
SENATE BILL 5222

State of Washington 62nd Legislature 2011 Regular Session

By Senators Kastama, Delvin, Eide, Honeyford, Hargrove, Haugen, Prentice, Hobbs, Shin, and Chase

Read first time 01/18/11. Referred to Committee on Economic Development, Trade & Innovation.

1 AN ACT Relating to increasing the flexibility for industrial
2 development district levies for public port districts; amending RCW
3 53.36.100; adding a new section to chapter 84.55 RCW; and creating a
4 new section.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 **Sec. 1.** RCW 53.36.100 and 1994 c 278 s 1 are each amended to read
7 as follows:

8 (1)(a) A port district having adopted a comprehensive scheme of
9 harbor improvements and industrial developments may thereafter raise
10 revenue(~~(, for six years only)~~) through a multiyear annual levy if it
11 meets the requirements of (b) of this subsection, and a second (~~(six~~
12 ~~years)~~) multiyear annual levy if the (~~(procedures)~~) requirements are
13 followed under (b) of this subsection and subsection ((+2+)) (4) of
14 this section(~~(, in addition to all other revenues now authorized by~~
15 ~~law, by an annual levy not to exceed forty five cents per thousand~~
16 ~~dollars of assessed value against the assessed valuation of the taxable~~
17 ~~property in such port district)~~). The levies authorized under this
18 subsection may not be imposed concurrently.

1 (b)(i) The levies authorized in (a) of this subsection are subject
2 to the following requirements: (A) The aggregate revenue that may be
3 collected over the levy period may not exceed two dollars and seventy
4 cents multiplied by the assessed valuation of the taxable property in
5 the port district for taxes collected in the base year; (B) the levy
6 amount in any year may not exceed forty-five cents per thousand dollars
7 of assessed value against the assessed valuation of the taxable
8 property in such port district; (C) the levy period may not exceed
9 twenty years from the date the initial levy is made; and (D) the port
10 district must adopt a resolution during the base year approving the use
11 of the extended levy period.

12 (ii) For the purposes of this subsection, "base year" means the
13 year prior to the first collection year in the levy period.

14 (2) In addition, if voters approve a ballot proposition authorizing
15 additional levies by a simple majority vote, a port district located in
16 a county bordering on the Pacific Ocean having adopted a comprehensive
17 scheme of harbor improvements and industrial developments may impose
18 these levies for a third (~~six-year~~) levy period that may not exceed
19 six years. (~~Said~~) The levies (~~shall~~) must be used exclusively for
20 the exercise of the powers granted to port districts under chapter
21 53.25 RCW except as provided in RCW 53.36.110.

22 (3) The levy of such taxes under this section is herein authorized
23 notwithstanding the provisions of RCW 84.52.050 and 84.52.043. The
24 revenues derived from levies made under RCW 53.36.100 and 53.36.110 not
25 expended in the year in which the levies are made may be paid into a
26 fund for future use in carrying out the powers granted under chapter
27 53.25 RCW, which fund may be accumulated and carried over from year to
28 year, with the right to continue to levy the taxes provided for in RCW
29 53.36.100 and 53.36.110 for the purposes herein authorized.

30 ~~((+2))~~ (4) If a port district intends to levy a tax under this
31 section for one or more years after the first (~~six years these levies~~
32 were imposed) levy period, the port commission (~~shall~~) must publish
33 notice of this intention, in one or more newspapers of general
34 circulation within the district, by (~~June~~) April 1 of the year in
35 which the first levy (~~of the seventh through twelfth year~~) in the
36 second levy period is to be made. If within ninety days of the date of
37 publication a petition is filed with the county auditor containing the
38 signatures of eight percent of the number of voters registered and

1 voting in the port district for the office of the governor at the last
2 preceding gubernatorial election, the county auditor (~~shall~~) must
3 canvass the signatures in the same manner as prescribed in RCW
4 (~~29.79.200~~) 29A.72.230 and certify their sufficiency to the port
5 commission within two weeks. The proposition to make these levies in
6 the (~~seventh through twelfth year~~) second levy period (~~shall~~) must
7 be submitted to the voters of the port district at a special election,
8 called for this purpose, no later than the date on which a primary
9 election would be held under RCW (~~29.13.070~~) 29A.04.310. The levies
10 may be made in the (~~seventh through twelfth year~~) second levy period
11 only if approved by a majority of the voters of the port district
12 voting on the proposition.

13 NEW SECTION. Sec. 2. A new section is added to chapter 84.55 RCW
14 to read as follows:

15 RCW 84.55.010 does not apply to a levy under RCW 53.36.100 levied
16 for collection on or after January 1, 2012.

17 NEW SECTION. Sec. 3. Section 1 of this act does not apply to a
18 port district levying a tax under RCW 53.36.100 as of the effective
19 date of this act. However, such port district may impose a levy in
20 accordance with section 1 of this act for a second levy period.

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