
SENATE BILL 5742

State of Washington

60th Legislature

2007 Regular Session

By Senator Brown

Read first time 01/30/2007. Referred to Committee on Government Operations & Elections.

1 AN ACT Relating to civil service commissions for sheriffs' offices;
2 and amending RCW 41.14.020 and 41.14.030.

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

4 **Sec. 1.** RCW 41.14.020 and 1959 c 1 s 2 are each amended to read as
5 follows:

6 Definition of terms:

7 (1) "Commission" means the civil service commission, or combined
8 county civil service commission, herein created, and "commissioner"
9 means any one of the ((three)) members of any such commission;

10 (2) "Appointing power" means the county sheriff who is invested by
11 law with power and authority to select, appoint, or employ any deputy,
12 deputies, or other necessary employees subject to civil service;

13 (3) "Appointment" includes all means of selecting, appointing, or
14 employing any person to any office, place, position, or employment
15 subject to civil service;

16 (4) "County" means any county of the state, or any counties
17 combined pursuant to RCW 41.14.040 for the purpose of carrying out the
18 provisions of this chapter;

1 (5) "Deputy sheriff or other members of the office of county
2 sheriff" means all persons regularly employed in the office of county
3 sheriff either on a part time or full time basis.

4 **Sec. 2.** RCW 41.14.030 and 1959 c 1 s 3 are each amended to read as
5 follows:

6 (1) There is created in each county and in each combination of
7 counties, combined pursuant to RCW 41.14.040 to carry out the
8 provisions of this chapter, a civil service commission which shall be
9 composed of three persons, or five persons under subsection (2) of this
10 section. The commission members shall be appointed by the board of
11 county commissioners, or boards of county commissioners of each
12 combination of counties, within sixty days after December 4, 1958. No
13 person shall be appointed to the commission who is not a citizen of the
14 United States, a resident of the county, or one of the counties
15 combined, for at least two years immediately preceding his appointment,
16 and an elector of the county wherein he resides. The term of office of
17 the commissioners shall be six years, except that the first three
18 members of the commission shall be appointed for different terms, as
19 follows: One to serve for a period of two years, one to serve for a
20 period of four years, and one to serve for a period of six years. Any
21 member of the commission may be removed from office for incompetency,
22 incompatibility, or dereliction of duty, or malfeasance in office, or
23 other good cause: PROVIDED, That no member of the commission shall be
24 removed until charges have been preferred, in writing, due notice, and
25 a full hearing had. Any vacancy in the commission shall be filled by
26 the county commissioners for the unexpired term. Two members of the
27 commission shall constitute a quorum and the votes of any two members
28 concurring shall be sufficient for the decision of all matters and the
29 transaction of all business to be decided or transacted by the
30 commission. Confirmation of the appointment of commissioners by any
31 legislative body shall not be required. At the time of appointment not
32 more than two commissioners shall be adherents of the same political
33 party. No member after appointment shall hold any salaried public
34 office or engage in county employment, other than his commission
35 duties. The members of the commission shall serve without
36 compensation.

1 (2) In lieu of a three-person commission as provided for in
2 subsection (1) of this section, in each county and in each combination
3 of counties combined pursuant to RCW 41.14.040 to implement this
4 chapter, a civil service commission consisting of five persons may be
5 established by ordinance. In the event that a five-member commission
6 is established, the terms of the present commission members do not
7 change. The initial term of the two additional commission members is
8 for six years. Three members of the commission constitute a quorum for
9 a five-member commission and the votes of three members concurring are
10 sufficient for the decision of all matters and the transaction of all
11 business decided or transacted by a five-member commission. At the
12 time of appointment of the two additional commissioners, no more than
13 three commissioners may be adherents of the same political party.
14 Except as provided for in this subsection, subsection (1) of this
15 section applies in all other respects to a five-member commission.

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