

HOUSE BILL REPORT

HB 1150

*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, February 7, 1992, DPSA.

**HOUSE COMMITTEE ON
LOCAL GOVERNMENT**

Majority Report: *The substitute bill be substituted therefor and the substitute bill do pass as amended.* Signed by 14 members: Representatives Haugen, Chair; Cooper, Vice Chair; Ferguson, Ranking Minority Member; Mitchell, Assistant Ranking Minority Member; Bray; Edmondson; Franklin; Horn; Nealey; Nelson; Rayburn; Roland; Wood; and Wynne.

Minority Report: *Without recommendation.* Signed by 1 member: Representative Zellinsky.

Staff: Steve Lundin (786-7127).

Background: A port district is governed by a three-member board of commissioners elected to staggered six-year terms of office, with one commissioner being elected in each odd-year general election. Voters of a port district 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.

Port districts with a population of 500,000 or more are not divided into commissioner districts. However, port districts with a population of less than 500,000 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 pertaining to port district elections establish procedures that either duplicate or are not in conformance with the general election laws and procedures. These include filing declarations of candidacy and providing that the initial commissioners of a port district take office five days after the date of their election rather than when the results are certified.

Port commissioners receive compensation of \$50 for attending commission meetings and \$50 per day or major portion of a day while engaged in other port district business. The maximum per day compensation that a port commissioner can receive in any year is \$4,800. This amounts to no more than 96 days worth of the full per day compensation in any year. However, commissioners of a port district with \$25 million in gross operating income in the previous year, such as the Port of Seattle and Port of Tacoma, may receive a maximum annual per day compensation of \$5,800.

Summary of Amended Substitute Bill: The terms of office are reduced from six years to four years for port commissioners of each countywide port district with a population of 100,000 or more. Voters in other port districts may vote to authorize a reduction in the terms of office of their port commissioners from six years to four years.

The voters of any port district may increase the size of the port commission from three to five members. A ballot proposition to increase the number of commissioners is submitted to district voters by resolution of the port commissioners or petition of district voters equal in number to at least 10 percent of the number of district voters voting at the last general election. If authorized, the additional two commissioners are elected at the next general election.

The per day compensation of each port commissioner is increased from \$50 to \$60. No commissioner could receive more than \$5,760 per diem compensation in any year. This equals 96 days worth of full compensation for commissioners.

Additionally, some port commissioners receive a monthly salary as follows:

- o Each commissioner of a port district that had \$25 million or more in gross operating revenues in the preceding year, such as Seattle and Tacoma, receives \$500 per month; and

- o Each commissioner of a port district that had from \$1 million to less than \$25 million in gross operating revenues in the preceding year, such as Everett, Bellingham, Olympia, Longview, Port Angeles, Vancouver, Anacortes, Grays Harbor, and possibly Kalama, receives \$200 per month.

The commissioners of other port districts do not receive a monthly salary.

Original Bill Compared to Amended Substitute Bill: The terms of office of commissioners in smaller port districts remain at six years. Voters in smaller port districts may reduce the length of port commissioner terms from six years to four years.

Fiscal Note: Not requested.

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

Testimony For: We need to get control of our ports. Shorter terms mean more accountability. The commissioners of the ports of Seattle and Tacoma run multi-million dollar operations and deserve more compensation.

Testimony Against: (Original bill, but not as amended): Don't shorten the terms of office of commissioners in smaller ports. If it isn't broken, why fix it?

Witnesses: (Pro): Commissioner Sam Bradley, Port of Olympia; Representative Harriet Spanel, prime sponsor; Elizabeth Springer, Port Watch; and Jeff Dickison, Port of Olympia. (Other witnesses): Commissioner John McCarthy, Port of Tacoma; and Don White, Washington Public Ports.