

agents for the payment of wages or salaries of its employees in the name or by the check of such agent or agents shall be subject to garnishment with respect to salaries or wages so paid, notwithstanding any provision of the law relating to municipal corporations to the contrary.

Passed the House February 4, 1955.

Passed the Senate February 23, 1955.

Approved by the Governor March 2, 1955.

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## CHAPTER 65.

[ H. B. 196. ]

### PORT DISTRICTS—POWERS—CONTRACTS WITH GOVERNMENTAL AGENCIES—LEASES.

AN ACT relating to port districts and granting powers thereto including the power to acquire land, construct facilities, perform various port services and functions, establish foreign trade zones and contract indebtedness for the same, develop industrial sites, establish local improvement districts and make financing arrangements for the same, improve waterways, make warehousing contracts and fix rates, execute leases of port lands, sell property, raise revenue by taxes and contract indebtedness; and amending section 2, chapter 166, Laws of 1943, as last amended by sections 1 and 2, chapter 171, Laws of 1953 and section 1, chapter 243, Laws of 1953 and RCW 53.08.010 through 53.08.090, 53.36.020 and 53.36.030.

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

SECTION 1. Section 2, chapter 166, Laws of 1943, Amendment. as last amended by section 1, chapter 243, Laws of 1953 (heretofore divided and codified as RCW 53.08-.010 through 53.08.090, 53.36.020 and 53.36.030) is amended as set forth in sections 2 through 12 of this act.

SEC. 2. (RCW 53.08.010) A port district may acquire by purchase, for cash or on deferred payments for a period not exceeding ten years, or by condemnation, or both, all lands, property, property Enacted without amendment.

rights, leases, or easements necessary for its purposes and may exercise the right of eminent domain in the acquirement or damaging of all such lands, property, and property rights, and may levy and collect assessments upon property for the payment of all damages and compensation in carrying out its purposes, and such right shall be exercised in the same manner and by the same procedure as provided for cities of the first class insofar as consistent with this title, and in connection therewith the county treasurer shall perform the duties of the treasurers of such cities.

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without  
amendment.

SEC. 3. (RCW 53.08.020) A district may construct, condemn, purchase, acquire, add to, maintain, conduct, and operate 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, administration buildings, fishing terminals, together with modern appliances and buildings 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 the district; and in connection with the operation of the improvements of the district, perform all customary services including the handling, weighing, measuring, and reconditioning all commodities received.

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amendment.

SEC. 4. (RCW 53.08.030) A district may apply to the United States for permission to establish, operate, and maintain foreign trade zones within the district: *Provided*, That when 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 zone for use in the operation and maintenance of the

zones, the district may contract indebtedness and issue general bonds therefor in an amount, in addition to the three percent hereinafter fixed, of two percent of the taxable property in the district to be ascertained by the last assessment for state and county purposes, such additional indebtedness only to be incurred with the assent of three-fifths of the voters of the district voting thereon.

SEC. 5. (RCW 53.08.040) A district may improve its lands by dredging, filling, bulkheading, providing waterways or otherwise developing such lands for sale or lease for industrial and commercial purposes.

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amendment.

SEC. 6. (RCW 53.08.050) A district may establish local improvement districts within the district, and levy special assessments, in annual installments extending over a period not exceeding ten years on all property specially benefited by the local improvement, on the basis of special benefits, to pay in whole or in part the damages or costs of the local improvement, and issue local improvement bonds to be paid from local improvement assessments. The levy and collection of such assessments and issuance of such bonds shall be as provided for the levy and collection of local improvement assessments and the issuance of local improvement bonds by cities of the first class, insofar as consistent with this title: *Provided*, That the duties of the treasurers of such cities in connection therewith shall be performed by the county treasurer.

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amendment.

SEC. 7. (RCW 53.08.060) A district may improve navigable and nonnavigable waters of the United States and the state of Washington within the district; create and improve for harbor purposes new waterways within the district; and regulate and control all such waters and all natural or artificial waterways within the district (waterways of commercial waterway districts excepted), and remove obstruc-

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tions therefrom, and straighten, widen, deepen, and otherwise improve any water, watercourses, bays, lakes or streams, whether navigable or otherwise, flowing through or located within the district.

Rates for district facilities.

SEC. 8. (RCW 53.08.070) A district may fix, without right of appeal therefrom, the rates of wharfage, dockage, warehousing, and port and terminal charges upon all improvements owned and operated by it, and the charges of ferries operated by it. The port commission shall file with the public service commission its schedule of rates and charges so fixed, as required of public service corporations. It may change any rate and charge so filed by filing with the commission a notice of the proposed change not less than thirty days before the change shall go into effect.

Rates for leased facilities.

It may fix, subject to state regulation, rates of wharfage, dockage, warehousing, and all necessary port and terminal charges upon all docks, wharves, warehouses, quays, and piers owned by it and operated under lease from it.

Contracts with other governing bodies.

Notwithstanding any provision of this section, a port district may enter into any contract for wharfage, dockage, warehousing, or port or terminal charges, with the United States or any governmental agency thereof or with the state of Washington or any political subdivision thereof under such terms as the commission may, in its discretion, negotiate.

Lease of facilities.

SEC. 9. (RCW 53.08.080) A district may lease all lands, wharves, docks, and property owned and controlled by it, upon such terms as the port commission deems proper: *Provided*, That no lease shall be for a period longer than fifty years, and each 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 perform the terms of

such lease: *Provided further*, That where the property involved is or is to be devoted to airport purposes and construction work and/or to the construction or maintenance of facilities for the comfort and accommodation of air travelers (but which facilities shall also be open to the general public) or the installation of new facilities is contemplated, the port commission may lease said property for such period as may equal the estimated useful life of such work or facilities, but not to exceed seventy-five years: *Provided further*, That in a lease the term of which exceeds five years, and when at the option of the port commission it is so stipulated in the lease, the commission shall accept, with surety satisfactory to it, a bond conditioned to perform the terms 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 commission shall require of the lessee, another or other like bond to be 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 lease, and the penalty in each bond shall be not less than the rental for one-half the period covered thereby, but no bond shall be construed to secure the furnishing of any other bond.

SEC. 10. (RCW 53.08.090) A district may sell and convey any of its property when the port commission has, by resolution, declared the property to be no longer needed for district purposes, but no property which is a part of the comprehensive plan of improvement or modification thereof, adopted by vote of the people, shall be disposed of without the assent

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of a majority of the voters voting thereon at a general or special election.

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SEC. 11. (RCW 53.36.020) A district may raise revenue by levy of an annual tax not to exceed two mills on each dollar of the assessed valuation of the taxable property in such port district for general port purposes, including the establishment of a capital improvement fund for future capital improvements, except that any levy for the payment of the principal and interest of the general bonded indebtedness of the port district shall be in excess of any levy made by the port district under the two-mill limitation. The levy shall be made and taxes collected in the manner provided for the levy and collection of taxes in school districts of the first class.

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amendment.

SEC. 12. (RCW 53.36.030) A district may contract indebtedness or borrow money for district purposes and issue general bonds therefor not exceeding an amount, together with the existing indebtedness of the district, of three percent of the assessed value of the taxable property in the district, to be ascertained by the last assessment for state and county purposes previous to incurring the indebtedness: *Provided*, That no such indebtedness shall be incurred exceeding one percent of the assessed value of the taxable property without three-fifths of the voters voting thereon assenting thereto at a general or special port election called for that purpose.

The district may issue general district bonds evidencing any indebtedness, payable at any time not exceeding fifty years from the date of the bonds.

Passed the House February 3, 1955.

Passed the Senate February 23, 1955.

Approved by the Governor March 2, 1955.