
SUBSTITUTE SENATE BILL 5020

State of Washington

52nd Legislature

1991 Regular Session

By Senate Committee on Governmental Operations (originally sponsored by Senator L. Smith).

Read first time January 25, 1991.

1 AN ACT Relating to per diem compensation; amending RCW 85.05.410,
2 85.06.380, 85.08.320, 85.24.080, 36.70.310, 36.93.070, 41.14.030,
3 36.57A.050, 36.62.200, 36.68.030, 36.69.110, 36.95.070, and 84.48.036;
4 and adding a new section to chapter 36.32 RCW.

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

6 **Sec. 1.** RCW 85.05.410 and 1985 c 396 s 39 are each amended to read
7 as follows:

8 Members of the board of diking commissioners of any diking district
9 in this state may receive as compensation the sum of up to (~~twenty-~~
10 ~~five~~) fifty dollars for attendance at official meetings of the
11 district and for each day or major part thereof for all necessary
12 services actually performed in connection with their duties as
13 commissioners, and shall receive the same compensation as other labor
14 of a like character for all other necessary work or services performed
15 in connection with their duties: PROVIDED, That such compensation

1 shall not exceed (~~three~~) four thousand eight hundred dollars in one
2 calendar year, except when the commissioners declare an emergency.
3 Allowance of such compensation shall be established and approved at
4 regular meetings of the board, and when a copy of the extracts of
5 minutes of the board meeting relative thereto showing such approval is
6 certified by the secretary of such board and filed with the county
7 auditor, the allowance made shall be paid as are other claims against
8 the district.

9 Each commissioner is entitled to reimbursement for reasonable
10 expenses actually incurred in connection with such business, including
11 subsistence and lodging, while away from the commissioner's place of
12 residence, and mileage for use of a privately owned vehicle in
13 accordance with chapter 42.24 RCW.

14 **Sec. 2.** RCW 85.06.380 and 1985 c 396 s 43 are each amended to read
15 as follows:

16 In performing their duties under the provisions of this title the
17 board and members of the board of drainage commissioners shall receive
18 as compensation up to (~~twenty-five~~) fifty dollars for attendance at
19 official meetings of the district and for each day or major part
20 thereof for all necessary services actually performed in connection
21 with their duties as commissioners: PROVIDED, That such compensation
22 shall not exceed four thousand eight hundred dollars in one calendar
23 year: PROVIDED FURTHER, That such services and compensation are
24 allowed and approved at a regular meeting of the board. Upon the
25 submission of a copy, certified by the secretary, of the extracts of
26 the relevant minutes of the board showing such approval, to the county
27 auditor, the same shall be paid as other claims against the district
28 are paid. Each commissioner is entitled to reimbursement for
29 reasonable expenses actually incurred in connection with such business,

1 including his subsistence and lodging, while away from the
2 commissioner's place of residence and mileage for use of a privately-
3 owned vehicle in accordance with chapter 42.24 RCW.

4 **Sec. 3.** RCW 85.08.320 and 1986 c 278 s 32 are each amended to read
5 as follows:

6 The compensation of the superintendent of construction, the board
7 of appraisers hereinafter provided for, and any special engineer,
8 attorney or agent employed by the district in connection with the
9 improvement, the maximum wages to be paid, and the maximum price of
10 materials to be used, shall be fixed by the district board of
11 supervisors. Members of the board of supervisors may receive
12 compensation up to (~~twenty-five~~) fifty dollars for attending each
13 official meeting of the district and for each day or major part thereof
14 for all necessary services actually performed in connection with their
15 duties as supervisors: PROVIDED, That such compensation shall not
16 exceed four thousand eight hundred dollars in one calendar year. Each
17 supervisor shall be entitled to reimbursement for reasonable expenses
18 actually incurred in connection with business, including subsistence
19 and lodging while away from the supervisor's place of residence and
20 mileage for use of a privately owned vehicle in accordance with chapter
21 42.24 RCW. All costs of construction or maintenance done under the
22 direction of the board of supervisors shall be paid upon vouchers or
23 payrolls verified by two of the said supervisors. All costs of
24 construction and all other expenses, fees and charges on account of
25 such improvement shall be paid by warrants drawn by the county auditor
26 upon the county treasurer upon the proper fund, and shall draw interest
27 at a rate determined by the county legislative authority until paid or
28 called by the county treasurer as warrants of the county are called.

1 **Sec. 4.** RCW 85.24.080 and 1985 c 396 s 54 are each amended to read
2 as follows:

3 The members of the board shall receive as compensation up to
4 (~~twenty-five~~) fifty dollars for attendance at official meetings of
5 the district and for each day or major part thereof for all necessary
6 services actually performed in connection with their duties as
7 commissioners: PROVIDED, That such compensation shall not exceed four
8 thousand eight hundred dollars in one calendar year: PROVIDED FURTHER,
9 That the board may fix a different salary for the secretary thereof in
10 lieu of the per diem. Each commissioner is entitled to reimbursement
11 for reasonable expenses actually incurred in connection with such
12 business, including subsistence and lodging, while away from the
13 commissioner's place of residence, and mileage for use of a privately
14 owned vehicle in accordance with chapter 42.24 RCW. The salary and
15 expenses shall be paid by the treasurer of the fund, upon orders made
16 by the board. Each member of the board must before being paid for
17 expenses, take vouchers therefore from the person or persons to whom
18 the particular amount was paid, and must also make affidavit that the
19 amounts were necessarily incurred and expended in the performance of
20 his duties.

21 NEW SECTION. **Sec. 5.** A new section is added to chapter 36.32 RCW
22 to read as follows:

23 The legislative authority of each county may by resolution provide
24 for compensation for members of commissions and boards appointed by the
25 county legislative authority, or for which the county legislative
26 authority has funding responsibility, of up to fifty dollars per day or
27 portion thereof for attendance at board or commission meetings. This
28 section shall supersede any other provision of law setting a lesser
29 amount for compensation of the members of such a board or commission.

1 **Sec. 6.** RCW 36.70.310 and 1963 c 4 s 36.70.310 are each amended to
2 read as follows:

3 Members of planning agencies shall inform themselves on matter
4 affecting the functions and duties of planning agencies. For that
5 purpose, and when authorized, such members may attend planning
6 conferences, meetings of planning executives or of technical bodies;
7 hearings on planning legislation or matters relating to the work of the
8 planning agency. The reasonable travel expenses, registration fees and
9 other costs incident to such attendance at such meetings and
10 conferences shall be charges upon the funds allocated to the planning
11 agency. In addition, members of a commission may also receive
12 (~~reasonable travel expenses to and from their usual place of business~~
13 ~~to the place of a~~) compensation of up to fifty dollars per day for
14 attendance at regular meetings of the commission. The planning agency
15 may, when authorized, pay dues for membership in organizations
16 specializing in the subject of planning. The planning agency may, when
17 authorized, subscribe to technical publications pertaining to planning.

18 **Sec. 7.** RCW 36.93.070 and 1987 c 477 s 1 are each amended to read
19 as follows:

20 The members of each boundary review board shall elect from its
21 members a chairman, vice chairman, and shall employ a nonmember as
22 chief clerk, who shall be the secretary of the board. The board shall
23 determine its own rules and order of business and shall provide by
24 resolution for the time and manner of holding all regular or special
25 meetings: PROVIDED, That all meetings shall be subject to chapter
26 42.30 RCW. The board shall keep a journal of its proceedings which
27 shall be a public record. A majority of all the members shall
28 constitute a quorum for the transaction of business.

1 The chief clerk of the board shall have the power to administer
2 oaths and affirmations, certify to all official acts, issue subpoenas
3 to any public officer or employee ordering him or her to testify before
4 the board and produce public records, papers, books or documents. The
5 chief clerk may invoke the aid of any court of competent jurisdiction
6 to carry out such powers.

7 The board by rule may provide for hearings by panels of members
8 consisting of not less than five board members, the number of hearing
9 panels and members thereof, and for the impartial selection of panel
10 members. A majority of a panel shall constitute a quorum thereof.

11 At the request of the board, the state attorney general, or at the
12 board's option, the county prosecuting attorney, shall provide counsel
13 for the board.

14 The planning departments of the county, other counties, and any
15 city, and any state or regional planning agency shall furnish such
16 information to the board at its request as may be reasonably necessary
17 for the performance of its duties.

18 Each member of the board shall be compensated from the county
19 current expense fund at the rate of (~~twenty-five~~) up to fifty dollars
20 per day, or a major portion thereof, for time actually devoted to the
21 work of the boundary review board. Each (~~board of~~) county
22 (~~commissioners~~) legislative authority shall provide such funds as
23 shall be necessary to pay the salaries of the members and staff, and
24 such other expenses as shall be reasonably necessary.

25 **Sec. 8.** RCW 41.14.030 and 1959 c 1 s 3 are each amended to read as
26 follows:

27 There is created in each county and in each combination of
28 counties, combined pursuant to RCW 41.14.040 to carry out the
29 provisions of this chapter, a civil service commission which shall be

1 composed of three persons. The commission members shall be appointed
2 by the ~~((board of))~~ county ~~((commissioners))~~ legislative authority, or
3 ~~((boards of county commissioners))~~ authorities of each combination of
4 counties, within sixty days after December 4, 1958. No person shall be
5 appointed to the commission who is not a citizen of the United States,
6 a resident of the county, or one of the counties combined, for at least
7 two years immediately preceding his or her appointment, and an elector
8 of the county wherein he or she resides. The term of office of the
9 commissioners shall be six years, except that the first three members
10 of the commission shall be appointed for different terms, as follows:
11 One to serve for a period of two years, one to serve for a period of
12 four years, and one to serve for a period of six years. Any member of
13 the commission may be removed from office for incompetency,
14 incompatibility, or dereliction of duty, or malfeasance in office, or
15 other good cause: PROVIDED, That no member of the commission shall be
16 removed until charges have been preferred, in writing, due notice, and
17 a full hearing had. Any vacancy in the commission shall be filled by
18 the county ~~((commissioners))~~ legislative authority for the unexpired
19 term. Two members of the commission shall constitute a quorum and the
20 votes of any two members concurring shall be sufficient for the
21 decision of all matters and the transaction of all business to be
22 decided or transacted by the commission. Confirmation of the
23 appointment of commissioners by any legislative body shall not be
24 required. At the time of appointment not more than two commissioners
25 shall be adherents of the same political party. No member after
26 appointment shall hold any salaried public office or engage in county
27 employment, other than his or her commission duties. ~~((The members of
28 the commission shall serve without compensation.))~~

1 **Sec. 9.** RCW 36.57A.050 and 1983 c 65 s 3 are each amended to read
2 as follows:

3 Within sixty days of the establishment of the boundaries of the
4 public transportation benefit area the members of the county
5 legislative authority and the elected representative of each city
6 within the area shall provide for the selection of the governing body
7 of such area, the public transportation benefit area authority, which
8 shall consist of elected officials selected by and serving at the
9 pleasure of the governing bodies of component cities within the area
10 and the county legislative authority of each county within the area.
11 If at the time a public transportation benefit area authority assumes
12 the public transportation functions previously provided under the
13 Interlocal Cooperation Act (chapter 39.34 RCW) there are citizen
14 positions on the governing board of the transit system, those positions
15 may be retained as positions on the governing board of the public
16 transportation benefit area authority.

17 Within such sixty-day period, any city may by resolution of its
18 legislative body withdraw from participation in the public
19 transportation benefit area. The county legislative authority and each
20 city remaining in the public transportation benefit area may disapprove
21 and prevent the establishment of any governing body of a public
22 transportation benefit area if the composition thereof does not meet
23 its approval.

24 In no case shall the governing body of a single county public
25 transportation benefit area be greater than nine members and in the
26 case of a multicounty area, fifteen members. Those cities within the
27 transportation benefit area and excluded from direct membership on the
28 authority are hereby authorized to designate a member of the authority
29 who shall be entitled to represent the interests of such city which is
30 excluded from direct membership on the authority. The legislative body

1 of such city shall notify the authority as to the determination of its
2 authorized representative on the authority.

3 Each member of the authority is eligible to (~~be reimbursed for~~
4 ~~travel expenses in accordance with RCW 43.03.050 and 43.03.060 and to~~)
5 receive compensation, as set by the authority, in an amount not to
6 exceed (~~forty-four~~) fifty dollars for each day during which the
7 member attends official meetings of the authority or performs
8 prescribed duties approved by the chairman of the authority. In no
9 event may a member be compensated in any year for more than
10 seventy-five days, except the chairman who may be paid compensation for
11 not more than one hundred days: PROVIDED, That compensation shall not
12 be paid to an elected official or employee of federal, state, or local
13 government who is receiving regular full-time compensation from such
14 government for attending meetings and performing prescribed duties of
15 the authority.

16 **Sec. 10.** RCW 36.62.200 and 1984 c 26 s 17 are each amended to read
17 as follows:

18 No trustee shall (~~receive any compensation or emolument whatever~~
19 ~~for services as trustee; nor shall any trustee~~) have or acquire any
20 personal interest in any lease or contract whatsoever, made by the
21 county or board of trustees with respect to such hospital or
22 institution(~~(: PROVIDED, That)~~) . Each member of a board of trustees
23 of a county hospital may be (~~reimbursed for travel expenses in~~
24 ~~accordance with RCW 43.03.050 and 43.03.060 as now existing or~~
25 ~~hereafter amended: PROVIDED FURTHER, That, in addition, trustees of a~~
26 ~~county hospital shall be reimbursed for travel expenses for traveling~~
27 ~~from their home to a trustee meeting at a rate provided for in RCW~~
28 ~~43.03.060 as now existing or hereafter amended~~) compensated as
29 provided by section 5 of this act.

1 **Sec. 11.** RCW 36.68.030 and 1969 ex.s. c 176 s 93 are each amended
2 to read as follows:

3 Each county may form a county park and recreation board composed of
4 seven members, who shall be appointed by the ~~((board of))~~ county
5 ~~((commissioners to serve without compensation))~~ legislative authority.

6 **Sec. 12.** RCW 36.69.110 and 1963 c 4 s 36.69.110 are each amended
7 to read as follows:

8 The park and recreation commissioners shall receive ~~((no))~~
9 compensation for their services ~~((but shall receive necessary expenses~~
10 ~~in attending meetings of the board or when otherwise engaged on~~
11 ~~district business))~~ as provided by section 5 of this act.

12 **Sec. 13.** RCW 36.95.070 and 1971 ex.s. c 155 s 7 are each amended
13 to read as follows:

14 Members of the board shall receive ~~((no))~~ compensation for their
15 services ~~((, but shall be reimbursed from district funds for any actual~~
16 ~~and necessary expenses incurred by them in the performance of their~~
17 ~~official duties))~~ as provided by section 5 of this act.

18 **Sec. 14.** RCW 84.48.036 and 1970 ex.s. c 55 s 9 are each amended to
19 read as follows:

20 The county commissioners may provide an adequate annual budget and
21 funds for operation and needs of the board of equalization, including,
22 but not limited to the costs and expenses of the board, such as the
23 meeting place, the necessary equipment and facilities, materials, the
24 salaries of the clerk of the board and his assistants, the ~~((expenses))~~
25 compensation of the members of the board ~~((during the sessions))~~ as
26 provided by section 5 of this act, travel, in-service training, and
27 payment of salaries of all such employees hired by the board, to

1 facilitate its work.