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Can Albany be saved from corruption?

For Assemblyman James Skoufis, a Woodbury Democrat in his 20s who works full-time at his legislative post, banning or limiting the private-sector income some lawmakers earn is one essential response to Albany's recent corruption wave, given the way those outside interests have tripped up former Assembly Speaker Sheldon Silver and others convicted of crimes committed while in office.

"The potential for conflict is too ripe, and this is the only way to tackle that issue," Skoufis told the Times Herald-Record.

For a sharply contrasting viewpoint among the Hudson Valley's state lawmakers, turn to freshman Sen. George Amedore, a Rotterdam Republican and home builder who represents part of Ulster County. Amedore goes so far as to say that restricting or prohibiting lawmakers' outside income would be "one of the worst things we can do."

"The last thing we need in New York is a Legislature full of career politicians," Amedore said in an interview. "That in itself is a recipe for corruption."

Lawmakers began the 2016 session with a reform imperative effectively handed to them by U.S. Attorney Preet Bharara, whose successful prosecutions last year of Silver and former Senate Majority Leader Dean Skelos capped a torrid streak of house-cleaning in Albany. In just the past two years, eight former senators and Assembly members have been convicted on corruption charges, ranging from bribery and filing of phony expense vouchers to Silver's collection of \$3.7 million in "referral fees" from two law firms for which he did no actual legal work.

Good-government groups, individual lawmakers and Gov. Andrew Cuomo have floated a host of reform ideas, the most prominent of which seems to be a ban or limit on outside income. In his budget proposal this month, Cuomo proposed capping private-sector earnings at 15 percent of base legislative pay, the same limit imposed on members of Congress.

In Albany, where senators and Assembly members earn \$79,500 plus stipends, that would limit legislators to just under \$12,000 from their side jobs.

Several lawmakers from both parties who represent Orange, Ulster and Sullivan counties voiced support for restricting or eliminating outside income. Assemblywoman Aileen Gunther, a Forestburgh Democrat and former nurse who has no secondary employment now, said in interviews that she supports banning outside income "because people are so distrustful of us." Lawmakers would have a single income stream, just like she did when she was a nurse, and would know their income in advance when running for office.

"We're walking in there with our eyes wide open," she said.

Sen. John Bonacic, R-Mount Hope, proposed a constitutional amendment this month that would prohibit outside pay but also lengthen legislative terms to four years from two, adding what he said would be greater stability to the job. He said he plans to introduce another bill to make the Legislature a full-time occupation.

Assemblyman Karl Brabenec, a Republican freshman from Deerpark who teaches part-time at SUNY Orange, vigorously opposed banning outside pay or making the Legislature a full-time occupation, arguing the state should require "robust disclosure" of that income instead and remove any legislators who don't comply.

"We don't need a full-time legislature in NYS," Brabenec said by email. "That's what banning outside income and increasing lawmakers' salaries would accomplish. Last session we sat up here for 6 months and only did about 2 months worth of work. It's a total joke. If anything, we should have an abbreviated session and lawmakers should be paid less not more!"

Like Amedore, fellow Republican Sen. Bill Larkin of Cornwall-on-Hudson opposes banning lawmakers' outside employment for fear of breeding "professional politicians," despite his own 37-year career in Albany. He also warns that "only the wealthy elite could afford to run for office and serve" if legislators can't keep their private-sector jobs.

"Our state government was intended to encourage citizen-legislators, everyday people who work and serve in the community," he said in a statement.

Who foots the bill?

Relatively few lawmakers fit that model. The good-government group Common Cause released its findings last month that 60 percent of lawmakers elected before 2014 had no outside employment that year, and more than half of those who did were lawyers, like Skelos and Silver. Common Cause supports banning outside pay and giving legislators a significant increase in their \$79,500 base pay - something they are expected to get at the end of this year through an appointed commission they voted to create.

Gerald Benjamin, director of The Benjamin Center for Public Policy Initiatives at SUNY New Paltz and an expert on New York government, voiced support for that position in an interview last week. He said he understood the Republicans' objections about "professionalizing politics," but called that "a better risk" than continuing to allow outside income. He pointed out that New York already has one of the nation's most professional state legislatures in terms of support staff and other measures.

Advocates also demand the state close the so-called "LLC loophole," which allows companies to bypass campaign donation limits by funneling contributions through multiple limited-liability companies. Glenwood Management, a major developer that played a role in the corruption cases of both Skelos and Silver, gave candidates almost \$2 million through 22 different LLCs in 2014, according to a report in December by Democratic state Sen. Daniel Squadron of Brooklyn. Gov. Andrew Cuomo, one of the loophole's biggest beneficiaries, called for its demise in his budget proposal this month.

Earlier this month, a trio of good-government organizations marked the start of the legislative session by distributing a three-pronged "Clean Conscience Pledge" for state lawmakers to sign, in which they would promise to support the elimination of the LLC loophole, a limit on outside pay and greater disclosure of grants that the governor and Legislature distribute.

"There's a cloud of corruption hanging over the Legislature, and it's everyone's responsibility to clear the air," said Susan Lerner, executive director of the New York branch of Common Cause, one of the groups that created the pledge. "It shouldn't take continued criminal convictions by the U.S. attorney to get lawmakers to understand that corruption is a systematic problem, not a matter of just a few bad apples. Voters get it, and they will not accept any more



ELAINE A. RUXTON/TIMES HERALD-RECORD As of the middle of last week, Assemblyman James Skoufis, a Woodbury Democrat, was the only state legislator from the region who had signed the "Clean Conscience Pledge" prepared by a trio of good-government organizations. Those who sign promise to support a limit on outside pay, greater disclosure of grants that the governor and Legislature distribute and the elimination of the campaign-finance loophole for limited liability companies.

excuses."

Thus far, lawmakers have been slow to sign. By the middle of last week, 16 of 63 senators had done so, and five of 150 Assembly members had gotten on board. Skoufis was the only lawmaker representing Orange, Ulster and Sullivan counties who had taken the pledge.

Cuomo has his own reform agenda for 2016, consisting of eight initiatives in a 155-page bill introduced in conjunction with his budget proposal. Some were snubbed in the past, such as a voluntary system of public campaign financing. Cuomo also proposed budgeting \$1 million for a nonpartisan commission to draft plans for a constitutional convention, whose delegates would have the power to amend the state constitution. New York voters will decide in a statewide referendum in November 2017 whether to hold such a convention.

Benjamin said last week he had yet to study the details in the reform bill but supported the ideas, including the contentious issue of public campaign financing. Comparing the potential expense to that of running a business, Benjamin argued, "If you want to be the owners of your democracy, you have to pay the overhead."

Same page, different hymnal

Some conflicts over the myriad reform proposals follow party lines. Last year, the Democratic-controlled Assembly voted to close the LLC loophole while the Republican-controlled Senate declined to do so, even though both parties rake in LLC donations.

Skoufis said he strongly supports ending that practice. "It's something that is so common-sense, and it's infuriating that it hasn't already happened," he said.

Republicans counter by calling instead for greater disclosure about campaign donors or by demanding that equal attention be paid to what they call the "labor loophole" - contributions by multiple union affiliates, which they said tend to benefit Democrats.

"This decision needs to be fair and it needs to be balanced," Amedore argued. "Let's close all the loopholes then."

Most lawmakers seem to agree that the legislative measures considered this session will only go so far in mending the capital. Bonacic, after listing reform measures he supported, concluded his emailed response to the Record by saying, "With all of that said, I strongly believe that the best way (to) improve the ethical climate of state government is for voters across New York to elect individuals who have displayed honesty and integrity throughout their lives."

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Reform proposals A raft of reform bills were introduced in Albany last year, after the arrests of Assembly Speaker Sheldon Silver and Senate Majority Leader Dean Skelos on federal corruption charges. Here's a sampling of some of the proposals awaiting lawmakers in the 2016 session:
Ban or limit outside pay At least five pending bills would prohibit lawmakers from earning income from private-sector jobs or limit how much they could earn. The Senate's five breakaway Democrats – known as the Independent Democratic Conference – introduced one last year that would ban outside pay and strengthen oversight of lawmakers' per diem payments. Sen. John Bonacic, R-Mount Hope, proposed a constitutional amendment this month that would ban outside pay and lengthen the term of office for legislators to four years from two. This month, Gov. Andrew Cuomo proposed limiting outside income to 15 percent of base legislative pay, or just under \$12,000 at the current salary level.
Close the LLC loophole Two or more pending bills would close the loophole that lets businesses make virtually unlimited campaign contributions by funneling them through limited-liability companies, which have been treated as individual donors instead of corporate givers in New York since 1996. The legislation would classify LLCs as corporations or partnerships in the campaign-finance realm.
Ban pay-to-play contributions A bill by Assembly Republican Andy Goodell would outlaw campaign donations from companies and people who are seeking state contracts or already have them, as well as from lobbyists and donors with a financial stake in pending legislation. There is also a softer proposal to simply have businesses disclose their campaign contributions when seeking a state contract.
Impose term limits The Republican-led Senate has imposed an eight-year limit on its leadership positions and wants the Assembly to do the same. In addition, Sen. George Amedore, a Rotterdam Republican who represents part of Ulster County, introduced a bill last year that would allow lawmakers to serve no more than six terms - or 12 years - in either the Assembly or Senate.

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