



Legislative Packet

TO: Local League Presidents/Action Chairs
FROM: Sally Robinson, VP Issues and Advocacy, sally.s.robinson@gmail.com
Laura Ladd Bierman, Executive Director, laura@lwwny.org
Erica Smitka, Deputy Director, erica@lwwny.org

This year we are again providing members key information on issues of interest to us in the 2022-2023 state budget and asking you all to lobby your legislators on these issues. Enclosed please find the annual pre-budget legislative packet to assist with your lobby visits with your state Senators and Assembly Members. Pre-budget legislative lobbying in legislators' district offices should be **scheduled between February 14th and February 26th or as soon as possible after that**. This year our legislative packet covers funding elections, "Turn on the TAP", ethics reform, making voting easier by eliminating the 25-day requirement for voter registration, and expanding polling places on college campuses.

Though we are continuing to work on our other priority issues related to good government, health care, women's issues, and the environment, we are not acting on these with relation to the state budget. Should these issues be advanced before the April 1st budget deadline, we will issue action alerts to all members through our social media and email. Members should always feel free to mention any advocacy issue in the League's 2022 Legislative Agenda during their advocacy visits, but we do ask that you focus your conversations on the issues included in this packet. We expect that our legislative priorities not directly impacted by the budget will be the primary focus of our post-budget lobbying.

Funding Elections

In 2021, the Legislature passed a law to lower the number of voters designated to early voting poll sites to one poll site per 40,000 voters in each county with at least 500,000 registered voters, and for every full increment of 30,000 voters in each county with less than 500,000 registered voters, and extending poll site hours of operation during early voting. The expansion of early voting will mean more inspectors and expanded weekend hours. Increased personnel will be needed to conduct the early canvass of absentee ballots before election day as regular personnel are tied up with early voting and election day preparation. Additional equipment is needed such as high-speed scanners, sorting equipment, additional electronic poll books as well as on-demand ballot printers. All of this will cost the county Boards of Elections additional funds. These reforms will strengthen the early voting process for many voters, but only if counties have the resources to be able to implement them. Increased funding for county Boards of Elections is necessary for early voting options to be available more equitably for all voters.

The executive budget comes a long way to providing necessary funding for the New York State Board of Elections. It is a welcome and important step as the State Board of Elections will be a vital partner for county Boards. The State Board of Elections will shoulder the burden of online and automatic voter registration as well the campaign and public finance systems. However, the executive budget includes only reappropriated funding for county Boards of Elections. Additional funding to expand early voting and upgrade voting systems is needed.

New York State must play a role in funding elections at the county level. The burdens that county Boards face in 2022 are similar to those faced in 2019. They need similar funding. In 2019 county Boards received



\$10 million in aid to localities and \$25 million in capital funding. Funding this year should be at similar levels to allow Boards to expand early voting centers and staffing. Capital funding will also allow many counties to start replacing their aging election day scanners and election systems.

Elections are often the last item on the list when it comes to county budgets and many county Boards operate with limited resources. The League urges the Legislature to seriously consider the cost of new election improvements when introducing their proposed budgets and to consider setting up a yearly fund specifically for enhanced election reforms like early voting.

“Turn on the TAP”

The League supports inclusion of funds in the state budget to restore higher education funding for people in prison, *Turn on the TAP*. The League sees a direct connection between providing college programs at all New York State prisons and these vital benefits to incarcerated people, our prison system, and our society.

- 1) When individuals who are incarcerated have the chance to develop through education, the condition of their confinement changes. With articulated goals and a growing sense of self-awareness, these behind-bars students develop themselves in ways unavailable to them before confinement.
- 2) Education provides released individuals a greater chance at success by smoothing reentry. Additionally, education increases generational access and wealth as children of incarcerated individuals are more likely to attend college themselves.
- 3) It is crucial to invest in the development of individuals as a way of decreasing prison populations and remedying the inequities of our public education system, over-policing of certain neighborhoods, and the consequences of years of policies that led to mass incarceration of people of color.

It is important to acknowledge the unique challenges that women face within the criminal justice system. Women are treated differently and further disadvantaged. Women are more likely than men to be incarcerated for a first offense.¹ Women enter prison with a more consistent history of abuse, trauma, and mental illness, all of which are compounded by the isolation and threats of sexual assault and trauma occurring daily in prison. Most incarcerated women are mothers (73%) and were the primary caregivers of their minor children. Visiting face-to-face with their children is often burdensome and expensive, ripping through the fabric of families and further isolating these women. That isolation not only affects the women, but their children, too, putting them on a trajectory of failure and entanglement with the criminal justice system.² Even in prison women earn less money than men and often face greater employment obstacles once they are released because of job skills deficits. Therefore, education is an

¹<https://static1.squarespace.com/static/5b2c07e2a9e02851fb387477/t/5cc08885fa0d60251a568084/1556121734338/2019+Women%27s+Incarceration+Fact+Sheet.pdf>

²<https://static1.squarespace.com/static/5b2c07e2a9e02851fb387477/t/5cc08885fa0d60251a568084/1556121734338/2019+Women%27s+Incarceration+Fact+Sheet.pdf>



important key to the reentry success of formerly incarcerated women. Turn on the TAP is one way to reduce the cycle of recidivism and dependency that often undermines women's ability to thrive, raise the next generation of engaged citizens, and maintain economic independence. The League urges the State to fully fund college programs in every prison.

The restoration of TAP funds to incarcerated individuals promotes educational equity, racial justice and strengthens democracy. The release of these funds would account for less than 1% of the overall TAP budget and would save NYS between \$22 million and \$27.5 million³. The League supports enacting and funding *Turn on the TAP* as a way of rehabilitating and empowering women and men while they are incarcerated, increasing their chances for returning to productive lives.

Ethics Reform

Since the creation of the Joint Commission on Public Ethics (JCOPE) in 2011 and the Legislative Ethics Commission (LEC) in 2007, countless state legislators, high ranking state employees, and even an incumbent Governor have been accused of corruption and sexual harassment. The most extreme cases of corruption have been prosecuted by the federal government, but offenders have managed to get away unscathed by either state ethics agency. Although the League and our good government partners have long called for replacing JCOPE and the LEC, rampant ethics lapses continue to persist in our state government.

The League believes that JCOPE and the LEC need to be replaced with one effective and independent ethics enforcement body. This single entity should aim to achieve the greatest level of transparency and accountability, and should have a meaningful mechanism to punish bad actors. A more effective watchdog agency would be completely independent of the elected officials and staff it was meant to oversee, and would give whistle blowers a clear process to report corruption and harassment to the agency.

A truly independent Commission would be citizen led with qualified New Yorkers volunteering to serve as Commission members. The League continues to believe that commissioners should not be solely appointed by those who are subject to the ethics commission's oversight process. Some outside manner for appointments or possibly a combination of legislative and outside appointments is critical to the independence of this commission.

The Governor, in her executive budget, has proposed a plan in which the commissioner selection would be accomplished by a group of the 15 law school deans in NYS. The League supports the proposal in the Governor's budget but believes that it can be improved to ensure transparency, accountability, and diversity.

Transparency is crucial to any ethics commission's operations and this new entity's operations must abide by the open meeting laws and the Freedom of Information Act. Violations of ethics charges should be discussed in public and be made available for public scrutiny. Protections from conflicts of interest could be strengthened in the Governor's proposal.

The limits on both those who select the commissioners and those who can be commissioners must restrict local elected officials, state employees, lobbyists, and relatives of legislators or lobbyists from participating.

³<https://static1.squarespace.com/static/5e31bd4de0484c7655620a1a/t/603683e15d90f3566ccb69f6/1614185522731/TAP+Fiscal+Impact+2021.pdf>



The selection process should also be open with a public view of candidates and the interview processes. The Governor's proposal restricts commissioners from donating to candidates, but this restriction should be expanded to include donations to party committees and independent expenditure committees.

Making Voting Easier

Voter turnout has soared in recent elections among college students, but young voters still face a number of barriers in exercising their right to vote, including the location of polling stations far from campus. The League is pleased to see the Governor's proposal for poll sites to be located on college campuses, but it is imperative that this proposal is expanded to also include early voting. Under the Governor's proposal, whenever a contiguous property of a college or university contains 300 or more registrants, the polling place designated for such election district shall be on such contiguous property or at a location approved by the college or university. These polling places should also be available for early voting.

The League supports the proposed elimination of the 25-day statutory voter registration deadline by the Governor in her executive budget. This reform would facilitate voting for more New Yorkers before same-day voter registration is passed as a constitutional amendment. Under this proposal, voters would be able to register to vote up to the constitutional deadline of 10 days prior to the election. Many voters become engaged in the election toward the end of the election season, but by then it is too late for them to register and vote.

Final Thoughts

Although we have presented you with several options for discussion with your legislator, you do not need to cover all included topics. This exchange of information benefits the state League in its efforts to develop strategies that promote our advocacy at the Capitol. 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 virtually. Seeing a staff person is fine.

This Packet is available on the state League website under Our Work, www.lwvny.org. Please return the attached form to the League office following your meeting by email to erica@lwvny.org. You should feel free to rely on the main points in this document for your visit, but more background information is available online on our website for your reference. See testimony, letters and memos submitted by the League during the legislative hearings on the executive budget at <https://lwvny.org/legislative-action/>. For any questions or concerns, please contact Erica at erica@lwvny.org

Tips for Lobbying While Remote

PREPARATION

1. **Making the appointment:** Similar to in-person meetings, the best method to schedule an appointment is to contact the legislator's district office and request to make an appointment with the scheduler. Many staff are now working remotely, so it is more likely you will have to schedule the meeting via email. In your email request include some possible meetings dates and the names of the members who will be attending. Be sure to mention which members are constituents of the Legislator and a general description of what you plan to discuss.

Some legislators prefer conference calls while others may make use of Zoom, Webex, or Google Meets. No matter the preferred meeting method, notify the scheduler of the number of participants in your group as well as their names, if possible. Send an e-mail confirming the appointment, mentioning the issues you will discuss. **If you cannot meet with the legislator, ask to meet with senior staff.**

Although meetings are remote, 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. When more than one local League is involved, try to have representatives from as many of the constituent Leagues as possible.

2. **Assigning roles:** Even over Zoom or phone, 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?
 - 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.**
 - Researching the issue or issues to be discussed. Look to the materials on this subject on the league website.
 - Recording and reporting the legislator's response. The leader should not be the recorder.
3. **Follow Up:** In our remote world, follow up is more important than ever. Because members cannot physically leave behind documents related to the issues you discussed, a follow up email to the legislator and their staff will allow you to send a "thank you" along with documents related to the issues you discussed.

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.

Tips for In-person Lobby Visits

PREPARATION

- 1. Making the appointment:** Contact the legislator's district office. Ask for an hour's 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. Note: 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.**
 - Involve the entire team. Choose someone familiar with or willing to review the general subject area of the question.
 - Recording and reporting the legislator's response. The leader should not be the recorder.

Bring copies of the state League's Legislative Agenda to leave with the legislator or staff to inform them of all the issues on which the League is currently active.

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.



Complete and return the lobby report forms to the state League immediately following the visit. This information is critical to the development of effective League action plans.

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.

TIPS FOR SUCCESSFUL LOBBYING

- Keep the meeting friendly and focused. If there is disagreement on a particular issue, make clear the League position but avoid argument. How the legislator arrived at a particular position is sometimes revealing; it provides an opportunity for explanation (for better or worse!) but it also can give the League a clue for future approaches on the subject.
- Keep the lines of communication open. There will be other issues, and other days, for finding agreement and support.
- If you do not know the answer to a legislator's question, please tell him/her that you will get the answer and provide him/her with the information as soon as possible.
- Give the legislator a copy of our brochure, *2022 Legislative Agenda*.

If you have any questions about the visit, contact:

Erica Smitka, Deputy Director

E-mail: erica@lwny.org

Lobby Check List

Before Your Visit:

- Do you know **what your “ask”** is?
- Did you send copies of the **Legislative Packet materials** to the legislator or staff ahead of the meeting?
- 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 the **Students Inside Albany Conference**?

After Your Visit:

- Did you send the legislator and/or their staff a **Thank You** note?
- Did you send the legislator and/or their staff a copy of **Legislative Packet materials**?
- 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:



***2022 LWVNYS LOBBY REPORT FORM
PRE-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 LWVNYS, 62 Grand St, Albany, NY 12207,
by fax at 518-465-0812 or by email to Erica Smitka at erica@lwvny.org

Return the completed form by March 4, 2022.