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The Week That Was

12-14-18

1. Dancing

Our Spin:

Many a cynical old Albany lobbyist has said “Partners, ha partners are for dancing.” At FWC, we beg to differ. We believe hard work, collegiality, loyalty and friendship make everyone stronger and let us serve every client better, so in the words of Yul Brynner “shall we dance!” We are delighted to announce that our friend, Jon McCardle, has agreed to become a partner of the firm at the stroke of midnight on December 31. Congratulations to Jon, and our best wishes to him and to all of you for a Merry Christmas and the happiest of New Years!

The Story:

The partners of Featherstonhaugh, Wiley & Clyne, LLP (FWC), a leading law firm specializing in government relations, regulatory affairs, business law, health law and association management, is pleased to announce that Jonathan S. McCardle, Esq., has been named a partner in the firm. The appointment is effective January 1, 2019.

A graduate of Siena College and Albany Law School of Union University, Jonathan was recognized by City & State Magazine as a 2016 “40 Under 40 Rising Star in Albany” and by the Albany Times Union as part of the next “emerging class of young lobbyists”. He joined Featherstonhaugh, Wiley & Clyne, LLP in 2011 and has developed extensive knowledge and experience in the areas of administrative law, government relations, complex litigation and lobbying compliance. As an attorney, Jonathan is a skilled courtroom and appellate advocate who has represented clients before the United States Court of

Appeals for the Second Circuit and other tribunals across New York State. His diverse litigation practice includes administrative as well as commercial and personal injury litigation and on occasion criminal defense. Jonathan’s legal practice also includes procurement bid protests before the State of New York and various federal agencies.

As a registered lobbyist Jonathan has represented clients in the areas of racing and gaming, financial services, law enforcement and alcohol beverage control. Jonathan has successfully developed strong relationships within the New York State legislative and executive branches of government. Jonathan is co-author, along with Elizabeth K. Clyne, of the New York Chapter of “Lobbying, PACs and Campaign Finance”.

Jonathan is also very involved in charitable causes. He is a founding board member and current Vice President of the New York Chapter of Folds of Honor, an organization that provides educational scholarships to spouses and children of America’s fallen and disabled service-members. In addition, Jonathan serves on the Advisory Committee for the Saratoga Institute on Equine, Racing and Gaming laws at Albany Law School.

2. Be Careful What You Wish For

Our Spin:

It’s the holiday season... And legislators received the gift they have been wanting for years, a pay raise! However, the release of the recommendations of the committee on legislative and executive compensation has left members of the New York State Senate and Assembly

with a difficult quandary. The recommended pay raise from \$79,500 to \$130,000 is tempting but before the Chamber breaks out singing Auld Lange Signe, several legislators would like to address a pesky stipulation included in the proposal that limits outside income to 15% of their legislative salary. If enacted this would impact the wallets of numerous legislators with outside professional careers, fueling speculation that this gift may in fact be the work of the Grinch himself.

The Story:

A much anticipated report released earlier in the week by a four-member commission created by Governor Cuomo and the Legislature to consider pay raises for state officials outlined the details and the legal arguments of its decisions. The commission voted to increase lawmaker pay over three years from the current base salary of \$79,500 to \$130,000 while also restricting outside income and eliminating most legislative stipends given for chairing committees, serving as ranking minority members, and holding leadership posts.

But while most of the 160 stipends were eliminated, 15 belonging to top officials like the Assembly Speaker and Senate Majority Leader, who each earn \$41,500 above their base salaries, were kept. The drop in special pay puts New York's Legislature on par with Pennsylvania, which also has 15 stipends. California pays only four.

On Wednesday, Assembly Speaker Carl Heastie said that the pay-raise committee's decision to impose a ban on outside income for legislators "may have put this entire pay raise ... in jeopardy." Heastie, speaking after a conference of Democratic lawmakers who will take office next month, said the committee, made up of four current and former comptrollers, lacked the power to act on the issue. "The legislative intent, which was agreed upon between myself, the governor and the majority leader, Senator Flanagan, was that they were only supposed to look at the salaries," Heastie said. "It's not even a debate on the issues. I get where people are on the concerns on outside income and things like that, but it was never the Legislature's intention for them to do that. They pretty much decided among themselves to deal with the operations of the house."

Heastie also said that the recommendations contain "some technical problems" that "we're going to have to fix." There are a few ways that legislators might go about "fixing" the committee's recommendations. They could reconvene before the end of the year to pass a bill that simply deals with pay raises as they see fit, though there might be some difficulties getting a majority for such a bill in the Senate, where several defeated members of the outgoing Republican majority might be unenthusiastic about spending their holiday season in Albany to make it easier for their Democratic replacements to make more money.

[Politico](#)

3. The More, the Merrier

Our Spin:

On Tuesday morning, Majority Leader-designate Andrea Stewart Cousins released the long anticipated committee chair assignments for the upcoming 2019 legislative session. To no surprise, this news came on the heels of the Governor's own announcement of staff changes which produced some old faces in some new places. But let's turn to the Senate where the announcements have certainly created some buzz around town. At first glance, the Senate's committee chair announcements seem to have struck the perfect balance between rewarding the loyal old guard of the conference and recognizing quickly rising stars. Long standing members such as Liz Krueger, Neil Breslin and Joe Addabbo were rewarded with influential committee assignments of Finance, Insurance and Racing and Gaming, respectively. Meanwhile some of the green or newer members were handsomely rewarded. Take, for example, Jessica Ramos who was appointed to chair of the Labor committee. Andrew Gounardes, another freshmen incoming Senator, received the chairmanship of the Civil Service and Pension committee. As our senior partner once told us, Governors change, Majority Leaders change, staff change, but the lobbying community tends to remain the same. Congratulations to the staff in the administration and to the incoming Senate Committee chairs.

The Story:

Incoming Democratic freshman in the state Senate will lead key committees next year, according to a list of assignments released Tuesday by Majority Leader-elect Andrea Stewart-Cousins. New lawmakers like Rachel May will lead the Senate Aging Committee, James Skoufis will head Investigations, Ethics will be chaired by Alessandra Biaggi, Cities by Robert Jackson and the Alcoholism Committee chaired by Peter Harckham.

Meanwhile, subcommittees like the Women's Health panel will be chaired by Julia Salazar and John Liu will chair the New York City Education subcommittee, a post held by Sen. Simcha Felder, providing potentially a tea leaf as to where he will land in the 2019 session. Other key posts will be filled by Sen. Liz Krueger at Finance, Sen. Gustavo Rivera at the Health Committee, Sen. Brian Kavanagh will chair Housing, Senator Shelley Mayer will lead Education and Sen. Brad Hoylman, who will chair the Judiciary Committee.

Democrats will have at least 39 seats in the 63-member state Senate when the new session convenes next month.

[NY Daily News](#)

