
SUBSTITUTE HOUSE BILL 1353

State of Washington

54th Legislature

1995 Regular Session

By House Committee on Government Operations (originally sponsored by Representatives Poulsen, Reams, Mitchell, G. Fisher, Valle, Patterson, Chandler, Wolfe, Rust, R. Fisher, Honeyford and Hatfield)

Read first time 02/27/95.

1 AN ACT Relating to the use of commissioner districts in port
2 districts; amending RCW 53.12.010, 53.12.115, 53.12.130, and 53.16.015;
3 creating a new section; and declaring an emergency.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 53.12.010 and 1994 c 223 s 81 are each amended to read
6 as follows:

7 (1) The powers of the port district shall be exercised through a
8 port commission consisting of three or, when permitted by this title,
9 five members. Every port district (~~that is not coextensive with a~~
10 ~~county having a population of five hundred thousand or more~~) shall be
11 divided into the same number of commissioner districts as there are
12 commissioner positions, each having approximately equal population,
13 unless provided otherwise under subsection (2) of this section or RCW
14 53.12.021. Where a port district with three commissioner positions is
15 coextensive with the boundaries of a county that has (~~a population of~~
16 ~~less than five hundred thousand and the county has~~) three county
17 legislative authority districts, the port commissioner districts shall
18 be the county legislative authority districts. In other instances
19 where a port district is divided into commissioner districts, the port

1 commission shall divide the port district into commissioner districts
2 unless the commissioner districts have been described pursuant to RCW
3 53.04.031. The commissioner districts shall be altered as provided in
4 chapter 53.16 RCW.

5 Commissioner districts shall be used as follows: (a) Only a
6 registered voter who resides in a commissioner district may be a
7 candidate for, or hold office as, a commissioner of the commissioner
8 district; and (b) only the voters of a commissioner district may vote
9 at a primary to nominate candidates for a commissioner of the
10 commissioner district. Except as provided in section 5 of this act,
11 voters of the entire port district may vote at a general election to
12 elect a person as a commissioner of the commissioner district.

13 (2) ~~((In))~~ Port districts with five commissioners~~((, two of the~~
14 ~~commissioner districts may include the entire port district if~~
15 ~~approved))~~ shall be divided into five commissioner districts and the
16 two additional commissioners shall be elected from districts four and
17 five, unless voters of the district authorize the nomination and
18 election of the two additional commissioners on a port district-wide
19 basis without the use of commissioner districts. The nomination and
20 election of the two additional commissioners on a port district-wide
21 basis without the use of commissioner districts may be authorized by
22 the voters of the district either at the time of formation or at a
23 subsequent port district election at which the issue is proposed
24 pursuant to a resolution adopted by the board of commissioners and
25 delivered to the county auditor. Section 5 of this act shall govern
26 the use of commissioner districts by port districts with five
27 commissioners and a population of five hundred thousand or more.

28 **Sec. 2.** RCW 53.12.115 and 1994 c 223 s 86 are each amended to read
29 as follows:

30 A ballot proposition shall be submitted to the voters of any port
31 district authorizing an increase in the number of port commissioners to
32 five whenever the port commission adopts a resolution proposing the
33 increase in number of port commissioners or a petition proposing such
34 an increase has been submitted to the county auditor of the county in
35 which the port district is located that has been signed by voters of
36 the port district at least equal in number to ten percent of the number
37 of voters in the port district who voted at the last general election.
38 The ballot proposition shall be submitted at the next general or

1 special election occurring sixty or more days after the petition was
2 submitted or resolution was adopted.

3 At the next district general (~~((or special))~~) election following the
4 election in which an increase in the number of port commissioners was
5 authorized, candidates for the two additional port commissioner
6 positions shall be elected as provided in RCW 53.12.130, and the voters
7 may be asked to approve the nomination of commissioners from district-
8 wide commissioner districts as permitted in RCW 53.12.010(2).

9 **Sec. 3.** RCW 53.12.130 and 1994 c 223 s 88 are each amended to read
10 as follows:

11 Two additional port commissioners shall be elected at the next
12 district general election following the election at which voters
13 authorized the increase in port commissioners to five members.

14 The port commissioners shall divide the port district into five
15 commissioner districts prior to the first day of June in the year in
16 which the two additional commissioners shall be elected, unless the
17 voters approved the nomination and election of the two additional
18 commissioners (~~((from district-wide))~~) without the use of commissioner
19 districts as permitted in RCW 53.12.010(2). The new commissioner
20 districts shall be numbered one through five and the three incumbent
21 commissioners shall represent commissioner districts one through three.
22 If, as a result of redrawing the district boundaries two or three of
23 the incumbent commissioners reside in one of the new commissioner
24 districts, the commissioners who reside in the same commissioner
25 district shall determine by lot which of the first three numbered
26 commissioner districts they shall represent for the remainder of their
27 respective terms. A primary shall be held to nominate candidates from
28 districts four and five where necessary and commissioners shall be
29 elected from commissioner districts four and five at the district
30 general election. The persons elected as commissioners from
31 commissioner districts four and five shall take office immediately
32 after qualification as defined under RCW 29.01.135.

33 In a port district where commissioners are elected to four-year
34 terms of office, the additional commissioner thus elected receiving the
35 highest number of votes shall be elected to a four-year term of office
36 and the other additional commissioner thus elected shall be elected to
37 a term of office of two years(~~((, if the election is held in an odd-~~
38 ~~numbered year, or the additional commissioner thus elected receiving~~

1 ~~the highest number of votes shall be elected to a term of office of~~
2 ~~three years and the other shall be elected to a term of office of one~~
3 ~~year, if the election is held in an even-numbered year)).~~ In a port
4 district where the commissioners are elected to six-year terms of
5 office, the additional commissioner thus elected receiving the highest
6 number of votes shall be elected to a six-year term of office and the
7 other additional commissioner shall be elected to a four-year term of
8 office(~~(, if the election is held in an odd-numbered year, or the~~
9 ~~additional commissioner receiving the highest number of votes shall be~~
10 ~~elected to a term of office of five years and the other shall be~~
11 ~~elected to a three-year term of office, if the election is held in an~~
12 ~~even-numbered year)).~~ The length of terms of office shall be computed
13 from the first day of January in the year following this election.

14 Successor commissioners from districts four and five shall be
15 elected to terms of either six or four years, depending on the length
16 of terms of office to which commissioners of that port district are
17 elected.

18 **Sec. 4.** RCW 53.16.015 and 1994 c 223 s 90 are each amended to read
19 as follows:

20 The port commission of a port district that uses commissioner
21 districts may redraw the commissioner district boundaries as provided
22 in chapter 29.70 RCW at any time and submit the redrawn boundaries to
23 the county auditor if the port district is not coterminous with a
24 county that has the same number of county legislative authority
25 districts as the port has port commissioners. The new commissioner
26 districts shall be used at the next election at which a port
27 commissioner is regularly elected that occurs at least one hundred
28 eighty days after the redrawn boundaries have been submitted. If the
29 redrawing of commissioner district boundaries results in two or more
30 commissioners who are to be elected from commissioner districts
31 residing in the same commissioner district, the extra commissioner or
32 commissioners residing that commissioner district who are to be elected
33 from commissioner districts with the shortest unexpired terms shall be
34 assigned by the board to commissioner districts within which no
35 commissioner resides, and the commissioners so assigned shall be deemed
36 to be residents of the commissioner districts to which they are
37 assigned for the remainder of their terms of office.

1 Each commissioner district shall encompass as nearly as possible
2 the same population.

3 NEW SECTION. **Sec. 5.** The port commission of a port district with
4 a population of five hundred thousand or more shall divide the port
5 district into the appropriate number of commissioner districts, each
6 with approximately equal population, and the commissioner districts
7 shall be used for residency and nomination purposes, and for the
8 general election, to elect commissioners at the 1995 district general
9 election and thereafter.

10 If the drawing of commissioner district boundaries results in two
11 or more commissioners who are to be elected from commissioner districts
12 residing in the same commissioner district, the extra commissioner or
13 commissioners residing in that commissioner district who are to be
14 elected from commissioner districts with the shortest unexpired terms
15 shall be assigned by the board to commissioner districts within which
16 no commissioner resides, and the commissioners so assigned shall be
17 deemed to be residents of the commissioner districts to which they are
18 assigned for the remainder of their terms of office. Commissioners
19 shall be elected at the 1995 district general election from the
20 district or districts in which the commissioner or commissioners reside
21 whose terms of office expire on January 1, 1996.

22 NEW SECTION. **Sec. 6.** This act is necessary for the immediate
23 preservation of the public peace, health, or safety, or support of the
24 state government and its existing public institutions, and shall take
25 effect immediately.

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