

**A RESOLUTION TO BE SUBMITTED BY  
LEGISLATORS MILLS, LORIGO, RATH, DIXON, HARDWICK & MORTON**

**Re: Calling on NYS to Fully Reimburse Counties for the District Attorney Salary Increases**

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

WHEREAS, this salary increase recommendation occurred well after all counties set their 2016 budgets in law, and

WHEREAS, the recommended increase placed Supreme Court judges' salaries at \$193,000 in 2016 and \$203,000 in 2018 and placed County Court Judges at 95% of a Supreme Court Justice's salary, and

WHEREAS, on April 1st the state approved the Commission's recommendation, and

WHEREAS, State Judicial Law 183-a links judicial salaries with county district attorneys' (DA's) salaries to be equal or higher than either the County Court Judge or Supreme Court Judge in a county, depending on full-time or part-time status, and

WHEREAS, for over 50 years, the state has funded all salary increases that they imposed on the counties, and

WHEREAS, DAs are entitled to the compensation they are owed pursuant to state law for fulfilling the state constitutional and statutory duties related to the enforcement of the state penal law, and

WHEREAS, on April 1, 2016 the State Legislature enacted a \$150 billion State Budget, but did not include the funding for the reimbursement costs for the increase in DA salaries, and

WHEREAS, for Erie County this salary increase represents a significant portion of the allowable tax rate growth going forward and is unsustainable for our residents.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the County of Erie calls on the State of New York to immediately pass legislation and pay for this increase retroactive to April 1, 2016, and not pass another unfunded mandate on to local taxpayers; and, be it further

**RESOLVED**, that certified copies of this resolution be sent to Governor Andrew Cuomo's Office, the Western New York Delegation to the New York State Senate and Assembly, and any party deemed necessary and proper.

**Fiscal Impact: Positive for County**