

---

HOUSE BILL 1943

---

State of Washington                      55th Legislature                      1997 Regular Session

By Representatives Reams, Scott, D. Schmidt, Kessler and Schoesler

Read first time 02/14/97.      Referred to Committee on Government Administration.

1            AN ACT Relating to special district commissioner per diem  
2 compensation; and amending RCW 35.61.150, 52.14.010, 53.12.260, and  
3 57.12.010.

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

5            **Sec. 1.** RCW 35.61.150 and 1965 c 7 s 35.61.150 are each amended to  
6 read as follows:

7            Metropolitan park commissioners shall perform their duties  
8 ((without compensation)) and may provide, by resolution passed by the  
9 commissioners, for the payment of compensation to each of its  
10 commissioners at a rate of sixty-six dollars for each day or portion of  
11 a day devoted to the business of the district. However, the  
12 compensation for each commissioner must not exceed six thousand three  
13 hundred fifty dollars per year.

14            **Sec. 2.** RCW 52.14.010 and 1994 c 223 s 48 are each amended to read  
15 as follows:

16            The affairs of the district shall be managed by a board of fire  
17 commissioners composed of three registered voters residing in the  
18 district except as provided in RCW 52.14.015 and 52.14.020. Each

1 member shall each receive fifty dollars per day or portion thereof, not  
2 to exceed four thousand eight hundred dollars per year, for attendance  
3 at board meetings and for performance of other services in behalf of  
4 the district. Except the commissioners, by resolution, may increase  
5 the payment of per diem compensation to each of its commissioners from  
6 fifty dollars up to sixty-six dollars per day or portion of a day, not  
7 to exceed six thousand three hundred fifty dollars per year, for  
8 attendance at board meetings and for performance of other services in  
9 behalf of the district.

10 In addition, they shall receive necessary expenses incurred in  
11 attending meetings of the board or when otherwise engaged in district  
12 business, and shall be entitled to receive the same insurance available  
13 to all fire fighters of the district: PROVIDED, That the premiums for  
14 such insurance, except liability insurance, shall be paid by the  
15 individual commissioners who elect to receive it.

16 Any commissioner may waive all or any portion of his or her  
17 compensation payable under this section as to any month or months  
18 during his or her term of office, by a written waiver filed with the  
19 secretary as provided in this section. The waiver, to be effective,  
20 must be filed any time after the commissioner's election and prior to  
21 the date on which the compensation would otherwise be paid. The waiver  
22 shall specify the month or period of months for which it is made.

23 The board shall fix the compensation to be paid the secretary and  
24 all other agents and employees of the district. The board may, by  
25 resolution adopted by unanimous vote, authorize any of its members to  
26 serve as volunteer fire fighters without compensation. A commissioner  
27 actually serving as a volunteer fire fighter may enjoy the rights and  
28 benefits of a volunteer fire fighter.

29 **Sec. 3.** RCW 53.12.260 and 1992 c 146 s 12 are each amended to read  
30 as follows:

31 (1) Each commissioner of a port district shall receive fifty  
32 dollars per day or portion thereof spent (a) in actual attendance at  
33 official meetings of the port district commission, or (b) in  
34 performance of other service in behalf of the district. The total per  
35 diem compensation of a port commissioner shall not exceed four thousand  
36 eight hundred dollars in a year, or six thousand dollars in any year  
37 for a port district with gross operating income of twenty-five million  
38 or more in the preceding calendar year. Except the commissioners, by

1 resolution, may increase the payment of per diem compensation to each  
2 of its commissioners from fifty dollars up to sixty-six dollars per day  
3 or portion of a day spent (i) in actual attendance of official meetings  
4 of the port district commission, or (ii) in performance of other  
5 service in behalf of the district. However, the total per diem  
6 compensation of a port commissioner may not exceed six thousand three  
7 hundred fifty dollars in a year or eight thousand dollars in any year  
8 for a port district with gross operating income of twenty-five million  
9 dollars or more in the preceding calendar year.

10 (2) Port commissioners shall receive additional compensation as  
11 follows: (a) Each commissioner of a port district with gross operating  
12 revenues of twenty-five million dollars or more in the preceding  
13 calendar year shall receive a salary of five hundred dollars per month;  
14 and (b) each commissioner of a port district with gross operating  
15 revenues of from one million dollars to less than twenty-five million  
16 dollars in the preceding calendar year shall receive a salary of two  
17 hundred dollars per month.

18 (3) In lieu of the compensation specified in this section, a port  
19 commission may set compensation to be paid to commissioners.

20 (4) For any commissioner who has not elected to become a member of  
21 public employees retirement system before May 1, 1975, the compensation  
22 provided pursuant to this section shall not be considered salary for  
23 purposes of the provisions of any retirement system created pursuant to  
24 the general laws of this state nor shall attendance at such meetings or  
25 other service on behalf of the district constitute service as defined  
26 in RCW 41.40.010(9): PROVIDED, That in the case of a port district  
27 when commissioners are receiving compensation and contributing to the  
28 public employees retirement system, these benefits shall continue in  
29 full force and effect notwithstanding the provisions of RCW 53.12.260  
30 and 53.12.265.

31 **Sec. 4.** RCW 57.12.010 and 1996 c 230 s 401 are each amended to  
32 read as follows:

33 The governing body of a district shall be a board of commissioners  
34 consisting of three members, or five members as provided in RCW  
35 57.12.015, or more, as provided in the event of merger or  
36 consolidation. The board shall annually elect one of its members as  
37 president and another as secretary.

1 The board shall by resolution adopt rules governing the transaction  
2 of its business and shall adopt an official seal. All proceedings  
3 shall be by resolution recorded in a book kept for that purpose which  
4 shall be a public record.

5 A district shall provide by resolution for the payment of  
6 compensation to each of its commissioners at a rate of fifty dollars  
7 for each day or portion thereof devoted to the business of the  
8 district. However the compensation for each commissioner shall not  
9 exceed four thousand eight hundred dollars per year. Except the  
10 commissioners, by resolution, may increase the payment of per diem  
11 compensation to each of its commissioners from fifty dollars up to  
12 sixty-six dollars for each day or portion of a day devoted to the  
13 business of the district. However, the compensation for each  
14 commissioner may not exceed six thousand three hundred fifty dollars  
15 per year. In addition, the secretary may be paid a reasonable sum for  
16 clerical services.

17 Any commissioner may waive all or any portion of his or her  
18 compensation payable under this section as to any month or months  
19 during the commissioner's term of office, by a written waiver filed  
20 with the district at any time after the commissioner's election and  
21 prior to the date on which the compensation would otherwise be paid.  
22 The waiver shall specify the month or period of months for which it is  
23 made.

24 No commissioner shall be employed full time by the district. A  
25 commissioner shall be reimbursed for reasonable expenses actually  
26 incurred in connection with district business, including subsistence  
27 and lodging while away from the commissioner's place of residence and  
28 mileage for use of a privately-owned vehicle at the mileage rate  
29 authorized in RCW 43.03.060.

--- END ---