

# SENATE BILL REPORT

## SB 6315

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As Reported by Senate Committee On:  
Governmental Operations, January 30, 2014

**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:** Senators Holmquist Newbry and Billig.

**Brief History:**

**Committee Activity:** Governmental Operations: 1/30/14 [DP].

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### SENATE COMMITTEE ON GOVERNMENTAL OPERATIONS

**Majority Report:** Do pass.

Signed by Senators Roach, Chair; Benton, Vice Chair; Hasegawa, Ranking Member; Conway, Dandel, McCoy and Rivers.

**Staff:** Karen Epps (786-7424)

**Background:** In 1911 the Legislature authorized the Port District Act allowing citizens to create port districts. Today, there are 75 port districts in Washington. Port districts are authorized for the purpose of acquisition, construction, maintenance, operation, development, and regulation of harbor improvements, rail or motor vehicle transfer and terminal facilities, water and air transfer and terminal facilities, or any combination of these facilities. Among the general powers granted to ports are the following:

- to acquire land, property, leases, and easements;
- to condemn property and exercise the power of eminent domain;
- to develop lands for industrial and commercial purposes;
- to impose taxes, rates, and charges;
- to sell or otherwise convey rights to property; and
- to construct and maintain specified types of park and recreation facilities.

Port districts may take up an entire single county, or may be less than countywide. A less-than countywide port district with an assessed valuation of more than \$150 million is allowed to be created in a county that already has a less-than countywide port district.

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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.*

The procedures to create a less-than countywide port district resemble the procedures to create a countywide port district. A petition calling for the creation of a less-than countywide port district must be signed by voters residing in the proposed port district equal in number to at least 10 percent of the number of such voters who voted at the last county general election. The county legislative authority holds a public hearing on the creation of the proposed port district, may alter the boundaries of the proposed port district, and may cause a ballot proposition to be submitted to voters of the proposed port district authorizing the creation of the port district. The port district is created if the ballot proposition to create the port district is approved by at least a simple majority of the voters voting on the proposition. The initial port commissioners are elected at the same election, from districts or at large, but the election of port commissioners is null and void if the port district is not created.

**Summary of Bill:** Prior to December 31, 2020, a port district with an assessed value of at least \$150 million that is less than countywide may be created in a county that does not have a port district. Creation of the port district must follow the current procedures, but port commissioners may be elected at the next election.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Committee/Commission/Task Force Created:** No.

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

**Staff Summary of Public Testimony:** PRO: Kittitas County is exploring the option of creating a less-than countywide port and would like to have the option to do so. This bill will allow the citizens of the county to determine the boundaries of the port. The option to elect port commissioners at the next election is a good option for voters. This process will allow the port to be created on the merit of the port itself. Okanagan County has some diverse interests regionally, and in each area there are different economic interests. In the Oroville area, there is a port of entry and heavy rail yard and there may be interest in creating a port district in that area of the county. Spokane County would also like the option to create a less-than countywide port district. The bifurcated election process allows voters to weigh the merits of having a port district, rather than having to create the port district and elect commissioners at the same time. The Legislature allowed for this process in the 1980s and a few areas, including Chehalis and Centralia, took advantage of it to create less-than countywide port districts.

**Persons Testifying:** PRO: Ron Cridelbaugh, Kittitas County Chamber of Commerce; Chris Branch, City of Oroville; Jim Hedrick, Greater Spokane Incorporated; Ginger Eagle, WA Public Ports Assn.