
HOUSE BILL 2929

State of Washington

66th Legislature

2020 Regular Session

By Representative Appleton

Read first time 02/07/20. Referred to Committee on Transportation.

1 AN ACT Relating to requiring the appointment of labor members to
2 public transportation governing bodies; and amending RCW 35.58.270,
3 36.57.030, and 36.57A.050.

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

5 **Sec. 1.** RCW 35.58.270 and 2010 c 278 s 1 are each amended to
6 read as follows:

7 (1) If a metropolitan municipal corporation shall be authorized
8 to perform the function of metropolitan transportation with a
9 commission form of management, a metropolitan transit commission
10 shall be formed prior to the effective date of the assumption of such
11 function. Except as provided in this section, the metropolitan
12 transit commission shall exercise all powers of the metropolitan
13 municipal corporation with respect to metropolitan transportation
14 facilities, including but not limited to the power to construct,
15 acquire, maintain, operate, extend, alter, repair, control and manage
16 a local public transportation system within and without the
17 metropolitan area, to establish new passenger transportation services
18 and to alter, curtail, or abolish any services as the commission may
19 deem desirable and to fix tolls and fares.

20 (2) The comprehensive plan for public transportation service and
21 any amendments thereof shall be adopted by the metropolitan council

1 and the metropolitan transit commission shall provide transportation
2 facilities and service consistent with such plan. The metropolitan
3 transit commission shall authorize expenditures for transportation
4 purposes within the budget adopted by the metropolitan council. Tolls
5 and fares may be fixed or altered by the commission only after
6 approval thereof by the metropolitan council. Bonds of the
7 metropolitan municipal corporation for public transportation purposes
8 shall be issued by the metropolitan council as provided in this
9 chapter.

10 (3) The metropolitan transit commission shall consist of
11 ~~((seven))~~ eight members~~((-))~~:

12 (a) Six of such members shall be appointed by the metropolitan
13 council and the seventh member shall be the chair of the metropolitan
14 council who shall be ex officio the chair of the metropolitan transit
15 commission. Three of the six appointed members of the commission
16 shall be residents of the central city and three shall be residents
17 of the metropolitan area outside of the central city. The three
18 central city members of the first metropolitan transit commission
19 shall be selected from the existing transit commission of the central
20 city, if there be a transit commission in such city. The terms of
21 first appointees shall be for one, two, three, four, five and six
22 years, respectively. Thereafter, commissioners shall serve for a term
23 of four years. Compensation of transit commissioners shall be
24 determined by the metropolitan council.

25 ~~((4) There is one nonvoting))~~ (b) The eighth member of the
26 metropolitan transit commission~~((The nonvoting member))~~ is a labor
27 representative recommended by the labor organization representing the
28 public transportation employees within the local public
29 transportation system. If the public transportation employees are
30 represented by more than one labor organization, all such labor
31 organizations shall select the ~~((nonvoting member))~~ labor
32 representative by majority vote. The ~~((nonvoting member))~~ labor
33 representative is appointed for a term of four years. The nonvoting
34 member shall comply with all governing bylaws and policies of the
35 commission. The ~~((chair or cochairs of the commission shall exclude~~
36 ~~the nonvoting member from attending any executive session held for~~
37 ~~the purpose of discussing))~~ labor representative shall not vote on
38 any matter involving negotiations with labor organizations or
39 discipline for represented employees. ~~((The chair or cochairs may~~

1 ~~exclude the nonvoting member from attending any other executive~~
2 ~~session.~~

3 ~~(5))~~ (4) The requirement to create a metropolitan transit
4 commission shall not apply to a county that has assumed the rights,
5 powers, functions, and obligations of the metropolitan municipal
6 corporation under chapter 36.56 RCW.

7 **Sec. 2.** RCW 36.57.030 and 2010 c 278 s 2 are each amended to
8 read as follows:

9 Every county which undertakes the transportation function
10 pursuant to RCW 36.57.020 shall create by resolution of the county
11 legislative body a county transportation authority which shall be
12 composed as follows:

13 (1) The elected officials of the county legislative body, not to
14 exceed three such elected officials;

15 (2) The mayor of the most populous city within the county;

16 (3) The mayor of a city with a population less than five
17 thousand, to be selected by the mayors of all such cities within the
18 county;

19 (4) The mayor of a city with a population greater than five
20 thousand, excluding the most populous city, to be selected by the
21 mayors of all such cities within the county: PROVIDED, HOWEVER, That
22 if there is no city with a population greater than five thousand,
23 excluding the most populous city, then the sixth member who shall be
24 an elected official, shall be selected by the other two mayors
25 selected pursuant to subsections (2) and (3) of this section; and

26 (5) An individual recommended by the labor organization
27 representing the public transportation employees within the county
28 transportation authority. If the public transportation employees are
29 represented by more than one labor organization, all such labor
30 organizations shall select the ~~((nonvoting member))~~ labor
31 representative by majority vote. The ~~((nonvoting member))~~ labor
32 representative shall comply with all governing bylaws and policies of
33 the authority. The ~~((chair or cochairs of the county transportation~~
34 ~~authority shall exclude the nonvoting member from attending any~~
35 ~~executive session held for the purpose of discussing))~~ labor
36 representative shall not vote on any matter involving negotiations
37 with labor organizations or discipline for represented employees.
38 ~~((The chair or cochairs may exclude the nonvoting member from~~
39 ~~attending any other executive session.))~~

1 (6) The members of the authority shall be selected within sixty
2 days after the date of the resolution creating such authority.

3 (7) Any member of the authority who is a mayor or an elected
4 official selected pursuant to subsection (4) of this section and
5 whose office is not a full time position shall receive one hundred
6 dollars for each day attending official meetings of the authority.

7 **Sec. 3.** RCW 36.57A.050 and 2018 c 154 s 1 are each amended to
8 read as follows:

9 (1)(a) Within sixty days of the establishment of the boundaries
10 of the public transportation benefit area the members of the county
11 legislative authority and the elected representative of each city
12 within the area shall provide for the selection of the governing body
13 of such area, the public transportation benefit area authority, which
14 shall consist of elected officials selected by and serving at the
15 pleasure of the governing bodies of component cities within the area
16 and the county legislative authority of each county within the area,
17 as well as a labor representative. The elected official members of
18 the governing body of the public transportation benefit area, if the
19 population of the county in which the public transportation benefit
20 area is located is more than four hundred thousand and the county
21 does not also contain a city with a population of seventy-five
22 thousand or more operating a transit system pursuant to chapter 35.95
23 RCW, must be selected to assure proportional representation, based on
24 population, of each of the component cities located within the public
25 transportation benefit area and the unincorporated areas of the
26 county located within the public transportation benefit area, to the
27 extent possible within the restrictions placed on the size of the
28 governing body of a public transportation benefit area. If necessary
29 to assure such proportional representation, multiple cities may be
30 represented by a single elected official from one of the cities. A
31 majority of the governing board may not be selected to represent a
32 single component city. If at the time a public transportation benefit
33 area authority assumes the public transportation functions previously
34 provided under the interlocal cooperation act (chapter 39.34 RCW)
35 there are citizen positions on the governing board of the transit
36 system, those positions may be retained as positions on the governing
37 board of the public transportation benefit area authority.

38 (b) Within such sixty-day period, any city may by resolution of
39 its legislative body withdraw from participation in the public

1 transportation benefit area. The county legislative authority and
2 each city remaining in the public transportation benefit area may
3 disapprove and prevent the establishment of any governing body of a
4 public transportation benefit area if the composition thereof does
5 not meet its approval.

6 (c) In no case shall the governing body of a single county public
7 transportation benefit area be greater than ~~((nine))~~ ten voting
8 members and in the case of a multicounty area, ~~((fifteen))~~ sixteen
9 voting members. Those cities within the public transportation benefit
10 area and excluded from direct membership on the authority are hereby
11 authorized to designate a member of the authority who shall be
12 entitled to represent the interests of such city which is excluded
13 from direct membership on the authority. The legislative body of such
14 city shall notify the authority as to the determination of its
15 authorized representative on the authority.

16 ~~((There is one nonvoting member of the public transportation
17 benefit area authority.))~~ (d) The ~~((nonvoting member))~~ labor
18 representative of the public transportation benefit area authority is
19 recommended by the labor organization representing the public
20 transportation employees within the local public transportation
21 system. If the public transportation employees are represented by
22 more than one labor organization, all such labor organizations shall
23 select the ~~((nonvoting member))~~ labor representative by majority
24 vote. The ~~((nonvoting member))~~ labor representative shall comply with
25 all governing bylaws and policies of the authority. The ~~((chair or
26 cochairs of the authority shall exclude the nonvoting member from
27 attending any executive session held for the purpose of discussing))~~
28 labor representative shall not vote on any matter involving
29 negotiations with labor organizations or discipline for represented
30 employees. ~~((The chair or cochairs may exclude the nonvoting member
31 from attending any other executive session.))~~ The requirement that a
32 ~~((nonvoting member))~~ labor representative be appointed to the
33 governing body of a public transportation benefit area authority does
34 not apply to an authority that has no employees represented by a
35 labor union.

36 (2)(a) Each member of the authority is eligible to be reimbursed
37 for travel expenses in accordance with RCW 43.03.050 and 43.03.060
38 and to receive compensation, as set by the authority, in an amount
39 not to exceed forty-four dollars for each day during which the member
40 attends official meetings of the authority or performs prescribed

1 duties approved by the chair of the authority. Except that the
2 authority may, by resolution, increase the payment of per diem
3 compensation to each member from forty-four dollars up to ninety
4 dollars per day or portion of a day for actual attendance at board
5 meetings or for performance of other official services or duties on
6 behalf of the authority. In no event may a member be compensated in
7 any year for more than seventy-five days, except the chair who may be
8 paid compensation for not more than one hundred days: PROVIDED, That
9 compensation shall not be paid to an elected official or employee of
10 federal, state, or local government who is receiving regular full-
11 time compensation from such government for attending meetings and
12 performing prescribed duties of the authority.

13 (b) The dollar thresholds established in this section must be
14 adjusted for inflation by the office of financial management every
15 five years, beginning July 1, 2008, based upon changes in the
16 consumer price index during that time period. "Consumer price index"
17 means, for any calendar year, that year's annual average consumer
18 price index, for Washington state, for wage earners and clerical
19 workers, all items, compiled by the bureau of labor and statistics,
20 United States department of labor. If the bureau of labor and
21 statistics develops more than one consumer price index for areas
22 within the state, the index covering the greatest number of people,
23 covering areas exclusively within the boundaries of the state, and
24 including all items shall be used for the adjustments for inflation
25 in this section. The office of financial management must calculate
26 the new dollar threshold and transmit it to the office of the code
27 reviser for publication in the Washington State Register at least one
28 month before the new dollar threshold is to take effect.

29 (c) A person holding office as commissioner for two or more
30 special purpose districts shall receive only that per diem
31 compensation authorized for one of his or her commissioner positions
32 as compensation for attending an official meeting or conducting
33 official services or duties while representing more than one of his
34 or her districts. However, such commissioner may receive additional
35 per diem compensation if approved by resolution of all boards of the
36 affected commissions.

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