
SUBSTITUTE HOUSE BILL 2895

State of Washington

57th Legislature

2002 Regular Session

By House Committee on Appropriations (originally sponsored by Representatives Kessler, Chase and Ogden)

Read first time 02/07/2002. Referred to Committee on .

1 AN ACT Relating to allowing port employees to join more than one
2 retirement plan subject to a labor agreement; and amending RCW
3 53.08.170.

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

5 **Sec. 1.** RCW 53.08.170 and 1991 sp.s. c 30 s 22 are each amended to
6 read as follows:

7 The port commission shall have authority to create and fill
8 positions, to fix wages, salaries and bonds thereof, to pay costs and
9 assessments involved in securing or arranging to secure employees, and
10 to establish such benefits for employees, including holiday pay,
11 vacations or vacation pay, retirement and pension benefits, medical,
12 surgical or hospital care, life, accident, or health disability
13 insurance, and similar benefits, already established by other employers
14 of similar employees, as the port commissioner shall by resolution
15 provide: PROVIDED, That any district providing insurance benefits for
16 its employees in any manner whatsoever may provide health and accident
17 insurance, life insurance with coverage not to exceed that provided
18 district employees, and business related travel, liability, and errors

1 and omissions insurance, for its commissioners, which insurance shall
2 not be considered to be compensation.

3 Subject to chapter 48.62 RCW, the port commission shall have
4 authority to provide or pay such benefits directly, or to provide for
5 such benefits by the purchase of insurance policies or entering into
6 contracts with and compensating any person, firm, agency or
7 organization furnishing such benefits, or by making contributions to
8 vacation plans or funds, or health and welfare plans and funds, or
9 pension plans or funds, or similar plans or funds, already established
10 by other employers of similar employees and in which the port district
11 is permitted to participate for particular classifications of its
12 employees by the trustees or other persons responsible for the
13 administration of such established plans or funds: PROVIDED FURTHER,
14 That no port district employee shall be allowed to apply for admission
15 to or be accepted as a member of the state employees' retirement system
16 after January 1, 1965, if admission to such system would result in
17 coverage under both a private pension system and the state employees'
18 retirement system, it being the purpose of this proviso that port
19 districts shall not at the same time contribute for any employee to
20 both a private pension or retirement plan and to the state employees'
21 retirement system. The port commission shall have authority by
22 resolution to utilize and compensate agents for the purpose of paying,
23 in the name and by the check of such agent or agents or otherwise,
24 wages, salaries and other benefits to employees, or particular
25 classifications thereof, and for the purpose of withholding payroll
26 taxes and paying over tax moneys so withheld to appropriate government
27 agencies, on a combined basis with the wages, salaries, benefits, or
28 taxes of other employers or otherwise; to enter into such contracts and
29 arrangements with and to transfer by warrant such funds from time to
30 time to any such agent or agents so appointed as are necessary to
31 accomplish such salary, wage, benefit, or tax payments as though the
32 port district were a private employer, notwithstanding any other
33 provision of the law to the contrary. The funds of a port district
34 transferred to such an agent or agents for the payment of wages or
35 salaries of its employees in the name or by the check of such agent or
36 agents shall be subject to garnishment with respect to salaries or
37 wages so paid, notwithstanding any provision of the law relating to
38 municipal corporations to the contrary.

1 Notwithstanding any provision in this section, the governing body
2 of a port district may enter into an agreement in writing with one or
3 more of its officers or employees or a group of such officers and
4 employees, authorizing deductions from the officer's or employee's
5 salary or wages of the amount of any premium specified in writing by
6 the officer or employee, for contribution to any private pension plan,
7 without loss of eligibility for membership in the state employees'
8 retirement system, and may agree to remit that amount to the management
9 of such private pension plan. However, no port district funds shall be
10 contributed or paid to such private plan. When such authorized
11 deductions are certified by the port commission to the port district's
12 auditor, the auditor shall draw and issue a proper warrant or warrants,
13 or check or checks if that method of payment is authorized by statute,
14 directly to and in favor of the person, firm, corporation, or
15 organization named in the authorization, for the total amount
16 authorized to be deducted from the payroll, together with a list
17 identifying the officers and employees for whom the payment is made.

18 Nothing in this section may be invoked to invalidate any private
19 pension plan or any public or private contributions or payments
20 thereto, or exclude members of any such private pension plan from
21 membership in the state employees' retirement system, if such private
22 plan was in operation on December 31, 2001.

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