

ETHICS REFORM:
Strengthen the state's ethics laws

Background

New York has endured an unprecedented series of scandals: In little over a year, New Yorkers have witnessed the resignations of the state's Governor, the Comptroller, and the conviction of two State Assemblymen for corruption. Lax laws and inadequate enforcement have created a permissive ethics environment in Albany. Given the staggering weaknesses in the state's ethics law, the public demands that ethics be a front-burner issue. It is time for the adoption of strong ethical standards. Those standards must include independent oversight, clear ethical standards and tough enforcement. These are some of the changes that will help restore New Yorkers' confidence in state government.

Actions:

- Close the campaign finance "personal use" loophole
- End "pay-to-play" practices
- Require greater disclosure of officials' business relationships
- Create a new, independent ethics commission.

- **Strengthen 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.
- **Create 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 only six states (the others are Illinois, 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 with jurisdiction over both the executive and legislative branches. Moreover, lobbyists must be strictly barred from serving on this new commission.
- **Restrict 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.
- **Create 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.
- **Require Reporting of lobbyists' business relationships with lawmakers.** New York State's lobbying law can be enhanced. While New York State's local lobbying reporting requirement may be the best in the nation, more can be done. In nineteen states, lobbyists

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are required to report any business relationships they have with lawmakers. New York should require this disclosure too.

- **Toughen 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.
- **Require ethics training for lobbyists and public officials, including the governor, legislators, legislative employees, and state agency employees.** Lawmakers, lobbyists and staff should undergo regular ethics training to ensure that ethical guidelines and issues are understood and followed.