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N.Y. Redistricting Is Already a Hot Topic as Seat Loss Looms

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BODY:

+++Could a special state Senate election on Long Island next month possibly matter in the corridors of Congress?

+++It sure could - especially if you're one of the six Republicans remaining in New York state's Congressional delegation.

+++If the Democrats win the Republican-held open seat - and prognosticators say there's an even chance that they can - they will need to pick up just two more seats in 2008 to grab control of the state Senate for the first time since the early 1960s. And if that happens, they'll have a monopoly in state government for the first time in more than half a century.

+++The implications for Congressional and legislative redistricting following the 2010 Census - when New York is expected to lose at least one House seat - could be staggering. Democrats already hold a 23-6 edge in the Empire State House delegation, and some party stalwarts believe that gap can be widened further.

+++ "I don't know that there's any Republican Member from New York who is safe," said Evan Stavisky, a New York-based Democratic consultant and lobbyist. "Some creative redistricting would mean terrible news for [Rep. Vito] Fossella (R-N.Y.), for [Rep. Peter] King (R-N.Y.), for all the people who were targeted before."

+++But the giddy New York Democrats who contemplate a total sweep in Albany may collide with the reform-minded instincts of the state's newly elected governor, Eliot Spitzer (D). Spitzer, who racked up a landslide victory in November, has vowed to take the job of redistricting away from the Legislature and place it in the hands of an independent commission. He reiterated that call during his State of the State speech two weeks ago, saying, "More competitive elections will lead to a more responsive government."

+++One veteran of New York's political wars, Rep. Tom Reynolds (R), expressed skepticism that Spitzer will get his way.

++ He's not the first governor, nor will he be the last, calling for that," said Reynolds, who is a former state Assembly Minority Leader. "History says the two legislative leaders will not want to defer to an independent commission."

They never have."

+++But the push for redistricting reform doesn't end with Spitzer. Two state Assembly committees are conducting a series of hearings around the state on the remapping process, and may eventually produce legislation to change the current system.

+++ "I think an independent commission, given certain guidelines, would be the most objective" way to draw the lines, said RoAnn Destito (D), chairwoman of the Joint Assembly Standing Committee on Governmental Operations.

+++This is hardly what the most partisan of Democrats - who have chafed at having to share power in Albany for decades - were envisioning when Spitzer became the first Democratic governor in a dozen years. In addition to being shut out of the governor's mansion for all that time despite the Democratic lean of the state, Democrats have had to cope with a split Legislature for 32 years: Democrats have long dominated the Assembly and Republicans have long controlled the Senate.

+++During the round of redistricting that followed the 2000 Census, Congressional and legislative lines were hammered out by the legislative leaders along with then-Gov. George Pataki (R). The House map was drawn to produce an 18-11 advantage for Democrats.

+++Since then, Democrats consistently have widened the margin, defeating then-Rep. Felix Grucci (R) in 2002, picking up the seat of retiring Rep. Jack Quinn (R) in 2004 and capturing three GOP-held seats in November.

+++Even as Democrats were ousting GOP Reps. Sue Kelly and John Sweeney and seizing the open seat of Rep. Sherwood Boehlert in November, three other House GOP incumbents - Reynolds and Reps. Randy Kuhl and Jim Walsh - were re-elected by narrow margins.

+++ "This is the lowest [number of Republicans in the New York delegation] that I can ever remember or fathom," Reynolds said.

+++But the Congressman added that it was too early to predict further doom for the GOP, saying, "2012 is a lifetime away to a legislator."

+++Yet even if Democrats don't produce a hyper-partisan Congressional map before the 2012 elections, a Republican incumbent or two could be imperiled if the state loses one or more Congressional seats, as current population trends would suggest.

+++Democrats also have chipped away at the Republican margin in the state Senate since the previous redistricting, and if Nassau County Legislator Craig Johnson (D) wins the special election next month, they will need just two seats to take the majority - a result that even Republicans concede could happen if some veteran Members retire and if 2008 turns into another big Democratic year.

+++Despite his opposition to partisan redistricting, Spitzer is pushing hard for Johnson in the Senate race. He has cut a TV spot for the Democrat, in which he tells Long Island voters, "Those of you who brought about a new day in Albany have one more job to do," and is hosting a \$25,000-a-ticket fundraiser for him next week.

+++Spitzer's press secretary, Paul Larrabee, said that the governor remains

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committed to redistricting reform and has vowed to veto any proposal that he considers partisan gerrymandering. He added that the governor eventually would submit a bill to create a nonpartisan redistricting process, though with the next census still three years off, there is not yet a timetable to do so.

+++Destito, the chairwoman of the Assembly committee examining redistricting, acknowledged that there will be political pressure on Spitzer and legislative Democrats when the maps are next drawn to maximize Democratic opportunity, especially if the Democrats control the state Senate. And she expressed some reservations with the Iowa system for redistricting, which often is held up as one of the fairest in the nation because it relies on nonpartisan civil servants to draw up maps based on population counts and county boundaries, without regard to political factors or incumbency.

+++ "They're squares within a rectangle," Destito said of Iowa's counties, noting that New York is far more diverse ethnically and geographically than the Hawkeye State.

+++ Meanwhile, a freshman Democratic state Senator is floating a proposal to change the way the population is counted in New York - something that could add at least one more state Senate seat for New York City at the expense of a more rural district upstate.

+++ Census takers currently count prisoners as residing in the jurisdiction in which they're incarcerated, rather than the place where they previously lived. As a result, Upstate towns with prisons see their population totals inflated, typically at the expense of urban areas.

+++ This, some Democrats believe, has enabled the Republican-controlled state Senate to carve extra GOP-leaning Senate districts, because legislative district populations do not have to be uniform the way Congressional districts are. In fact, every decade New York Senators have the power to decide just how many members the Senate should have.

+++ "When John commits a robbery on Nostrand Avenue [in Brooklyn], he's victimizing the community twice," state Sen. Eric Adams (D) told a Brooklyn business group recently.

+++ Adams is conferring with lawyers and will either introduce a bill to change the way New York counts its prison population or to take the matter to court.

+++ "It's an idea that he has that he thinks is viable," said Adams' chief of staff, Ingrid Lewis-Martin.

+++ Should Adams' change be put into practice, it would become even more difficult for Republicans to hold the Senate - and that, too, could have implications for Congressional Republicans.

+++ So even with Spitzer's call for reform, it's small wonder some New York Democrats are boasting that the state's Congressional Republicans could become extinct.

+++ "It would be the 21st century equivalent of the solid South," Stavisky said.

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