

CERTIFICATION OF ENROLLMENT

HOUSE BILL 1039

54th Legislature
1995 Regular Session

Passed by the House January 27, 1995
Yeas 94 Nays 0

**Speaker of the
House of Representatives**

Passed by the Senate February 10, 1995
Yeas 46 Nays 1

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

I, Timothy A. Martin, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 1039** as passed by the House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

FILED

**Secretary of State
State of Washington**

HOUSE BILL 1039

Passed Legislature - 1995 Regular Session

State of Washington 54th Legislature 1995 Regular Session

By Representatives B. Thomas, Reams, Dyer, R. Fisher, Sommers, Costa, Mitchell, Basich and Wolfe

Prefiled 1/6/95. Read first time 01/09/95. Referred to Committee on Government Operations.

1 AN ACT Relating to altering the Washington citizens' commission on
2 salaries for elected officials by increasing the number of commission
3 members selected by lot from registered voters, providing attendance
4 requirements, and clarifying procedures; amending RCW 43.03.305 and
5 43.03.310; and declaring an emergency.

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

7 **Sec. 1.** RCW 43.03.305 and 1993 c 281 s 46 are each amended to read
8 as follows:

9 There is created a commission to be known as the Washington
10 citizens' commission on salaries for elected officials, to consist of
11 ~~((fifteen))~~ sixteen members appointed by the governor as provided in
12 this section.

13 (1) ~~((Eight))~~ Nine of the ~~((fifteen))~~ sixteen commission members
14 shall be selected by lot by the secretary of state from among those
15 registered voters eligible to vote at the ~~((general election held in
16 November, 1986, and thereafter from among those registered voters
17 eligible to vote at the))~~ time ~~((of the selection))~~ persons are
18 selected for appointment to full terms on the commission under
19 subsection (3) of this section. One member shall be selected from each

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

9 (2) The remaining seven of the (~~fifteen~~) sixteen commission
10 members, all residents of this state, shall be selected jointly by the
11 speaker of the house of representatives and the president of the
12 senate. The persons selected under this subsection shall have had
13 experience in the field of personnel management. Of these seven
14 members, one shall be selected from each of the following five sectors
15 in this state: Private institutions of higher education; business;
16 professional personnel management; legal profession; and organized
17 labor. Of the two remaining members, one shall be a person recommended
18 to the speaker and the president by the chair of the Washington
19 personnel resources board and one shall be a person recommended by
20 majority vote of the presidents of the state's four-year institutions
21 of higher education.

22 (3) The secretary of state shall forward the names of persons
23 selected under subsection (1) of this section and the speaker of the
24 house of representatives and president of the senate shall forward the
25 names of persons selected under subsection (2) of this section to the
26 governor who shall appoint these persons to the commission. Except as
27 provided in subsection (6) of this section, the names of persons
28 selected for appointment to the commission shall be forwarded to the
29 governor not later than February 15, 1987, and not later than the
30 fifteenth day of February every four years thereafter.

31 (4) Members shall hold office for terms of four years, and no
32 person may be appointed to more than two such terms. No member of the
33 commission may be removed by the governor during his or her term of
34 office unless for cause of incapacity, incompetence, neglect of duty,
35 or malfeasance in office or for a disqualifying change of residence.

36 The unexcused absence of any person who is a member of the
37 commission from two consecutive meetings of the commission shall
38 constitute the relinquishment of that person's membership on the
39 commission. Such a relinquishment creates a vacancy in that person's

1 position on the commission. A member's absence may be excused by the
2 chair of the commission upon the member's written request if the chair
3 believes there is just cause for the absence. Such a request must be
4 received by the chair before the meeting for which the absence is to be
5 excused. A member's absence from a meeting of the commission may also
6 be excused during the meeting for which the member is absent by the
7 affirmative vote of a majority of the members of the commission present
8 at the meeting.

9 (5) No state official, public employee, or lobbyist, or immediate
10 family member of the official, employee, or lobbyist, subject to the
11 registration requirements of chapter 42.17 RCW is eligible for
12 membership on the commission.

13 As used in this subsection the phrase "immediate family" means the
14 parents, spouse, siblings, children, or dependent relative of the
15 official, employee, or lobbyist whether or not living in the household
16 of the official, employee, or lobbyist.

17 (6) Upon a vacancy in any position on the commission, a successor
18 shall be selected and appointed to fill the unexpired term. The
19 selection and appointment shall be concluded within thirty days of the
20 date the position becomes vacant and shall be conducted in the same
21 manner as originally provided.

22 **Sec. 2.** RCW 43.03.310 and 1986 c 155 s 3 are each amended to read
23 as follows:

24 (1) The citizens' commission on salaries for elected officials
25 shall study the relationship of salaries to the duties of members of
26 the legislature, all elected officials of the executive branch of state
27 government, and all judges of the supreme court, court of appeals,
28 superior courts, and district courts, and shall fix the salary for each
29 respective position.

30 (2) Except as provided otherwise in RCW 43.03.305 and this section,
31 the commission shall be solely responsible for its own organization,
32 operation, and action and shall enjoy the fullest cooperation of all
33 state officials, departments, and agencies.

34 (3) Members of the commission shall receive no compensation for
35 their services, but shall be eligible to receive a subsistence
36 allowance and travel expenses pursuant to RCW 43.03.050 and 43.03.060.

37 (4) The members of the commission shall elect a (~~chairperson~~)
38 chair from among their number. The commission shall set a schedule of

1 salaries by an affirmative vote of not less than ((eight)) nine members
2 of the commission.

3 (5) The commission shall file its initial schedule of salaries for
4 the elected officials with the secretary of state no later than the
5 first Monday in June, 1987, and shall file a schedule biennially
6 thereafter. Each such schedule shall be filed in legislative bill
7 form, shall be assigned a chapter number and published with the session
8 laws of the legislature, and shall be codified by the statute law
9 committee. The signature of the ((chairperson)) chair of the
10 commission shall be affixed to each schedule submitted to the secretary
11 of state. The ((chairperson)) chair shall certify that the schedule
12 has been adopted in accordance with the provisions of state law and
13 with the rules, if any, of the commission. Such schedules shall become
14 effective ninety days after the filing thereof, except as provided in
15 Article XXVIII, section 1 of the state Constitution. State laws
16 regarding referendum petitions shall apply to such schedules to the
17 extent consistent with Article XXVIII, section 1 of the state
18 Constitution.

19 (6) Prior to the filing of any salary schedule, the commission
20 shall hold no fewer than four public hearings thereon within the four
21 months immediately preceding the filing.

22 (7) All meetings, actions, hearings, and business of the commission
23 shall be subject in full to the open public meetings act, chapter 42.30
24 RCW.

25 (8) Salaries of the officials referred to in subsection (1) of this
26 section that are in effect on January 12, 1987, shall continue until
27 modified by the commission under this section.

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

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