

# Why we badly need to overhaul Albany

**BE OUR GUEST**
**BY SEYMOUR LACHMAN**

**T**uesday, for the first time in a generation, New York voters will be given a chance to vote for or against holding a constitutional convention.

This is the most important statewide decision you will make on Election Day. A “yes” vote is the only effective way to achieve meaningful and basic reform to our state government. The New York State Legislature has become an undemocratic, dysfunctional and all too frequently corrupt institution.

I know, because I served in it.

When I was first elected to the state Senate in 1996, I was a professor at the City University of New York, and I believed that government operated more or less the way textbooks described. This was a far cry from the reality I encountered in Albany.

In the decade following my election, two of my colleagues were convicted of various forms of corruption and imprisoned. In the following decade, between 2006 and 2016, 15% of sitting senators were convicted of corruption, and the majority of them are serving or have served prison sentences.

In 2015, the then-Senate majority leader and Assembly speaker were both indicted and later convicted on federal corruption charges, the first time in New York State history that this happened. (Because of an unrelated U.S. Supreme Court decision, both recently had their convictions overturned and are awaiting retrial.)

How did this pattern of legislative abuse and corruption emerge? For a variety of reasons, the power to control all matters of importance in the Legislature has become concentrated in the hands of the leaders of the majority parties.

In my five terms in Albany, no bill was ever enacted into law without the prior approval of the leaders of the Senate and the Assembly. All committee chairs are selected by the leaders. The entire state budget is enacted only if the leaders of both houses agree to all its contents.

As a member of the Senate Finance Committee, I remember receiving a 1,000-page budget document — and being instructed that the vote would reach the floor in a half hour. When several Senators objected the committee chair — who was dependent on the leader for his title and his stipend — responded that it had been approved by the leaders and no

amendments would be permitted on the floor. It was our responsibility to accept it as was without input.

The power of the leadership is further consolidated in their control over the redistricting process and the awarding of perks and budget earmarks. These provide funds to members for projects in their districts outside of the normal budgeting process. As there is little oversight or evaluation, in some cases these have been another source of corruption.

Every decade, legislative district lines are redefined to conform to population changes. In 2002, the Republican majority leader of the Senate offered me, a Democrat, a \$2 million increase in member items and a “safe” district that would ensure my reelection if I supported him and his program.

When I rejected the offer, a colleague accepted, and was rewarded: His competitive seat was replaced with a safe, seat. He got an

increase in member items and later the chair of the finance committee, for which he received a \$50,000 stipend to supplement his \$79,500 salary. (He was later convicted

of a felony and is presently serving a prison sentence.)

Shortly thereafter, in retribution, I was redistricted out of the safe district I had represented and placed in a newly created competitive district that covered two counties. Nonetheless, I won reelection.

Given the power of the leadership, anyone who believes that substantive reform is possible through the largely undemocratic Legislature is dreaming. The only chance to clean up the mess in Albany is through a constitutional convention, which will engage the efforts of many New Yorkers to rebuild the system.

Past constitutional conventions have brought about changes that have made our state a leader improving government as well as the lives of its citizens. In the 1890s, a con con mandated free public high school education for all. In the 1930s, a con con mandated a social welfare system. We now again have the opportunity to move ahead and could change New York’s future. Let’s do it.

*Lachman is the author of the recently published “Failed State” and is the founder and dean emeritus of the Hugh L. Carey Institute for Government Reform at Wagner College.*

## The case for a constitutional convention