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Albany Reform: The Road Ahead

The years leading up to the 2010 elections were marked in New York State government by scandal and embarrassment. While clearly damaging, this also created an opportunity to finally address the most fundamental problems plaguing state government, if the widespread voter outrage could be harnessed.

That's exactly what we endeavored to do with New York Uprising, and in under a year we succeeded beyond our expectations. By election day, over 350 candidates for state Senate and Assembly had signed the Uprising good government pledges, and 138 of them took

office in January, representing majorities within every cross-section: Senators, Assembly members, Democrats, Republicans, upstate, and downstate.

Our prospects continued to look bright once the new legislative session began and the time came for lawmakers to make good on their pledges. In March I traveled to Albany to stand at the Capitol and call for reform, and I was overwhelmed when over fifty lawmakers joined to stand at my side. One Capitol reporter described it as the most crowded press conference he had ever attended in the Legislative Office Building.

In a meeting with Senate Majority Leader Dean Skelos that same day, however, he informed me that he and all of the Republicans in the Senate, comprising a majority in that chamber, would be reneging on their reform pledges. This

dishonorable act created a roadblock in the legislative path to reform that remains as such to this day.

Governor Andrew Cuomo, in just one short year in office, has done the most to restore a notable measure of pride to our state. His ethics reform bill – part of the New York Uprising pledge signed by a majority of lawmakers – played an important role in that. Regrettably, the agency is not yet functioning but is scheduled to convene by law in four days, by December 12th. Our other goals of campaign finance reform and reform of the budget process are still unrequited. But the most important and essential reform remaining unfinished is redistricting reform now on the front burner.

Fair redistricting presents an existential threat to the Republican majority in the Senate, which is the reason behind Skelos' belated line-in-the-sand betrayal: His

narrow majority is only possible thanks to the rigorous political gerrymandering of decades past. Due to obvious demographic realities in the state, the only way to ensure his continued control of the Senate is to draw politically advantageous districts for his members. Unfortunately that's the underlying problem in our state – too many public servants who are far more interested in serving themselves than the people they represent.

We New Yorkers face our own existential threat of sorts – without these reforms, affecting budget, campaign financing and redistricting, the government we pay for, expect, and deserve will continue to decline. The most important unfinished reform remains redistricting. If state leaders are permitted to use the redistricting process as a political weapon once more, the dysfunction and corruption that have plagued our state, notwithstanding the landmark

agreements of this past year on taxes and marriage equality, will persist and worsen until the next round of redistricting, ten years from now. Does anyone believe we can afford that?

And so, we must hold true to our own line in the sand. If the state legislature is unwilling or unable to enact a redistricting process that is nonpartisan and independent, as so many of them committed to in their reelection campaigns, then the courts will have to intervene.

And here we have our ace-in-the-hole: Our hero, Governor Cuomo, who, already on his way to becoming known as one of the most reform-minded governors of our state, has pledged to veto any redistricting plan that is not nonpartisan and independent. If he does this, the courts will be forced to step in and resolve the process.

Political insiders (and legislative leaders) will tell you this doesn't concern them, and the courts will defer to their plan anyway. Reformers like me will tell you that the courts will appoint a special master, as they have in the past, and that the special master will draw legislative maps based on fair criteria. The truth is probably somewhere in the middle, and so less optimal than a genuine legislative solution, but hugely improved over the rigged, self-serving process historically undertaken by the legislature.

The Governor's enormous success in getting the changes in the tax code this week, in 24 hours, providing middle-income tax reductions and modest increases for those making a million dollars or more annually, bodes well for his ultimately getting the legislature to accept his redistricting legislation.

Finally, any discussion of political reform must address what is – and isn't – going on at the federal level. Last year's U.S. Supreme Court decision in the Citizens United case, along with the earlier Buckley v. Valeo, have significantly diminished the ability of local or state government trying to limit the influence of money in politics as well as the federal government itself. These guarantee as constitutional rights, the right of candidates to spend their own wealth without limitation, and corporations and unions to contribute to independent campaign expenditures without limitation.

As long as elections in this country are winnable when dominated by those who have the most money or can raise it, we will continue to have federal and state budgets bloated with special interest giveaways, a tax code riddled with lobbyist-driven loopholes, and an inadequately

regulated financial system without the rules that make free markets function fairly.

This is the new battleground, and the only way to win is with a constitutional amendment overturning these two enormously damaging Supreme Court decisions. I hope you will consider joining me in that fight.

The battle to achieve reform victories in our government at every level – city, state and federal – will never cease. Fortunately, we do see gains achieved with hopefully more to follow. We must be ever vigilant that we don't allow the Sisyphus myth to occur and have our successes rolled back.