

CERTIFICATION OF ENROLLMENT

SENATE BILL 5582

Chapter 47, Laws of 2022

67th Legislature
2022 Regular Session

PORT COMMISSIONS—NEW DISTRICT BOUNDARIES—DEADLINES

EFFECTIVE DATE: June 9, 2022

Passed by the Senate February 8, 2022
Yeas 49 Nays 0

DENNY HECK

President of the Senate

Passed by the House March 1, 2022
Yeas 95 Nays 0

Laurie Jinkins

**Speaker of the House of
Representatives**

Approved March 11, 2022 10:43 AM

JAY INSLEE

Governor of the State of Washington

CERTIFICATE

I, Sarah Bannister, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SENATE BILL 5582** as passed by the Senate and the House of Representatives on the dates hereon set forth.

SARAH BANNISTER

Secretary

FILED

March 11, 2022

**Secretary of State
State of Washington**

SENATE BILL 5582

Passed Legislature - 2022 Regular Session

State of Washington

67th Legislature

2022 Regular Session

By Senators Hunt and Kuderer

Prefiled 12/22/21.

1 AN ACT Relating to the deadline for a port commission to send new
2 district boundaries to the county auditor when expanding from three
3 commissioners to five; and amending RCW 53.12.010 and 53.12.130.

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) The powers of the port district shall be exercised through a
8 port commission consisting of three or, when permitted by this title,
9 five members. Every port district that is not coextensive with a
10 county having a population of five hundred thousand or more shall be
11 divided into the same number of commissioner districts as there are
12 commissioner positions, each having approximately equal population,
13 unless provided otherwise under subsection (2) of this section. Where
14 a port district with three commissioner positions is coextensive with
15 the boundaries of a county that has a population of less than five
16 hundred thousand and the county has three county legislative
17 authority districts, the port commissioner districts shall be the
18 county legislative authority districts. In other instances where a
19 port district is divided into commissioner districts, the port
20 commission shall divide the port district into commissioner districts
21 unless the commissioner districts have been described pursuant to RCW

1 53.04.031. The commissioner districts shall be altered as provided in
2 chapter 53.16 RCW.

3 Commissioner districts shall be used as follows: (a) Only a
4 registered voter who resides in a commissioner district may be a
5 candidate for, or hold office as, a commissioner of the commissioner
6 district; and (b) only the voters of a commissioner district may vote
7 at a primary to nominate candidates for a commissioner of the
8 commissioner district. Voters of the entire port district may vote at
9 a general election to elect a person as a commissioner of the
10 commissioner district.

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

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

29 Upon approval by the voters, the commissioner district boundaries
30 shall be redrawn into five districts (~~(within one hundred twenty~~
31 ~~days)) prior to the first day of January in the year in which the two
32 additional commissioners shall be elected and submitted to the county
33 auditor pursuant to RCW 53.16.015. The new commissioner districts
34 shall be numbered one through five and the three incumbent
35 commissioners representing the three former districts shall represent
36 commissioner districts one through three. The two at large incumbent
37 commissioners shall represent commissioner districts four and five.
38 If, as a result of redrawing the district boundaries more than one of
39 the incumbent commissioners resides in one of the new commissioner
40 districts, the commissioners who reside in the same commissioner~~

1 district shall determine by lot which of the numbered commissioner
2 districts they shall represent for the remainder of their respective
3 terms.

4 **Sec. 2.** RCW 53.12.130 and 2015 c 53 s 79 are each amended to
5 read as follows:

6 Two additional port commissioners shall be elected at the next
7 district general election following the election at which voters
8 authorized the increase in port commissioners to five members.

9 The port commissioners shall divide the port district into five
10 commissioner districts prior to the first day of (~~June~~) January in
11 the year in which the two additional commissioners shall be elected,
12 unless the voters approved the nomination of the two additional
13 commissioners from district-wide commissioner districts as permitted
14 in RCW 53.12.010(2). The new commissioner districts shall be numbered
15 one through five and the three incumbent commissioners shall
16 represent commissioner districts one through three. If, as a result
17 of redrawing the district boundaries two or three of the incumbent
18 commissioners reside in one of the new commissioner districts, the
19 commissioners who reside in the same commissioner district shall
20 determine by lot which of the first three numbered commissioner
21 districts they shall represent for the remainder of their respective
22 terms. A primary shall be held to nominate candidates from districts
23 four and five where necessary and commissioners shall be elected from
24 commissioner districts four and five at the general election. The
25 persons elected as commissioners from commissioner districts four and
26 five shall take office immediately after qualification as defined
27 under RCW 29A.04.133.

28 In a port district where commissioners are elected to four-year
29 terms of office, the additional commissioner thus elected receiving
30 the highest number of votes shall be elected to a four-year term of
31 office and the other additional commissioner thus elected shall be
32 elected to a term of office of two years, if the election is held in
33 an odd-numbered year, or the additional commissioner thus elected
34 receiving the highest number of votes shall be elected to a term of
35 office of three years and the other shall be elected to a term of
36 office of one year, if the election is held in an even-numbered year.
37 In a port district where the commissioners are elected to six-year
38 terms of office, the additional commissioner thus elected receiving
39 the highest number of votes shall be elected to a six-year term of

1 office and the other additional commissioner shall be elected to a
2 four-year term of office, if the election is held in an odd-numbered
3 year, or the additional commissioner receiving the highest number of
4 votes shall be elected to a term of office of five-years and the
5 other shall be elected to a three-year term of office, if the
6 election is held in an even-numbered year. The length of terms of
7 office shall be computed from the first day of January in the year
8 following this election.

9 Successor commissioners from districts four and five shall be
10 elected to terms of either six or four years, depending on the length
11 of terms of office to which commissioners of that port district are
12 elected.

Passed by the Senate February 8, 2022.
Passed by the House March 1, 2022.
Approved by the Governor March 11, 2022.
Filed in Office of Secretary of State March 11, 2022.

--- END ---