

---

## Local Government Committee

---

### BILL ANALYSIS HB 2642

**TITLE OF THE BILL:** *Clarifying authority for cities and towns to create independent salary commissions.*

#### BRIEF SUMMARY OF BILL

- Expressly authorizes and establishes a process for local salary commissions to determine salaries of city and town mayors and council members.
- Specifies salary increases may be effective during term, and salary decreases at beginning of the next term.
- Specifies process for and conditions of appointment to local salary commissions.
- Authorizes process for referendum of local salary commissions' decisions.

**SPONSORS:** Representatives Ogden, Carlson, and Scott.

**HEARING DATE:** Wednesday, February 2, 2000.

**EFFECTIVE DATE:** Ninety days after adjournment of session in which bill is passed.

**FISCAL NOTE:** Not requested.

**ANALYSIS PREPARED BY:** Caroleen Dineen (786-7156).

---

#### **BACKGROUND:**

The Washington Constitution requires salaries of state legislators, officers and judges to be set by an

independent commission. Article XXVIII, Sec. 1 of the Washington Constitution establishes an independent salary commission to fix salaries for members of the Legislature, elected officials of the executive branch of state government, and judges of the state supreme court, court of appeals, superior courts and district courts. No state official, public employee, lobbyist or any immediate family member of a state official, public employee, or lobbyist may serve on the salary commission. The constitutional salary commission provisions supersede conflicting state constitutional salary provisions for legislators, state officers and judges.

Salary changes established by the salary commission are filed with the Secretary of State and become effective ninety days after filing. Decisions of the salary commission are subject to referendum for a 90-day period.

The Washington Constitution also specifies that the salary of any county, city, town, or municipal officer may not be increased or decreased after the officer's election or during the officer's term of office unless these local officials do not fix their own compensation.

## **SUMMARY:**

Salaries of city mayors and city council members may be set by mayor and council salary commissions. The members of these local salary commissions are appointed by the mayors with the approval of the city councils. City officers, officials, and employees and their immediate family members are not eligible to serve on the salary commissions.

Commission members may not be appointed to more than two terms. Commission members may be removed during their terms only for incapacity, incompetence, neglect of duty, malfeasance in office or a disqualifying change of residence.

Salary changes determined by the local salary commission are filed with the city clerk and become effective without further action. Salary increases may be effective during the term of office, but salary decreases become effective during the subsequent term.

Decisions of the local salary commissions are subject to referendum within 30 days by filing a petition with the city clerk in the same manner as a city ordinance. If a valid referendum petition is filed, any challenged salary changes do not become effective until approved by the voters at the next general or municipal election occurring at least 30 days after the petition is filed.

Local salary commission decisions to fix salaries supersede other provisions of state statute or local ordinances related to municipal budgets or salaries for local officials.

Current salaries for mayors and council members established under an ordinance or charter provision substantially complying with the salary commission requirements remain in effect unless and until changed according to the new requirements.

Legislative intent is added to clarify existing authority for independent salary commissions and to specify benefits of independent salary commissions for municipal elected officers.

