

APRIL 2023



POST BUDGET LOBBY PACKET

PART I

League of Women Voters of New York State

TO:

Local League Presidents and Advocacy Chairs

FROM:

Sally Robinson, VP of Issues and Advocacy
Laura Ladd Bierman, Executive Director
Erica Smitka, Legislative Director



Enclosed please find the annual post-budget legislative packet to assist with your lobby visits with your state Senators and Assembly Members. Based upon the feedback provided in the legislative priorities survey sent out to local Leagues in January, we have highlighted three sets of high priority bills. You can also visit the website for an expanded list of the bills we will focus on this session.

These are the post budget issues that are important to us in the 2023 legislative session and we ask you all to lobby your legislators on these issues. Additional educational materials on these issues can be found on the website (<https://bit.ly/429y68e>), but please feel comfortable to lobby with just the enclosed materials. Post-budget legislative lobbying in legislators' district offices or virtually should be **scheduled between May 1st and May 31st**.

Though they may not be in the packet, we are continuing to work on our other priority issues related to education, rural issues, and good government. Should these issues be advanced before the expected end of session on June 8th, 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 2023 Legislative Agenda during their advocacy visits, but we do ask that you focus your conversations on the issues included in this packet. Each section will include status of the legislation the League is advocating for and materials to assist in remote lobbying visits.

Issue Topics Included:

- Voting, Elections, Campaign Finance, and Good Government
- Environmental Issues
- Equality of Opportunity

The expanded list that can be found online also includes Criminal Justice and Healthcare bills. The issues included in this packet and online may be amended throughout the remainder of the legislative session. The League may also add additional legislative issues to this packet as needed.

This Packet is available on the state League homepage, www.lwvny.org and via Google Drive: <https://bit.ly/43UuMj8>

Voting and Elections

Mandatory Training Curriculum for Poll Workers ([S587 Comrie/A268 Walker](#))

Relates to mandatory training curriculum for poll workers; requires the state board of elections to develop and provide to each county materials for a model poll worker training program which the counties may use to train individuals to serve as poll workers in state and county elections.

This legislation passed the Senate and is in the Election Law committee in the Assembly.

Talking Points:

- LWVNYS conducted a statewide scan of poll worker training manuals in the fall of 2022 and we found that the training manuals varied widely from county to county. In one county we found that Democrat and Republican poll workers were being trained separately.
- Each person deserves to have the same experience when they go to vote, which means all poll workers should be training on the same curriculum.
- County Boards of Elections have limited staff and resources, making it difficult to create comprehensive, consistent training materials that adhere to all new laws and regulations. As a guiding entity, it should be the State Board of Elections responsibility to provide up to date training programs to all counties.

Absentee Ballot Illness Expansion ([A3291 Dinowitz](#)) and No Excuse Absentee

This bill would make permanently change the definition of illness for purposes of absentee voting to include in cases where the voter is unable to appear personally because of a risk of contracting or spreading illness. **This legislation is in the Election Law committee in the Assembly and has yet to be introduced in the Senate.**

Talking Points:

- Would provide New Yorkers at risk of contracting or spreading a disease a safe and convenient way to exercise their right to vote
- By making permanent the definition of “illness” in relation to absentee voting, lawmakers would affirm a nuanced and inclusive understanding of today’s health challenges, protecting the right to vote against potential disruptions to future elections.
- This bill is consistent with constitutional limitations on absentee voting under *Ross v. State of New York*
- It would provide consistency counties across the state, some of whom are continuing to allow voters to apply for an absentee ballot for fear of illness and others that are not.
- While this bill would continue to clarify that absentee voting is available to voters with a fear of contracting or spreading illness, we are still strongly advocating for a constitutional amendment to allow for no-excuse absentee ballot voting. They are not the same thing.

Additional Resources: See Absentee Ballot MOS LWVNYS

Plain Language Ballot Initiative ([S1381 Comrie/A1722 Zinerman](#))

Requires proposed amendment to the constitution or other question provided by law to be submitted to a statewide vote be submitted to the people for their approval in plain language.

This legislation is in the Election Law committee in the Senate and Assembly.

Talking Points:

- This legislation would require all ballot measures to be provided at an eight-grade reading level
- This will allow for better understanding among voters when it comes to understanding ballot measures and the implications of those measures

Additional Resources: See Plain Language One Pager

10-day Voter Registration Implementation ([S2381 Myrie/A5007 Burgos](#))

Relates to enabling constitutionally-qualified electors to register to vote and to cast a ballot on the same day at a polling location. This bill would allow for the effective implementation of the 10-day voter registration bill that was passed last session. It would allow voters to complete a conditional voter registration application and cast an affidavit ballot. The conditional registration would then be validated by the board of elections, and if the individual is deemed eligible to register, and their information can be validated in conjunction with the state DMV or federal SSA, then their ballot would be canvassed. **This legislation is in the Election Law committee in the Senate and Assembly.**

Talking Points:

- Would allow for the successful implementation of the 10-day voter registration deadline that was passed last legislative session
- The League believes that the affidavit ballot method referenced in this bill is the most straightforward way to implement this legislation with the least opportunity for confusion across poll sites.

Environmental Issues

Bigger Better Bottle Bill ([S237 May/A6353 Glick](#))

This bill would expand the Bottle Bill passed in the 80s to include wine, spirits, hard cider, and most non-carbonated beverages. It would also increase the deposit from 5 cents to 10 cents and use revenues to support recycling equity. **This legislation is in the Senate and Assembly Environmental Conservation Committees.**

Talking Points:

- Expands the Existing Bottle Bill
 - Put deposits on wine, liquor, hard cider, and most non-carbonated beverages
 - A deposit system can dramatically reduce litter and solid waste that would otherwise be discarded
 - Other states have already added these types of containers to their laws, including Vermont, Maine, Iowa, and Oregon
- Increases the deposit from 5 cents to 10 cents. It's been a nickel since 1982!
 - States with higher deposits have higher redemption rates
 - Increased deposits generate more revenues for the state
 - Additional funds can be used to increase redemption options in low-income communities (often "food deserts") and address other litter and solid waste problems

- Use additional revenues to boost enforcement and to expand redemption centers into “food deserts” that limit consumers’ ability to redeem their deposits.
- The handling fee is increased to 6 cents, which will support redemption centers
- A recent report from the non-profit group ReLoop estimates \$171M-350M in additional revenue for NY state by modernizing the bottle bill. That study [here](#) (see page 34 - other great stats in that report as well)
- This bill will give a much-deserved raise to more than 10,000 vulnerable workers in the state who earn their income by collecting and redeeming containers.
- With this bill, the redemption rate in NY could soar from a mere 64% to 90%.

Additional Resources: See LWVNYS Environmental Testimony, Bottle Bill Fact Sheet, and Bottle Bill Memo of Support

The Packaging Reduction and Recycling Act ([S4246](#) Harckam/[A5322](#) Glick)

Plastic accounts for nearly all packaging that cannot be reused or effectively recycled - but two bills in New York could transform that. The Packaging Reduction and Recycling Act would require companies to reduce their packaging by 50% in 12 years, make the remaining packaging truly reusable or recyclable, get certain toxic chemicals out of packaging, and pay to clean up their packaging waste by reimbursing municipalities and taxpayers for the collection and processing of those materials. The bill would also prohibit incineration and "chemical recycling" (waste-derived fuels) from counting as recycling. **This legislation is in the Senate and Assembly Environmental Conservation Committees.**

Talking Points:

- Creates Environmental Standards for Packaging
 - Requires a 50% reduction in single-use packaging over 12 years.
 - Remaining packaging must be recycled effectively
 - Charges packaging companies a fee based on how hard their packaging is to recycle
- Reduces Toxics in Packaging
 - Prohibits 12 toxic materials and chemicals from being used in packaging and establishes a process to expand that list
 - Makes packaging safer for consumers and more recyclable.
- Rejects “Chemical Recycling” which is False Recycling
 - Prevents “advanced recycling” or “chemical recycling” from counting as recycling
 - Most false recycling turns plastic into fossil fuel to be burned; others downcycle plastic rather than recycling it.
 - False recycling perpetuates our reliance on virgin plastic production, which hurts Environmental Justice communities during extraction, production, and disposal.
- Saves Taxpayer Dollars
 - Taxpayers and municipalities are burdened with the costs of managing packaging waste. Companies that created the packaging waste problem should pay for the management of packaging waste, not taxpayers.
 - Use remaining funds to invest in infrastructure that reduces waste (dishwashing equipment in schools and Meals on Wheels programs), reuse and refill infrastructure, and improvements to the recycling system.

- Does NOT Put the Packaging Industry in Charge
 - Includes reduction and recycling requirements in the law.
 - Does not include major loopholes.
 - Maintains strong oversight of the packaging companies.
 - Establishes a new Office of Inspector General to oversee the program.

Additional Resources: See LWVNYS Environmental Testimony, Plastic Waste Reduction Facts, and Waste Reduction Memo of Support

Equality of Opportunity

Reproductive Telehealth ([S1066A](#) Mayer/[A1709](#) Reyes)

Provides certain legal protections for reproductive health service providers who provide legally protected health activities including protection from extradition, arrest and legal proceedings in other states relating to such services; restricts the use of evidence relating to the involvement of a

party in providing legally protected health activity to persons located out-of-state. **This legislation has passed the Senate and is currently in the Assembly Codes Committee.**

Talking Points:

- This legislation would protect NYS healthcare providers who offer reproductive healthcare via telemedicine to patients outside of NYS so long as the providers are physically in NYS and providing care that is within their scope of practice and legal in New York state.
- This bill protects providers from extradition, arrest and legal proceedings in other states relating to such services; and restricts the use of evidence relating to the involvement of a party in providing legally protected health activity to persons located out-of-state. Additionally, it protects them from adverse actions by malpractice insurers and health insurers, including adversely changing coverage or cost-sharing reimbursement, when providers offer health services legal in New York state.
- The League of Women Voters of New York State (LWVNYS) believes that everyone should have access to essential healthcare.
- The ability of a patient to pay for services should not be a consideration in the allocation of healthcare resources, this includes the ability to pay to travel to a provider able to offer appropriate quality care. Because this bill affords more people access to healthcare that they would not be able to afford without telemedicine, it reduces access inequities based on relative wealth or economic situation.
- LWVNYS supported the Reproductive Health Act (enacted 2019), legislation to allow providers to offer a full range of legal reproductive healthcare without fear and to increase the number of available providers. Specifically, this legislation moved abortion out of the criminal code and into the health code, so that providers would not be afraid of providing services. It also ensured that the health of the mother, and not just her life, is a factor in access to abortion, and that no woman would be forced to carry a non-viable pregnancy to term. And, finally, it enlarged the list of healthcare providers who can provide abortions to ensure access. Similarly, the League supported the Reproductive Health Act (enacted 2011) which protected the fundamental right of a woman and her doctor to make private medical decisions. Having supported both the 2019 and 2011 RHA legislation, the LWVNYS finds it consistent and appropriate to support this current legislation, which protects New York providers who offer legal healthcare, gives NYS providers the right to care for patients making among the most private of medical decisions, and enlarges the number of providers who can perform such services by allowing New York providers to deliver care via telemedicine.

Additional Resources: See LWVNYS Health and Mental Hygiene Testimony (#4)

Tips for Lobbying

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.

Lobbying in Person

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.

General Tips for a Successful Visit

- 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, ***2023 Legislative Agenda***.

If you have any questions about the visit, contact:

Erica Smitka, Deputy Director
E-mail: erica@lwvny.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:

2023 LWVNYS LOBBY REPORT FORM

POST-BUDGET LOBBY VISITS

Local League: _____ League Member Name: _____

Senator: _____ Assembly Member: _____

Bill _____

Bill Number _____

- 0- Talked about bill, but unsure of member's position
- 1- Opposes
- 2- Undecided/Has concerns or follow up questions
- 3- Supports
- 4- Will co-sponsor
- 5- Already co-sponsors and will champion publicly

Other notes:

Bill _____

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- 5- Already co-sponsors and will champion publicly

Other notes:

- *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, 1 Stueben St. Albany, NY 12203,
by fax at 518-465-0812 or by email to Erica Smitka at erica@lwvny.org**

Return the completed form by May 31, 2023.