

Chapter 53.36 RCW
FINANCES

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*Accounting system and state examination: RCW 43.09.200 through
43.09.280.*

*Disposition of rentals from aquatic lands managed by a port district:
RCW 79.105.420.*

Tax district relief: Chapter 39.64 RCW.

Vouchers on public funds: Chapter 42.24 RCW.

RCW 53.36.010 District treasurer. The treasurer of the county in which a port district is located shall be treasurer of the district unless the commission of a port district which has for the last three consecutive years received annual gross operating revenues of one hundred thousand dollars or more, excluding tax revenues and grants for capital purposes, designates by resolution some other person having experience in financial or fiscal matters as treasurer of the port district to act with the same powers and under the same restrictions as provided by law for a county treasurer acting on behalf of a port district: PROVIDED, That any port district which was authorized by the county treasurer to appoint its own treasurer prior to July 24, 1983, may continue to appoint its own treasurer. The

commission may, and if the treasurer is not the county treasurer it shall, require a bond, with a surety company authorized to do business in the state of Washington, in an amount and under the terms and conditions which the commission by resolution from time to time finds will protect the district against loss. The premium on such bonds shall be paid by the district. All district funds shall be paid to the treasurer and shall be disbursed by him or her upon warrants signed by a port auditor appointed by the port commission, upon vouchers approved by the commission. [2010 c 8 s 16011; 1983 c 250 s 1; 1974 ex.s. c 13 s 1; 1955 c 348 s 5. Prior: 1921 c 179 s 1, part; 1911 c 92 s 5, part; RRS s 9693, part.]

Severability—1955 c 348: See note following RCW 53.08.120.

RCW 53.36.015 Payment of claims—Use of warrants and checks. A port district that acts as its own treasurer as provided in RCW 53.36.010 may by resolution adopt a policy for the payment of claims or other obligations of the port district, which are payable out of solvent funds, electing either to pay obligations by warrant or by check. However, no check shall be issued when the applicable fund is not solvent at the time payment is ordered, but a warrant shall be issued instead. When checks are to be used, the port commission shall designate the qualified public depository where checks are to be drawn, and the officers authorized or required to sign checks. Wherever in this title reference is made to warrants, the term includes checks where authorized by this section. [2002 c 95 s 1.]

RCW 53.36.020 Tax levy—Limitation. A district may raise revenue by levy of an annual tax not to exceed forty-five cents per thousand dollars of assessed value against 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 forty-five cents per thousand dollars of assessed value 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. [1973 1st ex.s. c 195 s 56; 1955 c 65 s 11. Prior: 1951 c 133 s 1; 1943 c 166 s 2, part; 1921 c 183 s 1, part; 1917 c 125 s 1, part; 1913 c 62 s 4, part; 1911 c 92 s 4, part; Rem. Supp. 1943 s 9692, part.]

Severability—Effective dates and termination dates—Construction—1973 1st ex.s. c 195: See notes following RCW 84.52.043.

Budgets: Chapter 53.35 RCW.

Levy of taxes: Chapter 84.52 RCW.

Limitation on levies: State Constitution Art. 7 s 2 (Amendments 55 and 59); RCW 84.52.050 through 84.52.056.

School district levy: Chapter 28A.545 RCW.

RCW 53.36.030 Indebtedness—Limitation. (1)(a) Except as provided in (b) of this subsection, a port district may at any time contract indebtedness or borrow money for district purposes and may issue general obligation bonds therefor not exceeding an amount, together with any existing indebtedness of the district not authorized by the voters, of one-fourth of one percent of the value of the taxable property in the district.

(b) Port districts having less than eight hundred million dollars in value of taxable property during 1991 may at any time contract indebtedness or borrow money for port district purposes and may issue general obligation bonds therefor not exceeding an amount, combined with existing indebtedness of the district not authorized by the voters, of three-eighths of one percent of the value of the taxable property in the district. Prior to contracting for any indebtedness authorized by this subsection (1)(b), the port district must have a comprehensive plan for harbor improvements or industrial development and a long-term financial plan approved by the department of commerce. The department of commerce is immune from any liability for its part in reviewing or approving port district's improvement or development plans, or financial plans. Any indebtedness authorized by this subsection (1)(b) may be used only to acquire or construct a facility, and, prior to contracting for such indebtedness, the port district must have a lease contract for a minimum of five years for the facility to be acquired or constructed by the debt.

(2) With the assent of three-fifths of the voters voting thereon at a general or special port election called for that purpose, a port district may contract indebtedness or borrow money for district purposes and may issue general obligation bonds therefor provided the total indebtedness of the district at any such time shall not exceed three-fourths of one percent of the value of the taxable property in the district.

(3) In addition to the indebtedness authorized under subsections (1) and (2) of this section, port districts having less than two hundred million dollars in value of taxable property and operating a municipal airport may at any time contract indebtedness or borrow money for airport capital improvement purposes and may issue general obligation bonds therefor not exceeding an additional one-eighth of one percent of the value of the taxable property in the district without authorization by the voters; and, with the assent of three-fifths of the voters voting thereon at a general or special port election called for that purpose, may contract indebtedness or borrow money for airport capital improvement purposes and may issue general obligation bonds therefor for an additional three-eighths of one percent provided the total indebtedness of the district for all port purposes at any such time shall not exceed one and one-fourth percent of the value of the taxable property in the district.

(4) Any port district may issue general district bonds evidencing any indebtedness, payable at any time not exceeding fifty years from the date of the bonds. Any contract for indebtedness or borrowed money authorized by RCW 53.36.030(1)(b) [subsection (1)(b) of this section] shall not exceed twenty-five years. The bonds shall be issued and sold in accordance with chapter 39.46 RCW.

(5) Elections required under this section shall be held as provided in RCW 39.36.050.

(6) For the purpose of this section, "indebtedness of the district" shall not include any debt of a countywide district with a

population less than twenty-five hundred people when the debt is secured by a mortgage on property leased to the federal government; and the term "value of the taxable property" shall have the meaning set forth in RCW 39.36.015.

(7) This section does not apply to a loan made under a loan agreement under chapter 39.69 RCW, and a computation of indebtedness under this chapter must exclude the amount of a loan under such a loan agreement. [2023 c 470 s 2094; 1996 c 66 s 1; 1995 c 102 s 1; 1991 c 314 s 29; 1990 c 254 s 1; 1984 c 186 s 41; 1970 ex.s. c 42 s 32; 1965 ex.s. c 54 s 1; 1959 c 52 s 1; 1955 c 65 s 12. Prior: 1943 c 166 s 2, part; 1921 c 183 s 1, part; 1917 c 125 s 1, part; 1911 c 92 s 4, part; Rem. Supp. 1943 s 9692, part.]

Explanatory statement—2023 c 470: See note following RCW 10.99.030.

Findings—1991 c 314: See note following RCW 43.160.020.

Purpose—1984 c 186: See note following RCW 39.46.110.

Severability—Effective date—1970 ex.s. c 42: See notes following RCW 39.36.015.

General provisions applicable to district bonds: Chapter 39.44 RCW.

Limitation upon indebtedness: State Constitution Art. 8 s 6 (Amendment 27); chapter 39.36 RCW.

Port district indebtedness authorized, emergency public works: RCW 39.28.030.

Validation requirement: RCW 39.40.010.

RCW 53.36.040 Funds in anticipation of revenues—Warrants. (1) Any port commission is hereby authorized, prior to the receipt of taxes raised by levy, to borrow money or issue the warrants of the district in anticipation of the revenues to be derived by such district and such warrants shall be redeemed from the first money available from such taxes when collected. Such warrants may be in any form, including bearer warrants or registered warrants as provided in RCW 39.46.030.

(2) Notwithstanding subsection (1) of this section, such warrants may be issued and sold in accordance with chapter 39.46 RCW. [1983 c 167 s 136; 1921 c 179 s 2; 1911 c 92 s 12; RRS s 9699.]

Liberal construction—Severability—1983 c 167: See RCW 39.46.010 and note following.

RCW 53.36.050 County treasurer—General and special funds—Depositories—Investment of excess funds. The county treasurer acting as port treasurer shall create a fund to be known as the "Port of Fund," into which shall be paid all money received by him or her from the collection of taxes in behalf of such port district, and shall also maintain such other special funds as may be

created by the port commission into which shall be placed such moneys as the port commission may by its resolution direct. All such port funds shall be deposited with the county depositories under the same restrictions, contracts, and security as is provided by statute for county depositories and all interest collected on such port funds shall belong to such port district and shall be deposited to its credit in the proper port funds: PROVIDED, That any portion of such port moneys determined by the port commission to be in excess of the current needs of the port district may be invested by the county treasurer in accordance with RCW 36.29.020, 36.29.022, and chapter 39.59 RCW, and all interest collected thereon shall likewise belong to such port district and shall be deposited to its credit in the proper port funds. [2010 c 8 s 16012; 1997 c 393 s 10; 1959 c 52 s 2; 1921 c 179 s 3; 1911 c 92 s 13; RRS s 9700.]

County depositories: Chapter 36.48 RCW.

RCW 53.36.060 Incidental expense fund. The port commission of any port district may, by resolution, create an incidental expense fund in such amount as the port commission may direct. Such incidental expense fund may be kept and maintained in a bank or banks designated in the resolution creating the fund, and such depository shall be required to give bonds or securities to the port district for the protection of such incidental expense fund, in the full amount of the fund authorized by the said resolution. Vouchers shall be drawn to reimburse said incidental expense fund and such vouchers shall be approved by the port commission. Transient labor, freight, express, cartage, postage, petty supplies, and minor expenses of the port district may be paid from said incidental expense fund and all such disbursements therefrom shall be by check of the port auditor or such other officer as the port commission shall by resolution direct. All expenditures from said incidental expense fund shall be covered by vouchers drawn by the port auditor and approved by the manager or such other officer of the port district as the port commission may by resolution direct. The officer disbursing said fund shall be required to give bond to the port district in the full authorized amount of the said incidental expense fund for the faithful performance of his or her duties in connection with the disbursement of moneys from such fund. [2010 c 8 s 16013; 1933 c 189 s 16; RRS s 9699-1.]

RCW 53.36.070 Levy for dredging, canal construction, or land leveling or filling purposes. Any port district organized under the laws of this state shall, in addition to the powers otherwise provided by law, have the power to raise revenue by the levy and collection of an annual tax on all taxable property within such port district of not to exceed forty-five cents per thousand dollars of assessed value against the assessed valuation of the taxable property in such port district, for dredging, canal construction, or land leveling or filling purposes, the proceeds of any such levy to be used exclusively for such dredging, canal construction, or land leveling and filling purposes: PROVIDED, That no such levy for dredging, canal construction, or land leveling or filling purposes under the provisions of RCW 53.36.070 and 53.36.080 shall be made unless and until the question of authorizing the making of such additional levy shall have been submitted to a vote of the electors of the district in

the manner provided by law for the submission of the question of making additional levies in school districts of the first class at an election held under the provisions of RCW 29A.04.330 and shall have been authorized by a majority of the electors voting thereon. [2015 c 53 s 83; 1983 c 3 s 162; 1973 1st ex.s. c 195 s 57; 1965 ex.s. c 22 s 1; 1925 c 29 s 1; RRS s 9692-1.]

Severability—Effective dates and termination dates—Construction
—1973 1st ex.s. c 195: See notes following RCW 84.52.043.

RCW 53.36.080 Collection of levies for dredging, canal construction, or land leveling or filling purposes. Whenever such additional levy for dredging, canal construction, or land leveling or filling purposes shall have been authorized by the electors of the district at an election, held subsequent to the time of making the levy for the district for general purposes, in any year, such levy shall be certified by the port commission in the manner provided by law for certifying levies for general purposes of the district, and shall be forthwith spread and extended upon the tax rolls for the current year, and the taxes so levied and extended shall be collected in the manner provided by law for the collection of general taxes. [1965 ex.s. c 22 s 2; 1925 c 29 s 2; RRS s 9692-2.]

Collection of taxes, generally: Chapter 84.56 RCW.

RCW 53.36.100 Levy for industrial development district purposes
—**Notice—Petition—Election.** (*Effective until January 1, 2026.*) (1) A port district having adopted a comprehensive scheme of harbor improvements and industrial developments may thereafter raise revenue, for six years only, and a second six years if the procedures are followed under subsection (2) of this section, in addition to all other revenues now authorized by law, by an annual levy not to exceed forty-five cents per thousand dollars of assessed value against the assessed valuation of the taxable property in such port district. In addition, if voters approve a ballot proposition authorizing additional levies by a simple majority vote, a port district located in a county bordering on the Pacific Ocean having adopted a comprehensive scheme of harbor improvements and industrial developments may impose these levies for a third six-year period. Said levies shall be used exclusively for the exercise of the powers granted to port districts under chapter 53.25 RCW except as provided in *RCW 53.36.110. The levy of such taxes is herein authorized notwithstanding the provisions of RCW 84.52.050 and 84.52.043. The revenues derived from levies made under *RCW 53.36.100 and 53.36.110 not expended in the year in which the levies are made may be paid into a fund for future use in carrying out the powers granted under chapter 53.25 RCW, which fund may be accumulated and carried over from year to year, with the right to continue to levy the taxes provided for in *RCW 53.36.100 and 53.36.110 for the purposes herein authorized.

(2) If a port district intends to levy a tax under this section for one or more years after the first six years these levies were imposed, the port commission shall publish notice of this intention, in one or more newspapers of general circulation within the district, by June 1 of the year in which the first levy of the seventh through

twelfth year period is to be made. If within ninety days of the date of publication a petition is filed with the county auditor containing the signatures of eight percent of the number of voters registered and voting in the port district for the office of the governor at the last preceding gubernatorial election, the county auditor shall canvass the signatures in the same manner as prescribed in RCW 29A.72.230 and certify their sufficiency to the port commission within two weeks. The proposition to make these levies in the seventh through twelfth year period shall be submitted to the voters of the port district at a special election, called for this purpose, no later than the date on which a primary election would be held under RCW 29A.04.311. The levies may be made in the seventh through twelfth year period only if approved by a majority of the voters of the port district voting on the proposition. [2015 c 53 s 84; 1994 c 278 s 1; 1982 1st ex.s. c 3 s 1; 1979 c 76 s 1; 1973 1st ex.s. c 195 s 58; 1957 c 265 s 1.]

***Reviser's note:** RCW 53.36.100 and 53.36.110 were repealed by 2015 c 135 s 5, effective January 1, 2026.

Effective date—1982 1st ex.s. c 3: "This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect April 1, 1982." [1982 1st ex.s. c 3 s 3.]

Severability—Effective dates and termination dates—Construction—1973 1st ex.s. c 195: See notes following RCW 84.52.043.

Levy by port district under RCW 53.36.100—Application of chapter 84.55
RCW: RCW 84.55.045.

RCW 53.36.110 Levy for industrial development district purposes—Excess funds to be used solely for retirement of general obligations. (Effective until January 1, 2026.) In the event the levy herein authorized shall produce revenue in excess of the requirements to complete the projects of a port district then provided for in its comprehensive scheme of harbor improvements and industrial developments or amendments thereto, said excess shall be used solely for the retirement of general obligation bonded indebtedness. [1957 c 265 s 2.]

RCW 53.36.120 Expenditures for industrial development, trade promotion, or promotional hosting—Budgeting required. Under the authority of Article VIII, section 8, of the state Constitution, port district expenditures for industrial development, trade promotion or promotional hosting shall be pursuant to specific budget items as approved by the port commission at the annual public hearings on the port district budget. [1967 c 136 s 1.]

RCW 53.36.130 Expenditures for industrial development, trade promotion, or promotional hosting—Source and amount of funds. Funds for promotional hosting expenditures shall be expended only from gross operating revenues and shall not exceed one percent thereof upon the

first two million five hundred thousand dollars of such gross operating revenues, one-half of one percent upon the next two million five hundred thousand dollars of such gross operating revenues, and one-fourth of one percent on the excess over five million dollars of such operating revenues: PROVIDED, HOWEVER, That in no case shall these limitations restrict a port district to less than twenty-five hundred dollars per year from any funds available to the port. [1967 c 136 s 2.]

RCW 53.36.140 Expenditures for industrial development, trade promotion, or promotional hosting—Rules and regulations—Authorizations—Vouchers. Port commissions shall adopt, in writing, rules and regulations governing promotional hosting expenditures by port employees or agents. Such rules shall identify officials and agents authorized to make such expenditures and the approved objectives of such spending. Port commissioners shall not personally make such expenditures, or seek reimbursement therefor, except where specific authorization of such expenditures has been approved by the port commission. All payments and reimbursements shall be identified and supported on vouchers approved by the port auditor. [1967 c 136 s 3.]

RCW 53.36.150 Expenditures for industrial development, trade promotion, or promotional hosting—Duties of state auditor. The state auditor shall, as provided in chapter 43.09 RCW:

(1) Audit expenditures made pursuant to RCW 53.36.120 through 53.36.150; and

(2) Promulgate appropriate rules and definitions as a part of the uniform system of accounts for port districts to carry out the intent of RCW 53.36.120 through 53.36.150: PROVIDED, That such accounts shall continue to include "gross operating revenues" which shall be exclusive of revenues derived from any property tax levy except as provided in RCW 53.36.130. [1967 c 136 s 4.]

RCW 53.36.160 Multiyear levy periods—Requirements. (1) (a) A port district having adopted a comprehensive scheme of harbor improvements and industrial developments may thereafter raise revenue through:

(i) A first multiyear levy period, if it meets the requirements of this subsection (1);

(ii) A second multiyear levy period, if it meets the requirements of this subsection (1) and subsection (2) of this section; and

(iii) A third multiyear levy period, if it meets the requirements of subsection (3) of this section.

(b) First and second multiyear levy periods do not have to be consecutive.

(c) First and second multiyear levy periods may not overlap.

(d) The aggregate revenue that may be collected over a first or second multiyear levy period may not exceed the sum of: (i) Two dollars and seventy cents per thousand dollars of assessed value multiplied by the assessed valuation of the taxable property in the port district for taxes collected in the base year; and (ii) the difference of:

(A) The maximum allowable amount that could have been collected under RCW 84.55.010 for the first six collection years of the levy period; and

(B) The amount calculated under (d)(i) of this subsection (1).

(e) The levy rate in any year may not exceed forty-five cents per thousand dollars of assessed value.

(f) A levy period may not exceed twenty years from the date the initial levy is made in the period.

(g) A port district must adopt a resolution during the base year approving the use of a first or second multiyear levy period.

(2) If a port district intends to impose levies over a second multiyear levy period, the port commission must publish notice of this intention, in one or more newspapers of general circulation within the district, by April 1st of the year in which the first levy in the second multiyear levy period is to be made. If within ninety days of the date of publication a petition is filed with the county auditor containing the signatures of eight percent of the number of voters registered and voting in the port district for the office of the governor at the last preceding gubernatorial election, the county auditor must canvass the signatures in the same manner as prescribed in RCW 29A.72.230 and certify their sufficiency to the port commission within two weeks. The proposition to impose levies over a second multiyear levy period must be submitted to the voters of the port district at a special election, called for this purpose, no later than the date on which a primary election would be held under RCW 29A.04.311. The levies may be made in the second multiyear levy period only if approved by a majority of the voters of the port district voting on the proposition.

(3) In addition, if voters approve a ballot proposition authorizing additional levies by a simple majority vote, a port district located in a county bordering on the Pacific Ocean having adopted a comprehensive scheme of harbor improvements and industrial developments may impose a third levy for a period that may not exceed six years. The levy rate in any year may not exceed forty-five cents per thousand dollars of assessed value. Except for the initial levy in the third levy period, RCW 84.55.010 applies to the tax authorized in this subsection.

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

(5) In the event a levy authorized in this section produces revenue in excess of the requirements to complete the projects of a port district then provided for in its comprehensive scheme of harbor improvements and industrial developments or amendments thereto, the excess must be used solely for the retirement of general obligation bonded indebtedness.

(6) (a) Except as otherwise provided in this subsection, a port district that has levied the tax authorized under *RCW 53.36.100 may not levy a tax authorized under this section.

(b) A port district that levied the tax authorized under *RCW 53.36.100 for taxes collected in 2015 as part of the initial six-year period may levy the tax authorized under this section for a second and

third multiyear levy period in accordance with this section after the initial six-year levy period under *RCW 53.36.100.

(c) A port district that levied the tax authorized under *RCW 53.36.100 for taxes collected in 2015 as part of the second six-year period may levy the tax authorized under this section for a third multiyear levy period in accordance with this section after the second six-year levy period under *RCW 53.36.100.

(d) A port district that did not levy the tax authorized under *RCW 53.36.100 for taxes collected in 2015 but has previously levied a tax under *RCW 53.36.100 for only the initial six-year period may impose levies in accordance with this section for a second and third multiyear levy period.

(e) A port district that did not levy the tax authorized under *RCW 53.36.100 for taxes collected in 2015 but has previously levied a tax under *RCW 53.36.100 for the initial and second six-year periods may impose levies in accordance with this section for a third multiyear levy period.

(7) For the purposes of this section, "base year" means the year prior to the first collection year in a first or second multiyear levy period. [2015 c 135 s 1.]

***Reviser's note:** RCW 53.36.100 was repealed by 2015 c 135 s 5, effective January 1, 2026.

Applicability—2015 c 135 s 1: "Section 1 of this act applies to taxes levied for collection in 2016 and thereafter." [2015 c 135 s 6.]