

CERTIFICATION OF ENROLLMENT

ENGROSSED HOUSE BILL 2287

Chapter 147, Laws of 1992

52nd Legislature  
1992 Regular Session

PORT DISTRICTS--CREATION OF LESS THAN COUNTY-WIDE DISTRICT

EFFECTIVE DATE: 6/11/92

Passed by the House March 9, 1992  
Yeas 91 Nays 5

JOE KING  
**Speaker of the  
House of Representatives**

Passed by the Senate March 6, 1992  
Yeas 44 Nays 1

JOEL PRITCHARD  
**President of the Senate**

Approved April 1, 1992

BOOTH GARDNER  
**Governor of the State of Washington**

CERTIFICATE

I, Alan Thompson, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is ENGROSSED HOUSE BILL 2287 as passed by the House of Representatives and the Senate on the dates hereon set forth.

ALAN THOMPSON  
**Chief Clerk**

FILED

April 1, 1992 - 10:22 a.m.

**Secretary of State  
State of Washington**

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ENGROSSED HOUSE BILL 2287

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AS AMENDED BY THE SENATE

Passed Legislature - 1992 Regular Session

State of Washington                      52nd Legislature                      1992 Regular Session

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

Prefiled 1/10/92. Read first time 01/13/92. Referred to Committee on  
Local Government.

1            AN ACT Relating to port districts; amending RCW 53.04.020; adding  
2 new sections to chapter 53.04 RCW; and adding a new section to chapter  
3 53.12 RCW.

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

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

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

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

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

29 "Port of ....., No." (giving the name of the principal seaport  
30 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  
7 bordering on saltwater that already has a less than county wide port  
8 district located within its boundaries. Except as provided in this  
9 section, such a port district shall be created in accordance with the  
10 procedure to create a county 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.~~

13       ~~This section shall expire July 1, 1997.~~

14       ~~NEW SECTION. **Sec. 3.** A new section is added to chapter 53.04 RCW~~  
15 ~~to read as follows:~~

16       ~~A port district that is less than county wide may annex adjacently~~  
17 ~~located territory that is located in another less than county wide port~~  
18 ~~district in the same county, if the territory proposed to be annexed is~~  
19 ~~located in a city the name of which is included as part of the name of~~  
20 ~~the annexing port district. A port district proposing to annex~~  
21 ~~territory under this section shall by resolution cause a ballot~~  
22 ~~proposition on the issue of annexation to be submitted to the voters of~~  
23 ~~the area proposed to be annexed. The annexation is authorized when the~~  
24 ~~ballot proposition is approved of by over fifty percent of the ballots~~  
25 ~~cast. The territory that is annexed shall be removed from the other~~  
26 ~~port district.~~

27       ~~This section shall expire January 1, 1995.~~

1        ~~NEW SECTION. Sec. 4.~~        If any provision of this act or its  
2 application to any person or circumstance is held invalid, the  
3 remainder of the act or the application of the provision to other  
4 persons or circumstances is not affected.

5        ~~NEW SECTION. Sec. 5.~~        A new section is added to chapter 53.12 RCW  
6 to read as follows:

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

Passed the House March 9, 1992.

Passed the Senate March 6, 1992.

Approved by the Governor April 1, 1992.

Filed in Office of Secretary of State April 1, 1992.