

# Editorial endorsement November 2024: Vote ‘no’ on Measure 116, the Legislature’s accountability dodge

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The first day of the 2024 Oregon legislative session in the Oregon House chamber at the Oregon State Capitol on Mon., Feb. 5, 2024. Beth Nakamura

By

- [The Oregonian Editorial Board](#)

Our top elected officials are underpaid for the work they do, and their salaries [rank near the bottom](#) among peers. Gov. Tina Kotek earns \$98,600 – less than the governor in every state but three – despite serving as Oregon’s chief executive who oversees an all-funds, two-year budget of \$125 billion, more than 47,000 employees and responsibility for essential public services.

The attorney general earns \$82,200 a year – lowest in the nation – and one-third of what her top attorneys make. The secretary of state, treasurer and labor commissioner make even less at \$77,000.

But [Measure 116](#) is the wrong way to fix this problem. The proposed constitutional amendment would create a commission of appointees to set salaries for hundreds of elected officials with no way for legislators, the courts or the public to modify its decisions. Instead, the salaries set by the “Independent Public Service Compensation Committee” for the five statewide elected officials, 90 state legislators, 202 state-paid judges and 36 district attorneys would be “automatically appropriated” from the state’s General Fund, regardless of the state’s economic position.

While Oregonians should support higher salaries through the regular legislative process, they should vote “no” on Measure 116’s flawed constitutional proposal. The reasons are many.

First, legislators, who are elected by and accountable to the public, should not cede control over part of the state budget to unelected, unaccountable individuals. The Legislature’s job is to balance how to pay for multiple needs from a limited General Fund. Giving away the ability to oversee those dollars – about \$45 million currently – and how salaries increase means less flexibility for the Legislature, particularly in times of recession or weaker-than-expected revenue. Even in good times, there should be recourse if the commission chooses to give raises that are unjustified. But as legislators wrote in the [explanatory statement for the measure](#), “the commission’s salary determinations would be final.”

Second, while backers note that 22 other states have salary commissions, Oregon’s model differs in key respects. Connecticut’s commission sets recommendations which the Legislature can adopt or reduce. Minnesota’s commission sets salaries for top elected officials and legislators, but only recommends judges’ compensation. California voters, who adopted a commission approach in 1990, passed another measure years later to expressly prevent salary increases during budget deficit years.

[Washington’s salary commission](#) does not include district attorneys. And legislators had already adopted statutory language spelling out how the commission would be structured before the proposed constitutional amendment went to voters. Washington legislators also specifically built in a provision allowing voters to challenge the salary determinations by referendum, noted public interest attorney Dan Meek, one of the few people calling out the measure’s flaws. No such language exists in Oregon’s proposed amendment.

Oregon’s measure mentions only a few specific restrictions on who can serve on the commission. It also lacks information about how people would be appointed, raising questions about just how “independent” the commission would be, Meek said.

Third, this proposed constitutional amendment is entirely unnecessary for addressing low salaries. The Legislature already has the authority to give raises with a majority vote, as it has done in the past. It could appoint a salary commission of human resources professionals to

provide recommendations in the next session. The real problem for legislators? The political blowback they could face for voting to increase their own salaries.

Certainly, any raise can be a tough sell to an unimpressed public and could become campaign fodder for an opponent. But other states have found ways to limit accusations of self-serving conduct, such as adopting pay raises that don't go in effect until the next legislative term. Oregonians should not pass a deeply-flawed constitutional amendment to save politicians the discomfort of having to explain why they deserve more than their current annual salaries of \$35,000. Instead, however, legislators and measure supporters are painting this measure as a way to put the power in the hands of the people and prevent "politicians from meddling in the process," when it actually takes away accountability to the public.

Sens. Kate Lieber, D-Beaverton and Southwest Portland, and Tim Knopp, R-Bend, the measure's primary legislative backers, told the editorial board that they believe any concerns can be addressed in the measure's implementation. And certainly, Washington state's model, which requires multiple public hearings and fills some seats by pulling from voter rolls, should provide some instructive guardrails. Finding structural ways to limit the negative consequences and lack of oversight will be key, if the measure passes.

But lawmakers cannot statutorily fix the language written into this proposed amendment that forbids modification of salary decisions. They cannot alter the measure's language that judges' salaries may not be "diminished" during the course of their six-year terms. While no one likes the idea of reducing someone's pay, private-sector employees know too well the concept of having to share the pain when the economy goes south.

We agree with the measure's backers that candidates should not have to be financially independent to run for office. The need for higher salaries is real, and Oregonians lose when unacceptably low pay drives away talented public servants. And while nothing excuses former Secretary of State Shemia Fagan's decision to moonlight for donors and allegedly use her position on their behalf, Oregonians should recognize how poorly she was paid for the responsibilities she held.

But there are plenty of other ways to get to a better answer than this amendment. Vote "no" and urge legislators to find the political courage to offer a real solution.

*-The Oregonian/OregonLive Editorial Board*

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