



Governor Andrew M. Cuomo
NYS State Capitol Building
Albany, NY 12224

Speaker Carl E. Heastie
LOB Room 932
Albany, NY 12248

Senate Majority Leader Andrea Stewart-Cousins
188 State Street Room 907
Legislative Office Building
Albany, NY 12247

Minority Conference Leader John Flanagan
Room 315, State Capitol Building
Albany, NY 12247

Brian Kolb
Assembly Minority Leader
LOB 933
Albany, NY 12248

October 23, 2019

Re: Act to Limit Outside Income Following Court Decisions Undoing Pay Commission's Restrictions

Dear Governor Cuomo, Speaker Heastie, and Senate Majority Leader Stewart-Cousins:

We write to urge you to act to limit the outside income of lawmakers, consistent with the recommendations of the 2018 New York State Compensation Committee, when the legislature next meets.

Our groups were pleased when the [New York State Compensation Committee](#) last December acted to restrict outside income earned by lawmakers at 15 percent of the legislative base salary, or \$18,000, consistent with limits for members of the United States Congress. The Commission also completely prohibited the earning of compensation when lawmakers have a fiduciary relationship to a client or employer (such as legal or financial work or serving on boards of nonprofits, corporations or associations) or lending their name to a firm, corporation or other entity.¹ [These restrictions are consistent with those imposed on the United States Congress.](#)

Unfortunately, the binding recommendations issued by the Compensation Committee regarding outside income were struck down by the courts, even while lawmakers received a raise to \$120,000 from \$79,500. We understand Attorney General Tish James is no longer pursuing appeals of the different cases involving outside income restrictions.²

It is therefore incumbent on you as the state's leaders to act to curtail outside income by lawmakers to address the corruption problem in Albany and restore the public trust.

As you know, the state legislature has been plagued by too many instances of corruption and conflicts of interest related to outside income. Most notably, former Assembly Speaker Sheldon Silver and former State Senate President Dean Skelos were both convicted for crimes in which official acts resulted in personal gain related to their own outside jobs or their family's.

This is why the Commission concluded that restricting outside income “will eliminate both the perception of and any actual conflicts of interest” and “eliminates the possibility for the public to question whether the citizens of this State are being properly served.”³

¹ Report of the Committee on Legislative and Executive Compensation, p. 15. December 10, 2018. Available at: <https://nyscompensation.ny.gov/docs/CompensationCommitteeReport.pdf>

² Lombardo, Dave. “State drops appeals in cases challenging pay raise commission's work”, Albany Times Union, October 10, 2019. Available at: <https://www.timesunion.com/news/article/State-drops-appeals-in-cases-challenging-pay-14506461.php>

³ Report of the Committee on Legislative and Executive Compensation, p. 12. December 10, 2018. Available at: <https://nyscompensation.ny.gov/docs/CompensationCommitteeReport.pdf>

The Commission's conclusions are no less true than they were a year ago. The state's leaders must act to fulfill them.

Sincerely,

Betsy Gotbaum
Executive Director
Citizens Union

Susan Lerner
Executive Director
Common Cause

Laura Ladd Bierman
Executive Director
League of Women Voters New York State

Blair Horner
Executive Director
New York Public Interest Research Group

John Kaehny
Executive Director
Reinvent Albany