

ETHICS REFORM:**Overhaul New York State government ethics laws**

The problem: New York's government ethics laws are weak and poorly enforced.

Nowhere is the public's trust more susceptible to harm than when lawmakers act in ways that skirt not only the letter, but also the spirit, of ethical considerations. New York State has seen its share of ethical lapses, yet little is done. Prison convictions, scandals and other complaints of ethical misconduct have been on the front pages of New York State's newspapers. As a result, how New York State regulates political ethics is a front burner issue. Unfortunately, little is clear when it comes to New York State's ethics law. The law is loophole-riddled and poorly – if at all – enforced.

Action:

Lawmakers must act to close the campaign finance "personal use" loophole, end "pay-to-play" practices, and create a new independent, ethics commission.

The solution: **Raise the ethical standard.** Given the staggering weaknesses in the state's ethics law, the public demands that ethics be a front burner issue. A package of reforms should be enacted that:

- **Strengthens the ban on use of campaign contributions for personal use.** While current New York law forbids contributions for strictly personal use, the statute's language is too vague to act as a true restriction. Some have exploited these ambiguities, using campaign contributions for junkets, country club memberships, leased cars, and other purchases. New York should tighten up its prohibition on the use of campaign funds for personal use to avoid such inappropriate expenditures.
- **Bans lawmakers from accepting honoraria.** Giving speeches and being available to the public are part of a legislator's official duties. Allowing groups to offer state lawmakers honoraria for such services allows special interests to subsidize the income of these officials. In doing so, the practice creates an obvious conflict-of-interest, leading to real or perceived corruption. Twenty-three states prohibit honoraria if they are offered in connection with a legislator's official duties. New York should do the same.
- **Creates a new, independent ethics oversight agency for both the executive and legislative branches.** Thirty-nine states provide external oversight of state government through an ethics commission. New York is one of only six of those states, however, whose commissions do not have authority over the legislature. Moreover, ethics oversight in New York is not truly independent, as the overseers are chosen by those whose ethics they monitor – namely, the executive branch. New York State should create a new, independent ethics commission outside of the executive branch that has jurisdiction over both the executive and legislative branches.
- **Establishes a full one-year "cooling off" period for all legislative staffers and top party officials to prohibit them from lobbying immediately after leaving their government jobs.** New York State currently places such limits on state legislators, elected officials in the executive branch and staff of the executive branch. However, legislative staff and party officials enjoy far weaker restrictions. A minimum one-year "cooling off" period for such officials would ensure that no one could cash in on political contacts by lobbying their former colleagues.
- **Restricts campaign contributions from lobbyists and those receiving government contracts.** By gaining access to elected officials through large contributions and assistance in fundraising, lobbyists and state contractors can unduly influence and distort the state's political decision-making process. Many states recognize the unique role lobbyists play in influencing public policy, and have accordingly placed specific, stringent campaign finance restrictions on such persons and entities. Many states and localities have placed similar restrictions on government contractors. New York should do the same.
- **Create more stringent requirements for financial disclosure for public officers.**
- **Require ethics training for lobbyists and public officials, including the governor, legislators, legislative employees, and state agency employees.**