



THE ASSEMBLY  
STATE OF NEW YORK  
ALBANY

BRIAN M. KOLB  
Minority Leader

October 12, 2016

New York State Commission on Legislative, Judicial & Executive Compensation  
64 Beaver Street  
Box 454  
New York, NY 10004

Dear Commissioners:

I write to provide my thoughts in response to your letter from September 26, 2016, as the Commission on Legislative, Judicial & Executive Compensation (Commission) considers a pay raise for members of the New York State Legislature.

This is an endeavor that demands a comprehensive and completely independent review. The matter should be, as much as possible, removed from all political influence. The Commission's work demands neutrality and must stand separate and distinct from legislative activity. While I appreciate the Commission's effort to solicit opinions from members of the state Assembly, the issue of a legislative pay raise should be taken out of the Legislature's hands.

Your decision impacts not only current legislators, but future representatives who will serve in Albany years from now. The Commission's job isn't to evaluate personalities or politics. Unfortunately, recent statements indicate that Governor Cuomo is incapable of allowing the Commission to conduct its work independent of his political agenda. The idea that the final determination might be contingent on specific bills, votes or laws being passed completely undermines the Commission's work and decision-making process.

While neutrality should be the top priority during your deliberations, transparency ranks closely behind.

The process by which the Commission arrives at a decision must be comprehensive and thorough. It cannot happen in a vacuum. The Commission must review all factors, devise a specific methodology and make public the process and justification for any findings. There are a number of variables that might guide a decision, including the Consumer Price Index and regional rates of inflation. In addition to base salaries, the Commission should also evaluate stipends and per-diem as part of its analysis. When the Commission recommended a judicial pay raise in December 2015, it was clear about the formula employed and the same should be true this year.

To date, preliminary reports indicate that a 47 percent increase could be a potential option. I feel that this proposal is excessive and not a reasonable suggestion, and hope that other options are being discussed. I recognize that a determination on a legislative pay raise presents a very unique set of circumstances for you to consider. But I want to reiterate this is the Commission's decision and should not be influenced by the Governor or Legislature.

Sincerely,

A handwritten signature in blue ink, appearing to read "B. Kolb".

**Brian M. Kolb**  
Assembly Minority Leader

BMK/mf