
SENATE BILL 5627

State of Washington

68th Legislature

2023 Regular Session

By Senator Hunt

1 AN ACT Relating to salaries for county commissioners and
2 councilmembers; and amending RCW 36.17.024.

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

4 **Sec. 1.** RCW 36.17.024 and 2001 c 73 s 5 are each amended to read
5 as follows:

6 (1) Salaries for county commissioners and councilmembers may be
7 set by county commissioner and councilmember salary commissions
8 established by ordinance or resolution of the county legislative
9 authority and in conformity with this section.

10 (2) Commissions established under subsection (1) of this section
11 shall be known as the (Insert name of county) county citizens'
12 commission on salaries for elected officials. Each commission shall
13 consist of ~~((ten))~~ members appointed by the county commissioner or
14 executive with the approval of the county legislative authority, or
15 by a majority vote of the county legislative authority if there is no
16 single county commissioner or executive, as provided in this section.

17 ~~(a) ((Six of the ten commission members shall be selected by lot
18 by the county auditor from among those registered voters eligible to
19 vote at the time persons are selected for appointment to full terms
20 on the commission under (c) of this subsection. In noncharter
21 counties, the county auditor shall select two commission members~~

1 ~~living in each commissioner's district. The county auditor shall~~
2 ~~establish policies and procedures for conducting the selection by~~
3 ~~lot. The policies and procedures shall include, but not be limited~~
4 ~~to, those for notifying persons selected and for providing a new~~
5 ~~selection from a commissioner's district if a person selected from~~
6 ~~the district declines appointment to the commission or if, following~~
7 ~~the person's appointment, the person's position on the commission~~
8 ~~becomes vacant before the end of the person's term of office.~~

9 ~~(b) The remaining four of the ten commission members must be~~
10 ~~residents of the county and shall be appointed by the county~~
11 ~~commissioner or executive with approval of the county legislative~~
12 ~~authority, or by a majority vote of the county legislative authority~~
13 ~~if there is no single county commissioner or executive. The persons~~
14 ~~selected under this subsection shall have had experience in the field~~
15 ~~of personnel management. Of these four members, one shall be selected~~
16 ~~from each of the following four sectors in the county: Business,~~
17 ~~professional personnel management, legal profession, and organized~~
18 ~~labor.~~

19 ~~(c) If there is a single county commissioner or executive, the~~
20 ~~county auditor shall forward the names of persons selected under (a)~~
21 ~~of this subsection to the county commissioner or executive who shall~~
22 ~~appoint these persons to the commission.~~

23 ~~(d) No person may be appointed to more than two terms. No member~~
24 ~~of the commission may be removed by the county commissioner or~~
25 ~~executive, or county legislative authority if there is no single~~
26 ~~county commissioner or executive, during his or her term of office~~
27 ~~unless for cause of incapacity, incompetence, neglect of duty, or~~
28 ~~malfeasance in office, or for a disqualifying change of residence.~~

29 ~~(e) The members of the commission may not include any officer,~~
30 ~~official, or employee of the county or any of their immediate family~~
31 ~~members. "Immediate family member" as used in this subsection means~~
32 ~~the parents, spouse, siblings, children, or dependent relatives of~~
33 ~~the officer, official, or employee, whether or not living in the~~
34 ~~household of the officer, official, or employee.~~

35 ~~(f) Upon a vacancy in any position on the commission, a successor~~
36 ~~shall be selected and appointed to fill the unexpired term. The~~
37 ~~selection and appointment shall be concluded within thirty days of~~
38 ~~the date the position becomes vacant and shall be conducted in the~~
39 ~~same manner as for the original appointment)) Commission members must~~
40 ~~be selected by lot by the county auditor from among those registered~~

1 voters eligible to vote at the time persons are selected for
2 appointment to full terms on the commission under (c) of this
3 subsection.

4 (i) In noncharter counties, the county auditor must select at
5 least one commission member living in each commissioner's district.

6 (ii) The county auditor must establish policies and procedures
7 for conducting the selection by lot.

8 (iii) The policies and procedures must include, but not be
9 limited to, those for notifying persons selected and for providing a
10 new selection from a commissioner's district if a person selected
11 from the district declines appointment to the commission or if,
12 following the person's appointment, the person's position on the
13 commission becomes vacant before the end of the person's term of
14 office.

15 (b) If there is a single county commissioner or executive, the
16 county auditor must forward the names of persons selected under (a)
17 of this subsection to the county commissioner or executive who must
18 appoint these persons to the commission.

19 (c) No person may be appointed to more than two terms. No member
20 of the commission may be removed by the county commissioner or
21 executive, or county legislative authority if there is no single
22 county commissioner or executive, during his or her term of office
23 unless for cause of incapacity, incompetence, neglect of duty, or
24 malfeasance in office, or for a disqualifying change of residence.

25 (d) The members of the commission may not include any officer,
26 official, or employee of the county or any of their immediate family
27 members. For purposes of this subsection, "immediate family member"
28 means the parents, spouse, siblings, children, or dependent relatives
29 of the officer, official, or employee, whether or not living in the
30 household of the officer, official, or employee.

31 (e) Upon a vacancy in any position on the commission, a successor
32 must be selected and appointed to fill the unexpired term. The
33 selection and appointment must be concluded within 30 days of the
34 date the position becomes vacant and must be conducted in the same
35 manner as for the original appointment.

36 (f) Commissions established by ordinance or resolution of the
37 county legislative authority in existence prior to the effective date
38 of an increase in the number of board of commissioners from three to
39 five under either RCW 36.32.052 or 36.32.055 may retain their
40 composition for one year after the start of the terms of the newly

1 created county commissioner positions or until changed in accordance
2 with this section, whichever occurs first.

3 (3) Any change in salary shall be filed by the commission with
4 the county auditor and shall become effective and incorporated into
5 the county budget without further action of the county legislative
6 authority or salary commission.

7 (4) Salary increases established by the commission shall be
8 effective as to county commissioners and all members of the county
9 legislative authority, regardless of their terms of office.

10 (5) Salary decreases established by the commission shall become
11 effective as to incumbent county commissioners and councilmembers at
12 the commencement of their next subsequent terms of office.

13 (6) Salary increases and decreases shall be subject to referendum
14 petition by the people of the county (~~in the same manner as a county~~
15 ~~ordinance~~) upon filing of such petition with the county auditor
16 within (~~thirty~~) 30 days after filing of the salary schedule.

17 (a) For a charter county, the petition must be subject to
18 referendum in accordance with the charter.

19 (b) For a noncharter county, the petition must be subject to
20 referendum as follows: Within 10 days of the date of the petition,
21 the county auditor or their designee must confer with the petitioner
22 concerning form and style of the petition, issue an identification
23 number for the petition, and the prosecuting attorney must write a
24 ballot title for the measure. The ballot title must be posed as a
25 question so that an affirmative answer to the question and an
26 affirmative vote on the measure results in the change in salary and a
27 negative answer to the question and a negative vote on the measure
28 results in no change. The petitioner must be notified of the
29 identification number and ballot title within this 10-day period.
30 After this notification, the petitioner has 30 days in which to
31 secure on petition forms the signatures of not less than 15 percent
32 of the registered voters of the county at the last general election,
33 and to file the signed petitions with the county auditor. Each
34 petition form must contain the ballot title and the full text of the
35 measure to be referred. The county auditor must verify the
36 sufficiency of the signatures on the petitions and determine the
37 validity of the referendum petition.

38 (c) In the event of the filing of a valid referendum petition,
39 the salary increase or decrease shall not go into effect until
40 approved by vote of the people. If the county auditor determines the

1 number of verified signatures insufficient or the referendum petition
2 invalid, the salary change takes effect on the date specified for the
3 salary change filed by the commission in subsection (3) of this
4 section.

5 (7) Referendum measures under this section shall be submitted to
6 the voters of the county at the next following general or municipal
7 election occurring (~~(thirty)~~) 60 days or more after the (~~(petition is~~
8 ~~filed)~~) signatures are verified by the county auditor, and shall be
9 otherwise governed by the provisions of the state Constitution and
10 laws generally applicable to referendum measures. If the referendum
11 is approved by an affirmative vote, the salary change takes effect on
12 the date specified for the salary change filed by the commission in
13 subsection (3) of this section.

14 (8) The action fixing the salary of a county commissioner or
15 councilmember by a commission established in conformity with this
16 section shall supersede any other provision of state statute or
17 county ordinance related to municipal budgets or to the fixing of
18 salaries of county commissioners and councilmembers.

19 (9) Salaries for county commissioners and councilmembers
20 established under an ordinance or resolution of the county
21 legislative authority in existence on July 22, 2001, that
22 substantially complies with this section shall remain in effect
23 unless and until changed in accordance with such charter provision or
24 ordinance.

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