

HOUSE BILL REPORT

HB 2216

As Reported by House Committee On: Local Government

Title: An act relating to requiring the appointment of nonvoting labor members to public transportation governing bodies.

Brief Description: Requiring the appointment of nonvoting labor members to public transportation governing bodies.

Sponsors: Representatives Appleton, Sells, Simpson, Takko, Wallace, Ormsby, Conway and Strow.

Brief History:

Committee Activity:

Local Government: 2/22/07, 2/26/07 [DPS].

Brief Summary of Substitute Bill

- Requires that a public transportation system owned or operated by specified categories of public entities must include in its governing body a nonvoting member recommended by the labor organization representing the majority of the public transportation employees within the local public transportation system.
- Requires the governing body of a Public Transportation Benefit Area operating in a single county to be increased from nine to 10 members or, if it serves a multi-county area, the governing body is increased from 15 to 16 members.

HOUSE COMMITTEE ON LOCAL GOVERNMENT

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 4 members: Representatives Simpson, Chair; Eddy, Vice Chair; B. Sullivan and Takko.

Minority Report: Do not pass. Signed by 3 members: Representatives Curtis, Ranking Minority Member; Schindler, Assistant Ranking Minority Member and Ross.

Staff: Thamas Osborn (786-7129).

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.

Background:

Metropolitan Transit Commission

State law authorizes two or more cities to create a "metropolitan municipal corporation" for the purpose of providing essential services to the residents of the metropolitan area encompassed by the participating cities. The creation of a metropolitan municipal corporation requires voter approval, and the functions, authority, and governance of the corporation are subject to specified statutory requirements. The corporation is governed by an appointed body known as the "metropolitan municipal council" (council).

A metropolitan municipal corporation is authorized to provide regional transportation services through the creation of a "metropolitan transit commission" (MTC). A MTC may be granted the authority to construct, own, and operate a regional transportation system in accordance with specified requirements.

A MTC is governed by a commission consisting of seven voting members, six of whom are appointed by the council. The six appointed commissioners must meet specified criteria as a prerequisite to holding office. The seventh member is the chair of the council and acts as the ex officio chair of the MTC. Commissioners serve four-year terms and receive compensation as determined by the council.

County Transportation Authority

The legislative body of a county is authorized to create a "county transportation authority" (CTA) to provide transportation services to a county and the cities located therein. A CTA may be granted the authority to construct, own, and operate a county-wide transportation system in accordance with specified requirements. A CTA is managed by a six-member governing body consisting of elected officials from the county and cities within the county and who are appointed in accordance with specified criteria.

Public Transportation Benefit Area

A "public transportation benefit area" (PTBA) is a type of municipal corporation created to provide regional transportation service to all or a portion of a county or multiple counties. It is authorized to construct, own, and operate a regional transportation system within its jurisdictional boundaries in accordance with specified statutory requirements. The creation of a PTBA requires the convening of a "public transportation improvement conference" attended by an elected official from each city and county falling within the jurisdiction of the proposed PTBA. The governance of a PTBA is provided by a governing body consisting of not more than nine (or 15 if the PTBA is multi-county) elected officials from the governments of the cities and counties participating in the PTBA.

Summary of Substitute Bill:

A public transportation system owned or operated by specified categories of public transportation entities must include in its governing body a nonvoting member recommended by the labor organization representing the majority of the public transportation employees

within the local public transportation system. This requirement is applicable to governing bodies of the public transportation systems of the following types:

- a Metropolitan Transit Commission;
- a County Transportation Authority;
- a Public Transportation Benefit Area; and
- any other type of public transportation system operated by a county.

The chair of the governing body of the transportation system may exclude the nonvoting member from attending any portion of the meeting of the governing body, or of any committee, held for the purpose of discussing negotiations with labor organizations. In addition, the chair may exclude the nonvoting member from attending any executive committee meeting.

The governing body of a Public Transportation Benefit Area operating in a single county is increased from nine to 10 members or, if it serves a multi-county area, the governing body is increased from 15 to 16 members.

Substitute Bill Compared to Original Bill:

The substitute bill adds a provision authorizing the chair of the governing body of a public transportation system to exclude the nonvoting member representing a labor organization from attending any executive committee meeting.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date of Substitute Bill: The bill takes effect 90 days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony:

(In support) The bill would require the various transit boards to include union transit workers as nonvoting board members. Workers should have a voice on the boards and this bill would require boards to make this happen. Union workers have the best understanding of the actual workings of the various transit systems and are also keenly aware of the issues and problems facing transit systems today. Currently, board members have little understanding of the reality of the day-to-day operation of a transit system. Allowing worker input would provide the boards with information necessary to increase efficiency and save money. The bill is needed because at present, workers are allowed almost no meaningful opportunity to speak at board meetings.

(Opposed) This bill is unnecessary and would arbitrarily provide one special interest group i. e., transit unions with undue influence on transit boards. Union workers have no greater right to be board members than any other group having an interest in the efficient operation of our transit systems. The bill, therefore, favors one special interest over others. The bill would

also create a situation fostering potential conflicts of interest. Furthermore, union workers already have ample opportunity to speak to the transit boards and provide them with information regarding the operation of the various systems. The boards are committed to listening to union workers and considering their point of view. In addition, board representation should be a matter for local decision making and should not be dictated by state law.

Persons Testifying: (In support) Dennis Antonellis, J. Rick Sepolen, and Karen Stites, Amalgamated Transit Union.

(Opposed) Mike Harbour and Peter Thein, Intercity Transit Washington State Transit Association; and Jim Plaster and Kathleen Collins, Spokane Transit.

Persons Signed In To Testify But Not Testifying: None.