

**2006 SNOHOMISH COUNTY CHARTER REVIEW  
COMMISSION  
BRIEFING PAPER  
SALARY COMMISSION  
MAY 31, 2006**

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## **BACKGROUND**

The 2006 Charter Review Commission has decided to study and consider changing the Charter to include an independent salary commission. The main drive behind this issue is to remove the "politics" from the salary process.

### **The Issue**

#### **Salary Commission for Elected Officials**

### **Issue Support**

37. Salary Commission for elected officials.

<b>Yes</b>	<b>No</b>
Reardon, Terwilliger, Nelson, Portmann, Somers, Gossett	
Survey 55% (69)	Survey 40% (51)

### **History**

The 1996 Charter Review Commission considered the inclusion of a Salary Commission in the Charter. The commission decided to leave it to the County Council and Executive to resolve. The County Council passed an ordinance creating a salary commission codified in the Snohomish County Code 2.105 which is attached. The current commission has no authority to implement its recommendations. That is the responsibility of the County Council. In 2005 the County Executive vetoed the increases recommended by the salary commission for elected officials. Due in part to that action there has been near unanimous support by elected officials to have created an independent salary review commission.

A paper presented to the Charter Review Commission in 1996 contained the following additional history, "The Salary Review Commission has been an issue both during the 1986 and 1996 Charter Review process. In 1986, the Commission recommended to the County Executive and Council, in a separate letter, a biennial salary review commission be established in order to fairly and adequately establish salaries outside of the political process. In their response they stated they would study the issue. To date an ordinance was passed in 1993 that tied the salaries of the elected officials to the County Executive, based on a percentage (for example the Prosecuting Attorney's salary is set at 95% of the

Executive's), and provides for a fixed percentage (3.75%) increase.<sup>1</sup> In other words, any major salary adjustments occur only if and when the Executive's salary is increased."<sup>2</sup>

**Status of Home Rule Counties related to Compensation**

County	Comment
Clallam	None
San Juan	Incorporated RCW 36.17.024, County Commissioner, Councilmember Salary Commission
Snohomish	Salary Commission
Whatcom	None
King	County Council and Executive tied together via %.
Pierce	County Council and Executive tied together via %.

The City of Everett added an Independent Salary Commission via it's Charter Review Process in 1996.

**Options to Consider**

1. No Change, leave the current system with the current commission with Council responsible for implementing recommendations
2. Change the Charter to include an independent Salary Commission.

**No Change**

- The current process is described in Snohomish County Code 2.105. There are seven members two who represent at large and 5 who comprise residents of each of the council districts. Each member is appointed to serve a four year term. They meet every two years and make their recommendations to the County Council by May 15<sup>th</sup> of the given year. Council and Executive must find a way to implement the recommendations. This does not take the politics out of the current situation.

**Independent Salary Commission**

- An independent salary commission convenes and makes recommendations that are then implemented unless a referendum is filed by citizens within a defined number of days after the filing of the recommendations. Neither the legislative nor executive branch can alter, or refuse to implement the

<sup>1</sup> Snohomish County Ordinance 91-059, Fixing Compensation for Elected Officials.

<sup>2</sup> 1996 Charter Review Commission Background Paper, Salary Commission, Page 3

recommendations. An example of such an independent body is the Washington Citizens Commission on Salaries for Elected Officials. This commission was created via amendment to the State Constitution in November 1986. Relevant sections of the state constitution and RCW are attached as reference.

If the commission chooses to implement an independent commission similar to the State the following would need to be considered:

- Selecting commission members either through appointment or randomly selected via the voter rolls by district.
- Qualifications should be stated clearly in the Charter. (Current elected officials, employees and family member should be restricted from serving)
- Timelines as to how often they would meet and make recommendation
- Citizen Referendum process including timeline and signature threshold (Make the referendum process consistent with the Charter)
- Ensuring allocation of appropriate staff support.

The independent commission removes the “politics” while allowing citizens the right to challenge the commission’s outcomes.

#### **Attachments**

1. Snohomish County Code 2.105 Citizens Commission on Salaries of Elected Officials
2. City of Everett Municipal Code 2.8 Citizens Commission on Salaries of Elected Officials
3. Article 28, State Constitution, Compensation of State Officers
4. RCW 43.03.305/310 Washington Citizens Commission on Salaries of Elected Officials
5. RCW 36.17.024 County Commissioners and Councilmember Salary Commission
6. Washington Citizens’ Commission on Salaries for Elected Officials, Homepage

**Chapter 2.105**  
**CITIZENS' COMMISSION ON SALARIES OF ELECTED**  
**OFFICIALS**

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**2.105.010 Definitions.**

In this chapter, unless the context clearly requires otherwise,

(1) "**commission**" means the citizens' **commission** on salaries of elected officials created by SCC 2.105.020.

(2) "Elected officials" means the county council, executive, assessor, auditor, clerk, prosecuting attorney, sheriff, and treasurer.

(3) "Immediate family member" means a parent, spouse, sibling, child, or dependent relative of the official or employee, whether or not living in the same household.

(Added Ord. 97-001, § 1, Feb. 5, 1997, Eff date Feb. 16, 1997).

**2.105.020 Creation and purpose.**

It is the policy of Snohomish County to base salaries of elected officials on realistic standards so that officials may be paid according to the duties of their offices and so that persons of the highest quality may be attracted to public service. To effectuate this policy, the citizens' **commission** on salaries of elected officials is hereby created consisting of seven members with duties and responsibilities as set forth in this chapter.

(Added Ord. 97-001, § 1, Feb. 5, 1997, Eff date Feb. 16, 1997).

**2.105.030 Duties of **commission**.**

The **commission** shall study the relationship of salaries to the duties of all elected officials and shall recommend the salary for each position. Except as provided in this chapter, the **commission** shall be solely responsible for its own organization, and shall enjoy the fullest cooperation of all elected officials, departments, and agencies of the county. Staff support shall be provided as determined by the county executive.

(Added Ord. 97-001, § 1, Feb. 5, 1997, Eff date Feb. 16, 1997).

**2.105.040 Eligibility and appointment.**

(1) The **commission** shall consist of seven members, consisting of two at-large members and five members each of whom is a legal resident of one of the five council

districts. Members of the **commission** must be at least eighteen years of age, registered to vote, and legal residents of Snohomish County. No Snohomish County official or employee, or immediate family member of a Snohomish County official or employee, is eligible for membership on the **commission**.

(2) The members of the **commission** shall be appointed pursuant to Chapter 2.03 SCC, except that the county council may recommend persons for nomination by the county executive. The members of the **commission** shall serve four-year terms ending December 31, 2000, and every four years thereafter, except that three of the first seven members shall be appointed for terms ending December 31, 1998, as determined by lot. Notwithstanding SCC 2.03.080, members of the **commission** may be removed by the county executive, with the approval of the county council, only for incapacity, incompetence, neglect of duty, malfeasance in office, or for a disqualifying change of eligibility. The unexcused absence of any member of the **commission** from two consecutive meetings of the **commission** shall constitute relinquishment of that person's membership and create a vacancy on the **commission**. Upon a vacancy prior to the end of a term, a successor shall be nominated and appointed to fill the unexpired term. The county executive and council shall endeavor to fill vacancies within 60 days of their occurrence.

(Added Ord. 97-001, § 1, Feb. 5, 1997, Eff date Feb. 16, 1997).

#### **2.105.050 Meetings and operation.**

(1) All business of the **commission** shall be subject to the Open Public Meetings Act, Chapter 42.30 RCW. Prior to recommending any salary schedule, the **commission** shall hold no fewer than two public hearings within the two months immediately preceding the recommendation.

(2) The members of the **commission** shall elect a chair from among their number. The **commission** shall recommend a schedule of salaries by an affirmative vote of not less than five members of the **commission**.

(Added Ord. 97-001, § 1, Feb. 5, 1997, Eff date Feb. 16, 1997).

#### **2.105.060 Recommended salary schedules.**

The **commission** shall recommend its initial schedule of salaries for elected officials to the county council no later than May 15, 1997, and shall recommend a salary schedule to the county council and executive on or before May 15 every two years commencing May 15, 1999. The signature of the chair of the **commission** shall be affixed to each salary schedule recommended by the **commission**. The chair of the **commission** shall certify that the salary schedule has been recommended in accordance with the provisions of this chapter and with the rules, if any, of the **commission**.

(Added Ord. 97-001, § 1, Feb. 5, 1997, Eff date Feb. 16, 1997).

**2.105.070 Compensation.**

Members of the **commission** shall serve without compensation, but may receive reimbursement for mileage to and from meetings and for other expenses approved by the county executive in accordance with chapter 2.03 SCC.

(Added Ord. 97-001, § 1, Feb. 5, 1997, Eff date Feb. 16, 1997).

**Sec. 238. Citizens' Commission on Salaries of Elected Officials.**

(a) Purpose: It is the policy of the City of Everett to base salaries of elected officials on realistic standards so that officials may be paid according to the duties of their offices, so that citizens of the highest quality may be attracted to public service. To effectuate this policy, the Everett Citizens' Commission on Salaries of Elected Officials ("Citizens' Commission") is hereby created consisting of seven (7) members with duties and responsibilities as set forth below.

(b) Duties: The Citizens' Commission shall study the relationship of salaries to the duties of all elected officials and shall set the salaries for each respective position. Except as provided otherwise below, the Citizens' Commission shall be solely responsible for its own organization, operation, and action and shall enjoy the fullest cooperation of all elected officials, departments and agencies of the City of Everett.

(c) Eligibility: The Citizens' Commission shall consist of seven (7) members, all of whom must be at least twenty-one (21) years of age, registered to vote, and maintain personal residence within the boundaries of the City of Everett. No City of Everett official, or public employee, immediate family member of the official or employee is eligible for membership on the Citizens' Commission. As used in this subsection, the phrase "immediate family" means parents, spouse, siblings, children, or dependent relative of the official or employee, whether or not they are living in the same household.

(d) Appointment: Two (2) members of the Citizens' Commission shall be appointed by the city council and one (1) member shall be appointed by the mayor; those three members shall select the other four (4) members. The members of the commission shall serve four (4) year terms beginning January 1, 1997, except that the first seven members shall be appointed for different terms as follows: (a) one member appointed by the city council for a period of four years; (b) one member appointed by the city council for a period of two years; (c) the one member appointed by the mayor to serve for a period of two years; (d) two of the members selected by those three members to serve for periods of four years; and (e) two of the members selected by those three members to serve for periods of two years. No person may serve more than two (2) consecutive terms. Members of the commission may be removed by the mayor, with the approval of the council, only for cause of incapacity, incompetence, neglect of duty, malfeasance in office, or for a disqualifying change of eligibility. The unexcused absence of any member of the commission from two (2) consecutive meetings of the commission shall constitute relinquishment of that person's membership on the commission. Such a relinquishment creates a vacancy in that person's position on the commission. Upon a vacancy in any position on the commission, a successor shall be selected and appointed to fill the unexpired term. The selection and appointment shall be concluded within thirty (30) days of the date that the position becomes vacant and shall be conducted in the same manner as originally provided for that person's appointment.

(e) Operation: The members of the commission shall elect a chair from among their number. The commission shall set a schedule of salaries by an affirmative vote of not less than five (5) members of the commission. Members of the commission shall receive no compensation for their services.

(f) Determination of Salary Schedule: The commission shall file its initial schedules of salaries for the elected officials with the city clerk no later than the first Monday in May 1997, and shall file a schedule on the same day every two years thereafter. The signature of the chair of the commission shall be affixed to each schedule submitted to the city clerk. The chair shall certify that the schedule has been adopted in accordance with the provisions of this **charter** and with the rules, if any, of the commission. Such schedules shall become effective ninety (90) days after the filing thereof, except as provided in **Section** (h) below.

(g) Open Meetings: All meetings, actions, hearings, and business of the commission shall be subject to the Open Public Meetings Act as set forth in Chapter 42.30 of the Revised Code of Washington. Prior to the filing of any salary schedule, the commission shall hold no fewer than two (2) public hearings thereon within the two (2) months immediately preceding the filing.

(h) Referendum: Any change of salary shall be subject to referendum petition by the citizens filed within the ninety (90) day period after the filing of the schedule of salaries. Referendum measures under this **Section** shall be submitted to the citizens at the next following municipal



election, and shall be otherwise governed by the provisions of this **charter**; provided, for the purpose of a referendum, the schedule of salaries shall be treated as an ordinance.

Further, the city council may submit the salary schedule filed pursuant to this **section** to the citizens at the next following municipal election. Provided, city council submission to the citizens shall only be made upon passage of an ordinance by a vote of a majority plus one of the whole membership.

(i) The mayor and council members 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, consistent with state law. (Amended 11-5-96)

## ARTICLE XXVIII

### COMPENSATION OF STATE OFFICERS

**SECTION 1 SALARIES FOR LEGISLATURE, ELECTED STATE OFFICIALS, AND JUDGES - INDEPENDENT COMMISSION - REFERENDUM.** Salaries for members of the legislature, elected officials of the executive branch of state government, and judges of the state's supreme court, court of appeals, superior courts, and district courts shall be fixed by an independent commission created and directed by law to that purpose. No state official, public employee, or person required by law to register with a state agency as a lobbyist, or immediate family member of the official, employee, or lobbyist, may be a member of that commission.

As used in this section the phrase "immediate family" has the meaning that is defined by law.

Any change of salary shall be filed with the secretary of state and shall become law ninety days thereafter without action of the legislature or governor, but shall be subject to referendum petition by the people, filed within the ninety-day period. Referendum measures under this section shall be submitted to the people at the next following general election, and shall be otherwise governed by the provisions of this Constitution generally applicable to referendum measures. The salaries fixed pursuant to this section shall supersede any other provision for the salaries of members of the legislature, elected officials of the executive branch of state government, and judges of the state's supreme court, court of appeals, superior courts, and district courts. The salaries for such officials in effect on January 12, 1987, shall remain in effect until changed pursuant to this section.

After the initial adoption of a law by the legislature creating the independent commission, no amendment to such act which alters the composition of the commission shall be valid unless the amendment is enacted by a favorable vote of two-thirds of the members elected to each house of the legislature and is subject to referendum petition.

The provisions of section 14 of Article IV, sections 14, 16, 17, 19, 20, 21, and 22 of Article III, and section 23 of Article II, insofar as they are inconsistent herewith, are hereby superseded. The provisions of section 1 of Article II relating to referendum procedures, insofar as they are inconsistent herewith, are hereby superseded with regard to the salaries governed by this section. [AMENDMENT 78, 1986 Substitute House Joint Resolution No. 49, p 1529. Approved November 4, 1986.]

Authorizing compensation increase during term: Art. 30 Section 1.

*Amendment 20 (1948) - Art. 28 Section 1 COMPENSATION OF STATE OFFICERS - All elected state officials shall each severally receive such compensation as the legislature may direct. The compensation of any state officer shall not be increased or diminished during his term of office, except that the legislature, at its thirty-first regular session, may increase or diminish the compensation of all state officers whose terms exist on the Thursday after the second Monday in January, 1949.*

*The provisions of sections 14, 16, 17, 19, 20, 21, and 22 of Article III and section 23 of Article II in so far as they are inconsistent herewith, are hereby repealed. [AMENDMENT 20, 1947 Senate Joint Resolution No. 4, p 1371. Approved November 2, 1948.]*

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**43.03.300****Salaries of elected state officials — Legislative declaration — Purpose.**

The legislature hereby declares it to be the policy of this state to base salaries of elected state officials on realistic standards in order that such officials may be paid according to the duties of their offices and so that citizens of the highest quality may be attracted to public service. It is the purpose of RCW 43.03.300 through 43.03.310 to effectuate this policy by creating a citizens' commission to establish proper salaries for such officials, thus removing political considerations in fixing the appropriateness of the amount of such salaries.

[1986 c 155 § 1.]

**Notes:**

**Contingent effective date -- 1986 c 155:** "This act shall take effect on January 1, 1987, if the proposed amendment to Article XXVIII of the state Constitution establishing an exclusive process for changes in the salaries of members of the legislature and other elected state officials is validly submitted and is approved and ratified by the voters at a general election held in November, 1986. If such proposed amendment is not so submitted and approved and ratified, this act shall be null and void in its entirety." [1986 c 155 § 16.] 1986 House Joint Resolution No. 49 was approved at the November 1986 general election. See Article XXVIII, section 1 and Amendment 78 of the state Constitution.

**Severability -- 1986 c 155:** "If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected." [1986 c 155 § 15.]

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**43.03.305****Washington citizens' commission on salaries for elected officials — Generally.**

There is created a commission to be known as the Washington citizens' commission on salaries for elected officials, to consist of sixteen members appointed by the governor as provided in this section.

(1) Nine of the sixteen commission members shall be selected by lot by the secretary of state from among those registered voters eligible to vote at the time persons are selected for appointment to full terms on the commission under subsection (3) of this section. One member shall be selected from each congressional district. The secretary shall establish policies and procedures for conducting the selection by lot. The policies and procedures shall include, but not be limited to, those for notifying persons selected and for providing a new selection from a congressional district if a person selected from the district declines appointment to the commission or if, following the person's appointment, the person's position on the commission becomes vacant before the end of the person's term of office.

(2) The remaining seven of the sixteen commission members, all residents of this state, shall be selected jointly by the speaker of the house of representatives and the president of the senate. The persons selected under this subsection shall have had experience in the field of personnel management. Of these seven members, one shall be selected from each of the following five sectors in this state: Private institutions of higher education; business; professional personnel management; legal profession; and organized labor. Of the two remaining members, one shall be a person recommended to the speaker and the president by the chair of the Washington personnel resources board and one shall be a person recommended by majority vote of the presidents of the state's four-year institutions of higher education.

(3) The secretary of state shall forward the names of persons selected under subsection (1) of this section and the speaker of the house of representatives and president of the senate shall forward the names of persons selected under subsection (2) of this section to the governor who shall appoint these persons to the commission. Except as provided in subsection (6) of this section, the names of persons selected for appointment to the commission shall be forwarded to the governor not later than February 15, 1987, and not later than the fifteenth day of February every four years through 1999. The terms of the members selected in 1999 shall terminate July 1, 2002, and the names of persons selected for appointment to the commission shall be forwarded to the governor not later than July 1, 2002. Of the sixteen names forwarded to the governor in 2002, the governor shall by lot select four of the persons selected under subsection (1) of this section and four of the persons selected under subsection (2) of this section to serve two-year terms, with the rest of the members serving four-year terms. Thereafter, except as provided in subsection (6) of this section, all members shall

serve four-year terms and the names of eight persons selected for appointment to the commission shall be forwarded to the governor not later than the first day of July every two years.

(4) No person may be appointed to more than two terms. No member of the commission may be removed by the governor during his or her term of office unless for cause of incapacity, incompetence, neglect of duty, or malfeasance in office or for a disqualifying change of residence.

The unexcused absence of any person who is a member of the commission from two consecutive meetings of the commission shall constitute the relinquishment of that person's membership on the commission. Such a relinquishment creates a vacancy in that person's position on the commission. A member's absence may be excused by the chair of the commission upon the member's written request if the chair believes there is just cause for the absence. Such a request must be received by the chair before the meeting for which the absence is to be excused. A member's absence from a meeting of the commission may also be excused during the meeting for which the member is absent by the affirmative vote of a majority of the members of the commission present at the meeting.

(5) No state official, public employee, or lobbyist, or immediate family member of the official, employee, or lobbyist, subject to the registration requirements of chapter 42.17 RCW is eligible for membership on the commission.

As used in this subsection the phrase "immediate family" means the parents, spouse, siblings, children, or dependent relative of the official, employee, or lobbyist whether or not living in the household of the official, employee, or lobbyist.

(6) Upon a vacancy in any position on the commission, a successor shall be selected and appointed to fill the unexpired term. The selection and appointment shall be concluded within thirty days of the date the position becomes vacant and shall be conducted in the same manner as originally provided.

[1999 c 102 § 1; 1995 c 3 § 1; 1993 c 281 § 46; 1986 c 155 § 2.]

**Notes:**

**Effective date -- 1995 c 3:** "This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and shall take effect immediately [February 10, 1995]." [1995 c 3 § 3.]

**Effective date -- 1993 c 281:** See note following RCW 41.06.022.

**Contingent effective date -- Severability -- 1986 c 155:** See notes following RCW 43.03.300.

**43.03.310**

**Duties of citizens' commission — Travel expenses — Chair — Schedule of salaries — Publication — Hearings.**

(1) The citizens' commission on salaries for elected officials shall study the relationship of salaries to the duties of members of the legislature, all elected officials of the executive branch of state government, and all judges of the supreme court, court of appeals, superior courts, and district courts, and shall fix the salary for each respective position.

(2) Except as provided otherwise in RCW 43.03.305 and this section, the commission shall be solely responsible for its own organization, operation, and action and shall enjoy the fullest cooperation of all state officials, departments, and agencies.

(3) Members of the commission shall receive no compensation for their services, but shall be eligible to receive a subsistence allowance and travel expenses pursuant to RCW 43.03.050 and 43.03.060.

(4) The members of the commission shall elect a chair from among their number. The commission shall set a schedule of salaries by an affirmative vote of not less than nine members of the commission.

(5) The commission shall file its initial schedule of salaries for the elected officials with the secretary of state no later than the first Monday in June, 1987, and shall file a schedule biennially thereafter. Each such schedule shall be filed in legislative bill form, shall be assigned a chapter number and published with the session laws of the legislature, and shall be codified by the statute law committee. The signature of the chair of the commission shall be affixed to each schedule submitted to the secretary of state. The chair shall certify that the schedule has been adopted in accordance with the provisions of state law and with the rules, if any, of the commission. Such schedules shall become effective ninety days after the filing thereof, except as provided in Article XXVIII, section 1 of the state Constitution. State laws regarding

referendum petitions shall apply to such schedules to the extent consistent with Article XXVIII, section 1 of the state Constitution.

(6) Before the filing of any salary schedule, the commission shall first develop a proposed salary schedule and then hold no fewer than four regular meetings as defined by chapter 42.30 RCW to take public testimony on the proposed schedule within the four months immediately preceding the filing. At the last public hearing that is held as a regular meeting on the proposed schedule, the commission shall adopt the salary schedule as originally proposed or as amended at that meeting that will be filed with the secretary of state.

(7) All meetings, actions, hearings, and business of the commission shall be subject in full to the open public meetings act, chapter 42.30 RCW.

(8) Salaries of the officials referred to in subsection (1) of this section that are in effect on January 12, 1987, shall continue until modified by the commission under this section.

[1998 c 164 § 1; 1995 c 3 § 2; 1986 c 155 § 3.]

**Notes:**

**Effective date -- 1995 c 3:** See note following RCW 43.03.305.

**Contingent effective date -- Severability -- 1986 c 155:** See notes following RCW 43.03.300.

**RCW 36.17.024****County commissioner and councilmember salary commissions.**

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

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

(a) Six of the ten commission members shall be selected by lot by the county auditor from among those registered voters eligible to vote at the time persons are selected for appointment to full terms on the commission under (c) of this subsection. In noncharter counties, the county auditor shall select two commission members living in each commissioner's district. The county auditor shall establish policies and procedures for conducting the selection by lot. The policies and procedures shall include, but not be limited to, those for notifying persons selected and for providing a new selection from a commissioner's district if a person selected from the district declines appointment to the commission or if, following the person's appointment, the person's position on the commission becomes vacant before the end of the person's term of office.

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

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

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

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

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

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

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

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

(6) Salary increases and decreases shall be subject to referendum petition by the people of the county in the same manner as a county ordinance upon filing of such petition with the county auditor within thirty days after filing of the salary schedule. In the event of the filing of a valid referendum petition, the salary increase or decrease shall not go into effect until approved by vote of the people.

(7) Referendum measures under this section shall be submitted to the voters of the county at the next following general or municipal election occurring thirty days or more after the petition is filed, and shall be otherwise governed by the provisions of the state Constitution and laws generally applicable to referendum measures.

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

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

[2001 c 73 § 5.]

**Notes:**

**Findings -- Intent -- Severability -- 2001 c 73:** See notes following RCW 35.21.015.



# Washington Citizens' Commission On Salaries for Elected Officials

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### Article 28 of the Constitution

[Salary Setting Authority](#)

Salaries for members of the legislature, elected officials of the executive branch of state government, and judges of the state's supreme court, court of appeals, superior courts, and district courts shall be fixed by an independent commission created and directed by law to that purpose.

[Legal Authority](#)



### RCW 43.03.300

... declares it to be the policy of this state to base salaries of elected state officials on realistic standards in order that such officials may be paid according to the duties of their offices and so that citizens of the highest quality may be attracted to public service.

### RCW 43.03.305

There is created a commission to be known as the Washington citizens commission on salaries for elected officials, to consist of 16 members...

### RCW 43.03.310

... commission... shall study the relationship of salaries to the duties of members of the legislature, all elected officials of the executive branch of state government, and all judges of the supreme court, court of appeals, superior courts, and district courts, and shall fix the salary for each respective position.

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