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SENATE BILL 6119

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State of Washington

63rd Legislature

2014 Regular Session

By Senators Benton and Roach

Read first time 01/15/14. Referred to Committee on Transportation.

1 AN ACT Relating to granting voting rights to legislators serving on  
2 certain local transportation boards; and amending RCW 47.80.040,  
3 36.57A.050, and 36.57A.055.

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

5 **Sec. 1.** RCW 47.80.040 and 2003 c 351 s 1 are each amended to read  
6 as follows:

7 Each regional transportation planning organization shall create a  
8 transportation policy board. Transportation policy boards shall  
9 provide policy advice to the regional transportation planning  
10 organization and shall allow representatives of major employers within  
11 the region, the department of transportation, transit districts, port  
12 districts, and member cities, towns, and counties within the region to  
13 participate in policy making. Any member(~~s~~) of the (~~house of~~  
14 ~~representatives or the state senate~~) legislature whose district(~~s~~  
15 ~~are~~) is wholly or partly within the boundaries of the regional  
16 transportation planning organization (~~are~~) is considered an ex  
17 officio, (~~nonvoting~~) voting policy board member(~~s~~) of the regional  
18 transportation planning organization. (~~This does not preclude~~  
19 ~~legislators from becoming full-time, voting board members.~~)

1       **Sec. 2.** RCW 36.57A.050 and 2010 c 278 s 3 are each amended to read  
2 as follows:

3       Within sixty days of the establishment of the boundaries of the  
4 public transportation benefit area the members of the county  
5 legislative authority and the elected representative of each city  
6 within the area shall provide for the selection of the governing body  
7 of such area, the public transportation benefit area authority, which  
8 shall consist of elected officials selected by and serving at the  
9 pleasure of the governing bodies of component cities within the area  
10 and the county legislative authority of each county within the area.  
11 If at the time a public transportation benefit area authority assumes  
12 the public transportation functions previously provided under the  
13 interlocal cooperation act (chapter 39.34 RCW) there are citizen  
14 positions on the governing board of the transit system, those positions  
15 may be retained as positions on the governing board of the public  
16 transportation benefit area authority. Any member of the legislature  
17 whose district is wholly or partly within the boundaries of the public  
18 transportation benefit area is considered an ex officio, voting member  
19 of the governing body.

20       Within such sixty-day period, any city may by resolution of its  
21 legislative body withdraw from participation in the public  
22 transportation benefit area. The county legislative authority and each  
23 city remaining in the public transportation benefit area may disapprove  
24 and prevent the establishment of any governing body of a public  
25 transportation benefit area if the composition thereof, not including  
26 members of the legislature, does not meet its approval.

27       In no case shall the governing body of a single county public  
28 transportation benefit area be greater than nine voting members and in  
29 the case of a multicounty area, fifteen voting members. However, the  
30 numerical limitations regarding the composition of the governing body  
31 do not apply to members of the legislature eligible to serve on the  
32 governing body. Those cities within the transportation benefit area  
33 and excluded from direct membership on the authority are hereby  
34 authorized to designate a member of the authority who shall be entitled  
35 to represent the interests of such city which is excluded from direct  
36 membership on the authority. The legislative body of such city shall  
37 notify the authority as to the determination of its authorized  
38 representative on the authority.

1       There is one nonvoting member of the public transportation benefit  
2 area authority. The nonvoting member is recommended by the labor  
3 organization representing the public transportation employees within  
4 the local public transportation system. If the public transportation  
5 employees are represented by more than one labor organization, all such  
6 labor organizations shall select the nonvoting member by majority vote.  
7 The nonvoting member shall comply with all governing bylaws and  
8 policies of the authority. The chair or cochair of the authority  
9 shall exclude the nonvoting member from attending any executive session  
10 held for the purpose of discussing negotiations with labor  
11 organizations. The chair or cochair may exclude the nonvoting member  
12 from attending any other executive session. The requirement that a  
13 nonvoting member be appointed to the governing body of a public  
14 transportation benefit area authority does not apply to an authority  
15 that has no employees represented by a labor union.

16       Each member of the authority is eligible to be reimbursed for  
17 travel expenses in accordance with RCW 43.03.050 and 43.03.060 and to  
18 receive compensation, as set by the authority, in an amount not to  
19 exceed forty-four dollars for each day during which the member attends  
20 official meetings of the authority or performs prescribed duties  
21 approved by the chair of the authority. Except that the authority may,  
22 by resolution, increase the payment of per diem compensation to each  
23 member from forty-four dollars up to ninety dollars per day or portion  
24 of a day for actual attendance at board meetings or for performance of  
25 other official services or duties on behalf of the authority. In no  
26 event may a member be compensated in any year for more than seventy-  
27 five days, except the chair who may be paid compensation for not more  
28 than one hundred days: PROVIDED, That compensation shall not be paid  
29 to an elected official or employee of federal, state, or local  
30 government who is receiving regular full-time compensation from such  
31 government for attending meetings and performing prescribed duties of  
32 the authority.

33       The dollar thresholds established in this section must be adjusted  
34 for inflation by the office of financial management every five years,  
35 beginning July 1, 2008, based upon changes in the consumer price index  
36 during that time period. "Consumer price index" means, for any  
37 calendar year, that year's annual average consumer price index, for  
38 Washington state, for wage earners and clerical workers, all items,

1 compiled by the bureau of labor and statistics, United States  
2 department of labor. If the bureau of labor and statistics develops  
3 more than one consumer price index for areas within the state, the  
4 index covering the greatest number of people, covering areas  
5 exclusively within the boundaries of the state, and including all items  
6 shall be used for the adjustments for inflation in this section. The  
7 office of financial management must calculate the new dollar threshold  
8 and transmit it to the office of the code reviser for publication in  
9 the Washington State Register at least one month before the new dollar  
10 threshold is to take effect.

11 A person holding office as commissioner for two or more special  
12 purpose districts shall receive only that per diem compensation  
13 authorized for one of his or her commissioner positions as compensation  
14 for attending an official meeting or conducting official services or  
15 duties while representing more than one of his or her districts.  
16 However, such commissioner may receive additional per diem compensation  
17 if approved by resolution of all boards of the affected commissions.

18 **Sec. 3.** RCW 36.57A.055 and 1991 c 318 s 16 are each amended to  
19 read as follows:

20 After a public transportation benefit area has been in existence  
21 for four years, members of the county legislative authority and the  
22 elected representative of each city within the boundaries of the public  
23 transportation benefit area shall review the composition of the  
24 governing body of the benefit area and change the composition of the  
25 governing body if the change is deemed appropriate. However, members  
26 of the legislature eligible to serve on the governing body may not be  
27 removed from the composition of the governing body. The review shall  
28 be at a meeting of the designated representatives of the component  
29 county and cities, and the majority of those present shall constitute  
30 a quorum at such meeting. Twenty days notice of the meeting shall be  
31 given by the chief administrative officer of the public transportation  
32 benefit area authority. After the initial review, a review shall be  
33 held every four years.

34 If an area having a population greater than fifteen percent, or  
35 areas with a combined population of greater than twenty-five percent of  
36 the population of the existing public transportation benefit area as  
37 constituted at the last review meeting, annex to the public

1 transportation benefit area, or if an area is added under RCW  
2 36.57A.140(2), the representatives of the component county and cities  
3 shall meet within ninety days to review and change the composition of  
4 the governing body, if the change is deemed appropriate. This meeting  
5 is in addition to the regular four-year review meeting and shall be  
6 conducted pursuant to the same notice requirement and quorum provisions  
7 of the regular review.

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