## With Republicans Running State Senate, Cuomo's Job May Be Easier

By **DAVID W. CHEN** Published: December 5, 2010 – Albany Times Union

<u>Andrew M. Cuomo</u> may not say this out loud, but his new job may have gotten a bit easier over the weekend.

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On Saturday, a State Supreme Court justice <u>rejected a hand recount</u> of a crucial State Senate race in Nassau County, and as a result declared Jack Martins, a Republican, the winner over the incumbent, Senator Craig M. Johnson, a Democrat.

And while Democrats quickly vowed to appeal, Republicans said Mr. Martins's election would enable them to claim 32 of 62 Senate seats, with one contest still in question.

Should the Republicans survive the remaining legal challenges, as even some Democrats are now predicting, Mr. Cuomo would preside over a new power structure in Albany when he becomes governor in January.

Though he is a Democrat and campaigned hard for Senate Democrats, Mr. Cuomo has trumpeted a fiscally conservative platform that is actually more aligned with the priorities of Senate Republicans.

He has pledged to cap property taxes, while also slashing state spending, as part of a broad attempt to tame a projected \$9 billion budget deficit.

The presumptive new Senate majority leader, <u>Dean G. Skelos</u> of Long Island, has said he agreed with the bulk of Mr. Cuomo's fiscal prescriptions, if not his traditional Democratic social views.

Mr. Skelos has also indicated that he would like to widen the budget negotiations, which have famously been conducted in secret by "three men in a room" — the

governor and the leaders of the Assembly and Senate — and to perhaps make it five men by including each house's minority leaders.

"We're pleased with the priorities and the agenda Governor-elect Cuomo is focusing on," said Scott Reif, a spokesman for Mr. Skelos. "It's a Senate Republican agenda. We've been pushing for these things — the property tax cap, reducing spending to balance the budget, providing tax relief — and we think we have a partner in Governor-elect Cuomo in those areas."

Even Senate Democrats, while remaining hopeful that their legal challenges can help keep the Senate at 31-31, are now cautioning that whichever side claims the majority will have little wiggle room.

"Given the narrowness of the margin, there will have to be strong bipartisan support on every critical issue," said Austin Shafran, a spokesman for the Senate Democrats.

The wild card, as ever, is the Assembly speaker, <u>Sheldon Silver</u>. Will he and his Democratic majority block Mr. Cuomo's agenda? Or will he compromise in crucial areas, with the expectation that his members will feel that they have gotten a fair shake? Predicting what he might do has proved to be political folly for decades.

A spokeswoman for Mr. Silver declined to comment.

A spokesman for Mr. Cuomo also declined to comment, saying that the outcome was premature.

But one top Democrat close to Mr. Cuomo who spoke on the condition of anonymity, so as not to jeopardize their relationship, said: "He is probably not that unhappy. There will be less resistance to what he wants to do and less digging heels in for impacted groups. You will also have less of a possibility of both houses ganging up on you over the budget, because it's very unusual for a bipartisan Legislature to thwart the governor."

On social issues, including <u>same-sex marriage</u>, Mr. Cuomo parts ways with Republicans. But Mr. Skelos, while he is opposed on the issue, has indicated that he may put it up for a vote. And what is different, also, is that Mr. Cuomo has already huddled with Mr. Skelos and Mr. Silver in an effort to map out priorities, in contrast with, say, the former governor, <u>Eliot Spitzer</u>, who reportedly said that he wanted to be a "steamroller" through Albany.

Senator Tom Libous, a Republican from Binghamton, predicted that some Senate Democrats from outside New York City would side with his caucus on fiscal issues.

"Andrew Cuomo will bring some professionalism to the office, and that rubs off on legislators," Mr. Libous said. "By bringing up issues that Senate Republicans are going to support, it tells other Democrats it's O.K."

But Republicans should also recognize that any advantage may be short-lived, given Albany's tumultuous history.

"While the Republicans are likely to provide unity and promote order missing from the last two years, this remains a scant majority," said Bruce N. Gyory, a political consultant who works for Democrats. "One illness, indictment or appointment each of which we have seen since January of 2007 — and we could be right back in the soup of uncertainty with a special election."