
HOUSE BILL 2579

State of Washington 53rd Legislature 1994 Regular Session

By Representatives R. Fisher, Johanson and Shin

Read first time 01/19/94. Referred to Committee on Transportation.

1 AN ACT Relating to public transportation benefit areas; amending
2 RCW 36.57.020 and 36.57A.110; adding new sections to chapter 36.57A
3 RCW; and creating a new section.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** As an alternative to the process prescribed
6 in RCW 36.57A.020 through 36.57A.040, the county legislative authority
7 of a county with a population of four hundred thousand or more in
8 which, as of January 1, 1994, there exists a public transportation
9 benefit area established under this chapter and in which a city is
10 operating a public transportation benefit area under chapter 35.95 RCW,
11 may establish a new public transportation benefit area, including the
12 entire county within its boundaries, under the process set forth in
13 sections 2 and 3 of this act.

14 NEW SECTION. **Sec. 2.** The assumption of the rights, powers,
15 functions, assets, liabilities, and obligations of the existing public
16 transportation benefit area and the city with regard to its public
17 transportation functions by the establishment of a new county-wide
18 public transportation benefit area may be initiated by the adoption of

1 an ordinance or a resolution, as the case may be, by the county
2 legislative authority indicating its intention to conduct a hearing
3 concerning establishment of a new public transportation benefit area.

4 In the event the county legislative authority adopts such an
5 ordinance or a resolution of intention, the ordinance or resolution
6 shall set a time and place at which it will consider the proposed
7 establishment of a new public transportation benefit area and shall
8 state that all persons interested may appear and be heard. The
9 ordinance or resolution of intention shall be published at least four
10 times during the four weeks next preceding the scheduled hearing in
11 newspapers of daily general circulation printed or published in the
12 county.

13 At the time scheduled for the hearing on the ordinance or
14 resolution of intention, the county legislative authority shall
15 consider the establishment of a new county-wide public transportation
16 benefit area to assume the rights, powers, functions, assets,
17 liabilities, and obligations of the existing public transportation
18 benefit area and the city with regard to its public transportation
19 functions, and hear those appearing and all protests and objections to
20 it. The county legislative authority may continue the hearing from
21 time to time, not exceeding a total of ninety days in all.

22 NEW SECTION. **Sec. 3.** If, from the testimony given before the
23 county legislative authority, it appears that the public interest or
24 welfare would be satisfied by the establishment of a county-wide public
25 transportation benefit area assuming the rights, powers, functions,
26 assets, liabilities, and obligations of the existing public
27 transportation benefit area and the city with regard to public
28 transportation, the county legislative authority may declare that
29 formation of a county-wide public transportation benefit area to be its
30 intent.

31 The ordinance or resolution shall provide for a single ballot
32 proposition to be submitted to the voters, for their approval or
33 rejection, to authorize: (1) The establishment of a county-wide public
34 transportation benefit area to assume the rights, powers, functions,
35 assets, liabilities, and obligations of the existing public
36 transportation area and the city with regard to its public
37 transportation functions; (2) to provide that the county legislative
38 authority is the ex officio public transportation benefit area

1 authority; and (3) the new public transportation benefit area to impose
2 taxes, at the rate specified, as provided for under state law.

3 If adopted and ratified by public vote, the public transportation
4 benefit area authority established under the provisions of RCW
5 36.57A.050 and 36.57A.055 are abolished, and the provisions are
6 inapplicable to the county, and the county legislative authority shall
7 be vested with all rights, powers, duties, and obligations otherwise
8 vested by law in the authority. However, RCW 36.57A.140 shall not
9 apply to annexations to a public transportation benefit area
10 established under this section.

11 **Sec. 4.** RCW 36.57.020 and 1974 ex.s. c 167 s 2 are each amended to
12 read as follows:

13 Every county, except a county in which a metropolitan municipal
14 corporation is performing the function of public transportation on May
15 5, 1974, or a county on or after January 1, 1995, having a population
16 of four hundred thousand or more in which on January 1, 1994, a public
17 transportation benefit area is operating under chapter 36.57A RCW and
18 a city is operating a public transportation system under chapter 35.95
19 RCW, is authorized to create a county transportation authority which
20 shall perform the function of public transportation. Such authority
21 shall embrace all the territory within a single county and all cities
22 and towns therein.

23 NEW SECTION. **Sec. 5.** On January 1, 1995, a county transportation
24 authority operating in a county having a population of four hundred
25 thousand or more in which on January 1, 1994, a public transportation
26 benefit area is operating under chapter 36.57A RCW and a city is
27 operating a public transportation system under chapter 35.95 RCW, shall
28 be abolished.

29 **Sec. 6.** RCW 36.57A.110 and 1975 1st ex.s. c 270 s 21 are each
30 amended to read as follows:

31 The public transportation benefit area shall have and exercise all
32 rights with respect to the construction, acquisition, maintenance,
33 operation, extension, alteration, repair, control, and management of
34 passenger transportation which any component city shall have been
35 previously empowered to exercise and ((such)) the powers shall not
36 thereafter be exercised by ((such)) the component cities without the

1 consent of the public transportation benefit area(~~(: PROVIDED, That)~~).
2 However, any city owning and operating a public transportation system
3 on July 1, 1975 may continue to operate (~~(such)~~) the system within
4 (~~(such)~~) the city until (~~(such)~~) the system shall have been acquired by
5 the public transportation benefit area and a public transportation
6 benefit area may not acquire (~~(such)~~) the system without the consent of
7 the city council of (~~(such)~~) the city except if that system is to be
8 incorporated into the county-wide public transportation benefit area as
9 provided for in sections 1 through 3 of this act.

10 NEW SECTION. Sec. 7. Sections 1 through 3 of this act are each
11 added to chapter 36.57A RCW.

--- END ---