
ENGROSSED HOUSE BILL 2287

State of Washington 52nd Legislature 1992 Regular Session

By Representatives Haugen, Wilson, Zellinsky, Ferguson, Paris and
Spanel

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Local Government.

1 AN ACT Relating to port districts; amending RCW 53.04.020; and
2 adding a new section to chapter 53.04 RCW.

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

4 **Sec. 1.** RCW 53.04.020 and 1990 c 259 s 15 are each amended to read
5 as follows:

6 At any general election or at any special election which may be
7 called for that purpose, the county legislative authority of any county
8 in this state may, or on petition of ten percent of the registered
9 voters of such county based on the total vote cast in the last general
10 county election, shall, by resolution submit to the voters of such
11 county the proposition of creating a port district (~~((which may:—(1)~~
12 ~~Be))~~ coextensive with the limits of such county (~~((as now or hereafter~~
13 ~~established; or (2) be under the provisions of RCW 53.04.022))~~). ~~Such~~
14 ~~petition shall be filed with the county auditor, who shall within~~

1 ~~fifteen days examine the signatures thereof and certify to the~~
2 ~~sufficiency or insufficiency thereof, and for such purpose the county~~
3 ~~auditor shall have access to all registration books in the possession~~
4 ~~of the officers of any incorporated city or town in such proposed port~~
5 ~~district. If such petition be found to be insufficient, it shall be~~
6 ~~returned to the persons filing the same, who may amend or add names~~
7 ~~thereto for ten days, when the same shall be returned to the county~~
8 ~~auditor, who shall have an additional fifteen days to examine the same~~
9 ~~and attach his or her certificate thereto. No person having signed~~
10 ~~such petition shall be allowed to withdraw his or her name therefrom~~
11 ~~after the filing of the same with the county auditor. Whenever such~~
12 ~~petition shall be certified to as sufficient, the county auditor shall~~
13 ~~forthwith transmit the same, together with his or her certificate of~~
14 ~~sufficiency attached thereto, to the legislative authority of the~~
15 ~~county, who shall submit such proposition at the next general election~~
16 ~~or, if such petition so requests, the county legislative authority~~
17 ~~shall, at their first meeting after the date of such certificate, by~~
18 ~~resolution, call a special election to be held in accordance with RCW~~
19 ~~29.13.010 and 29.13.020. The notice of election shall state the~~
20 ~~boundaries of the proposed port district and the object of such~~
21 ~~election. In submitting the question to the voters for their approval~~
22 ~~or rejection, the proposition shall be expressed on the ballot~~
23 ~~substantially in the following terms:~~

24 ~~"Port of, Yes." (giving the name of the principal~~
25 ~~seaport city within such proposed port district, or if there be more~~
26 ~~than one city of the same class within such district, such name as may~~
27 ~~be determined by the legislative authority of the county).~~

28 ~~"Port of, No." (giving the name of the principal seaport~~
29 ~~city within such port district, or if there be more than one city of~~

1 the same class within such district, such name as may be determined by
2 the legislative authority of the county).

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

5 A less than county wide port district with an assessed valuation of
6 at least seventy five million dollars may be created in a county that
7 already has a less than county wide port district located within its
8 boundaries. Except as provided in this section, such a port district
9 shall be created in accordance with the procedure to create a county-
10 wide port district.

11 The effort to create such a port district is initiated by the
12 filing of a petition with the county auditor calling for the creation
13 of such a port district, describing the boundaries of the proposed port
14 district, and providing a name for the proposed port district. The
15 petition must be signed by voters residing within the proposed port
16 district equal in number to at least ten percent of such voters who
17 voted at the last county general election.

18 A public hearing on creation of the proposed port district shall be
19 held by the county legislative authority if the county auditor
20 certifies that the petition contained sufficient valid signatures.
21 Notice of the public hearing must be published in the county's official
22 newspaper at least ten days prior to the date of the public hearing.
23 After taking testimony, the county legislative authority may make
24 changes in the boundaries of the proposed port district if it finds
25 that such changes are in the public interest and shall determine if the
26 creation of the port district is in the public interest. No area may
27 be added to the boundaries unless a subsequent public hearing is held
28 on the proposed port district.

1 ~~The county legislative authority shall submit a ballot proposition~~
2 ~~authorizing the creation of the proposed port district to the voters of~~
3 ~~the proposed port district, at any special election date provided in~~
4 ~~RCW 29.13.020, if it finds the creation of the port district to be in~~
5 ~~the public interest.~~

6 ~~The port district shall be created if a majority of the voters~~
7 ~~voting on the ballot proposition favor the creation of the port~~
8 ~~district. The initial port commissioners shall be elected at the same~~
9 ~~election as provided in RCW 53.12.050, but the election of~~
10 ~~commissioners shall be null and void if the port district is not~~
11 ~~created. Commissioner districts shall not be used in the initial~~
12 ~~election of the port commissioners.~~