

# Senate Bill 456

Sponsored by Senator BROWN (at the request of Mark Nelson)

## 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 salaries of 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*] **July 1, 2007**, [*and \$105,200*  
8 *for the year beginning July 1, 2002, and ending June 30, 2003,*] and for each year thereafter.

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

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

13 292.410. (1) The annual salary of the Chief Justice of the Supreme Court shall be [\$101,500]  
14 \$\_\_\_\_\_ for the year beginning [*July 1, 2001, and ending June 30, 2002*] **July 1, 2007**, [*and \$107,600*  
15 *for the year beginning July 1, 2002, and ending June 30, 2003,*] and for each year thereafter.

16 (2) The annual salary of each other judge of the Supreme Court shall be [\$99,200] \$\_\_\_\_\_ for  
17 the year beginning [*July 1, 2001, and ending June 30, 2002*] **July 1, 2007**, [*and \$105,200 for the year*  
18 *beginning July 1, 2002, and ending June 30, 2003,*] and for each year thereafter.

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

20 292.415. The annual salary of each judge of a circuit court shall be [\$90,400] \$\_\_\_\_\_ for the  
21 year beginning [*July 1, 2001, and ending June 30, 2002*] **July 1, 2007**, [*and \$95,800 for the year be-*  
22 *ginning July 1, 2002, and ending June 30, 2003,*] and for each year thereafter.

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

24 292.425. The annual salary of the judge of the Oregon Tax Court shall be [\$93,300] \$\_\_\_\_\_ for  
25 the year beginning [*July 1, 2001, and ending June 30, 2002*] **July 1, 2007**, [*and \$98,900 for the year*  
26 *beginning July 1, 2002, and ending June 30, 2003,*] and for each year thereafter.

27 **SECTION 5.** ORS 171.072 is amended to read:

28 171.072. (1) A member of the Legislative Assembly shall receive for services an annual salary  
29 of [*the greater of:*]

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

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

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

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

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

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

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

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

35       (8) For periods when the Legislative Assembly is not in session, the Legislative Administration  
36       Committee shall provide for a telephone and an expense allowance for members of the Legislative  
37       Assembly that is in addition to the amount allowed under subsection (4) of this section. In deter-  
38       mining the amount of allowance for members, the committee shall consider the geographic area of  
39       the member's district. The additional allowance shall reflect travel expenses necessary to communi-  
40       cate in districts of varying sizes.

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

44       **SECTION 6. The amendments to ORS 171.072 by section 5 of this 2007 Act become oper-**  
45       **ative on July 1, 2007.**

1        **SECTION 7. This 2007 Act being necessary for the immediate preservation of the public**  
2        **peace, health and safety, an emergency is declared to exist, and this 2007 Act takes effect**  
3        **on its passage.**

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