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HOUSE BILL 1943

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State of Washington                      57th Legislature                      2001 Regular Session

By Representatives Mulliken, Grant, G. Chandler and Dunshee

Read first time 02/09/2001. Referred to Committee on Transportation.

1            AN ACT Relating to county rail districts; and amending RCW  
2 36.60.010.

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

4            **Sec. 1.** RCW 36.60.010 and 1985 c 187 s 1 are each amended to read  
5 as follows:

6            Subject to RCW 36.60.020, the legislative authority of a county may  
7 establish one or more county rail districts within the county for the  
8 purpose of providing and funding improved rail freight or passenger  
9 service, or both. The boundaries of county rail districts shall be  
10 drawn to include contiguous property in an area from which agricultural  
11 or other goods could be shipped by the rail service provided. The  
12 district shall not include property outside this area which does not,  
13 or, in the judgment of the county legislative authority, is not  
14 expected to produce goods which can be shipped by rail, or property  
15 substantially devoted to fruit crops or producing goods that are  
16 shipped in a direction away from the district. A county rail district  
17 is a quasi municipal corporation, an independent taxing "authority"  
18 within the meaning of Article VII, section 1 of the state Constitution,

1 and a "taxing district" within the meaning of Article VII, section 2 of  
2 the state Constitution.

3 A county rail district shall constitute a body corporate and shall  
4 possess all the usual powers of a corporation for public purposes as  
5 well as all other powers that may now or hereafter be specifically  
6 conferred by statute, including, but not limited to, the authority to  
7 hire employees, staff, and services, to enter into contracts, to accept  
8 and expend or use gifts, grants, and donations, and to sue and be sued.

9 The county legislative authority shall be the governing body of a  
10 county rail district. The county treasurer shall act as the ex officio  
11 treasurer of the county rail district. The electors of a district are  
12 all registered voters residing within the district.

13 This authority and that provided in RCW 36.60.030 may only be  
14 exercised outside the boundaries of the county rail district if such  
15 extraterritorial rail services, equipment, or facilities are found, by  
16 resolution of the county legislative authority exercising such  
17 authority, to be reasonably necessary to link the rail services,  
18 equipment, and facilities within the rail district to an interstate  
19 railroad system; however, if such extraterritorial rail services,  
20 equipment, or facilities are in or are to be located in one or more  
21 other counties, the legislative authority of such other county must  
22 consent by resolution to the proposed plan of the originating county  
23 which consent shall not be unreasonably withheld.

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