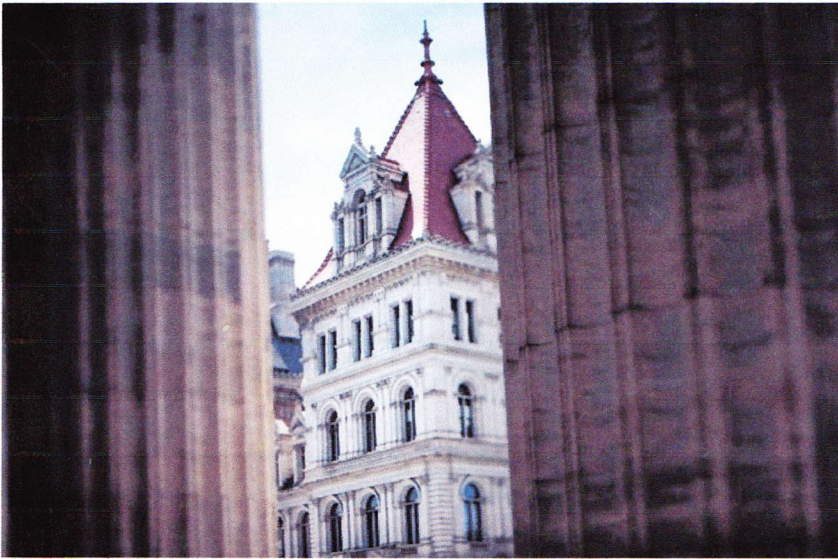


## Who needs a NY state legislature when 'Three Men in Room' decide laws? (Commentary)



The New York state Assembly and Senate convene at the capitol building in Albany, but the real action takes place among a select few. (Courtesy image)



By **Special to [syracuse.com](http://syracuse.com)**

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*The writer is a retired Onondaga County Court judge.*

**By Joseph Fahey**

Where do we begin?

Former speaker of the New York State Assembly Sheldon Silver stands convicted of corruption in office. So does former New York State Senate majority leader Dean Skelos. Both are awaiting sentencing in U.S. District Court in New York City. Gov. Andrew Cuomo shut down his Moreland Commission which was to investigate corruption in Albany while claiming it a success because it proposed anemic reforms.

In the past 14 years, 22 members of the New York State Legislature have been convicted of **political corruption** felonies while serving in that body. Four of them were majority leaders in the state Senate and one was speaker of the Assembly. Yet, the membership of both bodies is content to abdicate its authority and allow the "Three Men in a Room" method of enacting laws to continue.

There is no more cynical example of this than the pending legislation in both houses of the Legislature which would require that any bill introduced in either body that is co-sponsored by a majority of the members of that chamber be voted on during that legislative session. The Assembly bill A08658 was introduced on Jan. 7 and the Senate bill S06475 was introduced on Jan. 15. Each was referred to the appropriate committee in that body where it is expected to meet a quiet death.

One need only look at who sponsored the bills in the respective chambers to see why. The Assembly bill was co-sponsored by Republican members of the Assembly, who are in the minority in that body. The Senate bill was sponsored by a lone Democratic state senator, who is in the minority in that body. One would think the majority of Democrats in the Assembly might be influenced by the opinion of their Democratic colleague in the state Senate and that the majority of Republicans in the state Senate might look to their Republican counterparts in the state Assembly concerning the simple fairness inherent in this measure but, then, we are talking about Albany.

No one understands the frustration this method of controlling legislation more than Janice Grieshaber Geddes, of Manlius, who encountered it while trying to obtain the passage of **Jenna's Law** which changed the sentencing structure and parole eligibility requirements for violent felony offenders following the murder of her daughter and has lobbied for passage of these two bills.

In the wake of the Silver and Skelos convictions, there has been talk of creating a full-time legislature and increasing the pay of the legislators accordingly; but if full-time legislators are going to allow three men in a room to decide what measures are voted on, even when a majority in each chamber has co-sponsored the legislation, the question must be asked: What is the purpose of having a full-time legislature or even having a legislature at all?

The muckraker **Lincoln Steffens** once counseled, "Always vote against the incumbent."

If a measure as simple and fair such as this one cannot be enacted, then the only thing left to do is to take Steffens' advice.

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