

2 EHB 2287 - S COMM AMD

3 By Committee on Governmental Operations

4 ADOPTED AS AMENDED 3/6/92

5 Strike everything after the enacting clause and insert the
6 following:

7 "Sec. 1. RCW 53.04.020 and 1990 c 259 s 15 are each amended to
8 read as follows:

9 At any general election or at any special election which may be
10 called for that purpose, the county legislative authority of any county
11 in this state may, or on petition of ten percent of the registered
12 voters of such county based on the total vote cast in the last general
13 county election, shall, by resolution submit to the voters of such
14 county the proposition of creating a port district (~~((which may:—(1)~~
15 Be)) coextensive with the limits of such county (~~((as now or hereafter~~
16 established; or (2) be under the provisions of RCW 53.04.022)). Such
17 petition shall be filed with the county auditor, who shall within
18 fifteen days examine the signatures thereof and certify to the
19 sufficiency or insufficiency thereof, and for such purpose the county
20 auditor shall have access to all registration books in the possession
21 of the officers of any incorporated city or town in such proposed port
22 district. If such petition be found to be insufficient, it shall be
23 returned to the persons filing the same, who may amend or add names
24 thereto for ten days, when the same shall be returned to the county
25 auditor, who shall have an additional fifteen days to examine the same
26 and attach his or her certificate thereto. No person having signed
27 such petition shall be allowed to withdraw his or her name therefrom
28 after the filing of the same with the county auditor. Whenever such

1 petition shall be certified to as sufficient, the county auditor shall
2 forthwith transmit the same, together with his or her certificate of
3 sufficiency attached thereto, to the legislative authority of the
4 county, who shall submit such proposition at the next general election
5 or, if such petition so requests, the county legislative authority
6 shall, at their first meeting after the date of such certificate, by
7 resolution, call a special election to be held in accordance with RCW
8 29.13.010 and 29.13.020. The notice of election shall state the
9 boundaries of the proposed port district and the object of such
10 election. In submitting the question to the voters for their approval
11 or rejection, the proposition shall be expressed on the ballot
12 substantially in the following terms:

13 "Port of, Yes." (giving the name of the principal
14 seaport city within such proposed port district, or if there be more
15 than one city of the same class within such district, such name as may
16 be determined by the legislative authority of the county).

17 "Port of, No." (giving the name of the principal seaport
18 city within such port district, or if there be more than one city of
19 the same class within such district, such name as may be determined by
20 the legislative authority of the county)."

21 "NEW SECTION. **Sec. 2.** A new section is added to chapter 53.04 RCW
22 to read as follows:

23 A less than county-wide port district with an assessed valuation of
24 at least seventy-five million dollars may be created in a county
25 bordering on saltwater that already has a less than county-wide port
26 district located within its boundaries. Except as provided in this
27 section, such a port district shall be created in accordance with the
28 procedure to create a county-wide port district.

1 The effort to create such a port district is initiated by the
2 filing of a petition with the county auditor calling for the creation
3 of such a port district, describing the boundaries of the proposed port
4 district, and providing a name for the proposed port district. The
5 petition must be signed by voters residing within the proposed port
6 district equal in number to at least ten percent of such voters who
7 voted at the last county general election.

8 A public hearing on creation of the proposed port district shall be
9 held by the county legislative authority if the county auditor
10 certifies that the petition contained sufficient valid signatures.
11 Notice of the public hearing must be published in the county's official
12 newspaper at least ten days prior to the date of the public hearing.
13 After taking testimony, the county legislative authority may make
14 changes in the boundaries of the proposed port district if it finds
15 that such changes are in the public interest and shall determine if the
16 creation of the port district is in the public interest. No area may
17 be added to the boundaries unless a subsequent public hearing is held
18 on the proposed port district.

19 The county legislative authority shall submit a ballot proposition
20 authorizing the creation of the proposed port district to the voters of
21 the proposed port district, at any special election date provided in
22 RCW 29.13.020, if it finds the creation of the port district to be in
23 the public interest.

24 The port district shall be created if a majority of the voters
25 voting on the ballot proposition favor the creation of the port
26 district. The initial port commissioners shall be elected at the same
27 election as provided in RCW 53.12.050, but the election of
28 commissioners shall be null and void if the port district is not
29 created. Commissioner districts shall not be used in the initial
30 election of the port commissioners.

1 This section shall expire July 1, 1997."

2 "NEW SECTION. **Sec. 3.** A new section is added to chapter 53.04 RCW
3 to read as follows:

4 A port district that is less than county-wide may annex adjacently
5 located territory that is located in another less than county-wide port
6 district in the same county, if the territory proposed to be annexed is
7 located in a city the name of which is included as part of the name of
8 the annexing port district. A port district proposing to annex
9 territory under this section shall by resolution cause a ballot
10 proposition on the issue of annexation to be submitted to the voters of
11 the area proposed to be annexed. The annexation is authorized when the
12 ballot proposition is approved of by over fifty percent of the ballots
13 cast. The territory that is annexed shall be removed from the other
14 port district.

15 This section shall expire January 1, 1995."

16 "NEW SECTION. **Sec. 4.** If any provision of this act or its
17 application to any person or circumstance is held invalid, the
18 remainder of the act or the application of the provision to other
19 persons or circumstances is not affected."

20 "NEW SECTION. **Sec. 5.** A new section is added to chapter 53.12 RCW
21 to read as follows:

22 For purposes of this chapter, "gross operating revenue" means the
23 total of all revenues received by a port district."

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4 On page 1, line 1 of the title, after "districts;" strike the
5 remainder of the title and insert "amending RCW 53.04.020; adding new
6 sections to chapter 53.04 RCW; and adding a new section to chapter
7 53.12 RCW."