

1 2287.E AMS GO S4255.1

2 EHB 2287 - S COMM AMD

3 By Committee on Governmental Operations

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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 that  
25 already has a less than county-wide port district located within its  
26 boundaries. Except as provided in this section, such a port district  
27 shall be created in accordance with the procedure to create a county-  
28 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        "NEW SECTION.   **Sec. 3.**  A new section is added to chapter 53.04 RCW  
2  to read as follows:

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

14        This section shall expire January 1, 1995."

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

19    **EHB 2287** - S COMM AMD  
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22        On page 1, line 1 of the title, after "districts;" strike the  
23 remainder of the title and insert "amending RCW 53.04.020; and adding  
24 new sections to chapter 53.04 RCW."