
HOUSE BILL 2895

State of Washington 57th Legislature 2002 Regular Session

By Representatives Kessler, Chase and Ogden

Read first time 02/01/2002. Referred to Committee on Appropriations.

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 (1) 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)~~). However, any district providing
16 insurance benefits for its employees in any manner whatsoever may
17 provide health and accident insurance, life insurance with coverage not
18 to exceed that provided district employees, and business related
19 travel, liability, and errors and omissions insurance, for its

1 commissioners, which insurance shall not be considered to be
2 compensation.

3 (2)(a)(i) Subject to chapter 48.62 RCW, the port commission shall
4 have authority to provide or pay such benefits directly, or to provide
5 for such benefits by the purchase of insurance policies or entering
6 into 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~~)). However, except under (a)(ii) of this subsection, a port
15 district employee shall not be allowed to apply for admission to or be
16 accepted as a member of the state employees' retirement system after
17 January 1, 1965, if admission to such system would result in coverage
18 under both a private pension system and the state employees' retirement
19 system(, it being)). The purpose of this ((~~proviso~~)) restriction is
20 that port districts shall not at the same time contribute for any
21 employee to both a private pension or retirement plan and to the state
22 employees' retirement system, except under (a)(ii) of this subsection.

23 (ii) A port employee shall be allowed to join a private pension
24 system and the state employees' retirement system, if eligibility for
25 a supplemental pension program, deferred compensation program, or both,
26 are part of a negotiated labor agreement.

27 (b) The port commission shall have authority by resolution to
28 utilize and compensate agents for the purpose of paying, in the name
29 and by the check of such agent or agents or otherwise, wages, salaries
30 and other benefits to employees, or particular classifications thereof,
31 and for the purpose of withholding payroll taxes and paying over tax
32 moneys so withheld to appropriate government agencies, on a combined
33 basis with the wages, salaries, benefits, or taxes of other employers
34 or otherwise; to enter into such contracts and arrangements with and to
35 transfer by warrant such funds from time to time to any such agent or
36 agents so appointed as are necessary to accomplish such salary, wage,
37 benefit, or tax payments as though the port district were a private
38 employer, notwithstanding any other provision of the law to the
39 contrary. The funds of a port district transferred to such an agent or

1 agents for the payment of wages or salaries of its employees in the
2 name or by the check of such agent or agents shall be subject to
3 garnishment with respect to salaries or wages so paid, notwithstanding
4 any provision of the law relating to municipal corporations to the
5 contrary.

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