



League of Women Voters of New York State
62 Grand Street, Albany, New York 12207-2721
Phone: (518) 465-4162 / Fax: (518) 465-0812
Email: lwny@lwny.org / Web site: www.lwny.org

LEGISLATIVE PACKET

2009

TAKE ACTION IN 2009

TABLE OF CONTENTS

Legislative Lobbying: Purpose and Timetable3

2009 Legislative Agenda4

Tips for Lobby Visits5

Tips for Successful Lobbying.....6

Speaking With One Voice: Action Guidelines for Local Leagues7

Background Information - Reforming State Government9

Lobby Report Form – Reforming State Government (YELLOW)15

Background Information for Energy and the Environment16

Lobby Report Form - Energy and the Environment (YELLOW)19

Background Information for Cost Effect and Accessible Health Care.....21

Lobby Report Form - Cost-Effective and Accessible Health Care (YELLOW)24

2007-2009 LWVNYS Board List25

SEPARATELY ATTACHED ITEMS

2009 Legislative Agenda Brochure
Citizen Lobbyist, Quick Start

LEGISLATIVE LOBBYING: PURPOSE AND TIMETABLE

TO: Local League Presidents/Action Chairs
FROM: Edna Vincenti, 1st Vice-President, Issues & Advocacy
99 Elderfields Road, Manhasset, New York 11030
Telephone: 516-627-1987; E-mail: edna.vincenti@vincenti.com

Each year League members lobby their state legislators after the state budget is done, giving local League members and legislators an opportunity to exchange ideas and discuss the League's legislative agenda for the session. The interview gives legislators an opportunity to learn about League positions and share their ideas and agenda. *This exchange of information is of tremendous importance to the state League in its efforts to develop strategies that promote our legislative agenda. Our influence in Albany depends on your contact with your state senator and assemblyperson(s). They know you elect them!*

Legislative lobbying should be scheduled for March, April and May in the district office. This is a good time to acquaint (or re-visit) your legislator to discuss our 2009 Legislative Agenda. (See Tips for Lobby Visits). We have included background information and Lobby Report Forms (yellow sheets) for **Reforming State Government, Energy and the Environment, and Cost-Effective and Accessible Health Care.**

Please return the Yellow Lobby Forms to the state League Office by June 1, 2009.

2009 LEGISLATIVE AGENDA

Thank you to the many local Leagues who responded to the request for recommendations for the LWVNYS 2009 Legislative Agenda. These three items will be the focus of our lobbying efforts in 2009.

- 1. REFORMING STATE GOVERNMENT**
- 2. ENERGY AND THE ENVIRONMENT**
- 3. COST-EFFECTIVE AND ACCESSIBLE HEALTH CARE**

In this packet, we are providing you with a **brief** description and background information, and a Lobby Report Form for each of the above priority items. As always, we will continue to work on all League issues as appropriate. Local Leagues can always act on these items and all other state issues in accordance with the “Action Guidelines for Local Leagues.” (*page 7*)

Enclosed with this Legislative Packet are several copies of our 2009 Legislative Agenda brochure. Please use these in your advocacy efforts and leave a copy (or several) with your legislator(s). The 2009 Legislative Agenda also contains a membership application. Keep several handy at all times – they are a great PR and membership tool.

Additionally, *Impact on Issues 2005-2007* is available on-line at: www.lwvny.org. Simply click on “Advocacy & Issues” then “Impact on Issues.” You may also order a copy of *Impact ...* for \$10 which includes shipping, by calling or e-mailing Stephanie Lopez at the state League office at: stephanie@lwvny.org or (518) 465-4162.

TIPS FOR 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 assemblymembers 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. This SBR and LWVNYS *Impact on Issues 2005-2007* have very useful background material on the history of LWVNYS action on an issue.
 - Recording and reporting the legislator's response. The leader should not be the recorder.

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, *2009 Legislative Agenda*.

If you have any questions about the visit, contact:

Edna Vincenti, 1st Vice-President, Advocacy & Issues

Telephone: 516-627-1987

E-mail: edna.vincenti@vincenti.com

OR

Barbara Bartoletti, Legislative Director

Telephone: 518-469-8905

E-mail: bbheck1@yahoo.com.

SPEAKING WITH ONE VOICE: ACTION GUIDELINES **FOR LOCAL LEAGUES**

ACTION NOT REQUIRING CONSULTATION

1. Any action taken in response to an action request from state or national League does not require any consultation. As they say “just do it” and thanks. These requests can be the form of Calls to Action or Action Alerts from the state or national League, or found in the *Voter* articles, and in the *State Board Report*.
2. Legislation on which the state League has already taken action. You do not need to consult with anybody to contact your state legislator on any of the bills on which the state League has already taken action.

The national League is a bit stricter in keeping to its current Issues for Emphasis. State and local Leagues wishing to take action on a national issue on which they have not received recent information from LWVUS should consult with the national office. National’s Grassroots Lobbyist is Christina Vamvas and she can be reached at: 202-463-1328 or Cvamvas@lww.org.

ACTION REQUIRING CONSULTATION

1. Action by a local League at the local level - the decision to take action, which will affect only your community, rests with your local board.
2. Action that would affect more than one League requires consultation with the boards of the other leagues in the area involved.
3. Action that would involve contact with state government officials (senators, assembly, the governor, etc.) Where no action has been requested and no state action has been taken, it requires consultation with the state League board. This can be as simple as a phone call to the legislative director, off-board issue specialist, or advocacy/issues vice-president. You will find the 2005-2007 LWVNYYS Board list in this publication.
4. Action that would involve contact with government officials at the national level where no action has been requested by LWVUS requires consultation with the national League office. National’s Grassroots Lobbyist is Christina Vamvas and she can be reached at: 202-463-1328 or Cvamvas@lww.org.

No League may take action in opposition to a League position. If your League disagrees with a position statement, you should remain silent.

Other Caveats:

League members may contact their own representatives at the state and national levels.

Generally, the president or his or her designee speaks for the League. The rest of us speak as constituents supporting this particular League position on this particular legislation.

Local Leagues should send copies of all communication with state legislators to the state League; copies of communications with federal representatives should be sent to the national office.

ALWAYS NOTIFY THE STATE LEAGUE AND THE NATIONAL LEAGUE CONCERNING CONTACTS WITH THE RESPECTIVE REPRESENTATIVES.

**Background Briefing Materials for
2009 Legislative Agenda Item:
REFORMING STATE GOVERNMENT**

Support ethics reform in state government. Support for public financing of statewide elections and enactment of the League's legislative proposal for campaign finance reform.

- **Improve election processes which extend and encourage voting, including no-excuse absentee balloting, election day registration, support for enhanced training of poll workers and adequate staffing at polling places including the use of split shifts for election workers.**
- **Create a nonpartisan redistricting commission to draft the State Legislative and Congressional boundaries for the 2012 elections.**
- **Support an open and accountable state budget process.**

REVISION OF THE NYS ABSENTEE BALLOT APPLICATION

The NYS League's Election Law position states the League's "support of measures to protect, extend and encourage the use of the franchise." (See *Impact on Issues in New York State, 2005-2007*, www.lwvny.org.) For the 2009 Legislative session, League members are asked to work toward expanding access to the use of the franchise by advocating for legislation which will revise the absentee ballot application. (*Non legislative advocacy will continue in the form of monitoring the voting machine certification process to assure that the most stringent application of testing standards to the new voting machines which will eventually be introduced into usage statewide occurs.*)

Revision of the absentee ballot application form which all registered voters must use if they cannot or do not wish to vote in their assigned polling place on election days is the subject of the legislation.

This legislation will reduce and simplify the information a voter must provide to obtain an application for absentee ballot. Currently, the application requires an unnecessary amount of personal information to document the reason for the application. It serves no administrative purpose, is intrusive and a deterrent for the voter.

History of League Advocacy

In 1993, the NYS Board of Elections held hearings to explore possible changes to the state's voter registration form and absentee ballot application. The League testified at the hearings on the need to simplify the form. Voters routinely express their concern to the League that the form is too long and constitutes an invasion of privacy in its specific requirements to justify the reason for the application.

The Governor's Task Force on Election Modernization report of 2002 also recommended that the form should be redesigned and simplified to be privacy-sensitive. As Atty. General, ex-Governor Eliot Spitzer, in his 2001 report, "Voting Matters in New York," identified reform of the application as a goal. According to the Early Voting Information Center at Reed College, Oregon, 28 states now permit no-excuse absentee voting by mail, and 22 states and the District of Columbia require an excuse to vote absentee by mail.

There are issues of concern with expanded use of the absentee ballot: it has been more open to coercion practices, especially among some populations (elderly, infirm, low-income, non-English speaking), safeguarding of ballots against loss or alteration, counting practices which guarantee the integrity of the

ballots. NYS would have to develop strict chain of custody procedures which would guarantee the integrity of the absentee ballot.

The current form's requirements are an obstacle for voters who have valid concerns about the privacy of this public document. The form does not remove fundamental criteria for obtaining an absentee ballot nor does it replace basic voter registration requirements, but with the revisions it will become more objective and voter-friendly.

Legislative History

Bills were introduced in the prior Legislative session of 2006-08 in both the Assembly and the Senate. The Assembly passed their bill unanimously but action on the Senate side occurred too late for passage. With new Democratic leadership in the Senate, it is presumed that a bill will be introduced with new sponsorship. In the Assembly, the same bill will be introduced by its prior sponsor (Assemblywoman Sandra Galef (D) AD 90) but with a new number for the next biennium.

Action Requested

League members should begin discussions with their Senate members. Provide the background information and ask if they are in support of this reform.

BUDGET REFORM

As one of many reforms proposed during former Governor Spitzer's gubernatorial campaign of 2006, a three-way agreement with legislative leaders was reached in early 2007 to reform New York State's budget process. This legislation encompassed many of the reforms the League had been pushing for. The new law called for:

- "Quick start" budget discussions will be required each November and quarterly meetings will be held thereafter between executive and legislature;
- The consensus revenue process will be expedited;
- The State Comptroller will be authorized to resolve disputes over revenue;
- Plain language impact statements will be prepared on a range of program areas, including local governments;
- The legislature will resolve budget bill disagreements by prompt referral to joint conference committee.
- The legislature will be statutorily required to enact a balanced budget;
- The legislature will be required to explain fiscal impacts of changes it makes to the governor's budget bills;
- There will be a new "rainy day" fund, setting aside three percent of the General Fund in reserve, which will be added on top of the current two percent "rainy day" fund for a total of five percent. The new fund can be used in the event of economic downturn or disaster;
- Discretionary funds often called "member items," will be itemized and must be specific. There must be an individual vote taken on every item.
- Messages of Necessity: According to the Governor the word necessity will mirror Webster's Dictionary definition of necessity. In other words, a budget bill will sit on the desk of a legislator for the three-day aging process unless there is a "real" necessity, such as a state emergency that such a bill must be passed.

Governor David Paterson became Governor, 2 weeks prior to the 2008 budget deadline of April 1, 2008. The good government groups gave the new Governor a pass last session even though we were critical of

the lack of transparency in last year's budget process. Very few meetings were held in public and fewer conference committees met. As the budget was prepared in the fall of 2008, the Division of Budget did hold public hearings across the state on agency budgets.

The Governor released his 2009-2010 budget on December 16th in an attempt to move the budget process forward more quickly in light of the very difficult deficit budget. The fiscal committees in the legislature began budget hearings slightly earlier this year. The League will be calling for a much more open, transparent process than we observed last year. We will be advocating for more open leaders meetings and more joint legislative conference committee meetings. During any lobbying visits please remind rank-and-file legislators that the budget process this year must be more open and more transparent.

REDISTRICTING

New York State elections are incredibly one-sided. Incumbent state legislative candidates are re-elected at a staggering rate. Over the past 22 years, only 30 incumbents have been beaten in the general elections.

- ***Redistricting Decisions Limit Competitiveness.***

How district lines are drawn has a dramatic effect on the lack of competitive elections. Only 25 of the 212 legislative districts (11 percent) have close enough enrollments that could allow frequent competitive elections.

- ***Redistricting decisions play a critical role in having maintained Albany's legislative status quo for decades.***

In the last 20 years, America has changed. Twenty years ago, the Internet and "hip-hop" music were nowhere to be found. Yet, when it comes to majority party dominance, not much has changed. Since the Democrats took control of the Assembly in the 1970s – and redrew the maps in 1980 – the majority party margins have been incredibly consistent over time.

Some states have a non-partisan redistricting system. The state of Iowa, for example, has a non-partisan system of redistricting that could be followed in New York in time for the 2012 changes. Civil service like technicians make the first draft of the district lines. They are not allowed to consider incumbents' home addresses or to use the party affiliation of voters in considering district lines. The proposed district lines are sent to state lawmakers for approval or disapproval – the legislature is not permitted to amend the proposal. The courts are empowered to step in if there is no agreement.

At the heart of the public's discontent is a feeling that state lawmakers rig the system for their own political gain. Nowhere is this more apparent than in the way legislative district lines are drawn.

Currently, the new State Senate Democrats and the State Assembly Democrats will be drawing the lines for their respective houses. The only check on this system is whether the Governor chooses to allow this practice to continue or use his veto powers to force changes.

We believe that creation of an independent redistricting commission must be a top priority for those interested in reform. Lawmakers should support a Constitutional Amendment to create a nonpartisan Redistricting Commission. Such a Constitutional Amendment takes passage by two separately elected legislatures before it goes to the voters on the ballot. Our advocacy must start now to accomplish a Constitutional Amendment in time for the 2010 census and the drawing of Congressional and Legislative lines in 2011.

Recommendation:

Support a Constitutional Amendment to create a nonpartisan redistricting commission to draft the state legislative and Congressional political boundaries for the 2012 elections.

SUPPORT ETHICS REFORM

New York State's governmental ethics laws are in need of major reform. Significant areas of governmental and special interest activities that threaten the performance and integrity of our public officials currently remain outside the reach of existing laws and enforcement powers. Even behavior by public officials that is prohibited by existing criminal laws is at the same time invited by weak ethics laws and by the absence of meaningful and independent enforcement mechanisms.

While the ethics changes of 2007 included important reforms – tightening “revolving door” restrictions, prohibiting elected officials from using taxpayers’ dollars to advertise themselves, and toughening penalties – major items were ignored. The creation of the Commission on Public Integrity (which oversees ethics of the executive branch) and the Legislative Ethics Commission (overseeing the legislative branch) continued the tradition of allowing the gubernatorial and legislative leaders’ control of commission appointments. In addition, little was included to expand disclosure requirements.

Recent events have underscored the flaws in the current oversight system. New York’s reliance on self-regulation conducted in secrecy fails to adequately ensure the highest ethical standards.

We believe that the system must change. Our recommendations to significantly strengthen the state’s ethics laws include:

- **Creating 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. Unfortunately New York is one of six states (the others are Illinois, Indiana, Michigan, North Carolina and Ohio) 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 governor dominates the appointments to the Commission on Public Integrity. New York should immediately remedy this imbalance by ensuring that the Governor’s appointments do not constitute a majority of the commission. In addition, New York State should create a new, independent ethics commission, the Commission on Government Ethics, with jurisdiction over both the executive and legislative branches. Moreover, lobbyists must be strictly barred from serving on this new commission.
- **Strengthening the ban on use of campaign contributions for personal use.** While current New York law forbids using 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 personal purchases. New York should tighten up its prohibition on the use of campaign funds for personal use to avoid such inappropriate expenditures.
- **Creating more stringent requirements for financial disclosure for public officers.** Public officers must publicly disclose their financial backgrounds, including the names of those with whom they have business and professional relationships. In nineteen states, lobbyists are required to report any business relationships they have with lawmakers. New York should require this disclosure too. Lastly, these filings should be publicly available on the Internet.
- **Restricting campaign contributions from lobbyists and those receiving government contracts (“pay to play”).** By gaining access to elected officials through large and bundled contributions,

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.

- **Toughening ethics enforcement.** Insure that the new ethics commission has adequate resources for enforcement. Allow the staff of the commission to initiate initial reviews of complaints without commission approval; require random audits of campaign finance filings; and place real restrictions on the use of public resources by public officials.

We are working to introduce legislation which encompasses the above provisions. We will let you know the number and sponsorship as soon as they are available. When you see your legislators please ask if they support the above provisions especially given the current ethical problems in Albany with the recent indictments of Assembly member Seminario, Senator Gonzalez, and former Senator Majority Leader Bruno. A new window of opportunity has opened and now is the time the League, with our good government colleagues, take full advantage and pass meaningful ethics reform to return integrity to New York State.

CAMPAIGN FINANCE REFORM

Independent researchers and the public at large have long criticized New York State's disgraceful system. Indefensibly high contribution "limits," coupled with disgracefully inadequate disclosure requirements and nonexistent enforcement, create a system that cries out for change.

Recent U.S. Supreme Court cases have reaffirmed that money is speech and cannot be restricted. Therefore, we must develop in New York a voluntary public finance system. Below are items that also must be included in any comprehensive campaign finance reform legislation.

Provisions which must be included in any comprehensive campaign finance reform legislation:

- **Eliminate soft money.** Unlike at the national level, New York State allows donations of unlimited size to "housekeeping" accounts.
- **Decrease sky-high campaign contribution limits.** Political parties are allowed to receive annual contributions of \$84,400; statewide candidates can receive contributions of nearly \$50,000 (including up to \$14,700 for a primary) for an election cycle; state senate candidates can receive \$8,500 for the general election (an additional \$5,400 for a primary); and assembly candidates can receive \$3,400 for the general (an additional \$3,400 for a primary).
- **Eliminate transfers from one political committee to another.** On top of the sky-high contribution "limits," political parties (state parties, county parties, senate republicans and democrats, and assembly democrats and republicans create these committees) are allowed to transfer donations of unlimited size from their accounts to the candidates of their choice.
- **Ban campaign fundraising during the legislative session.** Unlike 27 states, New York imposes no additional limits on campaign fundraising during the legislative session, nor does it impose any unique limitations on lobbyists' involvement in campaign activities.
- **Increased disclosure.** Unlike federal law, contributors do not have to disclose the names of their employers or even the names of those who actually delivered the contributions (a.k.a. "bundlers"). Moreover, New York State does not computerize campaign finance data at the local government level and thus cannot enforce corporate contribution limits properly.

- **Sharply increased enforcement.** New York State's Board of Elections is underfunded and limited by law in its ability to punish election law scofflaws.
- **Limit reliance on special interests for elections funds and the extreme difficulties for challengers to raise money.** New York's combination of huge contribution limits and the commonplace practice of incumbents holding fundraisers near the Capitol during session, promotes a heavy reliance on those with the financial resources to fund elections—typically special interests with business before government.

Recommendation: Enact comprehensive campaign finance reform

Support for voluntary public financing and increased disclosure and enforcement in any campaign finance reform legislation.

**2009 LWVNYS LOBBY REPORT FORM
REFORMING STATE GOVERNMENT**

Name: _____ LWV of _____

Legislator: _____ District #: _____

Senator **Assemblyperson** (Please circle one) Date of Visit: _____

If you met with staff, please list name(s) _____

Name of person reporting: _____

Representing the LWV of _____

Please record information that will provide an accurate picture of the legislator's position on any of the following discussed during your visit. Please indicate the legislator's general agreement or disagreement with League position. Also, please indicate if the legislator felt strongly about any other issue covering League positions.

REVISION OF THE NYS ABSENTEE BALLOT APPLICATION

Do you support legislation that would revise the absentee ballot application form to include no excuse absentee voting?

CAMPAIGN FINANCE REFORM

Do you support lowering campaign contribution limits, more disclosure and increased independent enforcement?

REDISTRICTING

Would you support a Constitutional Amendment creating a non-partisan commission to draw legislative and congressional districts?

DUE DATE: JUNE 1, 2009

**PLEASE MAIL, FAX OR E-MAIL TO THE STATE LEAGUE OFFICE
LWVNYS/Lobby Report / 62 GRAND STREET, ALBANY, NEW YORK 12207
TELEPHONE: 518-465-4162 / FAX: 518-465-0812 / E-MAIL: lwvny@lwvny.org**

**Background Briefing Materials for
2009 Legislative Agenda Item:
ENERGY AND THE ENVIRONMENT**

Support New York State legislation which would:

- Reduce greenhouse emissions;
- Foster energy efficiency, renewable energy, green infrastructure;
- Protect water quality;
- Promote smart growth through regional planning that enhances urban neighborhoods, protects agricultural land, open spaces, watersheds, and other sensitive areas;
- Promote waste management, through the Bigger Better Bottle Bill;
- Promote effective and expanded public transit as a strategy to reduce air pollution and conserve energy.

GREENHOUSE GAS EMISSIONS

- **Global Warming Pollution Cap/Greenhouse Gas Pollution Control Act** directs DEC to establish emissions limit no greater than 1990 emissions (A.10303/S.8100), or 2000 emissions (S.8390) from all NY sources. Requires that statewide emissions are reduced 80% below 1990 or 2000 levels depending on the bill. A.10303 (Sweeney)/S. 8100 (Thompson) passed Assembly; died in Senate Environmental Conservation Committee. S. 8390 (Morahan) died in Senate Rules Committee.
- **Climate Change Solutions Act & Fund** dedicates funds raised from sale of emissions allowances to support development of clean, renewable sources of energy and other programs to advance air quality goals (A.7365-A (Sweeney),S.5347 (Marcellino)); passed Assembly; died in Senate rules Committee. A.7366-A (Gianaris)/S.5371-A (Marcellino) creates the fund to receive proceeds of emission allowance auctions; passed Assembly; died in Senate Rules Committee.

ENERGY EFFICIENCY

- **Green Building Construction** requires construction and significant remodeling on existing structures of state buildings to adhere to Leadership in Energy & Environmental Design (LEED) standards. A.2005-c (Lupardo)/S.5442-b (Marcellino)--Enacts the state green building construction act; new or substantially reconstructed agency buildings; authorizes the Department of Environmental Conservation, in consultation with the New York State Energy and Research Development Authority to promulgate rules and regulations in order to comply with this act. This legislation passed the Assembly in February 2008, amended version referred to Senate Energy and Telecommunications Committee.

WASTE MANAGEMENT

The **BBBB** would clean up litter, conserve virgin resources, and reduce waste going to landfills. With an average return rate of 70%, the bottle bill is by far New York's most effective recycling program. Under the original Bottle Bill the beverage companies have kept about \$85 million per year in unclaimed deposits; most states require these companies to return these unclaimed funds to the state to be used for public good. The BBBB would direct these unclaimed deposits, possibly more than \$100 million per year, into the Environmental Protection Fund to be used to support recycling programs, waterfront revitalization, farmland protection and many other environmental programs."

- Bigger Better Bottle Bill – expands the current deposit law to include non-carbonated drinks other than milk & liquor and to use unclaimed deposits for the Environmental Protection Fund.

CONTAINING SPRAWL/SMART GROWTH

In supporting a proactive role for the state in conserving natural resources and containing sprawl, the League supports legislation that will:

- Promote regional land use planning
- Enhance urban neighborhoods
- Protect agricultural land, open space, watersheds and other sensitive areas

Effective regional land use planning that curbs sprawling development helps to preserve farmland and open space, protect water quality, improve health by providing more opportunities for physical activity, reduce pollution from automobile emissions, reduce the social isolation of those who can't drive, encourage redirection of resources to enhance urban neighborhoods, and save taxpayers money by reducing the costs of infrastructure. The need for such planning becomes even more urgent with the realization that it can be an important factor in reducing climate change.

Below are examples of bills introduced in 2008 that would support our position.

- A.1106 Enacts the New York state smart growth compact act to facilitate coordinated urban and regional planning and public investment in a cooperative and consensual manner
- A.2574 and S.5211 Provides for community based smart growth (land use planning) through various forms of state assistance to local governments
- A.7271 and S.4338 Enacts the Smart Growth for the New Century Act. This was pre-filed by Hoyt on January 7, 2009, as A.697.
- A.7335 and S.4369 Establishes the "state smart growth public infrastructure policy act" — a watered-down version of Hoyt's original bill passed both the Assembly and the Senate in 2008, but it was vetoed by the governor as unenforceable and unnecessary. Hoyt pre-filed the same legislation as A.543 on January 7, 2009.

The Community Preservation Act, A.7333A, related to S.3836, is another piece of legislation with League support. It is an important tool that will allow cities and towns to create community protection funds to protect open space, support working farms, and preserve community character. After approval by voters in a referendum, real estate transfer fees of up to two percent can be collected to build up a local fund for preservation and conservation efforts and to curb sprawl.

On January 7, 2009, Senator Breslin pre-filed S.381, Statewide Community Preservation Act legislation. The League has been working for several years with a coalition, the Campaign for CPA, in support of a statewide Community Preservation Act. Piece by piece legislation has so far been the rule. Special legislation must be passed to amend the home rule law to allow municipalities to levy a local fee. Legislation for the five East End towns on Long Island was enacted 10 years ago and since renewed. Thousands of acres have been preserved. In 2007, the Hudson Valley Community Preservation Act was signed into law for four counties. Similar legislation was signed into law in 2007 for the Towns of Warwick, Red Hook, Fishkill and Chatham. This is obviously an inefficient process and efforts for a statewide bill are continuing

TRANSPORTATION

The LWVNYS supports transportation policies that encourage energy conservation, reduce air pollution and contain urban sprawl. The LWVUS position on Social Policy in Impact on Issues 2006-2008: “The LWVUS believes that energy-efficient and environmentally sound transportation systems should afford better access to housing and jobs and will continue to examine transportation policies in light of these goals.”

Scarce NYS budget dollars along with distribution of Federal stimulus monies should be directed toward transportation infrastructure: to fix existing transportation infrastructure, to provide capital and operating needs for transit agencies and to build a railroad network that provides adequate capacity for both passenger and freight systems.

Concerning Governor Paterson’s proposed NYS 2009-2010 Budget, the LWVNYS position is:

- to oppose proposed cuts in public transit aid;
- to oppose reductions in both rail appropriations and rail operating subsidy;
- to support reductions in highway construction;
- to support actions that increase revenues for transportation, provided that such revenues are dedicated to transportation needs and not funneled through the General Fund.

The proposed cuts to transit aid (\$18.8 million) will cripple transit systems at the very time when demand for public transit is rising. Expanded and improved public transit conserves energy and reduces air pollution through reducing automobile use.

Both freight and passenger rail infrastructure must be improved and expanded, not reduced. Investment in rail infrastructure encourages density in economic development along existing transportation corridors, thereby containing urban sprawl.

The proposed budget does not adequately address the imbalance between spending for highway construction vs. spending for public transit infrastructure.

2009 LWVNYS LOBBY REPORT FORM
ENERGY AND THE ENVIRONMENT

Name: _____ LWV of _____

Legislator: _____ District #: _____
Senator **Assemblyperson (Please circle one)** Date of Visit: _____

If you met with staff, please list name(s) _____

Name of person reporting: _____

Representing the LWV of _____

Please record information that will provide an accurate picture of the legislator's position on any of the following discussed during your visit. Please indicate the legislator's general agreement or disagreement with League position. Also, please indicate if the legislator felt strongly about any other issue covering League positions.

GREENHOUSE GAS EMISSIONS

Do you support capping greenhouse gas emissions and using the funds from the sale of emission credits to support development of clean, renewable energy? *(This is particularly important to ask your Senator).*

ENERGY EFFICIENCY

Do you support the green buildings legislation that will require new or substantial construction of state buildings to adhere to new green building standards to be established by DEC/NYSERDA similar to the LEEDS guidelines?

WASTE MANAGEMENT

Will you support the BBBB and dedicate the unclaimed deposits to the Environmental Protection Fund?

CONTAINING SPRAWL/SMART GROWTH

Curtailing sprawl has emerged as an important step in fighting global warming. Continued sprawling development increases miles driven, thereby increasing CO₂ emissions from automobiles and exacerbating global warming. What measures do you support that would curtail sprawl in New York State?

The Community Preservation Act (CPA) would give New York towns the authority to create Community Preservation Funds financed by a locally-controlled real estate transfer fee that could be used to preserve open space, working farms, or historic buildings in their towns. Do you support the CPA? Please explain.

TRANSPORTATION

Do you support expansion of public transportation, both in building infrastructure and in providing more service?

Do you support high-speed rail service across all of NYS?

Do you support measures to curtail sprawl and encourage high-density, walkable neighborhoods?

DUE DATE: JUNE 1, 2009
PLEASE MAIL, FAX OR E-MAIL TO THE STATE LEAGUE OFFICE
LWVNYS/Lobby Report / 62 GRAND STREET, ALBANY, NEW YORK 12207
TELEPHONE: 518-465-4162 / FAX: 518-465-0812 / E-MAIL: lwny@lwny.org

**Background Briefing Materials for
2009 Legislative Agenda Item:
COST- EFFECTIVE AND ACCESSIBLE HEALTH CARE**

Support health care legislation that provides a basic level of quality physical and mental health care, and meets the League's criteria for equity, access, quality and cost containment.

This year local Leagues emphasized their desire to make health care in New York State a priority issue. The League of Women Voters of New York State supports health care legislation which meets the following criteria:

- Assures a basic level of quality physical and mental health care for all state residents.
- Provides planning, and regulations to assure New Yorkers, including the medically indigent, access to a basic level of quality care
- Provides a single-payer system as an acceptable way to contain cost and provide equitable access.
- Contains costs without compromising accessibility or quality care
- Devotes more resources to help promotion and disease prevention.

The League believes that New York State has a proper role in the regulation of health care and must assure high quality care that is affordable and accessible to all. Historically, since 1965, New York State through Medicaid began its most formal role in providing public health care for individuals and families with low income and resources. In 2000, with the passage of the Health Care Reform Act (HCRA), New York State substantially increased its role in public health care by subsidizing programs for the underinsured through such programs as Family Health Plus, Child Health Plus, and Medicaid. HCRA is a major component of New York State's Health Care financing laws which governs hospital reimbursement methodologies and targets funding for a multitude of health care initiatives. Under the Governor's 2009 budget proposal, HCRA has reduced unspent funding for selected HCRA programs. ADAP will be financed through a combination of federal funds and drug rebates, and anti-tobacco funding for Roswell Park cancer research and telemedicine demonstration program funding will be eliminated from HCRA.

Legislative action for 2009 will begin with budget proposals by Governor David Paterson. The Governor's proposed budget seeks to streamline access to coverage by eliminating barriers to enrollment and by opening enrollment to Family Health Plus to public employees and 19 & 20 year olds. We applaud Governor Paterson's demonstrated commitment to working to achieve the goal of improved access to coverage through these expansion and simplification proposals. Governor Paterson, through his budget, has also proposed increased funding for the Childhood Lead Poisoning Primary Prevention Program, and making this pilot program permanent. The increased funding will allow for further expansion of existing pilot projects, enhanced local activities, and the addition of one to five more counties to the program. We will support these efforts.

Below are bills introduced in 2008 that the League will again support in 2009:

Healthy Teens Act

- A.2856 /Assembly member Richard Gottfried
- S.1342/Senator George Winner

Establishes an age-appropriate sex education grant program through the Department of Health to be a comprehensive age-appropriate program conducted by an eligible applicant; authorizes the commissioner to determine certain topics of instruction and makes provisions for the application of grants.

Reproductive Health Act

- S.6045/Senator Andrea Stewart-Cousins

Updates New York's abortion laws and establishes a fundamental, statutory right to privacy in making personal reproductive decisions.

Pharmacy Benefit Manager

- A.2008/Assembly member Richard Gottfried
- No Senate Majority sponsor yet for this bill.

An act to amend the public health law, in relation to pharmacy benefits managers (PBM). Provides for pharmacy benefit management and the procurement of prescription drugs to be dispensed to patients, or the administration or management of prescription drug benefits; sets forth definitions; provides for funds received by a pharmacy benefit manager to be received by the pharmacy in trust for the health plan or provider and provides for accountability of such funds.

Bill Justification: "PBMs are companies that manage prescription drug benefit programs for health plans. PBMs have promised to save health plans and their members' money, but in reality, their negotiations are very secretive. PBMs commonly pocket payments from drug manufacturers that ought to be used to lower drug prices, and they accept payments in exchange for giving preference to more expensive drugs. This bill, modeled on recent legislation in Maine, would require that PBMs act not in their own best interest, but rather in the interest of the health plan and its beneficiaries."

New York Health Plan

- A.2356 /Assembly member Richard Gottfried
- No Senate Majority sponsor yet for this bill.

Enacts the New York State Health Plan, a comprehensive system of access to health insurance for New York state residents: establishes the New York Health Trust Fund which would hold monies from a variety of sources to be used solely to finance the plan; establishes a mechanism to collect plan premium payments (an 8% employer premium and a 2% employee payroll premium, which may be paid by an employer, plus a 9% premium payment on self-employment

income); establishes a temporary commission on implementation of the plan and makes a \$500,000 appropriation; and directs the superintendent of insurance to examine the premium rate structure for insurance underwritten in the state and to identify that portion of premiums which are attributable to health care expenditures due to implementation of the plan.

**2009 LWVNYS LOBBY REPORT FORM
COST-EFFECTIVE AND ACCESSIBLE HEALTH CARE**

Name: _____ LWV of _____

Legislator: _____ District #: _____
Senator Assemblyperson (Please circle one) Date of Visit: _____

If you met with staff, please list name(s) _____

Name of person reporting: _____

Representing the LWV of _____

Please record information that will provide an accurate picture of the legislator's position on any of the following discussed during your visit. Please indicate the legislator's general agreement or disagreement with League position. Also, please indicate if the legislator felt strongly about any other issue covering League positions.

1. What action do you favor to achieve the goals of insuring the uninsured of NYS?

2. What action should be taken to enroll Medicaid eligible adults who are currently uninsured?

3. What suggestions do you have to contain health care costs?

DUE DATE: JUNE 1, 2009
PLEASE MAIL, FAX OR E-MAIL TO THE STATE LEAGUE OFFICE
LWVNYS/Lobby Report / 62 GRAND STREET, ALBANY, NEW YORK 12207
TELEPHONE: 518-465-4162 / FAX: 518-465-0812 / E-MAIL: lwny@lwny.org

THE LEAGUE OF WOMEN VOTERS OF NEW YORK STATE
BOARD OF DIRECTORS -- May 2007/May 2009

OFFICERS

PRESIDENT

Martha Kennedy, 214 Winne Road, Delmar 12054

518-439-4559

Email: dkennedy2@nycap.rr.com

1st VICE PRESIDENT/ISSUES & ADVOCACY

Edna Vincenti, 99 Elderfields Road, Manhasset 11030

516-627-1987

Email: edna.vincenti@vincenti.com

2nd VICE PRESIDENT/MEMBERSHIP

Marcia Merrins, 42 Rosalyn Court, Fredonia 14063

716-672-4275

Email: mmerrins@netsync.net

3rd VICE PRESIDENT/VOTER SERVICE

Maggie Moehringer, 12 Coventry Road, Glenmont 12077

518-475-0969

Email: mmoehrin@nycap.rr.com

4th VICE PRESIDENT/DEVELOPMENT

Betsey Swan, 10 Norwood Drive, Menands 12204

518-426-3711

Email: faircamp@nycap.rr.com

SECRETARY/TREASURER

Debbie Shichtman, 4811 Concord Avenue, Great Neck 11020

516-466-3126

Email: DrDebbie@aol.com

DIRECTORS

CITIZEN EDUCATION

JoAnn Ross, 116 Cranburne Lane, Williamsville 14221

716-631-9351

Email: jross18@roadrunner.com

GRASSROOTS LOBBY

Georgia T. DeGregorio, 337 Reef Point Circle, Webster 14580

585-787-9692

Email: georgiatd@frontiernet.net

LEGISLATIVE

Barbara Bartoletti, 52 Brinker Drive South, N. Greenbush 12144

518-286-1536 Home/518-469-8905 Cell

Email: bbheck1@yahoo.com

MEMBERSHIP OUTREACH

VACANT

PUBLICATION

Toni Coffee, 160 West End Avenue, New York 10023

212-873-5410

Email: tonicoffee@aol.com

OFF-BOARD SPECIALIST**ALTERNATIVES TO INCARCERATION (CO-CHAIRS)**

Debra Merryweather, 327 Wilmore Place, Syracuse NY 13208

315-455-5210

Email: dapearlie@earthlink.net

Therese Warden, 126 Russell Avenue, Buffalo, NY 14214

716-833-7124

Email: theresewarden@verizon.net**CHILDREN'S ISSUES**

Ellen Kotlow, 205 Forest Haven Drive, Slingerlands 12159

518-765-3275

Email: ekotlow@aol.com**COURT RESTRUCTURING**

Helga Schroeter, 1436 Lowell Road, Schenectady 12308

518-370-5042

Email: helgasasquith@verizon.net**DEATH PENALTY**

Ann Brandon, 64 Salisbury Rd, Delmar 12054

518-439-4332

Email: ambrandon2@verizon.net**DOMESTIC VIOLENCE**

Georgia T. DeGregorio, 337 Reef Point Circle, Webster 14580

585-787-9692

Email: georgiatd@frontiernet.net**EDUCATION FINANCE**

Marian Bott, 1148 Fifth Avenue, New York 10128

212-534-4076 Home/914-588-4212 Cell

Email: sydneymab@aol.com**GOVERNMENT/GUN CONTROL**

Aimee Allaud, 85 Melrose Avenue, Albany 12203 (HAVA)

518-482-2617

Email: 85Aimee@nycap.rr.com**GREAT LAKES**

Ann Ingleman, 123 Thistle Leah, Williamsville 14221

716- 634-2596

Email: aingleman@yahoo.com**HEALTH CARE**

Donna Packard-Mahoney, 107 Pine Street, Rensselaer 12144

518-283-6423 Home/518-221-1904 Cell

Email: dmahoney@nycap.rr.com**HISTORIAN**

Sydelle Herzberg, 46 Longue Vue Avenue, New Rochelle 10804

914-632-7745

Email: sherzb@aol.com**JUDICIAL**

Lenore Banks, 151 Alberta Drive, Amherst 14226

716-836-5240 Phone

Email: lenorebanks@gmail.com**LEAD POISONING**

Joan S. Rosenthal, 133 Dunrovin Lane, Rochester, 14618

585-244-6255

Email: joanmarv@rochester.rr.com

LEGISLATIVE ANALYST

Betsy Swan

NATURAL RESOURCES

Roberta Wiernik, 43 Longview Lane, Chappaqua 10514

914-241-7242

Email: RFWiernik@aol.com

PAY EQUITY (CO-CHAIRS)

Lois Haignere, 28 Bentwood Court, Guilderland, NY 12203

518-608-4196 Home/518-464-0991 Office

Email: haigner@nycap.rr.com

Barbara Thomas, 220 West Milton Road, Ballston Spa, NY 12020

518-885-9769

Email: barbandbob220@verizon.net

REPRODUCTIVE CHOICES

Barbara Bartoletti

TRANSPORTATION

Gladys Gifford, 174 Capen Boulevard, Amherst 14226

716-836-2825

Email: schuford@earthlink.net

URBAN SPRAWL (CO-CHAIRS)

Ruth Bonn, 47 Bruce Drive, Alplaus 12008

518-384-0804

Email: rooty@nycap.rr.com

Anne Huberman, 303 Highland Avenue, Buffalo 14222

716-882-3083

Email: anne.huberman@gmail.com

VOTER

Patty MacLeish, 31 Walnut Street, Newport, RI 02840

401-846-7542

Email: PMacleish@verizon.net

LWVNYS STAFF

Phone 518-465-4162

Fax 518-465-0812

Laura Ladd Bierman, Executive Director

Stephanie Lopez, Program Coordinator

Michael Durocher, Staff Accountant

laura@lwvny.org

stephanie@lwvny.org

lwvny@lwvny.org