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***Press Release***  
***September 26, 1997***

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FOR IMMEDIATE RELEASE:

**ETHICS COMMISSION APPEALS PAY RAISE DECISION**

The Ohio Ethics Commission announced at its meeting in Columbus today that it has requested that the Attorney General's Office appeal a recent ruling by a Stark County

Court of Common Pleas. The court concluded that members of Canton City Council did not violate the Ohio Ethics Law when they approved and awarded themselves a post-election pay increase in 1995. An Ethics Commission opinion requested by Canton had advised that these kind of increases were improper.

Citizens deserve to know, at least, when they step into the voting booth, the salaries they will pay the officials they elect," said Sister Mary Andrew Matesich, Chair of the Ohio Ethics Commission. Referring to the court's ruling, Jack DeSario, a member of the Ethics Commission, stated, "If the Ethics Commission had rendered a similar opinion, the people of the State of Ohio would be justifiably alarmed."

In its opinion, the Canton court held that council members could legally grant themselves post-election pre-term pay raises due to the Home Rule Amendment to the Ohio Constitution. The Commission is appealing the decision on the basis that the Home Rule Amendment does not apply because Ohio's Ethics Laws are general laws that are intended to apply to all public officials. The Ethics Law prohibits public officials or employees from soliciting, accepting, or using their public positions to secure substantial things of value for themselves.

This judge, by his opinion, has left us little choice but to appeal this decision," Sister Matesich stated. "We believe this is not a Home Rule question. The court's decision deprives voters of a complete understanding, when they cast their votes, of the salaries they will have to pay their elected officials."

The Law Directors of Canton and Massillon had requested the advice of the Ethics Commission regarding whether Council could legally take this action. The Commission advised that it could not be done based upon the provisions of Ohio's Ethics Law and its prior precedent.

After the Ethics Commission rendered its opinion in 1996, Canton City Council members sued the Commission. The first suit in Federal Court was dismissed and is under appeal by Canton officials in the Federal Court of Appeals. Canton officials then initiated this litigation against the Ethics Commission in the Canton Court.

The Ohio Ethics Commission is an independent agency of state government charged with interpreting and administering the Ohio Ethics Law for many 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.