



Press Release
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FOR IMMEDIATE RELEASE:

**SUPREME COURT DECLINES TO CONSIDER
POST-ELECTION PAY RAISE ISSUE**

At its meeting today, the Ohio Ethics Commission commented upon the recent decision of the Ohio Supreme Court not to consider an appeal involving pay raises Canton City Council members awarded to themselves after election in 1995. Chief Justice Thomas Moyer and Justice Alice Robie Resnick dissented from the Court's decision not to hear the case.

The Ohio Ethics Commission had filed the appeal with the Supreme Court on June 18, 1998, asking that the Court overturn a May 4, 1998 Stark County Court of Appeals ruling involving the Canton City Council pay increases. At issue was whether Ohio's conflict of interest laws prohibited Canton City Council members from taking action to approve their own pay increase after the election, but before the beginning of the new term. The Court of Appeals' opinion found that salary increases after election were not prohibited.

"The Ethics Commission is disappointed that the Supreme Court has chosen not to consider this important issue," stated Sister Mary Andrew Matesich, Chair of the Commission. "The Commission believes that the outcome in this case, as it has been allowed to stand, will further shake the public's confidence in its elected officials."

Since 1991, the Ethics Commission had issued numerous advisory opinions holding that "in-term" and "post-election, pre-term" pay increases were prohibited by Ohio's conflict of interest laws. In 1996, the City of Canton asked the Ethics Commission if the Ethics Law prohibited a city council from enacting such a post-election, pre-term increase in compensation. The Ethics Commission reviewed its earlier opinions and reiterated that these types of post-election increases were improper. Canton City Council members then challenged the law's application to their own raises in federal and state courts.

"The Ethics Commission performed its statutory responsibility in responding to a request for

advice and applying conflict of interest provisions," Sister Mary Andrew stated. "The courts disagreed, and the Commission accepts the finality of their decision. However, we believe this issue will return in the future for the courts or the Legislature to resolve."

The Ohio Ethics Commission is an independent agency of state government charged with interpreting, administering, and enforcing the Ohio Ethics Law for most state and local public officials and employees. The Commission has been serving the public, and state and local governments, since its formation as part of the Ohio Ethics Law in 1973.