

COMMON CAUSE NEW YORK'S 2022 STATE LEGISLATIVE PRIORITIES

STRENGTHEN CAMPAIGN FINANCE REGULATION

Provide controls for campaign accounts of former officials

The State Legislature must act to provide controls governing the use of campaign funds of officials who have resigned office after being indicted, convicted, impeached, or after findings of violations of law. Fundraising for such accounts should be expressly prohibited and such accounts should be closed within two years of leaving office. **A8371(Steck)**

EXPAND VOTING RIGHTS & INVEST IN OUR ELECTIONS

Strengthen election security

- **Require secure voting equipment be used by** requiring voting machines to permit the voter to review their marked paper ballot and require that a voter's hand marked paper ballot will be the one counted, except when certain accessibility issues apply. **S309A(Myrie)/A1115A(Paulin)**
- **Revise the procurement process for voting machines and systems**
Certification of a voting machine or system would be upon the request of the New York State Board of Elections and not the vendor. **S331 (Myrie)/A4926 (Paulin)**. Further modernization of the certification process should be undertaken, significantly modifying the current certification requirements which are outdated.
- **Release digital copies of ballots**
A recent Court of Appeals decision which mistakenly equates digital images of ballots with the physical ballots themselves, impedes academic research and should be reversed by legislation. **S286A (Myrie)/A6589 (Galef)**

Modernize voter registration

- Move New York's voter registration deadline from 25 days to the current constitutional limit of 10 days, providing for affidavit ballot registration of voters on the first day of early voting poll sites.
- Conduct an oversight hearing to assess the status and implementation of New York State's online voter registration portal.
 - The pandemic has exacerbated the need for an online registration process as many New Yorkers have limited access to traditional voter registration opportunities and will lay the necessary foundation for the implementation of Automatic Voter Registration (AVR). We fought hard to pass online voter registration and automatic voter registration (AVR). Much to our dismay, the state has done little to support the State Board of Elections to implement the law. Most of the inertia is due to lack of dedicated state funds that are necessary to build or buy the appropriate infrastructure.
- Provide adequate funding for a secure online voter registration system with capacity for high volume of traffic.
- Pass a constitutional resolution eliminating the ten-day voter registration deadline.

Pass an equitable, progressive no-excuse absentee and affidavit ballot package

- Extend provision allowing voters to obtain an absentee ballot because of fear of contracting or spreading an illness. **A8432(Dinowitz)**
- Eliminate “wrong church” disenfranchisement of affidavit ballots filled out at an incorrect polling place by a properly registered voter. **S284A(Myrie)/A642(Carroll)**
- Provide return postage guaranteed envelope with absentee ballots.
S909 (Sanders)/A1044 (Dinowitz)
- Mandate monitored on-site absentee ballot drop boxes at all early voting and election day poll sites. **S492 (Hoylman)/A4128 (Gottfried)**
- Pass a constitutional amendment permitting no-excuse absentee voting.

Ensure understandable ballot language

- **Require ballot language for proposals to be in plain language**

An unacceptably high percentage of voters fail to vote on ballot proposals. Often, voters report that they skip voting on ballot proposals because they do not understand what is proposed from reading the description on the ballot. In the most recent election, analysis of the language used to describe Proposals 1, 3 & 4 indicated that a voter needed a minimum of 2 years of college and, in some cases, graduate school education to comprehend the description. Election Law should provide that the descriptions on the ballot should be in plain language and require no more than an 8th grade reading comprehension.

Professionalize and fund New York’s elections

- **Reform the Boards of Elections:** Common Cause New York has long supported substantive reform to our state and local boards of elections. As New York begins this vital, necessary work the voice of the people must be incorporated in this process. **S6226B(Krueger)**
- **Bar elected officials and party chairs from BOE leadership:** Prohibit election commissioners and deputy election commissioners from holding a publicly elected office or from being the respective chair of the county democratic or republican committees. **S7442(Myrie)/A4254 (Abinanti)**
- **Eliminate conflicts of interest:** Establish a code of ethics for Board of Elections employees **S6220(Harckham)/A8464(Galef)**
- **Fund New York’s elections:** New York does not provide local boards of elections any financial support. The chronic disinvestment in our democracy’s infrastructure has led to the middling outcomes experienced by New York voters.

MODERNIZE NEW YORK’S OPEN MEETINGS LAW

There is no question that, along with every other aspect of civic life during COVID, tweaks needed to be made to the Open Meetings Law to ensure the safety and health of New Yorkers. However, it is our view that aspects of the Open Meetings Law (OML) are fundamentally broken. The OML must be revised to truly function to serve the public good and provide real transparency and accountability for everyday New Yorkers.



New York's Open Meetings Law should be revised to:

- **Include an enforcement mechanism for public bodies that do not comply with the law.** It is outrageous that current state law relies on individual New Yorkers to file in court to demand compliance. As a consequence of the expense and burden on individuals of enforcing the OML, there are public bodies that flaunt the Open Meetings Law on a regular basis. We see this frequently throughout the state, where Boards of Elections make decisions essential to the functioning of our democracy in secret.
- **Memorialize hybrid meetings, a mix of in-person and online options for public officials and the general public, as a means to increase public access and engagement.** While the transition to remote work has presented many challenges, a silver lining has been increased access to civic life for New Yorkers. This should be extended and included in statute.
- **Increase the opportunities for meaningful public engagement.** Public comment should be allowed in all settings, online or in-person, as this is a vital component of an open government.

OVERHAUL ETHICS OVERSIGHT

The New York State Joint Commission on Public Ethics (JCOPE) is operating as it was intended - a farcical structure that was created through political wheeling and dealing by former Senate Majority Leader Dean Skelos and former Assembly Speaker Shelly Silver who've both since been convicted on federal corruption charges.

Reforming JCOPE is no longer an option, it must be torn down and replaced with something entirely new that instills confidence in New Yorkers and is not the punchline to a bad joke. We must break the cycle where demand for ethics reform results in an ineffective entity being replaced with a new ineffective entity.

- **Ethics oversight must be truly independent.** The status quo is simply broken. It is imperative to finally create a truly independent and effective ethics oversight body. Commissioners can not be indebted to their political appointer and function as a rubber stamp for that elected official. The selection process for citizen-led independent redistricting commissions provides a helpful model.
- **Any future ethics oversight body must expand to represent the millions of New Yorkers who are politically unaffiliated voters.** The current appointment structure for Commissioners is simply a function of the control exerted by the two major political parties despite the fact that there are more politically unaffiliated voters¹ than registered Republican voters statewide.
- **The leadership of the future ethics oversight body should reflect New York.** There needs to be diversity from the top down which should reflect the geographic, gender and ethnic diversity of the state.
- **Ethics oversight must be accompanied by enforcement ability.** The need to get permission to conduct investigations, issue subpoenas or refer civil violations for enforcement to the State Legislature or other agencies hobbles the effectiveness of any oversight body.

REDISTRICTING

¹ Politically unaffiliated voters in this context refers to voters who have declined to enroll in a political party for voting purposes.



- **Address 2022 time crunch:** The deadline for filing nominating petitions should be moved back 1 month to the 9th Monday through 8th Thursday before the primary and the required number of petition signatures reduced to 30% of the set state signature requirements, as was done during the pandemic.

ARTICLE V RESOLUTION

- **Repeal aged legislative resolutions calling for a federal constitutional convention.**
Several aged legislative resolutions (1 more than 200 years old) that call for a federal constitutional convention. These old resolutions do not, by their terms have any expiration date. Extremist entities seeking to call a constitutional convention to hobble the federal government argue that these old resolutions serve to New York as approving a constitutional convention, bringing the total count close to the needed 34 states.

