
ENGROSSED SUBSTITUTE SENATE BILL 5050

State of Washington

53rd Legislature

1993 Regular Session

By Senate Committee on Government Operations (originally sponsored by Senator Haugen)

Read first time 02/15/93.

1 AN ACT Relating to local government; amending RCW 14.08.304,
2 17.10.050, 17.28.140, 27.12.190, 28A.315.540, 28A.320.050, 35.17.108,
3 35.18.220, 35.22.200, 35.22.205, 35.23.220, 35.24.090, 35.27.130,
4 35.58.160, 35.61.150, 35.82.040, 35A.12.070, 35A.13.040, 36.62.200,
5 36.69.110, 36.70.310, 41.04.180, 43.52.374, 52.14.010, 53.08.170,
6 53.08.175, 53.08.176, 53.12.260, 54.12.080, 56.08.100, 56.12.010,
7 57.08.100, 57.12.010, 68.52.220, 70.44.050, 70.94.130, 70.94.240,
8 85.05.410, 85.06.380, 85.08.320, 85.24.080, 86.09.283, 87.03.160,
9 87.03.460, 89.08.200, and 89.30.298; reenacting and amending RCW
10 28A.400.350; adding a new section to chapter 17.04 RCW; adding a new
11 section to chapter 17.06 RCW; adding new sections to chapter 35.21 RCW;
12 adding a new section to chapter 35A.21 RCW; adding a new section to
13 chapter 35.63 RCW; adding a new section to chapter 36.17 RCW; and
14 adding new sections to chapter 36.100 RCW.

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

16 **Sec. 1.** RCW 14.08.304 and 1979 ex.s. c 126 s 3 are each amended to
17 read as follows:

18 The board of airport district commissioners shall consist of three
19 members, who (~~shall each be a~~) are registered voters and (~~actually~~

1 a)) residents of the district. The first commissioners shall be
2 appointed by the county legislative authority. At the next general
3 district election, held as provided in RCW 29.13.020, three airport
4 district commissioners shall be elected. The term of office of airport
5 district commissioners shall be two years, or until their successors
6 are elected and qualified and have assumed office in accordance with
7 RCW 29.04.170. Members of the board of airport district commissioners
8 shall be elected at each regular general election on a nonpartisan
9 basis. (~~They shall be nominated by petition of ten registered voters~~
10 ~~of the district.~~) Vacancies on the board of airport district
11 commissioners shall be filled by appointment by the remaining
12 commissioners. Members of the board of airport district commissioners
13 shall receive no compensation for their services, but (~~shall be~~
14 ~~reimbursed for actual necessary traveling and sustenance expenses~~
15 ~~incurred while engaged on official business~~) are entitled to
16 reimbursement for reasonable expenses actually incurred in connection
17 with official business, including subsistence and lodging while away
18 from each member's place of residence, and mileage for use of a
19 privately owned vehicle, in accordance with chapter 42.24 RCW.

20 NEW SECTION. Sec. 2. A new section is added to chapter 17.04 RCW
21 to read as follows:

22 The directors of a weed district shall receive no compensation for
23 their services, except that a director who is appointed to act as
24 secretary may be compensated in accordance with RCW 17.04.070. The
25 directors are entitled to reimbursement for reasonable expenses
26 actually incurred in connection with official business, including
27 subsistence and lodging while away from each director's place of
28 residence, and mileage for use of a privately owned vehicle, in
29 accordance with chapter 42.24 RCW.

30 NEW SECTION. Sec. 3. A new section is added to chapter 17.06 RCW
31 to read as follows:

32 The directors of an intercounty weed district shall receive no
33 compensation for their services, except that a director who is
34 appointed to act as secretary may be compensated in accordance with RCW
35 17.06.050. The directors are entitled to reimbursement for reasonable
36 expenses actually incurred in connection with official business,
37 including subsistence and lodging while away from each director's place

1 of residence, and mileage for use of a privately owned vehicle, in
2 accordance with chapter 42.24 RCW.

3 **Sec. 4.** RCW 17.10.050 and 1987 c 438 s 4 are each amended to read
4 as follows:

5 (1) Each activated county noxious weed control board shall consist
6 of five voting members (~~((who shall be))~~) appointed by the county
7 legislative authority. In appointing such voting members, the county
8 legislative authority shall divide the county into five sections, none
9 of which shall overlap and each of which shall be of the same
10 approximate area, and shall appoint a voting member from each section.
11 At least four of the voting members shall be engaged in the primary
12 production of agricultural products. There shall be one nonvoting
13 member on such board who shall be the chief county extension agent or
14 an extension agent appointed by the chief county extension agent. Each
15 voting member of the board shall serve a term of four years, except
16 that the county legislative authority shall, when a board is first
17 activated under this chapter, designate two voting members to serve
18 terms of two years. The board members shall not receive a salary but
19 (~~((shall be compensated for actual and necessary expenses incurred in
20 the performance of their official duties))~~) are entitled to
21 reimbursement for reasonable expenses actually incurred in connection
22 with official business, including subsistence and lodging while away
23 from each member's place of residence, and mileage for use of a
24 privately owned vehicle, in accordance with chapter 42.24 RCW.

25 (2) The voting members of the board shall represent the same
26 sections designated by the county legislative authority in appointing
27 members to the board at its inception and shall serve until their
28 replacements are appointed. New members of the board shall be
29 appointed at least thirty days prior to the expiration of any board
30 member's term of office.

31 Notice of expiration of a term of office shall be published at
32 least twice in a weekly or daily newspaper of general circulation in
33 (~~((said))~~) the section with last publication occurring at least ten days
34 prior to the nomination. All persons interested in appointment to the
35 board and residing in the section with a pending nomination shall make
36 a written application (~~((that includes the signatures of at least ten
37 registered voters residing in the section supporting the nomination))~~)
38 to the county noxious weed control board. After nominations close, the

1 county noxious weed control board shall, after a hearing, send the
2 applications to the county legislative authority recommending the names
3 of the most qualified candidates, and shall post the names of those
4 nominees in the county courthouse and in three places in the section.
5 The county legislative authority, within ten days of receiving the list
6 of nominees, shall appoint one of those nominees to the county noxious
7 weed control board to represent that section during that term of
8 office.

9 (3) Within thirty days after all the members have been appointed,
10 the board shall conduct its first meeting. A majority of the voting
11 members of the board shall constitute a quorum for the transaction of
12 business and shall be necessary for any action taken by the board. The
13 board shall elect from its members a chairperson and such other
14 officers as may be necessary.

15 (4) In case of a vacancy occurring in any voting position on a
16 county noxious weed control board, the county legislative authority of
17 the county in which such board is located shall appoint a qualified
18 person to fill the vacancy for the unexpired term.

19 **Sec. 5.** RCW 17.28.140 and 1957 c 153 s 14 are each amended to read
20 as follows:

21 The members of the first district board shall meet on the first
22 Monday subsequent to thirty days after the filing with the secretary of
23 state of the certificate of incorporation of the district. They shall
24 organize by the election of one of their members as president and one
25 as secretary.

26 The members of the district board shall serve without compensation;
27 but the ~~((necessary expenses of each member for actual traveling in
28 connection with meetings or business of the board may be allowed and
29 paid))~~ members are entitled to reimbursement for reasonable expenses
30 actually incurred in connection with official business, including
31 subsistence and lodging while away from each member's place of
32 residence, and mileage for use of a privately owned vehicle, in
33 accordance with chapter 42.24 RCW.

34 The secretary shall receive such compensation as shall be fixed by
35 the district board.

36 **Sec. 6.** RCW 27.12.190 and 1982 c 123 s 8 are each amended to read
37 as follows:

1 The management and control of a library shall be vested in a board
2 of either five or seven trustees as hereinafter in this section
3 provided. In cities and towns five trustees shall be appointed by the
4 mayor with the consent of the legislative body. In counties, rural
5 county library districts, and island library districts, five trustees
6 shall be appointed by the board of county commissioners. In a regional
7 library district a board of either five or seven trustees shall be
8 appointed by the joint action of the legislative bodies concerned. In
9 intercounty rural library districts a board of either five or seven
10 trustees shall be appointed by the joint action of the boards of county
11 commissioners of each of the counties included in a district. The
12 first appointments for boards comprised of but five trustees shall be
13 for terms of one, two, three, four, and five years respectively, and
14 thereafter a trustee shall be appointed annually to serve for five
15 years. The first appointments for boards comprised of seven trustees
16 shall be for terms of one, two, three, four, five, six, and seven years
17 respectively, and thereafter a trustee shall be appointed annually to
18 serve for seven years. No person shall be appointed to any board of
19 trustees for more than two consecutive terms. Vacancies shall be
20 filled for unexpired terms as soon as possible in the manner in which
21 members of the board are regularly chosen.

22 A library trustee shall not receive a salary or other compensation
23 for services as trustee, but ~~((necessary expenses actually incurred
24 shall be paid from the library funds))~~ trustees are entitled to
25 reimbursement for reasonable expenses actually incurred in connection
26 with official business, including subsistence and lodging while away
27 from each trustee's place of residence, and mileage for use of a
28 privately owned vehicle, in accordance with chapter 42.24 RCW.

29 A library trustee in the case of a city or town may be removed only
30 by vote of the legislative body. A trustee of a county library, a
31 rural county library district library, or an island library district
32 library may be removed for just cause by the county commissioners after
33 a public hearing upon a written complaint stating the ground for
34 removal, which complaint, with a notice of the time and place of
35 hearing, shall have been served upon the trustee at least fifteen days
36 before the hearing. A trustee of an intercounty rural library district
37 may be removed by the joint action of the board of county commissioners
38 of the counties involved in the same manner as provided herein for the
39 removal of a trustee of a county library.

1 **Sec. 7.** RCW 28A.315.540 and 1987 c 307 s 2 are each amended to
2 read as follows:

3 Each member of the board of directors of a school district may
4 receive compensation of (~~(fifty)~~) sixty-six dollars per day or portion
5 thereof for attending board meetings and for performing other services
6 on behalf of the school district, not to exceed (~~(four)~~) six thousand
7 (~~(eight)~~) three hundred fifty dollars per year, if the district board
8 of directors has authorized by board resolution, at a regularly
9 scheduled meeting, the provision of such compensation. A board of
10 directors of a school district may authorize such compensation only
11 from locally collected excess levy funds available for that purpose,
12 and compensation for board members shall not cause the state to incur
13 any present or future funding obligation.

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

21 The compensation provided in this section shall be in addition to
22 any reimbursement for expenses paid to such directors by the school
23 district.

24 **Sec. 8.** RCW 28A.320.050 and 1977 c 73 s 1 are each amended to read
25 as follows:

26 (~~(The actual expenses of)~~) School directors (~~(in going to,~~
27 ~~returning from and attending upon directors' meetings or other meetings~~
28 ~~called or held pursuant to statute shall be paid)~~) are entitled to
29 reimbursement for reasonable expenses actually incurred in connection
30 with official business, including subsistence and lodging while away
31 from each director's place of residence, and mileage for use of a
32 privately owned vehicle, in accordance with chapter 42.24 RCW.
33 Likewise, the expenses of school superintendents and other school
34 representatives chosen by the directors to attend any conferences or
35 meetings or to attend to any urgent business at the behest of the state
36 superintendent of public instruction or the board of directors shall be
37 paid(~~(. The board of directors may pay the actual and necessary~~
38 ~~expenses for travel, lodging and meals a superintendent candidate~~

1 incurs when he or she attends an employment interview in the school
2 district. The school directors, school superintendents, other school
3 representatives or superintendent candidates may be advanced sufficient
4 sums to cover their anticipated expenses in accordance with rules and
5 regulations promulgated by the state auditor and which shall
6 substantially conform to the procedures provided in RCW 43.03.150
7 through 43.03.210)) in accordance with chapter 42.24 RCW.

8 **Sec. 9.** RCW 28A.400.350 and 1990 1st ex.s. c 11 s 3 and 1990 c 74
9 s 1 are each reenacted and amended to read as follows:

10 (1) The board of directors of any of the state's school districts
11 may make available liability, life, health, health care, accident,
12 disability and salary protection or insurance or any one of, or a
13 combination of the enumerated types of insurance, or any other type of
14 insurance or protection, for the members of the boards of directors,
15 the students, and employees of the school district, and their
16 dependents. Such coverage may be provided by contracts with private
17 carriers, with the state health care authority after July 1, 1990,
18 pursuant to the approval of the authority administrator, or through
19 self-insurance or self-funding pursuant to chapter 48.62 RCW, or in any
20 other manner authorized by law.

21 (2) Whenever funds are available for these purposes the board of
22 directors of the school district may contribute all or a part of the
23 cost of such protection or insurance for the employees of their
24 respective school districts and their dependents. The premiums on such
25 liability insurance shall be borne by the school district.

26 After October 1, 1990, school districts may not contribute to any
27 employee protection or insurance other than liability insurance unless
28 the district's employee benefit plan conforms to RCW 28A.400.275 and
29 28A.400.280.

30 (3) For ((school board members and)) students, the premiums due on
31 such protection or insurance shall be ((borne)) paid by the assenting
32 ((school board member or)) student: PROVIDED, That the school district
33 may contribute all or part of the costs, including the premiums, of
34 life, health, health care, accident or disability insurance which shall
35 be offered to all students participating in interschool activities on
36 the behalf of or as representative of their school or school district.
37 The school district board of directors may require any student
38 participating in extracurricular interschool activities to, as a

1 condition of participation, document evidence of insurance or purchase
2 insurance that will provide adequate coverage, as determined by the
3 school district board of directors, for medical expenses incurred as a
4 result of injury sustained while participating in the extracurricular
5 activity. In establishing such a requirement, the district shall adopt
6 regulations for waiving or reducing the premiums of such coverage as
7 may be offered through the school district to students participating in
8 extracurricular activities, for those students whose families, by
9 reason of their low income, would have difficulty paying the entire
10 amount of such insurance premiums. The district board shall adopt
11 regulations for waiving or reducing the insurance coverage requirements
12 for low-income students in order to assure such students are not
13 prohibited from participating in extracurricular interschool
14 activities.

15 (4) School board members shall pay the premiums due on such
16 protection or insurance, except the school district shall pay the
17 premiums for liability insurance. The amount and type of insurance
18 made available to board members may not exceed the insurance made
19 available to the school district employees except for liability
20 insurance.

21 (5) All contracts for insurance or protection written to take
22 advantage of the provisions of this section shall provide that the
23 beneficiaries of such contracts may utilize on an equal participation
24 basis the services of those practitioners licensed pursuant to chapters
25 18.22, 18.25, 18.53, 18.57, and 18.71 RCW.

26 NEW SECTION. Sec. 10. A new section is added to chapter 35.21 RCW
27 to read as follows:

28 Until a salary ordinance can be passed and become effective as to
29 elective officers of a newly incorporated city or town, the first
30 councilmembers shall be entitled to compensation as follows:

31 (1) In cities with a population of twenty thousand or more
32 inhabitants, a councilmember shall receive a salary of four hundred
33 dollars per calendar month;

34 (2) In cities with a population of at least ten thousand but less
35 than twenty thousand inhabitants, a councilmember shall receive a
36 salary of one hundred fifty dollars per calendar month;

1 (3) In cities with a population of at least one thousand five
2 hundred but less than ten thousand inhabitants, a councilmember shall
3 receive a salary of seventy-five dollars per calendar month;

4 (4) In cities with a population of less than one thousand five
5 hundred inhabitants, a councilmember shall receive twenty dollars per
6 meeting for not more than two meetings per month; and

7 (5) The mayor, in addition to the compensation he or she receives
8 as a councilmember, is entitled to receive an additional amount per
9 calendar month equal to twenty-five percent of the councilmember's
10 salary.

11 Compensation provided under this section shall remain in effect
12 only until a salary ordinance is passed and becomes effective as to the
13 elective officers. The compensation provided in this section shall not
14 be construed as fixing the usual compensation of such officers.

15 NEW SECTION. **Sec. 11.** A new section is added to chapter 35.21 RCW
16 to read as follows:

17 The mayor and members of the city or town council are entitled to
18 reimbursement for reasonable expenses actually incurred in connection
19 with official business, including subsistence and lodging while away
20 from the councilmember's place of residence, and mileage for use of a
21 privately owned vehicle, in accordance with chapter 42.24 RCW.

22 NEW SECTION. **Sec. 12.** A new section is added to chapter 35.21 RCW
23 to read as follows:

24 Any member of a city or town council may waive all or any portion
25 of his or her compensation that is payable to the councilmember as to
26 any month or months during his or her term of office, by filing a
27 written waiver with the council. The waiver, to be effective, must be
28 filed at any time after the member's selection and prior to the date on
29 which the compensation would otherwise be paid. The waiver shall
30 specify the month or period of months for which it is made.

31 NEW SECTION. **Sec. 13.** A new section is added to chapter 35A.21
32 RCW to read as follows:

33 Any member of a city council may waive all or any portion of his or
34 her compensation that is payable to the councilmember as to any month
35 or months during his or her term of office, by filing a written waiver
36 with the council. The waiver, to be effective, must be filed at any

1 time after the member's selection and prior to the date on which the
2 compensation would otherwise be paid. The waiver shall specify the
3 month or period of months for which it is made.

4 **Sec. 14.** RCW 35.17.108 and 1967 c 100 s 1 are each amended to read
5 as follows:

6 The annual salaries or compensation of the mayor and the
7 commissioners of any city operating under a commission form of
8 government shall be as fixed by ~~((charter or))~~ ordinance of ~~((said))~~
9 the city. Until a salary ordinance can be passed and become effective
10 in a newly incorporated city, the first councilmembers shall be
11 compensated in accordance with section 10 of this act. Councilmembers
12 are entitled to reimbursement for reasonable expenses actually incurred
13 in connection with official business, including subsistence and lodging
14 while away from each councilmember's place of residence, and mileage
15 for use of a privately owned vehicle, in accordance with chapter 42.24
16 RCW. The power and authority conferred by this section shall be
17 construed as in addition and supplemental to powers or authority
18 conferred by any other law, and nothing contained herein shall be
19 construed as limiting any other powers or authority of any such city.

20 **Sec. 15.** RCW 35.18.220 and 1965 c 7 s 35.18.220 are each amended
21 to read as follows:

22 Each member of the council shall receive such salary or
23 compensation as may be provided by ~~((law to cities of the class to~~
24 ~~which it belongs))~~ city ordinance. Until a salary ordinance can be
25 passed and become effective in a newly incorporated city, the first
26 councilmembers shall be compensated in accordance with section 10 of
27 this act. Councilmembers are entitled to reimbursement for reasonable
28 expenses actually incurred in connection with official business,
29 including subsistence and lodging while away from each councilmember's
30 place of residence, and mileage for use of a privately owned vehicle,
31 in accordance with chapter 42.24 RCW. The city manager and other
32 officers or assistants shall receive such salary or compensation as the
33 council shall fix by ordinance and shall be payable at such times as
34 the council may determine.

35 **Sec. 16.** RCW 35.22.200 and 1965 ex.s. c 47 s 13 are each amended
36 to read as follows:

1 The legislative powers of a charter city shall be vested in a mayor
2 and a city council, to consist of such number of members and to have
3 such powers as may be provided for in its charter. The charter may
4 provide for direct legislation by the people through the initiative and
5 referendum upon any matter within the scope of the powers, functions,
6 or duties of the city. The mayor and council and such other elective
7 officers as may be provided for in such charter shall be elected at
8 such times and in such manner as provided in Title 29 RCW, and for such
9 terms and shall perform such duties (~~and receive such compensation~~)
10 as may be prescribed in the charter.

11 **Sec. 17.** RCW 35.22.205 and 1965 c 7 s 35.22.205 are each amended
12 to read as follows:

13 The salary or compensation and the time to be devoted to the
14 performance of the duties of the mayor and elected officials of all
15 cities of the first class shall be as fixed by ordinance of ((said))
16 the city irrespective of any city charter provisions. Until a salary
17 ordinance can be passed and become effective in a newly incorporated
18 city, the first councilmembers shall be compensated in accordance with
19 section 10 of this act. Councilmembers are entitled to reimbursement
20 for reasonable expenses actually incurred in connection with official
21 business, including subsistence and lodging while away from each
22 councilmember's place of residence, and mileage for use of a privately
23 owned vehicle, in accordance with chapter 42.24 RCW.

24 **Sec. 18.** RCW 35.23.220 and 1969 ex.s. c 270 s 7 are each amended
25 to read as follows:

26 The city council shall fix the salary or compensation of all
27 (~~officials (except library trustees who shall serve without~~
28 ~~compensation and any other officer)) officers by ordinance except where
29 provision is made by this title that such officer shall serve without
30 compensation((+)). Until a salary ordinance can be passed and become
31 effective in a newly incorporated city, the first councilmembers shall
32 be compensated in accordance with section 10 of this act.
33 Councilmembers are entitled to reimbursement for reasonable expenses
34 actually incurred in connection with official business, including
35 subsistence and lodging while away from each councilmember's place of
36 residence, and mileage for use of a privately owned vehicle, in
37 accordance with chapter 42.24 RCW.~~

1 No officer shall be allowed any extra or additional compensation,
2 either directly or indirectly, for the rendition of services that the
3 city council have authority to require of him or her by virtue of his
4 or her office.

5 Library trustees shall serve without compensation, but library
6 trustees are entitled to reimbursement for reasonable expenses actually
7 incurred in connection with official business, including subsistence
8 and lodging while away from each trustee's place of residence, and
9 mileage for use of a privately owned vehicle, in accordance with
10 chapter 42.24 RCW.

11 The salaries of all city officers shall be paid monthly.

12 **Sec. 19.** RCW 35.24.090 and 1990 c 212 s 1 are each amended to read
13 as follows:

14 The mayor and the members of the city council may be reimbursed for
15 actual expenses incurred in the discharge of their official duties,
16 (~~upon presentation of a claim therefor, after allowance and approval~~
17 ~~thereof, by resolution of the city council; and each city councilmember~~
18 ~~may be paid for attending council meetings an amount which shall be~~
19 ~~fixed by ordinance and may be revised from time to time by ordinance,~~
20 ~~but any increase or reduction in the compensation attaching to an~~
21 ~~office shall not be applicable to the term then being served by the~~
22 ~~incumbent)) including subsistence and lodging while away from the
23 councilmember's place of residence, and mileage for use of a privately
24 owned vehicle, in accordance with chapter 42.24 RCW.~~

25 The city attorney, clerk and treasurer, if elective, shall
26 severally receive at stated times a compensation to be fixed by
27 ordinance by the city council.

28 The mayor and other officers shall receive such salary or
29 compensation as may be fixed by the city council ((at the time the
30 estimates are made as provided)) by ((law)) ordinance. Until a salary
31 ordinance can be passed and become effective in a newly incorporated
32 city, the first councilmembers shall be compensated in accordance with
33 section 10 of this act.

34 Any city that provides a pension for any of its employees under a
35 plan not administered by the state must notify the state auditor of the
36 existence of the plan at the time of an audit of the city by the
37 auditor. No city may establish a pension plan for its employees that
38 is not administered by the state, except that any defined contribution

1 plan in existence as of January 1, 1990, is deemed to have been
2 authorized. No city that provides a defined contribution plan for its
3 employees as authorized by this section may make any material changes
4 in the terms or conditions of the plan after June 7, 1990.

5 **Sec. 20.** RCW 35.27.130 and 1990 c 212 s 2 are each amended to read
6 as follows:

7 The mayor and members of the town council may be reimbursed for
8 actual expenses incurred in the discharge of their official duties
9 (~~upon presentation of a claim therefor and its allowance and approval~~
10 ~~by resolution of the town council~~), including subsistence and lodging
11 while away from the councilmember's place of residence, and mileage for
12 use of a privately owned vehicle, in accordance with chapter 42.24 RCW.
13 The mayor and members of the council may also receive such salary or
14 compensation as the council may fix by ordinance. Until a salary
15 ordinance can be passed and become effective in a newly incorporated
16 city, the first councilmembers shall be compensated in accordance with
17 section 10 of this act.

18 The treasurer and treasurer-clerk shall severally receive at stated
19 times a compensation to be fixed by ordinance.

20 The compensation of all other officers shall be fixed from time to
21 time by the council.

22 Any town that provides a pension for any of its employees under a
23 plan not administered by the state must notify the state auditor of the
24 existence of the plan at the time of an audit of the town by the
25 auditor. No town may establish a pension plan for its employees that
26 is not administered by the state, except that any defined contribution
27 plan in existence as of January 1, 1990, is deemed to have been
28 authorized. No town that provides a defined contribution plan for its
29 employees as authorized by this section may make any material changes
30 in the terms or conditions of the plan after June 7, 1990.

31 **Sec. 21.** RCW 35.58.160 and 1985 c 330 s 1 are each amended to read
32 as follows:

33 The chairman and committee chairmen of the metropolitan council
34 except elected public officials serving on a full-time salaried basis
35 may receive such compensation as the other members of the metropolitan
36 council shall provide. Members of the council other than the chairman
37 and committee chairmen shall receive compensation of (~~fifty~~) sixty-

1 six dollars per day or portion thereof for attendance at metropolitan
2 council or committee meetings, or for performing other services on
3 behalf of the metropolitan municipal corporation, but not exceeding a
4 total of ~~((four))~~ six thousand ~~((eight))~~ three hundred fifty dollars in
5 any year, in addition to any compensation which they may receive as
6 officers of component cities or counties: PROVIDED, That elected
7 public officers serving in such capacities on a full-time basis shall
8 not receive compensation for attendance at metropolitan, council, or
9 committee meetings, or otherwise performing services on behalf of the
10 metropolitan municipal corporation: PROVIDED FURTHER, That committee
11 chairmen shall not receive compensation in any one year greater than
12 one-third of the compensation authorized for the county commissioners
13 or county councilmen of the central county.

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

21 ~~((All members of the council shall be reimbursed for expenses
22 actually incurred by them in the conduct of official business for the
23 metropolitan municipal corporation.))~~ Councilmembers are entitled to
24 reimbursement for reasonable expenses actually incurred in connection
25 with official business, including subsistence and lodging while away
26 from each councilmember's place of residence, and mileage for use of a
27 privately owned vehicle, in accordance with chapter 42.24 RCW.

28 **Sec. 22.** RCW 35.61.150 and 1965 c 7 s 35.61.150 are each amended
29 to read as follows:

30 Metropolitan park commissioners shall perform their duties without
31 compensation. Park commissioners are entitled to reimbursement for
32 reasonable expenses actually incurred in connection with official
33 business, including subsistence and lodging while away from each
34 commissioner's place of residence, and mileage for use of a privately
35 owned vehicle, in accordance with chapter 42.24 RCW.

36 NEW SECTION. **Sec. 23.** A new section is added to chapter 35.63 RCW
37 to read as follows:

1 Members of a city or county planning commission created under this
2 chapter, or of a regional planning commission created under this
3 chapter, are entitled to reimbursement for reasonable expenses actually
4 incurred in connection with official business, including subsistence
5 and lodging while away from each member's place of residence, and
6 mileage for use of a privately owned vehicle, in accordance with
7 chapter 42.24 RCW.

8 **Sec. 24.** RCW 35.82.040 and 1965 c 7 s 35.82.040 are each amended
9 to read as follows:

10 When the governing body of a city adopts a resolution as
11 ~~((aforesaid))~~ provided in RCW 35.82.030, it shall promptly notify the
12 mayor of such adoption. Upon receiving such notice, the mayor shall
13 appoint five persons as commissioners of the authority created for
14 ~~((said))~~ the city. When the governing body of a county adopts a
15 resolution as ~~((aforesaid, said))~~ provided in RCW 35.82.030, the body
16 shall appoint five persons as commissioners of the authority created
17 for ~~((said))~~ the county. The commissioners who are first appointed
18 shall be designated to serve for terms of one, two, three, four and
19 five years, respectively, from the date of their appointment, but
20 thereafter commissioners shall be appointed ~~((as aforesaid))~~ for a term
21 of office of five years except that all vacancies shall be filled for
22 the unexpired term. No commissioner of an authority may be an officer
23 or employee of the city or county for which the authority is created.
24 A commissioner shall hold office until his or her successor has been
25 appointed and has qualified, unless sooner removed according to this
26 chapter. A certificate of the appointment or reappointment of any
27 commissioner shall be filed with the clerk and such certificate shall
28 be conclusive evidence of the due and proper appointment of such
29 commissioner. A commissioner shall receive no compensation for his or
30 her services for the authority, in any capacity, but ~~((he shall be~~
31 ~~entitled to the necessary expenses, including traveling expenses,~~
32 ~~incurred in the discharge of his duties))~~ commissioners are entitled to
33 reimbursement for reasonable expenses actually incurred in connection
34 with official business, including subsistence and lodging while away
35 from each commissioner's place of residence, and mileage for use of a
36 privately owned vehicle, in accordance with chapter 42.24 RCW.

37 The powers of each authority shall be vested in the commissioners
38 thereof in office from time to time. Three commissioners shall

1 constitute a quorum of the authority for the purpose of conducting its
2 business and exercising its powers and for all other purposes. Action
3 may be taken by the authority upon a vote of a majority of the
4 commissioners present, unless in any case the bylaws of the authority
5 shall require a larger number. The mayor (or in the case of an
6 authority for a county, the governing body of the county) shall
7 designate which of the commissioners appointed shall be the first
8 chairman and he or she shall serve in the capacity of chairman until
9 the expiration of his or her term of office as commissioner. When the
10 office of the chairman of the authority thereafter becomes vacant, the
11 authority shall select a chairman from among its commissioners. An
12 authority shall select from among its commissioners a vice chairman,
13 and it may employ a secretary (who shall be executive director),
14 technical experts and such other officers, agents and employees,
15 permanent and temporary, as it may require, and shall determine their
16 qualifications, duties and compensation. For such legal services as it
17 may require, an authority may call upon the chief law officer of the
18 city or the county or may employ its own counsel and legal staff. An
19 authority may delegate to one or more of its agents or employees such
20 powers or duties as it may deem proper.

21 **Sec. 25.** RCW 35A.12.070 and 1971 ex.s. c 251 s 5 are each amended
22 to read as follows:

23 The salaries of the mayor and the councilmen shall be fixed by
24 ordinance and may be revised from time to time by ordinance, but any
25 increase in the compensation attaching to an office shall not be
26 applicable to the term then being served by the incumbent if such
27 incumbent is a member of the city legislative body fixing his or her
28 own compensation or as mayor in a mayor-council code city casts a tie-
29 breaking vote relating to such ordinance: PROVIDED, That if the mayor
30 of such a city does not cast such a vote, his or her salary may be
31 increased during his or her term of office.

32 Until the first elective officers under this mayor-council plan of
33 government may lawfully be paid the compensation provided by such
34 salary ordinance, such officers shall be entitled to be compensated in
35 the same manner and in the same amount as the compensation paid to
36 officers of such city performing comparable services immediately prior
37 to adoption of this mayor-council plan.

1 Until a salary ordinance can be passed and become effective as to
2 elective officers of a newly incorporated code city, such first
3 officers (~~((shall be))~~) are entitled to compensation as follows: In
4 cities having less than five thousand inhabitants, the mayor (~~((shall~~
5 ~~be))~~) is entitled to a salary of one hundred and fifty dollars per
6 calendar month and a councilman (~~((shall be))~~) is entitled to twenty
7 dollars per meeting for not more than two meetings per month; in cities
8 having more than five thousand but less than fifteen thousand
9 inhabitants, the mayor (~~((shall be))~~) is entitled to a salary of three
10 hundred and fifty dollars per calendar month and a councilman (~~((shall~~
11 ~~be))~~) is entitled to one hundred and fifty dollars per calendar month;
12 in cities having more than fifteen thousand inhabitants, the mayor
13 (~~((shall be))~~) is entitled to a salary of twelve hundred and fifty
14 dollars per calendar month and a councilman (~~((shall be))~~) is entitled to
15 four hundred dollars per calendar month: PROVIDED, That such interim
16 compensation shall remain in effect only until a salary ordinance is
17 passed and becomes effective as to such officers, and the amounts
18 herein provided shall not be construed as fixing the usual salary of
19 such officers. The mayor and councilmen shall receive reimbursement
20 for their actual and necessary expenses incurred in the performance of
21 the duties of their office, (~~((or the council by ordinance may provide~~
22 ~~for a per diem allowance))~~) including subsistence and lodging while away
23 from the councilmember's place of residence, and mileage for use of a
24 privately owned vehicle, in accordance with chapter 42.24 RCW.
25 Procedure for approval of claims for expenses shall be as provided by
26 ordinance.

27 **Sec. 26.** RCW 35A.13.040 and 1979 ex.s. c 18 s 25 are each amended
28 to read as follows:

29 The salaries of the councilmen, including the mayor, shall be fixed
30 by ordinance and may be revised from time to time by ordinance, but any
31 increase or reduction in the compensation attaching to an office shall
32 not become effective until the expiration of the term then being served
33 by the incumbent: PROVIDED, That compensation of councilmen may not be
34 increased or diminished after their election nor may the compensation
35 of the mayor be increased or diminished after the mayor has been chosen
36 by the council.

37 Until councilmen of a newly(~~(-)~~)organized council-manager code city
38 may lawfully be paid as provided by salary ordinance, such councilmen

1 ((shall be)) are entitled to compensation in the same manner and in the
2 same amount as councilmen of such city prior to the adoption of this
3 council-manager plan.

4 Until a salary ordinance can be passed and become effective as to
5 elective officers of a newly incorporated code city, the first
6 councilmen ((shall be)) are entitled to compensation as follows: In
7 cities having less than five thousand inhabitants--twenty dollars per
8 meeting for not more than two meetings per month; in cities having more
9 than five thousand but less than fifteen thousand inhabitants--a salary
10 of one hundred and fifty dollars per calendar month; in cities having
11 more than fifteen thousand inhabitants--a salary of four hundred
12 dollars per calendar month. A councilman who is occupying the position
13 of mayor, in addition to his or her salary as a councilman, shall be
14 entitled, while serving as mayor, to an additional amount per calendar
15 month, or portion thereof, equal to twenty-five percent of the
16 councilmanic salary: PROVIDED, That such interim compensation shall
17 remain in effect only until a salary ordinance is passed and becomes
18 effective as to such officers, and the compensation provided herein
19 shall not be construed as fixing the usual compensation of such
20 officers. Councilmen shall receive reimbursement for their actual and
21 necessary expenses incurred in the performance of the duties of their
22 office, ((~~or the council by ordinance may provide for a per diem~~
23 ~~allowance~~)) including subsistence and lodging while away from the
24 councilmember's place of residence, and mileage for use of a privately
25 owned vehicle, in accordance with chapter 42.24 RCW. Procedure for
26 approval of claims for expenses shall be as provided by ordinance.

27 NEW SECTION. Sec. 27. A new section is added to chapter 36.17 RCW
28 to read as follows:

29 Any county officer may waive all or any portion of his or her
30 salary or compensation payable under this chapter, or otherwise, as to
31 any month or months during his or her term of office, by filing a
32 written waiver with the county as provided in this section. The
33 waiver, to be effective, must be filed any time after the county
34 officer's election and prior to the date on which the compensation
35 would otherwise be paid. The waiver shall specify the month or period
36 of months for which it is made.

1 **Sec. 28.** RCW 36.62.200 and 1984 c 26 s 17 are each amended to read
2 as follows:

3 No trustee shall receive any compensation (~~((or emolument whatever))~~)
4 for services as trustee; nor shall any trustee have or acquire any
5 personal interest in any lease or contract whatsoever, made by the
6 county or board of trustees with respect to such hospital or
7 institution(~~(: PROVIDED, That)~~). Each member of a board of trustees
8 of a county hospital may be reimbursed for (~~((travel expenses in~~
9 ~~accordance with RCW 43.03.050 and 43.03.060 as now existing or~~
10 ~~hereafter amended: PROVIDED FURTHER, That, in addition, trustees of a~~
11 ~~county hospital shall be reimbursed for travel expenses for traveling~~
12 ~~from their home to a trustee meeting at a rate provided for in RCW~~
13 ~~43.03.060 as now existing or hereafter amended))~~ reasonable expenses
14 actually incurred in connection with official business, including
15 subsistence and lodging while away from the trustee's place of
16 residence, and mileage for use of a privately owned vehicle, in
17 accordance with chapter 42.24 RCW.

18 **Sec. 29.** RCW 36.69.110 and 1963 c 4 s 36.69.110 are each amended
19 to read as follows:

20 The park and recreation commissioners shall receive no compensation
21 for their services but (~~((shall receive necessary expenses in attending~~
22 ~~meetings of the board or when otherwise engaged on district business))~~)
23 are entitled to reimbursement for reasonable expenses actually incurred
24 in connection with official business, including subsistence and lodging
25 while away from each commissioner's place of residence, and mileage for
26 use of a privately owned vehicle, in accordance with chapter 42.24 RCW.

27 **Sec. 30.** RCW 36.70.310 and 1963 c 4 s 36.70.310 are each amended
28 to read as follows:

29 Members of planning agencies shall inform themselves on matter
30 affecting the functions and duties of planning agencies. For that
31 purpose, and when authorized, such members may attend planning
32 conferences, meetings of planning executives or of technical bodies;
33 hearings on planning legislation or matters relating to the work of the
34 planning agency. The reasonable travel expenses, registration fees and
35 other costs incident to such attendance at such meetings and
36 conferences shall be charges upon the funds allocated to the planning
37 agency. In addition, members of a commission (~~((may also receive~~

1 ~~reasonable travel expenses to and from their usual place of business to~~
2 ~~the place of a regular meeting of the commission))~~ are entitled to
3 reimbursement for reasonable expenses actually incurred in connection
4 with official business, including subsistence and lodging while away
5 from each member's place of residence, and mileage for use of a
6 privately owned vehicle, in accordance with chapter 42.24 RCW. The
7 planning agency may, when authorized, pay dues for membership in
8 organizations specializing in the subject of planning. The planning
9 agency may, when authorized, subscribe to technical publications
10 pertaining to planning.

11 NEW SECTION. **Sec. 31.** A new section is added to chapter 36.100
12 RCW to read as follows:

13 The board of directors of the district shall adopt a resolution to
14 establish methods and amounts of reimbursement payable to such district
15 officials and employees for travel and other business expenses incurred
16 on behalf of the district. The resolution shall, among other things,
17 establish procedures for approving such expenses; the form of the
18 travel and expense voucher; and requirements governing the use of
19 credit cards issued in the name of the district. Such resolution may
20 also establish procedures for payment of per diem to board members.
21 The state auditor shall, as provided by general law, cooperate with the
22 district in establishing adequate procedures for regulating and
23 auditing the reimbursement of all such expenses.

24 NEW SECTION. **Sec. 32.** A new section is added to chapter 36.100
25 RCW to read as follows:

26 The board of directors may authorize payment of actual and
27 necessary expenses of officers and employees for lodging, meals, and
28 travel-related costs incurred when attending meetings or conferences on
29 behalf of the district and strictly in the public interest and for
30 public purposes. Officers and employees may be advanced sufficient
31 sums to cover their anticipated expenses in accordance with rules and
32 regulations promulgated by the state auditor and which shall
33 substantially conform to the procedures provided in RCW 43.03.150
34 through 43.03.210.

35 NEW SECTION. **Sec. 33.** A new section is added to chapter 36.100
36 RCW to read as follows:

1 Each member of the board of directors of the district may receive
2 compensation of sixty-six dollars per day for attending meetings or
3 conferences on behalf of the district, not to exceed three thousand
4 dollars per year, if the district board of directors has authorized by
5 board resolution, at a regularly scheduled meeting, the provision of
6 such compensation. Any director may waive all or any portion of his or
7 her compensation under this section as to any month or months during
8 his or her term of office, by a written waiver filed with the district.
9 The compensation provided in this section shall be in addition to any
10 reimbursement for expenses paid to such directors by the district.

11 NEW SECTION. **Sec. 34.** A new section is added to chapter 36.100
12 RCW to read as follows:

13 The board of directors of the district may purchase liability
14 insurance with such limits as they may deem reasonable for the purpose
15 of protecting and holding personally harmless district officers and
16 employees against liability for personal or bodily injuries and
17 property damage arising from their acts or omissions while performing
18 or in good faith purporting to perform their official duties.

19 NEW SECTION. **Sec. 35.** A new section is added to chapter 36.100
20 RCW to read as follows:

21 Whenever any action, claim or proceeding is instituted against any
22 person who is or was an officer or employee of the district arising out
23 of the performance of duties for or employment with the district, the
24 district may grant a request by such person that the attorney of the
25 district's choosing be authorized to defend said claim, suit or
26 proceeding, and the costs of defense, attorney's fees, and any
27 obligation for payments arising from such action may be paid from the
28 district's funds: PROVIDED, That costs of defense and/or judgment or
29 settlement against such person shall not be paid in any case where the
30 court has found that such person was not acting in good faith or within
31 the scope of employment with or duties for the district.

32 NEW SECTION. **Sec. 36.** A new section is added to chapter 36.100
33 RCW to read as follows:

34 The district shall have authority to create and fill positions, to
35 fix wages, salaries and bonds therefor, to pay costs involved in
36 securing or arranging to secure employees, and to establish such

1 benefits for employees, including holiday pay, vacations or vacation
2 pay, retirement benefits, medical, life, accident, or health disability
3 insurance, as approved by the board. District board members, at their
4 own expense, shall be entitled to medical, life, accident or health
5 disability insurance: PROVIDED, That said insurance for employees and
6 board members shall not be considered compensation. District coverage
7 for the board is not to exceed that provided district employees.

8 **Sec. 37.** RCW 41.04.180 and 1991 sp.s. c 30 s 18 are each amended
9 to read as follows:

10 Any county, municipality, or other political subdivision of the
11 state acting through its principal supervising official or governing
12 body may, whenever funds shall be available for that purpose provide
13 for all or a part of hospitalization and medical aid for its employees
14 and their dependents through contracts with regularly constituted
15 insurance carriers or with health care service contractors as defined
16 in chapter 48.44 RCW or self-insurers as provided for in chapter 48.62
17 RCW, for group hospitalization and medical aid policies or plans:
18 PROVIDED, That any county, municipality, or other political subdivision
19 of the state acting through its principal supervising official or
20 governing body shall provide the employees thereof a choice of policies
21 or plans through contracts with not less than two regularly constituted
22 insurance carriers or health care service contractors or other health
23 care plans, including but not limited to, trusts of self-insurance as
24 provided for in chapter 48.62 RCW: AND PROVIDED FURTHER, That any
25 county may provide such hospitalization and medical aid to county
26 elected officials and their dependents on the same basis as such
27 hospitalization and medical aid is provided to other county employees
28 and their dependents(~~(:—PROVIDED FURTHER, That provision)~~). The
29 amount and type of insurance made available to county elected officials
30 may not exceed the insurance made available to county employees except
31 for liability insurance. The provision of insurance for school
32 district personnel shall not be made under this section but shall be as
33 provided for in RCW 28A.400.350.

34 **Sec. 38.** RCW 43.52.374 and 1983 1st ex.s. c 3 s 3 are each amended
35 to read as follows:

36 (1) With the exception of the powers and duties of the board of
37 directors described in RCW 43.52.370(2), the management and control of

1 an operating agency constructing, operating, terminating, or
2 decommissioning a nuclear power plant under a site certification
3 agreement under chapter 80.50 RCW is vested in an executive board
4 established under this subsection and consisting of eleven members.

5 (a) Five members of the executive board shall be elected to four-
6 year terms by the board of directors from among the members of the
7 board of directors. The board of directors may provide by rule for the
8 composition of the five members of the executive board elected from
9 among the members of the board of directors so as to reflect the member
10 public utility districts' and cities' participation in the joint
11 operating agency's projects. Members elected to the executive board
12 from the board of directors are ineligible for continued membership on
13 the executive board if they cease to be members of the board of
14 directors. The board of directors may also provide by rule for the
15 removal of a member of the executive board, except for the outside
16 directors. Members of the board of directors may be elected to serve
17 successive terms on the executive board. Members elected to the
18 executive board from the board of directors shall receive a salary of
19 one thousand eighty-five dollars per month from the operating agency
20 ~~((at a rate set by the board of directors))~~. Members of the executive
21 board are entitled to reimbursement for reasonable expenses actually
22 incurred in connection with official business, including subsistence
23 and lodging while away from each member's place of residence, and
24 mileage for use of a privately owned vehicle, in accordance with
25 chapter 42.24 RCW. Due to the additional responsibilities of the
26 chairperson of the executive board, the chairperson shall be entitled
27 to twice the salary and compensation available to other board members.

28 (b) Six members of the executive board shall be outside directors.
29 Three shall be selected and appointed by the board of directors, and
30 three shall be selected and appointed by the governor and confirmed by
31 the senate. All outside directors shall:

32 (i) Serve four-year terms on the executive board. However, of the
33 initial members of the executive board, the board of directors and the
34 governor shall each appoint one outside director to serve a two-year
35 term, one outside director to serve a three-year term, and one outside
36 director to serve a four-year term. Thereafter, all outside directors
37 shall be appointed for four-year terms. All outside directors are
38 eligible for reappointment;

1 (ii) Receive travel expenses on the same basis as the five members
2 elected from the board of directors. The outside directors shall also
3 receive a salary from the operating agency (~~as fixed by the governor~~)
4 of one thousand eighty-five dollars per month;

5 (iii) Not be an officer or employee of, or in any way affiliated
6 with, the Bonneville power administration or any electric utility
7 conducting business in the states of Washington, Oregon, Idaho, or
8 Montana;

9 (iv) Not be involved in the financial affairs of the operating
10 agency as an underwriter or financial adviser of the operating agency
11 or any of its members or any of the participants in any of the
12 operating agency's plants; and

13 (v) Be representative of policy makers in business, finance, or
14 science, or have expertise in the construction or management of such
15 facilities as the operating agency is constructing or operating, or
16 have expertise in the termination, disposition, or liquidation of
17 corporate assets.

18 (c) The governor may remove outside directors from the executive
19 board for incompetency, misconduct, or malfeasance in office in the
20 same manner as state appointive officers under chapter 43.06 RCW. For
21 purposes of this subsection, misconduct shall include, but not be
22 limited to, nonfeasance and misfeasance.

23 (2) In addition to salary, the board of directors of the operating
24 agency may provide by resolution for the payment of per diem
25 compensation to each member of the executive board at a rate of sixty-
26 six dollars for each day or major part thereof devoted to the business
27 of the operating agency and days upon which he or she attends meetings
28 on behalf of the operating agency, but such compensation paid during
29 any one year to a member of the executive board shall not exceed nine
30 thousand nine hundred dollars.

31 (3) Nothing in this chapter shall be construed to mean that an
32 operating agency is in any manner an agency of the state. Nothing in
33 this chapter alters or destroys the status of an operating agency as a
34 separate municipal corporation or makes the state liable in any way or
35 to any extent for any preexisting or future debt of the operating
36 agency or any present or future claim against the agency.

37 (~~(+3)~~) (4) The eleven members of the executive board shall be
38 selected with the objective of establishing an executive board which
39 has the resources to effectively carry out its responsibilities. All

1 members of the executive board shall conduct their business in a manner
2 which in their judgment is in the interest of all ratepayers affected
3 by the joint operating agency and its projects.

4 ~~((+4))~~ (5) The executive board shall elect from its members a
5 chairman, vice chairman, and secretary, who shall serve at the pleasure
6 of the executive board. The executive board shall adopt rules for the
7 conduct of its meetings and the carrying out of its business. All
8 proceedings shall be by motion or resolution and shall be recorded in
9 the minute book, which shall be a public record. A majority of the
10 executive board shall constitute a quorum for the transaction of
11 business.

12 ~~((+5))~~ (6) With respect to any operating agency existing on April
13 20, 1982, to which the provisions of this section are applicable:

14 (a) The board of directors shall elect five members to the
15 executive board no later than sixty days after April 20, 1982; and

16 (b) The board of directors and the governor shall select and
17 appoint the initial outside directors and the executive board shall
18 hold its organizational meeting no later than sixty days after April
19 20, 1982, and the powers and duties prescribed in this chapter shall
20 devolve upon the executive board at that time.

21 ~~((+6))~~ (7) The executive board shall select and employ a managing
22 director of the operating agency and may delegate to the managing
23 director such authority for the management and control of the operating
24 agency as the executive board deems appropriate. The managing
25 director's employment is terminable at the will of the executive board.

26 ~~((+7))~~ (8) Members of the executive board shall be immune from
27 civil liability for mistakes and errors of judgment in the good faith
28 performance of acts within the scope of their official duties involving
29 the exercise of judgment and discretion. This grant of immunity shall
30 not be construed as modifying the liability of the operating agency.

31 The operating agency shall undertake the defense of and indemnify
32 each executive board member made a party to any civil proceeding
33 including any threatened, pending, or completed action, suit, or
34 proceeding, whether civil, administrative, or investigative, by reason
35 of the fact he or she is or was a member of the executive board,
36 against judgments, penalties, fines, settlements, and reasonable
37 expenses, actually incurred by him or her in connection with such
38 proceeding if he or she had conducted himself or herself in good faith

1 and reasonably believed his or her conduct to be in the best interest
2 of the operating agency.

3 In addition members of the executive board who are utility
4 employees shall not be fired, forced to resign, or demoted from their
5 utility jobs for decisions they make while carrying out their duties as
6 members of the executive board involving the exercise of judgment and
7 discretion.

8 **Sec. 39.** RCW 52.14.010 and 1985 c 330 s 2 are each amended to read
9 as follows:

10 The affairs of the district shall be managed by a board of fire
11 commissioners composed of three resident electors of the district
12 except as provided in RCW 52.14.015 and 52.14.020. Each member shall
13 each receive ~~((fifty))~~ sixty-six dollars per day or portion thereof,
14 not to exceed ~~((four))~~ six thousand ~~((eight))~~ three hundred fifty
15 dollars per year, for attendance at board meetings and for performance
16 of other services in behalf of the district.

17 In addition, they ~~((shall receive necessary expenses incurred in
18 attending meetings of the board or when otherwise engaged in district
19 business, and shall be))~~ are entitled to reimbursement for reasonable
20 expenses actually incurred in connection with official business,
21 including subsistence and lodging while away from each member's place
22 of residence, and mileage for use of a privately owned vehicle, in
23 accordance with chapter 42.24 RCW. Fire commissioners are entitled to
24 receive the same insurance available to all firemen of the district((+
25 PROVIDED, That)). The premiums for such insurance, except liability
26 insurance, shall be paid by the individual commissioners who elect to
27 receive it. The amount and type of insurance made available to
28 commissioners may not exceed the insurance made available to the fire
29 fighters except for liability insurance.

30 Any commissioner may waive all or any portion of his or her
31 compensation payable under this section as to any month or months
32 during his or her term of office, by a written waiver filed with the
33 secretary as provided in this section. The waiver, to be effective,
34 must be filed any time after the commissioner's election and prior to
35 the date on which ~~((said))~~ the compensation would otherwise be paid.
36 The waiver shall specify the month or period of months for which it is
37 made.

1 The board shall fix the compensation to be paid the secretary and
2 all other agents and employees of the district. The board may, by
3 resolution adopted by unanimous vote, authorize any of its members to
4 serve as volunteer firemen without compensation. A commissioner
5 actually serving as a volunteer fireman may enjoy the rights and
6 benefits of a volunteer fireman. The first commissioners shall take
7 office immediately when qualified in accordance with RCW 29.01.135 and
8 shall serve until after the next general election for the selection of
9 commissioners and until their successors have been elected and have
10 qualified and have assumed office in accordance with RCW 29.04.170.

11 **Sec. 40.** RCW 53.08.170 and 1991 sp.s. c 30 s 22 are each amended
12 to read as follows:

13 The port commission shall have authority to create and fill
14 positions, to fix wages, salaries and bonds thereof, to pay costs and
15 assessments involved in securing or arranging to secure employees, and
16 to establish such benefits for employees, including holiday pay,
17 vacations or vacation pay, retirement and pension benefits, medical,
18 surgical or hospital care, life, accident, or health disability
19 insurance, and similar benefits, already established by other employers
20 of similar employees, as the port commissioner shall by resolution
21 provide(~~(:—PROVIDED, That))~~). Any district providing insurance
22 benefits for its employees ((in any manner whatsoever may provide
23 health and accident insurance, life insurance with coverage not to
24 exceed that provided district employees, and business related travel,
25 liability, and errors and omissions insurance, for its commissioners,
26 which insurance shall not be considered to be compensation)) may
27 provide insurance to the port commissioners. The amount and type of
28 insurance made available to port commissioners may not exceed the
29 insurance coverage provided to port district employees except for
30 liability insurance.

31 Subject to chapter 48.62 RCW, the port commission shall have
32 authority to provide or pay such benefits directly, or to provide for
33 such benefits by the purchase of insurance policies or entering into
34 contracts with and compensating any person, firm, agency or
35 organization furnishing such benefits, or by making contributions to
36 vacation plans or funds, or health and welfare plans and funds, or
37 pension plans or funds, or similar plans or funds, already established
38 by other employers of similar employees and in which the port district

1 is permitted to participate for particular classifications of its
2 employees by the trustees or other persons responsible for the
3 administration of such established plans or funds: PROVIDED FURTHER,
4 That no port district employee shall be allowed to apply for admission
5 to or be accepted as a member of the state employees' retirement system
6 after January 1, 1965, if admission to such system would result in
7 coverage under both a private pension system and the state employees'
8 retirement system, it being the purpose of this proviso that port
9 districts shall not at the same time contribute for any employee to
10 both a private pension or retirement plan and to the state employees'
11 retirement system. The port commission shall have authority by
12 resolution to utilize and compensate agents for the purpose of paying,
13 in the name and by the check of such agent or agents or otherwise,
14 wages, salaries and other benefits to employees, or particular
15 classifications thereof, and for the purpose of withholding payroll
16 taxes and paying over tax moneys so withheld to appropriate government
17 agencies, on a combined basis with the wages, salaries, benefits, or
18 taxes of other employers or otherwise; to enter into such contracts and
19 arrangements with and to transfer by warrant such funds from time to
20 time to any such agent or agents so appointed as are necessary to
21 accomplish such salary, wage, benefit, or tax payments as though the
22 port district were a private employer, notwithstanding any other
23 provision of the law to the contrary. The funds of a port district
24 transferred to such an agent or agents for the payment of wages or
25 salaries of its employees in the name or by the check of such agent or
26 agents shall be subject to garnishment with respect to salaries or
27 wages so paid, notwithstanding any provision of the law relating to
28 municipal corporations to the contrary.

29 **Sec. 41.** RCW 53.08.175 and 1965 c 101 s 1 are each amended to read
30 as follows:

31 Employees, officers, and commissioners of port districts (~~shall,~~
32 ~~when engaged in official business of the port district, be entitled to~~
33 ~~receive their necessary and reasonable travel and other business~~
34 ~~expenses incurred on behalf of the port district)) are entitled to
35 reimbursement for reasonable expenses actually incurred in connection
36 with official business, including subsistence and lodging while away
37 from each employee's, officer's, or commissioner's place of residence,
38 and mileage for use of a privately owned vehicle, in accordance with~~

1 chapter 42.24 RCW. Reimbursement of such expenses may be granted,
2 whether incurred within or without the port district, when submitted on
3 a voucher with appropriate evidence of payment by such employee or
4 official.

5 **Sec. 42.** RCW 53.08.176 and 1965 c 101 s 2 are each amended to read
6 as follows:

7 Each port district shall adopt a resolution (~~((which may be amended~~
8 ~~from time to time) which shall establish)) establishing the basic rules
9 and regulations governing methods and amount of reimbursement payable
10 to such port officials and employees for travel and other business
11 expenses incurred on behalf of the district. The resolution shall,
12 among other things, establish procedures for approving such expenses;
13 set forth the method of authorizing the direct purchase of
14 transportation; the form of the voucher; and requirements governing the
15 use of credit cards issued in the name of the port district. (~~(Such~~
16 ~~regulations may provide for payment of per diem in lieu of actual~~
17 ~~expenses when travel requires overnight lodging: PROVIDED, That in all~~
18 ~~cases any per diem payment shall not exceed twenty five dollars per~~
19 ~~day.)) The state auditor shall, as provided by general law, cooperate
20 with the port district in establishing adequate procedures for
21 regulating and auditing the reimbursement of all such expenses.~~~~

22 **Sec. 43.** RCW 53.12.260 and 1992 c 146 s 12 are each amended to
23 read as follows:

24 (1) Each commissioner of a port district shall receive (~~((fifty))~~)
25 sixty-six dollars per day or portion thereof spent (a) in actual
26 attendance at official meetings of the port district commission, or (b)
27 in performance of other service in behalf of the district. The total
28 per diem compensation of a port commissioner shall not exceed (~~((four))~~)
29 six thousand (~~((eight))~~) three hundred fifty dollars in a year, or
30 (~~((six))~~) seven thousand nine hundred fifty dollars in any year for a
31 port district with gross operating income of twenty-five million or
32 more in the preceding calendar year.

33 (2) Port commissioners shall receive additional compensation as
34 follows: (a) Each commissioner of a port district with gross operating
35 revenues of twenty-five million dollars or more in the preceding
36 calendar year shall receive a salary of five hundred dollars per month;
37 and (b) each commissioner of a port district with gross operating

1 revenues of from one million dollars to less than twenty-five million
2 dollars in the preceding calendar year shall receive a salary of two
3 hundred dollars per month.

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

6 (4) For any commissioner who has not elected to become a member of
7 public employees retirement system before May 1, 1975, the compensation
8 provided pursuant to this section shall not be considered salary for
9 purposes of the provisions of any retirement system created pursuant to
10 the general laws of this state nor shall attendance at such meetings or
11 other service on behalf of the district constitute service as defined
12 in RCW 41.40.010(9): PROVIDED, That in the case of a port district
13 when commissioners are receiving compensation and contributing to the
14 public employees retirement system, these benefits shall continue in
15 full force and effect notwithstanding the provisions of RCW 53.12.260
16 and 53.12.265.

17 **Sec. 44.** RCW 54.12.080 and 1985 c 330 s 4 are each amended to read
18 as follows:

19 (1) Each public utility district commissioner of a district
20 operating utility properties shall receive a salary during a calendar
21 year which shall depend upon the total gross revenue of the district
22 from its distribution system and its generating system, if any, for the
23 fiscal year ending June 30th prior to such calendar year, based upon
24 the following schedule:

25	REVENUE	SALARY
26	OVER \$15 million	\$ ((500)) <u>1085</u> per month
27	\$2 to 15 million	\$ ((350)) <u>760</u> per month

28 Commissioners of other districts shall serve without salary unless
29 the district provides by resolution for the payment thereof, which
30 however shall not exceed ~~((two))~~ four hundred thirty-five dollars per
31 month for each commissioner. In addition to salary, all districts may
32 provide by resolution for the payment of per diem compensation to each
33 commissioner at a rate not exceeding ~~((fifty))~~ sixty-six dollars for
34 each day or major part thereof devoted to the business of the district,
35 and days upon which he or she attends meetings of the commission of his

1 or her district or meetings attended by one or more commissioners of
2 two or more districts called to consider business common to them, but
3 such compensation paid during any one year to a commissioner shall not
4 exceed ((seven)) nine thousand nine hundred dollars. Per diem
5 compensation shall not be paid for services of a ministerial or
6 professional nature.

7 (2) Any commissioner may waive all or any portion of his or her
8 compensation payable under this section as to any month or months
9 during his or her term of office, by a written waiver filed with the
10 district as provided in this section. The waiver, to be effective,
11 must be filed any time after the commissioner's election and prior to
12 the date on which the compensation would otherwise be paid. The waiver
13 shall specify the month or period of months for which it is made.

14 (3) Each district commissioner shall be reimbursed for reasonable
15 expenses actually incurred in connection with such business and
16 meetings, including his or her subsistence and lodging and travel while
17 away from his or her place of residence, and mileage for use of a
18 privately owned vehicle, in accordance with chapter 42.24 RCW.

19 (4) Any district providing group insurance for its employees,
20 covering them, their immediate family and dependents, may provide
21 insurance for its commissioner with the same coverage. The amount and
22 type of insurance made available to commissioners may not exceed the
23 insurance made available to employees except for liability insurance.

24 **Sec. 45.** RCW 56.08.100 and 1991 sp.s. c 30 s 24 are each amended
25 to read as follows:

26 Subject to chapter 48.62 RCW, a sewer district, by a majority vote
27 of its board of commissioners, may enter into contracts to provide
28 health care services and/or group insurance and/or term life insurance
29 and/or social security insurance for the benefit of its employees and
30 may pay all or any part of the cost thereof. Any two or more sewer
31 districts or one or more sewer districts and one or more water
32 districts, by a majority vote of their respective boards of
33 commissioners, may, if deemed expedient, join in the procuring of such
34 health care services and/or group insurance and/or term life insurance,
35 and the board of commissioners of each participating sewer and/or water
36 district may by appropriate resolution authorize their respective
37 district to pay all or any portion of the cost thereof.

1 A sewer district with five thousand or more customers providing
2 health, group, or life insurance to its employees may provide its
3 commissioners with the same coverage(~~(: PROVIDED, That the per person~~
4 ~~amounts for such insurance paid by the district shall not exceed the~~
5 ~~per person amounts paid by the district for its employees)~~). The
6 amount and type of insurance made available to commissioners may not
7 exceed the insurance made available to employees except for liability
8 insurance.

9 **Sec. 46.** RCW 56.12.010 and 1985 c 330 s 5 are each amended to read
10 as follows:

11 The governing body of a sewer district shall be a board of
12 commissioners consisting of three members. The commissioners shall
13 annually elect one of their number as president and another as
14 secretary of the board.

15 A district shall provide by resolution for the payment of
16 compensation to each of its commissioners at a rate of (~~(fifty)~~) sixty-
17 six dollars for attending meetings and for each day or portion thereof
18 devoted to the business of the district: PROVIDED, That the
19 compensation for each commissioner shall not exceed (~~(four)~~) six
20 thousand (~~(eight)~~) three hundred fifty dollars per year. In addition,
21 the secretary may be paid a reasonable sum for clerical services.

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

29 No commissioner shall be employed full time by the district. Each
30 commissioner is entitled to reimbursement for reasonable expenses
31 actually incurred in connection with official business, including
32 subsistence and lodging while away from his or her place of residence,
33 and mileage for use of a privately owned vehicle, in accordance with
34 chapter 42.24 RCW.

35 The board shall by resolution adopt rules governing the transaction
36 of its business and shall adopt an official seal. All proceedings
37 shall be by resolution recorded in a book kept for that purpose, which
38 shall be a public record.

1 **Sec. 47.** RCW 57.08.100 and 1991 sp.s. c 30 s 25 are each amended
2 to read as follows:

3 Subject to chapter 48.62 RCW, a water district, by a majority vote
4 of its board of commissioners, may enter into contracts to provide
5 health care services and/or group insurance and/or term life insurance
6 and/or social security insurance for the benefit of its employees and
7 may pay all or any part of the cost thereof. Any two or more water
8 districts or any one or more water districts and one or more sewer
9 districts, by a majority vote of their respective boards of
10 commissioners, may, if deemed expedient, join in the procuring of such
11 health care services and/or group insurance and/or term life insurance,
12 and the board of commissioners of each participating sewer and/or water
13 district may by appropriate resolution authorize their respective
14 district to pay all or any portion of the cost thereof.

15 A water district with five thousand or more customers providing
16 health, group, or life insurance to its employees may provide its
17 commissioners with the same coverage(~~(: PROVIDED, That the per person~~
18 ~~amounts for such insurance paid by the district shall not exceed the~~
19 ~~per person amounts paid by the district for its employees)). The
20 amount and type of insurance made available to commissioners may not
21 exceed the insurance made available to employees except for liability
22 insurance.~~

23 **Sec. 48.** RCW 57.12.010 and 1985 c 330 s 6 are each amended to read
24 as follows:

25 The governing body of a district shall be a board of water
26 commissioners consisting of three members. The board shall annually
27 elect one of its members as president and another as secretary.

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

32 A district shall provide by resolution for the payment of
33 compensation to each of its commissioners at a rate of (~~(fifty))~~ sixty-
34 six dollars for attending meetings and for each day or portion thereof
35 devoted to the business of the district: PROVIDED, That the
36 compensation for each commissioner shall not exceed (~~(four))~~ six
37 thousand (~~(eight))~~ three hundred fifty dollars per year. In addition,
38 the secretary may be paid a reasonable sum for clerical services.

1 Any commissioner may waive all or any portion of his or her
2 compensation payable under this section as to any month or months
3 during his or her term of office, by a written waiver filed with the
4 district as provided in this section. The waiver, to be effective,
5 must be filed any time after the commissioner's election and prior to
6 the date on which the compensation would otherwise be paid. The waiver
7 shall specify the month or period of months for which it is made.

8 No commissioner shall be employed full time by the district. Each
9 commissioner shall be reimbursed for reasonable expenses actually
10 incurred in connection with such business, including his or her
11 subsistence and lodging, while away from the commissioner's place of
12 residence, and mileage for use of a privately(~~(-)~~)owned vehicle (~~(at~~
13 ~~the mileage rate authorized in RCW 43.03.060 as now existing or~~
14 ~~hereafter amended)~~), in accordance with chapter 42.24 RCW.

15 The date for holding elections and taking office as herein provided
16 shall be subject to the provisions of any consolidated election laws
17 that may be made applicable thereto although previously enacted.

18 **Sec. 49.** RCW 68.52.220 and 1990 c 259 s 33 are each amended to
19 read as follows:

20 The affairs of the district shall be managed by a board of cemetery
21 district commissioners composed of three qualified registered voters of
22 the district. Members of the board shall receive no compensation for
23 their services, but (~~(shall receive expenses necessarily incurred in~~
24 ~~attending meetings of the board or when otherwise engaged in district~~
25 ~~business)) are entitled to reimbursement for reasonable expenses
26 actually incurred in connection with official business, including
27 subsistence and lodging while away from each member's place of
28 residence, and mileage for use of a privately owned vehicle, in
29 accordance with chapter 42.24 RCW. The board shall fix the
30 compensation to be paid the secretary and other employees of the
31 district. The first three cemetery district commissioners shall serve
32 only until the first day in January following the next general
33 election, provided such election occurs thirty or more days after the
34 formation of the district, and until their successors have been elected
35 and qualified and have assumed office in accordance with RCW 29.04.170.
36 At the next general district election, as provided in RCW 29.13.020,
37 provided it occurs thirty or more days after the formation of the
38 district, three members of the board of cemetery commissioners shall be~~

1 chosen. They and all subsequently elected cemetery commissioners shall
2 have the same qualifications as required of the first three cemetery
3 commissioners and are exempt from the requirements of chapter 42.17
4 RCW. The candidate receiving the highest number of votes shall serve
5 for a term of six years beginning on the first day in January
6 following; the candidate receiving the next higher number of votes
7 shall serve for a term of four years from the date; and the candidate
8 receiving the next higher number of votes shall serve for a term of two
9 years from the date. Upon the expiration of their respective terms,
10 all cemetery commissioners shall be elected for terms of six years to
11 begin on the first day in January next succeeding the day of election
12 and shall serve until their successors have been elected and qualified
13 and assume office in accordance with RCW 29.04.170. Elections shall be
14 called, noticed, conducted and canvassed and in the same manner and by
15 the same officials as provided for general county elections. The
16 polling places for a cemetery district election shall be those of the
17 county voting precincts which include any of the territory within the
18 cemetery district, and may be located outside the boundaries of the
19 district, and no such election shall be held irregular or void on that
20 account.

21 **Sec. 50.** RCW 70.44.050 and 1985 c 330 s 7 are each amended to read
22 as follows:

23 A district shall provide by resolution for the payment of
24 compensation to each of its commissioners at a rate of (~~fifty~~) sixty-
25 six dollars for each day or portion thereof devoted to the business of
26 the district, and days upon which he or she attends meetings of the
27 commission of his or her own district, or meetings attended by one or
28 more commissioners of two or more districts called to consider business
29 common to them, except that the total compensation paid to such
30 commissioner during any one year shall not exceed (~~four~~) six thousand
31 (~~eight~~) three hundred fifty dollars: PROVIDED, That commissioners
32 may not be compensated for services performed of a ministerial or
33 professional nature.

34 Any commissioner may waive all or any portion of his or her
35 compensation payable under this section as to any month or months
36 during his or her term of office, by a written waiver filed with the
37 district as provided in this section. The waiver, to be effective,
38 must be filed any time after the commissioner's election and prior to

1 the date on which the compensation would otherwise be paid. The waiver
2 shall specify the month or period of months for which it is made.

3 Any district providing group insurance for its employees, covering
4 them, their immediate family, and dependents, may provide insurance for
5 its commissioners with the same coverage. The amount and type of
6 insurance made available to commissioners may not exceed the insurance
7 made available to the employees except for liability insurance. Each
8 commissioner ~~((shall))~~ is entitled to be reimbursed for reasonable
9 expenses actually incurred in connection with such business and
10 meetings, including ~~((his))~~ subsistence and lodging ~~((and travel))~~
11 while away from his or her place of residence, and mileage for use of
12 a privately owned vehicle, in accordance with chapter 42.24 RCW. No
13 resolution shall be adopted without a majority vote of the whole
14 commission. The commission shall organize by election of its own
15 members of a president and secretary, shall by resolution adopt rules
16 governing the transaction of its business and shall adopt an official
17 seal. All proceedings of the commission shall be by motion or
18 resolution recorded in a book or books kept for such purpose, which
19 shall be public records.

20 **Sec. 51.** RCW 70.94.130 and 1991 c 199 s 705 are each amended to
21 read as follows:

22 The board shall exercise all powers of the authority except as
23 otherwise provided. The board shall conduct its first meeting within
24 thirty days after all of its members have been appointed or designated
25 as provided in RCW 70.94.100. The board shall meet at least ten times
26 per year. All meetings shall be publicly announced prior to their
27 occurrence. All meetings shall be open to the public. A majority of
28 the board shall constitute a quorum for the transaction of business and
29 shall be necessary for any action taken by the board. The board shall
30 elect from its members a chair and such other officers as may be
31 necessary. Any member of the board may designate a regular alternate
32 to serve on the board in his or her place with the same authority as
33 the member when he or she is unable to attend. Each member of the
34 board, or his or her representative, shall receive from the authority
35 compensation ~~((consistent with such authority's rates (but not to~~
36 ~~exceed one thousand dollars per year)))~~ at a rate of sixty-six dollars
37 per day for ((time)) attending meetings and for each day or portion of
38 a day spent in the performance of duties under this chapter~~((, plus the~~

1 ~~actual and necessary expenses incurred by the member in such~~
2 ~~performance)).~~ The total amount of compensation may not exceed one
3 thousand three hundred fifty dollars per calendar year. Any board
4 member may waive all or any portion of his or her compensation payable
5 under this section as to any month or months during his or her term of
6 office, by a written waiver filed with the authority as provided in
7 this section. The waiver, to be effective, must be filed any time
8 after the board member's election and prior to the date on which the
9 compensation would otherwise be paid. The waiver shall specify the
10 month or period of months for which it is made. In addition, board
11 members are entitled to reimbursement for reasonable expenses actually
12 incurred in connection with official business, including subsistence
13 and lodging while away from each board member's place of residence, and
14 mileage for use of a privately owned vehicle, in accordance with
15 chapter 42.24 RCW. The board may appoint a control officer, and any
16 other personnel, and shall determine their salaries, and pay same,
17 together with any other proper indebtedness, from authority funds.

18 **Sec. 52.** RCW 70.94.240 and 1991 c 199 s 709 are each amended to
19 read as follows:

20 The board of any authority may appoint an air pollution control
21 advisory council to advise and consult with such board, and the control
22 officer in effectuating the purposes of this chapter. The council
23 shall consist of at least five appointed members who are residents of
24 the authority and who are preferably skilled and experienced in the
25 field of air pollution control, chemistry, meteorology, public health,
26 or a related field, at least one of whom shall serve as a
27 representative of industry and one of whom shall serve as a
28 representative of the environmental community. The chair of the board
29 of any such authority shall serve as ex officio member of the council
30 and be its chair. Each member of the council shall receive from the
31 authority per diem and travel expenses in an amount not to exceed that
32 provided for the state board in this chapter (but not to exceed one
33 thousand three hundred fifty dollars per year) for each full day spent
34 in the performance of his or her duties under this chapter. Any
35 councilmember may waive all or any portion of his or her compensation
36 payable under this section as to any month or months during his or her
37 term of office, by a written waiver filed with the board as provided in
38 this section. The waiver, to be effective, must be filed any time

1 after the councilmember's appointment to the advisory council and prior
2 to the date on which the compensation would otherwise be paid. The
3 waiver shall specify the month or period of months for which it is
4 made.

5 **Sec. 53.** RCW 85.05.410 and 1991 c 349 s 20 are each amended to
6 read as follows:

7 Members of the board of diking commissioners of any diking district
8 in this state may receive as compensation the sum of up to ~~((fifty))~~
9 sixty-six dollars for attendance at official meetings of the district
10 and for each day or ~~((major))~~ part thereof ~~((for all necessary services~~
11 ~~actually performed in connection with))~~ spent performing their duties
12 as commissioners~~((, and shall receive the same compensation as other~~
13 ~~labor of a like character for all other necessary work or services~~
14 ~~performed in connection with their duties: PROVIDED, That such))~~. A
15 commissioner's compensation shall not exceed ~~((four))~~ six thousand
16 ~~((eight))~~ three hundred fifty dollars in one calendar year, except when
17 the commissioners declare an emergency. Allowance of such compensation
18 shall be established and approved at regular meetings of the board, and
19 when a copy of the extracts of minutes of the board meeting relative
20 thereto showing such approval is certified by the secretary of such
21 board and filed with the county auditor, the allowance made shall be
22 paid as are other claims against the district. Any commissioner may
23 waive all or any portion of his or her compensation payable under this
24 section as to any month or months during his or her term of office, by
25 a written waiver filed with the district as provided in this section.
26 The waiver, to be effective, must be filed any time after the
27 commissioner's election and prior to the date on which the compensation
28 would otherwise be paid. The waiver shall specify the month or period
29 of months for which it is made.

30 Each commissioner is entitled to reimbursement for reasonable
31 expenses actually incurred in connection with such business, including
32 subsistence and lodging~~((7))~~ while away from the commissioner's place
33 of residence, and mileage for use of a privately owned vehicle, in
34 accordance with chapter 42.24 RCW.

35 **Sec. 54.** RCW 85.06.380 and 1991 c 349 s 21 are each amended to
36 read as follows:

1 In performing their duties under the provisions of this title the
2 board and members of the board of drainage commissioners may receive as
3 compensation up to (~~(fifty)~~) sixty-six dollars for attendance at
4 official meetings of the district and for each day or (~~(major)~~) part
5 thereof (~~(for all necessary services actually performed in connection~~
6 ~~with)~~) spent performing their duties as commissioners(~~(:—PROVIDED,~~
7 ~~That such)~~). A commissioner's compensation shall not exceed ((four))
8 six thousand ((eight)) three hundred fifty dollars in one calendar
9 year(~~(:—PROVIDED FURTHER, That such services and)~~). Compensation
10 (~~(are allowed and)~~) shall only be allowed if it is approved at a
11 regular meeting of the board. Upon the submission of a copy, certified
12 by the secretary, of the extracts of the relevant minutes of the board
13 showing such approval, to the county auditor, the same shall be paid as
14 other claims against the district are paid. Any commissioner may waive
15 all or any portion of his or her compensation payable under this
16 section as to any month or months during his or her term of office, by
17 a written waiver filed with the district as provided in this section.
18 The waiver, to be effective, must be filed any time after the
19 commissioner's election and prior to the date on which the compensation
20 would otherwise be paid. The waiver shall specify the month or period
21 of months for which it is made. Each commissioner is entitled to
22 reimbursement for reasonable expenses actually incurred in connection
23 with such business, including subsistence and lodging(~~(7)~~) while away
24 from the commissioner's place of residence, and mileage for use of a
25 privately(~~(-)~~)owned vehicle, in accordance with chapter 42.24 RCW.

26 **Sec. 55.** RCW 85.08.320 and 1991 c 349 s 22 are each amended to
27 read as follows:

28 The compensation of the superintendent of construction, the board
29 of appraisers hereinafter provided for, and any special engineer,
30 attorney or agent employed by the district in connection with the
31 improvement, the maximum wages to be paid, and the maximum price of
32 materials to be used, shall be fixed by the district board of
33 supervisors. Members of the board of supervisors may receive
34 compensation up to (~~(fifty)~~) sixty-six dollars for attending each
35 official meeting of the district and for each day or (~~(major)~~) part
36 thereof (~~(for all necessary services actually performed in connection~~
37 ~~with)~~) spent performing their duties as supervisors(~~(:—PROVIDED,~~
38 ~~such)~~). A supervisor's compensation shall not exceed ((four)) six

1 thousand (~~eight~~) three hundred fifty dollars in one calendar year.
2 Any supervisor may waive all or any portion of his or her compensation
3 payable under this section as to any month or months during his or her
4 term of office, by a written waiver filed with the district as provided
5 in this section. The waiver, to be effective, must be filed any time
6 after the supervisor's election and prior to the date on which the
7 compensation would otherwise be paid. The waiver shall specify the
8 month or period of months for which it is made. Each supervisor shall
9 be entitled to reimbursement for reasonable expenses actually incurred
10 in connection with business, including subsistence and lodging while
11 away from the supervisor's place of residence, and mileage for use of
12 a privately owned vehicle, in accordance with chapter 42.24 RCW. All
13 costs of construction or maintenance done under the direction of the
14 board of supervisors shall be paid upon vouchers or payrolls verified
15 by two of the (~~said~~) supervisors. All costs of construction and all
16 other expenses, fees and charges on account of such improvement shall
17 be paid by warrants drawn by the county auditor upon the county
18 treasurer upon the proper fund, and shall draw interest at a rate
19 determined by the county legislative authority until paid or called by
20 the county treasurer as warrants of the county are called.

21 **Sec. 56.** RCW 85.24.080 and 1991 c 349 s 23 are each amended to
22 read as follows:

23 The members of the board may receive as compensation up to
24 (~~fifty~~) sixty-six dollars for attendance at official meetings of the
25 district and for each day or (~~major~~) part thereof (~~for all necessary~~
26 ~~services actually performed in connection with~~) spent performing their
27 duties as commissioners((:—PROVIDED, That such)). A commissioner's
28 compensation shall not exceed ((four)) six thousand ((eight)) three
29 hundred fifty dollars in one calendar year((:—PROVIDED FURTHER,
30 That)). Any commissioner may waive all or any portion of his or her
31 compensation payable under this section as to any month or months
32 during his or her term of office, by a written waiver filed with the
33 district as provided in this section. The waiver, to be effective,
34 must be filed any time after the commissioner's election and prior to
35 the date on which the compensation would otherwise be paid. The waiver
36 shall specify the month or period of months for which it is made. The
37 board may fix a different salary for the secretary thereof in lieu of
38 the per diem. Each commissioner is entitled to reimbursement for

1 reasonable expenses actually incurred in connection with such business,
2 including subsistence and lodging, while away from the commissioner's
3 place of residence, and mileage for use of a privately owned vehicle,
4 in accordance with chapter 42.24 RCW. The salary and expenses shall be
5 paid by the treasurer of the fund, upon orders made by the board. Each
6 member of the board must before being paid for expenses, take vouchers
7 therefore from the person or persons to whom the particular amount was
8 paid, and must also make affidavit that the amounts were necessarily
9 incurred and expended in the performance of his or her duties.

10 **Sec. 57.** RCW 86.09.283 and 1991 c 349 s 24 are each amended to
11 read as follows:

12 The board of directors may each receive up to ((fifty)) sixty-six
13 dollars for attendance at official meetings of the board and for each
14 day or ((major)) part thereof ((for all necessary services actually
15 performed in connection with)) spent performing their duties as
16 director. The board shall fix the compensation to be paid to the
17 directors, secretary, and all other agents and employees of the
18 district. Compensation for the directors shall not exceed ((four)) six
19 thousand ((eight)) three hundred fifty dollars in one calendar year.
20 Any director may waive all or any portion of his or her compensation
21 payable under this section as to any month or months during his or her
22 term of office, by a written waiver filed with the district as provided
23 in this section. The waiver, to be effective, must be filed any time
24 after the director's election and prior to the date on which the
25 compensation would otherwise be paid. The waiver shall specify the
26 month or period of months for which it is made. A director is entitled
27 to reimbursement for reasonable expenses actually incurred in
28 connection with such business, including subsistence and lodging((7))
29 while away from the director's place of residence, and mileage for use
30 of a privately owned vehicle, in accordance with chapter 42.24 RCW.

31 **Sec. 58.** RCW 87.03.160 and 1975 c 14 s 1 are each amended to read
32 as follows:

33 The board of directors of irrigation districts shall have the
34 authority and power to contract for and to pay the premium upon group
35 life, health and accident insurance upon its employees; and to make all
36 such insurance available to its directors, subject to payment by the
37 directors of all costs of insurance for directors. The amount and type

1 of insurance available to the board of directors may not exceed the
2 insurance available to the district employees except for liability
3 insurance.

4 **Sec. 59.** RCW 87.03.460 and 1990 c 38 s 1 are each amended to read
5 as follows:

6 ~~((In addition to their reasonable expenses in accordance with~~
7 ~~chapter 42.24 RCW,))~~ The directors shall each receive an amount for
8 attending meetings and while performing other services for the
9 district. The amount shall be fixed by resolution and entered in the
10 minutes of the proceedings of the board. It shall not exceed ((fifty))
11 sixty-six dollars for each day or portion thereof spent by a director
12 for such attendance or performance. The total amount of such
13 additional compensation received by a director may not exceed ((four))
14 six thousand ((eight)) three hundred fifty dollars in a calendar year.
15 Any director may waive all or any portion of his or her compensation
16 payable under this section as to any month or months during his or her
17 term of office, by a written waiver filed with the district as provided
18 in this section. The waiver, to be effective, must be filed any time
19 after the director's election and prior to the date on which the
20 compensation would otherwise be paid. The waiver shall specify the
21 month or period of months for which it is made. The board shall fix
22 the compensation of the secretary and all other employees. In
23 addition, directors are entitled to reimbursement for reasonable
24 expenses actually incurred in connection with official business,
25 including subsistence and lodging while away from each director's place
26 of residence, and mileage for use of a privately owned vehicle, in
27 accordance with chapter 42.24 RCW.

28 **Sec. 60.** RCW 89.08.200 and 1973 1st ex.s. c 184 s 21 are each
29 amended to read as follows:

30 The term of office of each supervisor shall be three years and
31 until his or her successor is appointed or elected and qualified,
32 except that the supervisors first appointed shall serve for one and two
33 years respectively from the date of their appointments, as designated
34 in their appointments.

35 In the case of elected supervisors, the term of office of each
36 supervisor shall be three years and until his or her successor is
37 elected and qualified, except that for the first election, the one

1 receiving the largest number of votes shall be elected for three years;
2 the next largest two years; and the third largest one year. Successors
3 shall be elected for three-year terms.

4 Vacancies in the office of appointed supervisors shall be filled by
5 the state conservation commission. Vacancies in the office of elected
6 supervisors shall be filled by appointment made by the remaining
7 supervisors for the unexpired term.

8 A majority of the supervisors shall constitute a quorum and the
9 concurrence of a majority is required for any official action or
10 determination.

11 Supervisors shall serve without compensation, but ~~((they shall be
12 entitled to expenses, including traveling expenses, necessarily
13 incurred in discharge of their duties))~~ are entitled to reimbursement
14 for reasonable expenses actually incurred in connection with official
15 business, including subsistence and lodging while away from each
16 supervisor's place of residence, and mileage for use of a privately
17 owned vehicle, in accordance with chapter 42.24 RCW. A supervisor may
18 be removed by the state conservation commission upon notice and
19 hearing, for neglect of duty or malfeasance in office, but for no other
20 reason.

21 The governing board shall designate a chairman from time to time.

22 **Sec. 61.** RCW 89.30.298 and 1927 c 254 s 100 are each amended to
23 read as follows:

24 The members of the board of directors shall each receive an amount
25 not to exceed ~~((five))~~ ten dollars per day ~~((in))~~ for attending the
26 meetings ~~((, to be determined by said board, and such compensation, not
27 exceeding five dollars per day,))~~ and for other services rendered the
28 district as shall be fixed by resolution. The resolution shall be
29 adopted by vote of the directors and entered in the minutes of their
30 proceedings((, and)). Any director may waive all or any portion of his
31 or her compensation payable under this section as to any month or
32 months during his or her term of office, by a written waiver filed with
33 the district as provided in this section. The waiver, to be effective,
34 must be filed any time after the director's election and prior to the
35 date on which the compensation would otherwise be paid. The waiver
36 shall specify the month or period of months for which it is made. In
37 addition ((thereto, said)), the directors ((shall receive necessary
38 expenses in attending meetings or when otherwise engaged in district

1 business)) are entitled to reimbursement for reasonable expenses
2 actually incurred in connection with official business, including
3 subsistence and lodging while away from each director's place of
4 residence, and mileage for use of a privately owned vehicle, in
5 accordance with chapter 42.24 RCW. The board shall fix the
6 compensation to be paid to the secretary and all other officers, agents
7 and employees of the district.

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