

1 **2021 NYSAC Fall Seminar**  
2 **Standing Committee on Public Employee Relations**  
3 **Resolution #2**

4 **Calling on the State of New York to Fully Reimburse Counties for District**  
5 **Attorney Salary Increases that Are Set and Controlled by the State**

6 **WHEREAS**, on December 24, 2015, the New York State Commission on Legislative,  
7 Judicial, and Executive Compensation voted to recommend increasing all state judge  
8 salaries in 2016 and 2018; and

9 **WHEREAS**, on April 1, 2016 the State Legislature approved the Commission's  
10 recommendation and placed Supreme Court Judges' salaries at \$193,000 in 2016 and  
11 approximately \$207,000 in 2018 and placed County Court Judges at 95 percent of a  
12 Supreme Court Justice's salary; and

13 **WHEREAS**, with Cost-of-Living Adjustment increases in 2019 New York Supreme  
14 Court Judge's salaries were set at \$210,900; and

15 **WHEREAS**, New York State Judiciary Law Section 183-a links judicial salaries to  
16 county District Attorney (D.A.) salaries, requiring them to be equal or higher than either  
17 the County Court Judge or Supreme Court Judge in a county, depending on county size  
18 and full-time or part-time status; and

19 **WHEREAS**, historically when the state increased State Judge salaries in the 1980s and  
20 1990s, the State fully funded all D.A. salary increases imposed on the counties,  
21 recognizing without this funding the increase would be an unfunded mandate; and

22 **WHEREAS**, the District Attorneys Association of the State of New York (DAASNY),  
23 recognizing the automatic nature of these increases and its effect on local county  
24 budgets, and further to support the counties' position, requested in correspondences  
25 with state officials that the state fund this salary increase; and

26 **WHEREAS**, the State Legislature has stated they understand the importance of not  
27 shifting more state generated costs to the local tax base, mindful of the impact locally  
28 with the state-imposed property tax cap; and

29 **WHEREAS**, the State Legislature has recognized lowering property taxes is the main  
30 priority to ensure a healthy Upstate New York economy; and

31 **WHEREAS**, for smaller counties, the D.A. salary increase can represent nearly one  
32 third of their total allowable property tax growth for all government operations.

33 **NOW, THEREFORE, BE IT RESOLVED**, that the New York State Association of  
34 Counties calls on the State of New York to fully fund this mandated salary increase as  
35 part of the 2022-23 state budget and thereafter, including a one-time amount for the  
36 retroactive salary increase that has not been funded to date; and

1 **BE IT FURTHER RESOLVED**, that copies of this resolution be sent to the counties  
2 of New York State encouraging member counties to enact similar resolutions; and

3 **BE IT FURTHER RESOLVED**, that the New York State Association of Counties shall  
4 forward copies of this resolution to Governor Kathy Hochul, the New York State  
5 Legislature and all others deemed necessary and proper.