

2 **SHB 1093** - S COMM AMD

3 By Committee on Government Operations

4

5 Strike everything after the enacting clause and insert the  
6 following:

7 **"Sec. 1.** RCW 35.17.108 and 1967 c 100 s 1 are each amended to read  
8 as follows:

9 (~~The annual salaries of~~) Compensation for the mayor and the  
10 commissioners of any city operating under a commission form of  
11 government shall be as fixed by (~~charter or~~) ordinance (~~of said~~  
12 ~~city~~). The power and authority conferred by this section shall be  
13 construed as in addition and supplemental to powers or authority  
14 conferred by any other law, and nothing contained herein shall be  
15 construed as limiting any other powers or authority of any such city.

16 An ordinance establishing compensation for the mayor and the  
17 commissioners may provide for periodic increases which may be discrete  
18 dollar amounts for each year of the statutory term or may be referenced  
19 to established measures of economic activity which cannot be influenced  
20 by the city. As used in this section, "established measures of  
21 economic activity" means published, recurring indices of performance of  
22 the economy in which the city is situated.

23 **Sec. 2.** RCW 35.18.220 and 1965 c 7 s 35.18.220 are each amended to  
24 read as follows:

25 Each member of the council shall receive such compensation as may  
26 be provided by (~~law to cities of the class to which it belongs~~)  
27 ordinance. The city manager and other officers or assistants shall  
28 receive such salary or compensation as the council shall fix by  
29 ordinance and shall be payable at such times as the council may  
30 determine.

31 An ordinance establishing compensation for councilmembers may  
32 provide for periodic increases which may be discrete dollar amounts for  
33 each year of the statutory term or may be referenced to established  
34 measures of economic activity which cannot be influenced by the city.  
35 As used in this section, "established measures of economic activity"

1 means published, recurring indices of performance of the economy in  
2 which the city is situated.

3 **Sec. 3.** RCW 35.22.205 and 1965 c 7 s 35.22.205 are each amended to  
4 read as follows:

5 The compensation and the time to be devoted to the performance of  
6 the duties of the mayor and elected officials of all cities of the  
7 first class shall be as fixed by ordinance of said city irrespective of  
8 any city charter provisions.

9 An ordinance establishing compensation for elected city officials  
10 may provide for periodic increases which may be discrete dollar amounts  
11 for each year of the statutory term or may be referenced to established  
12 measures of economic activity which cannot be influenced by the city.  
13 As used in this section, "established measures of economic activity"  
14 means published, recurring indices of performance of the economy in  
15 which the city is situated.

16 **Sec. 4.** RCW 35.23.220 and 1969 ex.s. c 270 s 7 are each amended to  
17 read as follows:

18 The city council shall fix ~~((the salary of all officials (-)))~~  
19 compensation for all city officials, except library trustees who shall  
20 serve without compensation and any other officer where provision is  
21 made by this title that such officer shall serve without  
22 compensation((+)).

23 No officer or official shall be allowed any extra or additional  
24 compensation, either directly or indirectly, for the rendition of  
25 services that the city council have authority to require ~~((of him))~~ the  
26 officer or official to perform by virtue of ((his)) the officer's or  
27 official's office.

28 ~~((The salaries of all city officers shall be paid monthly.))~~ An  
29 ordinance establishing compensation for city officials other than  
30 elected officials must describe the compensation in terms of a discrete  
31 dollar amount and may not provide for periodic increases referenced to  
32 anything. An ordinance establishing compensation for elected city  
33 officials may provide for periodic increases which may be discrete  
34 dollar amounts for each year of the statutory term or may be referenced  
35 to established measures of economic activity which cannot be influenced  
36 by the city. As used in this section, "established measures of  
37 economic activity" means published, recurring indices of performance of

1 the economy in which the city is situated. If any ordinance in effect  
2 on the effective date of this act establishes such compensation for  
3 city officials other than elected officials that is not described in a  
4 discrete dollar amount, but references various factors to establish the  
5 compensation, the compensation shall be limited to the level of  
6 compensation as calculated the day immediately preceding the effective  
7 date of this act and no increases shall be paid in reference to these  
8 factors.

9 **Sec. 5.** RCW 35.24.090 and 1990 c 212 s 1 are each amended to read  
10 as follows:

11 The mayor and the members of the city council may be reimbursed for  
12 actual expenses incurred in the discharge of their official duties,  
13 upon presentation of a claim therefor, after allowance and approval  
14 thereof, by resolution of the city council(~~and each city~~  
15 ~~councilmember may be paid for attending council meetings an amount~~  
16 ~~which shall be fixed by ordinance and may be revised from time to time~~  
17 ~~by ordinance, but any increase or reduction in the compensation~~  
18 ~~attaching to an office shall not be applicable to the term then being~~  
19 ~~served by the incumbent)).~~

20 The city attorney, clerk and treasurer, if elective, shall  
21 severally receive at stated times a compensation to be fixed by  
22 ordinance by the city council.

23 The mayor and other officers shall receive such compensation as may  
24 be fixed by the city council at the time the estimates are made as  
25 provided by law. An ordinance establishing compensation for elected  
26 city officials may provide for periodic increases which may be discrete  
27 dollar amounts for each year of the statutory term or may be referenced  
28 to established measures of economic activity which cannot be influenced  
29 by the city. As used in this section, "established measures of  
30 economic activity" means published, recurring indices of performance of  
31 the economy in which the city is situated.

32 Any city that provides a pension for any of its employees under a  
33 plan not administered by the state must notify the state auditor of the  
34 existence of the plan at the time of an audit of the city by the  
35 auditor. No city may establish a pension plan for its employees that  
36 is not administered by the state, except that any defined contribution  
37 plan in existence as of January 1, 1990, is deemed to have been  
38 authorized. No city that provides a defined contribution plan for its

1 employees as authorized by this section may make any material changes  
2 in the terms or conditions of the plan after June 7, 1990.

3 **Sec. 6.** RCW 35.27.130 and 1990 c 212 s 2 are each amended to read  
4 as follows:

5 The mayor and members of the town council may be reimbursed for  
6 actual expenses incurred in the discharge of their official duties upon  
7 presentation of a claim therefor and its allowance and approval by  
8 resolution of the town council.

9 The mayor and members of the council may also receive such  
10 ~~((salary))~~ compensation as the council may fix by ordinance. An  
11 ordinance establishing compensation for elected town officials may  
12 provide for periodic increases which may be discrete dollar amounts for  
13 each year of the statutory term or may be referenced to established  
14 measures of economic activity which cannot be influenced by the town.  
15 As used in this section, "established measures of economic activity"  
16 means published, recurring indices of performance of the economy in  
17 which the town is situated.

18 The treasurer and treasurer-clerk shall severally receive at stated  
19 times a compensation to be fixed by ordinance.

20 The compensation of all other officers shall be fixed from time to  
21 time by the council.

22 Any town that provides a pension for any of its employees under a  
23 plan not administered by the state must notify the state auditor of the  
24 existence of the plan at the time of an audit of the town by the  
25 auditor. No town may establish a pension plan for its employees that  
26 is not administered by the state, except that any defined contribution  
27 plan in existence as of January 1, 1990, is deemed to have been  
28 authorized. No town that provides a defined contribution plan for its  
29 employees as authorized by this section may make any material changes  
30 in the terms or conditions of the plan after June 7, 1990.

31 **Sec. 7.** RCW 35A.12.070 and 1971 ex.s. c 251 s 5 are each amended  
32 to read as follows:

33 ~~((The salaries of))~~ Compensation for the mayor and the  
34 ~~((councilmen))~~ councilmembers shall be fixed by ordinance and may be  
35 revised from time to time by ordinance ~~((, but any increase in the~~  
36 ~~compensation attaching to an office shall not be applicable to the term~~  
37 ~~then being served by the incumbent if such incumbent is a member of the~~

1 ~~city legislative body fixing his own compensation or as mayor in a~~  
2 ~~mayor-council code city casts a tie-breaking vote relating to such~~  
3 ~~ordinance: PROVIDED, That)).~~ An ordinance establishing compensation  
4 for elected city officials may provide for periodic increases which may  
5 be discrete dollar amounts for each year of the statutory term or may  
6 be referenced to established measures of economic activity which cannot  
7 be influenced by the city. As used in this section, "established  
8 measures of economic activity" means published, recurring indices of  
9 performance of the economy in which the city is situated. Compensation  
10 for the mayor may be increased during the mayor's current term of  
11 office if the mayor of such a city does not cast ((such)) a tie-  
12 breaking vote((, his salary may be increased during his term of  
13 office)) to adopt the ordinance revising the compensation for the  
14 mayor.

15 Until the first elective officers of a newly organized code city  
16 under this mayor-council plan of government may lawfully be paid the  
17 compensation provided by ((such salary)) an ordinance establishing  
18 different levels of compensation, such officers shall be entitled to be  
19 compensated in the same manner and in the same amount as the  
20 compensation paid to officers of such city performing comparable  
21 services immediately prior to adoption of this mayor-council plan.

22 Until ((a salary ordinance can be passed and become effective as  
23 to)) elective officers of a newly incorporated code city may lawfully  
24 be paid the compensation provided by an ordinance establishing  
25 different levels of compensation, such first elective officers shall be  
26 entitled to compensation as follows: In cities having less than five  
27 thousand inhabitants, the mayor shall be entitled to a salary of one  
28 hundred and fifty dollars per calendar month and a ((councilman))  
29 councilmember shall be entitled to twenty dollars per meeting for not  
30 more than two meetings per month; in cities having more than five  
31 thousand but less than fifteen thousand inhabitants, the mayor shall be  
32 entitled to a salary of three hundred and fifty dollars per calendar  
33 month and a ((councilman)) councilmember shall be entitled to one  
34 hundred and fifty dollars per calendar month; in cities having more  
35 than fifteen thousand inhabitants, the mayor shall be entitled to a  
36 salary of twelve hundred and fifty dollars per calendar month and a  
37 ((councilman)) councilmember shall be entitled to four hundred dollars  
38 per calendar month( (: PROVIDED, That such interim compensation shall  
39 remain in effect only until a salary ordinance is passed and becomes

1 ~~effective as to such officers, and the amounts herein provided shall~~  
2 ~~not be construed as fixing the usual salary of such officers)).~~

3 The mayor and ~~((councilmen))~~ councilmembers shall receive  
4 reimbursement for their actual and necessary expenses incurred in the  
5 performance of the duties of their office, or the council by ordinance  
6 may provide for a per diem allowance. Procedure for approval of claims  
7 for expenses shall be as provided by ordinance.

8 **Sec. 8.** RCW 35A.13.040 and 1979 ex.s. c 18 s 25 are each amended  
9 to read as follows:

10 ~~((The salaries of the councilmen))~~ Compensation for councilmembers,  
11 including the mayor, shall be fixed by ordinance and may be revised  
12 from time to time by ordinance ~~(, but any increase or reduction in the~~  
13 ~~compensation attaching to an office shall not become effective until~~  
14 ~~the expiration of the term then being served by the incumbent:~~  
15 ~~PROVIDED, That compensation of councilmen may not be increased or~~  
16 ~~diminished after their election nor may the compensation of the mayor~~  
17 ~~be increased or diminished after the mayor has been chosen by the~~  
18 ~~council)).~~ An ordinance establishing compensation for elected city  
19 officials may provide for periodic increases which may be discrete  
20 dollar amounts for each year of the statutory term or may be referenced  
21 to established measures of economic activity which cannot be influenced  
22 by the city. As used in this section, "established measures of  
23 economic activity" means published, recurring indices of performance of  
24 the economy in which the city is situated.

25 Until ~~((councilmen))~~ councilmembers of a newly~~((--))~~organized  
26 council-manager code city may lawfully be paid as provided by  
27 ~~((salary))~~ an ordinance establishing different levels of compensation,  
28 such ~~((councilmen))~~ councilmembers shall be entitled to compensation in  
29 the same manner and in the same amount as ~~((councilmen))~~ councilmembers  
30 of such city prior to the adoption of this council-manager plan.

31 Until ~~((a salary ordinance can be passed and become effective as~~  
32 ~~to))~~ elective officers of a newly incorporated code city may lawfully  
33 be paid the compensation provided by an ordinance establishing  
34 different levels of compensation, the first ~~((councilmen))~~  
35 councilmembers shall be entitled to compensation as follows: In cities  
36 having less than five thousand inhabitants~~((--))~~ the councilmembers  
37 shall be entitled to compensation at a rate of twenty dollars per  
38 meeting for not more than two meetings per month; in cities having more

1 than five thousand but less than fifteen thousand inhabitants(~~(—)~~) the  
2 councilmembers shall be entitled to compensation at a salary of one  
3 hundred and fifty dollars per calendar month; in cities having more  
4 than fifteen thousand inhabitants(~~(—)~~) the councilmembers shall be  
5 entitled to compensation at a salary of four hundred dollars per  
6 calendar month. ((A councilman)) The councilmember who is occupying  
7 the position of mayor, in addition to ((his)) per day compensation or  
8 salary as a ((councilman)) councilmember, shall be entitled, while  
9 serving as mayor, to an additional amount per meeting or per calendar  
10 month, or portion thereof, equal to twenty-five percent of the per  
11 meeting compensation rate or councilmanic salary(~~(:— PROVIDED, That~~  
12 such interim compensation shall remain in effect only until a salary  
13 ordinance is passed and becomes effective as to such officers, and the  
14 compensation provided herein shall not be construed as fixing the usual  
15 compensation of such officers))).

16 ((Councilmen)) Councilmembers, including the mayor, shall receive  
17 reimbursement for their actual and necessary expenses incurred in the  
18 performance of the duties of their office, or the council by ordinance  
19 may provide for a per diem allowance. Procedure for approval of claims  
20 for expenses shall be as provided by ordinance.

21 **Sec. 9.** RCW 36.17.020 and 1991 c 363 s 52 are each amended to read  
22 as follows:

23 The county legislative authority of each county (~~(is authorized~~  
24 ~~to)) shall by ordinance establish ((the salaries of)) compensation for  
25 the elected officials of the county, other than superior court judges  
26 and district court judges. One-half of the salary of each prosecuting  
27 attorney shall be paid by the state. ((The annual salary of a county  
28 elected official shall not be less than the following:~~

29 (1) ~~In each county with a population of one million or more:~~  
30 ~~Auditor, clerk, treasurer, sheriff, members of the county legislative~~  
31 ~~authority, and coroner, eighteen thousand dollars; assessor, nineteen~~  
32 ~~thousand dollars; and prosecuting attorney, thirty thousand three~~  
33 ~~hundred dollars;~~

34 (2) ~~In each county with a population of from two hundred ten~~  
35 ~~thousand to less than one million: Auditor, seventeen thousand six~~  
36 ~~hundred dollars; clerk, seventeen thousand six hundred dollars;~~  
37 ~~treasurer, seventeen thousand six hundred dollars; sheriff, nineteen~~  
38 ~~thousand five hundred dollars; assessor, seventeen thousand six hundred~~

1 dollars; prosecuting attorney, twenty four thousand eight hundred  
2 dollars; members of the county legislative authority, nineteen thousand  
3 five hundred dollars; and coroner, sixteen thousand five hundred  
4 dollars;

5 (3) In each county with a population of from one hundred twenty-  
6 five thousand to less than two hundred ten thousand: Auditor, sixteen  
7 thousand dollars; clerk, sixteen thousand dollars; treasurer, sixteen  
8 thousand dollars; sheriff, seventeen thousand six hundred dollars;  
9 assessor, sixteen thousand dollars; prosecuting attorney, twenty four  
10 thousand eight hundred dollars; members of the county legislative  
11 authority, seventeen thousand six hundred dollars; and coroner, eight  
12 thousand eight hundred dollars;

13 (4) In each county with a population of from seventy thousand to  
14 less than one hundred twenty five thousand: Auditor, fourteen thousand  
15 nine hundred dollars; clerk, fourteen thousand nine hundred dollars;  
16 treasurer, fourteen thousand nine hundred dollars; assessor, fourteen  
17 thousand nine hundred dollars; sheriff, fourteen thousand nine hundred  
18 dollars; prosecuting attorney, twenty three thousand seven hundred  
19 dollars; members of the county legislative authority, fourteen thousand  
20 nine hundred dollars; and coroner, five thousand five hundred dollars;

21 (5) In each county with a population of from forty thousand to less  
22 than seventy thousand: Auditor, thirteen thousand eight hundred  
23 dollars; clerk, thirteen thousand eight hundred dollars; treasurer,  
24 thirteen thousand eight hundred dollars; assessor, thirteen thousand  
25 eight hundred dollars; sheriff, thirteen thousand eight hundred  
26 dollars; prosecuting attorney, twenty three thousand seven hundred  
27 dollars; members of the county legislative authority, thirteen thousand  
28 eight hundred dollars; and coroner, four thousand dollars;

29 (6) In each county with a population of from eighteen thousand to  
30 less than forty thousand: Auditor, twelve thousand one hundred  
31 dollars; clerk, twelve thousand one hundred dollars; treasurer, twelve  
32 thousand one hundred dollars; sheriff, twelve thousand one hundred  
33 dollars; assessor, twelve thousand one hundred dollars; prosecuting  
34 attorney in such a county in which there is no state university or  
35 college, fourteen thousand three hundred dollars; in such a county in  
36 which there is a state university or college, sixteen thousand five  
37 hundred dollars; and members of the county legislative authority,  
38 eleven thousand dollars;



1       ~~(7) In each county with a population of from twelve thousand to~~  
2 ~~less than eighteen thousand:— Auditor, ten thousand one hundred~~  
3 ~~dollars; clerk, ten thousand one hundred dollars; treasurer, ten~~  
4 ~~thousand one hundred dollars; assessor, ten thousand one hundred~~  
5 ~~dollars; sheriff, eleven thousand two hundred dollars; prosecuting~~  
6 ~~attorney, thirteen thousand two hundred dollars; and members of the~~  
7 ~~county legislative authority, nine thousand four hundred dollars;~~

8       ~~(8) In each county with a population of from eight thousand to less~~  
9 ~~than twelve thousand:— Auditor, ten thousand one hundred dollars;~~  
10 ~~clerk, ten thousand one hundred dollars; treasurer, ten thousand one~~  
11 ~~hundred dollars; assessor, ten thousand one hundred dollars; sheriff,~~  
12 ~~eleven thousand two hundred dollars; prosecuting attorney, nine~~  
13 ~~thousand nine hundred dollars; and members of the county legislative~~  
14 ~~authority, seven thousand dollars;~~

15       ~~(9) In each county with a population of from five thousand to less~~  
16 ~~than eight thousand:— Auditor, nine thousand one hundred dollars;~~  
17 ~~clerk, nine thousand one hundred dollars; treasurer, nine thousand one~~  
18 ~~hundred dollars; assessor, nine thousand one hundred dollars; sheriff,~~  
19 ~~ten thousand five hundred dollars; prosecuting attorney, nine thousand~~  
20 ~~nine hundred dollars; and members of the county legislative authority,~~  
21 ~~six thousand five hundred dollars;~~

22       ~~(10) In each other county:— Auditor, nine thousand one hundred~~  
23 ~~dollars; clerk, nine thousand one hundred dollars; treasurer, nine~~  
24 ~~thousand one hundred dollars; sheriff, ten thousand five hundred~~  
25 ~~dollars; assessor, nine thousand one hundred dollars; prosecuting~~  
26 ~~attorney, nine thousand nine hundred dollars; and members of the county~~  
27 ~~legislative authority, six thousand five hundred dollars.))~~

28       An ordinance establishing compensation for county officials except  
29 elected officials must describe the compensation in terms of a discrete  
30 dollar amount and may not provide for periodic increases referenced to  
31 anything. An ordinance establishing compensation for elected officials  
32 may provide for periodic increases which may be discrete dollar amounts  
33 for each year of the statutory term or may be referenced to established  
34 measures of economic activity which cannot be influenced by the county.  
35 As used in this section, "established measures of economic activity"  
36 means published, recurring indices of performance of the economy in  
37 which the county is situated. If any ordinance in effect on the  
38 effective date of this act establishes such compensation for other than  
39 elected officials that is not described in a discrete dollar amount,

1 but references various factors to establish the compensation, the  
2 compensation shall be limited to the level of compensation as  
3 calculated the day immediately preceding the effective date of this act  
4 and no increases shall be paid in reference to these factors.

5 **Sec. 10.** RCW 53.12.260 and 1992 c 146 s 12 are each amended to  
6 read as follows:

7 (1) Each commissioner of a port district shall receive fifty  
8 dollars per day or portion thereof spent (a) in actual attendance at  
9 official meetings of the port district commission, or (b) in  
10 performance of other service in behalf of the district. The total per  
11 diem compensation of a port commissioner shall not exceed four thousand  
12 eight hundred dollars in a year, or six thousand dollars in any year  
13 for a port district with gross operating income of twenty-five million  
14 or more in the preceding calendar year.

15 (2) Port commissioners shall receive additional compensation as  
16 follows: (a) Each commissioner of a port district with gross operating  
17 revenues of twenty-five million dollars or more in the preceding  
18 calendar year shall receive a salary of five hundred dollars per month;  
19 and (b) each commissioner of a port district with gross operating  
20 revenues of from one million dollars to less than twenty-five million  
21 dollars in the preceding calendar year shall receive a salary of two  
22 hundred dollars per month.

23 (3) In lieu of the compensation specified in this section, a port  
24 commission by resolution may set compensation to be paid to  
25 commissioners. An ordinance establishing compensation for port  
26 commissioners may provide for periodic increases which may be discrete  
27 dollar amounts for each year of the statutory term or may be referenced  
28 to established measures of economic activity which cannot be influenced  
29 by the district. As used in this section, "established measures of  
30 economic activity" means published, recurring indices of performance of  
31 the economy in which the district is situated.

32 (4) For any commissioner who has not elected to become a member of  
33 public employees retirement system before May 1, 1975, the compensation  
34 provided pursuant to this section shall not be considered salary for  
35 purposes of the provisions of any retirement system created pursuant to  
36 the general laws of this state nor shall attendance at such meetings or  
37 other service on behalf of the district constitute service as defined  
38 in RCW 41.40.010(9): PROVIDED, That in the case of a port district

1 when commissioners are receiving compensation and contributing to the  
2 public employees retirement system, these benefits shall continue in  
3 full force and effect notwithstanding the provisions of RCW 53.12.260  
4 and 53.12.265."

5 **SHB 1093** - S COMM AMD

6 By Committee on Government Operations

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8 On page 1, line 1 of the title, after "officials;" strike the  
9 remainder of the title and insert "and amending RCW 35.17.108,  
10 35.18.220, 35.22.205, 35.23.220, 35.24.090, 35.27.130, 35A.12.070,  
11 35A.13.040, 36.17.020, and 53.12.260."

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