

HOUSE BILL REPORT

HB 1999

As Reported by House Committee On:
State Government, Elections & Information Technology

Title: An act relating to elections in port districts that are coextensive with a county having a population of over one-half million.

Brief Description: Concerning elections in port districts that are coextensive with a county having a population of over one-half million.

Sponsors: Representatives Gregerson, Stokesbary, Ryu, Hudgins, Cody, Pollet, Santos, Senn, Springer, Fitzgibbon, McBride, Stanford, Kagi and Slatter.

Brief History:

Committee Activity:

State Government, Elections & Information Technology: 2/15/17, 2/17/17 [DP], 1/9/18, 1/19/18 [DPS].

Brief Summary of Substitute Bill

- Requires that certain port districts be divided into commissioner districts that are the same as county legislative authority districts beginning in 2019.
- Makes this requirement applicable to any port district with five members that is coextensive with a county having a population of over 1.5 million and a legislative authority of nine members.
- Provides for a transition from five at-large positions to nine district positions, and requires that the commissioners receive the same salary as state legislators.

HOUSE COMMITTEE ON STATE GOVERNMENT, ELECTIONS & INFORMATION TECHNOLOGY

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 7 members: Representatives Hudgins, Chair; Dolan, Vice Chair; Appleton, Gregerson, Irwin, Johnson and Pellicciotti.

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.

Minority Report: Do not pass. Signed by 2 members: Representatives McDonald, Ranking Minority Member; Kraft, Assistant Ranking Minority Member.

Staff: Sean Flynn (786-7124).

Background:

Port districts are established in various counties of the state to acquire, construct, maintain, operate, develop, and regulate rail or motor vehicle transfer and terminal facilities, water transfer and terminal facilities, air transfer and terminal facilities or any combination transfer and terminal facilities and other commercial transportation, transfer, handling, storage and terminal facilities, and industrial improvements.

Powers of the port district are exercised through a port commission. Port commissions are set at three members, but can be increased to five by voter initiative process. With some exceptions, port districts are divided into commissioner districts, and candidates for each district must reside in that district. Voters from each district nominate candidates, who then run in the general election. In a five-member commission, two of the districts may include the entire port district. The Port of Seattle has a five-member commission, but does include commissioner districts, and all candidates are nominated and run at-large in elections.

Summary of Substitute Bill:

Beginning in 2019 any port district with five members, and whose boundaries that are coextensive with a county that has a population over 1.5 million, must be divided into the same commissioner districts as the county legislative authority. Commissioners must reside in the district in which they are elected and receive the same salary as a member of the Washington Legislature.

Commissioners serve four-year terms. Any commissioners elected prior to 2019, with at least two years remaining in his or her term, may complete his or her term in a new commissioner district. If districts are redrawn, and more than one incumbent commissioner resides in the same district, the commissioners determine "by lot" which will represent the district for the remainder of the term. The initial election of commissioners under this act includes all positions that do not retain an incumbent. The county auditor must select which positions subject to the initial election are staggered by two and four year terms, so that four positions will expire at the end of 2021.

Substitute Bill Compared to Original Bill:

The substitute bill includes an intent section.

Appropriation: None.

Fiscal Note: Available.

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

Staff Summary of Public Testimony:

(In support) This bill addresses fairness and reflects democratic principles. King County includes a geographically widespread diverse group of constituents. Different communities have different interests and need different representation.

The current port commission elected at-large acts as absentee landlords who control the revenue generated in a community. It makes no sense for the port district to run countywide elections. For example, most of the port pollution comes from the airport and most of the port's revenue comes from the airport; however, no commissioner lives near the airport. A district-based commission will not create factionalism and special consideration of port property, like the airport. Port commissions are just as capable as state legislators to consider policies beyond the narrow interests of their districts.

(Opposed) The Northwest Seaport Alliance (NSA) is a joint commission between the Seattle and Tacoma port commissions. The NSA was formed as a commercial partnership to align business planning and activities. Each commission is equally represented on the NSA, which includes the five port commissioners of Seattle and five commissioners of Tacoma. Adding four more members to the Seattle Port Commission would create an imbalance.

Port commissioners need to know the industry and how to keep the ports economically viable in an international market. The Seattle port is important to the whole state as a gateway to travel and trade. Port districts are undertaking changing roles and commissioners need to be capable of responding to the changing economies. Economic development requires the representation of broad interests, not narrow or specific concerns. The Commissions are committed to working with minorities to increase participation in the port's business.

(Other) The bill should include a referendum clause to let the people decide on districting. Changing the size and election of the commission would make the port unlike other ports, and there should be concern about the precedent that is established.

Persons Testifying: (In support) Representative Gregerson, prime sponsor; and Representative Stokesbary.

(Opposed) Todd Iverson, International Longshore and Warehouse Union Local 23; Eric Ffitch, Port of Seattle; and Gordon Baxter, International Longshore Warehouse Union, Puget Sound District Council, Puget Sound Metal Trade Council, and Puget Sound Maritime Trades Council.

(Other) Eric Johnson, Washington Public Ports Association.

Persons Signed In To Testify But Not Testifying: None.