

OHIO COUNCIL OF COUNTY OFFICIALS

Auditors, Clerk of Court, Commissioners, Coroners, Engineers,
Judicial Conference, Prosecuting Attorneys, Recorders, Sheriffs, Treasurers

HB 661 Proponent Testimony
Presented by Bryan Long, OCCO President; Todd Bickle, OCCO Past President; and
Judge John Willamowski
Before the House Finance Committee
November 19, 2014

Chairman Amstutz, Vice Chairman Boose and Ranking Member Sykes, thank you for the opportunity to testify today as proponents to HB 661 introduced by Representative Stebelton which is a proposal on elected official compensation. My name is Bryan Long, and I am President of the Ohio Council of County Officials (OCCO) and the Licking County Recorder. I am joined at the podium today by Todd Bickle, the Clerk of Courts of Muskingum County and Past President of the OCCO and Judge John Willamowski of the Third District Court of Appeals. The OCCO is an association that represents county elected officials and judges for the purpose of advocating for measures of mutual concern on behalf of county government and its public servants. Today, we are here to request your support for a measure that we recognize is never an easy subject to discuss: compensation for elected officials. However, it is an issue of vital importance for the public servants that are elected to serve the people of the state of Ohio and is overdue for action.

The last measure to pass the Ohio General Assembly on elected official compensation was HB 712 passed in December 2000 and signed into law as an emergency measure, so it was effective prior to elected officials beginning a new term of office. The bill increased the compensation levels for Ohio elected officials, reduced the number of population classifications for county elected officials that determine compensation levels, and allowed for cost of living adjustments tied to the consumers price index not to exceed a cap of 3% through calendar year 2008 for most elected officials. However, elected officials have not received any adjustment to their compensation since that time. County boards of elections members received a cost of living adjustment in HB 712, though that stopped in 2003, and thus, they have not received a change in salary for eleven years.

As a result, Ohio elected official compensation is falling below levels necessary to attract and retain the highest quality professionals to important positions in government throughout Ohio. If legislation is not enacted and effective prior to January 1, 2015, non-judicial county elected officials who were elected in November 2014 will not be able to receive a change in their base compensation as they are prohibited from receiving an in-term adjustment. This means there would be no opportunity to receive an adjustment to compensation until beginning a new term of office in 2019: a total of 10 years from the last COLA for some elected officials.

HB 661 aims to remedy the issue by providing what OCCO believes are just compensation levels for elected officials in Ohio. The HB 661 provisions regarding county elected officials and

judges was developed by OCCO and has the unanimous support of all of the county official groups comprising our association which include Judges, County Commissioners, Prosecutors, Auditors, Treasurers, Clerks of Court, Sheriffs, Coroners, Engineers, and Recorders. The measure is also supported by the Ohio Township Association and the Ohio Association of Elections Officials as the bill includes these officials as well.

HB 661 has been an ongoing, collaborative effort, between interested parties for well over a year to arrive at the proposal that you see before you today. We are appreciative to Rep. Stebelton becoming engaged with us on this issue in recent months and for introducing the bill. We thank you for your leadership on this issue. Additionally, we would like to thank House Minority Leader Tracy Heard, Sen. Bob Peterson and Senate Minority Leader Joe Schiavoni for their engagement throughout the discussions. However, we would like to take an extra moment to thank the late Rep. Terry Blair, who helped guide us through the earliest stages of our discussions. He was a great man and will be sorely missed.

Now, on to the details of the bill.

To summarize, HB 661 seeks to achieve similar goals as HB 712 where it will increase the compensation levels of elected officials to competitive levels, reduce the number of population classes for county elected officials, and allow for COLA capped at 3% and maintained on a permanent basis. For most county officials the COLA would start in 2017 when new terms of office begin for most county officials; for a few, including judges, it would begin next year.

For county elected officials other than judges, a reduction in the number of population pay classes will be reduced from eight to six. This would modernize the pay structure and provide a modest pay adjustment for county officials, most of whom would not realize any increase until 2017. In addition, the proposal would provide county boards of elections members a similar adjustment. For judges, a 5% pay increase each year from 2015-2018 along with implementation of the COLA. For Township Trustees and fiscal officers, a nominal one percent increase along with the implementation of the COLA.

The cost impact of this proposal would be incremental because of the staggered nature of county elections and constitutional provisions regarding pay increases. Legislative action with an effective date before January 1, 2015, would result in pay increases for judges, county auditors, one of the three county commissioner positions, state representatives, some state senators, statewide elected officials and board of elections members beginning in 2015. Pay increases for some township officials would occur in 2016. Increases for County Prosecutors, Treasurers, Clerks of Courts, Sheriffs, Coroners, Engineers, Recorders, and the other two County Commissioner positions would not occur until 2017.

As one example of the impact of this legislation, I would like to explain the nature and scope of the way this legislation affects Ohio judges and justices. The National Center for State Courts routinely tracks and publishes a survey of state judicial salaries. Ohio ranks fifth nationally for total revenue, seventh in total population and 11th in per capita revenue, according to the U.S. Census Bureau. Along the same lines, Ohio has a great diversity of social and business communities that many other states do not have. Yet, according to the National Center for State

Courts, Ohio's general jurisdiction trial courts and our Courts of Common Pleas rank 43rd for judicial salaries along with states like Kansas and Kentucky. The erosion of judicial salaries in Ohio has severely undervalued Ohio's judges. The increases in this legislation, implemented over a period of four years would elevate Ohio judicial salaries to approximately rank 19th right along with more comparable states of Texas and Florida.

Although HB 661 affects different officials in different ways, other elected officials affected by this legislation can offer similar evidence supporting the included adjustments to their compensation. I propose to you that the salary adjustments in this legislation for all of the officials included are reasonable in amount and have been carefully considered. This legislation will go a long way to ensure that Ohio can continue to attract and retain excellent candidates for these very responsible government offices.

Once again, Chairman Amstutz, Vice Chairman Boose, Ranking Member Sykes and members of the committee, thank you for the opportunity to testify today as proponents to HB 661. At this time, we would be pleased to answer any questions the committee may have.