
SENATE BILL 5695

State of Washington 52nd Legislature 1991 Regular Session

By Senators Barr, Anderson, McMullen, Matson and Johnson.

Read first time February 15, 1991. Referred to Committee on Law & Justice.

1 AN ACT Relating to prosecuting attorneys; amending RCW 36.17.020;
2 and creating new sections.

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

4 NEW SECTION. **Sec. 1.** The legislature recognizes that the
5 incidence of crime is increasing in Washington state and finds that (1)
6 an adequate salary for the prosecuting attorney is indispensable to
7 attracting and retaining qualified attorneys in public service, (2)
8 this is in the state interest given the nature of the duties required
9 of the prosecutor in RCW 36.27.020, and (3) state legislation and
10 fiscal assistance is needed to obtain this result in light of: (a)
11 Unprecedented resignations from the office to seek judicial office or
12 other employment; (b) a dearth of qualified candidates seeking offices
13 held by incumbents; and (c) recent actions of the Washington citizens'
14 commission on salaries for elected officials that have resulted in

1 district court judges receiving salaries significantly higher than
2 full-time prosecutors.

3 **Sec. 2.** RCW 36.17.020 and 1973 1st ex.s. c 88 s 2 are each amended
4 to read as follows:

5 (1) (~~The salaries of the following county officers of class A~~
6 ~~counties and counties of the first, second, third, fourth, fifth,~~
7 ~~sixth, seventh, eighth and ninth classes, as determined by the last~~
8 ~~preceding federal census, or as may be determined under the provisions~~
9 ~~of RCW 36.13.020 to 36.13.075, inclusive, shall be per annum~~
10 ~~respectively as follows:~~

11 Class A counties: ~~Auditor, sixteen thousand dollars; clerk,~~
12 ~~sixteen thousand dollars; treasurer, sixteen thousand dollars; sheriff,~~
13 ~~seventeen thousand seven hundred dollars; assessor, sixteen thousand~~
14 ~~dollars; prosecuting attorney, twenty two thousand five hundred~~
15 ~~dollars; members of board of county commissioners, seventeen thousand~~
16 ~~seven hundred dollars; coroner, fifteen thousand dollars;~~

17 Counties of the first class: ~~Auditor, fourteen thousand five~~
18 ~~hundred dollars; clerk, fourteen thousand five hundred dollars;~~
19 ~~treasurer, fourteen thousand five hundred dollars; sheriff, sixteen~~
20 ~~thousand dollars; assessor, fourteen thousand five hundred dollars;~~
21 ~~prosecuting attorney, twenty two thousand five hundred dollars; members~~
22 ~~of board of county commissioners, sixteen thousand dollars; coroner,~~
23 ~~eight thousand dollars;~~

24 Counties of the second class: ~~Auditor, thirteen thousand five~~
25 ~~hundred dollars; clerk, thirteen thousand five hundred dollars;~~
26 ~~treasurer, thirteen thousand five hundred dollars; sheriff, thirteen~~
27 ~~thousand five hundred fifty dollars; assessor, thirteen thousand five~~
28 ~~hundred dollars; prosecuting attorney, twenty one thousand five hundred~~

1 dollars; members of board of county commissioners, thirteen thousand
2 five hundred dollars; coroner, five thousand dollars;

3 Counties of the third class: Auditor, twelve thousand five hundred
4 dollars; clerk, twelve thousand five hundred dollars; treasurer, twelve
5 thousand five hundred dollars; assessor, twelve thousand five hundred
6 dollars; sheriff, twelve thousand five hundred dollars; prosecuting
7 attorney, twenty one thousand five hundred dollars; members of the
8 board of county commissioners, twelve thousand five hundred dollars;
9 coroner, three thousand six hundred dollars;

10 Counties of the fourth class: Auditor, eleven thousand dollars;
11 clerk, eleven thousand dollars; treasurer, eleven thousand dollars;
12 assessor, eleven thousand dollars; sheriff, eleven thousand dollars;
13 prosecuting attorney, in such a county in which there is no state
14 university, thirteen thousand dollars; prosecuting attorney, in such a
15 county in which there is a state university or college, fifteen
16 thousand dollars; members of the board of county commissioners, ten
17 thousand dollars;

18 Counties of the fifth class: Auditor, nine thousand one hundred
19 fifty dollars; clerk, nine thousand one hundred fifty dollars;
20 treasurer, nine thousand one hundred fifty dollars; sheriff, ten
21 thousand two hundred dollars; assessor, nine thousand one hundred fifty
22 dollars; prosecuting attorney, twelve thousand dollars; members of the
23 board of county commissioners, eight thousand five hundred dollars;

24 Counties of the sixth class: Auditor, nine thousand one hundred
25 fifty dollars; clerk, nine thousand one hundred fifty dollars;
26 treasurer, nine thousand one hundred fifty dollars; assessor, nine
27 thousand one hundred fifty dollars; sheriff, ten thousand two hundred
28 dollars; prosecuting attorney, nine thousand dollars; members of the
29 board of county commissioners, six thousand four hundred dollars;

1 ~~Counties of the seventh class: Auditor, eight thousand three~~
2 ~~hundred dollars; clerk, eight thousand three hundred dollars;~~
3 ~~treasurer, eight thousand three hundred dollars; assessor, eight~~
4 ~~thousand three hundred dollars; sheriff, nine thousand five hundred~~
5 ~~dollars; prosecuting attorney, nine thousand dollars; members of the~~
6 ~~board of county commissioners, five thousand nine hundred fifty~~
7 ~~dollars;~~

8 ~~Counties of the eighth class: Auditor, eight thousand three~~
9 ~~hundred dollars; clerk, eight thousand three hundred dollars;~~
10 ~~treasurer, eight thousand three hundred dollars; assessor, eight~~
11 ~~thousand three hundred dollars; sheriff, nine thousand five hundred~~
12 ~~dollars; prosecuting attorney, nine thousand dollars; members of board~~
13 ~~of county commissioners, five thousand nine hundred fifty dollars;~~

14 ~~Counties of the ninth class: Auditor clerk, seven thousand four~~
15 ~~hundred fifty dollars; sheriff, eight thousand five hundred dollars;~~
16 ~~treasurer assessor, seven thousand four hundred fifty dollars;~~
17 ~~prosecuting attorney, nine thousand dollars; members of the board of~~
18 ~~county commissioners, five thousand five hundred dollars.~~

19 (2)) The salaries of the following county officers in counties
20 with a population over five hundred thousand shall be per annum
21 respectively as follows: Auditor, clerk, treasurer, sheriff, members
22 of board of county commissioners, coroners, eighteen thousand dollars;
23 assessor, nineteen thousand dollars; and prosecuting attorney, twenty-
24 seven thousand five hundred dollars.

25 ((Beginning January 1, 1974:))

26 (2) The salaries of the following county officers of class AA and
27 A counties and counties of the first, second, third, fourth, fifth,
28 sixth, seventh, eighth and ninth classes, as determined by the last
29 preceding federal census, or as may be determined under the provisions

1 of RCW 36.13.020 to 36.13.075, inclusive, shall be per annum
2 respectively as follows:

3 Class AA counties: Prosecuting attorney, (~~((thirty thousand three~~
4 ~~hundred dollars))~~) not less than the amount specified in subsection (3)
5 of this section;

6 Class A counties: Auditor, seventeen thousand six hundred dollars;
7 clerk, seventeen thousand six hundred dollars; treasurer, seventeen
8 thousand six hundred dollars; sheriff, nineteen thousand five hundred
9 dollars; assessor, seventeen thousand six hundred dollars; prosecuting
10 attorney, (~~((twenty four thousand eight hundred dollars))~~) not less than
11 the amount specified in subsection (3) of this section; members of
12 board of county commissioners, nineteen thousand five hundred dollars;
13 coroner, sixteen thousand five hundred dollars;

14 Counties of the first class: Auditor, sixteen thousand dollars;
15 clerk, sixteen thousand dollars; treasurer, sixteen thousand dollars;
16 sheriff, seventeen thousand six hundred dollars; assessor, sixteen
17 thousand dollars; prosecuting attorney, (~~((twenty four thousand eight~~
18 ~~hundred dollars))~~) not less than the amount specified in subsection (3)
19 of this section; members of board of county commissioners, seventeen
20 thousand six hundred dollars; coroner, eight thousand eight hundred
21 dollars;

22 Counties of the second class: Auditor, fourteen thousand nine
23 hundred dollars; clerk, fourteen thousand nine hundred dollars;
24 treasurer, fourteen thousand nine hundred dollars; assessor, fourteen
25 thousand nine hundred dollars; sheriff, fourteen thousand nine hundred
26 dollars; prosecuting attorney, (~~((twenty three thousand seven hundred~~
27 ~~dollars))~~) not less than the amount specified in subsection (3) of this
28 section; members of the board of county commissioners, fourteen
29 thousand nine hundred dollars; coroner, five thousand five hundred
30 dollars;

1 Counties of the third class: Auditor, thirteen thousand eight
2 hundred dollars; clerk, thirteen thousand eight hundred dollars;
3 treasurer, thirteen thousand eight hundred dollars; assessor, thirteen
4 thousand eight hundred dollars; sheriff, thirteen thousand eight
5 hundred dollars; prosecuting attorney, (~~twenty-three thousand seven~~
6 ~~hundred dollars~~) not less than the amount specified in subsection (3)
7 of this section; members of the board of county commissioners, thirteen
8 thousand eight hundred dollars; coroner, four thousand dollars;

9 Counties of the fourth class: Auditor, twelve thousand one hundred
10 dollars; clerk, twelve thousand one hundred dollars; treasurer, twelve
11 thousand one hundred dollars; sheriff, twelve thousand one hundred
12 dollars; assessor, twelve thousand one hundred dollars; prosecuting
13 attorney (~~in such a county in which there is no state university or~~
14 ~~college, fourteen thousand three hundred dollars; in such a county in~~
15 ~~which there is a state university or college, sixteen thousand five~~
16 ~~hundred dollars~~), not less than the amount specified in subsection (3)
17 of this section; members of the board of county commissioners, eleven
18 thousand dollars;

19 Counties of the fifth class: Auditor, ten thousand one hundred
20 dollars; clerk, ten thousand one hundred dollars; treasurer, ten
21 thousand one hundred dollars; assessor, ten thousand one hundred
22 dollars; sheriff, eleven thousand two hundred dollars; prosecuting
23 attorney, (~~thirteen thousand two hundred dollars~~) not less than the
24 amount specified in subsection (3) of this section; members of the
25 board of county commissioners, nine thousand four hundred dollars;

26 Counties of the sixth class: Auditor, ten thousand one hundred
27 dollars; clerk, ten thousand one hundred dollars; treasurer, ten
28 thousand one hundred dollars; assessor, ten thousand one hundred
29 dollars; sheriff, eleven thousand two hundred dollars; prosecuting
30 attorney, (~~nine thousand nine hundred dollars~~) not less than the

1 amount specified in subsection (3) of this section; members of the
2 board of county commissioners, seven thousand dollars;

3 Counties of the seventh class: Auditor, nine thousand one hundred
4 dollars; clerk, nine thousand one hundred dollars; treasurer, nine
5 thousand one hundred dollars; assessor, nine thousand one hundred
6 dollars; sheriff, ten thousand five hundred dollars; prosecuting
7 attorney, (~~nine thousand nine hundred dollars~~) not less than the
8 amount specified in subsection (3) of this section; members of board of
9 county commissioners, six thousand five hundred dollars;

10 Counties of the eighth class: Auditor, nine thousand one hundred
11 dollars; clerk, nine thousand one hundred dollars; treasurer, nine
12 thousand one hundred dollars; sheriff, ten thousand five hundred
13 dollars; assessor, nine thousand one hundred dollars; prosecuting
14 attorney, (~~nine thousand nine hundred dollars~~) not less than the
15 amount specified in subsection (3) of this section; members of the
16 board of county commissioners, six thousand five hundred dollars;

17 Counties of the ninth class: Auditor-clerk, eight thousand two
18 hundred dollars; treasurer-assessor, eight thousand two hundred
19 dollars; sheriff, nine thousand four hundred dollars; prosecuting
20 attorney, (~~nine thousand nine hundred dollars~~) not less than the
21 amount specified in subsection (3) of this section; members of the
22 board of county commissioners, six thousand one hundred dollars.

23 The county legislative authority of such county is authorized to
24 increase or decrease the salary of such office but may not decrease the
25 salary of the prosecuting attorney below the amount specified in
26 subsection (3) of this section: PROVIDED, That the legislative
27 authority of the county shall not reduce the salary of any official
28 below the amount which such official was receiving on January 1, 1973.

29 (3) The salary of the prosecuting attorney in class AA and A
30 counties and in counties of the first, second, third, and fourth

1 classes shall be no less than the amount prescribed for superior court
2 judges in RCW 43.03.012. The salary of a full-time prosecuting
3 attorney in counties of the fifth, sixth, seventh, eighth, and ninth
4 classes shall be no less than the amount prescribed for a full-time
5 judge of the district court in RCW 43.03.012. The salary of a part-
6 time prosecuting attorney shall be no less than such percentage of the
7 salary for a full-time judge of the district court that the prosecuting
8 attorney certifies, at the end of each month, is the same as the
9 percentage of hours he or she has worked as the prosecuting attorney
10 compared to the hours that would be worked for that month by a full-
11 time prosecuting attorney, based on a forty-hour work week.

12 One-half of the salary of each prosecuting attorney shall be paid
13 by the state. During the biennium ending June 30, 1993, the state
14 shall reimburse each county for all of the additional salary
15 obligations and other costs incurred in the implementation of this
16 subsection (3) above the amounts each county was responsible for prior
17 to the effective date of this act.

18 NEW SECTION. Sec. 3. The Washington association of prosecuting
19 attorneys shall report to the Washington state legislature by December
20 1, 1994, as to the changes achieved by the signing into law of this act
21 as measured by the decrease in voluntary departure from office of
22 prosecuting attorneys and the increase in the number of attorneys
23 seeking election to the office of prosecuting attorney.