

CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 5627

68th Legislature
2023 Regular Session

Passed by the Senate February 28,
2023

Yeas 48 Nays 0

President of the Senate

Passed by the House March 24, 2023

Yeas 96 Nays 0

**Speaker of the House of
Representatives**

Approved

Governor of the State of Washington

CERTIFICATE

I, Sarah Bannister, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 5627** as passed by the Senate and the House of Representatives on the dates hereon set forth.

Secretary

FILED

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 5627

Passed Legislature - 2023 Regular Session

State of Washington

68th Legislature

2023 Regular Session

By Senate Local Government, Land Use & Tribal Affairs (originally sponsored by Senator Hunt)

READ FIRST TIME 02/17/23.

1 AN ACT Relating to salaries for county commissioners and
2 councilmembers; and amending RCW 36.17.024.

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

4 **Sec. 1.** RCW 36.17.024 and 2001 c 73 s 5 are each amended to read
5 as follows:

6 (1) Salaries for county commissioners and councilmembers may be
7 set by county commissioner and councilmember salary commissions
8 established by ordinance or resolution of the county legislative
9 authority and in conformity with this section.

10 (2) Commissions established under subsection (1) of this section
11 shall be known as the (Insert name of county) county citizens'
12 commission on salaries for elected officials. Each commission shall
13 consist of ~~((ten))~~ members appointed by the county commissioner or
14 executive with the approval of the county legislative authority, or
15 by a majority vote of the county legislative authority if there is no
16 single county commissioner or executive, as provided in this section.

17 (3)(a) ~~((Six))~~ For charter counties, six of the ten commission
18 members shall be selected by lot by the county auditor from among
19 those registered voters eligible to vote at the time persons are
20 selected for appointment to full terms on the commission under (c) of
21 this subsection. ~~((In noncharter counties, the county auditor shall~~

1 ~~select two commission members living in each commissioner's~~
2 ~~district.))~~ The county auditor shall establish policies and
3 procedures for conducting the selection by lot. The policies and
4 procedures shall include, but not be limited to, those for notifying
5 persons selected and for providing a new selection from a
6 commissioner's district if a person selected from the district
7 declines appointment to the commission or if, following the person's
8 appointment, the person's position on the commission becomes vacant
9 before the end of the person's term of office.

10 (b) The remaining four of the ten commission members must be
11 residents of the county and shall be appointed by the county
12 commissioner or executive with approval of the county legislative
13 authority, or by a majority vote of the county legislative authority
14 if there is no single county commissioner or executive. The persons
15 selected under this subsection shall have had experience in the field
16 of personnel management. Of these four members, one shall be selected
17 from each of the following four sectors in the county: Business,
18 professional personnel management, legal profession, and organized
19 labor.

20 (c) If there is a single county commissioner or executive, the
21 county auditor shall forward the names of persons selected under (a)
22 of this subsection to the county commissioner or executive who shall
23 appoint these persons to the commission.

24 (d) No person may be appointed to more than two terms. No member
25 of the commission may be removed by the county commissioner or
26 executive, or county legislative authority if there is no single
27 county commissioner or executive, during his or her term of office
28 unless for cause of incapacity, incompetence, neglect of duty, or
29 malfeasance in office, or for a disqualifying change of residence.

30 (e) The members of the commission may not include any officer,
31 official, or employee of the county or any of their immediate family
32 members. "Immediate family member" as used in this subsection means
33 the parents, spouse, siblings, children, or dependent relatives of
34 the officer, official, or employee, whether or not living in the
35 household of the officer, official, or employee.

36 (f) Upon a vacancy in any position on the commission, a successor
37 shall be selected and appointed to fill the unexpired term. The
38 selection and appointment shall be concluded within thirty days of
39 the date the position becomes vacant and shall be conducted in the
40 same manner as for the original appointment.

1 ~~((3))~~ (4) For noncharter counties, commission members must be
2 registered voters eligible to vote at the time persons are selected
3 for appointment to full terms on the commission.

4 (a) The county auditor must select, by lot, at least one
5 commission member living in each commissioner's district. The county
6 auditor must establish policies and procedures for conducting the
7 selection by lot. The policies and procedures must include, but not
8 be limited to, those for notifying persons selected and for providing
9 a new selection from a commissioner's district if a person selected
10 from the district declines appointment to the commission or if,
11 following the person's appointment, the person's position on the
12 commission becomes vacant before the end of the person's term of
13 office.

14 (b) By majority vote of the county legislative authority,
15 additional commission members may be appointed. These additional
16 commission members must be residents of the county. The persons
17 selected under this subsection must have experience in the field of
18 personnel management or a related field.

19 (c) The number of salary commission members selected by lot must
20 constitute the majority of commission members.

21 (d) No person may be appointed to serve more than two terms. No
22 member of the commission may be removed by the county legislative
23 authority during his or her term of office unless for cause of
24 incapacity, incompetence, neglect of duty, or malfeasance in office,
25 or for a disqualifying change of residence.

26 (e) The members of the commission may not include any officer,
27 official, or employee of the county or any of their immediate family
28 members. For purposes of this subsection, "immediate family member"
29 means the parents, spouse, siblings, children, or dependent relatives
30 of the officer, official, or employee, whether or not living in the
31 household of the officer, official, or employee.

32 (f) Upon a vacancy in any position on the commission, a successor
33 must be selected and appointed to fill the unexpired term. The
34 selection and appointment must be concluded within 30 days of the
35 date the position becomes vacant and must be conducted in the same
36 manner as for the original appointment.

37 (g) Commissions established by ordinance or resolution of the
38 county legislative authority in existence prior to the effective date
39 of an increase in the number of board of commissioners from three to
40 five under either RCW 36.32.052 or 36.32.055 may retain their

1 composition for one year after the start of the terms of the newly
2 created county commissioner positions or until changed in accordance
3 with this section, whichever occurs first.

4 (5) Any change in salary shall be filed by the commission with
5 the county auditor and shall become effective and incorporated into
6 the county budget without further action of the county legislative
7 authority or salary commission.

8 ~~((4))~~ (6) Salary increases established by the commission shall
9 be effective as to county commissioners and all members of the county
10 legislative authority, regardless of their terms of office.

11 ~~((5))~~ (7) Salary decreases established by the commission shall
12 become effective as to incumbent county commissioners and
13 councilmembers at the commencement of their next subsequent terms of
14 office.

15 ~~((6))~~ (8) Salary increases and decreases shall be subject to
16 referendum petition by the people of the county ~~((in the same manner~~
17 ~~as a county ordinance))~~ upon filing of such petition with the county
18 auditor within ~~((thirty))~~ 30 days after filing of the salary
19 schedule.

20 (a) For a charter county, the petition must be subject to
21 referendum in accordance with the charter.

22 (b) For a noncharter county, the petition must be subject to
23 referendum as follows: Within 10 days of the date of the petition,
24 the county auditor or their designee must confer with the petitioner
25 concerning form and style of the petition, issue an identification
26 number for the petition, and the prosecuting attorney must write a
27 ballot title for the measure. The ballot title must be posed as a
28 question so that an affirmative answer to the question and an
29 affirmative vote on the measure results in the change in salary and a
30 negative answer to the question and a negative vote on the measure
31 results in no change. The petitioner must be notified of the
32 identification number and ballot title within this 10-day period.
33 After this notification, the petitioner has 30 days in which to
34 secure on petition forms the signatures of not less than 15 percent
35 of the registered voters of the county at the last general election,
36 and to file the signed petitions with the county auditor. Each
37 petition form must contain the ballot title and the full text of the
38 measure to be referred. The county auditor must verify the
39 sufficiency of the signatures on the petitions and determine the
40 validity of the referendum petition.

1 (9) In the event of the filing of a valid referendum petition,
2 the salary increase or decrease shall not go into effect until
3 approved by vote of the people. ~~If the county auditor determines the~~
4 number of verified signatures insufficient or the referendum petition
5 invalid, the salary change takes effect on the date specified for the
6 salary change filed by the commission in subsection (5) of this
7 section.

8 ~~((7))~~ (10) Referendum measures under this section shall be
9 submitted to the voters of the county at the next following general
10 or municipal election occurring ~~((thirty days or more))~~ after the
11 ~~((petition is filed, and))~~ signatures are verified by the county
12 auditor and after the filing deadline established in RCW
13 29A.04.321(3). If the filing deadline for the following general or
14 municipal election has passed, the legislative authority of the
15 county may call for a special election on the first election date
16 provided for in RCW 29A.04.321(2). The referendum shall be otherwise
17 governed by the provisions of the state Constitution and laws
18 generally applicable to ~~((referendum measures))~~ elections consistent
19 with Title 29A RCW. If the referendum is approved by an affirmative
20 vote, the salary change takes effect on the date specified for the
21 salary change filed by the commission in subsection (5) of this
22 section.

23 (8) The action fixing the salary of a county commissioner or
24 councilmember by a commission established in conformity with this
25 section shall supersede any other provision of state statute or
26 county ordinance related to municipal budgets or to the fixing of
27 salaries of county commissioners and councilmembers.

28 (9) Salaries for county commissioners and councilmembers
29 established under an ordinance or resolution of the county
30 legislative authority in existence on July 22, 2001, that
31 substantially complies with this section shall remain in effect
32 unless and until changed in accordance with such charter provision or
33 ordinance.

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