

**RPOS 325 (7549) and RPAD 325 (7550): The Government and Politics of New York State
Spring 2019, 3 Credits**

Class Schedule: Mondays and Wednesdays, 2:45 to 4:05 pm (Wednesday, January 23 to Wednesday, May 8 except no classes on Monday, March 18 and Wednesday, March 20); **Location:** Humanities Building, Room 020

Final Exam: Friday, May 10, from 3:30 to 5:30 pm; **Location:** Humanities Building, Room 020

Office Hours: Wednesdays, 4:30 to 5:30 pm (Wednesday, January 23 to Wednesday, May 8 except no office hours on Wednesday, March 20); **Location:** Humanities Building, Room 016

Instructor: Frank J. Mauro, Public Service Professor and adjunct Lecturer; **Contact Information:** You can contact me by e-mail at fjmauro@albany.edu. If you do not receive a response in a reasonable amount of time, call me at 518-346-3122. If I am not in when you call, please leave a message.

Course Description (from the Undergraduate Bulletin): Introduction to the major political and governmental institutions in New York; Examines the executive, legislative, and judicial branches of government; the nature of parties and elections, and selected policy questions

Student Learning Objectives: The instructor's objectives are for each participating student to:

- Develop a good understanding of the political and governmental institutions and processes through which the residents of New York State govern themselves
- Become familiar with the major sources of information that are available regarding the workings of New York State's major political and governmental institutions and processes
- Be able to explain current developments involving New York State's political and governmental institutions in theoretical and historical context.

Reasonable Accommodations for Students with Documented Disabilities . Reasonable accommodations will be provided for students with documented physical, sensory, systemic, cognitive, learning and psychiatric disabilities. If you believe you have a disability requiring accommodation in this class, please notify the Director of the Disability Resource Center (Campus Center 130, 518-442-5490, DRC@albany.edu). That office will provide the course instructor with verification of your disability, and will recommend appropriate accommodations.

Academic Integrity: Every student is responsible for following the University's standards of academic integrity which are posted at:

https://www.albany.edu/graduatebulletin/requirements_degree.htm#standards_integrity

https://www.albany.edu/undergraduate_bulletin/regulations.html

<http://library.albany.edu/infolit/integrity>

Ignorance of the standards, unintentional error, and/or personal or academic pressures are not acceptable reasons for violation of these standards. Please take the time to review these standards.

Required Readings: The two main sources of required readings for this course are listed below. **All other required readings will be available via the Blackboard site for this course.**

- Robert F. Pecorella and Jeffrey M. Stonecash, eds., *Governing New York State*, Sixth Edition, State University of New York Press, ISBN978-1-4384-4473-4.

- ***The Constitution of the State of New York***. The text of the New York State Constitution is available in several formats on various governmental and other websites. An authoritative and up-to-date¹ version of the New York State Constitution in an “article-by-article” format is available in HTML on the website of the New York State Department of State at <https://www.dos.ny.gov/info/constitution/>. From this page on the NYS Department of State website, you can also link to an up-to-date version of the full text of NYS Constitution in a single PDF document which is ideal for searching for words or phrases in the entire document. As a test of this feature, download a copy of this PDF document for your use during the course of the semester and then do a search for the word **legislature** or for the phrase **by law** to see what you find. UAlbany students also have access to annotated versions of the NYS Constitution via the “Nexis Uni” and “Westlaw Campus Research” databases that are available to them through the University Library’s website.

Course Requirements: Each student in this class is responsible for:

- Attending all classes and contributing to class discussions
- Completing all required readings prior to the class at which those readings are scheduled for discussion; and actively participating in class discussions of those readings
- Regularly reading of one or more daily newspapers (and/or one or more comparable electronic news services) that cover NYS government and politics on a regular basis; and actively participating in class discussions based on this reading
- Submitting the text of three timely news articles that each deal with one or more of the topics covered by this syllabus and which are each accompanied by a memo in which you identify and discuss the relevance of the article to one or more of the topics covered by this syllabus. Submit one such article with a completed memo by each of the following deadlines: (1) 11:59 pm on Tuesday, February 12, (2) 11:59 p on Tuesday, March 12; and (3) 11:59 pm on Tuesday, April 16.
- Preparing for and completing (a) two “one hour and 15 minute” closed book examinations to be given during the regular class meeting times on February 27 and April 10; and (b) one “one hour and 55 minute” closed book final examination to be given at 3:30 pm on Friday, May 10. (NOTE: In the case of an absence that is excused in accordance with University attendance policies as posted at <https://www.albany.edu/undergraduateeducation/attendance.php>, the opportunity to take an appropriate makeup exam will be provided.)

Agenda for Class Meetings: To the maximum extent possible, each class (other than the January 23, February 27, April 10, and May 8 classes) will include the following components:

- Instructor announcements regarding class administration matters
- Student questions regarding class administration matters
- Student comments/questions on current developments regarding NYS government and politics
- Instructor comments on sources of information regarding NYS government and politics
- Student comments/questions regarding the readings scheduled for discussion during this class
- Instructor presentations on topics scheduled for discussion during this class meeting
- Instructor comments on upcoming classes, assignments and exams

¹ ***The Constitution of the State of New York*** was most recently amended by the voters of New York State on November 7, 2017, by the adoption of two constitutional amendments. One of these amendments allows a court to reduce or revoke the public pension of a public officer who is convicted of a felony that has a direct and actual relationship to the performance of the public officer's existing duties. The other amendment established a new with mechanism for addressing public health and safety concerns in New York State’s “forever wild” forest preserve.

Grading will be on an A through E grading scale including pluses and minuses with A for Excellent, B for Good, C for Fair, D for Poor, and E for Failure. The grade of E is a failing grade and cannot be used to fulfill graduation requirements. The weightings for the various course requirements are:

- Attendance and class participation – 25 points
- Submission of three news articles each accompanied by an explanatory memo – 5 points each for a total of 15 points (NOTE: For articles and memos submitted after the deadlines for submission but before the completion of the semester, the maximum credit available will be reduced by 3% per day down to 1.5 points.)
- Exam #1 (Wednesday, February 27) – 15 points
- Exam #2 (Wednesday, April 10) – 20 points
- Final Exam (Friday, May 10) – 25 points

The university's guidelines for giving incompletes (grades of I) for undergraduate courses are posted at: <https://www.albany.edu/undergraduateeducation/grading.php>

Class Schedule and Required Readings: For readings marked ** below and for any added readings, a copy of the reading or a link to the reading will be available via the Blackboard site for this course.

January 23: Course Overview

- Overview of course requirements
- Introduction to the substance of the material to be covered in the course
- Explanation of the following distinctive aspects of New York State's political system:
 - New York's "strong executive" form of government
 - New York's multi-party electoral system
 - New York's "strong leader" legislative system
 - Upstate/Downstate divisions in New York State politics
 - New York's heavy reliance on local governments to deliver and finance public services.

January 28 and 30: Overview of NYS Government Institutions and the NYS Constitution

Prior to the January 28th class:

- Read Gerald Benjamin's "Overview (of) State Government Institutions" on pages 105 to 116 of *Governing New York State*, Sixth Edition. Prepare a list of any questions you have about the information presented in this "Overview" and bring your list of questions to class for discussion and note taking purposes
- Access and skim the NYS Constitution to familiarize yourself generally with its structure and substance. During the rest of the semester, we will study many provisions of the NYS Constitution in detail.

February 4 and 6: Federal-State Relations: State-Local Relations

Prior to the February 4th class, read and take notes on:

- The US Constitution with particular attention on Article 5
- Articles 9 and 19 of the NYS Constitution
- Pecorella & Stonecash, Chapter 2.

Topics to be covered in class:

- The nature and roles of the US and NYS constitutions
- The role of the states in the federal system: Dual sovereignty with federal supremacy
- The growth of federal power over time (and some recent changes)

- The processes for amending and revising the United States and New York State constitution
- New York’s heavy reliance on local governments to deliver and finance public services
- Dillon’s Rule vs. the emergence and evolution of home rule in New York State
- The state aid /state mandates trade-off

February 11 and 13: Political Conflict and Political Parties

Prior to the February 11th class, read and take notes on:

- Pecorella & Stonecash: Chapters 1 and 3
- **The results of the 1982 to 2014 gubernatorial elections
- **The 2018 gubernatorial election results (on the website of the NYS Board of Elections)

Topics to be covered in class:

- Upstate/Downstate divisions in New York State politics
- The regional strengths and weaknesses of New York State’s major political parties
- New York State’s multi-party system
- Securing and maintaining “official” party status (and “major party” status) in NYS
- Fusion (a/k/a cross endorsement) in NYS; the Wilson-Pakula Law
- New York's system of "closed" primary elections – plusses and minuses

February 18 and 20: Voting and Elections; Interest Groups

Prior to the February 18th class, read and take notes on:

- Article 2, Sections 1 and 4 of Article 13, and Section 1 of Article 1 of the NYS Constitution
- **The NYS “Political Calendar” (on the website of the NYS Board of Elections)
- Pecorella & Stonecash, Chapter 4.

Topics to be covered in class:

- Suffrage in New York State; Voter registration in New York State
- The nomination process and the circulation of party designating petitions; independent nominating petitions; and “opportunity to ballot” petitions
- The election process reforms (What’s currently under consideration, and what’s not?)
- The impact of election timing and election cycles on voter participation
- Election administration in NYS
- Interest groups and regulation of lobbying in NYS

February 25: Review for Exam #1 and Catch-Up

February 27: Exam #1 – covering the material from January 23 to February 25

March 4, 6, and 11: The Legislature and the Legislative Process

Prior to the March 6th class, read and take notes on:

- Pecorella & Stonecash, Chapter 6
- Articles 3 of the NYS Constitution
- **Report of the 2019 Legislative Compensation Committee (and related materials)

Topics to be covered in class:

- The constitutional restrictions on the otherwise “plenary” power of the legislature
- The constitutional structure of the legislature and the “strong leader” tradition
- Reapportionment and redistricting (past, present and the near future)
- Political party make-up of the legislature (past, present and ??)
- Salary and allowances (past, present and ??)
- Turnover of members and incumbency advantages (past, present and ??)
- The Legislature’s role in the state budget process

March 13, 25 and 27: The Governor and the Executive Branch

Prior to the March 13th class, read and take notes on:

- Pecorella & Stonecash, Chapters 5 and 8
- Articles 4, 5, and 13; and sections 1 to 7 of the NYS Constitution
- **Materials on the Executive Budget Process

Topics to be covered in class:

- The Governor as chief executive; chief legislator; leader of his or her political party; ceremonial head of state; intergovernmental representative
- The formal powers of the Governor (legislative powers; executive powers including appointment power, removal power, administrative supervision powers, budget powers, military powers) and the increases of these powers over time; expectation of leadership
- The Governor and the other statewide elected officials (Lieutenant Governor, Comptroller and Attorney General)
- The “administrative reorganization” movement and the structure of the executive branch
- The executive branch, the Executive Department, and the Executive Chamber
- The other departments and agencies of the executive branch; line agencies and staff agencies
- Public authorities
- The civil service system
- Collective bargaining and the Taylor Law
- The rulemaking process and the State Administrative Procedures Act

April 1 and 3: The Courts

Prior to the April 1st class, read and take notes on:

- Pecorella & Stonecash, Chapter 7
- Article 6 of the NYS Constitution
- **The NYS Unified Court System’s Introductory Guide
- **Daniel L. Feldman and Marc Bloustein, "NYS’s Allegedly Unified Court System"

Topics to be covered in class:

- The structure of the state and federal court systems in New York State
- Trial Courts vs. Appellate Courts
- Criminal Courts vs. Civil Courts
- Courts of General Jurisdiction vs. Courts of Special or Specialized Jurisdiction
- NYS’s Minor Courts (Town and Village courts, District Courts on Long Island)
- Intermediate Appellate Courts vs. the NYS Court of Appeals (New York State’s top level appellate court’ i.e., New York State’s court of last resort)
- Special or specialized courts (Family Court, Surrogate Court, Court of Claims, Indian Law Courts, Court for the Trial of Impeachments)
- Judicial selection (appointment vs. election of judges)
- Fusion (a/k/a Cross Endorsement) in the nomination and election of judges
- Tenure and removal of judges; and the Commission on Judicial Conduct
- The jury system (grand juries; trial juries)

April 8: Review for Exam #2 and Catch-Up

April 10: Exam #2 – covering the material from March 4 to April 8

April 15 and 17: Local Government

Prior to the April 15th class, read and take notes on:

- **Chapters 4 through 9 of the NYS *Local Government Handbook*, Seventh Edition
- Pecorella & Stonecash, pages 36 to 47 and 49 to 50
- **Local Government materials from the NYS Comptroller

Topics to be covered in class:

- General-purpose local governments (counties, cities, towns, and villages)
- Special purpose local governments (school districts, fire districts, library districts; other special districts)
- Independent vs. dependent school districts

April 22 and 24: Elementary and Secondary Education

Prior to the April 22nd class, read and take notes on:

- **Pages 91 to 96 of the NYS *Local Government Handbook*, Seventh Edition
- Pecorella & Stonecash, Chapter 10
- **Materials on the Campaign for Fiscal Equity (CFE) case and related litigation

Topics to be covered in class:

- The NYS Constitution's requirement for "a system of free common schools, wherein all the children in this state may be educated"
- The establishment of over 10 thousand (mostly very local) school districts
- School district centralization in New York State (from 10 thousand to 700 school districts)
- Fiscal and educational disparities among and within school districts
- The Campaign for Fiscal Equity (CFE) case and related litigation
- The ongoing debate over the funding of the CFE settlement (including 2019 developments)

April 29, May 1 and May 6: Safety Net Programs

Prior to the April 29th class, read and take notes on:

- **Pages 162 to 167 of the NYS Local Government handbook, Seventh Edition
- Pecorella & Stonecash, Chapters 11 and 12
- **Relevant sections of the NYS Comptroller's NYS Financial Condition reports

Topics to be covered in class:

- New York State implementation of the federally defined, jointly funded and state & locally administered social safety net programs adopted by the federal government i
- From Aid to Families with Dependent Children (AFDC) to Temporary Assistance for Needy Families (TANF)
- Medicare, Medicaid, Child Health Plus and the Affordable Care Act

May 8: Review for Final Exam

Friday, May 10 from 3:30 to 5:30 pm: Final Exam – in the regular classroom for this course but not at the regular class meeting time; Covering the material from the entire semester with a slight emphasis on the material from April 15 to May 8

This syllabus prepared by Frank J. Mauro, January 2019