

RCW 47.87.040 Commission, governed by board. (1) The commission shall be governed by a board. The commission formation agreement shall establish the number of voting and, if any, nonvoting or ex officio directors appointed by local governments of each state and, if any, appointed by governmental entities that are not local governments, and shall further establish the procedures for the nomination and appointment of such directors, which may differ by state.

(2) Each nominating authority shall nominate and each appointing authority shall appoint an alternate director for each director it nominates or appoints. The alternate director may only act in the absence of the director for whom the alternate is appointed. Unless the context requires otherwise, the term director under this chapter includes the alternate director when such alternate director is acting in the absence of the director.

(3) Directors and alternate directors shall serve without compensation, but may be reimbursed for reasonable expenses incurred as an incident to the performance of their duties. Directors and alternate directors shall serve at the pleasure of the appointing body, and with or without cause may be removed or suspended from office by the appointing body. The commission formation agreement shall establish the length of the initial term of each of director and alternate director so that subsequent appointments by appointing bodies from each state are reasonably and similarly staggered. Except for the initial appointments of directors and alternate directors, the term of directors and alternate directors shall be four years.

(4) The board shall elect two cochairs from among its directors, with one cochair residing in Washington state and the other cochair residing in the bordering state. The two cochairs shall serve as first cochair and second cochair, with the first cochair responsible for presiding at all commission meetings. The board shall indicate which cochair will serve in the respective two positions within the first year after the formation of the commission, after which time the two positions must alternate on an annual basis. The commission formation agreement shall establish the terms of the cochairs, and may establish such other requirements for the office of cochair as the local governments elect.

(5) Formal actions of the board shall be by ordinance or resolution duly approved at any regular or special meeting of the board. No action of the board shall be effective unless there is a quorum and a majority of the directors present assent. The commission formation agreement shall establish the requirements for a quorum, and may establish such other requirements for formal actions of the board as the local governments may elect, provided such requirements are consistent with applicable laws.

(6) Unless otherwise provided in an ordinance or resolution enacted by the board, the board shall have the exclusive right to exercise the powers granted by this chapter, and the exercise of all powers granted to the board by this chapter shall not be subject to any prior or subsequent authorization, approval, or concurrence by any local government or other governmental entity of either state.

(7) The board shall adopt rules, consistent with applicable laws and the commission formation agreement, regarding the organization, activities, and procedures of the board and the commission, as the board may determine. [2022 c 89 § 4.]