



**TESTIMONY
OF THE
NEW YORK PUBLIC INTEREST RESEARCH GROUP
BEFORE THE
2015 NEW YORK CITY QUADRENNIAL SALARY COMMISSION
BROOKLYN LAW SCHOOL,
BROOKLYN, NEW YORK
NOVEMBER 23, 2015**

My name is Gene Russianoff and I am a senior attorney at the New York Public Interest Research Group, NYPIRG. NYPIRG is a non-partisan, not-for-profit, research and advocacy organization. Consumer protection, environmental preservation, health care, higher education, and governmental reforms are key areas of concern. We appreciate the chance to testify.

Since 1986, NYPIRG has testified at every City salary commission appointed, five in all. Like the rest of the city's government reform community, NYPIRG felt the salary commissions were exactly the right forum for governmental reforms directly related to pay hikes. At the top of our list were: meaningful restrictions on outside earned income; elimination of legislative stipends (lulu's); and prohibiting increasing salaries during one's own term of office.

All of these reforms have a direct impact on the income of public officials. NYPIRG strongly believes that each of these reforms must be put in place as part of any compensation increase. The Congressional system offers the best model for limiting outside income,¹ the use of lulus is rare in municipal governments and, of course, adds compensation to the Council Members, and, like the state, we believe that increases in compensation must be prospective.²

Unfortunately, past salary commissions thought that these issues would be better addressed by, say, a charter revision commission and did not directly tie compensation increases to reforms.

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¹ For a more detailed examination of the Congressional model and NYPIRG's views, "Serving Two Masters: Outside Income and Conflict of Interest in Albany" report. Written by NYPIRG, February 23, 2015.

² For a discussion on these last two measures, "Advisory Commission for the Review of Compensation Levels for Elected Officials," 2006, p. 22-24.

Albert Einstein has been quoted as saying: “The definition of insanity is doing the same thing over and over again and expecting different result”

So call me crazy, but like a spurned but ever hopeful suitor, I am back. The Commission is a perfect forum to debate these distinctly compensated-related reforms. The failure of your predecessors to link compensation increases to reform issues had the predictable effect. Those reforms were dead upon non-arrival.

NYPIRG urges you to take up compensation-linked reform issues as part of any final compensation agreement. We believe that our reform package (Congressional-style limits on outside income, ending lulu, and mandating that pay increases be approved for future officials, not one that are currently in office) are three of the measures that should be included. In addition, following your own list of potential questions, the Commission should:

- canvass the relevant literature and engage well-regarded scholars of the legislature to analyze the merits of these issues; and
- hold a panel of respected experts to debate the pros and cons of compensation-related governmental reforms.

If the Commission concludes it supports any or all of these compensation-related measures, we urge that, in its official recommendations, the Commission:

- opposes any pay hike for Council Members unless directly tied to enacting these political compensation reforms as: meaningful restrictions on outside earned income; elimination of legislative stipends (lulu’s); and prohibiting increasing salaries for one’s own term of office.
- confirms that the Commission is the legally appropriate place to debate these clear issues of compensation of City officials; and
- determines what constitutes a “meaningful” restriction on outside earned income.

Finally, NYPIRG notes that the City Council’s unfettered power remains to pass local laws dictating compensation for elected City officials.

Thank you for the opportunity to testify.