



NEW YORK STATE SENATOR

Brian Kavanagh

## Senate Democrats to Force Committee Presentation and Vote on Election and Campaign Finance Reforms

BRIAN KAVANAGH June 4, 2018

| ISSUE: [ELECTIONS](#), [ELECTION LAW](#), [CAMPAIGN FINANCE](#), [VOTING](#)



(Albany, NY) — Senators Brian Kavanagh, Michael Gianaris, and Brad Hoylman today joined their Democratic colleagues and good government groups to force Republicans on the Senate Elections Committee to hold a committee vote on four bills that would reform New York’s election and campaign finance laws — and to press them to vote in favor of the bills. In addition, Senator Kavanagh — the Ranking Member on the Elections Committee — invoked a rarely used Senate Rule to ensure that the Committee will hear a formal public

presentation on the importance of these bills by good government groups.

“Free and fair elections are the foundation of our system of government — but New York’s election and campaign finance laws simply don’t live up to that ideal. Instead of making it easy for eligible New Yorkers to vote, our election laws put up unnecessary barriers. Rather than ensuring every New Yorker has a say in who makes our laws, the LLC Loophole in our campaign finance laws helps deep-pocketed special interests buy influence wholesale, while in many cases remaining virtually anonymous. This must end,” **said State Senator Brian Kavanagh, Ranking Democrat on the Elections Committee and sponsor of S7400A and S7149, which enact and fund early voting and close the LLC Loophole.** “These bills are critically important to our democracy. New Yorkers deserve a public discussion on these topics, and they deserve to have their elected officials take a public stance on these reforms. Today, that’s just what we’re giving them.”

“At a time in our country when voting rights are under assault from all corners, New York must live up to its reputation as a progressive leader,” **said Senator Michael Gianaris.** “Access to the ballot box should be easy and fair. I urge my colleagues to enact these proposals as soon as possible to remove obstacles to voting.”

**State Senator Brad Hoylman said:** “On the day Donald Trump says he can pardon himself for criminal wrongdoing, the State Senate should pass my bill (S26) to force presidential candidates to release their taxes and expose potential conflicts of interest to the voters. In the last year, 28 state legislatures are now considering similar bills that would enshrine this tradition of presidential tax transparency into law. Today, I stand with Senator Gianaris and Senator Kavanagh to urge my colleagues in the Senate to bring this election reform measure to the floor for a vote. Nothing less than the integrity of our democratic institutions is at stake.”

Despite repeated refusals by Senate Republicans to advance these reforms, including similar provisions that Republicans declined to include in the State budget without a vote on their merits, Senators Kavanagh, Gianaris, and Hoylman will force a vote today through “motions for committee consideration.” Such motions, defined in [Senate Rule VIII § 2 e](#), give bill sponsors the power to compel a committee vote. The bills to be voted on include:

- [S7400A \(Kavanagh\)](#), which would enact and fund early voting, so busy New Yorkers can vote at a convenient time — at no cost to localities
- [S7149 \(Kavanagh\)](#), which would close the “LLC Loophole,” which allows nearly unlimited amounts of cash to flow into political campaigns with virtual anonymity.
- [S3304 \(Gianaris\)](#), the “Voter Empowerment Act,” which would:
  - Establish automatic voter registration and online registration,
  - Reduce unfair deadlines for registration and party enrollment, and
  - Allow 16- and 17-year olds to pre-register to vote.
- [S26 \(Hoylman\)](#), the “Tax Returns Uniformly Made Public Act,” which requires presidential and vice-presidential candidates to file copies of their federal income tax returns with the New York State Board of Elections.

Senator Kavanagh also invoked [Senate Rule VIII § 2 d](#), an infrequently used procedure that empowers the Ranking Member on a committee to ensure that the committee hears a public presentation on the merits of legislation, without the consent of the Chair. In accordance

with the rule, Senator Kavanagh **informed** the Elections Committee Chair, Senator Fred Akshar, that a presentation regarding the four bills will be included on the today's agenda. The notice was sent Friday, June 1st — more than the required 72 hours before the committee meeting. It appears that this procedure has not been used by a New York State Senator in at least five years.

Senator Kavanagh invited the following guests to present on the bills:

- Susan Lerner, Executive Director of Common Cause New York
- Jennifer Wilson, Director of Program and Policy at the League of Women Voters of New York State
- Sean Morales-Doyle, Counsel at the Brennan Center for Justice at New York University School of Law

The presentations will focus on the need to reform New York's outdated election and campaign finance laws, and outline the impact the four bills will have on voters trying to make their voices heard.

“Before the majority cries foul over claims of dysfunction or playing politics, I remind them that these voter reforms are widely supported and critically necessary. The political theater here has always been to block these measures. The majority has quashed these bills at every step in the legislative process. That’s politics. Our electoral process is dated. Our elections exposed to undisclosed influence and unlimited cash. Voters are caught in the middle. They’ve asked lawmakers to help. That’s our job,” **said Senator Martin Malavé Dilan.**

"We need to close the loopholes that allow corporations to donate outrageous sums of money to political campaigns. Wealthy corporations shouldn't get to play by a different set of rules. We thank Senator Kavanagh for working to fix our campaign finance laws and outdated voting systems. Everyday New Yorkers deserve a meaningful voice in our democracy," **said Ivette Alfonso, President of Citizen Action of New York.**

**Betsy Gotbaum, Executive Director of Citizens Union, said:** "The reforms before the Senate Elections Committee today are necessary to achieve a government that truly reflects the aspirations of New Yorkers. Early voting, automatic voter registration, and closing the LLC loophole are three of the key measures being considered to improve access to the polls. We have already waited too long for public interest reforms that should be uncontroversial, and the Senate must act."

"New York is long overdue for real election reforms like early voting, automatic voter registration and closing the LLC loophole. Common Cause/NY thanks State Senator Brian Kavanagh for forcing a committee decision on these crucial bills and for invoking the rule that allows testimony to be introduced at the Election Committee hearing. The people deserve a more open committee process. New Yorkers should be able to exercise their basic democratic rights without unnecessary barriers — it's a bi-partisan, no brainer," **said Susan Lerner, Executive Director of Common Cause/NY.**

"We in New York are one of the last in nation in voter turnout because our legislature and Governor have refused to pass laws that break down barriers to voting. It's time to pass simple reforms like early voting and automatic voter registration that are proven to significantly increase voter participation." **Jonah Minkoff-Zern, Director, Public Citizen's Democracy Is For People Campaign.**

**Sean Morales-Doyle, Counsel in the Democracy Program at the Brennan Center for Justice at NYU School of Law, said,** “Today the committee considers a number of common-sense reforms that will make New York’s elections more accessible and fair. There’s no excuse for New York to trail so many states on policies like early voting and automatic voter registration, nor is there any good reason to treat LLCs differently than other corporate entities when it comes to political contribution limits.”

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#### RELATED LEGISLATION

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### **2017-S7400A**

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- Introduced
  
- ◦ In Committee Assembly
  - In Committee Senate
  
- ◦ On Floor Calendar Assembly
  - On Floor Calendar Senate
  
- ◦ Passed Assembly
  - Passed Senate

- Delivered to Governor
- Signed By Governor
- 

Relates to establishing early voting and the New York state early voting fund

January 12, 2018

In Senate Committee [Rules](#)

Sponsored by [Brian Kavanagh](#)

Do you support this bill?

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## 2017-S7149

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- Introduced
- - In Committee Assembly
  - In Committee Senate
- - On Floor Calendar Assembly
  - On Floor Calendar Senate
- - Passed Assembly
  - Passed Senate
- Delivered to Governor

- Signed By Governor

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Relates to political contributions by limited liability companies

December 13, 2017

In Senate Committee [Rules](#)

Sponsored by [Brian Kavanagh](#)

Do you support this bill?

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## 2017-S3304

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- Introduced
- - In Committee Assembly
  - In Committee Senate
- - On Floor Calendar Assembly
  - On Floor Calendar Senate
- - Passed Assembly
  - Passed Senate
- Delivered to Governor
- Signed By Governor



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Enacts the voter empowerment act of New York

January 20, 2017

In Senate Committee [Rules](#)

Sponsored by [Michael Gianaris](#)

Do you support this bill?

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## 2017-S26

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- Introduced
- - In Committee Assembly
  - In Committee Senate
- - On Floor Calendar Assembly
  - On Floor Calendar Senate
- - Passed Assembly
  - Passed Senate
- Delivered to Governor
- Signed By Governor
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Enacts the "tax returns uniformly made public act"

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December 28, 2016

In Senate Committee [Rules](#)

Sponsored by [Brad Hoylman-Sigal](#)

Do you support this bill?