



NEW YORK STATE SENATOR

Thomas F. O'Mara

O'Mara: Full-time State Legislature bad for New York

THOMAS F. O'MARA December 12, 2018

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Albany, N.Y., December 12—State Senator Tom O'Mara (R,C,I-Big Flats) today rejected the New York State Compensation Committee's report calling for a three-year, phased-in pay increase of roughly 63% for state legislators while also making the state Legislature a full-time occupation by capping a legislator's ability to earn an income outside of legislative work.

The panel earlier this week recommended increasing the base pay of a New York State legislator from the current \$79,500 to \$130,000 over three years beginning in 2019. It also calls for preventing a legislator from earning any income outside of the Legislature that is more than 15% of the legislative base salary. Further, none of the 15% outside income limit can be earned practicing law, as a real estate or insurance agent, or working in such a business in any capacity. Legislators won't even be able to be an Executor or Trustee for a family member.

O'Mara issued the following statement on the panel's report:

"The last thing New York State's taxpayers and communities need is for the New York State Legislature to become America's highest-paid, full-time political class. What a disaster.

"We should be moving in the complete opposite direction. There is value and importance in maintaining and strengthening an institution of citizen legislators with experience, lives, and work outside of the Legislature, including as attorneys. Do we really not want independent, practicing attorneys to be part of the state's highest lawmaking institution? Staff attorneys beholden to leadership will be the only arbiters of legal interpretation and the negative impacts of proposed legislation.

"We would all be better off with shorter sessions, less expensive government, lower taxes, eliminating regulations, and fewer mandates.

"New York State is about to go all-in on eliminating the part-time, citizen Legislature put in place by the Constitution and creating an expensive, full-time political class in Albany – and there will be no going back. It's a huge gamble that hard-working New Yorkers cannot afford.

"The Compensation Committee's charge was to examine only whether an increase in legislators' pay was warranted at this time, after twenty years with no increase. These significant changes to the Legislature were not contemplated by the legislation authorizing the Compensation Committee. Alterations to the part-time Legislature as established in our New York State Constitution can and should only be made by a Constitutional Amendment put forth in a referendum to the voters.

"The guiding lights of American democracy, in their wisdom and common sense, saw the bedrock of governing as part-time, citizen legislators who would always have a place and earn a living outside of politics in order to maintain a perspective on the real world impacts of governing. Albany's political

class and bureaucracy have steadily lost touch with the lives of everyday citizens. In my view, it is a big part of the reason why New York remains one of the most overtaxed, overregulated, and underperforming states in the nation.

"Public corruption has tarnished New York State government far too often, especially in recent years. The demand for more reform and tougher laws is understandable and warranted. There are strict laws and rules in place that every single state legislator must honor in order to earn and keep the public trust. When these laws and rules are broken, public officials must be and are being convicted and punished. Only one of the most recent cases, the conviction of former Assembly Speaker Sheldon Silver, has been centered on a legislator's private, outside income. It has been said that you can pass as many laws as you want but if criminals are intent on committing crimes, laws won't stop them. A full-time Legislature will not be a cure-all for public corruption and, in fact, will create more consequences than benefits.

"The Legislature is already far too focused on justifying itself. With this action, it gets worse. Instead of focusing on the need for less government, the panel is requiring taxpayers to foot the bill for 213 state legislators earning \$130,000 a year to sit around all day, every day trying to justify the job by thinking only about the next new law, the next stricter regulation, the next higher tax, or the next big spending program.

"Six months of the Legislature in session is already too long. Legislators already introduce over ten thousand pieces of legislation every year. We spend more than \$170 billion a year of taxpayer dollars on often duplicative, unnecessary, and wasteful actions, programs, and services. We already enact hundreds of new laws every single year.

"New York State government is already out of control with a part-time, six-month legislative session. I can't even imagine what happens under a full-time Legislature. It's like inviting a glutton to dinner. It will only be satisfied by more and more --and more expensive --government."