

# HOUSE BILL REPORT

## HB 1150

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*As Reported By House Committee on:  
Local Government*

**Title:** An act relating to port districts.

**Brief Description:** Clarifying port commissioner elections.

**Sponsor(s):** 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, March 6, 1991, DPS.

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**HOUSE COMMITTEE ON  
LOCAL GOVERNMENT**

**Majority Report:** *That Substitute House Bill No. 1150 be substituted therefor, and the substitute bill do pass.* Signed by 8 members: Representatives Haugen, Chair; Ferguson, Ranking Minority Member; Mitchell, Assistant Ranking Minority Member; Nelson; Roland; Wood; Wynne; and Zellinsky.

**Minority Report:** *Do not pass.* Signed by 7 members: Representatives Cooper, Vice Chair; Bray; Edmondson; Franklin; Horn; Nealey; and Rayburn.

**Staff:** Bill Lynch (786-7092).

**Background:** Port districts are governed by a three-member board of commissioners who are elected to staggered six-year terms of office, with one commissioner being elected in each odd-year general election. Voters of port districts 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.

If the board of commissioners of a port district with a population of 500,000 or more decides to increase the size of the board from three to five members, then the board must submit the proposal to the voters for approval. An election is held to elect two new commissioners at the same election

as the ballot proposal to increase the number of port commissioners from three to five.

Port districts that are located in any county other than class AA counties 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 that pertain to port district elections establish procedures that either duplicate or are not in conformance with the general election laws that are followed. These include filing declarations of candidacy, and providing that commissioners take office five days after the date of their election rather than when the results are certified.

**Summary of Substitute Bill:** The terms of port commissioners are reduced from six years to four years. Current port commissioners positions remain as presently constituted, but newly-elected commissioners are elected for four-year terms. Provisions are made for the staggering of terms.

The purpose of port district commissioner districts is clarified to be for residency and nomination, but the election of a port commissioner is held on a port district-wide basis. All registered voters of the port district are eligible to vote to elect each commissioner.

A ballot proposition may be submitted to the voters of a port district to increase the number of the board from three to five members, if a petition requesting the election is filed that has been signed by district voters equal in number to at least 10 percent of the number of district voters who voted at the last general election.

If the voters approve expanding the number of port commissioners from three to five, the election of the additional port commissioners occurs at the next general election following the general election in which the expansion was approved.

Specific port district election laws are repealed or amended to clarify that general election law procedures are followed.

**Substitute Bill Compared to Original Bill:** The provision which repealed the ability to rotate port commissioners names on the ballot is deleted. The election of additional port commissioners when an expansion of the commission is approved by the voters, occurs in the general election

following the election authorizing the expansion instead of at the same election.

**Fiscal Note:** Not requested.

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

**Testimony For:** A six-year term is too long for an elected official. It makes the elected official less responsive, and also makes it hard to recruit good candidates. The voters of the district should also have the right to call for an expansion of the port commission through a petition process.

**Testimony Against:** More frequent elections means more election costs. It is important to have a six-year term for long-term planning purposes. It is important to maintain the continuity of the board. Port commissions are analogous to a corporate board of directors. By having only three commissioners, the public is better protected because two commissioners cannot meet and discuss port issues without it being a violation of the Open Public Meetings Act.

**Witnesses:** (Pro): John Servais, citizen; Jacqueline Anderson, Concerned Southside Citizens; Carla Janes, Southwest Citizens in King County Against Noise; Commissioner Sam Bradley, Port of Olympia; Irene Christy, American Association University Women; and Elizabeth Springer and Diana Swain, Port Watch. (Con): Don Meyer, Port of Tacoma; Don White, Washington Public Ports Association; and Lyn McClellan, U.S. Maritime Administration, U.S. Department of Transportation.