

2009 NEW YORK STATE POLICY AGENDA

As an independent, nonpartisan force dedicated to promoting good government and political reform in the city and state of New York, Citizens Union has served as a watchdog for the public interest and an advocate for the common good. We work to ensure fair elections, clean campaigns, and open, effective government that is accountable to the citizens of New York. With those goals in mind, presented below are our positions on a wide range of state reform issues important to the citizens of New York. With reforms long overdue to the state's redistricting practices, campaign finance laws, and ethics oversight at the top of the list, New York is hopefully now poised to realize genuine reform.

In order to build on previous success in the areas of ethics and budget reform, we urge the State Legislature and the Governor to address successfully the following issues:

LEGISLATIVE REDISTRICTING REFORM

- Create a new redistricting commission that is fairly chosen and would operate independent of the legislature and political parties in drawing congressional and legislative district lines.
- Develop fair and sensible redistricting guidelines to ensure that district lines are not drawn to favor or oppose any political party or any incumbent, and provide for fair and effective representation of racial and language minority groups.
- Ensure adequate public disclosure in proceedings, including hearings throughout the state and online access to the redistricting plans and the data used to prepare them prior to their adoption.
- Create an effective mechanism for legislative approval of the independent redistricting commission's plan.

ELECTION REFORM

- Work to establish a new elections governance structure for administering state and local elections that removes the current two party control and results in a more accountable and transparent system that will improve its operations, while preserving bipartisan participation in ballot disputes and counting.
- Ensure that the testing and certification of new voting machines is not compromised and proceeds in a transparent manner. Despite the current federal court order to implement new machines this year regardless of state law requirements, the state should still adhere to its own strong voting system standards to the fullest extent practicable, to ensure that New York procures secure, accurate, and accessible voting systems as required under the Help America Vote Act of 2002 (HAVA).
- Ensure that flexible matching practices are used to verify voters in the statewide voter database and that communication between city and state boards of election regarding list maintenance is conducted in a timely manner so that eligible voters are not inadvertently removed from the voter rolls and disenfranchised at the polls; and database inaccuracies,

such as incomplete information or failure to verify registration forms, do not serve as barriers to registrants or to disenfranchise or discourage voters at the polls.

- Develop an extensive public education program to prepare for the shift to entirely new voting machines to familiarize voters with the changed process of voting before Election Day.
- Develop a standardized poll worker training curriculum that reflects sensitivity to non-English speaking and disabled voters and emphasizes the revised poll site procedures, including affidavit ballot requirements, required under HAVA; work with local election boards to implement the new state standardized poll worker training requirements; and expand recruitment of poll workers to ensure that each county has an adequate number of workers, all of whom are capable of performing the tasks required of them.
- Remove burdensome ballot access requirements and create a less problematic signature challenge process to encourage candidates to run for elected office.
- Increase voter participation at the polls by instituting election day voter registration and no-excuse absentee voting.
- Reform the selection process by which elected official vacancies are filled, by holding either nonpartisan elections or a special party primary and general election, both with instant run-off voting. Elections should be held for vacancies of the Comptroller and Attorney General during the September primary and November general elections following the appointment of interim officers by the legislature.
- Repeal the "Full Face Ballot" provision that requires voters to see in one singular view the entire ballot containing all the offices and candidates.

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CAMPAIGN FINANCE REFORM

- Significantly lower campaign contribution limits and institute a public matching system similar to the New York City model.
- Strengthen the ban on the use of campaign contributions for personal use.
- Implement pay-to-play restrictions on contributions from entities that do business with the state, including lobbyists and state contractors.
- Require greater disclosure and reporting of campaign contributors and expenditures.
- Develop more effective enforcement mechanisms, including greater fines for exceeding contribution limits and violations of campaign finance disclosure laws.
- Transfer campaign finance enforcement from the State Board of Elections to the Commission on Public Integrity to improve enforcement and allow the commission to fully monitor all intersections of money in politics.

GOVERNMENT REFORM

- Strengthen the newly formed Commission on Public Integrity by giving it jurisdiction over legislative ethics violations and campaign finance enforcement, as well as change its representation so no one elected official makes a majority of the appointments.
- Further reform the governance and oversight of the state's public authorities; conduct a thorough review of current authorities and subsidiaries to assess their merit and continued existence; require stronger controls and reporting on finances and issuance of debt.
- Revise the Municipal Home Rule law to limit the ability of a mayoral charter revision commission to "bump" other local referenda from appearing on the ballot.
- Establish a quadrennial Compensation Commission charged with evaluating and recommending compensation levels of all state elected officials.

JUDICIAL REFORM

- Create an appointment system via constitutional amendment for the selection of judges for all New York courts of record, including Supreme Court justices.
- Establish judicial qualifications commissions that reflect the geographical, racial, ethnic, and gender diversity of New York to evaluate candidates' qualifications for office for all of New York's courts of record. Bar associations and civic organizations should be entrusted to appoint some or all members to the commissions.
- Develop and conduct a more expansive voter education program regarding judicial elections.

- Restructure the state's court system to consolidate the nine trial courts into a two-tier system.
- Increase the salaries of the state's judges, and do so through the creation of a quadrennial Compensation Commission.

BUDGET REFORM

- Require greater public availability of all final budget bills before scheduled votes, allowing sufficient time for analysis, discussion, and debate; provide the public with better information and opportunities for participation.
- Revise the budget's format to facilitate and encourage public and legislative review by requiring that documents reasonably group appropriations into programmatic areas and allow comparison to past and expected spending, as well as providing a full scope of the State's financial condition, budget operations and fiscal obligations, including public authorities.
- Establish an independent nonpartisan budget office to provide revenue projections and economic and policy analysis.
- Limit "messages of necessity" that allow lawmakers to vote too quickly on budget bills instead of waiting three days.
- Establish a later start date for the fiscal year which takes into consideration important budgetary timing factors.
- Require regular reporting on lump-sum appropriations and member items that includes detailed information regarding all Memorandums of Understanding and other agreements, funds distributed, legislative sponsor, and recipients.
- Incorporate performance budgeting with outcome measurement to determine whether or not programs have met stated goals and rationalize the appropriation of state funds.
- Limit the ability of the Governor to enact and modify terms and conditions that govern the use of resources in appropriation bills by requiring that such bills be consistent with existing law or proposed changes in separate legislation.

LEGISLATIVE REFORM

- Reinvigorate legislative committees by providing more reasonable means of discharging bills, increasing the ability of members to call for public hearings, and promoting the routine use of conference committees.
- Allow for greater public access and accountability by giving the public an increased opportunity to provide testimony at committee meetings and requiring committees to have more thorough public reporting of their activities.
- Establish a more equitable distribution of funds to legislators for staffing and resources regardless of party affiliation