

New York Prohibitionist



Think NY Vote Dry

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A Vision for the Future

In these trying times, the Prohibition Party of New York continues its work to advocate for positive policies and advance social reform. We offer a vision for a better future for New York. A vision for a new approach to governance focused on moral principle, public service, and advancing the public wellbeing. A vision of a state filled with healthy, prospering communities, and greater opportunity for all New Yorkers. If you are interested in helping to make a positive impact on your state and your community, consider joining the Prohibition Party of New York.

"I am a temperance man because I am an anti-slavery man; and I am an anti-slavery man because I love my fellow men. There is no other cure for intemperance but total abstinence." Frederick Douglas

State and National Party News

The Prohibition Party continues to move forward with its work on the state and national level. The Prohibition Party continues to attract attention from people throughout the country. The Prohibition Party national website attracted views from over 900 people in the month of April. The states with the most visitors included Texas, California, Illinois, Utah, New York, and Pennsylvania. We are starting to see impacts from the updates made to the website in March. Since the update, there has been an increase in the percentage of visitors using mobile devices, and the hundreds of visitors using mobile devices were now able to see the website displayed correctly.

On the national level, there has been some positive news. Notably, the FDA has been moving to take further steps to restrict tobacco sales, by working to establish a ban on menthol cigarettes and flavored cigars. Something that many advocates (both within the Prohibition Party and within many other groups

opposed to tobacco) have spent years advocating for.

In Pennsylvania, the state branch of the Prohibition Party has been working with the Pennsylvania Ballot Access Coalition on an initiative to support the creation of fairer ballot access standards. Notably, they are working to support the passage of the Political Party Equality Act. This act would aim to level the playing field for political groups by: 1. Making it so that any political party that can get at least 0.05% of statewide voters to register as members will gain status as a "qualified party" in the state and be able to get candidates on the ballot for state, county, and local offices by meeting the same requirements that would be required of a Democratic or Republican candidate. 2. Requiring all parties to pay for the cost of their own primary elections. 3. Making the nominating process for independent candidates simpler and easier by limiting the number of petition signatures to get on the ballot to the amount that is currently required for major party primary election candidates. This effort is ongoing and will likely take significant effort in order to advance in the state legislature.

In New York, those of us in the Prohibition Party of New York continue to move forward with our efforts. We are continuing to engage in our legislative advocacy efforts. We suffered a setback, when state legislators made the misguided decision to pass a state budget that included extending the state's repugnant alcohol to-go sales policy for another three years. The continuation of that policy will negatively affect the health of New Yorkers going forward. Though, at least there was a partial success in stopping those who were trying to make the alcohol to-go permanent. And we can spend the next three years working to organize New Yorkers to help ensure that this pro-alcohol policy does not get another extension. On the brighter side of things, we did have some policy gains in this year's budget; such as expanding the



state's TAP program to help provide more aid to part-time college students, some improvements in funding for public schools, and additional investments in environmental protection efforts. Overall, there have been mixed results, but we will continue to move forward with our legislative efforts.

We do have some good news on the electoral front. State Chairman Jonathan Makeley is currently running as a candidate for the Sweet Home Central School Board in Amherst. His petition to get on the ballot was accepted, making this the first time in decades that a member of the Prohibition Party will be on the ballot for an elected office (albeit a non-partisan elected office). He will be one of four candidates on the ballot, running for open seats on the board. His campaign focuses on working to ensure a quality education for all students in the district, through strengthening the teaching of key subjects, promoting information literacy, supporting student development, and working to bring together different members of the community together to help move the district forward. He has been working to reach out to voters in the community, has participated in multiple events, including the districts meet the candidates night, and has received coverage in local newspapers. The election will be held on May 17th. We should have the results of the election in next month's issue.

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<https://www.fda.gov/news-events/press-announcements/fda-proposes-rules-prohibiting-menthol-cigarettes-and-flavored-cigars-prevent-youth-initiation>
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<https://www.nytimes.com/2022/04/07/nyregion/new-york-budget-bail-reform.html>

"It has not been necessary to drink any liquor to discover that booze and business do not mix well. When booze comes in business goes out. It has always been so and will always be so." George C. Rosa

Hochul Pushes Through Pro-Alcohol Policies

Governor Hochul and her coconspirators in the state legislature have abused the state budget process to pass a set of harmful pro-alcohol policies. Within the state budget, they included changes that would allow to-go sales of alcohol at bars and restaurants for the next three years, allow liquor stores to sell alcohol on Christmas, made it easier to grant licenses to sell alcohol, and have moved to create a commission that would design plans for gutting state alcohol beverage control laws and weakening the State Liquor Authority, so that they can eliminate what of what little restriction there is on the alcohol industry's ability to sell their toxic products to New Yorkers. Make no mistake, what they are doing will undermine public health and harm the wellbeing of New Yorkers. The price of satiating the alcohol industry's greed will be paid for not just in cash, but in the blood of New Yorkers. Alcohol is a toxic substance that causes widespread, illness, injury, and death, contributes to poverty and crime, and costs our state over 16 billion dollars in social, medical, and economic damages. Making it easier to sell alcohol will help to make these problems worse. The governor and the legislators who supported her effort are taking the state in the wrong direction, due to their misguided support for the alcohol industry.

We in the Prohibition Party of New York will continue to oppose and speak out against these misguided pro-alcohol policies, and advocate for the eventual end of pro-alcohol policies. We will continue to advocate for New York state to move back in the right direction: for ending any and all state support for the alcohol industry and other industries that sell toxic products, for expanding education and prevention efforts (so that people can be informed to avoid the use of alcohol and other drugs), for expanding addiction treatment and cessation programs (so that people can be helped to quit drinking and using other drugs), strengthening state restrictions on the

sale of alcohol and other harmful substances, working towards the eventual abolition of the alcohol industry and other industries that sell toxic products, and working for the replacement of such businesses with honest businesses, whose operations are consistent with the interest of public health and wellbeing.

Sources: <https://nypost.com/2022/04/08/ny-liquor-stores-can-remain-open-on-christmas-thanks-to-hochul-albany-budget-deal/>
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<https://www.cdc.gov/alcohol/features/excessive-drinking.html>

Some Progress on Ballot Access Bill

Over the past month there has been some progress in the effort to pass Bill A08683; a bill that would improve state ballot access laws by repealing most of the anti-democratic changes to state ballot access laws that were made in 2020 and establish fairer ballot access requirements for minor parties and independent candidates, similar to what existed before. The bill had been introduced in the State Assembly by Assemblyman John Salka earlier this year and has slowly been gaining support. At the end of March, the bill had three co-sponsors in the State Assembly, but had not yet found a sponsor to introduce the bill in the Senate. This month, the bill was finally introduced in the State Senate by Senator Phil Boyle as S08730A. Bill A08683/S08730A also gained another new cosponsor in the Assembly, with Assemblyman Brian Miller joining in support of the bill. The bill is currently sitting in the State Assembly's Committee on Election Law and the State Senate Committee on Elections. The bill will need to gain more support in order to advance out of the committees and be voted on by the state legislature. Those who are interested in helping to get the bill passed can aid by contacting their representatives in the state legislature and encouraging them to support the bill.

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"Service is the rent you pay for room on this earth." Shirley Chisholm.

State Court of Appeals Strikes Down Congressional and State Senate Districts

The New York State Court of Appeals had made a ruling striking down a set of Congressional district and State Senate district maps that were created by the state legislature earlier this year. Following the U.S. Census, the state government was tasked with designing new congressional and state legislative districts. The designing of congressional and state legislative districts was supposed to have been done by the State's Independent Redistricting Commission and then voted on by the state legislature. But when the members of the commission were having difficulty agreeing to a set of maps, state legislative leadership decided to take it upon themselves to draw up district maps themselves and passed them.

The congressional and state legislative maps drawn by the legislature have faced criticism for being gerrymandered in a manner that would heavily favor the state's Democratic Party, by creating more districts that would be likely to be won by their candidates, while reducing the number of competitive districts, and making it harder for shifts in public opinion among voters to translate into shifts in elected representation. The congressional and legislative maps were predicted to likely give the state's Democratic party 22 out of 26 Congressional seats and a supermajority in the state legislature. Critics have contended that the district maps violate provisions in the state constitution against partisan gerrymandering and that the maps also violated the state constitution by not following the process for creating districts required by the state constitution.

The Congressional and state legislative district maps were challenged in state court. The case was initially ruled on by an acting State Supreme Court Judge in Steuben County. As we reported in last month's issue, Justice Patrick F. McAllister had issued an 18-page ruling against the redistricting plans for congressional and state legislative districts, in which he concluded that the state legislature had engaged in illegal partisan gerrymandering, in violation of provisions in the state constitution. As predicted, the

ruling was appealed. The case was taken to the appellate level of the State Supreme Court, which issued a mixed ruling, agreeing that the Congressional maps violated constitutional provisions against partisan gerrymandering, but declining to rule that the maps had violated the procedures required by the state constitution. The case was then further appealed and was taken to the state's highest court, the Court of Appeals.

On April 26th, the State Court of Appeals issued a 4-3 opinion striking down the district maps for Congress and State Senate. The Court of Appeals ruled that the Congressional and State Senate district maps violated the state constitution's provisions for the process of designing maps and the Congressional district maps violated the state constitution's provisions against partisan gerrymandering.

As stated in the decision,

"the enactment of the congressional and senate maps by the legislature was procedurally unconstitutional, and the congressional map is also substantively unconstitutional as drawn with impermissible partisan purpose, leaving the state without constitutional district lines for use in the 2022 primary and general elections."

The State Court of Appeals agreed with acting Supreme Court Justice McAllister and determined that the Congressional and State Senate maps would need to be redrawn. The courts will appoint an expert to work with the State Supreme Court to design a new set of Congressional and State Senate Maps for the coming elections.

The full decision by the Court of Appeals can be read via this link: <https://www.nycourts.gov/ctapps/Decisions/2022/Apr22/60opn22-Decision.pdf>

This decision will have an impact on the coming primary and general elections. As the state works to create a new set of district maps that would hopefully be fairer and constituent with state constitutional requirements, state officials will have to work to make adjustments in the state's coming elections. Following up on the Court of Appeals ruling, acting State Supreme Court Judge McAllister, who is overseeing the process for

redrawing the Congressional and State Senate maps, issued a decision to push back the date for Congressional and State Senate Primary elections from June 28th to August 23rd. This is being done to give the state government and county board of elections time to prepare for primary elections under the new districts. Primary elections for offices, including for state assembly and statewide offices, are currently still scheduled for June 28th, but it is possible that the state could decide to push those back to a later date as well.

In addition to this, it appears that there will be further challenges coming on the heels of the Court of Appeals' decision. Political activist Gary Greenburg had announced his intention to file a lawsuit challenging the state's assembly district map. While both Justice McAllister and the State Court of Appeals had found that the state legislature did not follow procedures required by the state constitution when they created Congressional and state legislative district maps, they could only strike down the congressional and state senate maps, because the initial lawsuit only challenged those maps. Though the contents of their decisions indicated that they would be inclined to strike down the state assembly maps for the same procedural violations should it be challenged. Greenburg intends to ask Justice McAllister to strike down the state assembly districts designed by the state legislature and order the creation of a new map. He seeks to have the primary elections for state assembly and statewide offices pushed back to August 23rd, to give time to prepare for adjustments to those primary elections. He also wants the petitioning period for seeking to get on ballot for these offices to be reopened, so that people candidates whose efforts to get on ballot were disrupted by issues regarded district lines have the opportunity to get on the ballot.

In regards to Greenburg's challenge, it seems likely that Justice McAllister and the State Court of Appeals (should the case be appealed) would rule to strike to down the district map for the State Assembly. Given the delays granted for the Congressional and State Senate primaries, it seems probable that delays for the Assembly and possible statewide primaries may be granted as well. It is not clear how likely it is that the petitioning

period for statewide, congressional, and state legislative offices to be reopened/extended. But, given the disruptive effects that the matter has had on petitioning efforts, it would be entirely reasonable for the courts to reopen/extend the petitioning period and/or enact other measures that would grant relief to candidates.

Overall, the State Court of Appeals decision has struck down the Congressional and State Senate district maps and those district maps will be redrawn to be in compliance with the state constitution. The state will work to make adjustments to the coming primary and general elections to account for this. Further challenges might result in the State Assembly districts being struck down and redrawn. More news will likely come in the following weeks and months, as the state works to navigate the challenge of preparing for the coming elections.

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<https://www.facebook.com/hwrc/posts/5478803965477183>

"Without knowledge there can be no sure progress. Vice and barbarism are the inseparable companions of ignorance. Nor is it too much to say that, except in rare instances, the highest virtue is attained only through intelligence." Charles Sumner

Progress on Public Funding for College

The effort to help make college education more affordable through public funding has gradually been making progress across the country. In many states, state governments have been enacting or expanding programs that would allow at least some students to attend college tuition-free. According to the Campaign For Free College Tuition, 30 states have created programs in recent years that would provide tuition-free college to at least some students: with 9 enacting programs with few eligibility limits, and the other 21 enacting more limited programs with various income, merit, geographic, or program based limitations. New York is categorized as having a more limited free tuition

program; likely referring to the state's Excelsior program. The Excelsior program provides additional financial aid to some students at some of the state's colleges, after students have exhausted other available sources of financial aid (such as the state's TAP program) to cover the difference in paying for the remainder of their tuition. Due to having a variety of restrictions on eligibility and its last dollar approach, the Excelsior program only helps a small percentage of New York's college students. Most students who are currently able to attend college with their tuition covered and most of the state's financial aid for helping to make college aid more affordable is thanks to the state's TAP program.

More recently, we have some seen progress in expanding the state's TAP program. As part of the state budget passed in April, \$150 million in funding was added to expand access to TAP funding for part-time students in community colleges.

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Researchers Find Heavy Alcohol Use linked to 232 Million Missed Work Days A Year

Researchers at Washington University, St. Louis conducted a study looking at the effects of heavy alcohol use on missed work. The study looked at data from 110,000 U.S. adults from 2015-2019, and found that around 9% of adults had alcohol use disorder. They found that those with alcohol use disorder on average missed 32 days a year as a result of drinking. This would result in an estimated 232 million missed work days by workers with alcohol use disorder as a result of drinking and would account for 14.1% of total missed workdays.

Researcher Laura J. Bierut stated in a press release that,

"Alcohol use disorder is a major problem in the United States and a big problem in many workplaces, where it contributes to a significant number of workdays missed"

Bierut also suspects that the problem may have also gotten worse since the start of the coronavirus pandemic.

Sources: <https://thehill.com/changing-america/well-being/prevention-cures/598644-heavy-alcohol-use-linked-to-232-million-missed/>
<https://www.eurekalert.org/news-releases/946663>

FDA Moves Towards Proposed Ban on Menthol Cigarettes and Flavored Cigars

On April 28th, the FDA announced that it will be proposing the adoption of new product standards and regulations on tobacco products that would ban the sale of menthol cigarettes and flavored cigars. The reason for these proposed regulatory changes are based on scientific research and evidence, which shows that menthol makes it easier for people to start smoking and to develop an addiction to tobacco, as well as research showing that menthol and other flavored tobacco products are used by the tobacco industry to try to attract youth and young adults to smoke. The proposed rules build upon the progress established by the Family Smoking Prevention and Tobacco Control Act, which banned many types of flavored cigarettes, and also tie into the Biden Administration's broader efforts to reduce death rates from cancer. These new restrictions would aim to reduce the appeal of cigarettes and cigars for youth and young adults, work to reduce the risk of experimentation, the development of regular use, and the development of addiction, and improve public health and reduce mortality risk, by helping to encourage current smokers to quit.

In reaction to the FDA's announcement, the Campaign for Tobacco-Free Kids issued a press release in support of the proposed changes. They stated that,

"By issuing proposed rules today to prohibit menthol cigarettes and all flavored cigars, the FDA is taking historic and long-overdue action to protect our nation's kids, advance health equity and save lives, especially among Black Americans and other populations that have been targeted by the tobacco industry and suffered enormous harm from the predatory marketing of these products. For decades the tobacco industry has deliberately targeted Black communities with marketing for menthol cigarettes, with tragic consequences. The industry also uses these flavored products

to lure kids into a deadly addiction. These rules will, once and for all, put an end to these predatory and deadly practices."

From May 4th to July 5th, members of the public will be able to submit electronic or written comments to the FDA, expressing their opinions on these proposed changes. The agency will also hold public listening sessions on June 13th and June 15th, to listen to public comments. The public comment period could have an important effect on whether the FDA will end up finalizing these increased restrictions on tobacco sales. The tobacco industry and its supporters will likely try to use this period to discourage the FDA from passing these changes. It is important for anti-tobacco activists to make sure that they express themselves strongly in public comments, to help ensure the proposed restrictions are adopted.

Here are some links to information regarding the proposed rules and how to comment on them.

On Banning Menthol Cigarettes:
<https://www.regulations.gov/document/FDA-2021-N-1349-0001>

On Banning Flavored Cigars:
<https://www.regulations.gov/document/FDA-2021-N-1309-0001>

On Both:
<https://www.regulations.gov/document/FDA-2021-N-1349-0002>

Sources: https://www.tobaccofreekids.org/press-releases/2022_04_28_fda-menthol-announcement?fbclid=IwAR3_DH1BPT4aUDeZ81AcUOP1uouQE3jHvOy413UCIFmV7m0VUWwF9E0Cpk
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<https://www.regulations.gov/document/FDA-2021-N-1349-0001>
<https://www.regulations.gov/document/FDA-2021-N-1309-0001>

Solar on the Rise in New York

The solar power industry is on the rise in New York state. It has been reported that the state has now reached the point where it has over 1 gigawatt of community solar production installed and operating, and over 3.3 gigawatts of solar production in total (including residential, commercial, community, and utility solar installations). The state now has over 700 community solar installations connected to the state's electrical system, and there are over 165,000 homes and properties with individual rooftop solar panels. The state's solar industry now employs over 12,000 workers. The state's solar industry

had grown significantly over the past dozen years. Since 2011, the state's solar production has reportedly increased by 2,500%, while the per cost of producing solar energy has become significantly cheaper. The state's solar industry is projected to grow significantly over the next several years and may end up reaching 10 gigawatts of solar power production by 2030.

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Lieutenant Governor Charged and Replaced

On April 12th, Lieutenant Governor Brian Benjamin was indicted on federal corruption charges. He is accused of having been involved in a scheme to receive illegal campaign contributions from a real estate developer in exchange for Benjamin using his influence as a State Senator (at the time) to secure a \$50,000 state grant to a non-profit organization controlled by the developer. Federal authorities indicted Benjamin on charges including bribery, fraud, conspiracy, and falsification of records. Brian Benjamin resigned as Lieutenant Governor later that day. This is yet another unfortunate instance of a state official being charged with corruption and serves to highlight the state's ongoing issues with corruption among state officials.






Following Benjamin's resignation, members of the state legislature moved quickly to pass a bill to change state election law to allow for the removal of a candidate from the ballot if a candidate has been indicted or convicted of a state or federal crime. The governor and leading members of the state legislature have faced criticism for quickly pushing this bill through, so that they could get Brian Benjamin off the Democratic Primary ballot. They have faced criticism for pushing this bill forward, while being slow to take action on Bill A08683C/S8730 (A bill that would undo many of the anti-democratic changes to state ballot access requirements made in 2020 and establish fairer ballot access standards for minor party and independent candidates). Indeed, the members of the state legislature should recognize the importance of fixing the damage that was done to our state's ballot access laws and

take action to help advance Bill A08683C/S8730.

A few weeks after Benjamin's resignation, Governor Hochul announced that she would be selecting Congressman Anthony Delgado as the state's new Lieutenant Governor.

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New York Prohibition Party History

GOVERNOR.		Vote for ONE
Jacob Sloat Fassett--of Elmira		Republican
Daniel DeLeon--of New York		Socialist
Joseph W. Bruce--Canastota		Prohibition
Roswell P. Flower--of New York		Democratic
		Labor

Joseph W. Bruce

Joseph W. Bruce was a farmer, businessman, and prohibition party politician, who was the Prohibition Party's candidate for governor of New York in 1891.

Joseph W. Bruce was born on July 3rd, 1821. He was the son of Joseph Bruce Sr. and Maria Bruce. He seems to have spent most of his life living in the town of Lenox and the village of Canastota (which is in Lenox) in Madison County, New York. Some time before 1858, he married Caroline Starr Bruce. In 1858, his daughter Nancy was born.

Joseph Bruce mainly made a living as a farmer in Lenox. In 1888, Joseph and E.N. Bruce opened Bruce Theater in Canastota. Bruce Theater showed films until it was damaged by a fire in 1909, and went out of business.

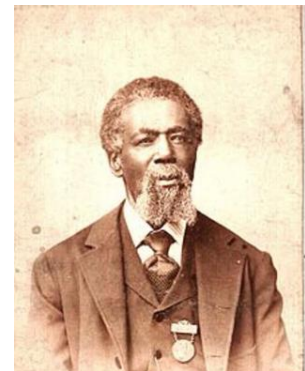
Bruce was involved with the Prohibition Party at least as early as the early 1880's. In 1882, Bruce ran as the Prohibition Party's candidate for State Assembly in Madison County's 1st Assembly District. He received 641 votes and 7.21% of the total vote. In 1884, he ran for Congress in New York's 26th district, received 1,534 votes and 3.48% of the total vote. In 1888, he was selected as

one of the electors for the party's presidential ticket in New York. In 1889, Bruce was the Prohibition Party candidate for State Treasurer. He received 26,527 votes and 2.61% of the total vote.

In 1891, the Prohibition Party nominated Bruce as its candidate for Governor of New York. The party campaigned on a platform which included support for state and national prohibition laws, support for adding a prohibition amendment to the U.S. Constitution, support for women's suffrage, support for a national currency backed by gold and silver, and strict enforcement of the civil service law. Bruce held campaign events in communities throughout the state. In the end, Bruce received 30,353 votes and 2.61% of the total vote. This was the largest percentage that the Prohibition Party has so far received in a New York governor's election.

Joseph W. Bruce died on September 24th, 1907, and was buried in Lenox Memorial Cemetery.

Source: https://615c4beb-b241-4f4a-a6b4-a074dc02ce34.filesusr.com/ugd/2cc7be_77e102d8ff5a498d84d3a88a6cc85459.pdf



Thomas Mundy Peterson

Thomas Mundy Peterson is regarded as the first African American to vote, following the passage of the 15th Amendment. He was the son of a former slave, and had made a living as a janitor in Perth Amboy, New Jersey. His first vote was cast as part of a referendum on changing Perth Amboy's city charter. He was an active member of the Prohibition Party and the Republican Party. He would also go on to be the first African American in the city to serve on a jury and got elected to the Middlesex County Commission. In 1884, members of the city honored him with a gold medallion of Abraham Lincoln. He lived until 1904.

Sources: <http://amsterdamnews.com/news/2020/jan/30/americas-first-black-vote/> <https://twitter.com/KeyUtifull/status/1224666290696212480>