Post-Budget Lobbying Packet

TO: Local League Presidents/Action Chairs
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Here is the information and material for use in connection with post-budget lobbying visits to your state legislators. At this time, we are focusing our post-budget lobbying on automatic voter registration, support for S.1931-Comrie/A.4987-O’Donnell providing for the restoration of voting rights for people on parole, and reduction of state campaign contribution limits across the board. We are including one-page on automatic voter registration, our Memorandum in Support of S.1931/A.4987, and one-page on reducing campaign contribution limits. These three items can be left with your legislator. More information on automatic voter registration can be found at: https://www.brennancenter.org/analysis/automatic-voter-registration.

We encourage you to schedule a visit with your Senator(s) and Assemblymember(s) during the legislative recess, April 11-26. If those dates are unavailable, however, you can still meet with them during the session when they are in their districts, usually Thursdays and Fridays in May.

For background we have included an update of the Passed Voting Reforms information that was included in the pre-budget lobbying package, which now includes funding and additional reforms passed in the budget. We are also including the League’s testimony on March 20, 2019 before the Senate Elections Committee on Campaign Finance Reform. The League has long supported voluntary public financing of campaigns as part of comprehensive campaign finance reform. Comprehensive reform should also include better enforcement and significant reduction in state contribution limits across the board.

Unfortunately, the 2019-2020 budget punted the establishment of a public financing system to a to-be-created Commission with a report due December 1, 2019 despite a detailed proposal for public financing in the Governor’s budget and similar legislation passed by the Assembly in previous years. Since the League believes that it is essential to reduce campaign contribution limits across the board for all candidates for any form of a future public financing system to work and that this can and should be done independently of the work of the Commission, we are calling for the immediate passage of legislation reducing all campaign contribution limits. The state League will also call for public input and full transparency for the Commission and contribute our views on public financing and comprehensive campaign finance reform to the fullest extent possible.

What’s inside:

Materials for Legislators
- Automatic Voter Registration One Page
- Memorandum of Support for S.1931-Comrie/A.4987-O’Donnell
- Contribution Limits One Page
**Materials for League Members**
- Tips for Lobby Visits
- Lobby Check List
- Response Form
- Passed Voting Reforms and Funding in 2019-2020 Budget
- League testimony on campaign finance reform.

*This exchange of information benefits the state League in its efforts to move forward on these reforms. Our influence in Albany depends on your contact with your state Senator and Assemblyperson(s). They know you elect them! If you haven’t done so already, set up an appointment to see your state Assemblyperson(s) and Senator. Seeing a staff person is fine.*

This Packet is available on the state League homepage, [www.lwny.org](http://www.lwny.org). Please return the attached form to the League office following your meeting, by mail, fax or email with an attachment. You should feel free to rely on the main points in this document and the handouts for your visit, but more background information is available online on our website for your reference.
Automatic Voter Registration

The League of Women Voters supports the adoption of a system of automatic voter registration in New York State. Automatic voter registration would provide substantial cost savings and administrative benefits and ensure that all eligible consenting New Yorkers are registered to vote. Under this system, county boards of elections automatically and electronically receive the information necessary to add citizens to the voter rolls, or update their information, when persons eligible to vote interact with any New York State government agency, not just the Board of Elections or the Department of Motor Vehicles. It is not mandatory registration: citizens are always provided the opportunity to “opt out,” and no information enters the registration rolls without approval.

Automatic voter registration has three primary benefits: (1) it increases the accuracy of the rolls, because paperless systems leave less room for human error and because more up-to-date and frequent registration information from voters means outdated or duplicate records can be eliminated; (2) it saves state money because less is spent on staff time, paper processing, and mailing, among other expenses; and (3) it boosts registration rates and turnout. Currently there are 1.1 million New Yorkers who are eligible to vote but are unregistered.

New York already has a system to electronically transfer voter registration information from the Department of Motor Vehicle offices (“DMV”) directly to election officials. Automatic voter registration is the logical next step. Making voter registration “opt out” instead of “opt in” and expanding it to citizen interactions with all state agencies will create a process that is more convenient and less error-prone for voters, government-agency staff, and election officials.
Passed Voting Reform Legislation

And Funding Included in 2019-2020 Budget

Voting is about to get easier for New Yorkers. New York has long lagged behind most of the country when it comes to voting. Our archaic election laws made it difficult for people to vote and resulted in low voter turnout. However, this session both the Assembly and Senate passed 7 election laws bills. The five reforms which require the Governor’s signature have been signed into law. However, not all of these are effectively immediately. Other reforms, which require constitutional amendments, cannot become effective until further action is taken by the legislature and they are passed by voter referendum.

The passed 2019-2020 state budget provided for $10 million in funding for early voting implementation in counties, and $14.7 million in funding for electronic poll books. In addition, it expanded primary voting hours upstate to 6 a.m. to 9 p.m., gave more time off for workers on election day, and enabled online voter registration through the Board of Elections website. Previously online registration was only available through the Department of Motor Vehicles.

1. **EARLY VOTING.** Will take place for the first time in New York. (Thirty-eight states and District of Columbia have already instituted in person early voting.) Voters will be able to vote at designated poll sites for 9 days prior to election day but not the Monday before election day. Each County Board of Elections will follow the law designating the number of and placement of the early voting poll sites and notify voter of the days, hours, and locations of the early polling sites.

   This act will take effect immediately and first apply to the 2019 general election; i.e., early voting will begin Oct. 26, 2019 and go through Nov. 3, 2019. All polls will be open Election Day Nov. 5, 2019.

2. **PRIMARY CONSOLIDATION.** Amends certain deadlines so NY is in compliance with the federal Military and Overseas Voter Empowerment (MOVE) Act. Moreover, this act combines federal and state primaries into one primary on the fourth Tuesday in June. This prevents NY from having two primaries for federal elections in nonpresidential years and three primaries in presidential years, saving the state about $25,000,000. In addition to cost savings, it should increase voter turnout.

   This act will take effect immediately although in 2019 being an off-year election, there will be no need to combine primaries as only one primary day. Primary Day is June 25, 2019 this year.

3. **SAME DAY VOTER REGISTRATION.** Would allow voters to register and vote on Election Day. In order for this to become law, the NYS Constitution (which requires registration to vote to be completed at least 10 days before Election Day) needs to be amended. Changing the Constitution would require the same bill that passed this year to be also passed in both the Assembly and Senate in the legislative session following the 2020 general election, and then being passed by voters in a referendum in 2021. Therefore, first time this could go into effect would be in 2022.

   Currently, New Yorkers need to be registered 25 days before Election Day.
4. **NO-EXCUSE ABSENTEE VOTING.** Would remove need for a cause for absentee ballot voting. Currently in NY, you can request an absentee ballot for six reasons: absence from county on election day; temporary illness or physical disability; permanent illness or physical disability; duties related to primary care of individual(s) who are ill or disabled; patient or inmate in VA; or detention in jail/prison awaiting trial, action by grand jury or convicted of crime which is not a felony.

Currently 28 states and the District of Columbia allow voters to vote absentee without a cause. No-excuse absentee voting would require a constitutional amendment and could not take place until also passed in both the Assembly and Senate in the legislative session following the 2020 general election, and then being passed by voters in a referendum in 2021.

5. **PREREGISTRATION FOR 16 AND 17 YEAR OLDS.** Currently the only time 17 year olds can register to vote is if they are turning 18 in that calendar year even if their birthday is after Election Day. This new bill would allow 16 and 17 year olds to preregister. The voter registration form would be modified to include space where there is an explanation of preregistration and allow for form to be pending.

This act will take effect in January 2020.

6. **STATEWIDE VOTER REGISTRATION TRANSFER.** Provides that the Board of Elections would transfer the registration and enrollment of a voter appearing on a statewide voter list to wherever they move in the state. This would enable voters who move to a different county in NY to vote on an affidavit ballot even if their new county was not notified of the change of address and have their vote counted. Currently it is up to the voter to reregister in new county to where they move.

This act took effect March 25, 2019.

7. **CLOSURE OF THE LLC LOOPHOLE.** Will change way that candidates can run and fund their campaigns. This will eliminate the loophole which has allowed corporations to pour almost unlimited money into races through limited liability companies. According to this bill, each limited liability company that makes a contribution or expenditure for political purposes will be held to the $5,000 limit on corporations and will need to file the identity of owners in the limited liability company and the proportion of their interest with the NYS Board of Elections.

This act will take effect on seventh day after it becomes law.
MEMORANDUM IN SUPPORT
S.1931-Comrie/A.4987-O’Donnell

TO: NYS Assembly and Senate
DATE: March 28, 2019

SUBJECT: AN ACT to amend the election law, the criminal procedure law and the correction law, in relation to voting by convicted felons.

Since its founding 100 years ago, the League of Women Voters of New York State has fought to educate voters and make New York’s voting system more accessible to all New Yorkers. This bill would continue that important process by restoring voting rights to people on parole. Voting is an important right of citizenship and belonging to a community. This bill would provide for:

- The right to vote will be automatically granted to all New Yorkers who are currently on parole.
- The Department of Corrections and Probation and Parole will be responsible for assisting with voluntary voter registration prior to an individual’s release from prison.
- The State Board of Elections will be required to develop and implement a new outreach program to educate professionals such as lawyers, judges, election officials, corrections officials and the public about the new policy.
- People who are convicted of a crime will be informed: (1) before conviction and sentencing to prison that they will lose their voting rights; and (2) upon release from prison that they are again eligible to register and vote.

Executive Order No. 181 granted voting rights to people on parole by conditional pardon. However, based on the experience of advocates and newly enfranchised voters, this Executive Order did not accomplish enough. We need education, automatic enfranchisement, and a better process that does not leave any voter behind. All those who are enfranchised must be made aware of their rights. Few New Yorkers understand the difference between probation and parole, and some individuals on probation have functioned under the misinformation that they do not have their fundamental right to vote.

The League of Women Voters of New York State strongly supports the above referenced legislation which provides for the restoration of voting rights to people on parole. We strongly encourage all members of the Legislature to pass necessary voting reforms and include voting rights restoration for people on parole. It is time for finally restoring our franchise to the whole of New York State. For the above reasons, the League of Women Voters of New York State strongly urges your support of S.1931/A.4987
Reduce All New York State Campaign Contribution Limits

The New York City League was an early and strong proponent of public financing for city elections and the state League has supported public financing in New York state elections for many years. We were disappointed that the recent budget negotiations delegated the creation of a statewide public financing system to a Commission. We hope that the Commission will be transparent, seek extensive public input, and make a sincere effort to do what is best for the voters of this state.

However, we also believe that reasonable limits on contributions, including contributions to parties, are fundamental to reforming New York's broken campaign finance laws. They should not be viewed as mere additions to implementation of a public financing system. New York cannot build a functional public financing system on top of sky-high contribution limits. Lawmakers do not have to wait for the Commission or the implementation of a public financing system to lower all campaign contribution limits.

New York State currently has by far the highest contribution limit of any state with limits. Contribution limits must be lowered if we want to ensure the public that large contributions do not unduly influence public policy decisions made by lawmakers.

- Currently limits at the state level are as high as $69,700 to candidates for statewide office, $19,300 to state senate candidates, and $9,400 to candidates for assembly per election cycle for individuals, political action committees, and unions. We believe that contribution limits should be significantly lowered closer to the maximum contribution for individuals for federal office per election of $2,800. Even with lower limits, candidates will have no cap on total spending or raising money. They can still be competitive despite amounts spent by independent expenditure groups.

- Contributions for “housekeeping” should no longer be unlimited, and party and political committees should have lower “hard” limits on contributions and stricter rules about the use of these accounts. We need to reduce all contribution limits to levels more consistent with federal limits.

- We need to further reduce or eliminate contributions by all lobbyists and contractors doing business or seeking business with the state.
Good afternoon. I am Laura Ladd Bierman, Executive Director of the League of Women Voters of New York State (League). The League is a non-partisan political organization working to promote civic responsibility through informed and active participation of citizens in government. We have 49 local leagues throughout the state registering and educating voters, on local and state issues. Advocacy has also been an important facet of League activity since our founding as an outgrowth of the women's suffrage movement 100 years ago. On behalf of the League, I want to thank Senator Myrie and this committee for this opportunity to speak about campaign finance reform and a small donor matching system for New York State.

For many years, New Yorkers have been frustrated by the deplorable condition of our state’s campaign finance system and the outsized power of wealthy interests in Albany. Comprehensive campaign finance reform is the change New Yorkers so desperately need. For decades the League has tirelessly worked for this end. This legislature now has before it a historic opportunity to make sweeping improvements including a small donor matching program to our broken campaign finance system, a system which has for far too long undermined democracy and sown public distrust in government.

Specifically, the League has repeatedly advocated for the following reforms and strongly supports their inclusion in this year’s budget. The New York City League was an early and strong proponent of public financing for city elections and the League has supported public financing in New York state elections for many years. Among the well-documented benefits of public financing are a greater diversity of candidates elected to office and an increase in the number of overall contributors, especially the number of small donors. However, we also believe that effective, independent and adequately funded enforcement, and reasonable limits on contributions, including contributions to parties, are also fundamental to reforming New York's broken campaign finance laws. They should not be viewed as mere additions to implementing a public financing system. New York cannot build a functional public financing system on top of the existing weak enforcement structure and sky-high contribution limits. Robust, independent, adequately funded enforcement, greater campaign finance restrictions, and public financing must
all go hand in hand. The same independent board should administer the public finance system and all campaign finance laws.

We need to reduce all contribution limits to levels more consistent with federal limits, including hard money contributions to party committees. While we recognize that the Governor’s proposed reductions are a significant reduction from current levels, by far the highest of any state in the country with limits, they need to be lower. We need to further reduce or eliminate contributions by all lobbyists and contractors doing business with the state in addition to those seeking contracts. In addition, we need to place reasonable limits on party housekeeping accounts and clarify the ban on personal use of campaign funds, including a ban on the use of contributions to pay expenses related to holding office, fines and attorney fees. New York should also require increased and more immediate reporting of campaign contributions, especially those made immediately prior to an election. There should be new reporting requirements for bundlers of contributions as well as reporting of a contributor’s occupation and employer. In addition, there should be immediate disclosure of alleged violations of campaign finance laws and dispositions of enforcement actions.

Elected officials should be beholden to their constituents, not their large donors. We want to thank the Senate for including funding for a public financing system in their budget and encourage them to also enact strong reforms to ensure transparency in our elections and trust in our government.
Tips for Lobby Visits

PREPARATION

1. Making the appointment: Contact the legislator’s district office. Ask for a ½ hour of time, but accept less if necessary, and do not overstay your welcome. Notify the legislator of the number in your group as well as their names, if possible. Send a letter or e-mail confirming the appointment, mentioning the issues you will discuss. If you cannot meet with the legislator, ask to meet with senior staff.

Try to arrange for three to five League members to attend. If your League meets with several assembly members or senators, be sure to have a League member who is a constituent present. At least one person should be experienced in League. League members well versed on the issues to be lobbied should be included when possible. A new member can be included in this exciting action if accompanied by experienced League members. When more than one local League is involved, try to have representatives from as many of the constituent Leagues as possible.

2. Assigning roles: Each member of the lobby team should be assigned a specific role. The following are possible assignments:
   - Researching the legislator. Someone should be prepared to brief the other members of the lobby team on the legislator’s relationship with the League and his/her voting record (if the legislator is a re-elected incumbent). What are his/her committee assignments and/or leadership positions in the legislature? Is this legislator a member of the League? If this legislator sponsored bills that League supported, you may want to take a moment to express League’s appreciation.
   - Moderator/leader. This person should be certain that each League member introduces himself/herself. The leader must also watch the clock. Knowing ahead how much time the legislator has agreed to spend with you, the leader must allot an appropriate amount of time for each issue. It is the leader’s responsibility to “pace” the visit and tactfully keep everyone (including the legislator) on the subject. Remember, opinions expressed should be those of the League, not of individuals.
   - Recording and reporting the legislator’s response. The leader should not be the recorder.

NOTE: If you anticipate printing any part of the interview in a League bulletin or newspaper, the recorder is obligated to get the legislator’s permission and specific conditions under which you may print.

Write a follow-up thank you after the visit. This is not only a gesture of politeness, but it also allows you to underscore some points made during the visit, answer any questions you were not sure about, or send a League publication to which you may have referred during the course of the visit.
Lobby Check List

Before Your Visit:
- Do you know what your “ask” is?
- Did you pack extra copies of the Lobby Packet materials?
- Did you bring your contact information for the member/staffer?
- Are you ready to refute opposition arguments?
- Do you have a couple of questions you want to ask?
- Is there an upcoming event where you can invite the lawmaker? Or are you sending a student from their area to Students Inside Albany?

After Your Visit:
- Did you send them a Thank You note?
- Did you send follow up on any questions they had?
- Did you send your Lobby Response Form to the State League office?
- Celebrate your success!

Use this space for any additional notes:
2019 LWVNYSB LOBBY REPORT FORM
POST-BUDGET LOBBY VISITS

Local League:_______________________ League Member Name:_____________________

Senator:_________________________ Assembly Member:_________________________

• What were the legislator’s biggest concerns?

• Where did you see eye to eye?

• Did they ask for additional information?

Please return completed form to LWVNY, 62 Grand Street, Albany NY 12207 or fax 518-465-0812 or save as a pdf and attach to an email to lwvny@lwvny.org by May 15, 2019.