

Could co-leadership work in the Senate?

Having two majority leaders floated as a way to end the gridlock

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ALBANY -- It would seem to be an idea that flies in the face of both math and politics, but one notion floated in negotiations to end the stalemate in the state Senate is the appointment of co-majority leaders.

This arrangement, which some suggest should remain in effect through 2010, was proposed by Republicans and breakaway Democrat Sen. Pedro Espada Jr. but has been rejected so far by the Democratic conference.

As of today, the two conferences are represented by Democrat Malcolm Smith and Republican Dean Skelos, who have worked out a system to allow the chamber to get through the brief special sessions called for daily by Gov. David Paterson: With a Democrat presiding, Smith opens the session and recognizes Skelos, who reads a statement contesting the Democrats' hold on the chamber and recommending that the session be adjourned, a motion that is repeated by Smith.

Whether the two men would be able to handle the much more complex tasks of running the chamber's operations together productively for months on end is a very different matter.

While there are arguments for and against the idea of co-leadership, the response by both sides sheds some light on motives and strategies as both factions look for an advantageous exit from the current 31-31 gridlock.

On its face, the innovation of shared leadership would be the highest expression of "power-sharing" in the chamber, as part of a deal that could also involve co-chairs of legislative committees. Co-leaders also could help insure against future cases of gridlock, especially if the deal ran through the 2010 elections.

It also could deal a major blow to the notorious Albany tradition of "three men in a room," in which the governor, the Assembly speaker and Senate majority leader wield almost complete power over the state budget process and many other matters.

"Decentralization in this case could only be good in New York," said Sen. Joe Robach, R-Rochester.

There are many challenges to co-leadership, starting with the fact that instituting it would require that Senate rules be rewritten, a long and potentially drawn-out affair. "I don't think there have been any proposals on the leadership dispute that have gotten any traction," said Sen. Eric Schneiderman, D-Manhattan. He said the co-majority leader idea is no exception.

Co-leaders would likely have trouble making personnel decisions regarding Senate staff and other resources. There are roughly 1,800 people employed by the Senate, divided into "partisan" jobs (press aides, district directors) and "operational" positions, which include the chamber's telecommunications system and the journal clerk's office, among many other areas.

But the line between partisan and operational jobs is fuzzy at best, a quality that could bring on policy and personnel gridlock if two majority leaders had to jointly make hiring and firing decisions.

"There's a reason there is a majority leader," said one staffer, who spoke anonymously because he is not authorized to comment on the negotiations.

Binghamton Republican Sen. Tom Libous said his conference would like to see Senate operations run more like a civil service agency, although details on how that would work aren't yet developed.

Another pesky problem: What if one party -- in the next year or even sooner -- gains a decisive electoral majority that breaks the 31-31 tie?

This prospect is one of the Democrats' major objections to the GOP's demand that a power-sharing deal must run through 2010.

Some Democrats believe that any vacancies or retirements during the next 18 months could benefit their numbers due to the Democrats' heavy registration edge statewide and the party's recent record of election victories.

If a co-leadership deal locks them in through 2010, Democrats could find themselves trapped in a marriage of convenience with no immediate hope of being granted a divorce.