



WASHINGTON PUBLIC PORTS ASSOCIATION

THE MANIFEST

STALLING ON TRANSPORTATION FUNDING: A PROFILE OF I-976

An Initiative on the ballot this November aims to reduce Washington’s tax burden by lowering your vehicle license fee to \$30, less than half of what the average car owner in the state pays today.

According to the State Office of Financial Management’s recent fiscal analysis, the result removes at least \$4.2 billion from state and local coffers over the next six years, putting the brakes on state and local transportation spending.

Initiative 976 (I-976) is the most recent iteration of Tim Eyman’s quest to stymie the legislative process by rolling back the calendar to 1999, the last time the state’s car tab fees were \$30. I-976 does much more than lower car tab fees - it also removes license fees collected by **Transportation Benefit Districts**, which are local transportation funding engines **used by more than 60 cities across the state**, and are often voter-approved.

If passed, Sound Transit would also have its controversial motor vehicle excise tax modified by I-976. We are uncertain on the final impact on **Sound Transit**, but estimates could be high as \$20 billion.

The impact of I-976 on transportation would be immediate and significant. At the state level, nearly \$1.5 billion would disappear from the **Multimodal Account**. This account often transfers funds to accounts including the **Motor Vehicle Account**, meaning virtually all projects would be impacted by delays, and certain projects would be unfunded altogether.

A broad coalition, including the **Association of Washington Business**, **Sierra Club** and **Transportation Choices Coalition** have come out against I-976 due to the significant impact it will have on all types of transportation funding in the state. **Keep Washington Rolling**, an advocacy organization, has launched “**No On Tim Eyman’s 976**” campaign and plans to raise up to \$4 million to educate voters... *CONTINUED ON PAGE 2*

SPOTLIGHT

PORT OF KINGSTON CELEBRATES CENTENNIAL

On **Saturday, July 27** the **Port of Kingston** celebrated their centennial with a day of events showcasing the community enrichment the port has provided over the last 100 years. A pancake breakfast was followed by 40 vendors at the Kingston Farmers’ Market, along with live music and a classic car showcase.

The Port of Kingston was formed in July 1919 to maintain a landing dock for Mosquito Fleet steamers that provided navigation around Puget Sound. In 1951 WSDOT leased Port land to operate the ferry terminal. Shifting focus, the Port developed a protected harbor and marina. The Port built a 274-slip marina, expanded to a small boat facility and guest dock, and in 1997, purchased North Beach for public access. Since 2010, the Port-owned Sprit of Kingston has hosted twice-daily passenger ferry service to Seattle.

For more information on the Port’s history, visit www.portofkingston.org/port-history.

UPCOMING EVENTS



2019 ENVIRONMENTAL SEMINAR
SEPTEMBER 26-27, 2019
CAMPBELL’S RESORT,
LAKE CHELAN



2019 SMALL PORTS SEMINAR
OCTOBER 24-25, 2019
ENZIAN INN,
LEAVENWORTH



2019 ANNUAL MEETING
NOVEMBER 20-22, 2019
HOTEL MURANO,
TACOMA

EMPLOYMENT OPPORTUNITIES

FACILITIES MANAGER | PORT OF BENTON

GOVERNMENT RELATIONS DIRECTOR | PACIFIC NORTHWEST WATERWAYS ASSOCIATION

COMMUNICATIONS DIRECTOR | PACIFIC NORTHWEST WATERWAYS ASSOCIATION

DESKTOP SUPPORT SPECIALIST | PORT OF SEATTLE

SR MANAGER AVIATION MAINTENANCE – ELECTRICAL & ELECTRONICS | PORT OF SEATTLE

BUSINESS INTELLIGENCE ASSISTANT | PORT OF SEATTLE

RESIDENT ENGINEER 2 | PORT OF SEATTLE

CIVIL ENGINEERING MANAGER – FACILITIES & INFRASTRUCTURE | PORT OF SEATTLE

ELECTRICAL ENGINEERING MANAGER – AVIATION FACILITIES & INFRASTRUCTURE | PORT OF SEATTLE

(CONTINUED FROM PAGE 1) ...across the state leading up to the November 5th election.

To learn more about I-976, its impacts to transportation or what efforts are underway to advocate for increased funding for transportation, please visit: <https://ofm.wa.gov/sites/default/files/public/budget/ballot/2019/i-976-fiscal-impact-statement.pdf>; <https://www.no976.org/> or <https://www.awb.org/files/library/2019-infrastructure-report.pdf>.

KNOWING THE WATERS

– A MONTHLY COLUMN FROM FRANK CHMELIK, WPPA COUNSEL CHMELIK SITKIN & DAVIS P.S.

This month's column focuses on a change to **RCW 53.08.245 – the port district "economic development" statute** – that expands the ability of port districts to provide workforce development.

Since 1911, the legislature has looked to port districts to be the economic development engines for their communities. In the early part of the 20th century "economic development" meant development of docks, wharves, jetties and other transportation infrastructure. Flash-forward one-hundred years and the list of "economic development" powers are broad and expanding including cooperative watershed management, trade and tourism and development of broadband infrastructure. It is, I think, a recognition of the ability of port districts to adapt to a change.

Since 1985, **RCW 53.08.245**, entitled, Economic Development Programs Authorized – Job Training and Education has been a mainstay of port districts economic development efforts. The broadly worded sentence in the statute that noted "[i]t shall be in the public purpose for all port districts to engage in economic development programs" has been the justification of many port districts initiatives. The statute goes on to provide additional powers to port districts to work with nonprofits "to allow this and other acts relating to economic development." RCW 53.08.245 and its companion statute, RCW 53.08.255 (enacted in 1984) entitled Tourism Promotion and Tourism-Related Facilities Authorized are used by port districts everyday to provide creative economic development for their communities.

In 2010 the Legislature amended **RCW 53.08.245 to allow port districts to work with nonprofits on workforce development. However, only non-profits in existence when the statute took effect (June 10, 2010) were eligible.** This proved to be a significant limiting factor in workforce development.

In 2019 the Legislature, working with the WPPA, **expanded RCW 53.08.245 to broaden the definition of workforce development and to remove the limitation on non-profits. The revised RCW 53.08.245 took effect on July 28, 2019.** The revised statute is very broad. It:

- Expands the organizations port districts can work to include nonprofits, public entities and private entities.
- Expands the definition of workforce development beyond job training and apprenticeship programs to include occupational training, job advancement, job retention, and occupational education. Expands the reach of the statute to include workforce development for port tenants and "port- related economic activities."
- Requires the port commission to pass a resolution that the proposed workforce development "provides a substantial public benefit consistent with the port commission's economic development goals and is consistent with ongoing worker training initiatives in place in the port district."

Now, if a port district wants to engage in workforce development the pathway is clear and wide. Port districts can now partner with local employers, governments and nonprofits (likely using grants from the state and federal governments) to undertake "workforce development" including occupational training, job advancement, job retention, and occupational education. The value to local businesses in a port district could be significant. Here again, like it has for over one hundred years, the Legislature has expanded the authority of port districts to provide economic development and economic leadership to the communities they serve. As always, please contact your port counsel with any questions regarding this topic.

And, if you have a particular question for an upcoming edition of Knowing the Waters, please email me at fchmelik@chmelik.com.