



NEW YORK STATE SENATOR

Andrea Stewart-Cousins

## Senate Democratic Conference Unveils Tough Ethics Package

ANDREA STEWART-COUSINS April 15, 2013

| ISSUE: **ELECTIONS**



**Bills Would Limit Use of Campaign Money and Strip Pensions of Any Official Who Breaches Public Trust—Also Announce Support of Governor Legislative Ethics Package**

Albany, NY - The Senate Democratic Conference today unveiled a tough legislative ethics package designed to reform state government and combat the ongoing corruption issues facing New York State. The Conference also announced their support for the principles of the Governor's legislative package the "New York Public Trust Act."

“The events of the past few weeks have shown all New Yorkers more must be done to clean up Albany,” **Democratic Conference Leader Andrea Stewart-Cousins** said. “Public corruption and the abuse of power by elected officials is a serious problem that must be confronted and eliminated. I urge my colleagues in the Senate Republican Coalition join with the Senate Democratic Conference to clean up Albany.”

Introduced in the Senate Democratic Conference ethics reform package are bills that will:

- **Strengthen the regulations regarding the use of campaign money.**
  - This bill addresses a number of concerns with how campaign funds are raised and expended. Currently, New York’s election law, allowing candidates to spend campaign funds for “any lawful purpose,” is among the most lax in the nation.
  - While spending campaign funds for personal use is technically prohibited, the lack of any definition for what constitutes a personal use renders the provision meaningless.

**Bill sponsor Senator Terry Gipson** said, “For too long unethical politicians have used their campaign accounts as personal ATMs and defrauded the public as a result. Closing the current loopholes in legislation governing campaign funds is a common sense way to ensure these accounts are no longer utilized for non-campaign related payments. The public has a right to know how every dollar is spent on political campaigns and I urge all of my colleagues to join me in supporting this legislation.”

- **Retroactively strip pension benefits from any state or local official convicted of a felony involving breach of public trust.**

- The current law only regulates officials that joined the pension system after 2011 when the last ethics package passed. This legislation would affect all members of the pension system.
- This resolution has been introduced as a constitutional amendment since it affects an official's pension.

**Bill sponsor Senator Neil Breslin** said, "Elected officials who betray the public trust and are convicted of felonies due to their unethical, corrupt actions do not deserve any pension benefits. To expect the hard working taxpayers of New York State to continue to support these corrupt individuals is ludicrous. That is why I have sponsored legislation to amend the State Constitution to close this loophole and ensure that those who betray the public trust no longer receive benefits long after they have been punished for their crimes."

- **Outlaw the use of campaign money for criminal defense.**

- This bill would outlaw campaign funds from being used for attorneys fees or any costs for defending against criminal or civil prosecution for alleged violations of any state or federal law.

**Bill sponsor Senator Ted O'Brien** said, "When corrupt elected officials are caught defrauding the public, their attempts to use campaign accounts to pay their legal fees add insult to injury. That is why I have proposed legislation to ensure campaign funds can no longer be used to pay for any costs related to criminal or civil defense. Campaign accounts should be

used to support candidates getting into office, not fund attempts to stay out of prison.”

- Require that campaign contribution disclosure reports to the State Board of Elections state whether the contributor is a lobbyist.
  - This bill would prohibit any employee of a state agency or legislative employee required to file an annual financial disclosure statement from soliciting or receiving campaign contributions.

**Bill sponsor Senator Liz Krueger** said, “For decades, our ethics and campaign finance laws have been defined by maddening loopholes and byzantine opaqueness. A strong small-donor matching funds system to empower everyday New Yorkers is essential to any reform package that’s serious about ending the pay-to-play culture, but it’s just as important that we make the lines between right and wrong crystal clear in our laws.”

- Require elected officials to post campaign donation information on their websites
- Establish a public financing system for state campaigns and require greater disclosure of campaign donations The Senate Democratic ethics package would regulate the use of campaign money, strip pension benefits of officials who violate the public’s trust, establish a public financing system for state campaigns and require greater disclosure of campaign donations.

**Senator Martin Malavé Dilan** said, “Recent revelations into the extent of corruption in Albany has again damaged the public’s trust in their elected officials; a trust that so many of us have fought to restore and maintain. We must act now to send a lasting message that these actions will not be tolerated and the penalties for engaging in such activity will be severe.”

**Senator Adriano Espaillat** said, “New Yorkers deserve a government they can be proud of, and it’s time to use this moment to enact stronger ethics safeguards and long overdue campaign finance reforms. The Democratic Conference’s plan will continue the fight for good government proposals I have pushed for, and will ensure our capital works for the people.”

**Senate Democratic Conference Deputy Leader Michael Gianaris** said, “There should be no place in public service for the type of criminal behavior alleged to have occurred over the past few weeks. Our legislation represents an aggressive effort to punish and deter wrongdoing in our state government. As a long-time reformer, I am anxious to change the culture in Albany that allows lawbreakers to think this type of behavior is acceptable in any way.”

**Senator Brad Hoylman** said, “I am extremely proud to support this package of tough and comprehensive ethics reforms. The events of the last several weeks reiterate what we already know: Money, special interests and dishonest public officials are a toxic combination that undermines state government. If we are to regain the trust of New Yorkers, I urge my colleagues in the legislature and the Governor to pass these ethics reforms now.”

**Senator Tim Kennedy** said, “Western New Yorkers are sick and tired of seeing elected officials dragged out of office in handcuffs. The people of New York State deserve better. They deserve a cleaner, more responsive Albany that always puts the people first. I am proud to support this package, which includes comprehensive campaign finance reform and increased transparency I am particularly proud to support the strengthening of pension forfeiture laws. Those lawmakers who violate the public trust don’t deserve a public pension regardless of when they were elected, it’s as simple as that. A pension is something you earn serving the public - not serving yourself. I look forward to working with Senate Democratic Leader Andrea Stewart-Cousins and my colleagues to ensure the passage of these important reforms.”

**Senator George Latimer** said, “I am angered by the actions of a few public officials. Not every politician is stupid, venal and corrupt and the ones that are make it difficult for the ones that aren’t to effectively do their jobs. If we don’t respond to this crisis, every elected official at every level is going to be labeled the same way. By retroactively stripping pension benefits from any state or local official who breaches the public trust and tightening the way campaign funds are spent, we will add additional deterrents to those seeking to betray the trust of their constituents. Many of these proposals enjoy bipartisan support and demonstrate a clear desire on our part, as public officials, to clean up this mess.”

**Senator Gustavo Rivera** said, “Recent events make it obvious that we need stronger anti-corruption legislation. Every time that an elected official betrays the public’s trust, it makes it less likely that members of our community will get involved or participate in their government. While it is unfortunate that corruption is a problem that continues to plague our community, we must continue to fight to ensure that all New Yorkers are represented by elected officials that will serve in the best interest of their constituents. Passing the Senate Democratic Conference’s ethics package will be an important first step in combating corruption.”

**Senator José Serrano** said, “Throughout my career I have fought for increased reform and transparency in government. The ethics package that we in the Democratic Conference put forth today will help root out corruption and restore public confidence in state government by strengthening campaign finance rules, increasing transparency, and punishing those who abuse their position in government. I applaud our Senate Democratic Conference Leader Andrea Stewart-Cousins for her unwavering commitment to ethics reform, and I look forward to passing this legislative package as soon as possible.”

**Senator Toby-Ann Stavisky** said, “Legislative ethics should not be an oxymoron. We need to restore the public’s faith in government and its elected officials. Transparency, full

disclosure, and public financing of elections are key. I am tired of continually seeing the words 'Albany' and 'dysfunction' in the same sentence. As Benjamin Rush, a signer of our Declaration of Independence once wrote, 'nothing that is morally wrong can be politically right,' and passing this package is the right thing to do."