Richard Bloedel *Legislative Service Commission*

Sub. H.B. 712

123rd General Assembly
(As Passed by the House)

Reps. Hoops, Austria, Corbin, Harris, Jolivette, Ogg, Evans, Boyd, Metelsky, Womer Benjamin, Vesper, Patton

BILL SUMMARY

- Raises the annual salary of a member of the General Assembly to $51,674 (from $42,427) beginning in 2001, raises the annual salaries of members who hold leadership positions, and provides that all the salaries increase each year from 2002 through 2008 by the lesser of 3% or the percentage increase in the consumer price index (CPI) the previous year.

- Increases the annual supplements paid to members of the General Assembly who serve as chairperson, vice-chairperson, or ranking minority member of a standing committee or subcommittee.

- Increases the annual salaries of the Attorney General, Auditor of State, Secretary of State, and Treasurer of State each year from 2003 through 2008 by the lesser of 3% or the percentage increase in the CPI the previous year.

- Increases the annual salaries of the Governor and Lieutenant Governor in 2007 by an amount that represents a series of five annual adjustments consisting of the lesser of 3% or the percentage increase in the CPI for each year from 2002 through 2006, and in 2008 by the lesser of 3% or the percentage increase in the CPI in 2007.

- Increases the annual salaries of the justices of the Supreme Court and the judges of the courts of appeals, courts of common pleas, municipal courts, and county courts each year from 2002 through 2008 by the lesser of 3% or the percentage increase in the CPI the previous year.

- Raises the annual salaries of nonjudicial county elected officials, and provides that after the raise the salaries increase each year through 2008

by the lesser of 3% or the percentage increase in the CPI the previous year.

- Reduces from 14 to eight the number of population classes that are used to determine the salaries of nonjudicial county elected officials.

- Increases the annual salaries of township trustees and clerks each year from 2003 through 2008 by the lesser of 3% or the percentage increase in the CPI the previous year.

- Increases the annual salaries of members of boards of elections by 3% each year from 2001 through 2003.

- Establishes certain revenue and expenditure conditions under which the presiding judge of a municipal court (rather than the municipal or county legislative authority) must set the salary for the clerk of the court.

- Declares an emergency.

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CONTENT AND OPERATION

Compensation of members of the General Assembly

(R.C. 101.27; Section 7)

Currently, the annual salary of a member of the General Assembly is $42,427. The bill raises the salary in 2001 to $51,674. In addition, each year from 2002 through 2008, the salary will increase by the lesser of 3% or the percentage increase in the consumer price index (CPI) over the 12-month period ending on September 30 of the previous year.[1]

Leadership salaries

The bill increases the annual salaries of the members selected for leadership positions in the General Assembly. The following table lists the current salaries of the officers, and the salaries under the bill in 2001. Each year from 2002 through 2008, the salaries will increase by the lesser of 3% or the percentage increase in the CPI over the 12-month period ending on September 30 of the previous year.

Officer	Current salary	Salary in 2001
Senate President	$66,133	$80,549
House Speaker	66,133	80,549
Senate President Pro Tem	60,340	73,493
House Speaker Pro Tem	60,340	73,493
Senate Minority Leader	60,340	73,493
House Minority Leader	60,340	73,493
Senate Assistant President Pro Tem	56,838	69,227
House Majority Floor Leader	56,838	69,227
Senate Assistant Minority Leader	55,090	67,099

[1] *The consumer price index used is the U.S. Bureau of Labor Statistics' U.S. city average for urban wage earners and clerical workers: all items, 1982-1984=100. If that index is no longer published, a generally available comparable index can be used. For the bill's purposes, the CPI percentage change is rounded to the nearest tenth of a percent.*

House Assistant Minority Leader	55,090	67,099
Senate Majority Whip	53,340	64,967
House Assistant Majority Floor Leader	53,340	64,967
Senate Minority Whip	49,842	60,706
House Majority Whip	49,842	60,706
House Minority Whip	49,842	60,706
House Assistant Majority Whip	46,342	56,443
Senate Assistant Minority Whip	44,385	54,060
House Assistant Minority Whip	44,385	54,060

Committee supplements

Members of the General Assembly can receive additional annual compensation for holding committee leadership positions. The bill increases the additional amounts. The following table lists the committee positions for which additional pay is received, the current additional compensation, and the additional compensation specified in the bill for 2001 and thereafter. The table applies to both chambers.

Committee position	Current annual supplement	H.B. 712 annual supplement
Chair, Finance Committee	$7,000	$10,000
Chair, standing committee other than Finance	5,000	6,500
Chair, standing subcommittee of Finance	5,000	6,500
Ranking minority member, Finance Committee	5,000	6,500
Vice-chair, Finance Committee	4,000	5,500

Vice-chair, standing committee other than Finance	3,609	5,000
Ranking minority member, standing committee other than Finance	3,609	5,000
Ranking minority member, standing subcommittee of Finance Committee	3,609	5,000
Chair, standing subcommittee of committee other than Finance	3,609	5,000
Ranking minority member, standing subcommittee of committee other than Finance	1,804	2,500

Compensation of statewide elected executive officers

(R.C. 141.01 and 141.011)

The annual salaries of the Governor, Lieutenant Governor, Attorney General, Auditor of State, Secretary of State, and Treasurer of State are as follows:

Officer	Annual salary in 2000
Governor	$122,812
Lt. Governor	64,375
Attorney General, Auditor of State, Secretary of State, and Treasurer of State	90,725

Current law provides that the salary amounts will increase by 3% in both 2001 and 2002.

For the Attorney General, Auditor of State, Secretary of State, and Treasurer of State, the bill continues the series of increases. Each year from 2003 through 2008, the salaries will increase by the lesser of 3% or the percentage increase in the CPI over the 12-month period ending on September 30 of the previous year.

The bill provides for no increases in the salaries of the Governor and Lieutenant Governor from 2003 through 2006. But in 2007 the salaries will increase by an amount that represents a series of five annual adjustments consisting

of the lesser of 3% or the percentage increase in the CPI for each year from 2002 through 2006. In 2008, the 2007 salaries will increase by the lesser of 3% or the percentage increase in the CPI from October 1, 2006 to September 30, 2007.

Compensation of justices and judges of the courts

(R.C. 141.04)

The annual salaries payable from the state treasury of the justices and judges of the courts are as follows:

Office	Annual salary payable from the state treasury in 2000
Chief Justice of the Supreme Court	$124,900
Justice of the Supreme Court	$117,250
Judge of a Court of Appeals	$109,250
Judge of a Court of Common Pleas	$100,500 minus the portion of the judge's salary paid from the county treasury
Full-time judge of a municipal court, or part-time judge of a municipal court for a territory with a population greater than 50,000	$32,650 (an additional $61,750 is paid on the local level)
Judge of a county court, or part-time judge of a municipal court for a territory with a population of 50,000 or less	$18,800 (an additional $35,500 is paid on the local level)

Current law provides that the salary amounts will increase by approximately 3% in 2001. For the judges for whom a portion of the salary is paid on the local level, the 3% increase applies to the combined state and local amounts and the entire amount of the increase is paid by the state.

The bill provides that each year from 2002 through 2008, the judicial salaries listed above will increase by the lesser of 3% or the percentage increase in the CPI over the 12-month period ending on September 30 of the previous year. Again, for judges for whom a portion of the salary is paid locally, the entire amount of the increase is added to the state share.

Nonjudicial county elected official pay increases: overview

The bill has three major components dealing with the compensation of nonjudicial county elected officials. First, it increases the annual compensation they receive. The percentage increase is not uniform for all the officials, but depends on which official is being considered and the population of the official's county. In general, the increase is at least 3%, usually more than 5%, and sometimes more than 10%.

The second major component provides annual increases for the officials through 2008. The third component collapses the 14 population classes presently used to determine the officials' salaries into eight new classes. All of these components are discussed below. Because the change to the population classes is incorporated into the provision of the salary increases, it is discussed first.

New county official salary classification schedule

(R.C. Chapter 325.)

Current law sets the salaries of the various nonjudicial county elected officials using a schedule that classifies the official according to the population of the county. In general, the larger the county population, the larger the salary. The bill maintains this system, but reduces the number of population classes from 14 to eight. The bill's changes are shown in the following table.

Current Classifications		**Proposed Classifications**	
Class	Population Range	Class	Population Range
1	1-20,000	1	1-20,000
2	20,001-40,000	2	20,001-35,000
3	40,001-55,000	3	35,001-55,000
4	55,001-70,000	4	55,001-95,000
5	70,001-85,000	5	95,001-200,000
6	85,001-95,000	6	200,001-400,000
7	95,001-105,000	7	400,001-1,000,000
8	105,001-125,000	8	over 1,000,000
9	125,001-175,000		
10	175,001-275,000		
11	275,001-400,000		
12	400,001-550,000		
13	550,001-1,000,000		
14	over 1,000,000		

County official salary increases

County commissioner

(R.C. 325.10)

The bill increases the compensation of a county commissioner in 2001 as follows:

Current Compensation in 2000		**Proposed Compensation in 2001**	
Class	Compensation	Class	Compensation
1	$28,006	1	$31,860
2	30,932	2	34,874
3	33,858	3	37,888
4	36,784	4	47,359
5	39,710	5	55,970
6	43,890	6	65,656
7	45,980	7	74,269
8	48,070	8	78,874
9	51,205		
10	54,340		
11	59,565		
12	63,745		
13	67,925		
14	72,105		

Clerk of the court of common pleas

(R.C. 325.08)

The bill increases the compensation of the clerk of the court of common pleas in 2001 as follows:

Current Compensation in 2000		**Proposed Compensation in 2001**	
Class	Compensation	Class	Compensation
1	$29,932	1	$33,399
2	32,426	2	35,969
3	34,921	3	38,537
4	37,415	4	45,389
5	39,078	5	52,240

6	42,404	6	58,234
7	44,067	7	62,516
8	45,729	8	64,704
9	48,640		
10	50,718		
11	54,460		
12	56,538		
13	58,616		
14	60,695		

Coroner

(R.C. 325.15)

The bill increases the compensation of the coroner in 2001 as follows:

Coroner With a Private Practice			
Current Compensation in 2000		**Proposed Compensation in 2001**	
Class	Compensation	Class	Compensation
1	$16,628	1	$18,842
2	18,293	2	21,410
3	20,786	3	23,978
4	23,280	4	35,112
5	25,774	5	43,676
6	31,595	6	53,951
7	34,089	7	60,803
8	36,584	8	64,451
9	39,909		
10	42,404		
11	49,054		
12	52,380		
13	55,706		
14	59,032		

Coroner Without a Private Practice			
Current Compensation in 2000		**Proposed Compensation in 2001**	
Class	Compensation	Class	Compensation
10	$95,815	5 (population of	$98,689

		175,001-200,000)	
11	95,815	6	98,689
12	95,815	7	101,085
13	95,815	8	103,480
14	95,815		

The population range for Class 5 for coroners without a private practice is different than Class 5 as otherwise proposed by the bill, running from 175,001 to 200,000 instead of from 95,001 to 200,000.

<u>County engineer</u>

(R.C. 325.14)

The bill increases the compensation of the county engineer in 2001 as follows:

County Engineer With a Private Practice			
Current Compensation in 2000		**Proposed Compensation in 2001**	
Class	Compensation	Class	Compensation
1	$44,898	1	$48,300
2	46,893	2	50,356
3	48,889	3	52,411
4	50,884	4	56,521
5	52,215	5	60,803
6	53,545	6	64,229
7	54,875	7	68,510
8	55,707	8	71,182
9	57,370		
10	59,033		
11	60,695		
12	62,358		
13	64,021		
14	66,516		

County Engineer Without a Private Practice			
Current Compensation in 2000		**Proposed Compensation in 2001**	
Class	Compensation	Class	Compensation
1	$64,694	1	$68,691
2	66,690	2	70,746

3	68,686	3	72,801
4	70,681	4	76,912
5	72,011	5	81,193
6	73,342	6	84,619
7	74,672	7	88,901
8	75,503	8	91,568
9	77,166		
10	78,829		
11	80,492		
12	82,155		
13	83,818		
14	86,312		

Prosecuting attorney

(R.C. 325.11)

The bill increases the compensation of the prosecuting attorney in 2001 as follows:

Prosecuting Attorney With a Private Practice			
Current Compensation in 2000		**Proposed Compensation in 2001**	
Class	Compensation	Class	Compensation
1	$43,235	1	$46,245
2	44,898	2	47,958
3	46,561	3	49,671
4	48,224	4	55,237
5	49,471	5	59,947
6	52,381	6	66,799
7	53,628	7	71,079
8	54,875	8	73,709
9	56,538		
10	58,201		
11	61,527		
12	64,853		
13	66,516		
14	69,010		

Prosecuting Attorney Without a Private Practice			
Current Compensation in 2000		**Proposed Compensation in 2001**	
Class	Compensation	Class	Compensation

1-2	$76,651	1	$78,952
3-4	86,233	2-3	88,821
5-14	95,815	4-6	98,689
		7	101,085
		8	103,480

County recorder

(R.C. 325.09)

The bill increases the compensation of the county recorder in 2001 as follows:

Current Compensation in 2000		**Proposed Compensation in 2001**	
Class	Compensation	Class	Compensation
1	$29,101	1	$32,543
2	31,595	2	35,112
3	34,089	3	36,825
4	35,752	4	42,820
5	37,415	5	48,815
6	40,741	6	55,665
7	41,572	7	60,803
8	42,404	8	63,479
9	44,898		
10	47,392		
11	51,550		
12	54,044		
13	56,538		
14	59,033		

Sheriff

(R.C. 325.06 and 325.071)

The bill increases the compensation of the sheriff in 2001 as follows:

Current Compensation in 2000		**Proposed Compensation in 2001**	
Class	Compensation	Class	Compensation
1	$37,172	1	$40,855
2	39,666	2	43,425
3	42,160	3	45,139

4	43,824	4	52,595
5	47,737	5	64,082
6	49,401	6	71,790
7	51,063	7	76,073
8	52,727	8	78,279
9	55,636		
10	62,216		
11	64,296		
12	69,699		
13	71,778		
14	73,857		

County treasurer

(R.C. 325.04)

The bill increases the compensation of the county treasurer in 2001 as follows:

Current Compensation in 2000		**Proposed Compensation in 2001**	
Class	Compensation	Class	Compensation
1	$29,932	1	$33,399
2	32,426	2	35,969
3	34,921	3	38,537
4	37,415	4	45,389
5	39,078	5	52,240
6	42,404	6	58,234
7	44,067	7	62,516
8	45,729	8	64,704
9	48,640		
10	50,718		
11	54,460		
12	56,538		
13	58,617		
14	60,695		

County auditor

(R.C. 325.03 and 325.18)

Current law provides 3% annual salary increases for county auditors in 2001 and 2002. The bill continues the 14-class salary schedule for auditors through 2002 to provide these increases, then reduces the classes to eight in 2003. The bill also calls for the 2003 salary to include a series of two adjustments representing the lesser of 3% or the percentage increase in the CPI in 2001 and 2002. The following table lists what the county auditor's salary will be in 2002 under current law and the amounts that will be multiplied by the two adjustments to determine the salary in 2003.

Compensation in 2002 under existing law		**Compensation in 2003 will be determined by multiplying these amounts by two adjustments representing the lesser of 3% or the percentage increase in the CPI in 2001 and 2002**	
Class	Compensation	Class	Compensation
1	$41,765	1	$45,573
2	44,246	2	47,983
3	46,585	3	49,584
4	48,139	4	58,332
5	49,731	5	65,466
6	54,957	6	73,445
7	56,633	7	77,829
8	58,272	8	80,164
9	61,480		
10	63,560		
11	68,962		
12	71,306		
13	73,485		
14	75,563		

County official annual salary increases

(R.C. 325.18)

The bill increases the annual salaries of the nonjudicial county elected officials each year by the lesser of 3% or the percentage increase in the CPI over the

12-month period ending on September 30 of the previous year. For county auditors, the increases will occur from 2004 through 2008. For all the other officials, the increases will occur from 2002 through 2008.

Expansion of state payment of portion of certain county officer compensation

(R.C. 325.06, 325.111, and 325.12)

Under current law, sheriffs receive an additional amount of compensation equal to 1/8th the amount specified in the salary schedule for that office. The state reimburses counties for the cost of the additional compensation, including the related amount of county contributions to the sheriff's retirement plan. The bill provides that the state reimbursement is also to cover the related amount of county payments to the federal government for Medicare Part A. The bill also changes the payment schedule for the state reimbursements from quarterly to semiannually (by March 15 and September 15 each year).

Current law also provides for the state to pay additional compensation to a prosecuting attorney of a county with a population of less than 70,001 who elects not to engage in the private practice of law. The payment equals 40% of the difference between the prosecuting attorney's compensation under the salary schedule and what that compensation would be if the prosecuting attorney did engage in the private practice of law. The amount is paid in equal monthly installments.

The bill reconfigures the state payment as a reimbursement to the county for paying the compensation to the prosecuting attorney. The Attorney General must make the payments on a semiannual basis, and the payment is to include the county's retirement contribution and Medicare Part A payments related to the prosecutor's additional compensation. The county fiscal officer must deposit the payments in the county treasury.

Township official annual salary increases

(R.C. 505.24 and 507.09)

Current law provides that township trustees and clerks will receive a 3% annual salary increase in 2001 and 2002. The bill further increases the salaries each year from 2003 through 2008 by the lesser of 3% or the percentage increase in the CPI over the 12-month period ending on September 30 of the previous year.

Board of elections salary increases

(R.C. 3501.12)

Current law determines the annual compensation of members of a board of elections on the basis of the population of the county. The bill sets the annual compensation levels at $85 for each full 1,000 of the first 100,000 population, $40.50 for each full 1,000 of the second 100,000 population, $22 for each full 1,000 of the third 100,000 population, and $6.75 for each full 1,000 above 300,000 population. The bill also raises the minimum annual salary of a member of the board to $3,375 from $3,000 and the cap on the maximum annual salary to $20,000 from $15,000. Finally, the bill provides for the dollar amounts used to determine the salaries, and the minimum and maximum salaries, to increase from 2001 through 2003 by 3% each year.

Setting the salary of a clerk of a municipal court

(R.C. 1901.31; Sections 8 to 11)

Generally under current law, if the population of the territory of a municipal court is less than 100,000, the municipal or county legislative authority prescribes the amount of the salary of the clerk of the court. This provision also applies to the Medina Municipal Court. If the population of a municipal court's territory is 100,000 or more, and in the Lorain Municipal Court, the annual salary for the clerk of the court is set by state law at 85% of the salary of a judge of the court.[2]

The bill establishes certain revenue and expenditure conditions under which the presiding judge of a municipal court must prescribe the clerk's salary, rather than the legislative authority. The conditions apply only to the courts for which the population of the territory is less than 100,000 and to the Medina court. The presiding judge sets the salary if the court's revenue the preceding calendar year is greater than or equal to the expenditures that year (including any debt charges) for the operation of the court paid from the city treasury or, in the case of a county-operated municipal court, from the county treasury. The revenue and expenditure amounts must be certified by the auditor or chief fiscal officer of the municipal corporation, or by the county auditor for a county-operated municipal court. The bill defines a municipal court's revenue as the total of all costs and fees that are collected and paid to the city treasury (or to the county treasury for a county-operated court) by the clerk of the court, including any interest paid to the treasury from deposits of money paid into the court as part of a case.

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[2] *These provisions, and the bill's amendments, do not apply to the Auglaize County, Clermont County, Hamilton County, Portage County, or Wayne County municipal courts. The salaries for the clerks of those courts are established by other provisions of state law.*

The bill also corrects an erroneous reference to the Lorain Municipal Court as the Lorain County Municipal Court.

HISTORY

ACTION	DATE	JOURNAL ENTRY	
Introduced	05-17-00	pp.	2004-2005
Reported, H. Finance & Appropriations	11-13-00	pp.	2329-2330
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