

HOUSE BILL REPORT

ESHB 1150

As Amended by the Senate

Title: An act relating to port districts.

Brief Description: Clarifying port commissioner elections.

Sponsor(s): By House Committee on Local Government
(originally sponsored by Representatives Spanel, Ferguson,
Haugen, Wood, Nelson, Belcher, G. Fisher, Brough, Locke,
H. Sommers, Wilson and Mitchell).

Brief History:

Reported by House Committee on:
Local Government, February 7, 1992, DPSA;
Passed House, February 17, 1992, 83-15;
Amended by Senate.

**HOUSE COMMITTEE ON
LOCAL GOVERNMENT**

Majority Report: *The substitute bill be substituted therefor and the substitute bill do pass as amended.* Signed by 14 members: Representatives Haugen, Chair; Cooper, Vice Chair; Ferguson, Ranking Minority Member; Mitchell, Assistant Ranking Minority Member; Bray; Edmondson; Franklin; Horn; Nealey; Nelson; Rayburn; Roland; Wood; and Wynne.

Minority Report: *Without recommendation.* Signed by 1 member: Representative Zellinsky.

Staff: Steve Lundin (786-7127).

Background: A port district is governed by a three-member board of commissioners elected to staggered six-year terms of office, with one commissioner being elected in each odd-year general election. Voters of a port district with a population of 500,000 or more may authorize the size of the board of commissioners to be increased to five members. The ports of Seattle and Tacoma are the only ports with a population of 500,000 or more, and both have a five-member board of commissioners.

Port districts with a population of 500,000 or more are not divided into commissioner districts. However, port districts with a population of less than 500,000 are divided

into three-commissioner districts. The purpose of the commissioner districts is unclear, but they are most frequently used for residency purposes only, and not for nominating or electing commissioners.

Several specific statutes pertaining to port district elections establish procedures that either duplicate or are not in conformance with the general election laws and procedures.

Port commissioners receive compensation of \$50 for attending commission meetings and \$50 per day or major portion of a day while engaged in other port district business. The maximum per day compensation that a port commissioner can receive in any year is \$4,800. However, commissioners of a port district with \$25 million in gross operating income in the previous year, such as the Port of Seattle and Port of Tacoma, may receive a maximum annual per day compensation of \$5,800.

Summary of Bill: The terms of office are reduced from six years to four years for port commissioners of each countywide port district with a population of 100,000 or more. Voters in other port districts may vote to authorize a reduction in the terms of office of their port commissioners from six years to four years.

The voters of any port district may increase the size of the port commission from three to five members. A ballot proposition to increase the number of commissioners is submitted to district voters by resolution of the port commissioners or petition of district voters equal in number to at least 10 percent of the number of district voters voting at the last general election. If authorized, the additional two commissioners are elected at the next general election.

The maximum annual amount of per day compensation that a commissioner of a port district, with gross operating income of \$25 million or more in the previous year, may receive is increased from \$5,800 to \$6,000.

Additionally, some port commissioners receive a monthly salary as follows:

- o Each commissioner of a port district that had \$25 million or more in gross operating revenues in the preceding year, such as Seattle and Tacoma, receives \$500 per month; and
- o Each commissioner of a port district that had from \$1 million to less than \$25 million in gross operating

revenues in the preceding year, such as Everett, Bellingham, Olympia, Longview, Port Angeles, Vancouver, Anacortes, Grays Harbor, and possibly Kalama, receives \$200 per month.

The commissioners of other port districts do not receive a monthly salary.

EFFECT OF SENATE AMENDMENT(S):

1) The commissioners of any port district can set any level of compensation for themselves.

2) It is possible for the staggering of terms of office in a port district with five commissioners, whose terms of office are reduced to four years, to result in four commissioners being elected at a district general election, then one commissioner being elected at the next district general election, instead of three at a district general election, then two at the next district general election.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: We need to get control of or ports. Shorter terms mean more accountability. The commissioners of the ports of Seattle and Tacoma run multi-million dollar operations and deserve more compensation.

Testimony Against: (Original bill, but not as amended): Don't shorten the terms of office of commissioners in smaller ports. If it isn't broken, why fix it?

Witnesses: (Pro): Commissioner Sam Bradley, Port of Olympia; Representative Harriet Spanel, prime sponsor; Elizabeth Springer, Port Watch; and Jeff Dickison, Port of Olympia. (Other witnesses): Commissioner John McCarthy, Port of Tacoma; and Don White, Washington Public Ports.

VOTE ON FINAL PASSAGE:

Yeas 83; Nays 15

Nays: Representatives Appelwick, Ballard, Basich, Brumsickle, Hargrove, Heavey, Lisk, McLean, Neher, Prince, Rayburn, Schmidt, Sprenkle, Van Luven, Zellinsky