

CHAPTER 179.

[S. B. 198.]

PORT DISTRICTS.

AN ACT relating to port districts and amending sections 8165-5 of Remington & Ballinger's Annotated Codes and Statutes of Washington as amended by chapter 125 of the Session Laws of 1917, and sections 8165-12 and 8165-13 of Remington and Ballinger's Annotated Codes and Statutes of Washington.

Be it enacted by the Legislature of the State of Washington:

SECTION 1. That section 8165-5 of Rem. & Bal. Code, as amended by section 2 chapter 125 of the Session Laws of 1917, be further amended to read as follows:

Section 8165-5. Port Commissioners-Organization-Contracts.

All port commissioners shall serve without compensation save and except in port districts having a population of two hundred thousand (200,000) or more inhabitants, and in such port districts each commissioner shall receive a compensation of three thousand dollars (\$3,000.00) per annum, said compensation to be paid monthly out of the funds of the port district, in the same manner as are the salaries of the employees of the port district, the population of a port district to be fixed and determined by the last official census of the United States for the purposes of this section. The foregoing provision relating to compensation of port commissioners is subject to the following proviso: The question of whether port commissioners in port districts having a population of two hundred thousand (200,000) or more inhabitants shall receive compensation as herein provided shall be submitted at the first general election after the organization of any

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port district having said population of two hundred thousand (200,000) or more inhabitants, or in the case of any port district already established and having said population then at a special election of the said port district at the time of the next general county election in the county in which said port district is located, held after the taking effect of this act. There shall be printed on the ballot at such election the words "In favor of compensation for port commissioners in the sum of three thousand dollars (\$3,000) each per annum," and the words "Against compensation for port commissioners in the sum of three thousand dollars (\$3,000.00) per annum." If at such election the majority of the voters voting on said proposition shall vote in favor of such compensation, the port commissioners of such port district shall receive compensation in the sum of three thousand dollars (\$3,000.00) per annum as provided herein and in any case where a port district with a population of two hundred thousand (200,000) or more inhabitants is in existence at the time this act becomes effective and such port district votes for a compensation as hereinbefore provided, the port commissioners of such district elected and serving shall begin to receive compensation with the calendar month succeeding the month in which the vote is taken. But if such proposition shall fail to receive the approval of the majority of those voting therein, compensation shall not be paid unless the same be favorably voted upon in the manner provided herein at some succeeding election: *Provided, however,* That the question of compensation of port commissioners may not be submitted at more frequent intervals than periods of four years. The port commission shall organize by the election of its own members of a president and secretary, shall by resolution adopt rules governing the transaction of its business and shall adopt an official seal. All

proceedings of the port commission shall be by motion or resolution recorded in a book or books kept for such purpose, which shall be public records. The county treasurer of the county in which such port district is situated shall be the treasurer of the port district, and all funds of the port district shall be paid to him as such port treasurer and shall only be disbursed by him on warrants drawn and signed by a port auditor to be appointed by the port commission, upon order of or vouchers approved by the port commission. The port commission shall have authority to create and fill such positions and fix salaries and bonds thereof as it may by resolution provide. All materials required by the port district may be purchased in the open market or by contract, and all work ordered may be let by contract or done by day labor as the port commission may determine. Before awarding any contract the port commission shall cause to be published in some newspaper within the district a notice for at least ten days before the letting of such contract, inviting sealed proposals for such work, plans and specifications for which must at the time of publications of such notice be on file in the office of the port commission subject to public inspection: *Provided, however,* That the port commission may at the same time and as part of the same notice, invite tenders for such work or material upon plans and specifications to be submitted by the bidder. Such notice shall state generally the work to be done and shall call for proposals for doing the same to be sealed and filed with the commission on or before the day and hour named. Each bid shall be accompanied by a certified check payable to the order of the port commission for a sum not less than five per cent of the amount of the bid, and no bid shall be considered unless accompanied by such check. At the time and place named such bids shall be publicly opened and read and the

commission shall proceed to canvass the bids and may let such contract to the lowest responsible bidder upon plans and specifications on file, or to the best bidder submitting his own plans and specifications. If, in the opinion of the commission, all bids are unsatisfactory, they may reject all of them and readvertise, and in such case all checks shall be returned to the bidders; but if such contract be let, then in such case all checks shall be returned to the bidders, except that of the successful bidder, which shall be retained until a contract shall be entered into for the purchase of such materials or doing such work, and a bond given to the port district for the performance of the contract and otherwise conditioned as required by law, with sureties satisfactory to the commissioners, in an amount to be fixed by the commission, but not in any event less than twenty-five (25) per cent of the contract price. If said bidder fails to enter into said contract in accordance with said bid and furnish such bond within ten days from the date at which he is notified that he is the successful bidder, the said check and the amount thereof shall be forfeited to the port district.

SEC. 2. That section 8165-12 of Rem. & Bal. Code be amended so as to read as follows:

Section 8165-12 Funds in Anticipation of Revenues. Any port commission is hereby authorized, prior to the receipt of taxes raised by levy, to borrow money or issue the warrants of the district in anticipation of the revenues to be derived by such district and such warrants shall be redeemed from the first money available from such taxes when collected.

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SEC. 3. That section 8165-13 of Rem. & Bal. Code be amended to read as follows:

Section 8165-13 County Treasurer—Funds. The county treasurer acting as port treasurer shall cre-

Funds.

ate a fund to be known as the "Port of Fund," into which shall be paid all money received by him from the collection of taxes in behalf of such port district, and shall also maintain such other special funds as may be created by the port commission into which shall be placed such moneys as the port commission may by its resolution direct. All such port funds shall be deposited with the county depositories under the same restrictions, contracts and security as is provided by statute for county depositories and all interest collected on such port funds shall belong to such port district and shall be deposited to its credit in the proper port funds.

Passed the Senate March 4, 1921.

Passed the House March 9, 1921.

Approved by the Governor March 21, 1921.

CHAPTER 180.

[S. B. 201.]

FISHERIES.

AN ACT relating to fisheries, providing for the preservation, protection and perpetuation of food fishes, amending sections 43, 48, 58, 65, 73, 82, 88, and 96 and repealing section 98 of chapter 31 of the Laws of 1915, and declaring that this act shall take effect March 31, 1921.

Be it enacted by the Legislature of the State of Washington:

SECTION 1. That section 43 of chapter 31 of the Laws of 1915 be amended to read as follows:

Section 43. No license for taking or catching salmon or other food or shell fish required by this act shall be issued to any person who is not a citizen of the United States of the age of eighteen years or over, unless such person has declared his intention to become a citizen, and is and has been an actual

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