

CHAPTER 347.

[H. B. 113.]

BANKING—DEPOSITS.

AN ACT relating to banks and banking and bank deposits.

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

SECTION 1. When a deposit has been or shall hereafter be made in any national bank, state bank, trust company or other banking institution subject to the supervision of the supervisor by any person in trust for another, and no other or further notice of the existence and terms of a legal and valid trust have been given in writing to such corporation, in the event of the death of a trustee, the deposit or any part thereof together with the interest or the dividends thereon may be paid to the person for whom the deposit was made.

Payment of funds deposited in trust for another.

Passed the House February 3, 1955.

Passed the Senate March 7, 1955.

Approved by the Governor March 21, 1955.

CHAPTER 348.

[Sub. H. B. 197.]

PORT DISTRICTS.

AN ACT relating to port districts; providing for compensation for certain commissioners; providing for organization and operation of the commission; prescribing procedures for obtaining materials and work, including bid procedures; amending section 1, chapter 179, Laws of 1921 and RCW 53.08.120, 53.08.130, 53.12.250 and 53.36.010; and adding a new section to chapter 53.12 RCW; and declaring an emergency.

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

SECTION 1. Section 1, chapter 179, Laws of 1921 (heretofore codified as RCW 53.08.120, 53.08.130, 53.12.250 and 53.36.010) is divided and amended as set forth in section 2 through 5 of this act.

Division and amendment

Enacted without amendment.

Material procurement and work contracts; procedure for contracting.

SEC. 2. (RCW 53.08.120) All material required by a port district may be procured in the open market or by contract and all work ordered may be done by contract or day labor. All such contracts shall be let at public bidding upon notice published in a newspaper in the district at least ten days before the letting, calling for sealed bids upon the work, plans and specifications for which shall then be on file in the office of the commission for public inspection. The same notice may call for bids on such work or material based upon plans and specifications submitted by the bidder.

Notice.

Bids; bid proposal deposit.

Bids publicly opened.

Bid proposal deposits returned.

Bond.

SEC. 3. (RCW 53.08.130) The notice shall state generally the nature of the work to be done and require that bids be sealed and filed with the commission at a time specified therein. Each bid shall be accompanied by a bid proposal deposit in the form of a cashier's check, money order, or surety bid bond to the commission for a sum not less than five percent of the amount of the bid, and no bid shall be considered unless accompanied by such bid proposal deposit. At the time and place named the bids shall be publicly opened and read and the commission shall proceed to canvass the bids and may let the 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 such bid proposal deposits shall be returned to the bidders; but if the contract is let, then all bid proposal deposits shall be returned to the bidders, except that of the successful bidder, which shall be retained until a contract is 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 commission, in an amount to be fixed by the commission, but not in any event less than twenty-five percent of the contract price. If said bidder fails to enter into the contract in accordance with his bid and furnish such bond within ten days from the date at which he is notified that he is the successful bidder, the check or money order and the amount thereof shall be forfeited to the port district or the port district shall recover the amount of the surety bid bond.

Forfeiture.

SEC. 4. (RCW 53.12.250) The compensation of port district commissioners shall be as follows:

Compensation of port district commissioners.

(1) Commissioners of a port district having a population, according to the latest United States census, of less than 100,000 persons but at least 1,000 persons may, by unanimous resolution, after a public hearing, notice of which shall be published no less than four times during a period of not less than ten nor more than twenty days next preceding the hearing in the newspaper of largest general circulation in the district, provide that each commissioner be reimbursed for actual attendance at meetings of the port district at a rate not to exceed twenty-five dollars per diem: *Provided*, That the commissioners shall not receive per diem for meetings in excess of four each month: *Provided further*, That the question of per diem for the commissioners must be submitted for approval to the electors, at the next succeeding general election. The proposition shall be clearly stated on the ballot and in such a manner as to permit a vote for or against it. If a majority of the votes cast on the proposition favor it, thereafter the commissioners shall receive such per diem. At any general election thereafter the commissioners may resubmit the proposition.

(2) Commissioners of a port district having a population, according to the latest United States census, of less than three hundred and fifty thou-

sand persons but at least one hundred thousand persons may, by unanimous resolution, after a public hearing, notice of which shall be published no less than four times during a period of not less than ten nor more than twenty days next preceding the hearing in the newspaper of largest general circulation in the district, provide that each commissioner receive a salary not to exceed three thousand and six hundred dollars per year: *Provided*, That the question of salaries for the commissioners must be submitted for approval to the electors at the next succeeding general election. The proposition shall be clearly stated on the ballot and in such a manner as to permit a vote for or against it. If a majority of the votes cast on the proposition favor it, thereafter the commissioners shall receive such salary. At any general election thereafter the commissioners may resubmit the proposition.

(3) The commissioners of a port district having a population, according to the latest United States census, of three hundred and fifty thousand persons or more may, by unanimous resolution, after a public hearing, notice of which shall be published no less than four times during a period of not less than ten nor more than twenty days next preceding the hearing in the newspaper of largest general circulation in the district, provide that each commissioner receive a salary not to exceed five thousand dollars per year: *Provided*, That the question of salaries for commissioners must be submitted for approval to the electors at the next succeeding general election. The proposition shall be clearly stated on the ballot and in such a manner as to permit a vote for or against it. If a majority of the votes cast on the proposition favor it, thereafter the commissioners shall receive such salary. At any general election thereafter the commissioners may resubmit the proposition.

Any resolution adopted under the provisions of this section relating to per diem or salaries of commissioners shall not increase or diminish the compensation of any commissioner for the remainder of his term of office.

SEC. 5. (RCW 53.36.010) The treasurer of the county in which a port district is located shall be treasurer of the district. All district funds shall be paid to him as such treasurer and shall be disbursed by him upon warrants signed by a port auditor appointed by the port commission, upon vouchers approved by the commission.

Enacted
without
amendment.
Treasurer of
district.

SEC. 6. There is added to chapter 53.12 RCW, a new section to read as follows:

New section.

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.

Port commis-
sion organi-
zation.

Proceedings
recorded.

SEC. 7. Invalidity of part of act not to affect remainder. If any provision of this act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected.

Invalidity.

SEC. 8. This act is necessary for the preservation of the public peace, health, and safety, the support of the state government and its existing public institutions and shall take effect immediately.

Emergency.

Passed the House February 26, 1955.

Passed the Senate March 7, 1955.

Approved by the Governor March 21, 1955.