S-0271.2 _____

SENATE BILL 5319
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State of Washington   **56th Legislature**   **1999 Regular Session**

By Senators McCaslin, Patterson, Heavey, Haugen, Kline and Roach

Read first time 01/20/1999. Referred to Committee on State & Local Government.

1   AN ACT Relating to voting for port commissioners; amending RCW
2 53.12.010 and 53.12.021; and adding new sections to chapter 53.12 RCW.

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

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

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

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

25   NEW SECTION. **Sec. 2.** A new section is added to chapter 53.12 RCW
26 to read as follows:
27   If the commissioners of a port district wish to have their district
28 exempted from the requirement of RCW 53.12.010 that only the voters of
29 a commissioner district may vote at a general election to elect a
30 person as a commissioner from that commissioner district, the
31 commissioners may place on the next general election ballot following
32 the effective date of this section the following measure: "Shall the
33 port of . . . elect all of its commissioners at large, instead of by
34 separate district?" The request shall be in the form of a resolution
35 consistent with RCW 29.13.020. The measure shall be advertised as
36 required by RCW 29.27.060, and shall be considered enacted if approved
37 by a majority of voters voting on the measure.

Sec. 3. RCW 53.12.021 and 1994 c 223 s 82 are each amended to read
as follows:

Any less than county-wide port district having a population of less
than one million that uses commissioner districts may cease using
commissioner districts as provided in this section.

A ballot proposition authorizing the elimination of commissioner
districts shall be submitted to the voters of a less than county-wide
port district having a population of less than one million that is
divided into commissioner districts if (1) a petition is submitted to
the port commission proposing that the port district cease using
commissioner districts, that is signed by registered voters of the port
district equal in number to at least ten percent of the number of
voters who voted at the last district general election; or (2) the port
commissioners adopt a resolution proposing that the port district cease
using commissioner districts. The port commission shall transfer the
petition or resolution immediately to the county auditor who shall,
when a petition is submitted, review the signatures and certify its
sufficiency. A ballot proposition authorizing the elimination of
commissioner districts shall be submitted at the next district general
election occurring sixty or more days after a petition with sufficient
signatures was submitted. If the ballot proposition authorizing the
port district to cease using commissioner districts is approved by a
simple majority vote, the port district shall cease using commissioner
districts at all subsequent elections.

NEW SECTION. **Sec. 4.** A new section is added to chapter 53.12 RCW
to read as follows:

(1) Port commissioners of port districts with populations of one
million or more who are holding office as of the effective date of this
act shall retain their positions for the remainder of their terms until
their successors are elected and qualified, and assume office in
accordance with RCW 29.04.170.

(2) The port commissioners shall divide the port district into five
commissioner districts prior to the first day of June in the year in
which the next regular election for commissioner shall be held. The
new commissioner districts shall be numbered one through five and shall
be represented by the incumbent commissioners. If, as a result of
drawing the district boundaries more than one of the incumbent
commissioners reside in one of the new commissioner districts, the

1 commissioners who reside in the same commissioner district shall
2 determine by lot which of the commissioner districts they shall
3 represent for the remainder of their respective terms.
4   (3) If additional commissioners must be elected to increase the
5 number of commissioners to five, the procedures of RCW 53.12.130 shall
6 be followed.

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