

CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 6297

Chapter 309, Laws of 2008

60th Legislature
2008 Regular Session

PROSECUTING ATTORNEYS--ELECTED--SALARIES

EFFECTIVE DATE: 07/01/08

Passed by the Senate March 10, 2008
YEAS 44 NAYS 0

BRAD OWEN

President of the Senate

Passed by the House March 5, 2008
YEAS 96 NAYS 0

FRANK CHOPP

Speaker of the House of Representatives

Approved April 1, 2008, 3:42 p.m.

CHRISTINE GREGOIRE

Governor of the State of Washington

CERTIFICATE

I, Thomas Hoemann, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 6297** as passed by the Senate and the House of Representatives on the dates hereon set forth.

THOMAS HOEMANN

Secretary

FILED

April 2, 2008

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 6297

AS AMENDED BY THE HOUSE

Passed Legislature - 2008 Regular Session

State of Washington **60th Legislature** **2008 Regular Session**

By Senate Ways & Means (originally sponsored by Senators Prentice, Brandland, and Sheldon)

READ FIRST TIME 02/08/08.

1 AN ACT Relating to elected prosecuting attorney salaries; amending
2 RCW 36.17.020; creating new sections; 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 elected prosecuting attorney's dual role as a state officer and
10 a county officer is reflected in various provisions of the state
11 Constitution and within state statute.

12 The legislature finds that the responsibilities and decisions
13 required of the elected prosecuting attorney are essentially the same
14 in every county within Washington state, from a decision to seek the
15 death penalty in an aggravated murder case, to the decision not to
16 prosecute but refer an offender to drug court; from a decision to
17 pursue child rape charges based solely upon the testimony of the child,
18 to a decision to divert juvenile offenders out of the justice system.

1 Therefore, the legislature finds that elected prosecuting attorneys
2 need to exercise the same level of skill and expertise in the least
3 populous county as in the most populous county.

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

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

13 The county legislative authority of each county or a county
14 commissioner or councilmember salary commission which conforms with RCW
15 36.17.024 is authorized to establish the salaries of the elected
16 officials of the county. (~~One half of the salary of each prosecuting~~
17 ~~attorney shall be paid by the state.~~) The state and county shall
18 contribute to the costs of the salary of the elected prosecuting
19 attorney as set forth in subsection (11) of this section. The annual
20 salary of a county elected official shall not be less than the
21 following:

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

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

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

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

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

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

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

35 (7) In each county with a population of from twelve thousand to
36 less than eighteen thousand: Auditor, ten thousand one hundred
37 dollars; clerk, ten thousand one hundred dollars; treasurer, ten
38 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 elected prosecuting attorney. Upon receipt of the state contribution,
27 a county shall continue to contribute towards the salary of the elected
28 prosecuting attorney in an amount that equals or exceeds that
29 contributed by the county in 2008.

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

31 NEW SECTION. Sec. 4. If specific funding for the purposes of this
32 act, referencing this act by bill or chapter number, is not provided by
33 June 30, 2008, in the omnibus appropriations act, this act is null and
34 void.

Passed by the Senate March 10, 2008.

Passed by the House March 5, 2008.

Approved by the Governor April 1, 2008.

Filed in Office of Secretary of State April 2, 2008.