

# FINAL BILL REPORT

## SSB 6297

---

### C 309 L 08

Synopsis as Enacted

**Brief Description:** Changing elected prosecuting attorney salaries.

**Sponsors:** Senate Committee on Ways & Means (originally sponsored by Senators Prentice, Brandland and Sheldon).

**Senate Committee on Ways & Means**  
**House Committee on Appropriations**

**Background:** Article 11, section 5 of the state Constitution specifies that the Legislature must regulate the compensation of elected county officials, including the elected prosecuting attorney. The same section allows the Legislature to delegate to the county legislative authority the authority to set the salaries of its own members and other county officers. Since 1971 the Legislature has delegated this responsibility to the county via RCW 36.27.060. Additionally, the same statute also requires the state to pay one-half of the salaries of each elected county prosecuting attorney. The Office of the State Treasurer currently remits the state's share to the counties. In 2008 the salary for the elected county prosecuting attorneys ranged from a maximum of \$155,694 in King County to a minimum of \$52,588 in Garfield County; the average being \$106,764.

Under RCW 2.08.092, the annual salary a Superior Court judge is set by the Washington Citizens' Commission on Salaries for Elected Officials. For 2008 the Superior Court Judges salary has been set at \$140,979.

**Summary:** The Legislature finds that the elected county prosecuting attorney functions as both a state officer pursuing criminal cases on behalf of the state and as a county officer acting as counsel for the county, school districts, and lesser taxing districts as provided in statute. The responsibilities and decisions of the elected prosecuting attorney are the same in every county of Washington, and the same level of skills and expertise need to be exercised in the least populous county as it is in the most populous county. The Legislature further finds that the salary of the elected prosecuting attorney should be tied to that of the Superior Court judge.

Effective July 1, 2008, the state must contribute an amount equal to one-half of the salary of a Superior Court judge towards the salary for the county's elected prosecuting attorney. Upon receipt of the state's contribution, each county must continue to contribute an amount equal to or greater than the amount it contributed in 2008 towards the elected county prosecutor's salary. The requirement that the state pay half of the salary of the elected prosecuting attorney is removed.

**Votes on Final Passage:**

Senate 48 0

House 96 0 (House amended)  
Senate 44 0 (Senate concurred)

**Effective:** July 1, 2008