HOUSE BILL REPORT

EHB 1695

As Passed House
March 15, 1993

Title: An act relating to port districts.

Brief Description: Changing provisions relating to port districts.

Sponsors: Representatives G. Fisher, Heavey, Valle, Patterson and H. Myers.

Brief History:
  Reported by House Committee on:
    Local Government, February 25, 1993, DP;
  Passed House, March 15, 1993, 70-27.

HOUSE COMMITTEE ON LOCAL GOVERNMENT

Majority Report: Do pass. Signed by 9 members: Representatives H. Myers, Chair; Bray, Vice Chair; Reams, Assistant Ranking Minority Member; Dunshee; R. Fisher; Rayburn; Romero; Springer; and Van Luven.

Minority Report: Without recommendation. Signed by 3 members: Representatives Edmondson, Ranking Minority Member; Horn; and Zellinsky.

Staff: Bill Lynch (786-7092).

Background: A port commission has three commissioners, unless the voters of the port district authorize an increase in the number of port commissioners to five members. The two additional commissioner positions are not associated with a commissioner district and are nominated and elected on a port district-wide basis.

A port district must submit a ballot proposition calling for an increase in the number of port commissioners from three to five if: a petition requesting the increase is submitted to the county auditor with signatures equal to at least 10 percent of the number of voters in the port district who voted in the last election; or the population of the port district reaches 5,000. The port commissioners may submit a resolution calling for the increase in the number of commissioners at any general election following the election when the port district population reached 5,000.

Commissioner districts are used for residency purposes for port district elections. A candidate must reside within the commissioner district in which he or she becomes a candidate. Commissioner districts are also used in port district primary elections, but not in the general election. Only the voters within a commissioner district may vote for a commissioner candidate for that commissioner district in the primary election, but all voters in the entire port district vote in the general election to elect a person as a commissioner of the commissioner district. It has been suggested that commissioner districts should also be used for the general election in large port districts.

Less than county-wide port districts have no authority to eliminate their commissioner districts, even though some port districts may be quite small.

There is no statutory requirement for the commissioner districts to be described when a port district is first created.

Summary of Bill: Port districts are divided into three or five commissioner districts, depending on how many port commissioners are in the district. If the number of port commissioners is increased from three to five, the two additional commissioner positions are no longer elected on a port district wide basis. Port commissioners must divide the port district into five commissioner districts before June 1 of the year in which the two additional commissioners are elected. Port districts that are less than county-wide are not required to use commissioner districts.

The port commission may adopt a resolution proposing an increase in the number of commissioners from three to five at any time, instead of having to wait until the port district's population has reached 5,000 and a ballot proposition calling for the increase has failed.

In port districts with a population of one million or more, only the voters within a commissioner district may vote at a general election for a commissioner of the commissioner district.

Less than county-wide port districts that use commissioner districts may eliminate the commissioner districts by adopting a resolution. A copy of the resolution must be sent to the county auditor. Commissioner districts will not be used in any election occurring 120 days or more after the adoption of such a resolution by a port district.

Commissioner districts may also be eliminated in less than county-wide port districts by the submission of a ballot

proposition to the voters. A petition calling for the proposition must be signed by voters residing in the district equal to at least 10 percent of the number of registered voters residing in the port district who voted in the last district general election. The ballot proposition is decided by a simple majority vote.

Three commissioner districts must be described in the petition calling for the creation of a port district, or by the county legislative authority if the county legislative authority initiated the creation of the port district. If the petition that will create a port district that is less than county-wide does not describe commissioner districts, commissioner districts will not be used and the candidates will run for specific commissioner positions.

Fiscal Note: Not requested.

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

Testimony For: Current law makes it hard for challengers to unseat an incumbent in a large port district. Commissioners in the large port districts represent more people than members of Congress or the state Legislature. This will bring government closer to the people and provide better representation. Large ports don't have to be responsive to constituents in a particular area who have concerns.

Testimony Against: The portion of the bill that requires the use of commissioner districts for general election purposes in districts with a population of 500,000 or more could undermine the port's role as an economic catalyst. It is important for commissioners to take a broad view of the economic needs of the district. In 1959, the law was changed away from use of commissioner districts because of problems. People who oppose certain regional concerns such as a third runway are already represented on the board.

Witnesses: (Pro): Representative Greg Fisher, prime sponsor; Wallace Meyers, Burien resident; Elizabeth Cairns, SeaTac resident; Dan Caldwell, Seattle resident; Frank Gianovich, Des Moines resident; Debra Rinaudo, RCAA; Marjorie Caldwell, citizen; and Jean Moeller, King County resident.

(Con in part): Henry Yates, Port of Seattle; and Pat Jones, Washington Public Ports Association.