
SENATE BILL 6297

State of Washington 60th Legislature 2008 Regular Session

By Senators Prentice, Brandland, and Sheldon

Read first time 01/14/08. Referred to Committee on Ways & Means.

1 AN ACT Relating to prosecuting attorney salaries; amending RCW
2 36.17.020; creating a new section; and providing an effective date.

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

4 NEW SECTION. **Sec. 1.** The legislature finds that an elected county
5 prosecuting attorney functions as both a state officer in pursuing
6 criminal cases on behalf of the state of Washington, and as a county
7 officer who acts as civil counsel for the county, and provides services
8 to school districts and lesser taxing districts by statute.

9 The prosecuting attorney's dual role as a state officer and a
10 county officer is reflected in various provisions of the state
11 Constitution and within state statute. RCW 36.17.020 provides that the
12 salary and benefits of an elected prosecuting attorney are divided
13 between the county and the state -- the same as for superior court
14 judges.

15 The legislature finds that the responsibilities and decisions
16 required of the elected prosecuting attorney are essentially the same
17 in every county within Washington state, from a decision to seek the
18 death penalty in an aggravated murder case, to the decision not to
19 prosecute but refer an offender to drug court; from a decision to

1 pursue child rape charges based solely upon the testimony of the child,
2 to a decision to divert juvenile offenders out of the justice system.
3 Therefore, the legislature finds that prosecuting attorneys need to
4 exercise the same level of skill and expertise in the least populous
5 county as in the most populous county.

6 The legislature finds that the salary of the elected county
7 prosecuting attorney should be tied to that of a superior court judge.
8 This furthers the state's interests and responsibilities under the
9 state Constitution, and is consistent with the current practice of
10 several counties in Washington state, the practices of several other
11 states, and the national district attorneys' association national
12 standards.

13 **Sec. 2.** RCW 36.17.020 and 2001 c 73 s 3 are each amended to read
14 as follows:

15 The county legislative authority of each county or a county
16 commissioner or councilmember salary commission which conforms with RCW
17 36.17.024 is authorized to establish the salaries of the elected
18 officials of the county. One-half of the salary of each prosecuting
19 attorney shall be paid by the state. The annual salary of a county
20 elected official shall not be less than the following:

21 (1) In each county with a population of one million or more:
22 Auditor, clerk, treasurer, sheriff, members of the county legislative
23 authority, and coroner, eighteen thousand dollars; and assessor,
24 nineteen thousand dollars(~~(; and prosecuting attorney, thirty thousand~~
25 ~~three hundred dollars))~~);

26 (2) In each county with a population of from two hundred ten
27 thousand to less than one million: Auditor, seventeen thousand six
28 hundred dollars; clerk, seventeen thousand six hundred dollars;
29 treasurer, seventeen thousand six hundred dollars; sheriff, nineteen
30 thousand five hundred dollars; assessor, seventeen thousand six hundred
31 dollars; (~~(prosecuting attorney, twenty four thousand eight hundred~~
32 ~~dollars;)~~) members of the county legislative authority, nineteen
33 thousand five hundred dollars; and coroner, seventeen thousand six
34 hundred dollars;

35 (3) In each county with a population of from one hundred twenty-
36 five thousand to less than two hundred ten thousand: Auditor, sixteen
37 thousand dollars; clerk, sixteen thousand dollars; treasurer, sixteen

1 thousand dollars; sheriff, seventeen thousand six hundred dollars;
2 assessor, sixteen thousand dollars; (~~prosecuting attorney, twenty-four~~
3 ~~thousand eight hundred dollars;~~) members of the county legislative
4 authority, seventeen thousand six hundred dollars; and coroner, sixteen
5 thousand dollars;

6 (4) In each county with a population of from seventy thousand to
7 less than one hundred twenty-five thousand: Auditor, fourteen thousand
8 nine hundred dollars; clerk, fourteen thousand nine hundred dollars;
9 treasurer, fourteen thousand nine hundred dollars; assessor, fourteen
10 thousand nine hundred dollars; sheriff, fourteen thousand nine hundred
11 dollars; (~~prosecuting attorney, twenty-three thousand seven hundred~~
12 ~~dollars;~~) members of the county legislative authority, fourteen
13 thousand nine hundred dollars; and coroner, fourteen thousand nine
14 hundred dollars;

15 (5) In each county with a population of from forty thousand to less
16 than seventy thousand: Auditor, thirteen thousand eight hundred
17 dollars; clerk, thirteen thousand eight hundred dollars; treasurer,
18 thirteen thousand eight hundred dollars; assessor, thirteen thousand
19 eight hundred dollars; sheriff, thirteen thousand eight hundred
20 dollars; (~~prosecuting attorney, twenty-three thousand seven hundred~~
21 ~~dollars;~~) members of the county legislative authority, thirteen
22 thousand eight hundred dollars; and coroner, thirteen thousand eight
23 hundred dollars;

24 (6) In each county with a population of from eighteen thousand to
25 less than forty thousand: Auditor, twelve thousand one hundred
26 dollars; clerk, twelve thousand one hundred dollars; treasurer, twelve
27 thousand one hundred dollars; sheriff, twelve thousand one hundred
28 dollars; assessor, twelve thousand one hundred dollars; (~~prosecuting~~
29 ~~attorney in such a county in which there is no state university or~~
30 ~~college, fourteen thousand three hundred dollars; in such a county in~~
31 ~~which there is a state university or college, sixteen thousand five~~
32 ~~hundred dollars;~~) and members of the county legislative authority,
33 eleven thousand dollars;

34 (7) In each county with a population of from twelve thousand to
35 less than eighteen thousand: Auditor, ten thousand one hundred
36 dollars; clerk, ten thousand one hundred dollars; treasurer, ten
37 thousand one hundred dollars; assessor, ten thousand one hundred

1 dollars; sheriff, eleven thousand two hundred dollars; (~~prosecuting~~
2 ~~attorney, thirteen thousand two hundred dollars;~~) and members of the
3 county legislative authority, nine thousand four hundred dollars;

4 (8) In each county with a population of from eight thousand to less
5 than twelve thousand: Auditor, ten thousand one hundred dollars;
6 clerk, ten thousand one hundred dollars; treasurer, ten thousand one
7 hundred dollars; assessor, ten thousand one hundred dollars; sheriff,
8 eleven thousand two hundred dollars; (~~prosecuting attorney, nine~~
9 ~~thousand nine hundred dollars;~~) and members of the county legislative
10 authority, seven thousand dollars;

11 (9) In each county with a population of from five thousand to less
12 than eight thousand: Auditor, nine thousand one hundred dollars;
13 clerk, nine thousand one hundred dollars; treasurer, nine thousand one
14 hundred dollars; assessor, nine thousand one hundred dollars; sheriff,
15 ten thousand five hundred dollars; (~~prosecuting attorney, nine~~
16 ~~thousand nine hundred dollars;~~) and members of the county legislative
17 authority, six thousand five hundred dollars;

18 (10) In each other county: Auditor, nine thousand one hundred
19 dollars; clerk, nine thousand one hundred dollars; treasurer, nine
20 thousand one hundred dollars; sheriff, ten thousand five hundred
21 dollars; assessor, nine thousand one hundred dollars; (~~prosecuting~~
22 ~~attorney, nine thousand nine hundred dollars;~~) and members of the
23 county legislative authority, six thousand five hundred dollars;

24 (11) The state of Washington shall contribute an amount equal to
25 one-half the salary of a superior court judge towards the salary of the
26 prosecuting attorney. Upon receipt of the state contribution, a county
27 shall continue to contribute towards the salary of the prosecuting
28 attorney in an amount that equals or exceeds that contributed by the
29 county in 2008.

30 NEW SECTION. Sec. 3. This act takes effect July 1, 2008.

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