

Which new Democratic laws will make the biggest difference in Albany?

Jon Lentzis City & State's editor-in-chief. @jonathanlentzis



The New York State Capitol. | Shutterstock

Experts weigh in on the most politically significant legislation, which bills could backfire, and the biggest spending fights.

Now that Democrats are ascendant in Albany, they have kicked off the year by passing a string of high-profile bills that had long been blocked by Republicans in the state Senate. But single-party control doesn't always result in neat and tidy outcomes.

Already, a number of Republicans have joined Democrats in passing key legislation, and at least one Democrat – state Sen. Joseph Addabbo – has diverged from the party line on a major bill, the Reproductive Health Act.

Going forward, there are other bills in the works that are sure to expose divisions within the Democratic Party, from Gov. Andrew Cuomo's congestion pricing proposal to help fund public transit upgrades to a controversial measure to legalize recreational marijuana.

Earlier this week, we [asked our readers to weigh in](#) on which of the major Democratic bills might backfire. As of Tuesday evening, the most common response (41 percent) was that none would, while 28 percent picked the DREAM Act from the choices provided. Readers also selected single-payer health care (40 percent) as the biggest policy fight looming this year, followed by congestion pricing (36 percent).

Now, in this week's "Ask the Experts" feature, we turn to three Albany observers to dig deeper into the issues: Gerald Benjamin, a political science professor and director of the Benjamin Center at SUNY New Paltz; John McArdle, a Republican consultant and former communications director for the Senate GOP; and Tunisha Walker-Miller, a senior vice president at Capalino+Company.

Which Democratic bill is the most important, politically speaking?

Gerald Benjamin: The package of bills to expand the electorate has the greatest potential long-term political significance. It may lock down Democratic control of state government for a generation. This is a case in which Chicago Democratic Mayor Richard Daley's aphorism is undoubtedly true for his New York co-partisans: "Good government is good politics." The reformers get their long delayed wins. Meanwhile Democrats know that in New York each new or newly registered voter who turns out is far more likely to vote Democrat than Republican. The key, of course, is to get them out. Recently expansions of the New York electorate have not automatically produced greater turnout.

John McArdle: Senate passage of the bill to make the property tax cap permanent. While first proposed and passed by Senate Republicans, Governor Cuomo embraced the tax cap early on and helped enact it into law. Its past extension has been tied to rent control laws for New York City and that linkage will likely continue. Opposition by the teachers union could be a problem, however teacher evaluation and school funding make for obvious trades during the budget or before they adjourn. Property taxes on Long Island and other suburban areas are first foremost among issues affecting voters and the tax cap has helped keep them in check. Securing its permanent adoption would be a huge victory.

Tunisha Walker-Miller: The Senate Democrats under the leadership of Majority Leader Stewart-Cousins have done a great job with keeping their promise to pass key bills and putting them on the governor's desk for signature. I commend both the Assembly and the Senate for passing early voting, the Dream Act, reproductive health and gun control laws, but there are still several bills that need to be passed. The Legislature needs to come up with an affordable housing plan that will provide rent reform laws that will be beneficial to both tenants and landlords. This debate will bring forth many challenges for both sides of the aisle and will impact both upstate and downstate.

Is there any piece of legislation Democrats have passed or are likely to pass this session that could backfire politically?

Tunisha Walker-Miller: The piece of legislation that could backfire politically will be the legalization of marijuana. Members on both sides of the aisle have not put

together the true details on how retail establishments will obtain permits and how the taxes will be distributed. Many members have also expressed that they want past criminal records expunged for those arrested for using the drug. Minority businesses that are looking to get into the retail space of distribution and agriculture would also be able to benefit from the passage of this bill. If the details of this bill are not done right, New York state will have missed out on an opportunity to increase revenue for the state.

Gerald Benjamin: Legalization of recreational use of marijuana and its attendant issues have to be handled carefully. Skepticism is arising and push-back is developing in unexpected places, like The New Yorker magazine. The old gateway drug argument does not stay dead. Undoing the consequences of past enforcement – a highly charged aspect of the matter – will be tricky, certainly politically, possibly legally. The issue is ripe for the “creation of a crime wave.”

John McArdle: Anything that makes it easier for a Democrat to compete in a primary in New York City. Prior to last year, low turnout and party support virtually guaranteed re-election to a seat in the Senate and Assembly. Primaries were rare as were general election opponents. That went out the window with AOC's stunning upset of Joe Crowley in June and most of the IDC in September. Grass-roots party activists are emboldened and not in the mood for compromise or the give and take that's necessary to govern. More primaries are inevitable and more incumbents will be targets. The move to a June primary could also disrupt the end of session, resulting in other unforeseen problems.

What will be the biggest budget fight this session, and why?

John McArdle: Historically, health care and education are the most contentious issues as they consume most of the spending. Now, budgets tend to be held up over policy matters unrelated to traditional battles over taxes and spending. Congestion pricing could be an issue that holds up the budget. The MTA needs funding and congestion pricing's political costs may be too high for outer borough and suburban New York City legislators to bear. School aid funding will likely be contentious as the fight over formulas, shares and the distribution of state dollars becomes more pronounced with Democrats in control. In the end, the biggest fight will likely be whatever the governor decides he needs the most.

Tunisha Walker-Miller: From a political perspective, congestion pricing will be the toughest bill to get passed in both the Assembly and the Senate. The idea of putting a toll on cars coming into certain area of Manhattan has raised a lot of questions for local businesses that receive deliveries and also for commuters that have to take taxi cabs/black cars and Ubers to work in the zoned toll area. This bill could also backfire politically if they pass the bill with set tolls and the money collected from the tolls is not spent on capital improvements for the MTA. If the money received does not go to the capital improvements, subway commuters will be faced with additional subway fare increases, more train delays and overcrowding issues.

Gerald Benjamin: Congestion pricing and more generally finding the capital to rehabilitate mass transit in New York City in the context of redefining MTA governance.