

**Alert | New York Government Law & Policy**



**November 2018**

## **New York Election Update: 2018**

With all statewide constitutional offices and every state legislative seat – both in the Senate and Assembly – plus one U.S. Senate seat and all members of Congress up for election, there were many races to follow in New York this year. The most attention was devoted to the State Senate, where, going into Election Day, Republicans maintained control by just one vote, and only due to the decision of Brooklyn Democratic Senator Simcha Felder to continue to conference with Republicans. Ultimately, the surprise in New York was not that Democrats won a majority of Senate seats, but rather the large number of seats that they secured.

### **Statewide**

On the eve of Election Day, the media was reporting that Republican Dutchess County Executive Marc Molinaro had tightened the gap between him and two-term incumbent Democrat Governor Cuomo, to 13 points. Once voters got to the polls, however, the outcome was better for Cuomo, who appears to have won by more than 22 percent. The other statewide Democratic candidates experienced a similar level of success. Incumbent Comptroller Tom DiNapoli handily won reelection over first-time challenger Jonathan Trichter by approximately 34 points. Additionally, the victory of New York City Public Advocate Letitia “Tish” James for attorney general marks a historic change, as she will be the first woman of color to head that office – or any statewide office in New York. James received approximately 60 percent of the vote, with Republican Keith Wofford receiving about 34 percent.

### State Senate (Possibly 40 D, 23 R)

Primary night proved difficult for incumbent senators, particularly those who had been affiliated with the now-defunct Independent Democratic Conference (IDC). Incumbents felt similar pressure in the general election. Democrats retained all of their seats and also ousted several incumbent Republicans:

- SD 5: Senate Education Committee Chairman Carl Marcellino from Nassau and Suffolk counties lost to Jim Gaughran of Huntington;
- SD 6: It appears that longtime Health Committee Chairman from Nassau County, Kemp Hannon, lost to Kevin Thomas;
- SD 7: In Nassau County, Senator Elaine Phillips lost to Anna Kaplan;
- SD 22: Senator Marty Golden, one of the few remaining Republicans serving a New York City district, lost to Andrew Gounardes of Brooklyn; and
- SD 40: Senator Terrence Murphy appears to have lost to former Westchester County Legislator, Peter Harckham.

In addition, there were five open races that were held by Republican Senators who opted to retire. Of those races, Democrats appear to have picked up three of those seats:

- SD 3: Monica Martinez won this Suffolk County seat previously held by Senator Croci, who decided to return to active military status and leave New York politics;
- SD 39: After nearly 30 years of representing the Hudson Valley in the Senate, 90-year-old William Larkin announced retirement. The local three-term Democratic Assemblyman James Skoufis will replace Larkin, after winning a contentious race against Stony Point Town Councilman and Deputy Supervisor Tom Basile;
- SD 42: Rosendale Town Councilmember Jen Metzger will succeed Senator John Bonacic, who chaired both the Judiciary Committee and the Racing and Wagering Committee prior to his retirement, as a result of her defeating Orange County Clerk Annie Rabbitt.

As a result of these races, Democratic Senator Andrea Stewart-Cousins from Yonkers is poised to be selected as the first female Majority Leader of the New York State Senate, and will have a significant majority.

### State Assembly

As Election Day approached, less attention was paid to Assembly races, mostly because there was no question of the control of that chamber. The Assembly Democrats will continue to hold an overwhelming majority and will continue under the leadership of Speaker Carl Heastie of the Bronx, but it appears that they may have lost a handful of seats to Republican challengers. There will be some changes in the Speaker's leadership team in the coming weeks because Majority Leader Joe Morelle of Monroe County was elected to Congress, and Deputy Speaker Earlene Hooper lost in a primary. As a result, watch for the announcement of a new majority leader and likely some shifts in committee chairmanships.

## Federal Races in New York

Approaching Election Day, polls indicated that the junior incumbent Democratic U.S. Senator from New York, Kirsten Gillibrand, could prevail over her Republican challenger, Chele Farley, by as much as 20 percentage points. These prognostications proved accurate.

Of greater contention were the various congressional races across the state. There were more than a half dozen Democratic challengers who hoped to benefit from an anti-Trump sentiment and defeat incumbent members of the House. Ultimately, Democratic challengers won in at least three of those races, with another race too close to call:

- On Staten Island, Democrat Max Rose defeated incumbent Dan Donavan for the 11th Congressional District;
- In the Hudson Valley, Congressman John Faso lost to challenger Democrat Antonio Delgado for the 19th Congressional District; and
- In Central New York, Assemblyman Anthony Brindisi ousted Congresswoman Claudia Tenney in the 22nd Congressional District.

The race for the 27th Congressional District in Western New York remains too close to call.

*NOTE: This information is correct as of Wednesday, Nov. 7, 2018, however, recounts are ongoing. For updated result statistics, please visit the New York State Board of Elections website:*

<https://nyenr.elections.ny.gov/>

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