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HOUSE BILL 1171

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State of Washington

56th Legislature

1999 Regular Session

By Representatives Alexander, Mielke, Doumit, Hatfield, Kessler, Pennington, DeBolt, Scott and D. Schmidt

Read first time 01/18/1999. Referred to Committee on Local Government.

1 AN ACT Relating to annexations by less than county-wide port  
2 districts in areas having no registered voters; and creating new  
3 sections.

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

5 NEW SECTION. **Sec. 1.** The legislature intends annexation  
6 procedures set forth in sections 2 through 5 of this act to be  
7 alternative methods available to port districts that are less than  
8 county-wide. The legislature does not intend the alternative  
9 procedures to supersede any other method authorized by chapter 53.04  
10 RCW or other law for annexation of territory to a port district.

11 NEW SECTION. **Sec. 2.** A port district that is less than county-  
12 wide may petition for annexation of an area that is contiguous to its  
13 boundaries, is not located within the boundaries of any other port  
14 district, and contains no registered voters. The petition must be in  
15 writing, addressed to and filed with the port commission, and signed by  
16 the owners of not less than seventy-five percent of the property value  
17 in the area to be annexed, according to the assessed value for general  
18 taxation. The petition must contain a legal description of the

1 property according to government legal subdivisions or legal plats, or  
2 a sufficient metes and bounds description, and must be accompanied by  
3 a plat outlining the boundaries of the property to be annexed.

4 NEW SECTION. **Sec. 3.** If a petition meeting the requirements set  
5 forth in section 2 of this act is filed with the commission, the  
6 commission shall determine a date, time, and location for a hearing on  
7 the petition and shall provide public notice of that hearing and its  
8 nature by publishing the notice in one issue of a newspaper of general  
9 circulation in the district and by posting the notice in three public  
10 places within the territory proposed for annexation. The commission  
11 may require proof of a petition's authenticity before complying with  
12 notice requirements imposed by this section and may require the signers  
13 of a petition to bear the costs of publishing and posting notice.

14 NEW SECTION. **Sec. 4.** At the hearing, the commission may determine  
15 to annex all or any portion of the proposed area described in the  
16 petition. Following the hearing, the commission shall by resolution  
17 approve or disapprove annexation. Upon passage of the resolution, the  
18 commission shall file, with the board of county commissioners of the  
19 county in which the annexed property is located, a certified copy of  
20 the resolution. On the date fixed in the resolution, the area annexed  
21 becomes part of the district.

22 NEW SECTION. **Sec. 5.** (1) By a majority vote of the commission,  
23 and with the written consent of all the owners of the property to be  
24 annexed, a port commission of a district that is less than county-wide  
25 may annex, for industrial development or other port district purposes,  
26 property contiguous to the district's boundaries and not located within  
27 the boundaries of any other port district.

28 (2) The written consent required by subsection (1) of this section  
29 must contain a full and correct legal description of the property to be  
30 annexed, must include the signature of all owners of the property to be  
31 annexed, and must be addressed to and filed with the commission.

32 (3) If the commission approves annexation under this section, it  
33 shall do so by resolution and shall file a certified copy of the  
34 resolution with the board of county commissioners of the county in  
35 which the annexed property is located. Upon the date fixed in the  
36 resolution, the area annexed becomes part of the district.

1        NEW SECTION.    **Sec. 6.** No property within the territory annexed  
2 under sections 2 through 5 of this act may be taxed or assessed for the  
3 payment of any outstanding indebtedness of the port district as it  
4 existed before the annexation unless another law requires the tax or  
5 assessment.

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