



New York Statewide Officers Reelected; Senate Returns to Outright Republican Control; Assembly Democrats Continue Control

Leading up to the final days of New York's 2014 election season, the greatest focus was on which party would control the State Senate. Democrats had hoped that as a result of a tentative deal with the Independent Democratic Conference (IDC), they would be able to take control of the State Senate. Ultimately, however, the Republicans won significant victories and have the ability to control the Senate with a slim, but outright, majority. As expected, the incumbent constitutional office holders – Governor Andrew Cuomo (D), Attorney General Eric Schneiderman (D), and Comptroller Thomas DiNapoli (D) – all sailed to reelection, and the Assembly will continue to be controlled by the Democrats.

Executive Branch

Governor Andrew Cuomo (D), running for a second term, faced a challenge from Westchester County Executive Rob Astorino (R). Cuomo spent the last four years focusing on socially progressive issues such as marriage equality and establishing some of the strictest gun control laws in the nation, fiscally conservative policies such as setting a 2 percent real property tax cap, and finding ways to improve the way government operates, including by enacting on-time budgets every year. The Governor had hoped that this would lead to a huge margin of victory. Although Governor Cuomo won, because a notable percentage of New York residents voted in support of the Green Party candidate, the Governor received approximately 54 percent of the vote. In addition, due to the Governor's push for the creation of a "Women's Equality Party" (WEP), individuals who may have traditionally voted on the Democrat or Working Families Party lines, voted for the Governor on the WEP line. Additionally, more individuals voted for the Green Party candidate than for the Governor on the Working Families Party line. Thus, although the Working Families Party received enough votes to retain its status as a recognized political party, it lost its prominence on the ballot. Additionally, it appears that the Governor received 49,691

votes on the WEP line. As such, it remains unclear whether the Governor received the requisite number of votes on the WEP line for that entity to be formally recognized. (State law provides that an organization is deemed a political party if its candidate in the last gubernatorial election who polled at least 50,000 votes.)

Attorney General Schneiderman faced a credible challenge from Republican John Cahill, the once Secretary and Chief of Staff to former Governor George Pataki. Ultimately, Schneiderman won with a margin of more than 14 percentage points (55 percent to Cahill's 41 percent). In his victory speech, the AG emphasized that although this election was difficult for members of the progressive movement across the country, he was proud to have the opportunity to continue to fight for the cause.

Comptroller Tom DiNapoli faced the least credible challenge in the race for comptroller. Interestingly, the Republican candidate, Robert Antonacci, opted to participate in the public campaign finance demonstration program, but was never able to garner the necessary amount of support to make that program a success. DiNapoli ultimately won with approximately 60 percent of the vote.

Legislative Branch

Throughout this election cycle, the focus had been on the State Senate and the potential shift in control. The most attention was paid to five races — three in the Hudson Valley, where there was one open seat, and two freshman Democrats facing challenges; a race in the Rochester area where a freshman Democratic Senator was being challenged; and a Buffalo area race, where the incumbent Republican lost in the primary to a more conservative candidate, but nevertheless decided to run on a third party line, resulting in a three-way race. The Republicans won the Hudson Valley races, as well as the Rochester election (the new Republican senators will be Terrence Murphy, Sue Serino, George Amedore, and Rich Funke). In addition, the Republicans held on to all of their seats on Long Island, including two open seats. The only minor upset for the Republicans was that the Democrats won the Buffalo race (Marc Panepinto).

It is clear that the Senate Republicans will now hold a narrow, but outright, majority with 32 seats. Early in the evening, Sen. Dean Skelos (R-Nassau County), the Republican Conference Leader, announced victory on behalf of his party, stating that the people have “chosen balance and bipartisanship over an entire state government made up of Democrats from New York City.” However, this 32 seat Republican majority is achieved without maintaining a relationship with the IDC. There is some speculation that the IDC may grow to six members, and that the IDC will maintain some form of coalition with the Republicans. In addition, it is expected that Sen. Simcha Felder (D-Brooklyn) will continue to caucus with the Republican Conference. Thus, although there are 32 Republicans elected in the Senate, it is possible that the Majority Conference will include a coalition of 38 senators, or more.

As for the 150 member New York State Assembly, it will continue to be controlled by Speaker Sheldon Silver and the Democratic conference. There were no real Assembly upsets. With four races remaining too close to call, it appears that the Assembly will be made up of at least 104 Democrats and 42 Republicans.

If you have any questions about specific races, or how these outcomes will affect particular issues, please contact us.

Government Law & Policy

Greenberg Traurig's Government Law & Policy Practice combines the capabilities of our Federal Practice in Washington, D.C. with our state and local practices across the country. The firm's national team of government law and policy professionals spans major political and commercial capitals throughout the U.S., including Albany, Austin, Boston, Chicago, Denver, Las Vegas, New York City, Sacramento, Tallahassee and Washington, D.C. The bipartisan practice includes former elected officials, as well as former top aides and policy officials from the U.S. Congress, the Executive Branch and various state governments. These attorneys and professionals work together to provide clients with seamless representation in virtually any forum – before the U.S. Congress and Executive agencies, as well as state and local government entities.

This *GT Alert* was prepared by **Joshua L. Oppenheimer**, **Michael J. Murphy**, and **Lynelle K. Bosworth**.

- > [Joshua L. Oppenheimer](#) | +1 518.689.1459 | oppenheimerj@gtlaw.com
- > [Michael J. Murphy](#) | +1 518.689.1411 | murphym@gtlaw.com
- > [Lynelle K. Bosworth](#) | +1 518.689.1469 | bosworthl@gtlaw.com

Albany +1 518.689.1400	Denver +1 303.572.6500	New York +1 212.801.9200	Shanghai +86 (0) 21 6391 6633
Amsterdam +31 (0) 20 301 7300	Fort Lauderdale +1 954.765.0500	Northern Virginia +1 703.749.1300	Silicon Valley +1 650.328.8500
Atlanta +1 678.553.2100	Houston +1 713.374.3500	Orange County +1 949.732.6500	Tallahassee +1 850.222.6891
Austin +1 512.320.7200	Las Vegas +1 702.792.3773	Orlando +1 407.420.1000	Tampa +1 813.318.5700
Boca Raton +1 561.955.7600	London* +44 (0) 203 349 8700	Philadelphia +1 215.988.7800	Tel Aviv^ +972 (0) 3 636 6000
Boston +1 617.310.6000	Los Angeles +1 310.586.7700	Phoenix +1 602.445.8000	Warsaw~ +48 22 690 6100
Chicago +1 312.456.8400	Mexico City+ +52 (1) 55 5029 0000	Sacramento +1 916.442.1111	Washington, D.C. +1 202.331.3100
Dallas +1 214.665.3600	Miami +1 305.579.0500	San Francisco +1 415.655.1300	Westchester County +1 914.286.2900
Delaware +1 302.661.7000	New Jersey +1 973.360.7900	Seoul∞ +82 (0) 2 369 1000	West Palm Beach +1 561.650.7900

*This Greenberg Traurig Alert is issued for informational purposes only and is not intended to be construed or used as general legal advice nor as a solicitation of any type. Please contact the author(s) or your Greenberg Traurig contact if you have questions regarding the currency of this information. The hiring of a lawyer is an important decision. Before you decide, ask for written information about the lawyer's legal qualifications and experience. Greenberg Traurig is a service mark and trade name of Greenberg Traurig, LLP and Greenberg Traurig, P.A. *Operates as Greenberg Traurig Maher LLP. **Greenberg Traurig is not responsible for any legal or other services rendered by attorneys employed by the strategic alliance firms. +Greenberg Traurig's Mexico City office is operated by Greenberg Traurig, S.C., an affiliate of Greenberg Traurig, P.A. and Greenberg Traurig, LLP. ∞Operates as Greenberg Traurig LLP Foreign Legal Consultant Office. ^Greenberg Traurig's Tel Aviv office is a branch of Greenberg Traurig, P.A., Florida, USA. ~Greenberg Traurig's Warsaw office is operated by Greenberg Traurig Grzesiak sp.k., an affiliate of Greenberg Traurig, P.A. and Greenberg Traurig, LLP. Certain partners in Greenberg Traurig Grzesiak sp.k. are also shareholders in Greenberg Traurig, P.A. Images in this advertisement do not depict Greenberg Traurig attorneys, clients, staff or facilities. No aspect of this advertisement has been approved by the Supreme Court of New Jersey. ©2014 Greenberg Traurig, LLP. All rights reserved.*