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**SUBSTITUTE HOUSE BILL 1999**

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**State of Washington 65th Legislature 2018 Regular Session**

**By** House State Government, Elections & Information Technology (originally sponsored by Representatives Gregerson, Stokesbary, Ryu, Hudgins, Cody, Pollet, Santos, Senn, Springer, Fitzgibbon, McBride, Stanford, Kagi, and Slatter)

AN ACT Relating to elections in port districts that are coextensive with a county having a population of over one-half million; amending RCW 53.12.010; and creating a new section.

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

NEW SECTION. **Sec.**  The legislature finds that port districts in large counties serve a diverse population of different communities with a wide range of political interests and economic circumstance. Such communities deserve a voice in the important decisions of the port district that affect their community and personal lives. The legislature further finds that the current at-large election system of port commissioners does not serve many of these diverse communities' interests in large districts. The legislature therefore intends to authorize a district-based election system to expand the representation and promote the participation for all communities on the port commission.

**Sec.**  RCW 53.12.010 and 2002 c 51 s 1 are each amended to read as follows:

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

(a) Every port district that is not coextensive with a county having a population of five hundred thousand or more shall be divided into the same number of commissioner districts as there are commissioner positions, each having approximately equal population, unless provided otherwise under subsection (2) of this section.

(b) Where a port district with three commissioner positions is coextensive with the boundaries of a county that has a population of less than five hundred thousand and the county has three county legislative authority districts, the port commissioner districts shall be the county legislative authority districts.

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

(d) Commissioner districts shall be used as follows: ((~~(a)~~)) (i) Only a registered voter who resides in a commissioner district may be a candidate for, or hold office as, a commissioner of the commissioner district; and ((~~(b)~~)) (ii) only the voters of a commissioner district may vote at a primary to nominate candidates for a commissioner of the commissioner district. Except as provided in subsection (3) of this section, voters of the entire port district may vote at a general election to elect a person as a commissioner of the commissioner district.

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

(b) In a port district with five commissioners, where two of the commissioner districts include the entire port district, the port district may be divided into five commissioner districts if proposed pursuant to a resolution adopted by the board of commissioners or pursuant to a petition by the voters and approved by the voters of the district at the next general or special election occurring sixty or more days after the adoption of the resolution. A petition proposing such an increase must be submitted to the county auditor of the county in which the port district is located and signed by voters of the port district at least equal in number to ten percent of the number of voters in the port district who voted at the last general election.

Upon approval by the voters, the commissioner district boundaries shall be redrawn into five districts within one hundred twenty days and submitted to the county auditor pursuant to RCW 53.16.015. The new commissioner districts shall be numbered one through five and the three incumbent commissioners representing the three former districts shall represent commissioner districts one through three. The two at large incumbent commissioners shall represent commissioner districts four and five. If, as a result of redrawing the district boundaries, more than one of the incumbent commissioners resides in one of the new commissioner districts, the commissioners who reside in the same commissioner district shall determine by lot which of the numbered commissioner districts they shall represent for the remainder of their respective terms.

(3)(a) Beginning in 2019, any port district with five members that is coextensive with a county having a population of over one and one-half million, and with a legislative authority of nine members, must be divided into the same commissioner districts as the county legislative authority districts and include the same number of commissioner positions as the county legislative authority.

(b) Each commissioner must reside in the district from which he or she is elected, and only voters from each district may elect the commissioner to fill that district's commissioner position. No commissioner position may be elected at large.

(c) Each commissioner elected prior to 2019 with at least two years remaining in his or her term may complete his or her term for the new commissioner district in which he or she resides. If, as a result of redrawing the district boundaries, more than one of the incumbent commissioners, with at least two years remaining on each of their terms, reside in one of the new commissioner districts, the commissioners who reside in the same commissioner district shall determine by lot which commissioner will represent the district for the remainder of the term.

(d) The initial election under this subsection (3) will include the election of positions in each of the remaining district positions as follows:

(i) A certain number of positions elected to serve an initial two-year term, which in addition to any incumbent commissioner's position, as established in (c) of this subsection (3), provide a total number of four positions that will expire at the end of 2021; and

(ii) Five positions elected to serve four-year terms.

(e) The county auditor must select which district positions will be two-year or four-year terms for the initial election, pursuant to (d) of this subsection. All subsequent terms for all positions must be for four-year terms.

(f) Each commissioner must receive the same salary as a member of the state legislature, as set under RCW 43.03.013.

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