

CHAPTER 97.

[H. B. 210.]

COMMERCIAL WATERWAY DISTRICTS—ACQUISITION
BY PORT DISTRICTS.

AN ACT relating to commercial waterway districts; authorizing port districts in class AA counties to acquire ownership of the assets of commercial waterway districts, and to assume the indebtedness and liabilities of commercial waterway districts.

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

Acquisition of waterway districts by port districts in class AA counties. Initial determination.

SECTION 1. The port commissioners in any class AA county in which there is a commercial waterway district may at any time upon request of such commercial waterway district examine the books, records and properties of the commercial waterway district to make a determination of the financial condition of the district and thereafter shall make a determination whether or not the financial condition of the commercial waterway district is such that the port district is willing to assume all of the assets, liabilities and functions of the commercial waterway district.

Procedure upon determination to acquire—Rights and obligations.

SEC. 2. Whenever a commercial waterway district in any class AA county determines it to be to their best interest to have their assets, liabilities and functions transferred to a port district in such county and the port district is willing to assume the same:

(1) The port district (a) shall immediately give written notice to the board of commissioners of the commercial waterway district; (b) shall immediately file a notice with the county auditor; (c) shall immediately give written notice to all known creditors of the commercial waterway district by certified mail; (d) shall immediately cause to be published in a legal newspaper in the county notice of such transfer and if within ten days from the publication

thereof there is no demand in writing for a public hearing thereon filed with the port district by an interested person such right shall be deemed waived; if such a demand for public hearing is made the port commission shall hold the same within ten days from the date of demand and upon notice to the person or persons so demanding; after giving said interested parties a chance to be heard the port district shall announce its decision;

(2) If the board reaches an affirmative decision under subsection (1) above within thirty days after said notice is filed with the county auditor, the commercial waterway district shall be dissolved; and the port district shall then possess all the rights, privileges and franchises possessed by the commercial waterway district.

(3) All the real and personal property of the commercial waterway district, and all debts and assessments due on whatever account to the commercial waterway district, shall then be taken and deemed to be transferred to the port district without further act or deed: *Provided*, That any assets Proviso. so acquired by the port district, whether in real or personal property, may thereafter be used only for the development of that part of the port district within the geographical limits of the former commercial waterway district. The waterway district commissioners shall forthwith deliver the assets of the district to the port district.

(4) The port district shall be responsible for all the liabilities and obligations of the commercial waterway district, as if it had itself incurred such liabilities or obligations; but the liabilities of the commissioners of the commercial waterway district shall not be affected, nor shall the rights of the creditors of the commercial waterway district, and any claim existing or action or proceeding pending by or against the commercial waterway district may

be prosecuted to judgment as if a dissolution had not taken place, or the port district may be added as an additional party or substituted in its place.

Passed the House March 5, 1963.

Passed the Senate March 12, 1963.

Approved by the Governor March 25, 1963.

CHAPTER 98.

[H. B. 247.]

FOREST PRODUCTS—MARKS AND BRANDS—FEES.

AN ACT relating to fees for marks and brands for forest products; and repealing section 8, chapter 154, Laws of 1925 extraordinary session, and RCW 76.36.080.

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

Repeal.

SECTION 1. Section 8, chapter 154, Laws of 1925 extraordinary session, and RCW 76.36.080 are each repealed.

Passed the House February 12, 1963.

Passed the Senate March 12, 1963.

Approved by the Governor March 25, 1963.

CHAPTER 99.

[H. B. 248.]

PUBLIC LANDS—GRAZING RANGES—IMPROVEMENT CONTRACTS.

AN ACT relating to grazing ranges; and amending section 1, chapter 324, Laws of 1955, and RCW 79.28.070.

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

RCW 79.28.070 amended.

SECTION 1. Section 1, chapter 324, Laws of 1955 and RCW 79.28.070 are each amended to read as follows: