

# Control of state Senate remains in doubt

Nick Reisman • Gannett Albany bureau • November 4, 2010

ALBANY — As races in different corners of the state remained up in the air Wednesday, it may take weeks to sort out which party controls the Senate.

Senate Republicans, out of power since 2008, were confident they would hold a minimum two-seat majority, but Democrats said there were signs three too-close-to-call races would break their way with help from absentee and emergency ballots.

In the Democrat-dominated Assembly, Republicans picked up at least six seats, putting them three seats shy of breaking the two-thirds supermajority Democrats have enjoyed since 2002.

Incumbent Senate Democrats in the North Country and on Long Island lost to their Republican rivals on Election Day.

Sen. Antoine Thompson of Buffalo and Sen. Craig Johnson of Long Island also appeared to be in difficult re-election bids against their GOP opponents, Mark Grisanti and Jack Martins, respectively.

Thompson had a 258-vote lead; Johnson was behind by 415 votes.

Sen. Suzi Oppenheimer, D-Mamaroneck, Westchester County, held a thin 180-vote lead over her Republican rival Robert Cohen, with about 20 percent of precincts left to be counted.

Cohen, a businessman from Scarsdale, said he wasn't surprised the race was so tight in the heavily Democratic district.

"Being this close certainly makes it that much more interesting," he said.

Also delaying immediate results are thousands of absentee and emergency ballots that have yet to be counted.

Emergency ballots are used when a voting machine breaks down. The ballots are sealed and counted later.

The Senate could end up in a 31-31 tie if Democrats win two of the three contested races. Democrat

Robert Duffy, the incoming lieutenant governor, would cast tie-breaking votes on procedural measures, including leadership votes.

At least six incumbents lost on Tuesday — two Democrats and a Republican in the Senate and three

Democrats in the Assembly. All 212 legislative seats were up for election. Up to 11 incumbent lawmakers could ultimately be defeated this year.

Democrats remained hopeful they would retain control of the Senate.

Senate Democratic Campaign Committee spokesman Austin Shafran pointed to seats Democrats picked

up in Queens and Rockland County. Democrats were also able to hold on to a Buffalo-area seat.

"We started in the majority, we remain in the majority, and we will pull out all the stops to stay in the majority," Shafran said.

Democrats currently hold a 32-to-29 majority, with one vacancy.

Senate Republican Minority Leader Dean Skelos, R-Nassau County, said he was sure the party captured enough seats.

"We believe we're at 32 right now, maybe 33," Skelos said on a radio show.

In the Assembly, where Democrats outnumber Republicans 107 to 42, the GOP was expected to pick up at least six seats.

Republicans unseated incumbent David Koon, D-Perinton, and picked up seats in the Buffalo and Albany areas.

With the gains, Republicans are within three votes of ending the two-thirds supermajority held by Democrats, giving GOP lawmakers clout during gubernatorial vetoes.

Assembly Minority Leader Brian Kolb, R-Canandaigua, said the party could pick up

three more seats, for a total of nine.

"When the Democrats outspent us 4-to-1, these are significant victories for us," Kolb said.