

General Assembly Should End Practice of Automatic Raises

**By State Rep. Greg Lavelle
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Twenty-five years ago, Delaware created a mechanism allowing state lawmakers, judges, and other top officials to get raises without any action by the General Assembly. We believe it's time to reform and update this questionable practice.

To that end, we are sponsoring House Bill 55, which seeks to change the function of the Delaware Compensation Commission. Established in 1984, the Delaware Compensation Commission meets once every four years (presidential election year) to review the salaries of top legislative, judicial and executive branch officials. The six-member group analyzes what these officials are paid in surrounding states, as well as in states similar to Delaware.

The commission's analysis leads to recommendations contained in a report delivered to the General Assembly the following January. Unless state legislators intervene to prevent it, the report automatically becomes law at the end of the month, taking effect in the new fiscal year.*

This protocol is not without its charms, providing an objective analysis which, among other things, helps ensure that judicial salaries remain competitive. The quality of our state's judges has long been a selling point in luring businesses to incorporate here, which pays huge dividends for the First State. The obvious downside (as far as good government is concerned) is that it also neatly sidesteps the issue of accountability for lawmakers, since no legislator is required to vote on their own raise.

HB 55 keeps the non-partisan Delaware Compensation Commission intact, but it would make the group's recommendations non-binding, removing the autonomous mandate that allows salary hikes to take effect automatically.

Under our bill, budget writers, as well as the rest of the General Assembly, would have access to the report and could take its suggestions into consideration as they craft the state's spending plan. Should they decide the recommendations have merit, they could fold the salary adjustments into the operating budget, which requires a General Assembly vote to be enacted.

Supporters of the current arrangement will, no doubt, cite the potential for legitimate salary increases to get derailed due to political gamesmanship or

concerns of voter retribution. However, we do not believe these concerns outweigh the need for accountability and openness. In fact, it is impossible for us to justify applying one standard to lawmakers, judges, and other highly-placed (and paid) state officials and another to rank-and-file state workers.

Raises for all state employees, regardless of their station, should be incorporated into the operating budget and passed or rejected on their merits.

This is not the first time we have proposed this. Our current bill (HB 55) is identical to a bill passed by the House during the last General Assembly session (House Bill 2). HB 2 was introduced Jan. 10, 2007 and was approved just eight days later by a vote of 34 to 4. It then went to the Senate Judiciary Committee, where it was bottled-up for nearly two years until it died at the end of the 144th General Assembly last fall.

The Senate in the 145th General Assembly has new rules that now forbid killing a bill in this fashion, so HB 55 may stand a better chance of being fairly considered in both chambers than its earlier incarnation.

It's important to note that the clock is ticking. The Delaware Compensation Commission met this past November and December, took testimony and issued a report. While the commission wisely decided that raises were inappropriate in the current economic environment, it arguably exceeded its authority by reserving the option of returning with another report next January.

There has only been one time, in 1993, when the General Assembly acted to stop the commission's report from becoming law. In that year, legislators passed a bill that contained raises, but they had to vote on it and justify their actions. If we did it then, we can do it now. It's time to kill this outdated, bad government apparatus and get back to requiring state legislators to be held accountable for the choices they make, especially when it concerns their own salaries.

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