HOUSE BILL 2182
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1   AN ACT Relating to creating more uniform districting requirements
2 for large and small port districts; amending RCW 53.12.010 and
3 53.12.021; and adding a new section to chapter 53.12 RCW.

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

5   **Sec. 1.** RCW 53.12.010 and 2002 c 51 s 1 are each amended to read
6 as follows:
7   (1)(a) The powers of the port district shall be exercised through
8 a port commission consisting of three or, when permitted or required by
9 this title, five members.   Every port district ((that is not
10 coextensive with a county having a population of five hundred thousand
11 or more)) shall be divided into the same number of commissioner
12 districts as there are commissioner positions, each having
13 approximately equal population, unless provided otherwise under
14 subsection (2) of this section. Where a port district with three
15 commissioner positions is coextensive with the boundaries of a county
16 that has a population of less than five hundred thousand and the county
17 has three county legislative authority districts, the port commissioner
18 districts shall be the county legislative authority districts.   In
19 other instances where a port district is divided into commissioner

1   districts, the port commission shall divide the port district into
2   commissioner districts unless the commissioner districts have been
3   described pursuant to RCW 53.04.031. The commissioner districts shall
4   be altered as provided in chapter 53.16 RCW.
5   (b) Commissioner districts subject to the provisions of (a) of this
6   subsection shall ((be used as follows)) meet the following
7   requirements: (((a))) (i) Only a registered voter who resides in a
8   commissioner district may be a candidate for, or hold office as, a
9   commissioner of the commissioner district; and (((b))) (ii) only the
10   voters of a commissioner district may vote at a primary to nominate
11   candidates for a commissioner of the commissioner district. Voters of
12   the entire port district may vote at a general election to elect a
13   person as a commissioner of the commissioner district.
14   (2)(a) In port districts with five commissioners, two of the
15   commissioner districts may include the entire port district if approved
16   by the voters of the district either at the time of formation or at a
17   subsequent port district election at which the issue is proposed
18   pursuant to a resolution adopted by the board of commissioners and
19   delivered to the county auditor.
20   (b) In a port district with five commissioners, where two of the
21   commissioner districts include the entire port district, the port
22   district may be divided into five commissioner districts if proposed
23   pursuant to a resolution adopted by the board of commissioners or
24   pursuant to a petition by the voters and approved by the voters of the
25   district at the next general or special election occurring sixty or
26   more days after the adoption of the resolution. A petition proposing
27   such an increase must be submitted to the county auditor of the county
28   in which the port district is located and signed by voters of the port
29   district at least equal in number to ten percent of the number of
30   voters in the port district who voted at the last general election.
31   Upon approval by the voters, the commissioner district boundaries
32   shall be redrawn into five districts within one hundred twenty days and
33   submitted to the county auditor pursuant to RCW 53.16.015. The new
34   commissioner districts shall be numbered one through five and the three
35   incumbent commissioners representing the three former districts shall
36   represent commissioner districts one through three. The two at large
37   incumbent commissioners shall represent commissioner districts four and
38   five. If, as a result of redrawing the district boundaries more than

1 one of the incumbent commissioners resides in one of the new
2 commissioner districts, the commissioners who reside in the same
3 commissioner district shall determine by lot which of the numbered
4 commissioner districts they shall represent for the remainder of their
5 respective terms.

6   **Sec. 2.** RCW 53.12.021 and 1994 c 223 s 82 are each amended to read
7 as follows:
8   Any ((less than county-wide)) port district that uses commissioner
9 districts may cease using commissioner districts as provided in this
10 section.
11   A ballot proposition authorizing the elimination of commissioner
12 districts shall be submitted to the voters of a ((less than county-
13 wide)) port district that is divided into commissioner districts if (1)
14 a petition is submitted to the port commission proposing that the port
15 district cease using commissioner districts, that is signed by
16 registered voters of the port district equal in number to at least ten
17 percent of the number of voters who voted at the last district general
18 election; or (2) the port commissioners adopt a resolution proposing
19 that the port district cease using commissioner districts. The port
20 commission shall transfer the petition or resolution immediately to the
21 county auditor who shall, when a petition is submitted, review the
22 signatures and certify its sufficiency. A ballot proposition
23 authorizing the elimination of commissioner districts shall be
24 submitted at the next district general election occurring sixty or more
25 days after a petition with sufficient signatures was submitted. If the
26 ballot proposition authorizing the port district to cease using
27 commissioner districts is approved by a simple majority vote, the port
28 district shall cease using commissioner districts at all subsequent
29 elections.

30   NEW SECTION. **Sec. 3.** A new section is added to chapter 53.12 RCW
31 to read as follows:
32   (1) Every port district with a population of one million or more
33 shall have five commissioners, shall be divided into five commissioner
34 districts of approximately equal population, and shall be subject to
35 the requirements of RCW 53.12.010(1)(b), except as otherwise provided
36 in this chapter.

1   (2) If a port district with a population of one million or more on
2   or after the effective date of this act is not in compliance with the
3   requirements of subsection (1) of this section, the port commissioners
4   who are holding office in that port district shall:
5   (a) Retain their positions for the remainder of their terms and
6   until their successors are elected and qualified; and
7   (b) Assume office in accordance with RCW 29A.20.040.
8   (3) The port commissioners shall divide the port district into five
9   commissioner districts prior to the first day of June in the year in
10   which the next regular election for commissioner shall be held. The
11   new commissioner districts shall be numbered one through five and shall
12   be represented by the incumbent commissioners. If, as a result of
13   drawing the district boundaries more than one of the incumbent
14   commissioners resides in one of the new commissioner districts, the
15   commissioners who reside in the same commissioner district shall
16   determine by lot which of the commissioner districts they shall
17   represent for the remainder of their respective terms.
18   (4) If additional commissioners must be elected to increase the
19   number of commissioners to five, the procedures of RCW 53.12.130 shall
20   be followed.

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