

# HOUSE BILL REPORT

## HB 2547

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### As Passed Legislature

**Title:** An act relating to the creation of a less than countywide port district within a county containing no port districts.

**Brief Description:** Providing for the creation of a less than countywide port district within a county containing no port districts.

**Sponsors:** Representatives Ormsby, Manweller, Riccelli, Warnick and Parker.

#### **Brief History:**

##### **Committee Activity:**

Local Government: 1/27/14, 2/3/14 [DP].

##### **Floor Activity:**

Passed House: 2/12/14, 95-2.

Passed Senate: 3/4/14, 48-1.

Passed Legislature.

#### **Brief Summary of Bill**

- Authorizes, until December 31, 2020, the creation of less than countywide port districts in counties without port districts.
- Specifies election provisions for the initial port district commissioners of the newly created district.

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### HOUSE COMMITTEE ON LOCAL GOVERNMENT

**Majority Report:** Do pass. Signed by 6 members: Representatives Takko, Chair; Gregerson, Vice Chair; Kochmar, Assistant Ranking Minority Member; Farrell, Fitzgibbon and Springer.

**Minority Report:** Do not pass. Signed by 3 members: Representatives Overstreet, Ranking Minority Member; Pike and Taylor.

**Staff:** Amanda Ondrick (786-7296) and Ethan Moreno (786-7386).

#### **Background:**

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

### Port Districts.

Port districts may take up an entire single county, or may be less than countywide. Port districts are authorized for acquisition, construction, maintenance, operation, development, and regulation of harbor, rail, air, or motor vehicle transfer and terminal facilities, as well as for industrial and commercial development. The creation of less than countywide port districts was authorized by the Legislature in 1992. Any port district that is less than countywide must have an assessed value of at least \$150 million and be in a county that already has a port district.

### Procedure for Formation.

To create a less than countywide port district, a petition must be filed to the county auditor. The petition must describe the boundaries of the proposed port district, designate whether there will be three or five commissioners, propose districts if the commissioners will be elected by district, and provide a name for the proposed port district. The petition must be signed by voters residing within the proposed port district equal to at least 10 percent of the voters who voted at the last county general election.

A public hearing on the proposed port district must be held by the county legislative authority. After the hearing, the county legislative authority can make changes to proposed boundaries as long as the changes are determined to be in the public interest. If the county determines that the creation of the district is in the public's interest, the county legislative authority must submit a ballot proposition authorizing the formation of the port district to the voters of the proposed port district. The port district is created if a majority of voters voting on the measure vote for it. Initial port commissioners are elected at the same election.

### **Summary of Bill:**

Prior to December 31, 2020, a less than countywide port district with an assessed value of at least \$150 million may be created in a county without a port district. In the creation of the port district, the initial port commissioners may be elected at the next general election after approval of the ballot proposition submitted to the voters authorizing the creation of the port district. All of the same procedures must be followed for the formation of less than countywide port districts, except the requirement to elect commissioners at the same election.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.

### **Staff Summary of Public Testimony:**

(In support) Currently a county that does not have a port district cannot create a noncountywide port district. If a county does not have a port district, to create a port district, it has to be countywide. Constituents and businesses want noncountywide port districts because it promotes economic development. This would not be the first time local communities had the opportunity to create a noncountywide port district in a county without

a port district. The opportunity to create a noncountywide port district to enhance infrastructure and economic development in certain pockets of a county has been afforded to many other communities around the state.

Thirty years ago a county ran a ballot measure for the entire county to become a port district. It did not pass and it likely would not pass today. This county has a heavy freight corridor, rail head, and other projects that would enhance economic development if they could start a noncountywide port district.

The election of the port district and commissioners should be bifurcated so that voters can vote on the merits of the port authority and not be distracted by the personalities of politicians.

(Opposed) None.

**Persons Testifying:** Representative Ormsby, prime sponsor; Ginger Eagle, Washington Public Ports Association; Jim Hedrick, Greater Spokane Incorporated; and Chris Branch, City of Oroville.

**Persons Signed In To Testify But Not Testifying:** None.