9 establishment of the public transportation benefit area, any city may
10 by resolution of its legislative body withdraw from participation in
11 the public transportation benefit area. ((The county legislative
12 authority and each city remaining in the public transportation
13 benefit area may disapprove and prevent the establishment of any
14 governing body of a public transportation benefit area if the
15 composition thereof does 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 (9) 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 (10) Each member of the authority is eligible to be reimbursed
2 for travel expenses in accordance with RCW 43.03.050 and 43.03.060
3 and to receive compensation, as set by the authority, in an amount
4 not to 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 (11) 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 (12) A person holding office as commissioner for two or more
35 special purpose districts shall receive only that per diem
36 compensation authorized for one of his or her commissioner positions
37 as compensation for attending an official meeting or conducting
38 official services or duties while representing more than one of his
39 or her districts. However, such commissioner may receive additional

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

3 NEW SECTION. **Sec. 2.** RCW 36.57A.055 (Governing body—Periodic
4 review of composition) and 1991 c 318 s 16 & 1983 c 65 s 4 are each
5 repealed."

6 Correct the title.

EFFECT: Requires elected boards for public transportation benefit areas (PTBAs) and provides a method of establishment for such elected boards. Repeals RCW 36.57A.055 regarding the periodic review of the composition of PTBA governing boards. Removes the effective date section, so that the bill will take effect 90 days after adjournment of session.

--- END ---