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The Fray: Common Cause pushes to limit lawmakers' outside pay

The good-government group Common Cause released a raft of data on New York legislators' private-sector employment on Thursday as it renewed calls to ban or limit that outside income in the wake of the federal corruption convictions of former Assembly Speaker Sheldon Silver and former Senate Majority Leader Dean Skelos.

Using the annual financial disclosure forms lawmakers must file, Common Cause found that 110 of the 183 senators and Assembly members elected before 2014 — or 60 percent of them — had no jobs outside the Legislature in 2014, while 73 did. More than half of those double earners — 38 — were lawyers, a profession that enables them to spend half the year in Albany while remaining attached to a law firm as a partner or with “of counsel” status, as Silver did. The rest worked in a smattering of fields, including academia, construction and the funeral-home business.

The lawmaker with the biggest outside earnings was Assemblyman Stephen Hawley, a Rochester-area Republican who raked in between \$455,000 and \$570,000 in the insurance business that year, based on the income ranges lawmakers are allowed to use instead of stating the actual amount. The next six in line were all lawyers, including Skelos. Each reported earning more than \$100,000 — and as high as \$255,000 — from their law practices while also working as legislators.

Susan Lerner, executive director of Common Cause's New York office, said the influence-peddling revealed in the recent prosecutions, particularly that of Silver, underscored the need to sever employment ties that pose potential conflicts. “It's a question of, who do they serve?” she asked in a conference call with reporters.

She said her group supports an outright ban or limitation on outside employment income, coupled with a “substantial” increase in the \$79,500 base pay that senators and Assembly members earn. She argued that New York has “very severely restricted the kind of people who can run” for the Legislature by retaining the same salary level since 1999.

Two veteran legislators from the Mid-Hudson — Sen. John Bonacic, R-Mount Hope, and Assemblyman Kevin Cahill, D-Kingston — advocated the same course of action earlier this year, when the possibility of a pay increase awkwardly arose at around the same time that Silver was indicted. Bonacic argued then that banning outside income would remove “the temptation for corruption,” and said much the same thing after Silver's conviction on Nov. 30: “I believe that if we ban outside income from active employment for elected officials, and pay them a livable wage to raise their families, it will go a long way to cure the temptation of a few to engage in this type of bad behavior.”

The raise part of that equation is almost assured. As part of this year's budget, lawmakers voted to create a commission that will recommend raises for the Legislature, the governor, judges and others — increases that automatically take effect unless lawmakers block or change them. That panel decided last week to hike state Supreme Court justice salaries to \$192,300 from \$174,000 on April 1 and then raise them further to match the pay of federal court judges by 2018.

None of the 11 senators and Assembly members representing pieces of Orange, Ulster and Sullivan counties were among the lawmakers with the highest outside incomes on Common Cause's list. Most had no secondary employment at all. Sen. George Amedore, a Republican who represents part of Ulster County, reported several income streams from his home-building business that produced a combined income range of \$130,000 to \$240,000. Common Cause did not include him in its analysis because he was elected in 2014.

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