
SENATE BILL 6017

State of Washington

53rd Legislature

1994 Regular Session

By Senators Winsley and Haugen

Read first time 01/10/94. Referred to Committee on Government Operations.

1 AN ACT Relating to compensation for local officials; and amending
2 RCW 35.17.108, 35.18.220, 35.22.205, 35.23.220, 35.24.090, 35.27.130,
3 35A.12.070, 35A.13.040, 36.17.020, and 53.12.260.

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

5 **Sec. 1.** RCW 35.17.108 and 1967 c 100 s 1 are each amended to read
6 as follows:

7 ((The annual salaries of)) Compensation for the mayor and the
8 commissioners of any city operating under a commission form of
9 government shall be as fixed by ((charter or)) ordinance ((of said
10 city)). The power and authority conferred by this section shall be
11 construed as in addition and supplemental to powers or authority
12 conferred by any other law, and nothing contained herein shall be
13 construed as limiting any other powers or authority of any such city.

14 An ordinance establishing compensation for the mayor and the
15 commissioners may provide for periodic increases which may be discrete
16 dollar amounts for each year of the statutory term or may be referenced
17 to established measures of economic activity which cannot be influenced
18 by the city. As used in this section, "established measures of

1 economic activity" means published, recurring indices of performance of
2 the economy in which the city is situated.

3 **Sec. 2.** RCW 35.18.220 and 1965 c 7 s 35.18.220 are each amended to
4 read as follows:

5 Each member of the council shall receive such compensation as may
6 be provided by (~~law to cities of the class to which it belongs~~)
7 ordinance. The city manager and other officers or assistants shall
8 receive such salary or compensation as the council shall fix by
9 ordinance and shall be payable at such times as the council may
10 determine.

11 An ordinance establishing compensation for councilmembers may
12 provide for periodic increases which may be discrete dollar amounts for
13 each year of the statutory term or may be referenced to established
14 measures of economic activity which cannot be influenced by the city.
15 As used in this section, "established measures of economic activity"
16 means published, recurring indices of performance of the economy in
17 which the city is situated.

18 **Sec. 3.** RCW 35.22.205 and 1965 c 7 s 35.22.205 are each amended to
19 read as follows:

20 The compensation and the time to be devoted to the performance of
21 the duties of the mayor and elected officials of all cities of the
22 first class shall be as fixed by ordinance of said city irrespective of
23 any city charter provisions.

24 An ordinance establishing compensation for the mayor and
25 councilmembers may provide for periodic increases which may be discrete
26 dollar amounts for each year of the statutory term or may be referenced
27 to established measures of economic activity which cannot be influenced
28 by the city. As used in this section, "established measures of
29 economic activity" means published, recurring indices of performance of
30 the economy in which the city is situated.

31 **Sec. 4.** RCW 35.23.220 and 1969 ex.s. c 270 s 7 are each amended to
32 read as follows:

33 The city council shall fix (~~the salary of all officials (-)~~)
34 compensation for all city officials, except library trustees who shall
35 serve without compensation and any other officer where provision is

1 made by this title that such officer shall serve without
2 compensation(~~(+)~~).

3 No officer or official shall be allowed any extra or additional
4 compensation, either directly or indirectly, for the rendition of
5 services that the city council have authority to require (~~(of him)~~) the
6 officer or official to perform by virtue of ((his)) the officer's or
7 official's office.

8 (~~(The salaries of all city officers shall be paid monthly.)~~) An
9 ordinance establishing compensation for the mayor and councilmembers
10 may provide for periodic increases which may be discrete dollar amounts
11 for each year of the statutory term or may be referenced to established
12 measures of economic activity which cannot be influenced by the city.
13 As used in this section, "established measures of economic activity"
14 means published, recurring indices of performance of the economy in
15 which the city is situated.

16 **Sec. 5.** RCW 35.24.090 and 1990 c 212 s 1 are each amended to read
17 as follows:

18 The mayor and the members of the city council may be reimbursed for
19 actual expenses incurred in the discharge of their official duties,
20 upon presentation of a claim therefor, after allowance and approval
21 thereof, by resolution of the city council(~~(; and each city~~
22 ~~councilmember may be paid for attending council meetings an amount~~
23 ~~which shall be fixed by ordinance and may be revised from time to time~~
24 ~~by ordinance, but any increase or reduction in the compensation~~
25 ~~attaching to an office shall not be applicable to the term then being~~
26 ~~served by the incumbent))).~~

27 The city attorney, clerk and treasurer, if elective, shall
28 severally receive at stated times a compensation to be fixed by
29 ordinance by the city council.

30 The mayor and other officers shall receive such compensation as may
31 be fixed by the city council at the time the estimates are made as
32 provided by law. An ordinance establishing compensation for the mayor
33 and councilmembers may provide for periodic increases which may be
34 discrete dollar amounts for each year of the statutory term or may be
35 referenced to established measures of economic activity which cannot be
36 influenced by the city. As used in this section, "established measures
37 of economic activity" means published, recurring indices of performance
38 of the economy in which the city is situated.

1 Any city that provides a pension for any of its employees under a
2 plan not administered by the state must notify the state auditor of the
3 existence of the plan at the time of an audit of the city by the
4 auditor. No city may establish a pension plan for its employees that
5 is not administered by the state, except that any defined contribution
6 plan in existence as of January 1, 1990, is deemed to have been
7 authorized. No city that provides a defined contribution plan for its
8 employees as authorized by this section may make any material changes
9 in the terms or conditions of the plan after June 7, 1990.

10 **Sec. 6.** RCW 35.27.130 and 1993 c 47 s 3 are each amended to read
11 as follows:

12 The mayor and members of the town council may be reimbursed for
13 actual expenses incurred in the discharge of their official duties upon
14 presentation of a claim therefor and its allowance and approval by
15 resolution of the town council.

16 The mayor and members of the council may also receive such
17 ((salary)) compensation as the council may fix by ordinance. An
18 ordinance establishing compensation for the mayor and councilmembers
19 may provide for periodic increases which may be discrete dollar amounts
20 for each year of the statutory term or may be referenced to established
21 measures of economic activity which cannot be influenced by the town.
22 As used in this section, "established measures of economic activity"
23 means published, recurring indices of performance of the economy in
24 which the town is situated.

25 The treasurer and treasurer-clerk shall severally receive at stated
26 times a compensation to be fixed by ordinance.

27 The compensation of all other officers and employees shall be fixed
28 from time to time by the council.

29 Any town that provides a pension for any of its employees under a
30 plan not administered by the state must notify the state auditor of the
31 existence of the plan at the time of an audit of the town by the
32 auditor. No town may establish a pension plan for its employees that
33 is not administered by the state, except that any defined contribution
34 plan in existence as of January 1, 1990, is deemed to have been
35 authorized. No town that provides a defined contribution plan for its
36 employees as authorized by this section may make any material changes
37 in the terms or conditions of the plan after June 7, 1990.

1 **Sec. 7.** RCW 35A.12.070 and 1971 ex.s. c 251 s 5 are each amended
2 to read as follows:

3 (~~The salaries of~~) Compensation for the mayor and the
4 (~~councilmen~~) councilmembers shall be fixed by ordinance and may be
5 revised from time to time by ordinance(~~, but any increase in the~~
6 ~~compensation attaching to an office shall not be applicable to the term~~
7 ~~then being served by the incumbent if such incumbent is a member of the~~
8 ~~city legislative body fixing his own compensation or as mayor in a~~
9 ~~mayor-council code city casts a tie-breaking vote relating to such~~
10 ~~ordinance: PROVIDED, That~~). An ordinance establishing compensation
11 for the mayor and councilmembers may provide for periodic increases
12 which may be discrete dollar amounts for each year of the statutory
13 term or may be referenced to established measures of economic activity
14 which cannot be influenced by the city. As used in this section,
15 "established measures of economic activity" means published, recurring
16 indices of performance of the economy in which the city is situated.
17 Compensation for the mayor may be increased during the mayor's current
18 term of office if the mayor of such a city does not cast (~~such~~) a
19 tie-breaking vote(~~, his salary may be increased during his term of~~
20 office) to adopt the ordinance revising the compensation for the
21 mayor.

22 Until the first elective officers of a newly organized code city
23 under this mayor-council plan of government may lawfully be paid the
24 compensation provided by (~~such salary~~) an ordinance establishing
25 different levels of compensation, such officers shall be entitled to be
26 compensated in the same manner and in the same amount as the
27 compensation paid to officers of such city performing comparable
28 services immediately prior to adoption of this mayor-council plan.

29 Until (~~a salary ordinance can be passed and become effective as~~
30 ~~to~~) elective officers of a newly incorporated code city may lawfully
31 be paid the compensation provided by an ordinance establishing
32 different levels of compensation, such first elective officers shall be
33 entitled to compensation as follows: In cities having less than five
34 thousand inhabitants, the mayor shall be entitled to a salary of one
35 hundred and fifty dollars per calendar month and a (~~councilman~~)
36 councilmember shall be entitled to twenty dollars per meeting for not
37 more than two meetings per month; in cities having more than five
38 thousand but less than fifteen thousand inhabitants, the mayor shall be
39 entitled to a salary of three hundred and fifty dollars per calendar

1 month and a ~~((councilman))~~ councilmember shall be entitled to one hundred and fifty dollars per calendar month; in cities having more than fifteen thousand inhabitants, the mayor shall be entitled to a salary of twelve hundred and fifty dollars per calendar month and a ~~((councilman))~~ councilmember shall be entitled to four hundred dollars per calendar month(~~(: PROVIDED, That such interim compensation shall remain in effect only until a salary ordinance is passed and becomes effective as to such officers, and the amounts herein provided shall not be construed as fixing the usual salary of such officers))~~).

10 The mayor and ~~((councilmen))~~ councilmembers shall receive reimbursement for their actual and necessary expenses incurred in the performance of the duties of their office, or the council by ordinance may provide for a per diem allowance. Procedure for approval of claims for expenses shall be as provided by ordinance.

15 **Sec. 8.** RCW 35A.13.040 and 1979 ex.s. c 18 s 25 are each amended to read as follows:

17 ~~((The salaries of the councilmen))~~ Compensation for councilmembers, including the mayor, shall be fixed by ordinance and may be revised from time to time by ordinance(~~(, but any increase or reduction in the compensation attaching to an office shall not become effective until the expiration of the term then being served by the incumbent:~~ PROVIDED, That compensation of councilmen may not be increased or diminished after their election nor may the compensation of the mayor be increased or diminished after the mayor has been chosen by the council)). An ordinance establishing compensation for councilmembers, including the mayor, may provide for periodic increases which may be discrete dollar amounts for each year of the statutory term or may be referenced to established measures of economic activity which cannot be influenced by the city. As used in this section, "established measures of economic activity" means published, recurring indices of performance of the economy in which the city is situated.

32 Until ~~((councilmen))~~ councilmembers of a newly~~((-))~~organized council-manager code city may lawfully be paid as provided by ~~((salary))~~ an ordinance establishing different levels of compensation, such ~~((councilmen))~~ councilmembers shall be entitled to compensation in the same manner and in the same amount as ~~((councilmen))~~ councilmembers of such city prior to the adoption of this council-manager plan.

1 Until ~~((a salary ordinance can be passed and become effective as~~
2 ~~to))~~ elective officers of a newly incorporated code city may lawfully
3 be paid the compensation provided by an ordinance establishing
4 different levels of compensation, the first ~~((councilmen))~~
5 councilmembers shall be entitled to compensation as follows: In cities
6 having less than five thousand inhabitants~~((—))~~ the councilmembers
7 shall be entitled to compensation at a rate of twenty dollars per
8 meeting for not more than two meetings per month; in cities having more
9 than five thousand but less than fifteen thousand inhabitants((—)) the
10 councilmembers shall be entitled to compensation at a salary of one
11 hundred and fifty dollars per calendar month; in cities having more
12 than fifteen thousand inhabitants((—)) the councilmembers shall be
13 entitled to compensation at a salary of four hundred dollars per
14 calendar month. ~~((A councilman))~~ The councilmember who is occupying
15 the position of mayor, in addition to ~~((his))~~ per day compensation or
16 salary as a ((councilman)) councilmember, shall be entitled, while
17 serving as mayor, to an additional amount per meeting or per calendar
18 month, or portion thereof, equal to twenty-five percent of the per
19 meeting compensation rate or councilmanic salary~~((:— PROVIDED, That~~
20 ~~such interim compensation shall remain in effect only until a salary~~
21 ~~ordinance is passed and becomes effective as to such officers, and the~~
22 ~~compensation provided herein shall not be construed as fixing the usual~~
23 ~~compensation of such officers))~~.

24 ~~((Councilmen))~~ Councilmembers, including the mayor, shall receive
25 reimbursement for their actual and necessary expenses incurred in the
26 performance of the duties of their office, or the council by ordinance
27 may provide for a per diem allowance. Procedure for approval of claims
28 for expenses shall be as provided by ordinance.

29 **Sec. 9.** RCW 36.17.020 and 1991 c 363 s 52 are each amended to read
30 as follows:

31 The county legislative authority of each county ~~((is authorized~~
32 ~~to))~~ shall by ordinance establish ((the salaries of)) compensation for
33 the elected officials of the county, other than superior court judges
34 and district court judges. One-half of the salary of each prosecuting
35 attorney shall be paid by the state. ~~((The annual salary of a county~~
36 ~~elected official shall not be less than the following:~~

37 ~~(1) In each county with a population of one million or more:~~
38 ~~Auditor, clerk, treasurer, sheriff, members of the county legislative~~

1 authority, and coroner, eighteen thousand dollars; assessor, nineteen
2 thousand dollars; and prosecuting attorney, thirty thousand three
3 hundred dollars;

4 (2) In each county with a population of from two hundred ten
5 thousand to less than one million: Auditor, seventeen thousand six
6 hundred dollars; clerk, seventeen thousand six hundred dollars;
7 treasurer, seventeen thousand six hundred dollars; sheriff, nineteen
8 thousand five hundred dollars; assessor, seventeen thousand six hundred
9 dollars; prosecuting attorney, twenty four thousand eight hundred
10 dollars; members of the county legislative authority, nineteen thousand
11 five hundred dollars; and coroner, sixteen thousand five hundred
12 dollars;

13 (3) In each county with a population of from one hundred twenty-
14 five thousand to less than two hundred ten thousand: Auditor, sixteen
15 thousand dollars; clerk, sixteen thousand dollars; treasurer, sixteen
16 thousand dollars; sheriff, seventeen thousand six hundred dollars;
17 assessor, sixteen thousand dollars; prosecuting attorney, twenty four
18 thousand eight hundred dollars; members of the county legislative
19 authority, seventeen thousand six hundred dollars; and coroner, eight
20 thousand eight hundred dollars;

21 (4) In each county with a population of from seventy thousand to
22 less than one hundred twenty five thousand: Auditor, fourteen thousand
23 nine 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; members of the county legislative authority, fourteen thousand
28 nine hundred dollars; and coroner, five thousand five hundred dollars;

29 (5) In each county with a population of from forty thousand to less
30 than seventy thousand: Auditor, thirteen thousand eight hundred
31 dollars; clerk, thirteen thousand eight hundred dollars; treasurer,
32 thirteen thousand eight hundred dollars; assessor, thirteen thousand
33 eight hundred dollars; sheriff, thirteen thousand eight hundred
34 dollars; prosecuting attorney, twenty three thousand seven hundred
35 dollars; members of the county legislative authority, thirteen thousand
36 eight hundred dollars; and coroner, four thousand dollars;

37 (6) In each county with a population of from eighteen thousand to
38 less than forty thousand: Auditor, twelve thousand one hundred
39 dollars; clerk, twelve thousand one hundred dollars; treasurer, twelve

1 thousand one hundred dollars; sheriff, twelve thousand one hundred
2 dollars; assessor, twelve thousand one hundred dollars; prosecuting
3 attorney in such a county in which there is no state university or
4 college, fourteen thousand three hundred dollars; in such a county in
5 which there is a state university or college, sixteen thousand five
6 hundred dollars; and members of the county legislative authority,
7 eleven thousand dollars;

8 (7) In each county with a population of from twelve thousand to
9 less than eighteen thousand: Auditor, ten thousand one hundred
10 dollars; clerk, ten thousand one hundred dollars; treasurer, ten
11 thousand one hundred dollars; assessor, ten thousand one hundred
12 dollars; sheriff, eleven thousand two hundred dollars; prosecuting
13 attorney, thirteen thousand two hundred dollars; and members of the
14 county legislative authority, nine thousand four hundred dollars;

15 (8) In each county with a population of from eight thousand to less
16 than twelve thousand: Auditor, ten thousand one hundred dollars;
17 clerk, ten thousand one hundred dollars; treasurer, ten thousand one
18 hundred dollars; assessor, ten thousand one hundred dollars; sheriff,
19 eleven thousand two hundred dollars; prosecuting attorney, nine
20 thousand nine hundred dollars; and members of the county legislative
21 authority, seven thousand dollars;

22 (9) In each county with a population of from five thousand to less
23 than eight thousand: Auditor, nine thousand one hundred dollars;
24 clerk, nine thousand one hundred dollars; treasurer, nine thousand one
25 hundred dollars; assessor, nine thousand one hundred dollars; sheriff,
26 ten thousand five hundred dollars; prosecuting attorney, nine thousand
27 nine hundred dollars; and members of the county legislative authority,
28 six thousand five hundred dollars;

29 (10) In each other county: Auditor, nine thousand one hundred
30 dollars; clerk, nine thousand one hundred dollars; treasurer, nine
31 thousand one hundred dollars; sheriff, ten thousand five hundred
32 dollars; assessor, nine thousand one hundred dollars; prosecuting
33 attorney, nine thousand nine hundred dollars; and members of the county
34 legislative authority, six thousand five hundred dollars.))

35 An ordinance establishing compensation for the members of the
36 county legislative authority may provide for periodic increases which
37 may be discrete dollar amounts for each year of the statutory term or
38 may be referenced to established measures of economic activity which
39 cannot be influenced by the county. As used in this section,

1 "established measures of economic activity" means published, recurring
2 indices of performance of the economy in which the county is situated.
3 Nothing in this section affects any county home rule charter provision
4 relating to the salary of the county executive.

5 **Sec. 10.** RCW 53.12.260 and 1992 c 146 s 12 are each amended to
6 read as follows:

7 (1) Each commissioner of a port district shall receive fifty
8 dollars per day or portion thereof spent (a) in actual attendance at
9 official meetings of the port district commission, or (b) in
10 performance of other service in behalf of the district. The total per
11 diem compensation of a port commissioner shall not exceed four thousand
12 eight hundred dollars in a year, or six thousand dollars in any year
13 for a port district with gross operating income of twenty-five million
14 or more in the preceding calendar year.

15 (2) Port commissioners shall receive additional compensation as
16 follows: (a) Each commissioner of a port district with gross operating
17 revenues of twenty-five million dollars or more in the preceding
18 calendar year shall receive a salary of five hundred dollars per month;
19 and (b) each commissioner of a port district with gross operating
20 revenues of from one million dollars to less than twenty-five million
21 dollars in the preceding calendar year shall receive a salary of two
22 hundred dollars per month.

23 (3) In lieu of the compensation specified in this section, a port
24 commission by resolution may set compensation to be paid to
25 commissioners. An ordinance establishing compensation for port
26 commissioners may provide for periodic increases which may be discrete
27 dollar amounts for each year of the statutory term or may be referenced
28 to established measures of economic activity which cannot be influenced
29 by the district. As used in this section, "established measures of
30 economic activity" means published, recurring indices of performance of
31 the economy in which the district is situated.

32 (4) For any commissioner who has not elected to become a member of
33 public employees retirement system before May 1, 1975, the compensation
34 provided pursuant to this section shall not be considered salary for
35 purposes of the provisions of any retirement system created pursuant to
36 the general laws of this state nor shall attendance at such meetings or
37 other service on behalf of the district constitute service as defined
38 in RCW 41.40.010(9): PROVIDED, That in the case of a port district

1 when commissioners are receiving compensation and contributing to the
2 public employees retirement system, these benefits shall continue in
3 full force and effect notwithstanding the provisions of RCW 53.12.260
4 and 53.12.265.

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