

**PORT OF CHELAN COUNTY RESOLUTION NO. 2023-01
PORT OF DOUGLAS COUNTY RESOLUTION NO. 2023-02
RESOLUTION AUTHORIZING A UNIFIED PROPERTY TAX LEVY**

A RESOLUTION OF THE PORT OF CHELAN COUNTY AND PORT OF DOUGLAS COUNTY PROVIDING FOR THE SUBMISSION TO QUALIFIED ELECTORS IN CHELAN AND DOUGLAS COUNTIES AT THE GENERAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 7TH, 2023 OF A PROPOSITION AUTHORIZING TO LEVY AND COLLECT A UNIFIED PROPERTY TAX LEVY FOR THE TWO PORT DISTRICTS.

THE PORT COMMISSIONERS OF THE PORT OF CHELAN COUNTY AND PORT OF DOUGLAS COUNTY HEREBY RESOLVE AS FOLLOWS:

Section 1. Findings. During the 2023 Washington State Legislative Session, the legislature passed by a unanimous vote in the House and Senate Engrossed House Bill 1663 (EHB), hereby attached as Exhibit A. The Governor signed the bill on May 1, 2023. EHB 1663 authorizes a unified property tax levy rate between the Port of Chelan County and the Port of Douglas County provided that at least two-thirds majority of each port commission agree to conduct a joint levy by July 1 for collection in the following year and for subsequent years; and subject to approval by a majority of the total number of votes cast among the public residing within both port districts in a general election. A unified property tax levy rate would:

- help preserve equal representation on the Regional Port Board of Directors with three elected officials from each county;
- uniformly apply a tax levy rate to ensure all taxpayers in Chelan and Douglas counties have one equalized levy rate;
- provide levy rate equalization at a time when the levy rate differential between Ports is only 4.3 cents per thousand of assessed value; and
- allow for the efficient operation of the Regional Port as it works to enhance the economic vitality of Chelan and Douglas counties.

Section 2. Proposition. The Chelan County Auditor and the Douglas County Auditor are requested to call and conduct an election to be held within Chelan and Douglas Counties on Tuesday, November 7th, 2023, for the purpose of submitting to qualified electors for their ratification or rejection a unified property tax levy consistent with Washington State EHB 1663.

A port district can impose a regular annual property tax levy of up to 45 cents per \$1,000 of assessed value of the taxable property within the district for general port purposes. The Port of Chelan County's levy rate for tax year 2023 is .175 cents per thousand of assessed value. The Port of Douglas County's levy rate for tax year 2023 is .137 cents per thousand of assessed value. If approved by voters, the existing levy rates would be unified into one tax levy starting with the 2024 tax year levy.

The Executive Director of the Port of Chelan County and Port of Douglas County is authorized and directed to certify the following proposition to the County Auditors and request that it be placed on the election ballot in substantially the following form:

PROPOSITION NO. 1
PORT OF CHELAN COUNTY AND PORT OF DOUGLAS COUNTY
UNIFIED TAX LEVY

The Ports of Chelan and Douglas County propose to unify the tax levy rate into a single tax levy encompassing both districts. The levy rate for tax year 2023 in the Port of Chelan County is .175 cents/\$1,000 of assessed value. The levy rate for tax year 2023 in the Port of Douglas County is .137cents/\$1,000 of assessed value. Using the 2023 tax year levy rates, a unified tax levy would be approximately .162 cents/\$1,000 of assessed value for both port districts. Should this proposition be:

APPROVED

REJECTED

Section 3. Severability. If any section, sentence, clause or phrase of this Resolution should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Resolution.

Section 4. Effective Date. This Resolution shall take effect and be in full force immediately upon passage by the Port Commissioners of the Port of Chelan County and Port of Douglas County.

ADOPTED by the Port of Chelan and Port of Douglas Commissioners at a properly convened meeting thereof held on the 27th day of June 2023 and in compliance with EHB1663 confirming at least two-thirds majority agreeing to conduct a joint levy.

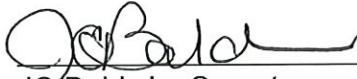
Port of Chelan County



Donn Etherington, President



Richard DeRock, Vice President



JC Baldwin, Secretary

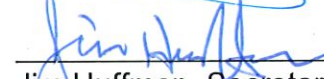
Port of Douglas County



W. Alan Loebsock, President



Mark Spurgeon, Vice President



Jim Huffman, Secretary

CERTIFICATION OF ENROLLMENT

ENGROSSED HOUSE BILL 1663

Chapter 215, Laws of 2023

68th Legislature
2023 Regular Session

FUNCTIONALLY CONSOLIDATED PORT DISTRICTS—UNIFIED LEVY

EFFECTIVE DATE: July 23, 2023

Passed by the House April 14, 2023
Yeas 96 Nays 0

LAURIE JINKINS

**Speaker of the House of
Representatives**

Passed by the Senate April 11, 2023
Yeas 49 Nays 0

DENNY HECK

President of the Senate

Approved May 1, 2023 3:14 PM

JAY INSLEE

Governor of the State of Washington

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED HOUSE BILL 1663** as passed by the House of Representatives and the Senate on the dates hereon set forth.

BERNARD DEAN

Chief Clerk

FILED

May 2, 2023

**Secretary of State
State of Washington**

ENGROSSED HOUSE BILL 1663

AS AMENDED BY THE SENATE

Passed Legislature - 2023 Regular Session

State of Washington **68th Legislature** **2023 Regular Session**

By Representatives Goehner and Steele

Read first time 01/30/23. Referred to Committee on Local Government.

1 AN ACT Relating to allowing port districts that have been
2 functionally consolidated to adopt a unified levy; and adding a new
3 section to chapter 53.08 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 53.08
6 RCW to read as follows:

7 (1) Two or more port districts, operating under a mutual
8 agreement pursuant to RCW 53.08.240, may levy and collect jointly the
9 property tax assessments authorized under RCW 53.36.020 under the
10 following conditions:

11 (a) The port districts are adjacent, and the boundaries of the
12 port districts are coextensive with county boundaries;

13 (b) The commissioners of each port district have, no later than
14 July 1st, and by at least a two-thirds margin, voted to conduct a
15 joint property tax levy for collection in the following year and for
16 subsequent years, until such time as the commissioners of each port
17 district have voted to discontinue the joint property tax levy;

18 (c) The joint property tax levy has been approved by a majority
19 of voters at general elections called under RCW 29A.04.330 by the
20 port district commissioners of the port districts that propose to
21 conduct the joint property tax levy. The general elections within

1 each port district must be held on the same day. If the certified
2 election results show that a majority of the total votes cast among
3 all the port districts participating in the general elections approve
4 the joint property tax levy, then the joint levy shall be deemed
5 approved. Once voters have approved the conduct of a joint property
6 tax levy, the conduct of a joint levy in subsequent consecutive years
7 does not require voter approval; and

8 (d) The joint property tax rate imposed is the same in each
9 participating port district.

10 (2) The respective port districts are encouraged and authorized
11 to share information with residents of each county, including mailed
12 items to households, related to the ballot measure.

13 (3) (a) Two or more port districts that are jointly levying and
14 collecting property taxes as provided for under subsection (1) of
15 this section are considered a "taxing district" under RCW 84.04.120.

16 (b) The commissioners of the port districts that are jointly
17 levying and collecting property taxes under subsection (1) of this
18 section are considered the governing body of the districts for the
19 purposes of RCW 84.55.120.

20 (4) (a) Port districts that are jointly levying and collecting
21 property taxes as provided for in subsection (1) of this section may
22 not independently conduct a property tax levy under RCW 53.36.020,
23 except as provided in (b) of this subsection.

24 (b) Port districts conducting a joint levy may independently
25 approve a property tax levy under RCW 53.36.020 to the extent needed
26 to provide for payment of principal and interest on general bonded
27 indebtedness.

28 (5) (a) Notwithstanding RCW 84.55.035, when conducting a joint
29 property tax levy, the first joint levy amount must be set as
30 provided for in RCW 84.55.020 as if the port districts had
31 consolidated. Subsequent joint levies are subject to the limitations
32 in RCW 84.55.010.

33 (b) Any increase in the property tax revenue by the jointly
34 taxing port districts may only be authorized pursuant to RCW
35 84.55.120, except that any such increase must be approved by at least
36 two-thirds of the commissioners of each of the port districts.

37 (c) Port districts that are jointly levying and collecting
38 property taxes may conduct a levy in an amount exceeding the
39 limitations provided for in chapter 84.55 RCW as provided for in RCW
40 84.55.050, except that such a levy may only be conducted if approved

1 by a majority of voters in each port district participating in the
2 joint property tax levy.

3 (6) The separate obligations of each of the port districts
4 conducting a joint property tax levy shall not be affected by the
5 conduct of the joint levy, and shall remain the responsibility of the
6 individual port district subject to the obligation. Taxes and
7 assessments for payment of such obligations shall continue to be
8 levied and collected as provided for in subsection (4)(b) of this
9 section in each port district notwithstanding the joint property tax
10 levy. While any such obligations remain outstanding, funds subject to
11 such obligations shall be kept separate.

12 (7)(a) In the event that two or more port districts operating
13 under a mutual agreement pursuant to RCW 53.08.240 cease to operate
14 under the agreement, the joint debts and assets of the port districts
15 must be divided as provided for in the agreement. If no provision for
16 such division was made, the debts and assets must be divided amongst
17 the port districts in the same proportion as the property tax
18 assessments were divided amongst the districts.

19 (b) The first property tax levy conducted by a port district
20 after it ceases to conduct a joint property tax levy with another
21 port district must be set so that the levy does not exceed the port
22 district's proportional share of the last levy jointly conducted with
23 one or more other port districts plus additional increases allowed
24 under RCW 84.55.010.

Passed by the House April 14, 2023.
Passed by the Senate April 11, 2023.
Approved by the Governor May 1, 2023.
Filed in Office of Secretary of State May 2, 2023.

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