

House Bill 2277

Ordered printed by the Speaker pursuant to House Rule 12.00A (5). Pre-session filed (at the request of Joint Interim Committee on Judiciary for Judicial Conference of the State of Oregon, Judicial Department)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Changes salary for judges. Removes link between legislative and judicial salaries.
Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to salaries of elected officials; creating new provisions; amending ORS 171.072, 292.405,
3 292.410, 292.415 and 292.425; and declaring an emergency.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 292.405 is amended to read:

6 292.405. (1) The annual salary of the Chief Judge of the Court of Appeals shall be [~~\$99,200~~
7 \$_____ for the year beginning [*July 1, 2001, and ending June 30, 2002*] **January 1, 2006**, and
8 [~~\$105,200~~] \$_____ for the year beginning [*July 1, 2002, and ending June 30, 2003*] **January 1,**
9 **2007**, and for each year thereafter.

10 (2) The annual salary of each other judge of the Court of Appeals shall be [~~\$97,000~~] \$_____
11 for the year beginning [*July 1, 2001, and ending June 30, 2002*] **January 1, 2006**, and [~~\$102,800~~
12 \$_____ for the year beginning [*July 1, 2002, and ending June 30, 2003*] **January 1, 2007**, and for
13 each year thereafter.

14 **SECTION 2.** ORS 292.410 is amended to read:

15 292.410. (1) The annual salary of the Chief Justice of the Supreme Court shall be [~~\$101,500~~
16 \$_____ for the year beginning [*July 1, 2001, and ending June 30, 2002*] **January 1, 2006**, and
17 [~~\$107,600~~] \$_____ for the year beginning [*July 1, 2002, and ending June 30, 2003*] **January 1,**
18 **2007**, and for each year thereafter.

19 (2) The annual salary of each other judge of the Supreme Court shall be [~~\$99,200~~] \$_____ for
20 the year beginning [*July 1, 2001, and ending June 30, 2002*] **January 1, 2006**, and [~~\$105,200~~
21 \$_____ for the year beginning [*July 1, 2002, and ending June 30, 2003*] **January 1, 2007**, and for
22 each year thereafter.

23 **SECTION 3.** ORS 292.415 is amended to read:

24 292.415. The annual salary of each judge of a circuit court shall be [~~\$90,400~~] \$_____ for the
25 year beginning [*July 1, 2001, and ending June 30, 2002*] **January 1, 2006**, and [~~\$95,800~~] \$_____ for
26 the year beginning [*July 1, 2002, and ending June 30, 2003*] **January 1, 2007**, and for each year
27 thereafter.

28 **SECTION 4.** ORS 292.425 is amended to read:

29 292.425. The annual salary of the judge of the Oregon Tax Court shall be [~~\$93,300~~] \$_____ for
30 the year beginning [*July 1, 2001, and ending June 30, 2002*] **January 1, 2006**, and [~~\$98,900~~
31 \$_____ for the year beginning [*July 1, 2002, and ending June 30, 2003*] **January 1, 2007**, and for

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.
New sections are in **boldfaced** type.

1 each year thereafter.

2 **SECTION 5.** ORS 171.072, as amended by section 2, chapter 516, Oregon Laws 2003, is amended
3 to read:

4 171.072. (1) A member of the Legislative Assembly shall receive for services an annual salary
5 of [*the greater of:*]

6 [(a)] one step below the maximum of Salary Range 1 in the Management Service Compensation
7 Plan in the executive department as defined in ORS 174.112[; *or*].

8 [(b) *Seventeen percent of the salary of a Circuit Court Judge.*]

9 (2) The President of the Senate and the Speaker of the House of Representatives each shall re-
10 ceive for services, as additional salary, an amount equal to the sum allowed each of them as a
11 member under subsection (1) of this section.

12 (3) A member of the Legislative Assembly shall receive, as an allowance for expenses not oth-
13 erwise provided for, a per diem determined as provided in subsection (9) of this section for each day
14 within the period that the Legislative Assembly is in session, to be paid with the salary provided for
15 in subsection (1) of this section. Pursuant to procedures determined by the Legislative Adminis-
16 tration Committee, a member may draw from an accrued allowance.

17 (4) A member of the Legislative Assembly shall receive, as an allowance for expenses incurred
18 in the performance of official duties during periods when the legislature is not in session, \$400 for
19 each calendar month or part of a calendar month during those periods, to be paid monthly, and
20 subject to approval of the President of the Senate or Speaker of the House of Representatives,
21 mileage expenses and a per diem determined as provided in subsection (9) of this section for each
22 day a member is engaged in the business of legislative interim and statutory committees, including
23 advisory committees and subcommittees of advisory committees, and task forces and for each day
24 a member serves on interstate bodies, advisory committees and other entities on which the member
25 serves ex officio, whether or not the entity is a legislative one.

26 (5) In addition to the mileage and per diem expense payments provided by this section, a member
27 of the Legislative Assembly may receive reimbursement for actual and necessary expenses, subject
28 to approval by the President of the Senate or Speaker of the House of Representatives, for legisla-
29 tive business outside of the state.

30 (6) The President of the Senate and Speaker of the House of Representatives may delegate to
31 the chairpersons of interim and statutory committees and task forces the approval authority granted
32 to them by subsection (4) of this section, with respect to expenses incurred in attending any meeting
33 of a particular committee or task force.

34 (7) Amounts received under subsections (3) to (5) of this section are excluded from gross income
35 and expenditures of the amounts are excluded in computing deductions for purposes of ORS chapter
36 316. If there is attached to the personal income return a schedule of all ordinary and necessary
37 business expenses paid during the tax year as a member of the Legislative Assembly, a deduction
38 may be claimed on the return for legislative expenses paid in excess of the amounts received under
39 subsections (3) to (5) of this section. Expenses of members of the Legislative Assembly that are re-
40 imburged by the state for actual expenses for meals and lodging associated with state travel for the
41 same period during which a legislator receives per diem is subject to state income tax.

42 (8) For periods when the Legislative Assembly is not in session, the Legislative Administration
43 Committee shall provide for a telephone and an expense allowance for members of the Legislative
44 Assembly that is in addition to the amount allowed under subsection (4) of this section. In deter-
45 mining the amount of allowance for members, the committee shall consider the geographic area of

1 the member's district. The additional allowance shall reflect travel expenses necessary to communi-
2 cate in districts of varying sizes.

3 (9) The per diem allowance referred to in subsections (3) and (4) of this section shall be the
4 amount fixed for per diem allowance that is authorized by the United States Internal Revenue Ser-
5 vice to be excluded from gross income without itemization.

6 **SECTION 6. The amendments to ORS 171.072 by section 5 of this 2005 Act become oper-**
7 **ative on July 1, 2005.**

8 **SECTION 7. This 2005 Act being necessary for the immediate preservation of the public**
9 **peace, health and safety, an emergency is declared to exist, and this 2005 Act takes effect**
10 **on its passage.**

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