

OPINION

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Mail: LETTERS TO THE EDITOR, THE LEADER
PO BOX 1017
CORNING, NY 14830
Fax: 607-936-9939
Email: sdupree@the-leader.com

Online at www.the-leader.com/opinions

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34 W. Pulteney St., Corning, NY 14830
www.the-leader.com

Fred Benson Publisher
Stella DuPre..... Editor
Derrick Ek Assistant Editor

POLITICS | SEN. TOM O'MARA

Stage is set for historic year

We're just over one week into the 2013 legislative session — and I guess it's safe to say that we're off to a historically noticeable start.

In fact the session's opening action on gun control set the stage, for a variety of reasons that I won't get into at any great length here, on what's shaping up to be a session where legislators will be asked to take up several of today's hottest of hot-button issues.

So I'll take this chance to make a few observations about the past week — and the days ahead — in New York state government:

■ First and foremost, it's important to turn our attention, as we do every year at this time, to the legacy of Dr. Martin Luther King Jr. On the national day of observance on Jan. 21, in ceremonies locally and across the state and nation, we recall and honor the life of one of history's great public figures.

On this day, I also hope you'll take a moment to visit the state's Dr. Martin Luther King Jr. Memorial Observance website at www.nyking.org.

■ As I noted last week, Gov. Cuomo unveils his 2013-2014 proposed state budget Tuesday.

Of all the actions of each and every session, it's the unveiling of the executive budget proposal that's most anticipated. A few of the priorities I'll be looking for the governor to address include helping the competitiveness of upstate manufacturers and small businesses through targeted tax relief and regulatory reform; addressing the concerns and challenges of low-wealth, high-need school districts across the region and throughout upstate, rural New York; offering job training and economic security for our workers and their families; providing greater relief from the crushing burdens of taxes, mandates and regulations; and enhanced fiscal responsibility.

■ I voted against the new New York gun control law, the recently approved NY SAFE Act, because on balance the final product and the process that produced it went too far to infringe upon the Second Amendment rights of law-abiding and responsible citizens and, equally important, not nearly far enough on keeping a law-and-order focus on where and how these terrible crimes and criminals can and should be most effectively confronted.

The act did include some movement in key areas, including important, practical and common-sense initiatives in mental health, school safety and first responder safety. But how effective will it truly be to protect us from the criminally insane? Or to combat the illegal, out-of-state guns that account for most of the gun crimes in New York? Even some supporters admit that it will do little.

■ So while New York's



SEN. TOM O'MARA

new gun control law surely captured its share of short-term headlines, maybe the most valuable and lasting impact of the act (and the passionate nationwide debate on gun control that's been ignited in recent months) will be a laser-like focus on the importance of the Second Amendment, on the root causes of the horrific mass shootings that rightly spark outrage and sadness, and on the most effective, meaningful ways to address the violent mentally ill and violent crime generally.

These issues continue to pose many of the toughest questions we face in the arenas of civil liberties, constitutional rights and culture. But it's a national discussion that needs to be undertaken. In other words, recent actions in Albany and Washington won't mark the last word, merely the latest.

■ And while we're on the topic of law and order, here at home we're wise to remember a 2005 report from the State Commission of Investigation (SIC) that warned how methamphetamine would become a dire public health and safety threat unless New York adopted new and tougher laws to combat the drug's proliferation.

That report, Methamphetamine Use & Manufacture, highlighted the Southern Tier as a hotbed of criminal meth activity. And it sparked a strong, bipartisan legislative effort that produced New York's first comprehensive strategy to combat the manufacture and sale of meth.

The 2006 law put in place tough new criminal penalties to outlaw clandestine labs; promote greater community awareness and education; recognize the danger to children; and address the environmental hazards associated with meth labs.

Fast forward seven years and we're seeing that meth busts and other meth-related incidents of addiction, violence and tragedy in the Southern Tier over the past year or so have been nothing short of alarming. Meth, for that matter any illegal drug or drug trafficking, can't ever be taken lightly.

So we're smart to heed the warning signs and ensure that our laws and other deterrence efforts are keeping pace with the goal of putting meth manufacturers and sellers out of business across the region. We'll renew that push this year.

State Sen. Tom O'Mara, R-Big Flats, represents New York's 58th Senate District, which includes Steuben, Chemung, Schuyler and Yates counties, and part of Tompkins County.

COLUMN | CHRIS GILL

Anonymous vigilantism



CHRIS GILL

Operating outside the law to mete out justice, vigilantes have been cultural heroes for centuries in every medium — cave paintings, tapestries, literature and motion pictures. People love the idea of a person, or persons, righting a wrong that society's existing enforcement agencies are unable to.

A person with exceptional skills festooned in a mask and/or cape to fight the battles we cannot is the most noble version (Batman, Spider-Man, etc.) but there are also the anti-heroes who take their thirst for vengeance to extremes (The Punisher, Paul Kersey, etc.). While we don't always agree with their methods, and are a bit put off by their need for anonymity, we laud their actions — real or imagined. Masked avengers have become such major figures in our popular culture, five of the top 35 highest-grossing movies in U.S. cinematic history are about people in costumes doling out justice.

Law enforcement has recorded thousands of common-man, real-world vigilantes who took the Charles Bronson route, and even some who, like their heroes from comic books, dress up in ridiculous outfits to search for ne'er-do-wells with ill intent. They're success rate is pretty high, if their goal was to be laughed at by the people whom they wish to protect. There just haven't been too many modern-day Bruce Waynes or Frank Castles.

Until now. The hacktivist group known as Anonymous has become the largest, most effective vigilante group in modern history. Whether or not you agree with their causes and tactics, this conglomerate of Internet Machiavelli is crusading against people,

groups and/or policies no one else can. This isn't a group of kids who meet online in a parent's basement just to make mischief, even if that's how it's believed to have started. No, these are highly skilled people who have adopted the Guy Fawkes mask popularized by "V For Vendetta" as their shield and have successfully hacked into private, corporate and government databanks across the world.

The group started pushing back against international regulations for the Internet as far back as 2004, when media companies started getting irate about how much of their intellectual property was being downloaded through torrents. Instead of people going to a record or video store to purchase the new blockbusters, peers were sharing bits of information online, assembling them into a file at home and uploading the content to their iPods. Lawmakers sought to punish the enablers of what has been deemed theft, but Anonymous wasn't having it. The group hacked into International Federation of the Phonographic Industry's files in protest.

They were labeled cyber-terrorists because the group was, basically, fighting on behalf of people who were getting their content for free.

Soon, Anonymous began taking up more populous causes, like Occupy Wall Street — favored by about half of the country, loathed by the other.

The group shut down several government websites after the short-lived Stop Online Piracy Act, which, again, was 50-50 as most Americans viewed it. Last year, opinion started to change when Anonymous helped take down a major child porn community by bringing it to the attention of authorities. In the last month, Anonymous has taken up two causes that even the most straight-laced, law-and-order types must find difficult to condemn.

Following December's heartbreaking rampage on an elementary school in Newtown, Conn., the Westboro Baptist Church — those twisted religious zealots who picket military funerals with the large, colorful "God Hates F--s" signs — planned on protesting at services of the 20-plus slain in the attack. Anonymous attacked Westboro's site and the computers of key figures in the church for the second time in a year. The argument for the church is obvious: it's a religious organization and, thus, cannot be legally punished for picketing funerals of murdered children. The only way Westboro could get its comeuppance for a perfectly legal, yet nauseating, display is by vigilante justice.

Two weeks ago, a faction of Anonymous helped expose a potential cover-up in the alleged rape of a girl by members of the Steubenville, Ohio, football team. Do you know why you heard of this? Because CNN, the New York Times and The Associated Press all picked up what was thought to be a local story because Anonymous brought it out of the shadows of hard drives and cell phones. Without the group's intervention, the current investigation may have never occurred.

The hacktivists, or terrorists if you're so inclined, have taken up some pretty noble causes recently. The last two examples would be events any caped crusader couldn't ignore, except Superman — for all his god-like Kryptonian goodness, he'd likely side with the Westboro people. I knew there was a reason I never liked Superman, self-righteous jerk.

However, here's the thing about vigilantes: The law is as they interpret, define and enforce it.

What if a group like Anonymous had a beef with traffic lights and shut them all down? Chaos. What if they took umbrage with the world's largest banks gambling away everyone's 401Ks and reduced their balance sheets to zero? An economic stone age. What if such a group was so ticked off at China's human rights violations that it completely shut down the country? The Chinese would be speaking Russian in a week.

I love the idea of people using their power to fight for those who can't fight for themselves, even if they go outside the law to do so. The only problem is, the line between right and wrong isn't always clearly defined, to say nothing of the unintended consequences. Anonymous' most recent actions should be lauded by society, but what happens when the group does something we don't support?

Harvey Dent was right, "You either die a hero or you live long enough to see yourself become the villain."

Chris Gill, sports writer for The Leader, can be reached at cmgill@the-leader.com or follow him on Twitter @TheLeaderGill.

POLITICS | PHIL PALMESANO

Jobs, mandates, spending key issues

Gov. Cuomo will soon present his executive budget for the 2013-14 fiscal year. From my perspective, his budget should address a number of important issues, a few of which I have outlined with detailed explanations. These are not new ideas, but in my opinion, ideas which are now more important than ever.

■ Job creation and economic development: Gov. Cuomo rightfully discussed the need to focus on improving the upstate economy in his State of the State address. Reducing rising workers' compensation and unemployment insurance costs, as the governor mentioned, would be welcomed news. However, we need to do much more. It is imperative that we enact policies that reduce the cost of doing business and encourage private-sector job creation. We should cut business taxes and eliminate bureaucratic "red tape," including excessive regulations. Small businesses, manufacturers and the private sector in general are drowning in a sea of onerous governmental regulations, unnecessary taxes and fees. We should repeal the burdensome and costly Wage Theft Prevention Act, which requires

every employer to send an annual written notification to every single employee explaining their pay and benefits. Our region has been hit hard the last few months by some bad economic news with plant closing announcements and layoffs. This is why we must be very aggressive in advancing policies that will help small businesses and manufacturers locate here, stay here and grow here.

■ Mandate relief for local governments and school districts: Last year, we made a good first step when we acted to cap local Medicaid costs for counties and adopted pension reform. These steps will save local governments and school districts, and therefore property taxpayers, billions of dollars when fully implemented. However, it was a first step, not the last as the governor has indicated. We absolutely must continue our efforts to reduce these mandates that drive up costs for local budgets and, consequently, property taxes that burden families and small businesses. The property tax cap can only help control the rising growth of property taxes. If, however, we truly want to reduce the local property tax burden, then we

must address the true cost drivers that drive up our local budgets and property taxes.

Gov. Cuomo promised mandate relief would follow the implementation of the new property tax cap. We started on that promise last year, now it is time to finally honor and fulfill that promise.

Education funding reform to help our high-need, low- and average-wealth school districts: The governor discussed major education reform proposals in his State of the State address. However, before addressing major new ideas, I believe he should first focus his attention on the critical need to reform the state's school aid formula. The reform should provide funding based on need to ensure our low- and average-wealth school districts, which are primarily upstate, rural schools, do not get short-changed. When so many of our schools are challenged with teacher layoffs and students not having equal access to needed opportunities that are provided to children in high-wealth schools, then we must reform the system to correct these inequities. The children in our upstate, rural schools deserve

to compete on a level playing field so they can be afforded a sound, quality education.

■ Spending: We must maintain our fiscal discipline and control state spending. I believe we have made progress on this front over the last two years as we worked to cut state operations, reform Medicaid, consolidate state authorities and commissions, and reduce overall spending in back-to-back state budgets. However, we must continue our efforts to restructure and reform our state government in these areas, and in many others, to ensure our state spending is focused on important priorities such as education and improving our state and local infrastructure (CHIPs - Consolidated Highway Improvement Program).

We have a lot of work to do, but I am committed to working with the governor and my legislative colleagues to address these goals so we can create a brighter future for New Yorkers.

Assemblyman Phil Palmesano, R-Corning, represents the 136th Assembly District, which consists of Steuben and Yates counties.