

## CHAPTER 330

[Reengrossed Substitute House Bill No. 23]

## SPECIAL DISTRICTS—MEMBER COMPENSATION

AN ACT Relating to local government; and amending RCW 35.58.160, 52.14.010, 53.12.260, 54.12.080, 56.12.010, 57.12.010, and 70.44.050.

Be it enacted by the Legislature of the State of Washington:

Sec. 1. Section 35.58.160, chapter 7, Laws of 1965 as amended by section 2, chapter 84, Laws of 1974 ex. sess. and RCW 35.58.160 are each amended to read as follows:

The chairman and committee chairmen of the metropolitan council except elected public officials serving on a full-time salaried basis may receive such compensation as the other members of the metropolitan council shall provide. Members of the council other than the chairman and committee chairmen shall receive compensation of fifty dollars per day or portion thereof for attendance at metropolitan council or committee meetings ((of forty dollars per diem)), or for performing other services on behalf of the metropolitan municipal corporation, but not exceeding a total of ((three hundred and twenty)) four thousand eight hundred dollars in any ((one month)) year, in addition to any compensation which they may receive as officers of component cities or counties: PROVIDED, That elected public officers serving in such capacities on a full-time basis shall not receive compensation for attendance at metropolitan, council, or committee meetings, or otherwise performing services on behalf of the metropolitan municipal corporation: PROVIDED FURTHER, That committee chairmen shall not receive compensation in any one year greater than one-third of the compensation authorized for the county commissioners or county councilmen of the central county.

Any member of the council may waive all or any portion of his or her compensation payable under this section as to any month or months during his or her term of office, by a written waiver filed with the council as provided in this section. The waiver, to be effective, must be filed any time after the member's selection and prior to the date on which the compensation would otherwise be paid. The waiver shall specify the month or period of months for which it is made.

All members of the council shall be reimbursed for expenses actually incurred by them in the conduct of official business for the metropolitan municipal corporation.

Sec. 2. Section 22, chapter 34, Laws of 1939 as last amended by section 1, chapter 27, Laws of 1980 and RCW 52.14.010 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 except as provided

in RCW 52.14.015 and 52.14.020. ~~((The))~~ Each member(s) shall each receive ~~((twenty-five))~~ fifty dollars per day or portion thereof, not to exceed ~~((seventy-five))~~ four thousand eight hundred dollars per ~~((month))~~ year, 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 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 commissioner, 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.))~~

Any commissioner may waive all or any portion of his or her compensation payable under this section as to any month or months during his or her term of office, by a written waiver filed with the secretary as provided in this section. The waiver, to be effective, must be filed any time after the commissioner's election and prior to the date on which said compensation would otherwise be paid. The waiver shall specify the month or period of months for which it is made.

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. A commissioner actually serving as a volunteer fireman may enjoy the rights and benefits of a volunteer fireman. The first commissioners shall take office immediately when qualified in accordance with RCW 29.01.135 and shall serve until after the next general election for the selection of commissioners and until their successors have been elected and have qualified and have assumed office in accordance with RCW 29.04.170.

Sec. 3. Section 1, chapter 187, Laws of 1975 1st ex. sess. and RCW 53.12.260 are each amended to read as follows:

Each commissioner(s) of a port district shall receive ~~((up to forty))~~ fifty dollars per day ~~((for each day))~~ or portion thereof spent (a) in actual attendance at official meetings of the port district commission, or (b) in performance of other service in behalf of the district: PROVIDED, That no commissioner shall receive compensation ~~((for more than seventy-two days))~~ to exceed five thousand eight hundred dollars for any calendar year: PROVIDED FURTHER, That no commissioner of a port district ~~((having a population of less than one hundred thousand persons according to the most recent United States census))~~ shall receive compensation ~~((for more~~

~~than forty-eight days)) to exceed four thousand eight hundred dollars for any calendar year if the port district had gross operating income of less than twenty-five million dollars in the preceding calendar year.~~

For any commissioner who has not elected to become a member of public employees retirement system before May 1, 1975, the compensation provided pursuant to this section shall not be considered salary for purposes of the provisions of any retirement system created pursuant to the general laws of this state nor shall attendance at such meetings or other service on behalf of the district constitute service as defined in RCW 41.40.010(9); PROVIDED, That in the case of a port district when commissioners are receiving compensation and contributing to the public employees retirement system, these benefits shall continue in full force and effect notwithstanding the provisions of RCW 53.12.260 and 53.12.265.

Sec. 4. Section 4, chapter 207, Laws of 1951 as last amended by section 1, chapter 157, Laws of 1977 ex. sess. and RCW 54.12.080 are each amended to read as follows:

(1) Each public utility district commissioner of a district operating utility properties shall receive a salary during a calendar year which shall depend upon the total gross revenue of the district from its distribution system and its generating system, if any, for the fiscal year ending June 30th prior to such calendar year, based upon the following schedule:

REVENUE	SALARY
OVER \$15 million	\$500 per month
\$2 to 15 million	\$350 per month

Commissioners of other districts shall serve without salary unless the district provides by resolution for the payment thereof, which however shall not exceed two hundred dollars per month for each commissioner(~~(:PROVIDED, That a commissioner serving a term of office on September 21, 1977, in a district serving more than two thousand customers but with less than two million dollars gross annual revenue shall receive a salary of two hundred dollars per month through completion of the present term of office)).~~ In addition to salary, all districts may provide by resolution for the payment of per diem compensation to each commissioner at a rate not exceeding ~~((thirty-five))~~ fifty dollars for each day or major part thereof devoted to the business of the district, and days upon which he attends meetings of the commission of his district or meetings attended by one or more commissioners of two or more districts called to consider business common to them, but such ~~((per diem))~~ compensation paid during any one year to a commissioner shall not exceed ~~((five))~~ seven thousand dollars. Per diem compensation shall not be paid for services of a ministerial or professional nature.

(2) Any commissioner may waive all or any portion of his or her compensation payable under this section as to any month or months during his

or her term of office, by a written waiver filed with the district as provided in this section. The waiver, to be effective, must be filed any time after the commissioner's election and prior to the date on which the compensation would otherwise be paid. The waiver shall specify the month or period of months for which it is made.

(3) Each district commissioner shall be reimbursed for reasonable expenses actually incurred in connection with such business and meetings, including his subsistence and lodging and travel while away from his place of residence.

(4) Any district providing group insurance for its employees, covering them, their immediate family and dependents, may provide insurance for its commissioner with the same coverage.

Sec. 5. Section 9, chapter 210, Laws of 1941 as last amended by section 1, chapter 92, Laws of 1980 and RCW 56.12.010 are each amended to read as follows:

The governing body of a sewer district shall be a board of commissioners consisting of three members. The commissioners shall annually elect one of their number as president and another as secretary of the board.

A district shall provide by resolution for the payment of compensation to each of its commissioners at a rate (~~((not exceeding forty))~~ of fifty dollars for each day or (~~((major part))~~ portion thereof devoted to the business of the district: PROVIDED, That the (~~((per diem))~~ compensation for each commissioner shall not exceed (~~((twenty-four hundred))~~ four thousand eight hundred dollars per year. In addition, the secretary may be paid a reasonable sum for clerical services.

Any commissioner may waive all or any portion of his or her compensation payable under this section as to any month or months during his or her term of office, by a written waiver filed with the district as provided in this section. The waiver, to be effective, must be filed any time after the commissioner's election and prior to the date on which the compensation would otherwise be paid. The waiver shall specify the month or period of months for which it is made.

No commissioner shall be employed full time by the district.

The board shall by resolution adopt rules governing the transaction of its business and shall adopt an official seal. All proceedings shall be by resolution recorded in a book kept for that purpose, which shall be a public record.

Sec. 6. Section 7, chapter 114, Laws of 1929 as last amended by section 2, chapter 92, Laws of 1980 and RCW 57.12.010 are each amended to read as follows:

The governing body of a district shall be a board of water commissioners consisting of three members. The board shall annually elect one of its members as president and another as secretary.

The board shall by resolution adopt rules governing the transaction of its business and shall adopt an official seal. All proceedings shall be by resolution recorded in a book kept for that purpose which shall be a public record.

A district shall provide by resolution for the payment of compensation to each of its commissioners at a rate (~~((not exceeding forty))~~) of fifty dollars for each day or (~~((major part))~~) portion thereof devoted to the business of the district: PROVIDED, That the (~~((per diem))~~) compensation for each commissioner shall not exceed (~~((twenty-four))~~) four thousand eight hundred dollars per year. In addition, the secretary may be paid a reasonable sum for clerical services.

Any commissioner may waive all or any portion of his or her compensation payable under this section as to any month or months during his or her term of office, by a written waiver filed with the district as provided in this section. The waiver, to be effective, must be filed any time after the commissioner's election and prior to the date on which the compensation would otherwise be paid. The waiver shall specify the month or period of months for which it is made.

No commissioner shall be employed full time by the district. Each commissioner shall be reimbursed for reasonable expenses actually incurred in connection with such business, including his subsistence and lodging, while away from the commissioner's place of residence and mileage for use of a privately-owned vehicle at the mileage rate authorized in RCW 43.03-.060 as now existing or hereafter amended.

The date for holding elections and taking office as herein provided shall be subject to the provisions of any consolidated election laws that may be made applicable thereto although previously enacted.

Sec. 7. Section 15, chapter 264, Laws of 1945 as last amended by section 14, chapter 84, Laws of 1982 and RCW 70.44.050 are each amended to read as follows:

A district (~~((may))~~) shall provide by resolution for the payment of compensation to each of its commissioners at a rate (~~((not exceeding forty))~~) of fifty dollars for each day or (~~((major part))~~) portion thereof devoted to the business of the district, and days upon which he or she attends meetings of the commission of his or her own district, or meetings attended by one or more commissioners of two or more districts called to consider business common to them, except that the total compensation paid to such commissioner during any one year shall not exceed (~~((two))~~) four thousand (~~((four))~~) eight hundred dollars: PROVIDED, That commissioners may not be compensated for services performed of a ministerial or professional nature.

Any commissioner may waive all or any portion of his or her compensation payable under this section as to any month or months during his or her term of office, by a written waiver filed with the district as provided in this section. The waiver, to be effective, must be filed any time after the

commissioner's election and prior to the date on which the compensation would otherwise be paid. The waiver shall specify the month or period of months for which it is made.

Any district providing group insurance for its employees, covering them, their immediate family, and dependents, may provide insurance for its commissioners with the same coverage. Each commissioner shall be reimbursed for reasonable expenses actually incurred in connection with such business and meetings, including his subsistence and lodging and travel while away from his place of residence. No resolution shall be adopted without a majority vote of the whole commission. The commission shall organize by election of its own members of a president and secretary, shall by resolution adopt rules governing the transaction of its business and shall adopt an official seal. All proceedings of the commission shall be by motion or resolution recorded in a book or books kept for such purpose, which shall be public records.

Passed the House April 22, 1985.

Passed the Senate April 12, 1985.

Approved by the Governor May 16, 1985.

Filed in Office of Secretary of State May 16, 1985.

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## CHAPTER 331

[Engrossed House Bill No. 327]

### OPTICAL STROBE LIGHTS—USE RESTRICTED TO EMERGENCY AND LAW ENFORCEMENT VEHICLES

AN ACT Relating to motor vehicles; amending RCW 46.37.190 and 46.16.275; and declaring an emergency.

Be it enacted by the Legislature of the State of Washington:

Sec. 1. Section 46.37.190, chapter 12, Laws of 1961 as last amended by section 1, chapter 101, Laws of 1982 and RCW 46.37.190 are each amended to read as follows:

(1) Every authorized emergency vehicle shall, in addition to any other equipment and distinctive marking required by this chapter, be equipped with at least one lamp capable of displaying a red light visible from at least five hundred feet in normal sunlight and a siren capable of giving an audible signal.

(2) Every school bus and private carrier bus shall, in addition to any other equipment and distinctive markings required by this chapter, be equipped with a "stop" signal upon a background not less than fourteen by eighteen inches displaying the word "stop" in letters of distinctly contrasting colors not less than eight inches high, and shall further be equipped with signal lamps mounted as high and as widely spaced laterally as practicable, which shall be capable of displaying to the front two alternately flashing red lights located at the same level and to the rear two alternately flashing red