

# 2014 ELECTION RECAP



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What Last Night Means For 2015 and Beyond

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Yesterday's midterm elections will set the tone for the legislative priorities for New York State for the next two years. While the party landscape has not changed dramatically, voters were clear about the issues that mattered most to them.

In spite the fact that a quarter of registered voters turned out, Governor Andrew Cuomo, Attorney General Eric Schneiderman and state Comptroller Tom DiNapoli all won re-election with impressive margins. Kathy Hochul was the winner of the Lieutenant Governor's position.

While New York's statewide elections avoided the national wave of Republican victories, we gleaned some interesting information that may provide insight into the upcoming session agenda.

**Note: election data was collected from the state Board of Elections and then analyzed. Data is current as of 4:30 p.m. EST**

## NEW YORK STATE GOVERNOR

Governor Andrew Cuomo (53 percent) easily defeated, Westchester County Executive Rob Astorino (39 percent). While Astorino captured 46 of New York's 62 counties, Cuomo was successful in winning the most populated areas of the state including New York City, Buffalo, Nassau and Westchester counties.

Cuomo's attempt at getting his Women Equality Party on the ballot for the next four years was successful as that line exceeded the required 50,000 votes. However, the Working Families Party was successful at gaining over 120,000 votes more than double the required amount to stay on the ballot.

## STATE COMPTROLLER | ATTORNEY GENERAL

Perhaps the biggest winner of last night was State Comptroller Tom DiNapoli, who won an astounding victory capturing 57 percent of the vote or more than 2 million votes – breaking his previous record from 2010. In fact, DiNapoli garnered the most votes of any statewide candidate on the ballot this year. As the top statewide vote getter, DiNapoli will certainly enjoy additional political capital in Albany and perhaps help him move his legislative agenda more easily than in years past.

Attorney General Eric Schneiderman rode the wave of victory in part because of his success in helping settle the national mortgage crisis with Wall Street and implementing the prescription bill tracking system I-STOP. He handily defeated his challenger by a margin of 52 percent to 39 percent. Schneiderman, the second highest statewide vote getter at 1.95 million will certainly look to cash in on his newly minted political capital as well.

Even though New York's statewide offices continue to be under the controlled of Democrats, this does not mean the Democratic Party agenda will be rubber-stamped.

## NEW YORK STATE ASSEMBLY

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The New York State Assembly has predictably remained in Democratic control under the leadership of Speaker Sheldon Silver. The Speaker and his team invested heavily in several races, which protected some incumbents and gain many more.

Prior to the election, Assembly Democrats held 99 seats, 40 Republicans and 11 vacancies. After last night, the Speaker has reason to smile as his caucus picked up six additional seats to bring their majority to 106. The Republican's picked up only one additional seat. There are three races that are still too close to call, including the race for the 3<sup>rd</sup> Assembly District located on Long Island where incumbent Democrat Edward Hennessey faced off with his predecessor Republican Edward Murray.

## NEW YORK STATE SENATE

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The biggest question mark leading up to November 4<sup>th</sup> was who will control the New York State Senate. While the Assembly will remain in Democratic control, the Republicans were eager to regain their power while Senate Democrats sought to wrest it away.

Many special interest groups outside of New York seeking to influence issues donated over \$14 million to State Senate candidates, a record this year.

Ultimately, the Republicans regained majority control of the state Senate capturing 32 out of 63 seats. Simcha Felder, a Brooklyn Democrat who has been caucusing with the Republicans, will likely continue to do so. There are indications that the five-member Independent Democratic Conference under the leadership of Jeff Klein will remain intact. The IDC will most likely align with the Republicans giving them a clear majority in the Senate and a chance for the IDC to advance their agenda.

Democrats saw their losses come primarily from upstate, losing incumbents to Republican challengers. Democrats faced tough challenges due part to local unhappiness over passage of the SAFE Act and the failure of the state legislature to pass a law allowing hydrofracking.

The biggest winner, by region was Long Island who has nine Republican Senate Seats and will continue to be the most powerful caucus in the Senate. Here were some of the key races from last night's contests.

### **Key Senate Races**

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#### *3<sup>rd</sup> Senate District – Eastern Long Island*

Islip Town Supervisor and Navy Commander Tom Croci defeated 55% to 39% environmentalist Adrienne Esposito to help Republicans keep the seat vacated by Congressman-elect Lee Zeldin (R-NY1). Croci, is a former intelligence officer who was stationed in the White House Situation Room. He will work well with his colleagues.

### *8<sup>th</sup> Senate District – Long Island*

The Republicans were successful in holding on to the seat vacated by Chuck Fuschillo. Nassau County Legislator Michael Venditto easily defeated his opponent David Denenberg. Venditto, the son of the Oyster Bay Town Supervisor, is well-versed in government and politics and one who can see the big picture.

### *40<sup>th</sup> Senate District – Lower Hudson Valley*

Retiring Republican Sen. Greg Ball's seat will remain in GOP hands as political newcomer Terrence Murphy defeated lawyer Justin Wagner in his second attempt for this seat. Murphy, a chiropractor and restaurateur, will be another member who understands small business and healthcare issues.

### *41<sup>st</sup> Senate District – Hudson Valley*

First-term Democrat State Senator Terry Gipson saw his time in the legislature come to an end with a defeat at the hands of Hyde Park Councilwoman Sue Serino. Serino is a self-made woman who moved from a waitress to running her own successful real estate company. She understands small business and is ardently opposed to the SAFE Act.

### *46<sup>th</sup> Senate District – Capital Region*

In the Capital Region, State Senator Cecilia Tkaczuk faced a rematch with former Republican Senator George Amedore, who defeated her by a margin of 54 % to 42%. Amedore knows Albany since he was Tkaczuk's predecessor.

### *55<sup>th</sup> Senate District – Rochester Area*

Democratic Incumbent Ted O'Brien was unseated by former television broadcaster Rich Funke by a margin of 58% to 41%. Funke was a broadcaster for 44 years and has covered his share of Albany politics. The Senator may find critiquing government easier than being a part of it.

### *60<sup>th</sup> Senate District – Buffalo Area*

Democrats picked up one Republican seat in what was the most expensive race ever run in Western New York. Marc Panepinto defeated challengers incumbent Mark Grisanti and Kevin Stocker, with 34% of the vote. Grisanti, who was defeated in a primary by Stocker over his support of gay marriage, ran on the Independence Party line.

Major business interests and outside groups contributed heavily to the Republican Senate Campaign Committee in order to provide a counterbalance to the Democratic Assembly. Much of Mayor Bill de Blasio's agenda may well have been undermined by the Senate results. The Senate has always been

sympathetic to New York City's need but it may resist taking action on such items as giving the City the power to set a minimum wage and allowing the City to take over rent control from the state.

## HOT ISSUES | 2015 LEGISLATIVE SESSION

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Boosted by support from the real estate industry, developers, and education reform proponents, and voter anger at the SAFE Act and the hydrofracking moratorium, the Republicans were able to seize control of the New York State Senate. There are several issues that are almost certain to be debated in Albany.

- **NYC RENT CONTROL:** An issue that has not made the headlines, but has been on the radar of many developers and real estate professionals, is the expiration of rent control laws in June of next year. The Urstadt Laws, passed in 1971, took away control from New York City and vested the state with the power to regulate rents. Traditionally, real estate developers and property owners have leaned favorably towards Republicans and with continued GOP control of the state Senate, rent control will remain one of the hottest issues in the coming session.
- **HYDROFRACKING:** With the election behind him and a 2016 presidential bid looking increasingly unlikely given Hillary Clinton's interest, Cuomo will once again face the issue of fracking. The Governor has remained noncommittal on the issue, pledging to allow scientists to make a decision and waiting for the release of a much-delayed review from the state Department of Health.
- **CHARTER SCHOOLS:** Republicans have long been strong supporters of charter schools and Governor Cuomo has recently gone on record with his support of reform to the public school system and the introduction of new charter schools. Look for pro-charter school legislation to appear as well as attempts to change Common Core and reduce generous teacher tenure policies. Cuomo's split from his own party's traditional pro-public school stance means education reform laws have a healthy chance of being successful. In addition, New York City schools will likely come into play at the state level. Mayor Bloomberg had campaigned successfully for Mayoral control of the city's school but that control expires next year and will be subject to a healthy debate. De Blasio, obviously wants to keep control but the Republican Senate may be eager to take it back.

## HOT ISSUES | 2015 LEGISLATIVE SESSION

- **DREAM ACT:** Last session, the New York State version of the Dream Act failed by two votes. Senate Republicans have been reluctant to support this in the past; however, Democrats will likely reintroduce the Dream Act this session.
- **WOMEN'S EQUALITY ACT:** The Women's Equality Act is likely to be used by the Democrats as a wedge issue against the Republicans. Cuomo's WEA has ten points, nine of which met substantial support from both parties. The legislation was held up last year as the parties disagreed on the tenth point; a codification of the federal law on abortion into New York state's law which was blocked by Senate Republicans. This year we may see a re-attempt to pass the WEA as separate bills instead of one omnibus with the abortion provision failing in the Senate.
- **GUN CONTROL:** The New York SAFE Act remains a controversial law, particularly in upstate regions of the state where the NRA invested heavily in this year's election. The pro-gun lobby is expected to advocate for changes to the law. It's doubtful the Assembly will support any changes.

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