

State panel considers pay raises for lawmakers, others

Michael Gormley; Newsday

Nov. 14--ALBANY -- A week after Election Day, a state commission on Tuesday began the process that could give pay raises to legislators and top officials in the Cuomo administration.

The state Commission on Legislative, Judicial & Executive Compensation, consisting of four Democrats, met for the first time Tuesday in Manhattan. They approved dates for two public hearings, on Nov. 28 in Albany and Nov. 30 in Manhattan. They must act by Dec. 10 under law if they are to enact the first pay raises for the positions since 1999.

Authorization for the commission was tucked into the voluminous state budget approved in April. The process allows the raises to be approved by the commission without a vote of the legislature or signature by Cuomo.

State senators and Assembly members make a base pay of \$79,500 for what under law is a part-time job. Legislators also get \$174 a day for lodging and meals while working in Albany or outside their district, in most cases. And most lawmakers receive stipends ranging from \$9,000 to \$41,000 a year for holding leadership posts.

The result is most legislators make over \$100,000 a year.

"You don't want to deny someone a pay raise for 20 years, but what is the right number?" said Blair Horner of the New York Public Interest Research Group, a nonprofit watchdog group.

"It shouldn't be a negotiated political deal," said Horner. "It should be based on an independent criteria that's publicly disclosed so the public can feel this was a reasonable process. It's their money."

"I'm generally in favor," said Gerald Benjamin, a longtime observer of state government as a professor of political science at the State University of New York at New Paltz. "It's been a long time, they've done well. The job is very demanding."

Commission member H. Carl McCall cautioned that a pay raise isn't "a done deal."

New York lawmakers' base pay is the third-highest in the nation, behind California's \$107,241 with \$192 per diem; and Pennsylvania's \$87,180 base pay with a \$183 per diem, according to the National Conference of State Legislatures.

As for top officials in the Cuomo administration who could get raises, the state commission noted that six commissioners make the national average of \$136,000. Three others make \$127,000. The state's median household income was \$62,909 in 2016, according to the U.S. Census.

The compensation commission has scheduled public hearings for 11 a.m. on Nov. 28 in the center tower board room at the State University Plaza, 353 Broadway, Albany, and at noon on Nov. 30 in the global classroom in the SUNY Global Center, 116 E. 55th St., Manhattan.

The commission members are state Comptroller Thomas DiNapoli; McCall, who was appointed SUNY chairman by Cuomo; New York City Comptroller Scott Stringer; and former city Comptroller William Thompson.

If approved by the commission before Dec. 31, raises would take effect Jan. 1. Otherwise, raises couldn't be considered again until 2020, another legislative election year.

PANEL MEETS FOR 1ST TIME TO TALK RAISES

RACHEL SILBERSTEIN

A four-member panel of current and former comptrollers, tasked with deciding whether New York's 213 lawmakers, statewide elected officials and more than 100 state department heads will get a pay raise, may hire outside counsel to assist in the task.

Members of the New York State Compensation Committee, created by this year's \$168 billion budget, outlined their objectives during the committee's first meeting in Manhattan Tuesday afternoon, before moving into a private executive session to discuss the "personnel" issue.

"We want to make sure we are doing things within the bounds of the law. To assist with that, we believe we need counsel," said SUNY Board of Trustees Chairman and former state Comptroller Carl McCall, who led the meeting. "If any decision is made, we will publicly report what that decision is."

The panel also includes state Comptroller Tom DiNapoli, New York City Comptroller Scott Stringer and CUNY Board of Trustees Chairman Bill Thompson, formerly New York City's comptroller.

"It is rare that you are in a meeting and someone says 'Mr. Comptroller' and everyone turns around," Thompson quipped.

A fifth member, Chief Judge Janet DiFiore, declined her appointment citing constitutional issues.

DiNapoli, whose own paycheck may be affected by the committee's recommendations, has said he would recuse himself from issues that affect him.

A similar panel was convened in 2016, but did not result in pay increases. This year's legislative pay raise committee does not include delegates from legislative leaders or Gov. Andrew M. Cuomo, a group that had a series of contentious hearings that ended in a stalemate during 2016 discussions.

New York legislative salaries, while ranking the third highest in the nation, significantly trail the \$148,500 paid to New York City Council members and the \$174,000 congressional salary.

State lawmakers have not seen a pay hike since 1998, when their base salary was set at \$79,500. Legislators also may earn thousands of dollars in legislative stipends, called lulus, which may also be considered by the panel.

The attorney general and comptroller earn \$151,500 a year, and department heads are paid between and \$90,800 and \$136,000 annually.

The committee is to produce a report for the governor's office by Dec. 10 and any recommendations will become law unless the Legislature takes action to prevent it. That has caused the committee to proceed with caution, McCall said.

The panel must consider parties' performance of their duties, inflation rates, and changes in public-sector spending, the ability of the state to attract talent, and affordability, among other factors, according to state law.

"One possibility is to phase in the payments. There could be adjustments over a three-year period," McCall said, addressing the affordability issue.

Previous attempts by the committee to meet fell through. During the question-and-answer period, a woman asked the group about the short time frame for deciding the potential salary adjustments. DiNapoli responded, "You raise an interesting point. It is a little fast. It's been about 20 years, so we could wait another decade?"

DiNapoli and Stringer, both former state assemblymen, voted in favor of legislative pay raises during their time in the Legislature. Two other public hearings will be held this month, one in Albany on Nov. 28 and another in New York City on Nov. 30.

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No raises without results

Many New Yorkers are struggling with high taxes, health care and social services.

They're driving on bad roads and dangerous bridges. Our inner city schools are struggling. New York City's mass transit system is falling apart. And the economies of some upstate communities rival those in the rural South.

So what should happen to the government officials who have failed to solve these problems over many years?

Why, they should get a pay raise, of course!

Maybe Gov. Andrew Cuomo is feeling generous after his landslide victory on Election Day and the prospect of overseeing a government controlled entirely by his own political party.

Certainly after negotiating to give nearly 2 billion in taxpayer dollars to a company worth around a trillion dollars, the state could spare a few million more to pad the \$79,500 base pay of New York's 213 part-time state legislators -- already the third-highest-paid state lawmakers in the nation.

That base pay is enhanced, in many cases, by additional stipends for committee chairmanships and leadership positions (\$4,000 to \$9,000 on average), generous daily allowances (\$173 a day for food and lodging) and bribes. (OK, maybe that last one was a cheap shot.)

The governor also wants to raise the salaries of state agency commissioners, who are currently making about \$127,000 to \$136,000 a year.

On Thursday, the governor, who has traditionally resisted pay raises for legislators, came out effusively in favor of them. "Legislators work very hard. They come to Albany. They are away from their families for many days."

Sure legislators work hard. But so do a lot of New Yorkers who make a lot less. And legislators do spend time away from their families. The Legislature is in session a whole 60 days a year. The governor's prodding is significant, in that the commission that will decide on the raises is made up exclusively of Democrats.

It's nice Mr. Cuomo is feeling so indulgent. But how about instead of directing that indulgence to companies that don't need the money and government officials who already earn a comfortable living, he direct the money to address the problems we cited at the beginning.

Or at least hold lawmakers over a barrel to pass such necessary legislation as campaign finance reform, election reform, corruption reform, regulation reform and other reforms the state needs. Putting in the time by itself isn't justification for a pay raise.

Give the taxpayers better results, and then maybe we can talk.