



## **Post- Budget Advocacy Packet**

Post-budget legislative lobbying can be conducted between April and June. This year we are including in our post-budget advocacy packet all issues that the League will be working on for the remainder of the legislative session.

Each section will include status of the legislation the League is advocating for and materials to assist in remote lobbying visits.

### **Issue Topics Included:**

#### **I. Voting and Elections**

- a. Absentee Voting Modernization
- b. Constitutional Amendments

#### **II. Government Ethics**

- a. Joint Commission on Public Ethics (JCOPE) Reform

#### **III. Health Care**

- a. New York Health Act
- b. Medical Aid in Dying

#### **IV. Women's Issues**

- a. Salary Range Transparency

The issues included in this packet may be amended throughout the remainder of the legislative session depending. The League may also add additional legislative issues to this packet as needed.

This Packet is available on the state League homepage, [www.lwvny.org](http://www.lwvny.org).



## I. Voting and Elections

### 1. Absentee Voting Modernization

- a. **[S253 \(Myrie\)](#)/[A1144 \(Paulin\)](#)**: Safeguard ballots from technical disqualification during canvass where the express intent of a voter is clear. This legislation will safeguard the constitutional right of absentee voters to have their votes counted when there are stray marks or writing on an absentee ballot, as long as the express intent of the voter is unambiguous. **This legislation passed in the Senate in Jan. 2021 and is pending in the Assembly Election Law Committee**
- b. **[S492 \(Hoylman\)](#)/[A4128A \(Gottfried\)](#)**: Authorize local Boards of Elections to deploy secure ballot drop boxes at convenient county locations. This legislation will allow local Boards of Elections to establish absentee ballot drop-off locations to provide voters with a convenient alternative option to submit their absentee ballots. **This legislation passed in the Senate in Jan. 2021 and is pending in the Assembly Election Law Committee.**
- c. **[S516 \(Gianaris\)](#)**: Legislation to ensure timely and uniform processing and mailing of ballots requested, regardless of application method. This legislation establishes a sliding scale of mandatory turnaround timeframes for the processing of absentee ballot applications and ballot issuance by boards of elections. **This legislation passed in the Senate in Jan. 2021 and currently there is no Assembly same-as legislation.**
- d. **[S631 \(Salazar\)](#)**: This bill allows absentee ballot applications to be submitted to boards of elections earlier than thirty days before the applicable Election Day. **This legislation passed in the Senate in Jan. 2021 and currently there is no Assembly same-as legislation.**
- e. **[S632 \(Jackson\)](#)/[A4564 \(Bichotte Hermelyn\)](#)**: Extend laws permitting earlier absentee ballot requests. The purpose of the bill is to recognize increased options for qualified voters to request an absentee ballot by recognizing requests through electronic means, and to modify certain requirements relating to the date by which a ballot must be postmarked. **This legislation passed in the Senate in Jan. 2021 and is pending in the Assembly Election Law Committee.**
- f. **[S1027 \(Gianaris\)](#)**: Authorize reviewing, curing, sorting and canvassing ballots sooner and reduce disruptive post-election tactics. **This legislation passed in the Senate in Jan. 2021 and currently there is no Assembly same-as legislation.**

- g. **[S1028](#) (Comrie):** Direct the board of elections to provide an online tool for tracking ballots from request to review, cure, canvass and tabulation. This legislation will allow voters to clearly and transparently track their own absentee ballot every step of the process from the moment the original request is received, approved, mailed or delivered to the voter, received a completed ballot back, opportunities to cure and the actual counting of the vote. **This legislation passed in the Senate in Jan. 2021 and currently there is no Assembly same-as legislation.**
- h. **[S909](#) (Sanders)/[A1044](#) (Dinowitz):** Provide postage paid return envelopes with all domestic mail ballots so that no one is personally burdened in casting their vote. **This legislation is in the Election Law Committee in both the Senate and Assembly.**

## 2. Constitutional Amendments:

- a. **[S360](#) (Comrie)/[A4431](#) (Vanel):** Lawmakers must pass a constitutional amendment (for a second time as required) to repeal the excuse requirement for voting by absentee ballot. Once it passes, the proposal goes on the ballot for public approval. **This legislation passed in the Senate in Jan. 2021 and is pending in the Assembly Judiciary Committee.**
- b. **[S517](#) (Gianaris)/[A502](#) (Carroll):** This constitutional amendment will allow same day voter registration to streamline our voting process, lawmakers must pass a constitutional amendment (for a second time as required). **This legislation passed in the Senate in Jan. 2021 and is pending in the Assembly Judiciary Committee.**
- c. **[S1046A](#) (Myrie)/[A6678](#) (Walker):** The John R. Lewis Voting Rights Act of NYS is a state-level Voting Rights Act would help prevent and redress acts of voter suppression, disenfranchisement, or intimidation; require certain localities to clear local changes to voter access that could infringe civil rights with the NYS Attorney General; designate SUNY as a transparent state steward of election data; and improve language assistance. **This legislation is in the Election Law Committee in both the Senate and Assembly.**



## **II. Government Ethics - JCOPE Reform**

The League is advocating to reform the state's Joint Commission on Public Ethics (JCOPE). JCOPE was established as part of the Public Integrity Reform Act of 2011, which reformed the oversight and regulation of ethics and lobbying in New York State. JCOPE was created to restore public trust in government by ensuring compliance with the State's ethics and lobbying laws and regulations. Unfortunately, over the last 10 years JCOPE has proved to be a toothless enforcement entity that lacks independence from the Executive and Legislature.

Recently the League sent a letter to the legislative leaders urging both houses to hold public hearings to lay the groundwork for major changes to the agency. Below is the letter submit by our joint organizations to the Legislature.

While we wait for these hearings to be held, the League is supporting A.6611 (Hyndman)/ S.5254-A (Biaggi) which would remove the requirement that legislators, state employees, and state-wide officials cannot be found guilty of ethical violations by JCOPE without the votes of at least two members of his/her own political party. This legislation removes the political party veto and brings JCOPE's voting rules into line with other agencies that act by a simple majority vote, including the Commission on Judicial Conduct, the state Public Campaign Finance Board, the New York City Conflicts of Interest Board, and the New York City Campaign Finance Board.

**Campbell Public Affairs Institute, Maxwell School of Citizenship and Public Affairs,  
Syracuse University  
Committee to Reform the State Constitution  
Common Cause/New York  
League of Women Voters of the State of New York  
New York Public Interest Research Group  
Reinvent Albany  
Sexual Harassment Working Group**

Majority Leader Stewart-Cousins  
State Senate  
LOB, Room 907  
Albany, NY 12247

Speaker Heastie  
State Assembly  
LOB, Room 932  
Albany, NY 12248

Minority Leader Ortt  
State Senate  
LOB, Room 909  
Albany, NY 12247

Minority Leader Barclay  
State Assembly  
LOB, Room 933  
Albany, NY 12248

April 20, 2021

**Re: Hold hearings into state oversight of ethics laws**

Dear Majority Leader Stewart-Cousins, Speaker Heastie, Senate Minority Leader Ortt, Assembly Minority Leader Barclay, Senate Ethics Chair Biaggi, and Assembly Governmental Operations Chair Zebrowski:

We call on you to hold legislative oversight hearings on New York State's systems of ethics oversight and enforcement. Our groups have long been deeply concerned about the lack of neutrality built into the structures of the Joint Commission on Public Ethics (JCOPE) and the Legislative Ethics Commission (LEC). *We believe that JCOPE has consistently failed to act independently and is little more than an extension of the state's elected leaders.*

Under state law, JCOPE is responsible for ethics enforcement. JCOPE's clear lack of independence and lack of public credibility makes it impossible for the public to have confidence in JCOPE's actions. JCOPE's jurisdiction includes investigations into violations of Public Officers Law, yet to have any credibility, the public officers who are subject to such laws should of course not have complete control over the operation of the entity. However, that is exactly who effectively controls JCOPE. JCOPE commissioners, all of whom are appointed by those whose conduct they may investigate and judge, simply lack the independence to act against their interests when that is what the facts and law requires.

Thus, we believe a legislative oversight hearing is necessary to assess how New York State can restore public confidence in ethics enforcement, including creating a new ethics enforcement body.

Almost since its creation in 2011, JCOPE has been a punching bag and punchline among state government observers. Instead of being designed as an independent watchdog, it was set up as a political creature to protect the interests of the leaders who appoint the commissioners.

JCOPE was not intended to be, and is not, an independent agency.

Certainly, we believe that by and large JCOPE's staff and commissioners have worked honorably to do the best they could. However, as an institution, JCOPE is a complete failure. The Legislative Ethics Commission's (LEC) membership includes legislators – an even more obvious conflict for that entity.

A legislative investigation is called for to separate the ethical wheat from the unethical chaff. From our organizations' perspectives, there is only one conclusion – JCOPE and the LEC must go.

However, in order to best understand JCOPE's (and LEC's) weaknesses, it is important that there be a comprehensive examination of its performance, and of how ethics are enforced in New York. That examination should be conducted in public through a participatory hearing, which should be followed by a discussion of how best to provide New Yorkers with the effective independent ethics oversight they want and deserve.

In the American form of democracy -- one with checks and balances among the branches of government -- the Legislature is entrusted with the responsibility to monitor the performance of the executive branch and to review policy proposals, in addition to approving legislation. In that capacity, you are charged with examining agency and policy failures. In our view, concerns over the agency's ten-year performance are ripe for legislative review.

Therefore, we call on you to immediately convene a joint hearing, which should include sworn testimony from present and former JCOPE Commissioners, and current and former top staffers.

In addition, such hearings should examine the broader concerns about JCOPE (and other agencies charged with protecting the public interest) and ensure that members of the public are encouraged to testify.

New Yorkers deserve an independent ethics watchdog, one with the resources and legal support to take on even a governor without fear or favor. (A recent report by the New York City Bar Association came to this conclusion and can be found [here](#).)

We look forward to discussing this issue with you as well as working with the Legislature to ensure that New York's ethics oversight system is a model for the nation.

Sincerely,

Grant Davis Reeher  
Campbell Public Affairs Institute, Maxwell  
School of Citizenship and Public Affairs,  
Syracuse University

Rachel Bloom  
Citizens Union

Evan Davis  
Committee to Reform the State Constitution

Susan Lerner  
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## THE LEAGUE OF WOMEN VOTERS *of New York State*

### MEMORANDUM OF SUPPORT FOR: **A.6611 (Hyndman)/ S.5254-A (Biaggi)**

To: New York State Assembly & Senate

Date: April 2021

Subject: An act to amend the executive law, in relation to the joint commission on public ethics.

The League of Women Voters of New York State supports the above referenced legislation which would remove the requirement that legislators, state employees, and state-wide officials cannot be found guilty of ethical violations by JCOPE without the votes of at least two members of his/her own political party.

JCOPE was created in 2011, with the intention of overseeing and regulating ethics and lobbying in New York State. Since its creation, the agency has had serious issues with its structure and independence. One of the major flaws of JCOPE's structure is a special voting rule that allows an enforcement action supported by a super-majority of commission members to be blocked by a minority of commission members of the same political party as the potential subject of the enforcement action.

This rule has obstructed the effectiveness of JCOPE's enforcement by allowing members of political parties to protect their own self-interested. Ethical violations are non-partisan in nature. A violation of ethical obligations should be equally punishable, regardless of which political party the violator is a member of.

For the above reasons, the League of Women Voters of New York State urges your support of A.6611 (Hyndman)/ S.5254-A (Biaggi).



### **III. Health Care – New York Health Act**

The League is advocating for the New York Health Act, [A-6058 \(Gottfried\)/S-5474 \(Rivera\)](#),

The New York Health Act establishes a comprehensive system of access to health insurance for New York state residents; provides for administrative structure of the plan; provides for powers and duties of the board of trustees, the scope of benefits, payment methodologies and care coordination; establishes the New York Health Trust Fund which would hold monies from a variety of sources to be used solely to finance the plan; enacts provisions relating to financing of New York Health, including a payroll assessment, similar to the Medicare tax; establishes a temporary commission on implementation of the plan; provides for collective negotiations by health care providers with New York Health.

**This legislation is pending in the Assembly Codes Committee and Senate Health Committee.**

Under the proposed legislation, every New York resident would be eligible to enroll, regardless of age, income, wealth, employment, or other status. There would be no network restrictions, deductibles, or co-pays. Coverage would be publicly funded. The benefits will include comprehensive outpatient and inpatient medical care, long-term care, primary and preventive care, prescription drugs, laboratory tests, rehabilitative, dental, vision, hearing, etc. - all benefits required by current state insurance law or provided by the state public employee package, Family Health Plus, Child Health Plus, Medicare, or Medicaid, and others added by the plan.



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## THE LEAGUE OF WOMEN VOTERS *of New York State*

### MEMORANDUM OF SUPPORT FOR: **A-6058 (Gottfried) / S-5474 (Rivera)**

To: New York State Assembly & Senate

Date: April 2021

Subject: AN ACT to amend the public health law and the state finance law, in relation to establishing New York Health

***The League of Women Voters of New York State strongly supports the New York Health Act (NYHA),*** legislation to establish a health program of guaranteed, universal, comprehensive, and affordable health services. This legislation meets the League's healthcare goals around coverage, eligibility, equity, and access, as well as meeting the League's financial criteria around feasibility, cost controls, and transparency.

#### **Equitable Access to Comprehensive and High-Quality Coverage:**

In its Healthcare Positions, the League supports "uniform eligibility and coverage of essential healthcare services, both physical and behavioral, ideally including coverage of services such as vision, dental, hearing, and long-term care ... The League has a strong commitment to an emphasis on preventive care, health education, and appropriate use of primary care services." Because of the scope of comprehensive coverage that will be guaranteed to every New York resident through New York Health, the League supports this legislation.

#### **Affordable Cost, Regardless of Income, Illness, Employment Status, or County of Residence:**

The League believes that the state's "primary role in healthcare is to assure that quality care is available to all New Yorkers ... including the medically indigent." Because the NYHA eliminates all financial barriers to care —premiums, co-pays, deductibles, co-insurance, and out-of-pocket expenses — for prescription drugs and devices and essential healthcare services - it meets our criteria for access.

The League favors "health insurance access independent of employment status" so that job-loss does not deprive workers and their families of access to healthcare. The current pandemic has revealed the societal risk of tying healthcare to employment: in 2020 a million jobs were lost statewide. When workers lost health coverage, their family members also lost access. And two-

thirds of bankruptcies are triggered by medical bills for those who were employed and insured when their health crisis began.

The League states that, “As public health crises increasingly reveal, NYS should protect the health of its most vulnerable populations, urban and rural, in order to protect the health of everyone.” The pandemic has revealed deep healthcare disparities around race and residence: rates of infection and death for Black and Indigenous people run two to three times the rate for Whites, and Covid-19 has also sickened rural residents of all ethnicities at disproportionate rates. Because New York Health will significantly ameliorate disparities around rates of illness, progression of illness, and early death, the League supports this legislation.

**Financially Feasible and Evidence-Based Cost Controls:**

The League describes the “single-payer concept as a viable and desirable approach to implement League positions,” and calls for funding by “broad-based and progressive state taxes on earned and unearned income.” The League also articulates specific feasibility criteria that the NYHA meets, including appropriate levels of federal support, sufficient cost savings “so that estimated overall program cost will approximate the cost of current overall health services,” and creation of a “healthcare trust fund, managed by the state, that operates in a similarly efficient fashion as Social Security or Medicare trust funds.”

Finally, the League specifies a number of cost-control methods, including reduced administrative costs, “volume discounts for pharmaceuticals and durable medical equipment to bring prices closer to international levels,” investment in well-care to increase health and reduce preventable adverse health events/expenditures, as well as home-care services to reduce institutionalization. Because the League concludes that NYHA addresses financial feasibility and cost-controls appropriately, the League supports this legislation.

**Transparency & Public Participation:**

The League calls for “public input as integral to the process for determining healthcare coverage and funding.... NYS residents must be provided with information on the healthcare system and on the implications of health policy decisions.” The proposed NYH Board of Trustees and six Regional Councils establish mechanisms for transparency and public participation as favored by the League, and for this reason the League supports this legislation to create New York Health.

***For all these reasons, the League of Women Voters of NYS strongly supports A-6058/S-5474.***

Note: Quoted material comes from the L WVNY Position on Healthcare or the Position on Financing of Healthcare, Adopted March 20, 2021.

## **Campaign For New York Health Resources**

The Campaign for NY Health has created special graphics to thank Assembly Members and Senators for cosponsoring. See the complete list of cosponsors with contact info and social media handles here. With Social Media Thank You Toolkit here and more here.

### **Call Script for Senators/Assembly Members**

Hello,

I am calling regarding (A-6058/S5474) a bill to enact the New York Health Act. CHOOSE: I want to thank the Senator for supporting this bill OR I urge the Senator to support this bill) and ask that the Senator/Assembly Member advocate with leadership to bring this bill to the floor for a vote — and then get it passed.

The New York Health Act would provide comprehensive, universal health coverage for every New Yorker and would replace private insurance company coverage. All New Yorkers would be covered for all medically necessary services, including: primary, specialist, hospital, mental health, reproductive, and substance abuse healthcare diagnoses, tests, and treatments — as well as dental, vision, prescription drugs and devices, and long-term care. Coverage would be funded through a graduated assessment on payroll and non-payroll taxable income, based on ability to pay.

For 90% of New Yorkers, it will be a substantial reduction in what they now spend for healthcare — and New York State will spend less than it now spends on healthcare, while achieving better public health and stimulating our economy by promoting start-up businesses and creating an estimated 200,000 new jobs.

Healthcare is not a privilege, it a basic human right. I hope that when the bill is taken up the Senator/Assembly Member will vote in favor of its passage.

### **Sample Tweets:**

@SENATOR bring #SinglePayerHealthCare to the floor for a vote! Vote YES to #NewYorkHealthAct!

@SENATOR #NYS needs #SinglePayerHealthCare! Healthcare is a basic human right!

#NewYorkHealthAct would lower healthcare costs and keep New Yorkers healthy.

@SENATOR vote YES to the #NewYorkHealthAct

### **Additional Resources:**

- Campaign for NY Health
  - FAQs: <https://www.nyhcampaign.org/faq>,
  - Email sign-up <https://www.nyhcampaign.org/action>
- Financial Analyses:

Summary of Costs & Savings (4pp):

[https://d3n8a8pro7vhmx.cloudfront.net/pnhpnymetro/pages/7770/attachments/original/1554325127/New\\_Workers\\_Save\\_Billions\\_Under\\_the\\_New\\_York\\_Health\\_Act\\_FAQ.pdf?1554325127a](https://d3n8a8pro7vhmx.cloudfront.net/pnhpnymetro/pages/7770/attachments/original/1554325127/New_Workers_Save_Billions_Under_the_New_York_Health_Act_FAQ.pdf?1554325127a)

RAND 2018 (125pp): [https://www.rand.org/pubs/research\\_reports/RR2424.html](https://www.rand.org/pubs/research_reports/RR2424.html)

Friedman 2015 (56pp):

[http://www.infoshare.org/main/Economic\\_Analysis\\_New\\_York\\_Health\\_Act\\_-\\_GFriedman\\_-\\_April\\_2015.pdf](http://www.infoshare.org/main/Economic_Analysis_New_York_Health_Act_-_GFriedman_-_April_2015.pdf)

- Text of NY Health A-6058/S5474:

[https://www.nyassembly.gov/leg/?default\\_fld=&leg\\_video=&bn=A06058&term=&Summary=Y&Text=Y](https://www.nyassembly.gov/leg/?default_fld=&leg_video=&bn=A06058&term=&Summary=Y&Text=Y)

- Endorsers of NY Health Act: [https://www.nyhcampaign.org/endorsers\\_list](https://www.nyhcampaign.org/endorsers_list)

- Single Payer NY: <http://www.singlepayernewyork.org/>

- Healthcare NOW!: <https://www.healthcare-now.org>



### **III. Health Care - Medical Aid in Dying**

The League is advocating for the Medical Aid in Dying Act [A. 4321a \(Paulin\)](#). The Medical Aid in Dying Act would allow a terminally ill, mentally capable adult to request life-ending medication from a doctor that the person can self-administer at a time of his or her choosing, or never, should suffering become unbearable.

Compassion and Choices has drafted sample materials for local Leagues to use to help advocate for the Medical Aid in Dying Act.

#### **Sample Letter to the Editor for Local League:**

Too many New Yorkers suffer needlessly at the end of life. We all know that. We've watched loved ones writhing in pain or unable to control their basic body functions. That's why members of the League of Women Voters studied what other States have done to alleviate that suffering. In 2017 & 18 we looked at the way Medical Aid in Dying works in Oregon, Washington, California and reached a consensus that New York State should adopt similar laws. We saw that terminally ill people could be effectively protected from coercion, while having access to a humane and peaceful death.

The Medical Aid in Dying Act (A. 4321, Paulin) would allow a terminally ill, mentally capable adult to request life-ending medication from a doctor that the person can self-administer at a time of his or her choosing, or never, should suffering become unbearable.

Our neighbors in Vermont, Maine and New Jersey have already adopted medical aid in dying. Currently 1 in 5 Americans have access to medical aid in dying – in the 9 states/10 jurisdictions with laws allowing it. It is time for New York State to join the ranks of those compassionate states.

Your name and League title,  
League of Women Voters of \_\_\_\_\_

#### **Sample Social Media to support Medical Aid in Dying:**

Twitter is the most effective social media for influencing your legislators:

- Have your picture taken (singly or as small groups), with a sign, wearing League pins, and maybe C&C yellow shirts in front of easily recognizable landmarks in the legislator's district. Then tweet the pictures at both the legislator, your League and LWVNY.

- Facebook is good for influencing the general public. You can use the pictures you took for Twitter, or just the picture of someone you knew who would have benefitted from Medical Aid in Dying, with the comment that “Name would have liked to use medical aid in dying. Instead s/he suffered at the end of life.”



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MEMORANDUM IN SUPPORT OF:  
A. 4321a (Paulin)

*To: New York State Assembly and Senate  
Subject: An act to amend the public health law, in relation to a terminally ill patient's request for and use of medication for medical aid in dying.*

The League of Women Voters of New York State supports the above referenced legislation which would provide that a mentally competent, terminally ill patient may request medication to be self-administered for the purpose of hastening the patient's death provided the requirements set forth in the act are met, and to provide certain protection and immunities to health care providers and other persons, including a physician who prescribes medication in compliance with the provisions of the article to the terminally ill patient to be self-administered by the patient.

The League of Women Voters believes that state laws should grant the option for a terminally ill person to request medical assistance from a relevant, licensed physician to end one's life. We believe such legislation should include safeguards against abuse of the dying and protections for medical personnel who act in good faith compliance with the law.

We feel this bill adequately addresses concerns surrounding consent and accessibility. The League feels this bill has sufficient safeguards in place to ensure protection of vulnerable populations and medical personnel who may be morally opposed to aid in dying. This reform will give terminally ill patients access to safe, comprehensive end of life options.

For the above reasons, the League of Women Voters of New York State urges your support of A.4321A (Paulin).



## **IV. Women's Issues - Salary Range Transparency**

The League is supporting the Salary Range Transparency bill. The bills are S.5598 (Ramos) and A.6529 (Joyner); these bills are not identical legislation but they are very close. Both have the same description “requires employers to disclose compensation or range of compensation to applicants and employees.”

The League supports the idea that employers should tell prospective employees the actual compensation or the range of compensation that is associated with a position that the business is hiring for, or for openings available to employees within an organization.



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**MEMORANDUM IN SUPPORT OF:  
S.5598 (Ramos) and A.6529 (Joyner)**

*To: New York State Assembly and Senate  
Subject: An act to amend the labor law, in relation to requiring employers to disclose compensation or range of compensation to applicants and employees.*

The League of Women Voters of New York State supports the above referenced legislations which would require employers to disclose compensation or range of compensation to applicants and employees upon issuing an employment opportunity for internal or public viewing or upon employee request.

Wage discrimination in hiring plays a central role in perpetuating the wage gap between men and women. Women applying for a new position and/or for internal job promotion often face implicit and structural barriers that result in lower salaries. This is compounded for women of color, women with disabilities, LGBTQ+ individuals and mothers.

By enhancing transparency around compensation at the start of the hiring process and limiting the role of implicit employer bias, this bill serves to empower applicants with critical information, prevent wage discrimination, reduce negative negotiation outcomes and address systemic gender-based wage disparities that originate during the hiring process.

The League supports both S.5598 (Ramos) and A.6529 (Joyner).