
SUBSTITUTE HOUSE BILL 2191

State of Washington

68th Legislature

2024 Regular Session

By House Transportation (originally sponsored by Representatives Timmons, Duerr, Reed, Ramel, and Reeves)

1 AN ACT Relating to adding two voting members that are transit
2 users to the governing body of public transportation benefit areas;
3 amending RCW 36.57A.050; and providing an effective date.

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

5 **Sec. 1.** RCW 36.57A.050 and 2020 c 83 s 2 are each amended to
6 read as follows:

7 (1)(a) Within ~~((sixty))~~ 60 days of the establishment of the
8 boundaries of the public transportation benefit area the members of
9 the county legislative authority and the elected representative of
10 each city within the area shall provide for the selection of the
11 governing body of such area, the public transportation benefit area
12 authority, which shall consist of elected officials selected by and
13 serving at the pleasure of the governing bodies of component cities
14 within the area and the county legislative authority of each county
15 within the area, as well as two other appointed members.

16 (b) The elected official members of the governing body of the
17 public transportation benefit area, if the population of the county
18 in which the public transportation benefit area is located is more
19 than ~~((four hundred thousand))~~ 400,000 and the county does not also
20 contain a city with a population of ~~((seventy-five thousand))~~ 75,000
21 or more operating a transit system pursuant to chapter 35.95 RCW,

1 must be selected to assure proportional representation, based on
2 population, of each of the component cities located within the public
3 transportation benefit area and the unincorporated areas of the
4 county located within the public transportation benefit area, to the
5 extent possible within the restrictions placed on the size of the
6 governing body of a public transportation benefit area. If necessary
7 to assure such proportional representation, multiple cities may be
8 represented by a single elected official from one of the cities. A
9 majority of the governing board may not be selected to represent a
10 single component city.

11 (c) If at the time a public transportation benefit area authority
12 assumes the public transportation functions previously provided under
13 the interlocal cooperation act (chapter 39.34 RCW) there are citizen
14 positions on the governing board of the transit system, those
15 positions may be retained as positions on the governing board of the
16 public transportation benefit area authority.

17 (2) Within such (~~sixty-day~~) 60-day period, any city may by
18 resolution of its legislative body withdraw from participation in the
19 public transportation benefit area. The county legislative authority
20 and each city remaining in the public transportation benefit area may
21 disapprove and prevent the establishment of any governing body of a
22 public transportation benefit area if the composition thereof does
23 not meet its approval.

24 (3)(a) In no case shall the governing body of a single county
25 public transportation benefit area be greater than (~~nine~~) 11 voting
26 members and in the case of a multicounty area, (~~fifteen~~) 17 voting
27 members. Those cities within the public transportation benefit area
28 and excluded from direct membership on the authority are hereby
29 authorized to designate a member of the authority who shall be
30 entitled to represent the interests of such city which is excluded
31 from direct membership on the authority. The legislative body of such
32 city shall notify the authority as to the determination of its
33 authorized representative on the authority.

34 (b)(i) In addition to the maximum of nine elected official voting
35 members of the governing body of a single county public
36 transportation benefit area or 15 elected official voting members of
37 the governing body, in the case of a multicounty area, there may be
38 two transit-using voting members appointed to each governing body by
39 the elected official voting members.

1 (ii) One transit-using voting member must primarily rely on
2 public transportation systems for transportation.

3 (iii) One transit-using voting member must represent an
4 organization that serves individuals who are primarily transit-
5 dependent. If no such organizational representative in the public
6 transportation benefit area's service area is available to serve, the
7 governing body must appoint a second transit-using voting member who
8 meets the requirements of (b) (ii) of this subsection.

9 (iv) If transit-using voting members are appointed to a governing
10 body, meetings of the governing body must occur at a time and a place
11 that are reasonably accessible by transit, in order to facilitate the
12 participation of the transit-using voting members.

13 (v) Transit-using voting members must be provided comprehensive
14 training regarding the open public meetings act established in
15 chapter 42.30 RCW and the public records act established in chapter
16 42.56 RCW, as soon as is reasonably practicable after the member's
17 appointment.

18 (vi) This subsection (3) (b) does not apply to any public
19 transportation benefit area authority where there are retained
20 citizen positions on the governing board, pursuant to subsection
21 (1) (c) of this section.

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

37 (4) (a) Each member of the authority is eligible to be reimbursed
38 for travel expenses in accordance with RCW 43.03.050 and 43.03.060
39 and to receive compensation, as set by the authority, in an amount
40 not to exceed (~~forty-four dollars~~) \$44 for each day during which

1 the member attends official meetings of the authority or performs
2 prescribed duties approved by the chair of the authority. Except that
3 the authority may, by resolution, increase the payment of per diem
4 compensation to each member from (~~forty-four dollars~~) \$44 up to
5 (~~ninety dollars~~) \$90 per day or portion of a day for actual
6 attendance at board meetings or for performance of other official
7 services or duties on behalf of the authority. In no event may a
8 member be compensated in any year for more than (~~seventy-five~~) 75
9 days, except the chair who may be paid compensation for not more than
10 (~~one hundred~~) 100 days: PROVIDED, That compensation shall not be
11 paid to an elected official or employee of federal, state, or local
12 government who is receiving regular full-time compensation from such
13 government for attending meetings and performing prescribed duties of
14 the authority.

15 (b) The dollar thresholds established in this section must be
16 adjusted for inflation by the office of financial management every
17 five years, beginning January 1, 2024, based upon changes in the
18 consumer price index during that time period. "Consumer price index"
19 means, for any calendar year, that year's annual average consumer
20 price index, for Washington state, for wage earners and clerical
21 workers, all items, compiled by the bureau of labor and statistics,
22 United States department of labor. If the bureau of labor and
23 statistics develops more than one consumer price index for areas
24 within the state, the index covering the greatest number of people,
25 covering areas exclusively within the boundaries of the state, and
26 including all items shall be used for the adjustments for inflation
27 in this section. The office of financial management must calculate
28 the new dollar threshold and transmit it to the office of the code
29 reviser for publication in the Washington State Register at least one
30 month before the new dollar threshold is to take effect.

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

1 NEW SECTION. **Sec. 2.** This act takes effect January 1, 2025.

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