

A NEW **NEW YORK**: THE CONSTITUTIONAL DIMENSION

Baruch College

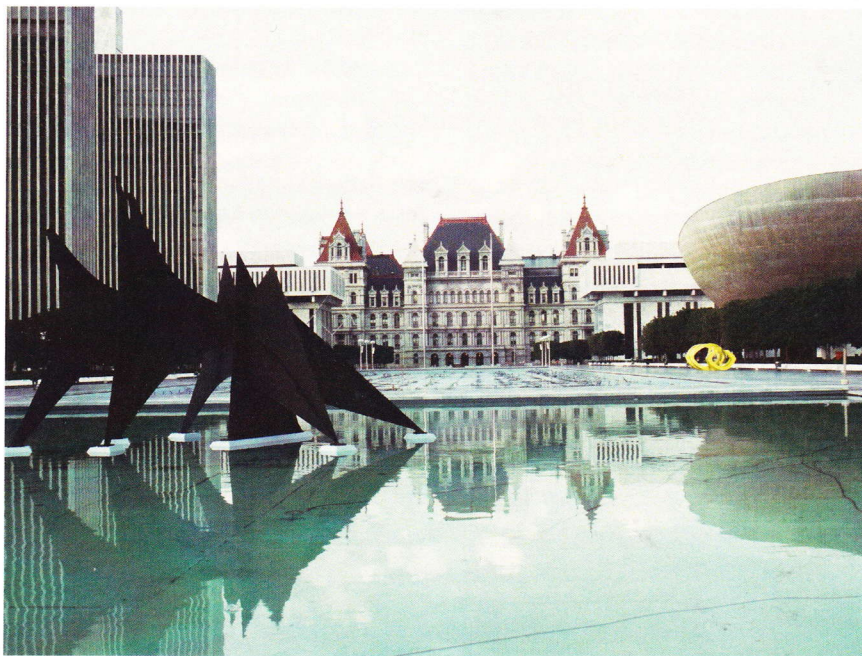
Newman Library and Administration Building

William and Anita Newman Conference Center, 7th Floor

151 East 25th Street, New York, NY

Tuesday, October 8, 2013

8:00 A.M. – 2:00 P.M.



Sponsored by EffectiveNY.org and the Center for Research, Regional Engagement and Outreach (CRREO) at SUNY New Paltz with the School of Public Affairs at Baruch College and City & State Magazine.

*A New **New York**: The Constitutional Dimension is supported by funds from The Effective New York Foundation*

AGENDA

- 8:00 CHECK-IN AND CONTINENTAL BREAKFAST**
- 8:30-8:45 GREETINGS AND INTRODUCTION**
Doug Muzzio, Professor, School of Public Affairs, Baruch College
- 8:45-9:15 ALERTING NEW YORK: “OPPORTUNITY IS COMING”**
Gerald Benjamin, Director, CRREO and Distinguished Professor of Political Science, SUNY New Paltz
- Setting the Agenda for Constitutional Change**
Bill Samuels, Chair, Effective New York Foundation
- 9:15-10:45 PANEL I – CONSTITUTIONAL CHANGE 2013**
Amendments offered this year and what they tell us about the state constitution
PANEL CHAIR
Gerald Benjamin
- PRESENTERS
Peter Galie, Emeritus Professor of Political Science, Canisius College, Buffalo, NY
Chris Bopst, Partner, Goldberg Segalla LLP, Buffalo, NY
Dennis Hawkins, Executive Director, Fund for Modern Courts
Susan Lerner, Executive Director, Common Cause NY
Q&A Panel 1 moderated by Eleanor Randolph, Editorial Board Member, The New York Times
- 10:45-11:00 BREAK**
- 11:00-12:30 PANEL II – BIG CONSTITUTIONAL QUESTIONS BEFORE NEW YORK**
PANEL CHAIR
Douglas Muzzio, Professor of Public Affairs, Baruch College
- PRESENTERS
Richard Brodsky, Senior Fellow at Demos and Senior Fellow at NYU's Wagner School of Public Administration
Frank Mauro, Executive Director, Fiscal Policy Institute
David Sciarra, Executive Director, Education Law Center
Robert Ward, Deputy Comptroller, Budget & Policy Analysis at Office of the State Comptroller
- 12:30 -1:45 LUNCH W Q AND A**
Panel 2 Q&A moderated by Morgan Pehme, Editor-In-Chief, City and State
- 1:45-2:00 WRAP-UP, SUMMARY, NEXT STEPS**
Gerald Benjamin

PANELISTS AND SPEAKERS

GERALD BENJAMIN was appointed as Associate Vice President for Regional Engagement and Director of the Center for Research, Regional Education and Outreach (CRREO) at SUNY New Paltz in 2008. He joined the New Paltz faculty as an Assistant Professor of Political Science in 1968, achieved the University's highest rank in 2002 when he was appointed Distinguished Professor by the SUNY Board of Trustees. He served as Chair of the Department of Political Science, Presiding Officer of the faculty and (for twelve years beginning in 1996) Dean of the College of Liberal Arts and Sciences. Formerly Director of the Center for the New York State and Local Government Studies at SUNY's Rockefeller Institute of Government in Albany, between May of 1993 and March of 1995 Gerald Benjamin served as Research Director of the Temporary State Commission on Constitutional Revision appointed by Governor Mario Cuomo.

CHRISTOPHER BOPST is a partner at the law firm of Goldberg Segalla LLP in Buffalo, New York, practicing in the areas of commercial and constitutional litigation. He is a graduate of Canisius College and Notre Dame Law School, both with honors. Prior to Mr. Bopst's current position, he practiced law in Miami, Florida, where he was a partner in a national law firm. He was named a Florida Rising Star by Super Lawyers magazine in 2009 and 2011, as well as a Florida Legal Elite "Up and Comer" for the year 2011. Mr. Bopst has co-authored *The New York State*

Constitution, 2d ed. (Oxford University Press, 2012), as well as numerous articles on a variety of legal topics, with a concentration on state constitutional law and history. His most recent article, "Anything Goes: A History of New York's Gift and Loan Clauses," co-authored with fellow panel chair Peter Galie, was recently published in the *Albany Law Review*.

RICHARD BRODSKY is a former 14-term New York State Assemblyman from Westchester and is currently a Senior Fellow at Demos and a Senior Fellow at NYU's Wagner School of Public Administration. In the NYS Assembly Richard Chaired the Committee on Environmental Conservation creating NY's Environmental Protection Fund which has disbursed billions to preserve and restore the environment statewide. He successfully challenged Indian Point Nuclear Plant on a range of issues including polluting the Hudson River, faulty evacuation planning, and hazardous radioactive leaks. As Chairman of the Assembly Committee on Corporations, Authorities, and Commissions, he authored the historic 2009 Public Authorities Reform Act, a sweeping reform of all of NY's 700 authorities, the most significant reform of NYS government in decades.

Mr. Brodsky writes regularly for Huffington Post and the Albany Times Union. He has appeared on CNN, MSNBC, and Fox Business News, among many other national and statewide TV stations. He has been featured on dozens of radio stations

including NPR, WNYC, WCBS and WINS. His op-eds have been featured in the New York Times, New York Daily News, The Capitol and other major publications. Richard attended Brandeis University where he earned a bachelor's degree in Politics and Harvard Law School where he received his J.D..

PETER J. GALIE has published numerous articles in the area of state constitutional law; two books, *The New York State Constitution: A Reference Guide*, 2nd ed. (Oxford University Press 2012) co-authored with Christopher Bopst, and *Ordered Liberty: A Constitutional History of New York* (Fordham University Press, 1996). He was retained by the Attorney General of New York as an Expert Witness to present a report to be submitted in the A-G appeal in *Hayden v. Pataki* entitled "The Felony Disenfranchisement Clause of the New York Constitution 1821-1938: Background, Chronology, Origin & Purpose." He was part of an amicus brief submitted to the New York Court of Appeals in the case of *Skelos v. Paterson* (2009) on the question: does the Governor have the authority to fill a vacancy in the Lieutenant-Governor's Office by appointment? He is the recipient of a John R. Oishei Foundation Three Year Teaching Professorship, "Rewriting the New York State Constitution," 1999-2002. He was named Distinguished Professor of the Year in the Canisius College All College Honors Program, in 2012. Along with co-author, Christopher Bopst, he has recently completed a lengthy examination of the gift and loan provisions of the state constitution published in the *Albany Law Review*, 2012. Also with Christopher Bopst, he is currently working on the creation of series of lesson plans on the New

York Constitution for use by social studies teacher throughout the state. The project is being funded by the New York State Bar Association's Law, Youth and Citizenship Program.

DENNIS HAWKINS is the Executive Director of the Fund for Modern Courts, a private, nonprofit, nonpartisan organization dedicated to improving the administration of justice in New York. He joined Modern Courts in November 2005. Previously, he was the Regional Anti-Corruption Advisor in Eurasia for the American Bar Association's Central European and Eurasian Law Initiative (CEELI), a public service project that advances the rule of law by supporting the legal reform process. Until 2001, Mr. Hawkins served as the Deputy District Attorney in charge of the Rackets Division in Kings County, New York. Prior to that he was a Special Assistant Attorney General in the Office of the Special Prosecutor for the New York City Criminal Justice System, Counsel to The Association of the Bar of the City of New York, Counsel to the New York City Fire Department and Counsel to the New York State Assembly Education Committee.

SUSAN LERNER, the Executive Director of Common Cause New York, has been an activist for over 30 years. She speaks and writes extensively on redistricting, ethics and campaign finance reform. Currently, she is a founding member of a new coalition, NY Women vote, to educate and mobilize women to participate in the democratic process. She is a member of the board of the Center for Traditional Music and Dance and is on the Advisory Board for Whosontheballot.org.

Prior to joining Common Cause NY, Susan was the executive director of the California Clean Money Campaign. She served as a member of the Steering Committee of the Commonwealth Club's Voices of Reform Project and on the Board of Trustees of the California State Summer School for the Arts. She founded and chaired the Committee for Judicial Independence,, a grassroots organization dedicated to educating and activating Americans to the importance of an independent federal judiciary, and led a statewide coalition of groups on federal judicial nominations.

For almost 20 years, Susan was a trial lawyer in Los Angeles specializing in complex commercial litigation and intellectual property. She is a graduate of the University of Chicago and New York University Law School.

FRANK MAURO is the Executive Director of The Fiscal Policy Institute (FPI), an independent, nonpartisan, nonprofit research and education organization committed to improving public policies and private practices to better the economic and social conditions of all New Yorkers. Prior to joining FPI in February 1993, Frank Mauro was Deputy Director of the State University of New York's Nelson A. Rockefeller Institute of Government. He previously served as Director of Research for the last major revision of the New York City Charter and, before that, as Secretary of the NYS Assembly's Ways and Means Committee. He was also the founding director of Assembly Speaker Stanley Fink's Program Development Group and, in 1975, of the Assembly Office of Research and Analysis. He is a graduate of Union College

in Schenectady and of Syracuse University's Maxwell School of Citizenship and Public Affairs. He twice received the Air Force Commendation Medal for his work in the field of race relations.

DOUG MUZZIO is a political scientist, sought-after analyst and on-air commentator on current city, state and national issues. He has taught courses in a wide variety of areas, including U.S. urban politics and government, leadership and strategy, campaigns and elections, and public opinion and public policy. Muzzio has extensive governmental and media experience. He is expert in New York City and State politics and government, campaigns and elections at the national, state and local levels, and American public opinion.

Dr. Muzzio has been the co-director of the Center for the Study of Innovation and Leadership in Government and the founder, former director and current member of the Baruch College Survey Research Unit, both at Baruch College's School of Public Affairs. He is a frequent contributor at professional conferences and has published on a broad range of subjects. Most recently, in 2010, he prepared two studies for the New York City Charter Revision Commission, testified before the commission and served on the Citizens Union task force studying the charter. Dr. Muzzio received his bachelor's degree in Political Science from Fordham University, an M.A. from New York University ICPSR and University of Michigan and his Ph.D. from New York University.

MORGAN PEHME has been the editor-in-chief of City & State since May 2012. Prior to joining City & State, Pehme was executive director of New York Civic, the nonpartisan good government group founded by former New York City Parks Commissioner Henry J. Stern. In addition to organizing nearly two dozen live events, he spearheaded the creation of "Candidate College", an online video series designed to teach political neophytes how to run for office, and the Mary Perot Nichols Award, the only cash prize recognizing investigative journalism in New York State. He was also an adjunct professor of journalism, film, television, and advertising at St. John's University from 2004 to 2010. He has also worked as a political consultant, contributed to The Huffington Post, and served as a columnist and managing editor for The Queens Courier.

Pehme was born and raised on the Upper East Side of Manhattan and attended the Dalton School, where he earned renown as a national scholastic chess champion. He is an honors graduate of Lake Forest College in Illinois with a dual degree in English literature and French. Pehme has given talks at many universities about politics and appeared as a guest on WNYC's Brian Lehrer Show, the Curtis Sliwa Show, Air America, and Tokyo-FM.

ELEANOR RANDOLPH is a native of Florida, a graduate of Emory University and veteran journalist who began working at a newspaper in Pensacola, Fla., in 1968. She has covered national politics and the media for The Washington Post and the Los Angeles Times, among others. Her articles have

appeared in Vogue, Esquire, the New Republic and other magazines. After working from 1991 to 1993 in Moscow, she wrote a book on Russian life called "Waking the Tempests." A member of The Times editorial staff since 1998, she is the author of the "Fixing Albany" series on state government.

BILL SAMUELS conceptualized and formed the non-partisan EffectiveNY.org, along with co-founders Assembly Minority Leader Brian Kolb and Professor Gerald Benjamin. EffectiveNY.org has one goal: restoring New York State's reputation as the national policy leader by studying both existing policies and the New York State Constitution's often outdated 1894 provisions that still contribute to statewide dysfunction.

Bill Samuels is an innovative political thinker and social activist, has a lifetime of experience as a CEO and high tech entrepreneur. Currently, Bill is Managing Director of Carlyle Capital Group, the Executive Chairman of Resonant Software, a software technology company in San Francisco, and the Hills Treatment Center in Los Angeles, a facility dedicated to helping people overcome addiction.

After the 2000 Census, he helped finance the lawsuit challenging the constitutionality of New York's notoriously gerrymandered redistricting plan. In the 2008 elections, Bill served as Finance Chairman for the New York Democratic Senate Campaign Committee, leading to Democrats gaining control of the State Senate for the first time in decades. In this role, Bill saw up close the corrosive influence of special interest money on elections. He resigned as Finance Chair after the

Democrats took back Senator Pedro Espada from the Republicans and appointed him as the Majority Leader. Bill went on to organize the successful 2010 effort to defeat Espada and help elect Gustavo Rivera.

Recognizing the kind of fundamental structural change that is needed, Bill launched the New Roosevelt, a multi-year campaign to achieve change around "Five Pillars of Reform" including a focus on New York's campaign finance rules: highlighting the need for public financing, lowered contribution limits with closure of loopholes that have otherwise rendered them useless, and improved enforcement, so that our State Legislature can regain the integrity, functionality and common sense the voters are demanding.

DAVID SCIARRA is Executive Director of the Education Law Center which serves as the leading voice for New Jersey's public school children and has become one of the most effective advocates for equal educational opportunity and education justice in the United States, oversees and directs ELC programs and activities. A practicing civil rights lawyer since 1978, he has litigated a wide range of cases involving socioeconomic rights, including affordable housing, shelter for the homeless, and welfare rights. Since 1996, David has litigated to enforce access for low-income and minority children to an equal and adequate education under state and federal law and has served as counsel to the plaintiff students in New Jersey's landmark Abbott v. Burke case. He also conducts research, writes, and

lectures on education law and policy in such areas as school finance, early education and school reform. He received his B.A. from the University of California, Berkeley, and graduated magna cum laude in 1978 from Temple University School of Law.

ROBERT WARD is New York State Deputy Comptroller for Budget and Policy Analysis. In that position, he serves as chief adviser to Comptroller Thomas P. DiNapoli on matters including the state budget and a variety of other policy issues. He joined the Office of the State Comptroller in April 2012. Bob previously was Deputy Director of the Nelson A. Rockefeller Institute of Government, the public-policy research arm of the State University of New York. In that role, he led the Institute's New York State studies and its research on the finances of state and local governments across the country. He is author of *New York State Government*, the leading text on what our state government does and how it works. Earlier in his career, Bob was a newspaper reporter and editor, assistant to the Chairman of the Assembly Ways and Means Committee, and director of research for the Public Policy Institute of New York State. He has also been a local government official, serving as a member of the Industrial Development Agency in the Town of Bethlehem and as a member of the City of Albany's Commission on Public-Private Budgetary Cooperation. He also serves as board chair of the Altamont Program, a nonprofit organization that provides addiction treatment, housing and job training in locations across the state. An Albany native, he is a graduate of Syracuse University.

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