

HOUSE BILL REPORT

EHB 1584

As Passed Legislature

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:

Committee Activity:

Transportation: 2/13/19, 2/27/19 [DPS].

Floor Activity:

Passed House: 3/7/19, 64-33.

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

Passed Legislature.

Brief Summary of Engrossed Bill

- Requires a Regional Transportation Planning Organization (RTPO) to provide a reasonable opportunity for voting membership to any federally recognized tribe that holds reservation or trust land or has usual and accustomed areas within the RTPO boundaries every two years or upon a modification of the RTPO board, in order to be eligible to receive funds that are appropriated to the Washington State Department of Transportation for local planning purposes.

HOUSE COMMITTEE ON TRANSPORTATION

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 22 members: Representatives Fey, Chair; Slatter, 2nd Vice Chair; Valdez, 2nd Vice Chair; Wylie, 1st Vice Chair; Barkis, Ranking Minority Member; Walsh, Assistant Ranking Minority Member; Young, Assistant Ranking Minority Member; Boehnke,

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.

Chapman, Doglio, Entenman, Gregerson, Irwin, Kloba, Lovick, Mead, Ortiz-Self, Paul, Pellicciotti, Ramos, Riccelli and Shewmake.

Minority Report: Do not pass. Signed by 9 members: Representatives Chambers, Dent, Dufault, Eslick, Goehner, McCaslin, Orcutt, Shea and Van Werven.

Staff: David Munnecke (786-7315).

Background:

A Regional Transportation Planning Organization (RTPO) is a voluntary association of local governments within a county, or within geographically contiguous counties, created primarily to prepare a regional transportation plan and to ensure local and regional coordination of transportation planning within a county or counties. An RTPO can cover both urban and rural areas and receives state funding in support of its planning efforts.

An RTPO must contain:

- at least one complete county with a population of at least 100,000;
- at least one complete county with a population of at least 75,000 and contain a Washington State Ferries terminal;
- at least three counties regardless of population; or
- at least one complete county with a population of at least 40,000 and covering a geographic area of at least 5,000 square miles.

An RTPO must also include at least 60 percent of the cities and towns in the region representing at least 75 percent of the cities' and towns' populations.

There are currently RTPOs covering 38 of the 39 counties in Washington. San Juan County is not part of any RTPO.

All RTPOs are encouraged to seek Native American tribal involvement under the Washington Administrative Code.

Summary of Engrossed Bill:

In order to be eligible to receive funds that are appropriated to the Washington State Department of Transportation for local planning purposes, an RTPO must provide a reasonable opportunity for voting membership to any federally recognized tribe that holds reservation or trust land or has usual and accustomed areas within the RTPO boundaries. Regional Transportation Planning Organizations are also required to offer federally recognized tribes that have reservation or trust lands within the planning area of the RTPO but do not have voting membership in the RTPO an opportunity for voting membership every two years or when the composition of the board of the RTPO is modified in an interlocal agreement.

Appropriation: None.

Fiscal Note: Available.

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

Staff Summary of Public Testimony:

(In support) There are currently 11 RTPOs that have tribes located within their boundaries. Eight of these RTPOs have tribes with voting membership.

The Spokane Tribe does not have voting rights in the Spokane County RTPO, but should be allowed to participate. The Spokane Tribe has been asking for voting rights since 2011. The Spokane Tribe is allowed to participate in another RTPO.

Diversity matters, and everyone should have a vote in transportation planning because transportation affects everyone. The Spokane Tribe has never had a seat at the table, and the Legislature needs to help do the right thing.

The Spokane Tribe participates in the funding of transportation projects in the area.

(Opposed) None.

(Other) The Spokane RTPO has an interlocal agreement that governs its board composition. There is concern about the RTPO losing funding when the Legislature involves itself in the process.

Persons Testifying: (In support) Representative Riccelli, prime sponsor; Kate Burke, City of Spokane; and Michael Temple, Spokane Tribe.

(Other) Mike Burgess, Spokane County.

Persons Signed In To Testify But Not Testifying: None.