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Senate to 'Move Quickly' to Convene Session Regarding Salary of Senators Following Community Backlash

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USD \$100 bills By. ALAMY/VICONSORTIUM

The leadership of the 33rd Legislature, namely Senate President Novelle Francis, Senate Vice-President Myron Jackson, and Senate Majority Leader Marvin Blyden, issued a release late Thursday stating that the Senate would move swiftly to address the salary of senators, a promise that follows swift community backlash as residents learned that the \$85,000 salary of senators [is set to climb](#) to \$100,000 in January.

The salary increase was triggered by [Governor Albert Bryan's decision](#) to give Calvert White, the Sports, Parks and Recreation commissioner, a pay raise of \$15,000. According to law, the salary

of senators is tied to the lowest paid commissioner, currently the Department of Sports, Parks and Recreation (D.S.P.R.) commissioner, whose salary is \$85,000 — the same amount as senators.

An amendment by Senator Javan James on Wednesday night that sought to decouple senators' salary from that of the D.S.P.R. commissioner, failed. Mr. James attempted to attach the amendment to a non-germane bill that lawmakers had planned to tack multiple amendments on, but Senator Athneil Thomas, the author of the bill, suddenly decided to remove the measure from the agenda. Mr. James objected, but 10 senators voted against him — Allison DeGazon, Myron Jackson, Kurt Vialet, Janelle Sarauw, Stedmann Hodge, Novelle Francis, Marvin Blyden, Frett-Gregory, Steven Payne, and Mr. Thomas — while four lawmakers voted to keep the measure on the agenda. These senators were Mr. James, Kenneth Gittens, Oakland Benta and Dwayne DeGraff.

The Senate leaders said that they as well as other members had no intention of increasing their salaries, and that the actions of the sponsors of amendment No. 33-141 were, “a classic example of using disingenuous and irresponsible tactics for individual political gain.”

They also noted that the measure would have resulted in the Legislature setting its own salary, and runs contrary to the provisions of Act No. 7878, enacted in 2015, to create a Public Official Compensation Commission.

The legislative leaders said that the narrative presented by some of the amendment's sponsors does not give an accurate picture to the public. “First of all it has always been a matter of legislative practice that when a member asks for his or her legislation to be removed from the agenda, the body grants that member the courtesy of giving him or her a chance to pull it back and perfect it,” Mr. Blyden said. “That is what the vote was about.”

But the non-germane [bill](#) — which seeks to discourage the importation of indigenous animals into the territory, was [thoroughly vetted](#) in two committees of jurisdiction.

Mr. Blyden further stated that he, like many of his colleagues, believes that the amendment offered by Mr. James and others needs to be considered on its own, and it needs to be properly thought-out to achieve the public good. “You may recall that the bill that the sponsors wanted to attach this amendment to was about the importation of snakes and other wildlife. A measure of such importance should be considered on its own merit instead, and it needs to be done right,” he said.

Mr. Jackson said he also supported Mr. Thomas's request to take the bill off the agenda. “The senator was in his right to remove his bill from the agenda. I voted yes for him to remove it. The process should be followed in regard to salaries. We all recognize at this time of financial crisis, COVID-19, and a failing retirement system that now is not the time for senatorial raises,” Mr. Jackson said.

The Senate leaders said the amendment offered by James, Gittens, DeGraff and Benta was fundamentally flawed because it would have required senators to set their own salaries. “If you read the amendment, you will see that it specifically calls for the Legislature to approve its own salary,” said Mr. Blyden. “That is not something we want to do, and we believe that the right approach is the one established by Act No. 7878, the Public Official Compensation Commission Act, which establishes a Commission to periodically study and make recommendations to set the salaries of the governor, cabinet officials and directors, and members of the legislative and judicial branches. That is the right way to approach this matter. The governor should not be able to raise commissioners' salaries on a whim, and we as senators should not be setting our own salaries.”

While the Senate leaders see the ability to set their own salaries as flawed, Mr. James pointed to Article I, Section 6 of the U.S. Constitution, which states, "The Senators and Representatives shall receive a compensation for their services, to be ascertained by law, and paid out of the Treasury of the United States." The section that reads "ascertain by law" means Congress must pass the law that sets its salary. Mr. James said this would force senators to only seek raises if they were producing results on behalf of the people. Otherwise, he contended, the ill-fated pay raise would result in senators being voted out.

Mr. Francis said the leadership along with other members of the Senate are committed to addressing the issue of officials' compensation holistically. "We recognize that our people are suffering economically, and that the compensation of government officials is a serious issue that has long vexed the public," he said. "This is why I was proud to be a primary sponsor of the Public Official Compensation Commission Act. The interests of our people will not be served by political grandstanding. The public interest will be served by crafting, considering and implementing thoughtful and impactful legislation that will actually address the needs of our people."

The Senate president vowed to move expeditiously in addressing senators' compensation. "As leaders of the 33rd Legislature, we stand ready to work with the sponsors of the amendment and all people of good will to bring about a real solution to the issue of how we pay top officials in the government," he said. "We will move quickly to convene a session to make a determination regarding senators' salaries going forward, and we will also be revisiting the Public Officials Compensation Commission Act to determine if any tweaks are necessary to better safeguard the public interest."