

SSB 5704 - H COMM AMD

By Committee on Local Government & Housing

1       Strike everything after the enacting clause and insert the  
2 following:

3       "**Sec. 1.** RCW 85.38.090 and 1991 c 349 s 12 are each amended to  
4 read as follows:

5       (1) Whenever the governing body of a special district has more than  
6 three members, the governing body shall be reduced to three members as  
7 of January 1, 1986, by eliminating the positions of those district  
8 governing body members with the shortest remaining terms of office.  
9 The remaining three governing body members shall have staggered terms  
10 with the one having the shortest remaining term having his or her  
11 position filled at the 1987 special district general election, the one  
12 with the next shortest remaining term having his or her position filled  
13 at the 1989 special district general election, and the one with the  
14 longest remaining term having his or her position filled at the 1992  
15 special district general election. If any of these remaining three  
16 governing body members have identical remaining terms of office, the  
17 newly calculated remaining terms of these persons shall be determined  
18 by lot with the county auditor who assists the special district in its  
19 elections managing such lot procedure. The newly established terms  
20 shall be recorded by the county auditor.

21       (2) However, whenever five or more special districts have  
22 consolidated under chapter 85.36 RCW and the consolidated district has  
23 five members in its governing body on July 28, 1985, the consolidated  
24 district may adopt a resolution retaining a five-member governing body.  
25 At any time thereafter, such a district may adopt a resolution and  
26 reduce the size of the governing body to three members with the  
27 reduction occurring as provided in subsection (1) of this section, but  
28 the years of the effective dates shall be extended so that the  
29 reduction occurs at the next January 1st occurring after the date of  
30 the adoption of the resolution. Whenever a special district is so

1 governed by a five-member governing body, two members shall be elected  
2 at each of two consecutive special district general elections, and one  
3 member shall be elected at the following special district general  
4 election, each to serve a six-year staggered term.

5 (3) Subsections (1) and (2) of this section do not apply to flood  
6 control districts that contain three or more counties.

7 NEW SECTION. Sec. 2. A new section is added to chapter 85.38 RCW  
8 to read as follows:

9 (1) The governing body of a flood control district that contains  
10 three or more counties must be comprised of:

11 (a) One member from each county contained wholly or partially  
12 within the district, as appointed by the legislative authority of each  
13 county; and

14 (b) One member from one city of each county contained wholly or  
15 partially within the district, as appointed by the cities of each  
16 county. If the cities of a county within the district fail to appoint  
17 a member to the governing body, the city member must be appointed by  
18 the legislative authority of the largest city in the county.

19 (2) If the district abuts or materially impacts tribal lands held  
20 in reserve by the federal government, or any lands within a tribe's  
21 usual and accustomed fishing area, the governing body must also include  
22 one member from each affected tribe, as nominated by the tribal  
23 leadership of each tribe and selected by the members appointed under  
24 subsection (1)(a) of this section."

25 Correct the title.

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