

CHAPTER 242  
[Engrossed Senate Bill No. 176]  
MUNICIPAL OFFICERS--  
BOARDS OF FIRE COMMISSIONERS

AN ACT Relating to municipal officers; and boards of fire commissioners; amending section 4, chapter 268, Laws of 1961 and RCW 42.23.030; amending section 22, chapter 34, Laws of 1939 as last amended by section 1, chapter 67, Laws of 1969 ex. sess. and RCW 52.12.010; adding a new section to chapter 52.12 RCW; and declaring an emergency.

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

Section 1. Section 4, chapter 268, Laws of 1961 and RCW 42.23.030 are each amended to read as follows:

No municipal officer shall be beneficially interested, directly or indirectly, in any contract which may be made by, through or under the supervision of such officer, in whole or in part, or which may be made for the benefit of his office, or accept, directly or indirectly, any compensation, gratuity or reward in connection with such contract from any other person beneficially interested therein. This section shall not apply in the following cases:

(1) The furnishing of electrical, water or other utility services by a municipality engaged in the business of furnishing such services, at the same rates and on the same terms as are available to the public generally;

(2) The designation of public depositaries for municipal funds;

(3) The publication of legal notices required by law to be published by any municipality, upon competitive bidding or at rates not higher than prescribed by law for members of the general public;

(4) The designation of a school director as clerk or as both clerk and purchasing agent of a school district;

(5) The employment of any person by a municipality, other than a county of the first class or higher, a city of the first or second class, or a first class school district, for unskilled day labor at wages not exceeding one hundred dollars in any calendar month;  
(and)

(6) The letting of any other contract ((in such a municipality)) (except a sale or lease ((by the municipality)) as seller or lessor) by a municipality, other than a county of the first class or higher, a city of the first or second class, or a first class school district: PROVIDED, That the total volume of business represented by such contract or contracts in which a particular officer is interested, singly or in the aggregate, as measured by the dollar amount of the municipality's liability thereunder, shall not

exceed two hundred dollars in any calendar month: PROVIDED FURTHER, That in the case of a particular officer of a city or town of the third, or fourth class, or a noncharter optional code city, the total volume of such contract or contracts authorized in this subsection may exceed two hundred dollars in any calendar month but shall not exceed thirty-six hundred dollars in any calendar year:

(7) The leasing by a port district as lessor ((may lease)) of port district property to a municipal officer or to a contracting party in which a municipal officer may be beneficially interested, if in addition to all other legal requirements, a board of three disinterested appraisers, who shall be appointed from members of the American institute of real estate appraisers by the presiding judge of the superior court in the county where the property is situated, shall find and the court finds that all terms and conditions of such lease are fair to the port district and are in the public interest.

Section 2. Section 22, chapter 34, Laws of 1939 as last amended by section 1, chapter 67, Laws of 1969 ex. sess. and RCW 52.12.010 are each amended to read as follows:

The affairs of the district shall be managed by a board of fire commissioners composed of three resident electors of the district. The members of any district which owns or operates motor-powered fire fighting equipment shall each receive twenty-five dollars per day, not to exceed seventy-five dollars per month, for attendance at board meetings and for performance of other services in behalf of the district. In addition, they shall receive necessary expenses incurred in attending meetings of the board or when otherwise engaged ((om)) in district business, and shall be entitled to receive the same insurance available to all firemen of the district: PROVIDED, That the premiums for such insurance, except liability insurance, shall be paid by the individual commissioners who elect to receive it. In any district which has a fire department owning and operating motor-powered fire fighting equipment and employing personnel on a full time, fully paid basis, fire commissioners, in addition to expenses as aforesaid, shall each receive twenty-five dollars per day, not to exceed one hundred twenty-five dollars per month, for attendance at board meetings and for performance of other services on behalf of the district.

The board shall fix the compensation to be paid the secretary and all other agents and employees of the district. The board may, by resolution adopted by unanimous vote, authorize any of its members to serve as volunteer firemen without compensation. ((Only)) A commissioner actually serving as a volunteer fireman may enjoy the rights and benefits of a volunteer fireman. The first commissioners shall serve until after the next general election for the selection of commissioners and until their successors have been elected or

appointed and have qualified.

NEW SECTION. Sec. 3. There is added to chapter 52.12 RCW a new section to read as follows:

In any fire protection district maintaining a fire department consisting wholly of personnel employed on a full time, fully paid basis, there shall be five fire commissioners. The two positions created on boards of fire commissioners by this 1971 amendatory act shall be filled initially as for a vacancy, except that the appointees shall draw lots, one appointee to serve until the next general fire district election after the effective date of this 1971 amendatory act, at which two commissioners shall be elected for six year terms, and the other appointee to serve until the second general fire district election after the effective date of this 1971 amendatory act, at which two commissioners shall be elected for six year terms.

NEW SECTION. Sec. 4. This 1971 amendatory act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

Passed the Senate May 10, 1971.

Passed the House May 9, 1971.

Approved by the Governor May 20, 1971.

Filed in Office of Secretary of State May 21, 1971.

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CHAPTER 243

[Senate Bill No. 185]

CONSERVATION FUTURES CREATED--

SPECIAL TAX LEVY AUTHORIZED--

SPECIAL FUND CREATED--

TRANSFERS OF PROPERTY FOR PARK OR RECREATIONAL PURPOSES

AN ACT Relating to the powers of governmental units; authorizing purchases by counties, cities, towns or metropolitan municipal corporations of developmental rights termed "conservation futures" and certain other interests and rights in real property; providing a method of taxation by counties to finance such purchases; providing for property conveyance by governmental units to counties or park and recreation districts for park or recreational purposes; amending section 84.52.010, chapter 15, Laws of 1961 as amended by section 4, chapter 92, Laws of 1970 ex. sess. and RCW 84.52.010; adding a new section to chapter 57.08 RCW; and adding new sections to chapter 87, Laws of 1970 ex. sess. and to Title 84 RCW.