

COMMON CAUSE/NY

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MEDIA RELEASE

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The Big Bottle Bill Brawl:

\$20 Million Spent on Lobbying & Campaign Contributions Since '03

Common Cause/NY Urges Closure of Loopholes in NYS Campaign Finance Law

(April 30, 2007) Today, Common Cause/NY released a new analysis documenting the political spending in the battle over whether New York State should update and expand its so-called “bottle bill.” The group identified more than **\$20 million** in political spending at the state level by entities lobbying on changes to the bottle bill since 2003.

While the two sides’ lobby spending was approximately even at \$6 million each (\$6,888,265 pro/\$6,306,459 con), opponents of expanding the bottle law blew out environmentalists and other supporters when it came to campaign contributions.

\$2,705,678.47 was given in campaign contributions by the bottling industry, beverage distributors, food retailers and others that oppose the new bill. Opponents used major loopholes in our state’s campaign finance law to bolster their giving. Approximately \$1.08 million of the campaign contributions given by bottle bill opponents was donated using the soft money loophole, which allows for unregulated contributions of unlimited size to be funneled to political parties. Proponents of the bottle bill gave \$19,000 in soft money.

Common Cause/NY research also uncovered an apparent campaign finance law violation in the course of its research: it appears that at least two industry givers may be over the legal limit in their campaign giving. While the poor quality of data reported to the New York State Board of Elections (NYSBOE) on financial disclosure forms makes it difficult be certain, it appears as if the Miller Brewing Company and the Anheuser-Busch Companies, Inc. both violated the \$5,000 aggregate corporate contribution limit in 2006. Common Cause/NY sent a letter to the NYSBOE requesting an investigation into the apparent overages.

\$1,388,272.26 was given in campaign contributions by organizations supporting the expanded law, often called the “Bigger, Better Bottle Bill.” Over 94% of these contributions came from one entity—the Public Employees Federation.

Analysis also showed that the Senate Republican Campaign Committee (SRCC) got the largest share of funding from opponents of an expanded Bottle Bill. Senate Majority Leader Bruno, who controls the SRCC, has vehemently opposed the new bill, as well as new campaign finance restrictions.

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“This intense spending shows both that money still talks in Albany and that corporate interests are using and possibly abusing loopholes in New York State’s already weak law to help stop the Bottle Bill from passing. It’s bad enough that our campaign finance laws are too lax, but loopholes allow a few to do an end run around our law. Shame on them and on New York State for not passing new campaign finance regulations last week,” stated Rachel Leon, Executive Director of Common Cause/NY.

Common Cause/NY called for comprehensive campaign finance reforms that would ban soft money donations, ban all organizational contributions (including corporate and union contributions), beef up enforcement by the Board of Elections and dramatically lower contribution limits. Ultimately, the good government group supports public financing of elections. In the coming weeks civic groups will be organizing public forums across the state on campaign finance reform.

New York State passed the Returnable Container Act – known as the “Bottle Bill” – in 1982 after a hard push by environmental groups and their allies. The bill passed despite the stiff opposition from the beer and soda industries, the bottling industry and food retailers. Now, environmental groups hope to have the same success with the so-called “Bigger, Better Bottle Bill” (BBBB) – a proposal that was first introduced in the state legislature in 2002.

The BBBB would have two primary impacts on the old Returnable Container Act. It would expand the law to include non-carbonated beverages (such as bottled water, iced tea and other drinks that have become significantly more popular since the first bill was passed) and it would enact a new requirement that bottlers turn over any unclaimed bottle deposit revenue to the state. Governor Spitzer included it in his budget this year, but the provision was ultimately rejected by the Senate

This analysis is part of Common Cause/NY’s “Connect the Dots” series, which analyzes the impact of money in politics on issues that New Yorkers care about.

Summary of Lobbying Expenses of and Campaign Contributions from Entities Reporting Lobbying on changes to New York State's "Bottle Bill," 2003-2006

Type of Expense	Position	Proponent	Opponent	Unknown or No Position
Campaign Contributions	Campaign Contributions 2003	\$273,847.00	\$612,070.60	\$85,301.75
	Campaign Contributions 2004	\$403,857.26	\$741,289.46	\$154,390.32
	Campaign Contributions 2005	\$271,647.00	\$622,710.59	\$64,848.90
	Campaign Contributions 2006	\$438,921.00	\$729,607.82	\$161,959.61
	Total Campaign Contributions	\$1,388,272.26	\$2,705,678.47	\$466,500.58
Lobbying Expenses	Lobbying Expenses 2003	\$1,079,097.00	\$828,384.00	\$191,648.00
	Lobbying Expenses 2004	\$1,468,951.00	\$1,457,898.00	\$191,878.00
	Lobbying Expenses 2005	\$2,347,754.00	\$1,993,236.00	\$663,029.00
	Lobbying Expenses 2006	\$1,992,463.00	\$2,026,941.00	\$1,364,220.00
	Total Lobbying Expenses	\$6,888,265.00	\$6,306,459.00	\$2,410,775.00
Campaign Contributions + Lobbying Expenses	2003 Total	\$1,352,944.00	\$1,440,454.60	\$276,949.75
	2004 Total	\$1,872,808.26	\$2,199,187.46	\$346,268.32
	2005 Total	\$2,619,401.00	\$2,615,946.59	\$727,877.90
	2006 Total	\$2,431,384.00	\$2,756,548.82	\$1,526,179.61
	FINAL Total	\$8,276,537.26	\$9,012,137.47	\$2,877,275.58