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# REFORMNY

TUESDAY, DECEMBER 18, 2012

## Good-Government Groups Send Letter to New NY Senate Governing Coalition Pushing for Rules Reform

December 18, 2012

State Senators Jeffrey Klein and Dean Skelos  
 Legislative Office Building, Room 304  
 Albany, NY 12247

Dear Senators Klein and Skelos,

Like many New Yorkers, we have closely followed the post-election developments that have led to your new coalition in the Senate. You have stated that this new partnership marks a bold new chapter in the history of the Senate, and we are encouraged by your promise to work in a constructive, bipartisan way to put good policy ahead of politics. As you know, our groups have long deplored the Senate operating rules, which have been one of the most substantial impediments to the thoughtful development of policy that benefits from the creative input of affected New Yorkers. Your coalition presents an unprecedented opportunity to reform those rules and create a body that is more representative, responsive and deliberative.

In particular, our groups call for four main changes: (1) increase the strength and efficiency of committees, so that they function fully and effectively; (2) provide greater opportunity for rank and file members to bring legislation with majority support to the floor, even over the objection of leadership; (3) institute more equitable allocation of resources between all of the conferences; and (4) increase transparency in the chamber.

More specifically, we strongly urge you consider the following

## BRENNAN CENTER FOR JUSTICE

The Brennan Center for Justice at NYU School of Law unites thinkers and advocates in pursuit of a vision of inclusive and effective democracy.

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shared Fix the Senate Now's photo.

Another Day of Action everyone! Around the country, concerned

changes to legislative procedures:

1. Increase the strength and efficiency of committees by
  - a. Reducing the number of standing committees, and the number upon which members can sit;
  - b. Allowing members to vote in committee only if they are physically present;
  - c. Clarifying the rule on petition for hearings, so that 1/3 of members can ensure a hearing on a bill unless a majority of members object;
  - d. Requiring a public reading and mark up process for bills before they can be passed through committee; and
  - e. Requiring that all bills that pass out of committee include reports that set forth the purpose of the bill, proposed changes to existing law, a section-by-section explanation of the bill, a cost-benefit-analysis, the bill's procedural and voting history, and any individual members' comments on the bill;
2. Encourage greater participation by all legislators by providing the opportunity for a simple majority of members to bring any bill to the floor for consideration and a vote, regardless of leadership objections.
3. Foster equity and comity through the fair allocation of resources between the majority and minority parties by ensuring that funding for central staff is proportionate to a conference's size and tightening rules prohibiting the use of resources for political purposes.
4. Increase transparency by making access to information on the Legislative Retrieval Service free and following through with the creation of the State Government Public Affairs Channel (often referred to as "NYSPAN").

When your new coalition convenes for the first time in January and adopts new operating rules, you will have a tremendous opportunity to send a signal to New Yorkers about your commitment to making the Senate a more representative, deliberative, accountable and efficient legislative body. We hope that you will adopt the reform proposals listed in this letter, and welcome the opportunity to discuss them with you in greater detail in the coming weeks.

Sincerely,

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- Albany Project
- Amherst Times
- Buffalo Geek
- Buffalo Pundit
- Capitol Beat
- Capitol Confidential
- Change CNY
- Daily Gotham

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New York State

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LABELS: LEGISLATIVE RULES, TRANSPARENCY

MONDAY, DECEMBER 10, 2012

## Klein has opportunity to help fix election laws

*The Journal News (lohud.com)*

December 7, 2012

Op-ed by Lawrence Norden and Kelly Williams

Sen. Jeffrey Klein and his four colleagues who make up the Independent Democratic Conference took the extraordinary step last week of caucusing with the Republican Party, promising that the new power-sharing agreement would finally end Albany dysfunction and bring needed attention to key issues like campaign finance reform.

If Sen. Klein, who represents the Bronx and Westchester, wants to make good on his pledge and justify this new coalition, he must work to pass comprehensive campaign finance reform, to change the broken elections system and the culture of dysfunction in Albany.

Gov. Andrew Cuomo has said he supports comprehensive reforms of the state's outdated campaign finance laws. Most important, the governor has pledged his support for a system of "small donor" matching for elections. Under this kind of system, small donations, up to \$175 or \$250, would be matched with public funds. A small donor-matching system would allow candidates to eschew big-money donors and rely instead on their own constituents to decide who best deserves to run.

Sen. Klein and his colleagues in the IDC have repeatedly voiced their support for a small donor-matching system, while his Republican colleagues in the Senate have not. Sen. Klein, nevertheless, promised

Daily Politics  
Free New York Blog  
From the Rochester Perspective  
Knickerbocker Blog  
Living in Dryden  
My Brooklyn Report  
Politics on the Hudson  
RebootNY  
Room Eight  
State of Politics  
Sui Generis Law Blog  
The New York Sun  
The Politicker  
The Wonkster

### CATEGORIES

Legislative Rules  
Campaign Finance  
Government Ethics  
Redistricting  
Voting  
Judicial Selection  
General

### ARCHIVES

December 2012 (3)  
November 2012 (3)  
October 2012 (4)  
September 2012 (3)  
August 2012 (5)  
July 2012 (5)  
June 2012 (7)  
May 2012 (5)  
April 2012 (5)  
March 2012 (9)  
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January 2012 (4)  
December 2011 (7)

that “campaign finance reform” would come to a vote under the IDC/GOP coalition.

Seldom has there been such a disconnect between what the people want and what a legislature is willing to give them.

Poll after poll has shown that New Yorkers of every political persuasion and from every geographic region want Sen. Klein to deliver on this pledge. A Siena College Poll confirmed that 74 percent of New Yorkers approve of the governor’s plan to institute a small donor-matching system and reform New York’s campaign finance laws. By overwhelming margins, independents (75 percent), Republicans (70 percent) and Democratic voters (77 percent) all declared that they want to revitalize our democracy with such reforms. Remarkably, a poll from Zogby Analytics shows that 80 percent of New York state business leaders would support a small donor-matching system, when coupled with other critical reforms.

A new study from the Campaign Finance Institute estimates that such a system would cost just \$25 million to \$40 million per year, or just \$2 per New Yorker — well worth the cost of fixing our broken elections. As the Brennan Center has reported, such a program has proven effective in New York City and can be a model for New York state — and the nation.

Most important, this system would pay for itself by saving the state money from wasteful spending and public policies that are otherwise the norm in Albany’s current “pay to play” environment. It is a necessary investment given the extensive costs New Yorkers currently incur under a system that puts Albany on the auction block for influence-seeking political money — in special interest tax breaks and spending programs, inefficient government, and a failure to address the problems that matter to the public.

Gov. Cuomo has called for a four-point reform plan in addition to small-donor matching: lowering contribution limits, eliminating loopholes to reduce the influence of a small handful of wealthy donors; enacting pay-to-play rules to further restore the public trust; and providing fair and even-handed enforcement to ensure accountability.

The Assembly has passed comprehensive campaign finance reform in previous sessions. That means Sen. Klein now co-leads the most important remaining obstacle to finally cleaning up Albany. Sen. Klein and his IDC colleagues could be heroes of reform if public financing of elections is passed this session. If it stalls, last week’s

November 2011 (3)

September 2011 (2)

July 2011 (1)

June 2011 (5)

May 2011 (3)

April 2011 (4)

March 2011 (6)

February 2011 (5)

January 2011 (9)

December 2010 (3)

November 2010 (8)

October 2010 (7)

September 2010 (5)

August 2010 (4)

July 2010 (2)

June 2010 (3)

May 2010 (8)

April 2010 (4)

March 2010 (6)

February 2010 (11)

January 2010 (21)

December 2009 (7)

November 2009 (7)

October 2009 (5)

September 2009 (2)

August 2009 (3)

July 2009 (10)

June 2009 (23)

May 2009 (6)

April 2009 (5)

March 2009 (3)

February 2009 (4)

January 2009 (8)

December 2008 (3)

November 2008 (3)

October 2008 (11)

move may be remembered as little more than another Albany power play.

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LABELS: CAMPAIGN FINANCE, PUBLIC FINANCING

FRIDAY, DECEMBER 07, 2012

## Money in Politics This Week

*Every Friday, the Brennan Center will be compiling the latest news concerning the corrosive nature of money in New York State politics—and the ongoing need for public financing and robust campaign finance reform. We'll also be linking to dispatches from around the country highlighting the national scope of this crisis. This week's links were contributed by Syed Zaidi.*

*For more stories on an ongoing basis, follow the Twitter hashtag #moNeYpolitics and #fairelex.*

### CAMPAIGN FINANCE REFORM AND ETHICS NEWS

#### NEW YORK

#### **Cuomo Outlines List of 10 Priorities: Campaign Finance Reform is No. 2**

Governor Cuomo refused to endorse more than two candidates in New York State Assembly and Senate races this year. Now, with the Senate leadership undetermined, he is still unwilling to put his weight behind individual legislators, rather, the Governor is asserting that he will support Senators based on their positions on a list of ten issues he deems to be the most important over the coming year. In a victory for reformers, campaign finance reform is high on the list, along with other progressive initiatives such as raising the minimum wage and changing New York City's "stop and frisk" policy. It remains to be seen whether the newly emerged Senate coalition composed of Republicans and a breakaway group of 5 Independent Democrats will be responsive to these requests from the Governor, or if they will simply continue the tradition of dysfunction that the New York State Legislature has become well-known for. It is up to the citizens of New York to keep the pressure on their elected officials in order to ensure that public matching for small in-district donations remains a crucial aspect of any campaign finance reform proposal.

September 2008 (8)

August 2008 (10)

July 2008 (8)

June 2008 (16)

May 2008 (15)

April 2008 (16)

March 2008 (15)

February 2008 (22)

January 2008 (22)

December 2007 (10)

November 2007 (16)

October 2007 (23)

September 2007 (16)

August 2007 (25)

July 2007 (17)

June 2007 (27)

May 2007 (34)

April 2007 (30)

March 2007 (32)

February 2007 (24)

January 2007 (27)

December 2006 (14)

November 2006 (18)

October 2006 (18)

September 2006 (16)

August 2006 (41)

July 2006 (33)

June 2006 (35)

May 2006 (1)

## **New York Times Editorial Asks Governor Cuomo to**

### **Support Fair Elections**

In an excellent editorial, the *New York Times* urged Governor Cuomo to make New York's system of electing legislators the fairest and most transparent in the country. The editorial emphasized the need for a public financing mechanism modeled on New York City's successful small donor matching program, where the first \$175 of any donation is matched at a 6-to-1 ratio. According to the *New York City Campaign Finance Board*, a majority of contributors in City Council elections in recent cycles were giving for the first time, and of those first-time contributors, 83 percent gave \$175 or less. Lower limits on individual and corporate contributions are also necessary, along with closing loopholes like unrestricted donations to political party "housekeeping" committees. And given that campaign treasuries can be used for almost anything, including veterinarian bills, pool parties and birthdays, clear rules regarding campaign funds are paramount. As the *Times* put it, "By setting a national standard for public financing, New York State could go from laggard to leader."

### **NY Business, Civic and Philanthropic Leaders Insist Governor Cuomo Include Campaign Finance Reform in his State of the State**

In addition to the editorial by the *New York Times*, other New Yorkers are also emphasizing the importance of Fair Elections in the upcoming legislative session. The New York Leadership for Accountable Government (NY LEAD), a bipartisan group of business, civic and philanthropic leaders, sent a letter to Governor Cuomo asking him to make citizen-funded elections a priority in his State of the State Address. "A Fair Elections campaign finance system would encourage voter participation, incentivize diversity among candidates and help curb the corrupting power of big money," the letter stated.

### **Public Financing of Elections in NYS Would Cost Only \$2 per Person**

A new study from the Campaign Finance Institute by Professor Michael Malbin concludes that the cost of running a public financing system in New York State would be roughly \$40 million, which works out to \$2 per New Yorker—not a bad trade considering the millions more the state government wastes in handouts to special interests. Additional taxes are unnecessary; the current revenue stream can simply be redirected towards ensuring our elections are clean and fair. In 2012, 76 percent of the money raised by New York State legislative candidates was from large donors that contributed \$1,000 or more. By contrast, only 8 percent came from donors who gave \$250 or less. The research evaluated the consequences of implementing a public financing bill (A9885) introduced by Assembly Speaker Sheldon Silver last session. Four alternative scenarios, involving changes in the number of donors and election contests yielded cost estimates from \$25 million to \$40 million.

## **NATIONAL**

## **Why the Faith Community Supports Campaign Finance**

### **Reform**

Ministers, rabbis, nuns, priests, imams and theologians across the U.S. are joining forces to call out the dangers of unchecked money in our elections and advocating for large-scale reform. Faith leaders were crucial for the passage of state-level ballot measures calling for campaign finance reform in Colorado and Montana, and are now active in North Carolina and Washington to support the movement to reverse *Citizens United*. Katherine Henderson, president of the Auburn Theological Seminary in New York, [stated in the Washington Post](#) that Super PACs spent more than \$500 million on campaign propaganda, from voter suppression tactics and fear mongering to outright fabrications, in an effort to buy special access to every level of our government. "When people make large gifts of money to influence the behavior of a leader, the Bible calls that a bribe. The Bible reserves its strongest words for anonymous bribes, saying...that 'a wicked man accepts a bribe in secret to pervert the ways of justice' [[Proverbs 17:23](#)]." For the sake of justice and for the betterment of their communities, the faith leaders must take action on this vital issue.

### **U.S. Earns a C on the Corruption Perception Index**

The United States scores worse than many countries in the developed world on this year's [Corruption Perception Index](#), according to Transparency International. Transparency International employs [surveys of well-known civic and business groups](#) to quantify the degree of perceived corruption in a state. The U.S. earned a score of 74 out of 100 and a ranking of 19 out of the 174 countries tested. America trails behind other developed nations such as Singapore, Australia, Canada, Germany and Japan. "Americans believe there are continued transparency and corruption issues in local, state and national government institutions and processes. Numerous articles and editorials during the recent U.S. elections attest to American concern regarding opaque campaign financing and a political culture driven by special interest groups." A series of Supreme Court decisions, coupled with inaction by the Federal Election Commission, set off a [\\$1.3 billion spending spree by outside groups](#) this election cycle, with a large portion from hidden donors.

### **Dark Money in Congressional Races: VA Residents Write-in 6,000 Votes for a Cat**

The Sunlight Foundation has released a list of [25 House and 10 Senate races](#) where dark money played a vital role in the election. Dark money is funneled from non-profit entities organized under a section of the tax code that protects them from revealing their donors. More than \$256 million in donations came from these groups during the 2012 general election cycle. The three candidates who were helped the most by dark money were Representatives-elect Keith Rothfus (R-PA), Bill Johnson (R-OH)