

calculated and applied in the proportion of time which the period of operation shall bear to the calendar year.

Repealing
clause.

SEC. 17. Sections 6604-96, 6604-98, 6604-99 and 6604-100, Remington & Ballinger's Annotated Codes and Statutes of Washington are hereby repealed.

Passed the House March 1, 1921.

Passed the Senate March 7, 1921.

Approved by the Governor, with the exception of section 5, which is vetoed, March 19, 1921.

CHAPTER 183.

[H. B. 264.]

PORT DISTRICTS.

AN ACT relating to port districts and amending section 4475
Pierce's Code.

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

SECTION 1. That section 4475 of Pierce's Code (Laws 1917, p. 498) be amended to read as follows:

Powers of
district.

Section 4475. All port districts organized under the provisions of this act shall be and are hereby authorized to acquire by purchase or condemnation, or both, all lands, property, property rights, leases or easements necessary for the purposes of the port districts, and to exercise the right of eminent domain in the acquirement or damaging of all land, property, property rights, leases or easements, and the levying and collection of assessments upon property for the payment of all damages and compensation in carrying out the provisions for which said district shall have been created, and such right shall be exercised in the same manner and by the same procedure as is or may be provided by law for cities of

the first class, except in so far as such may be inconsistent with the provisions of this act, and the duties devolving upon the city treasurer under said law be and the same are hereby imposed upon the county treasurer for the purposes of this act; to lay out, construct, condemn, purchase, acquire, add to, maintain, conduct and operate any and all systems of sea walls, jetties, piers, wharves, docks, boat landings, warehouses, storehouses, elevators, grain-bins, cold storage plants, terminal icing plants, bunkers, oil tanks, ferries, canals, locks, tidal basins, bridges, subways, tramways, cableways, conveyors, together with modern appliances for the economical handling, storing and transporting of freight and handling of passenger traffic, and other harbor improvements, rail and water transfer and terminal facilities within such port district; and in connection with the operation of the improvement of the port district to perform all customary services including the handling, weighing, measuring and reconditioning all commodities received; to apply to the proper authorities of the United States under any law now or which may hereafter be in force for the right to establish, operate and maintain foreign trade zones within the limits of the port district and to establish, operate and maintain such foreign trade zones: *Provided*, That where the money so raised is to be used exclusively for the purpose of acquiring land for sites and constructing warehouses, storage plants and other facilities to be constructed within the limits of such foreign trade zone for use in the operation and maintenance of such foreign trade zones, said port shall have the power to contract indebtedness or borrow money and issue general bonds therefor in an amount in addition to the three (3) per centum hereinafter fixed of two (2) per centum of the taxable property in such district to be ascertained by

the last assessment for state and county purposes previous to the incurring of such indebtedness, such additional indebtedness only to be incurred by the assent of three-fifths ($3/5$) of the voters of such port district voting thereon; to establish local improvement districts within such port districts, and to levy special assessments, under the mode of annual installments extending over a period not exceeding ten (10) years on all property specially benefited by any local improvement, on the basis of special benefits, to pay in whole or in part the damages or costs of any improvement ordered in such local improvement district; to issue local improvement bonds in any such local improvement district, to be repaid by the collection of local improvement assessments: *Provided*, That the levying and collection of all such assessments and issuance of bonds hereby authorized shall be in the manner now and hereafter provided by state law for the levying and collection of local improvement assessments and the issuance of local improvement bonds by cities of the first class, insofar as the same shall not be inconsistent with the provisions of this act: *Provided, however*, That the duties devolving upon the city treasurer under said laws be, and the same are hereby imposed upon the county treasurer for the purposes of this act; and to own and control lands, leases, and all easements in land necessary for the purposes of the port district; to improve navigable and non-navigable waters of the United States and the State of Washington within the port district; to create and improve for harbor purposes new waterways within the port district; to regulate and control all such waters and all natural or artificial waterways (waterways of commercial waterway districts excepted) within the limits of such port district so far and to the full extent that this state can grant the

same, and remove obstructions therefrom; to straighten, widen, deepen and otherwise improve any and all waters, watercourses, bays, lakes or streams, whether navigable or otherwise, flowing through or located within the boundaries of such port district; to fix absolutely and without right of appeal or review the rates of wharfage, dockage, warehousing and port and terminal charges upon all improvements owned and operated directly by the port district itself and ferry charges of ferries operated by itself: *Provided, however,* That the port commission shall file with the public service commission of the State of Washington its schedule of rates and charges so fixed, as is required by the laws of the State of Washington of public service corporations, and may not change any rate or charge so filed without first filing a notice of such change of rate or charge with the public service commission not less than thirty days prior to the going into effect of such change of rate or charge, and to fix, subject to state regulation, rates of wharfage, dockage, warehousing, and all necessary port and terminal charges upon all docks, wharves, warehouses, quays, or piers owned by said port district but operated under lease from it; to execute leases of all lands, wharves, docks and property owned and controlled by said port district upon such terms as the port commission may deem proper: *Provided,* That no lease shall be executed for a period longer than thirty (30) years, and every such lease shall be secured by a bond, with surety satisfactory to the port commission, in a penalty not less than the rental for one-sixth of the term, but in no case less than the rental for one year where the term is one year or more, conditioned to carry out and perform the terms and conditions of such lease: *Provided,* That in any lease the term of which exceeds five (5) years, and when so stipulated

in the lease (the insertion of such stipulation to be discretionary with the port commission) the port commission shall accept, with surety, satisfactory to the port commission, a bond conditioned to carry out and perform the terms and conditions of the lease for some part of the term, in no event less than five years (unless the remainder of the unexpired term is less than five years, in which case for the full remainder), and in every such case the port commission shall require of the lessee another or other like bond to be executed and delivered within two years, and not less than one year prior to the expiration of the period covered by the existing bond, covering an additional part of the term in accordance with the foregoing provisions in respect to the original bond, and so on until the end of the term, so that there will always be in force a bond securing the performance of the terms and conditions of the lease, and the penalty in every such bond shall be not less than the rental for one-half the period covered thereby, but no such bond shall be construed to secure the furnishing of any other bond; to sell and convey any property in anywise acquired or owned by the port district whenever the port commission of such district shall have by resolution declared such property to be no longer needed for the purpose of the port district, but no property which is a part of the comprehensive scheme or modification thereof, adopted by vote of the people, shall be sold or disposed of without the assent of a majority of the voters voting on the question of such proposed sale of disposition at a general or special election; to raise revenue by levy of an annual tax on all taxable property within such port district, the total levy for any one year for all purposes, except for the payment of the principal and interest of the general bonded indebtedness of the port not to exceed two

mills on each dollar of the assessed valuation of the taxable property in such port district: *Provided*, That such levy shall be made and taxes collected in the manner now or hereafter provided by law for the levy and collection of taxes in school districts of the first class; to contract indebtedness or borrow money for port purposes and issue general bonds therefor not exceeding an amount, together with the existing indebtedness of such port district of three per centum of the assessed value of the taxable property in such district, to be ascertained by the last assessment for state and county purposes previous to the incurring of such indebtedness: *Provided*, That no such indebtedness shall be incurred exceeding one per centum of the assessed value of such taxable property in such port district as shown by the last assessment for state and county purposes without three-fifths of the voters of such port district voting on the incurring of such indebtedness assenting thereto at a general or special election held in such port district for the purposes of such submission; to have the power to issue general bonds of any such district evidencing any indebtedness thereof payable at any time not exceeding fifty (50) years from the date of such bonds.

Passed the House March 1, 1921.

Passed the Senate March 9, 1921.

Permitted to become a law without the signature of the Governor.

J. GRANT HINKLE,
Secretary of State.