

Limits on outside income could shake up state Legislature

By David Lombardo

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ALBANY - When Assemblyman John McDonald isn't working for his constituents in the 108th District, the Cohoes Democrat is often on the clock serving customers at Marra's Pharmacy in his hometown.

His involvement in the business predates his career in politics, and he said it will continue to be a part of his life, even if the state adopts restrictions on outside income for legislators.

"I love serving, so I would figure it out," McDonald said. Good government groups, some Democratic members of the state Legislature and Gov. Andrew M. Cuomo have proposed limiting the amount of money state legislators can earn outside of their official duties as a way to address the recurring cases of corruption at the Capitol.

Last year's State of the State address from the governor included a push for a constitutional amendment creating a full-time Legislature with outside income capped at 15 percent of the base legislative salary of \$79,500, which was set two decades ago. The plan failed to gain any momentum, but it has renewed life heading into the 2019 legislative session as a committee is considering awarding legislators a pay hike and Democrats gain control the Senate.

McDonald, whose financial disclosure form indicates he earned between \$75,000 and \$100,000 in 2017 as owner and pharmacist for the family business, doesn't think the restriction is the right approach to battling corruption.

He wants more transparency measures, including making financial disclosure forms easier to access and more readily available, and supports increased funding for the state's watchdog entities.

"Banning or limiting outside income won't solve bribery or graft," McDonald said.

That sentiment was echoed by Assemblyman Phil Steck, a Colonie Democrat, and Sen. George Amedore, a Rotterdam Republican, who make the bulk of their annual income from outside employment.

Steck, who earns more than \$100,000 annually as an attorney, is open to a salary restriction if it was accompanied by a substantial pay raise. Amedore, who makes in excess of \$325,000 leading his family's home construction business, said limitations would be a "horrible idea."

Opponents of limits on outside income argue that it would restrict the type of people who could serve in the state Legislature and foster a culture of career politicians. They also note that the income limitations on members of Congress haven't ended corruption in Washington, D.C.

If restrictions are enacted without a significant salary increase, Steck said he "might not have any choice" but to give up public service and focus on his law practice because of his financial obligations, including college loans for his children.

"I don't see how we could afford to pay those loans if it were the current salary plus 15 percent, as the governor has proposed in the past," he said.

Amedore said he would have to review any enacted proposals before deciding his political future.

Sen. Neil Breslin, a Bethlehem Democrat who scaled back his legal career when he joined the Senate in 1996, said he would again adjust his law work if needed in the future. He earned between \$20,000 and \$50,000 for his practice, which mostly involves real estate and estate planning work.

Assemblywoman Mary Beth Walsh, a Ballston Republican, earned between \$20,000 and \$50,000 from her private law practice. She said she could adjust her business to comply with any potential restrictions in the future, but warned that it might not be the case for everyone else.

"There could be an unintended consequence of losing some very good people," Walsh cautioned.

When asked about limiting outside income, incoming Senate Majority Leader Andrea Stewart-Cousins declined to espouse her own position, saying she is waiting for a report due next month from a committee considering pay raises for state legislators.

In the past, while leading the Senate Democrats in the minority, Stewart-Cousins supported a cap on income from outside employment, saying in 2015, "It's very, very hard to serve two masters, and it's time to put an end to it."

A public hearing for the compensation committee is scheduled for Wednesday.

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Elected Officials Decide on Legislature Pay Increase

By Nick Reisman New York State November 28, 2018 @5:39 PM

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New York's state lawmakers have not received a pay raise in 20 years, but that could change in the coming weeks as a panel of current and former elected officials decide whether to boost the pay of the legislature.

"It's always complicated [because] there is a lot of emotion attached to this. We're going to try to just do the right thing," said Scott Stringer, (D) New York City comptroller.

It's complicated in part by how the public may perceive a pay raise for a legislature known for its high-profile corruption arrests. Governor Andrew Cuomo has called for limits on how much money lawmakers can earn in the private sector — a proposal that has support from State Comptroller Tom DiNapoli.

"It's my point of view that that's an appropriate reform. The extent this committee has the ability to impose something like that is open to question, but it's certainly a reform that should have been done a long time ago," said DiNapoli.

Lawmakers earn a base pay of \$79,500 — third in the country among state legislators behind California and Pennsylvania. But many lawmakers earn more with thousands of dollars in stipends for holding committee chairmanships and leadership titles. Census data shows the median New York household earns \$62,000.

Three of the four men on the panel are also potentially sympathetic to the needs of lawmakers. After all, they served in the assembly themselves.

"Whatever happened in the past was as much about dysfunction and gridlock and politics, and I'd like to think this commission has a real opportunity to throw away the last 20 years and start fresh," said Scott Stringer, (D) New York City comptroller.

The panel was created as a way of taking the decision out of the hands of the Legislature and governor. It's also due to consider increasing the pay of state department heads in Cuomo's cabinet.

"I think that's an area that definitely needs action. The whole question is what would be the appropriate level. But I think the consensus is there should be an increase for commissioners," said Carl McCall, SUNY chairman.

The panel's decision is due by December 10.