

SENATE BILL REPORT

SB 5180

As Reported by Senate Committee On:
Government Operations, Tribal Relations & Elections, January 31, 2011

Title: An act relating to clarification of the method of calculating public port district commissioner compensation.

Brief Description: Clarifying the method for calculating port commissioner compensation.

Sponsors: Senators Prentice, Holmquist Newbry, Hatfield, Schoesler and Shin.

Brief History:

Committee Activity: Government Operations, Tribal Relations & Elections: 1/20/11, 1/31/11 [DP, DNP].

SENATE COMMITTEE ON GOVERNMENT OPERATIONS, TRIBAL RELATIONS & ELECTIONS

Majority Report: Do pass.

Signed by Senators Pridemore, Chair; Prentice, Vice Chair; Swecker, Ranking Minority Member; Chase and Nelson.

Minority Report: Do not pass.

Signed by Senator Roach.

Staff: Sharon Swanson (786-7447)

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

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.

- 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 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.

Port district commissioners receive \$90 per day in per diem. The total per diem compensation of a port commissioner may not exceed \$8640 per year, or \$10,800 for port districts with a gross operating income of \$25 million or more in the preceding calendar year.

Port district commissioners receive additional compensation in the amount of \$500 per month if the port district has gross operating revenue of \$25 million in the preceding calendar year. Port commissioners from port districts that have a gross operating revenue between \$1 million to less than \$25 million receive additional compensation in the amount of \$250 per month.

Summary of Bill: The dollar thresholds for salaries and per diem compensation for port district commissioners must be adjusted for inflation by the Office of Financial Management.

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: Although port commissioners' per diems and salaries are already indexed, there is a concern that the language could be interpreted to include the gross operating revenues of the port and thus, this clarification is necessary.

Persons Testifying: PRO: Ginger Eagle, Washington Public Ports Association.