
SENATE BILL 6001

State of Washington 52nd Legislature 1991 1st Special Session

By Senators Thorsness, McCaslin, Craswell, Roach, Patterson, Cantu and Amondson.

Read first time June 21, 1991. Referred to Committee on Governmental Operations.

1 AN ACT Relating to the citizens' commission for elected officials;
2 amending RCW 2.04.092, 2.06.062, 2.08.092, 3.58.010, 43.03.010,
3 43.03.028, 34.12.100, 42.17.370, and 43.03.040; adding new sections to
4 chapter 43.03 RCW; creating a new section; decodifying RCW 43.01.011,
5 43.01.012, and 43.01.013; repealing RCW 43.03.300, 43.03.305, and
6 43.03.310; and declaring an emergency.

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

8 NEW SECTION. **Sec. 1.** This act abolishes the citizens'
9 commission on salaries for elected officials and reinstates the
10 statutory provisions that existed prior to the commission's
11 establishment. Sections 2 through 10 of this act reinstate language
12 that was deleted in the creation of the commission by chapter 155, Laws
13 of 1986. Sections 11 and 12 of this act are identical to RCW 43.03.045
14 and 43.03.047 which were repealed by chapter 155, Laws of 1986. The
15 sections repealed by section 13 of this act are sections that were

1 added by chapter 155, Laws of 1986. The salary schedule as adopted by
2 the commission in 1989 is decodified by section 14 of this act.
3 Sections 15, 16, and 17 of this act are an enactment by the legislature
4 of this same schedule.

5 **Sec. 2.** RCW 2.04.092 and 1986 c 155 s 4 are each amended to read
6 as follows:

7 Until January 12, 1992 the annual salary of justices of the supreme
8 court shall be as established by ((the Washington citizens' commission
9 on salaries for elected officials)) section 16 of this act. Beginning
10 January 12, 1992, the annual salary of justices of the supreme court
11 shall be prescribed by the legislature in the biennial budget. No
12 salary warrant may be issued to a justice of the supreme court until
13 the justice files with the state treasurer an affidavit that no matter
14 referred to the justice for opinion or decision has been uncompleted or
15 undecided for more than six months.

16 **Sec. 3.** RCW 2.06.062 and 1986 c 155 s 5 are each amended to read
17 as follows:

18 Until January 12, 1992, the annual salary of the judges of the
19 court of appeals shall be as established by ((the Washington citizens'
20 commission on salaries for elected officials)) section 16 of this act.
21 Beginning January 12, 1992, the annual salary of judges of the court of
22 appeals shall be prescribed by the legislature in the biennial budget.
23 No salary warrant may be issued to any judge until the judge files with
24 the state treasurer an affidavit that no matter referred to the judge
25 for opinion or decision has been uncompleted for more than six months.

26 **Sec. 4.** RCW 2.08.092 and 1986 c 155 s 6 are each amended to read
27 as follows:

1 Until January 12, 1992, the annual salary of the judges of the
2 superior court shall be as established by ((the Washington citizens'
3 commission on salaries for elected officials)) section 16 of this act.
4 Beginning January 12, 1992, the annual salary of the judges of the
5 superior court shall be prescribed by the legislature in the biennial
6 budget.

7 **Sec. 5.** RCW 3.58.010 and 1986 c 155 s 7 are each amended to read
8 as follows:

9 Until January 12, 1992, the annual salary of each full time
10 district court judge shall be as established by ((the Washington
11 citizen's commission on salaries for elected officials.)) section 16 of
12 this act. Beginning January 12, 1992, the annual salary of each full
13 time district court judge shall be prescribed by the legislature in the
14 biennial budget: PROVIDED, That a member of the legislature whose term
15 of office is partly coextensive with or extends beyond the present term
16 of office of any of the officials whose salary is increased by virtue
17 of the provisions of RCW 43.03.010, 2.04.092, 2.06.062, 2.08.092, and
18 3.58.010 shall be eligible to be appointed or elected to any of the
19 offices the salary of which is increased hereby but he or she shall not
20 be entitled to receive such increased salary until after the expiration
21 of his or her present term of office and his or her subsequent election
22 or reelection to the office to which he or she was appointed or elected
23 respectively during his or her term of office as legislator.

24 **Sec. 6.** RCW 43.03.010 and 1989 c 10 s 8 are each amended to read
25 as follows:

26 The annual salaries of the following named state elected officials
27 shall be ((prescribed by the Washington citizens' commission on
28 salaries for elected officials)) as established by section 15 of this

1 act: Governor; lieutenant governor: PROVIDED, That in arriving at the
2 annual salary of the lieutenant governor the commission shall prescribe
3 a fixed amount plus a sum equal to 1/260th of the difference between
4 the annual salary of the lieutenant governor and the annual salary of
5 the governor for each day that the lieutenant governor is called upon
6 to perform the duties of the governor by reason of the absence from the
7 state, removal, resignation, death, or disability of the governor;
8 secretary of state; state treasurer; state auditor; attorney general;
9 superintendent of public instruction; commissioner of public lands; and
10 state insurance commissioner. Members of the legislature shall receive
11 for their service per annum the amount (~~prescribed by the Washington~~
12 ~~citizens' commission on salaries for elected officials~~) as established
13 by section 17 of this act; and in addition, reimbursement for mileage
14 for travel to and from legislative sessions as provided in RCW
15 43.03.060.

16 **Sec. 7.** RCW 43.03.028 and 1991 c 3 s 294 are each amended to read
17 as follows:

18 (1) There is hereby created a state committee on (~~agency~~
19 ~~officials~~) salaries to consist of seven members, or their designees,
20 as follows: The president of the University of Puget Sound; the
21 chairperson of the council of presidents of the state's four-year
22 institutions of higher education; the chairperson of the State
23 Personnel Board; the president of the Association of Washington
24 Business; the president of the Pacific Northwest Personnel Managers'
25 Association; the president of the Washington State Bar Association; and
26 the president of the Washington State Labor Council. If any of the
27 titles or positions mentioned in this subsection are changed or
28 abolished, any person occupying an equivalent or like position shall be

1 qualified for appointment by the governor to membership upon the
2 committee.

3 (2) The committee shall study the duties and salaries of the
4 directors of the several departments and the members of the several
5 boards and commissions of state government, who are subject to
6 appointment by the governor or whose salaries are fixed by the
7 governor, and of the chief executive officers of the following agencies
8 of state government:

9 The arts commission; the human rights commission; the board of
10 accountancy; the board of pharmacy; the capitol historical association
11 and museum; the eastern Washington historical society; the Washington
12 state historical society; the interagency committee for outdoor
13 recreation; the criminal justice training commission; the department of
14 personnel; the state finance committee; the state library; the traffic
15 safety commission; the horse racing commission; the advisory council on
16 vocational education; the public disclosure commission; the state
17 conservation commission; the commission on Hispanic affairs; the
18 commission on Asian-American affairs; the state board for volunteer
19 fire fighters; the transportation improvement board; the public
20 employees relations commission; the forest practices appeals board; and
21 the energy facilities site evaluation council.

22 The committee shall report to the governor or the chairperson of
23 the appropriate salary fixing authority at least once in each fiscal
24 biennium on such date as the governor may designate, but not later than
25 seventy-five days prior to the convening of each regular session of the
26 legislature during an odd-numbered year, its recommendations for the
27 salaries to be fixed for each position.

28 (3) The committee shall also make a study of the duties and
29 salaries of all state elective officials, including members of the
30 supreme, appellate, superior, and district courts and members of the

1 legislature and report to the governor and the president of the senate
2 and the speaker of the house not later than sixty days prior to the
3 convening of each regular session of the legislature during an odd-
4 numbered year its recommendation for the salaries to be established for
5 each position. Copies of the committee report to the governor shall be
6 provided to the appropriate standing committees of the house and senate
7 upon request.

8 (4) Committee members shall be reimbursed by the department of
9 personnel for travel expenses under RCW 43.03.050 and 43.03.060.

10 **Sec. 8.** RCW 34.12.100 and 1986 c 155 s 10 are each amended to read
11 as follows:

12 The chief administrative law judge shall be paid a salary fixed by
13 the governor after recommendation of the state committee on ((agency
14 officials[^])) salaries. The salaries of administrative law judges
15 appointed under the terms of this chapter shall be determined by the
16 chief administrative law judge after recommendation of the state
17 committee on ((agency~~officials[^]~~)) salaries.

18 **Sec. 9.** RCW 42.17.370 and 1986 c 155 s 11 are each amended to read
19 as follows:

20 The commission is empowered to:

21 (1) Adopt, promulgate, amend, and rescind suitable administrative
22 rules to carry out the policies and purposes of this chapter, which
23 rules shall be adopted under chapter 34.05 RCW;

24 (2) Appoint and set, within the limits established by the committee
25 on ((agency~~officials[^]~~)) salaries under RCW 43.03.028, the compensation
26 of an executive director who shall perform such duties and have such
27 powers as the commission may prescribe and delegate to implement and
28 enforce this chapter efficiently and effectively. The commission shall

1 not delegate its authority to adopt, amend, or rescind rules nor shall
2 it delegate authority to determine whether an actual violation of this
3 chapter has occurred or to assess penalties for such violations;

4 (3) Prepare and publish such reports and technical studies as in
5 its judgment will tend to promote the purposes of this chapter,
6 including reports and statistics concerning campaign financing,
7 lobbying, financial interests of elected officials, and enforcement of
8 this chapter;

9 (4) Make from time to time, on its own motion, audits and field
10 investigations;

11 (5) Make public the time and date of any formal hearing set to
12 determine whether a violation has occurred, the question or questions
13 to be considered, and the results thereof;

14 (6) Administer oaths and affirmations, issue subpoenas, and compel
15 attendance, take evidence and require the production of any books,
16 papers, correspondence, memorandums, or other records relevant or
17 material for the purpose of any investigation authorized under this
18 chapter, or any other proceeding under this chapter;

19 (7) Adopt and promulgate a code of fair campaign practices;

20 (8) Relieve, by rule, candidates or political committees of
21 obligations to comply with the provisions of this chapter relating to
22 election campaigns, if they have not received contributions nor made
23 expenditures in connection with any election campaign of more than one
24 thousand dollars;

25 (9) Adopt rules prescribing reasonable requirements for keeping
26 accounts of and reporting on a quarterly basis costs incurred by state
27 agencies, counties, cities, and other municipalities and political
28 subdivisions in preparing, publishing, and distributing legislative
29 information. The term "legislative information," for the purposes of
30 this subsection, means books, pamphlets, reports, and other materials

1 prepared, published, or distributed at substantial cost, a substantial
2 purpose of which is to influence the passage or defeat of any
3 legislation. The state auditor in ~~((his))~~ the auditor's regular
4 examination of each agency under chapter 43.09 RCW shall review the
5 rules, accounts, and reports and make appropriate findings, comments,
6 and recommendations in his or her examination reports concerning those
7 agencies;

8 (10) After hearing, by order approved and ratified by a majority of
9 the membership of the commission, suspend or modify any of the
10 reporting requirements of this chapter in a particular case if it finds
11 that literal application of this chapter works a manifestly
12 unreasonable hardship and if it also finds that the suspension or
13 modification will not frustrate the purposes of the chapter. The
14 commission shall find that a manifestly unreasonable hardship exists if
15 reporting the name of an entity required to be reported under RCW
16 42.17.241(1)(g)(ii) would be likely to adversely affect the competitive
17 position of any entity in which the person filing the report or any
18 member of his immediate family holds any office, directorship, general
19 partnership interest, or an ownership interest of ten percent or more.
20 Any suspension or modification shall be only to the extent necessary to
21 substantially relieve the hardship. The commission shall act to
22 suspend or modify any reporting requirements only if it determines that
23 facts exist that are clear and convincing proof of the findings
24 required under this section. Any citizen has standing to bring an
25 action in Thurston county superior court to contest the propriety of
26 any order entered under this section within one year from the date of
27 the entry of the order; and

28 (11) Revise, at least once every five years but no more often than
29 every two years, the monetary reporting thresholds and reporting code
30 values of this chapter. The revisions shall be only for the purpose of

1 recognizing economic changes as reflected by an inflationary index
2 recommended by the office of financial management. The revisions shall
3 be guided by the change in the index for the period commencing with the
4 month of December preceding the last revision and concluding with the
5 month of December preceding the month the revision is adopted. As to
6 each of the three general categories of this chapter (reports of
7 campaign finance, reports of lobbyist activity, and reports of the
8 financial affairs of elected and appointed officials), the revisions
9 shall equally affect all thresholds within each category. Revisions
10 shall be adopted as rules under chapter 34.05 RCW. The first revision
11 authorized by this subsection shall reflect economic changes from the
12 time of the last legislative enactment affecting the respective code or
13 threshold through December 1985.

14 **Sec. 10.** RCW 43.03.040 and 1986 c 155 s 12 are each amended to
15 read as follows:

16 The directors of the several departments and members of the several
17 boards and commissions, whose salaries are fixed by the governor and
18 the chief executive officers of the agencies named in RCW 43.03.028(2)
19 as now or hereafter amended shall each severally receive such salaries,
20 payable in monthly installments, as shall be fixed by the governor or
21 the appropriate salary fixing authority, in an amount not to exceed the
22 recommendations of the committee on ((agency officials⁴)) salaries.

23 NEW SECTION. **Sec. 11.** A new section is added to chapter 43.03 RCW
24 to read as follows:

25 (1) The governor shall include, in the budget next transmitted by
26 him or her to the legislature after the date of the submission of the
27 report and recommendations of the committee under RCW 43.03.028, his or
28 her recommendations with respect to the exact annual salaries that he

1 or she deems advisable for all state elective officials within the
2 purview of RCW 43.03.028. As used in this subsection, the term
3 "budget" means the budget referred to in RCW 43.88.020(1).

4 (2) The recommendation of the governor transmitted to the
5 legislature in the budget as to such positions shall be carried forth
6 and included in the appropriation act of the state.

7 The amount of the salaries for which positions as enacted by the
8 legislature, in the appropriation bill, shall be the salary that each
9 respective official shall receive.

10 In the event the governor makes no recommendation, the salary that
11 each such respective official shall receive shall remain the same.

12 NEW SECTION. **Sec. 12.** A new section is added to chapter 43.03 RCW
13 to read as follows:

14 The salaries of public officials as shown by the appropriation bill
15 shall be printed in the session laws and the Revised Code of Washington
16 under the section caption of "Salaries for Public Officials".

17 NEW SECTION. **Sec. 13.** The following acts or parts of acts are
18 each repealed:

- 19 (1) RCW 43.03.300 and 1986 c 155 s 1;
20 (2) RCW 43.03.305 and 1986 c 155 s 2; and
21 (3) RCW 43.03.310 and 1986 c 155 s 3.

22 NEW SECTION. **Sec. 14.** RCW 43.03.011, 43.03.012, and 43.03.013
23 are each decodified.

24 NEW SECTION. **Sec. 15.** A new section is added to chapter 43.03 RCW
25 to read as follows:

1 The annual salaries of the state elected officials of the executive
2 branch shall be as follows:

3	(1) Governor	\$	99,600
4	(2) Lieutenant governor	\$	52,600
5	(3) Secretary of state	\$	54,200
6	(4) Treasurer	\$	67,000
7	(5) Auditor	\$	69,100
8	(6) Attorney general	\$	78,000
9	(7) Superintendent of public instruction	\$	71,900
10	(8) Commissioner of public lands	\$	71,900
11	(9) Insurance commissioner	\$	65,800

12 NEW SECTION. **Sec. 16.** A new section is added to chapter 43.03 RCW
13 to read as follows:

14 Until January 12, 1992, the annual salaries of the judges of the
15 state shall be as follows:

16	(1) Justices of the supreme court	\$	89,300
17	(2) Judges of the court of appeals	\$	84,900
18	(3) Judges of the superior court	\$	80,500
19	(4) Full-time judges of the district court	\$	76,600

20 NEW SECTION. **Sec. 17.** A new section is added to chapter 43.03 RCW
21 to read as follows:

22 The annual salary of members of the legislature shall be:

23	(1) Legislator	\$	19,900
24	(2) Speaker of the house	\$	21,900
25	(3) Senate majority leader	\$	20,900
26	(4) Senate minority leader	\$	20,900
27	(5) House minority leader	\$	20,900

1 NEW SECTION. **Sec. 18.** This act is necessary for the immediate
2 preservation of the public peace, health, or safety, or support of the
3 state government and its existing public institutions, and shall take
4 effect immediately.