

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Tuesday, January 14, 2025 3:42 PM
To: 'records.access@exec.ny.gov'
Subject: **FOIL/Records Request -- the Governor's "plan" pursuant to the Dec 10, 2018 Report of the Committee on Legislative & Executive Compensation**

TO: Governor Hochul's FOIL Counsel/Records Access Officer Christopher Ritchey

The [December 10, 2018 Report of the Committee on Legislative and Executive Compensation](#) states under the title heading "Recommendation on Commissioner salaries" (at pp. 20-21):

"The current text of Section 169 of the Executive Law is out of date and cumbersome. The rationale for why a commissioner was situated in paragraph A versus B or C may no longer make sense, and it certainly does not reflect the current sense of the importance of the various agencies governed by these public servants. Therefore, this Committee has simplified the structure to only have four categories of Commissioners. **In order to best capture the current workload and responsibilities, the Governor shall set forth a plan for the salary within ranges for paragraph C and D.**

This compensation structure, while it offers flexibility, ensures both a minimum salary for the position as well as a maximum. This should not be construed to authorize decreases in salaries for such position for the same Commissioner; the salary must be fixed, and should decrease subject only to an across-the-board reduction applied evenly to all Commissioners.

See Fig. 3" (bold added).

The "Fig. 3" (at p. 21) is a chart entitled "Executive Law §169 Commissioners", with four categories.

To further assist you, here's [Executive Law §169](#).

Pursuant to FOIL ([Public Officers Law Article VI](#)), this is to request:

- the Governor's "plan for the salary within ranges for paragraph C and D" – and underlying records reflecting the basis of same;
- modifications, if any, by the Governor to the "plan" – and underlying records reflecting the basis of same;
- records of filing of the "plan" with appropriate authorities, presumably including the Division of the Budget, the State Comptroller, and the Senate and Assembly or the chairs of their respective Finance Committee and Ways and Means Committee.

Thank you.

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