

SENATE BILL REPORT

SB 5411

As Passed Senate, March 12, 2013

Title: An act relating to requiring the ballot proposition to reduce the terms of office of port commissioners to be submitted at the next general election.

Brief Description: Requiring the ballot proposition to reduce the terms of office of port commissioners to be submitted at the next general election.

Sponsors: Senators Rolfes, Holmquist Newbry, Hatfield, Honeyford and Conway.

Brief History:

Committee Activity: Governmental Operations: 2/12/13, 2/18/13 [DP].

Passed Senate: 3/12/13, 48-0.

SENATE COMMITTEE ON GOVERNMENTAL OPERATIONS

Majority Report: Do pass.

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

Staff: Samuel Brown (786-7470)

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 are governed by a board of commissioners consisting of either three or five members in accordance with specified statutory criteria. Port commissioners are nominated

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either by a commissioner district or, under certain circumstances, at-large. In all districts, port commissioners are elected at-large. Subject to voter approval, a port district with five commissioners may be authorized to have two commissioners who are both nominated and elected at-large.

The voters in a port district may reduce the terms of office of port commissioners from six years to four years in a ballot proposition. The proposition may be introduced by a resolution of the port commissioners or by a petition signed by a number of voters in the port district totaling at least 10 percent of the voters in the port district who voted in the previous general election. The ballot proposition is submitted at the next general or special election occurring 60 or more days after the commissioners adopt the resolution or voters submit the petition. If approved, any commissioners elected during that election and subsequent elections serve four-year terms of office, but the terms of office of sitting commissioners will not be reduced.

Summary of Bill: Ballot propositions to reduce the term of office of port commissioners may no longer be submitted for a vote at a special 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: This is an extremely technical, small, and non-controversial bill. In Kitsap County, a petition was put to a port, compelling the port to run a special election with nothing else on the ballot. Turnout was low and there was no voter's pamphlet, but it cost the port money to hold the election. This bill saves taxpayers money and increases voter participation.

Persons Testifying: PRO: Eric Johnson, WA Public Ports Assn.