



2010 QUESTIONNAIRE FOR CANDIDATES FOR NEW YORK STATE LEGISLATURE

Citizens Union would appreciate your response to the following questionnaire related to policy issues facing the State of New York and our interest in reforming how state government operates. Responses to these questions will be one of several factors Citizens Union will use to evaluate candidates who are running for office in order to determine our "Preferred Candidates" for the primary election and "Endorsed Candidates" for the general election. If you seek our support, we would also need to schedule an interview with you as part of the evaluation process.

We plan to make responses to this questionnaire public in our Voters Directory and other appropriate venues. We thank you very much for your response.

Candidate Name: Paul Niehaus Age: 38

Office to Which You Seek (Re) Election: Assembly/Senate District #: Assembly District 73

Campaign Address: P.O. Box 454, New York, NY 10150; AND 122 East 83rd Street, New York, NY 10028

Campaign Telephone Number: (917) 656-9969 Fax: (212) 624-0223

Party Affiliation(s): Republican/Indep. Party Campaign Manager Name: Brian Morgenstern

Website & Email: www.niehausfornewyork.com; paul@niehausfornewyork.com

Education: Princeton University (A.B.); University of Chicago Law School (J.D.)

Occupation/Employer (or years in currently held elected office): Private Practice Attorney with own law firm, Niehaus LLP; previously associated with large New York law firms

Previous Offices, Campaigns and Community/Civic Involvement: no prior campaign experience; currently a member of co-op Board of Directors

Are you willing to be interviewed by CU's Local Candidates Committee? YES X NO

(Please note: Citizens Union can grant its "Preferred Candidate" and "Endorsed Candidate" rating only to candidates we have interviewed.)

Have you completed requisite campaign finance filings? YES X NO

Signature of Candidate: [Handwritten Signature] Date: 8/1/10

## I. CANDIDATE QUESTIONS

Please state your position on the following reform measures. Specify whether you support or oppose each. You may elaborate in the space provided at the end or on additional paper.

### ELECTION REFORM

1. What is your position on establishing by statute an Independent Legislative Redistricting Commission charged with drawing congressional and state legislative lines and removing the responsibility from the Legislature, through the passage of S.1614B/A.5279B?	Support/Oppose
2. What is your position on a process where the legislature directly appoints the members of a districting commission, as in S.7881-A or S.7882-A, as an alternative to the independent commission referred to in Question 1?	Support/Oppose
3. What is your position on maintaining the current redistricting process in which legislative lines are drawn by the legislators with support and research from the New York State Task Force on Demographic Research and Reapportionment (LATFOR)?	Support/Oppose
4. What is your position on the adoption of stricter redistricting rules that would ensure that every district is: more equal in population (within 1% deviation from the mean), contiguous and compact, formed without regard for protecting an incumbent or political party, mindful of the need to keep neighborhoods intact, and not drawn to undermine racial, linguistic, and ethnic representation?	Support/Oppose
5. What is your position on restructuring the state Board of Elections and changing the administration of elections by amending the constitution to abolish the two-party system of governance and operation?	Support/Oppose
6. What is your position on making it easier for candidates to appear on the ballot by, for example, lowering signature requirements and utilizing less burdensome witness signature requirements?	Support/Oppose
7. What is your position on amending the Municipal Home Rule law to limit the ability of a mayor-appointed charter revision commission to “bump” other local charter amendments from appearing on the ballot?	Support/Oppose
8. What is your position on removing prisoner populations from the census counts for the purpose of redistricting and instead counting those populations in their last known place of residence?	Support/Oppose
9. What is your position on amending the constitution to allow for Election Day Registration?	Support/Oppose
10. What is your position on amending the constitution to allow for no-excuse absentee voting?	Support/Oppose

### CAMPAIGN FINANCE REFORM

11. What is your position on lowering campaign contribution limits for legislative and statewide candidates for public office?	Support/Oppose
12. What is your position on establishing a system of public financing for state legislative and statewide races?	Support/Oppose
13. If you support public financing, what is your position on a system where public funds are awarded on a matching basis (similar in design and function to the New York City system) rather than a system of full public funding of campaigns?	Support/Oppose

14. What is your position on restricting campaign contributions from registered lobbyists and those who do business with the state?	Support/Oppose
15. What is your position on banning campaign contributions from corporations, LLCs, and LLPs, while still allowing such entities to form separate PACs?	Support/Oppose
16. What is your position on limiting transfers from party committees to candidates, or other committees, to twice the limit set on individual contributors and limiting contributions to party committees to the same ceiling placed on candidates?	Support/Oppose
17. What is your position on increasing disclosure and reporting of campaign contributions and expenditures by requiring candidates to include full name, home address, and employer/business name for each contribution?	Support/Oppose
18. What is your position on requiring that two periodic campaign finance reports be filed during the legislative session to reflect contributions given during the session?	Support/Oppose
19. What is your position on stricter requirements on the use of campaign contributions for non-campaign related activity, such as personal use?	Support/Oppose
20. What is your position on requiring disclosure of independent expenditure campaigns?	Support/Oppose

### ETHICS REFORM

21. What is your position on changing the representation of the Commission on Public Integrity so no one elected official makes a majority of the appointments?	Support/Oppose
22. What is your position on expanding the jurisdiction of the newly formed Commission on Public Integrity to include legislative ethics violations, lobbying and campaign finance enforcement?	Support/Oppose

### BUDGET REFORM

23. What is your position on requiring all budget documents, including budget bills and legislative additions, to be presented in a format that is organized into programmatic categories and facilitates public and legislative review?	Support/Oppose
24. What is your position on requiring the governor's budget submission to present the full scope of the state's financial obligations, including its public authorities?	Support/Oppose
25. What is your position on establishing an independent, nonpartisan budget office to provide revenue projections, display economic and policy analysis and require that the state engage in long term, multi-year budget planning?	Support/Oppose
26. What is your position on the use of Generally Accepted Accounting Principles (GAAP) rather than cash accounting for the state budget?	Support/Oppose
27. What is your position on requiring regular reporting of lump-sum appropriations and member items that includes detailed information on funds distributed, recipients, and remaining funds and bans on member item appropriations to organizations of which a close relative of the Member is on the staff or board.?	Support/Oppose
28. What is your position on distributing member item allocations equally amongst all legislators and requiring for greater accountability as expressed in S. 7007/A10116?	Support/Oppose
29. What is your position on incorporating the use of performance budgeting and outcome measurement to promote the more rational appropriation of state funds?	Support/Oppose
30. What is your position on instituting a later start date for the state fiscal year?	Support/Oppose
31. What is your position on mandating the use of conference committees in the legislative budget process?	Support/Oppose



## **Citizens Union Questionnaire** **Paul Niehaus – 73<sup>rd</sup> A.D.**

### **Election Reform**

The single greatest cause of Albany's dysfunction is the ease with which incumbents are re-elected. Legislators with ultra-safe seats spend little time on either constituent services or state-wide issues. Instead, they channel funds to favored interests and worry only about increasing their own power. Uncontested and weakly contested elections lead to a sense of entitlement, which leads to the ethical scandals that have become all too common.

Any election reform should open the door to more candidates, encourage the involvement of the electorate, prohibit gerrymandered "safe" districts, and force incumbents to engage in a debate, explaining their positions and their votes. Only then can our state's democracy be said to be truly representative.

### **Campaign Finance Reform**

The problem with our campaign finance system is not money itself, but the influence that money can sometimes buy. To further the goal of reducing the influence of any one contribution, campaign finance reform should rest on the three planks of lower contribution limits, greater disclosure, and eliminating certain classes of contributions.

### **Budget Reform**

Albany's byzantine budget process prevents citizens – and even conscientious legislators – from fully understanding how the state spends taxpayer money, and from making the hard choices necessary to control spending. This year's circus has simply highlighted the need for significant budget process reform.

However, one item that should not be reformed is member item allocations. They should be eliminated entirely. There is absolutely no justification for providing legislators with a pork barrel budget that at best amounts to incumbent campaign funds, and at worst amounts to straight out bribery. Any truly worthy projects funded by member items should be subject to the normal legislative and budgeting process.