

# HOUSE BILL REPORT

## HB 1353

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### As Reported By House Committee On:

Government Operations

**Title:** An act relating to the use of commissioner districts in port districts.

**Brief Description:** Concerning port commissioner districts.

**Sponsors:** Representatives Poulsen, Reams, Mitchell, G. Fisher, Valle, Patterson, Chandler, Wolfe, Rust, R. Fisher, Honeyford and Hatfield.

### Brief History:

#### Committee Activity:

Government Operations: 2/8/95, 2/24/95 [DPS].

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## HOUSE COMMITTEE ON GOVERNMENT OPERATIONS

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 10 members: Representatives Reams, Chairman; Goldsmith, Vice Chairman; L. Thomas, Vice Chairman; R. Fisher; Hargrove; Honeyford; Hymes; Mulliken; Van Luven and Wolfe.

**Minority Report:** Do not pass. Signed by 5 members: Representatives Rust, Ranking Minority Member; Scott, Assistant Ranking Minority Member; Chopp; D. Schmidt and Sommers.

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

**Background:** A port district 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 may either be elected from commissioner districts or on a port district-wide basis.

If the voters authorize the increase in the number of port commissioners to five, candidates for the two additional positions are elected at the next general or special election following the election in which the increase in commissioners was authorized.

Commissioner districts are used for residency and nomination purposes to elect port district commissioners. A candidate must reside within the commissioner district for which he or she becomes a candidate. Only the voters within a commissioner district

may vote for a candidate for that commissioner district in the primary election, but voters in the entire port district vote in the general election to elect a person as a commissioner of the commissioner district.

A port district that is not coextensive with a county having a population of 500,000 or more, is divided into the same number of commissioner districts as there are commissioner positions. In a port district that is coextensive with the county that has a population of less than 500,000 and that has three county legislative authority districts, the port commissioner districts are the county legislative authority districts.

There is no requirement for large port districts with boundaries coextensive with the county to use commissioner districts.

If a port district redraws the boundaries of its commissioner districts, there is no procedure for addressing the resulting situation of two or more commissioners residing in the same commissioner district.

**Summary of Substitute Bill:** Every port district must be divided into the same number of commissioner districts as there are commissioner positions, unless the port district is less than county-wide and the voters approved a ballot proposition to eliminate commissioner districts, or the voters authorized the nomination and election of two additional commissioners without the use of commissioner districts.

Port districts with a population of 500,000 or more, must divide the port district into commissioner districts with approximately equal population. The commissioner districts are used for residency and nomination purposes, and are also used in the general election to elect commissioners at the 1995 district general election and afterward.

If the drawing of the commissioner district boundaries in port districts with a population of 500,000 or more results in two or more commissioners residing in the same commissioner district, the extra commissioner with the shortest unexpired term is assigned by the board to a commissioner district where no commissioner resides. A commissioner who is assigned to a commissioner district is deemed to be a resident of that district to which he or she is assigned for the remainder of his or her term of office. A commissioner is elected at the 1995 district general election from the district in which the commissioner resides whose term of office expires on January 1, 1996.

If a port district is not coterminous with a county that has the same number of port district commissioners as the county legislative districts, and the result of a port district redrawing the commissioner district boundaries is that two or more commissioners reside in the same commissioner district, then the extra commissioner with the shortest unexpired term is assigned to the commissioner district where no

commissioner resides. The assigned commissioner is deemed to be a resident of that commissioner district until the expiration of his or her term of office.

If the voters authorize an increase in the number of port commissioners, the two additional port commissioners are elected at the next district general election.

References to port commissioner terms of office if elections are held in odd-numbered years are deleted.

**Substitute Bill Compared to Original Bill:** The substitute bill added the requirement that commissioner districts must also be used for the general election in port districts with a population of 500,000 or more.

**Appropriation:** None.

**Fiscal Note:** Not Requested.

**Effective Date of Substitute Bill:** The bill contains an emergency clause and takes effect immediately.

**Testimony For:** This will increase accountability. Property taxes are important, and commissioner districts will help assure there is better representation of the citizens. Commissioner districts make it easier for challengers to run and be less beholding to special interests. Ports are inefficient.

**Testimony Against:** There is no rationale to change the current governance structure. Commissioners in large port districts are accountable to all the voters of the district. Commissioners meet with people throughout the district. Ports are successful. Economic development requires stability.

**Testified:** Representative Poulsen, prime sponsor; Richard Kennedy, city of Des Moines; Diana Swain, George Maillot, and Elizabeth Springer, Port Watch; Tom Grieve, citizen; Al Rousseau, Admiral Community Council; Charles Chonl, Neighborhood Rights Campaign; Dennis Ross, citizen; Pat Jones, Washington Public Ports; Jeanne Moeller, RCAA; Al Furney, Ports Patrol; Matt Rosenberg, ROAA; W.P. Miller, citizen; Edward Moore, citizen; and Pat Davis, Port of Seattle.