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## How Cuomo Can Tame N.Y.

By Jerry H. Goldfeder

Although the results of Tuesday's elections undoubtedly circumscribe President Barack Obama's opportunities for the next two years, New York voters gave Gov.-elect Andrew Cuomo a clear mandate for fundamental reform.

Cuomo has not said that everything will change on Day One, but he did promise that, in four years, the public will know that state government is more honest, efficient and democratic. That is a big challenge, given the glacial speed at which change has come to New York state government. And tough economic times, which necessarily limit funding for experimental programs, make reform even more difficult.

Nevertheless, there is one action that Cuomo can take on Jan. 1 that would signal both his seriousness of purpose and his determination to succeed: appointing a constitutional commission, with 90 days to issue a preliminary report on how to bring state government into the 21st century. Its purpose would be to examine our government organization comprehensively, with an eye toward generating smart, innovative ideas to modernize and improve our 1938 charter.

Although it is the state Legislature or a formally elected constitutional convention, and then the voters, who have the actual power to revamp our constitution, such commissions have been used to study issues and make proposals since 1872.

Among the ideas a commission might recommend for adoption are a unified judiciary instead of multiple trial courts; a return to the attorney general having full jurisdiction over election and campaign finance law violations; a standardized electoral system rather than having voters cast ballots for various state and local offices at different times throughout the year; independent redistricting of the Legislature; a streamlining of state agencies, public authorities and other quasi-governmental entities; a more intelligent approach to income, sales and real property taxation; and a more productive and accountable approach to energy creation and delivery.

There are, of course, many other areas worthy of reform.

Consider, for example, New York's basic governmental structure: There are more than 10,000 government units, almost all with taxing authority, including 62 cities, 556 villages, 932 towns and

thousands of special garbage, fire, water and library districts. Representative government and the delivery of basic services can obviously be more efficient. And no one can even agree on how many jurisdictions actually exist: the attorney general's office counted 10,521; the state Local Government Efficiency & Competitiveness Commission found "approximately" 11,764; and the comptroller's office's tally was 11,691.

No doubt many of these towns and villages are lovely places. Some refer to themselves, invitingly, as "Where Life Keeps Getting Better!" (Village of Webster); "A fine place to live. A good place to learn" (Town of Kirkwood); or "Little Town--Big Heart" (Town of Paris, not to be confused with the Village of Hilton: "The Little Village with the Big Heart"). The Village of Haverstraw trumpets itself with the slogan "The Time is Now." And the Village of East Rochester disregards technicalities by referring to itself as "The Best Little Town in the World ...."

Without stepping on the historical or political prerogatives of our unique towns and villages, a constitutional commission should consider how we might consolidate these many fine places so that taxes are reduced and government serves us better.

A commission should also look beyond New York for ideas. After all, while we New Yorkers like to think of ourselves as unique, many of our problems are not. So, for instance, we might learn from Maine's public campaign financing program; Michigan's reduction of state agencies by over 50

percent; or the partnership between Minnesota and Wisconsin to provide services to both states on a shared-cost basis. The National Governors Association has an impressive Center for Best Practices that tracks various states' efforts to downsize and redesign government.

There is, I should add, a legitimate concern that rewriting our state constitution could threaten basic rights embedded in our culture and law. Voters must ultimately weigh in on any change so commission proposals require public support if reform is going to occur.

Thus, Cuomo would be prudent to choose a panel that, beyond having the expertise and experience to craft a forward-looking constitution, is sufficiently reflective of our state's diverse population to garner public support for its proposals.

Creating this commission has the potential to unleash the intellectual, political and economic power of our state in new directions. In his campaign book, "The New NY Agenda," the governor-elect spoke favorably of such commissions. I hope he appoints one.

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