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**SUBSTITUTE SENATE BILL 5368**

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**State of Washington**

**54th Legislature**

**1995 Regular Session**

**By** Senate Committee on Government Operations (originally sponsored by Senator Heavey)

Read first time 03/01/95.

1 AN ACT Relating to voting for port commissioners; and amending RCW  
2 53.12.010.

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

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

6 (1) The powers of the port district shall be exercised through a  
7 port commission consisting of three or, when permitted by this title,  
8 five members.

9 Every port district that is not coextensive with a county having a  
10 population of five hundred thousand or more and every port district  
11 with a population of five hundred thousand or more shall be divided  
12 into the same number of commissioner districts as there are  
13 commissioner positions, each having approximately equal population,  
14 unless provided otherwise under subsection (2) of this section. Where  
15 a port district with three commissioner positions and three  
16 commissioner districts is coextensive with the boundaries of a county  
17 (~~((that has a population of less than five hundred thousand))~~) and the  
18 county has three county legislative authority districts, the port  
19 commissioner districts shall be the county legislative authority

1 districts. In other instances where a port district is divided into  
2 commissioner districts, the port commission shall divide the port  
3 district into commissioner districts unless the commissioner districts  
4 have been described pursuant to RCW 53.04.031. The commissioner  
5 districts shall be altered as provided in chapter 53.16 RCW.

6 Commissioner districts shall be used as follows: (a) Only a  
7 registered voter who resides in a commissioner district may be a  
8 candidate for, or hold office as, a commissioner of the commissioner  
9 district; ~~((and))~~ (b) only the voters of a commissioner district may  
10 vote at a primary to nominate candidates for a commissioner of the  
11 commissioner district; and (c) for a port district with a population of  
12 five hundred thousand or more, only the voters of a commissioner  
13 district may vote at a general election to elect a person as a  
14 commissioner of the commissioner district. For all other port  
15 districts, voters of the entire port district may vote at a general  
16 election to elect a person as a commissioner of the commissioner  
17 district.

18 (2) In port districts with five commissioners, two of the  
19 commissioner districts may include the entire port district if approved  
20 by the voters of the district either at the time of formation or at a  
21 subsequent port district election at which the issue is proposed  
22 pursuant to a resolution adopted by the board of commissioners and  
23 delivered to the county auditor.

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