

OPINION: KEEPING THE LEGISLATURE HAPPY, INFORMED IS ‘NO-BRAINER’

CARL GOLDEN | SEPTEMBER 16, 2019

Gov. Murphy’s approach to the driver licensing issue has touched a raw nerve with Assembly speaker



Carl Golden

Gov. Phil Murphy’s administration is 20 months old, and neither the governor nor his staff has yet figured out how to deal with the Legislature.

While the governor and Senate President Steve Sweeney (D-Gloucester) have butted heads on virtually every issue of consequence since the outset, Assembly Speaker Craig Coughlin (D-Middlesex) has brought new meaning to the characterization “low key,” refraining from engaging in the level of verbal flame-throwing that has marked the Murphy-Sweeney relationship.

According to published reports, though, Coughlin was furious when the governor reiterated his support for issuing drivers’ licenses to undocumented immigrants and wondered aloud why the Legislature has failed to act on what he called a “no brainer.”

The licensing issue touches raw nerves in the Legislature, and Murphy throwing it into the middle of Assembly campaigns seven weeks out from election day incensed Coughlin.

The speaker enjoys a 54-26 majority in the Assembly and is looking forward to building on it by sticking to issues that appeal to a broader segment of voters – no tax increases, fiscal responsibility, increased aid to local education, public pension reform, for instance, while, at the same time, tailoring the message to local district concerns.

Introducing divisive issues like granting drivers’ licenses to the undocumented detracts from the overall message and forces incumbents and challengers alike to confront a proposal on which there are significantly different views.

Murphy may consider it a “no brainer,” but for many candidates it is anything but.

The merits of the issue aside, Coughlin’s reaction to the governor underscores what has consistently frustrated and enraged the legislative leadership: the tendency of the governor to fall into a dictatorial mode and use the public arena to pressure the Legislature into accepting his agenda.

Warnings over state budget ignored

When New Direction New Jersey, a political action committee whose leaders are close personal and political confidants of the governor, financed a television advertising campaign to build support for the state budget proposal, Sweeney and Coughlin were furious at what they felt was an unconscionable attempt to bludgeon them into approving an increase in the state tax on incomes greater than \$1 million.

Their warnings were ignored, and Murphy ultimately failed twice to win approval of the tax increase.

The uneven start of the administration in dealing with the Legislature was attributed to the political inexperience of the governor and the staff he'd assembled. The hope was that, over time, the relationship would evolve and grow smoother as the new administration settled in and its understanding of legislative prerogatives took hold.

Achieving that end has been elusive. Too often, the governor's office perceived itself as the superior entity that needed only to walk down the hall into the legislative chamber with agenda in hand and fully anticipate compliance.

The administration came into office believing that the Legislature's role was a subservient one rather than a co-equal one fully capable of influencing and writing policy or – in times of disagreement – thwarting the wishes of the executive branch. Navigating the choppy waters of the legislative process can be a difficult task, but the administration seemed baffled by the need to do it at all.

Rather than invite the leadership into private conferences to discuss administration initiatives, take the legislative temperature, negotiate and head off differences before they blew up into public controversies, the administration bought into a strategy that building public support for its agenda, winning over private-interest groups and the media, would overcome legislative reluctance and annoyance at a failure to consult them.

The afterglow of the 2017 election victory lasted far longer than it should have. It filled the new administration with overconfidence, a belief that its hands were the only ones on the levers of power and, with a Legislature controlled firmly by Democrats, accomplishment after accomplishment would roll in.

They breathed the air of omnipotence while disregarding the limits and boundaries placed on it by the Constitution and by the forces of practical politics.

'My way or the highway' creates conflict

The "my way or the highway" attitude – mistaken as it was – created a restiveness in the Legislature whose members felt entitled to greater deference and respect.

The successive budget conflicts with their threats of a government shutdown should have been a sufficient jolt to administration sensibilities, convincing it that what it viewed as noble purposes and unassailable public policy wasn't perceived in quite the same way in the Legislature.

The administration wasn't helped by its belated response and clumsy handling of scandals involving an allegation of sexual assault lodged against a Murphy campaign official and revelations of patronage run amok at the Schools Development Authority.

The flawed administration reactions played out very publicly and reinforced the perception of an executive office populated by naïve, indecisive individuals unsure of how to respond or deal with the political implications.

Murphy's "no brainer" declaration concerning drivers' licenses for the undocumented was a needless – nearly gratuitous – poke at the Legislature, suggesting that it had failed to act on an idea whose benefits were so self-evident that only those who suffered an intellectual deficiency were unable to recognize it.

Coughlin's reaction was predictable.

There is no doubt that Democrats will retain control of the Assembly this November and that another term as speaker for Coughlin is assured.

Murphy, though, should recognize that while serving as governor is the equivalent of chairman of the board, he must deal with a 120-member board of directors. Keeping them happy and informed is the "no brainer."

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