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SENATE BILL 5636

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State of Washington

52nd Legislature

1991 Regular Session

By Senator Talmadge.

Read first time February 12, 1991. Referred to Committee on Governmental Operations.

1 AN ACT Relating to nonunion port employees compensation; and  
2 amending RCW 53.08.170.

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

4 **Sec. 1.** RCW 53.08.170 and 1987 c 50 s 1 are each amended to read  
5 as follows:

6 (1) The port commission shall have authority to create and fill  
7 positions, to fix wages, salaries and bonds thereof, to pay costs and  
8 assessments involved in securing or arranging to secure employees, and  
9 to establish such benefits for employees, including holiday pay,  
10 vacations or vacation pay, retirement and pension benefits, medical,  
11 surgical or hospital care, life, accident, or health disability  
12 insurance, and similar benefits, already established by other employers  
13 of similar employees, as the port commissioner shall by resolution  
14 provide: PROVIDED, That any district providing insurance benefits for  
15 its employees in any manner whatsoever may provide health and accident

1 insurance, life insurance with coverage not to exceed that provided  
2 district employees, and business related travel, liability, and errors  
3 and omissions insurance, for its commissioners, which insurance shall  
4 not be considered to be compensation.

5 The port commission shall have authority to provide or pay such  
6 benefits directly, or to provide for such benefits by the purchase of  
7 insurance policies or entering into contracts with and compensating any  
8 person, firm, agency or organization furnishing such benefits, or by  
9 making contributions to vacation plans or funds, or health and welfare  
10 plans and funds, or pension plans or funds, or similar plans or funds,  
11 already established by other employers of similar employees and in  
12 which the port district is permitted to participate for particular  
13 classifications of its employees by the trustees or other persons  
14 responsible for the administration of such established plans or funds:  
15 PROVIDED FURTHER, That no port district employee shall be allowed to  
16 apply for admission to or be accepted as a member of the state  
17 employees' retirement system after January 1, 1965 if admission to such  
18 system would result in coverage under both a private pension system and  
19 the state employees' retirement system, it being the purpose of this  
20 proviso that port districts shall not at the same time contribute for  
21 any employee to both a private pension or retirement plan and to the  
22 state employees' retirement system. The port commission shall have  
23 authority by resolution to utilize and compensate agents for the  
24 purpose of paying, in the name and by the check of such agent or agents  
25 or otherwise, wages, salaries and other benefits to employees, or  
26 particular classifications thereof, and for the purpose of withholding  
27 payroll taxes and paying over tax moneys so withheld to appropriate  
28 government agencies, on a combined basis with the wages, salaries,  
29 benefits, or taxes of other employers or otherwise; to enter into such  
30 contracts and arrangements with and to transfer by warrant such funds

1 from time to time to any such agent or agents so appointed as are  
2 necessary to accomplish such salary, wage, benefit, or tax payments as  
3 though the port district were a private employer, notwithstanding any  
4 other provision of the law to the contrary. The funds of a port  
5 district transferred to such an agent or agents for the payment of  
6 wages or salaries of its employees in the name or by the check of such  
7 agent or agents shall be subject to garnishment with respect to  
8 salaries or wages so paid, notwithstanding any provision of the law  
9 relating to municipal corporations to the contrary.

10 (2) Nothing in subsection (1) of this section shall allow a port  
11 commission to compensate its nonunion employees in the form of lump-sum  
12 or bonus payments.