

BRENNAN CENTER FOR JUSTICE
CITIZENS UNION OF THE CITY OF NEW YORK
COMMON CAUSE/NY
LEAGUE OF WOMEN VOTERS/N.Y.S.
NEW YORK PUBLIC INTEREST RESEARCH GROUP

SUPPORT S.744-B

IN SENATE, INTRODUCED BY SENATORS KRUEGER, DUANE, SERRANO

AN ACT to amend the legislative law and the election law, in relation to disclosures required for lobbyists

SUMMARY OF PROVISIONS:

This bill would amend the legislative and election laws by placing unique campaign restrictions and new disclosure requirements on those doing business with state government. The bill's key features include:

- Setting reasonable limits on campaign contributions to candidates, political parties and party housekeeping accounts from lobbyists and public contractors (\$500 for statewide offices, \$350 for Senate and \$200 for Assembly);
- Requiring public disclosure of personal business activities lobbyists and public contractors conduct with public officials; and
- Prohibiting lobbyists and public contractors from serving as officers of political committees, directing or transmitting contributions made by others to candidates.

STATEMENT OF SUPPORT:

The infusion of large sums of money by businesses and unions with public contracts and lobbyists into the campaign coffers of state elected representatives has generated a widespread public belief that contributors are "paying" those officials for the opportunity to "play," *i.e.*, receive favored treatment, from the government. The common Albany practice of holding political fundraisers within walking distance of the Capitol that are attended by professional lobbyists exacerbates the public perception that lobbyists are "buying" access to elected officials. For example, during a typical session, lawmakers are scheduled to be in Albany for roughly 65 days, including more than 40 nights. During those sessions, usually 200 Albany-based fundraisers occur. Albany's top lobbying firms donate hundreds of thousands of dollars every year to candidates. Indeed, one of the largest political action committees in the state is affiliated with the state's largest lobbying firm.

Unlike many states, moreover, New York does not limit lobbyists or recipients of government contracts from making large campaign contributions to the very officials who make determinations on legislative and budget policies or contractual decisions. Without rules prohibiting such "pay to play" arrangements, the risk of actual or perceived corruption in the policymaking process is obvious.

Similarly, lobbyists in Albany curry favor with public officials with large campaign contributions to their campaign committees and contributions to the legislative leadership committees, as well as donations to their respective "housekeeping" accounts. Through such contributions, lobbyists create an uneven playing field that allows them and/or their clients to have greater access to officials than members of the public.

Given the track record of scandals and controversies surrounding New York's "pay-to-play" system, this legislation recommends a reasonable limitation on the political involvement of those who seek governmental favors.

We recommend that the legislation, however, be amended to make technical corrections regarding the entity responsible for administering the provisions of the legislation.

Our groups urge support of this bill with a clarifying amendment.