



Independent Democratic Conference

New York State Senate Independent Democratic Conference

**Senator Jeffrey D. Klein, Conference Leader
Senator David Carlucci
Senator Diane Savino
Senator David Valesky**

Title: Restoring Voters' Trust in New York State Government: Reforming New York State's Campaign Finance and Election Laws by Increasing Accountability, Closing Loopholes, and Implementing Public Financing

Purpose: The purpose of these hearings is to solicit testimony from experts and the general public about the best ways to reform New York State's campaign finance and electoral systems. With numerous reform proposals circulating in the state's capital, legislators and members deserve an opportunity to learn more about the potential benefits and limitations of each approach. These hearings will draw upon the latest research to help voters and members decide which reforms are most pressing and appropriate for the current system.

May 13, 2013, 3 PM to 5 PM
Erie County Legislature Chambers
92 Franklin Street, 4th Floor
Buffalo, NY 14202



Independent Democratic Conference

Restoring Voters' Trust in New York State Government: Reforming New York State's Campaign Finance and Election Laws by Increasing Accountability, Closing Loopholes, and Implementing Public Financing

May 13, 2013, 3PM to 5PM
92 Franklin Street, 4th Floor
Buffalo, NY 14202

JoAnn Mecca
Lynda Stephens

League of Women Voters of New York
League of Women Voters of New York

Sam Magavern
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Co-Director, Partnership for Public Good
Executive Director, Coalition for Economic Justice

Michael Halberstam
Diana Cihak

Associate Professor, SUNY Buffalo Law School
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Erin Heany,
Jenn Tuttle

Executive Director, Clean Air Coalition of WNY
Sierra Club

Ellen Kennedy
Brian Trzeciak

Citizens Action of NY
Citizens Action of NY

James Payne
Frank T. Housh

1000 Black Men
Attorney

Melanie Prasad
Bill Nowak

Working Families Party
Communications Workers of America

**Testimony by
Sean Coffey, Board Member, Common Cause/New York**

**Before the
Independent Democratic Conference
Town Hall on Restoring the Voters' Trust in New York State Government:
Reforming New York State's Campaign Finance and
Election Laws by Increasing Accountability
Valley Cottage, NY
May 8, 2013**

Good afternoon. Thank you for the opportunity to speak today, Senator Klein, committee members Carlucci and Savino. My name is Sean Coffey, and I am a member of the board of Common Cause/New York. Common Cause/NY is a non-partisan, non-profit citizens' lobby and a leading force in the battle for honest and accountable government. Common Cause fights to strengthen public participation and faith in our institutions of self-government and to ensure that government and political processes serve the general interest, and not simply the special interests. For more than 30 years, we have worked at both the state and municipal level to bring about honest, open and accountable government. We have been a long-standing advocate for innovative campaign finance and ethics laws in New York, as well as throughout the country. Common Cause is a leading supporter of comprehensive campaign finance reforms and public funding of elections throughout the country. We have been involved in helping craft, ultimately pass and help implement virtually all of the public funding of election systems that are functioning at the state and national level, as well as numerous municipal level systems, including the highly regarded public funding of elections system in New York City, the Clean Elections system working successfully in Connecticut and the recent improvement of the Los Angeles Municipal Matching Fund system.

As Susan Lerner mentioned in her testimony in New York City last week, each of us testifying on behalf of Common Cause/NY will be testifying about a different aspect of S-4897. I will be speaking today about the pernicious nature of New York's current campaign finance system, the negative impact of our current sky-high campaign contribution limits, and the need, as addressed in the bill you have introduced, to set reasonable campaign contribution limits.

I joined the Common Cause/NY board shortly after falling short in my campaign to be the Democratic nominee for Attorney General in 2010. The experience of running for state-wide office confirmed my belief that New York must reform its campaign finance system and made me a supporter of public funding of elections.

Currently, as you are aware, New York has the highest campaign contribution limits of any state that purports to have contribution limits. When I began my race for state-wide office three years ago, I was stunned to learn that I could ask for – and legally receive – an eye-popping \$55,800 from an individual contributor. And ask his or her spouse for the same number as well. The limit has only gone up since then. Currently, a candidate running for statewide office can collect more than \$60,000 from any individual donor. This is an extraordinarily high level, especially when you realize that it is almost twice the per capita annual income in New York for the years 2007-2011 (\$31,796).

I know first-hand how the race for funds can consume a candidate's time, energy, and attention. The amount of money you are able to raise can come to dominate the campaign. And not simply because you need the funds to pay for advertising, staff, and turnout operations, etc. Regardless of the skills, experience, or positions of the candidate, fundraising results are seen as a proxy for credibility as a candidate, and the pressure to report a "big number" at the end of each reporting cycle is enormous. If you come in with a disappointing number, the political media brands you as a weak and fringe candidate. Conversely, if you exceed expectations, you are automatically perceived as a legitimate contender, regardless of the merits of your platform or suitability for the office. This has a pernicious impact on the candidates and their campaigns, as I can well attest. I vividly recall the push and pull with my staff about priorities on my time. I wanted to go meet voters in Syracuse and Brookhaven; the staff wanted me closed in a small room with a phone calling big donors. My excellent staff undoubtedly had my best interests in mind, but it was frustrating nonetheless. I often thought about how my campaign could have been less focused on big donors, and had more frequent small-donor events, if we had a matching system akin to that used in New York City.

We commend Leader Klein and the IDC for proposing a robust package of campaign finance reforms, including a small donor matching fund system modeled after New York City's successful matching fund system. The bill adopts an appropriately simple and straightforward approach to limiting campaign contributions, by applying the same \$2600 contribution limit as the federal contribution limit. Further, the bill proposes to also limit transfers between party and candidate committees to the same \$2600 limit in order to prevent parties and candidates from circumventing the purpose of imposing statewide limits. Adopting one contribution limit has the advantage of uniformity and predictability, providing the candidates and donors with a clear, understandable and easy to remember standard. This is an admirable and worthwhile provision, which we wholeheartedly support.

We similarly strongly support the proposal in the bill to create a "doing business" database made up of entities that contract with the state. Those who do business with the state would be limited to contributing \$260 to any one candidate, which amount would not be eligible for public matching funds. The clear import of this provision is to eliminate a situation that has, all too often, the appearance of quid pro quo, where a wealthy individual business person or corporation, wishing to do business with the state, makes a large campaign contribution during, or shortly after the donor is negotiating a contract with the state.

Common Cause/NY has long called for changes in the campaign finance law to close the infamous "LLC loophole." This is one area where we believe the Integrity in Elections Act could be strengthened. Unless the loophole is closed, donors would be able to give many times more than the proposed \$2600 limit by funneling their donations through limited liability corporations or other entities under their control – entities often run by the same person or out of the same location. The LLC Loophole under current New York law has allowed one individual to use LLCs to contribute over \$1,000,000 to Governor Cuomo. Just this year, Maryland successfully closed the LLC loophole in its state campaign finance law. We urge the IDC to consider closing the loophole in New York's campaign finance law.

We look forward to discussing other aspects of this ambitious and admirable bill at the future town halls. Thank you.



**THE LEAGUE OF WOMEN VOTERS
OF ROCKLAND COUNTY**

P.O. Box 363

Suffern, NY 10901 845 354-2411

Testimony for Public Hearing on Campaign Finance Reform, 5-8-13

My name is Linda S. Berns and I am Vice President of the Rockland County League of Women Voters and I am speaking for them. We thank the Independent Democratic Conference for holding these hearings on campaign finance reform.

The League of Women Voters of New York State (the "League") is a non-partisan organization that works to promote political responsibility through the informed and active participation of citizens in government. Effective advocacy has always been an important part of League activity. The League has been fighting the long battle to reform New York State's deeply flawed campaign finance laws for many decades. Contribution limits are far too high, enforcement too lax, loopholes abound, and the influence of special interest groups and large donors is unfettered. Voters clearly seek change and want their voices heard.

Fortunately, the odds of enacting such reform by the end of this legislative session have never been better. Lawmakers in both chambers of the legislature are responding with a number of campaign finance reform proposals. In particular, the League applauds the IDC on its sweeping and comprehensive campaign finance proposal. It leads with public financing and includes other important measures required to bring about real and effective change. The public financing of campaigns will help ensure the public right to know, combat corruption and undue influence, enable candidates to compete more equitably for public office and allow citizen participation in the political process. This proposal also fundamentally changes the campaign finance system for all candidates in critical ways that are necessary for real reform.

Now is the time for the Legislature to meld these different proposals into a workable comprehensive campaign finance reform law that includes: (1) lower individual contribution limits for all candidates (2) full disclosure of independent expenditures (3) closing of loopholes and restrictions on housekeeping accounts (4) implementing of public financing which would include a small donor matching fund program modeled after New York City's and (5) independent and robust enforcement.

The League believes that a comprehensive approach to campaign finance reform could significantly reduce the corruptive influence of special interest money in state politics and change the "pay to play" culture in Albany.

Thank you for the opportunity to speak.

Linda S. Berns

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Testimony of Adam Skaggs
Senior Counsel, Brennan Center for Justice at N.Y.U. School of Law

Presented at a Hearing Sponsored by the Independent Democratic Conference

Entitled

***Restoring the Voters' Trust in New York State Government:
Reforming New York State's Campaign Finance and Election Laws by
Increasing Accountability, Closing Loopholes & Implementing Public Financing***

Valley Cottage Library, Valley Cottage, New York

May 8, 2013

On behalf of the Brennan Center for Justice at N.Y.U. School of Law, I want to thank Senator Carlucci and his colleagues in the Independent Democratic Conference for holding this hearing. New Yorkers across the state have grown alienated from their elected leadership because of grave concerns about the "show me the money" culture of corruption that pervades Albany. We commend the IDC's attention to the myriad problems with New York's campaign finance system and recognition that the time for comprehensive campaign finance reform is now.

My name is Adam Skaggs, and I am senior counsel at the Brennan Center. The Brennan Center is a non-partisan public policy and legal advocacy organization that is one of many groups participating in the Fair Elections for New York Coalition.¹ Along with good government watchdogs, labor and environmental groups, and business and civic leaders from across the state, we advocate campaign finance reform to mitigate the impact of huge campaign contributions on New York elections and address the rampant corruption that continues to tarnish Albany.

¹ The Brennan Center's work focuses on the fundamental issues of democracy and justice. The Center's Money in Politics project works to reduce the real and perceived influence of money on our democratic values. Our counsels defend campaign finance, public funding, and disclosure laws in courts around the country, and provide legal guidance to state and local reformers through counseling, testimony, and public education. The views expressed in this testimony are solely those of the Brennan Center.

The latest round of arrests and indictments announced this week is just the latest reminder of the deep problems caused by big money in our politics. Just as New York City responded to a virtual tsunami of corruption in the 1980s by reforming its campaign finance system and enacting a matching system of public financing,² Albany must seize this moment and pass a similarly comprehensive set of reforms this session.

The problems we face are systemic, and the solution must be comprehensive. Piecemeal, limited measures will not lead to the culture change that we desperately need. Meaningful change will occur only if we enact sweeping campaign finance reform — including a small donor matching system; robust, independent, and bipartisan enforcement; lower contribution limits; and meaningful transparency.

We condemn those who resist change and defend the status quo as strongly as we applaud the broad range of proposals included in the Integrity in Elections Act of 2013. How many more arrests will it take before reform opponents stop defending a system that works for lobbyists and special interests, but not everyday New Yorkers? How much further must the public trust be eroded by tawdry scandal before the defenders of the current corrupt system finally acknowledge what is obvious to voters? While the recent bribery arrests prove that some elected officials are willing to engage in illegal conduct for personal gain, the perfectly legal — and utterly routine — trading of official influence for campaign cash is the cancer that must be removed from our political system.

Our problems are real and growing, and inaction is not an option.

Over the last decade, at least 19 state elected officials have been criminally charged with or convicted of corruption. The corruption has infected the highest levels of state government: from Comptroller Alan Hevesi, to three of the last five Senate Majority Leaders or Co-Leaders who have been indicted or convicted on corruption charges, it seems no level or branch of government is immune.

The result has been undeniable damage to public trust. Eighty-seven percent of New Yorkers think that corruption is a somewhat serious or very serious problem.³ Last month, eight out of 10 New Yorkers said they expected more legislators are likely to be arrested for corruption.⁴ They've already been proven right — and surely will be proven

² See generally JACK NEWFIELD & WAYNE BARRETT, CITY FOR SALE (1988).

³ Jon Campbell, *Poll: Voters Want More from Cuomo in Corruption Fight*, JOURNAL NEWS (White Plains, N.Y.), Apr. 17, 2013, available at <http://www.lohud.com/article/20130417/NEWS/304170078/Poll-Voters-want-more-from-Cuomo-corruption-fight?gcheck=1>.

⁴ Press Release, Siena Research Inst., Siena College Poll: 81% of Voters Say More Arrests of Legislators for Corruption Are Likely; About 1/3 Say Their Legislator Could Be Arrested (Apr. 22, 2013), available at http://www.siena.edu/uploadedfiles/home/parents_and_community/community_page/sri/sny_poll/SNY%20April%202013%20Poll%20Release%20--%20FINAL.pdf.

right again if we do not enact fundamental reforms to restore the public trust. Only by adopting a small donor matching system, lower contribution limits, and effective, independent enforcement will we have any hope of restoring New Yorker's faith in government.

We must reduce New York's sky-high contribution limits and enact a small donor matching system with effective, enforcement.

Reform will be insufficient to address the cultural change we need if it does not include significantly lower contribution limits and a small donor matching program. Besides a handful of states with no campaign contribution limits, New York's limits are the very highest in the nation. With such exorbitant limits, and consistently higher spending in elections, candidates are under powerful pressure to focus on the small number of donors who can afford to give the most. In 2012, legislative candidates raised 74 percent of their funds from donors of \$1,000 or more and interest groups; only 8 percent came from individuals who gave \$250 or less.⁵ Because they are dependent on a tiny slice of the population to fuel their campaigns, policymakers are pressured to cater to the interests of the donor class if they hope to keep their jobs.

Reducing contribution limits across the board to a level in line with federal law and the laws of New York's sister states will narrow the difference between what the average person can afford to contribute and the amount of the largest contributions. Reasonable, commonsense contribution limits would represent a positive first step toward a government that works for all New Yorkers, not just the wealthiest.

Ultimately, however, to ensure that large donors do not completely freeze regular voters out of our elections and politics, the state must adopt a small donor matching system of public financing. By giving candidates a strong incentive to raise much of their money from New Yorkers of average means, and by supercharging the small contributions these New Yorkers make, a small donor matching system will empower ordinary voters and restore them to their rightful place in our democracy.

Under a small donor matching system, public funds would be disbursed only where candidates succeed with grassroots fundraising. Such a system will amplify the voices of ordinary New Yorkers, and multiply their influence in Albany. The use of such a system in New York City has dramatically increased the diversity of donors, greatly increasing the influence and voice of small donors who lack access to large sums of money.⁶ And

⁵ CAMPAIGN FINANCE INST., PUBLIC MATCHING FUNDS IN NY STATE, REVERSING THE FINANCIAL INFLUENCE OF SMALL & LARGE DONORS, WOULD LEAVE THE CANDIDATES "WHOLE" WHILE COSTING NEW YORKERS ONLY \$2/YEAR (2013), *available at* http://www.cfinst.org/Press/PReleases/13-04-01/Updated_CFI_Research_on_Public_Matching_Funds_Proposal_for_New_York_State.aspx.

⁶ ELISABETH GENN, MICHAEL MALBIN, SUNDEEP IYER, BRENDAN GLAVIN, DONOR DIVERSITY THROUGH PUBLIC MATCHING FUNDS (2012), *available at*

the city's public funding system has succeeded in making elections more competitive, allowing candidates to spend less time fundraising and more time engaging with constituents, and substantially increasing the number of people who donate to campaigns.⁷

Matching small donations from regular New Yorkers will also increase the diversity of donors as it brings more people into the class of political donors. New York City's system has encouraged new donors from low-income and minority communities; these New Yorkers are far more likely to contribute to City candidates participating in the small donor system than they are to state candidates who run with no matching system.⁸

Finally, as my colleague Ian Vandewalker recently explained in testimony presented at the IDC's hearing in New York City, when public financing is paired with robust enforcement, it leads to dramatic decreases in corruption.⁹ Effective enforcement coupled with public financing in New York City and Connecticut yielded substantial drops in corruption in those jurisdictions. It goes without saying, in light of recent events, that Albany could benefit from similar change.

Senator Klein and his IDC colleagues must bring a comprehensive reform bill to the Senate floor — and pass it.

As seems inevitable, there are powerful forces in Albany that benefit from the current corrupt system and are committed to maintaining that status quo. For this reason, we were pleased when Senator Klein introduced the Integrity in Elections Act,¹⁰ and we urge

http://www.brennancenter.org/sites/default/files/legacy/publications/DonorDiversityReport_WEB.PDF.

⁷ See ANGELA MIGALLY & SUSAN LISS, SMALL DONOR MATCHING FUNDS: THE NYC ELECTION EXPERIENCE (2010), *available at* <http://www.brennancenter.org/sites/default/files/legacy/Small%20Donor%20Matching%20Funds-The%20NYC%20Election%20Experience.pdf>. Public financing programs in other states have been found to increase voter participation and the competitiveness of elections. See also LAURA MOY, MARCUS WILLIAMS, MIMI MARZIANI, & ADAM SKAGGS, MORE THAN COMBATING CORRUPTION: THE OTHER BENEFITS OF PUBLIC FINANCING (2011), at <http://www.brennancenter.org/analysis/more-combating-corruption-other-benefits-public-financing>.

⁸ GENN ET AL., *supra* note 6, at 16-22.

⁹ *Restoring the Voters' Trust in New York State Government: Reforming New York State's Campaign Finance and Election Laws by Increasing Accountability, Closing Loopholes & Implementing Public Financing: Hearing Before the N.Y.S. Senate Independent Democratic Conference*, 2013 Leg., 236th Sess. 4 (N.Y. 2013) (statement of Ian Vandewalker, Brennan Ctr. for Justice), *available at* <http://www.brennancenter.org/analysis/senate-testimony-campaign-reform-will-restore-voters-trust-albany>.

¹⁰ S. 4897, 2013 Leg., 236th Sess. (N.Y. 2013).

Senator Klein and the IDC to move the bill to the floor without delay. With the Assembly moving this week to pass its own campaign finance reform bill, the momentum for change is increasing.

It is true that there are differences between the IDC bill and the Assembly's approach, but these distinctions should not detract from the broad agreement on the need for meaningful, comprehensive reform. Now is the time to focus on the common elements — lower limits, small donor matching, enforcement and transparency — and not to let small differences derail reform. For example, while the Brennan Center finds many commendable proposals in the IDC's bill, we are a longtime supporter of (and counsel to) strong third parties, and are concerned that a simple repeal of Wilson Pakula could destroy the ability of third parties in New York to function effectively. We believe our collective focus must be on measures that will change the culture of corruption in Albany and do not support measures that will make it more difficult to pass comprehensive campaign finance reform. But we believe above all else that disagreement on relatively minor differences between the Senate and Assembly approaches must not delay movement toward passage of sweeping reform.

Historical experience tells us that disagreement on the margins is no reason to delay reform — and that even if compromise is necessary to move forward, the most important thing is building a strong foundation for an effective campaign finance system. Both in New York City, and more recently in Connecticut, promising initial reforms have only been strengthened over time. The experience in these two jurisdictions demonstrates how legislators who have experienced the benefits of a small donor matching system first-hand can be expected to strengthen such a system over time.

* * *

In short, the consistent experience in public funding jurisdictions has been that public financing is a beneficial change that proves immensely popular with candidates and the public. Elected officials who see the benefit of participation in the system will be motivated to strengthen it over time as they see public faith in government restored.

We are faced this session with a historic opportunity to transform Albany's culture of corruption and demonstrate national leadership. The forces opposing reform have mobilized, but the support for transformative change is overwhelming. We urge the members of the IDC to seize the mantle of reform and pass a comprehensive reform bill through the Senate, and we offer our eager and committed assistance. Thank you.

Honorable State Senator,

Thank you for convening this public hearing on New York State election laws. I have two major topics. One is cross-endorsements, and the second is about political parties in Towns and Villages. I am also proposing alternatives if these suggestions are not politically viable.

I read there are only six states that allow the practice of cross-endorsements and the Connecticut legislature is presently discussing eliminating the practice. In light of recent controversies centered on abuses of cross-endorsements in New York it is appropriate to make legislative changes.

Cross-endorsements benefit minor political parties as the two major political parties dominate winning elections. Cross-endorsements give third parties the opportunity to influence the outcome of an election in favor of a candidate that supports portions of their party platform. This may or may not be healthy for our democratic republic depending on your view.

I

Would we be addressing cross-endorsements if there were no third or minor political parties? I hope not as the major parties should be able to muster the resources to get their message out to the voters as well as find good party members to nominate. However on the local government level, in Rockland County, there are many cases of cross-endorsements between the two major parties.

Several historical examples: a Clarkstown Town Supervisor candidate was on the ballot line for both the Republican and Democratic parties, as was the Town Clerk candidate in Orangetown. The party platforms were not the same yet they support the same candidate. One would think the Republican brand is different from the Democrat brand.

Assuming the main purpose of cross-endorsements is to benefit small political parties it appears to be a misuse when the major parties do so. Thus the state should consider banning both the Republican and Democratic Parties from cross-endorsing each other.

II

Please consider for several minutes if election ballots did not allow political parties be listed by candidate names for Town and Village elections, just like they do for School District Board Elections. This is what they do in California for small cities. It works very well. Why is that? And if this is logical, what does that imply about cross-endorsements?

Political party affiliation as an ideological identity that becomes guidance for creating public policy is not relevant for towns and villages. What defines a Republican or a Democrat generally does not apply to small government. Small governments provide services such as policing, recreation and parks, highway, public works, parking, justice court, building code compliance, zoning, and sewer.

Qualifications for elected office should include if an individual is capable of doing a good job as Superintendent of Highways, Town Clerk, Receiver of Taxes, Board Member, Mayor and even Town Supervisor. These elected positions are more administrative and management oriented, not policy formation that trumps state control over local government or the federal government.

It does not matter practically if a candidate is pro-life or pro-choice, pro-union or believes in right to work. Irrelevant criteria are required for being nominated for office by a political party.

Given it is the Town Board's responsibility to negotiate labor agreements and not the Highways Superintendent, the Town Clerk or the Receiver of Taxes, being pro-union is not relevant in the context of their job duties. Given if the Town Board cannot agree with the police union on a labor contract an arbitrator makes the decision. The issues of the day that separate Republicans from Democrats nationally or in the state are generally not relevant in Town Hall.

When Republicans and Democrats agree on the same candidate like in Clarkstown or Orangetown we have evidence that political party affiliation is not relevant in small government. What is relevant is finding qualified residents that have the confidence of the community and the abilities to lead and provide services effectively. This is the case with School Boards. Individuals get a minimum number of signatures on petitions and they are placed on the ballot. Community groups campaign on their behalf. Political parties can endorse individuals.

Town and village elections should only have individuals on the ballot without listing political party association. Cities, Counties, State and Federal elections would be exempt.

III

Given that political parties are not relevant in local government cross-endorsements should be banned in Town and Village elections. Third parties can have candidates of their own. It provides a forum for debate over ideas and opportunity for party building.

IV

What if the State Senate does not choose to prohibit cross-endorsements at the Town and Village levels or between the major parties? It should be made more difficult to do so.

The proposed method by the Governor removing decision making of cross-endorsements by party chairperson and replacing it with a petition of 5% or so of the party members may not be effective though out the state. One size does not fit all.

A small political party is empowered to present candidates on an election ballot by its success in a state election. Their candidate may receive 200,000 votes however much smaller numbers may be actually registered with that party. There may be few registered third party members in Towns and Villages, and smaller electoral districts. Thus proportionally the influence of a few can affect the many in a positive as well as negative sense.

The governor is proposing 5% of registered party members sign a petition in favor of a cross-endorsement candidate. Outside of cities and many counties that could mean single digits. For example having only 100 registered voters requires only 5 signatures to qualify a petition. What if there are only 10? 2 signatures. There is still potential for abuse by a Chairperson of the local third party.

Cross-endorsements should then only be allowed when a third party reaches a certain number of registered voters, such as one thousand. Otherwise the Chairperson has too much control and power that can be bartered, and the system itself remains corrupted.

What happens if there are two petitions both meeting the 5% signature number? How is the decision made? The law should state what happens after one or more successful petitions are filed, along with time frames and defined conflict resolution and decision making processes.

V

In summary regarding cross-endorsements please consider:

Prohibiting the two major parties from doing so,

Prohibiting all parties from doing so for small local government such as Town and Village elections,

Allow only for county, state and federal elections,

Otherwise establish minimum numbers of third party registered voters to qualify petitions for cross-endorsements.

Thank you for considering this.

Robert Tompkins, CPA, MPA

(Bio: Before I retired I worked in local governments in Southern California for ten years in middle management positions in budget analysis and accounting including for the small city of Santa Monica, and the Metropolitan Transportation Authority of Los Angeles County. I worked in the private sector as a small business owner, as a CPA, as Controller in non-profit mental health care, Big Eight Public Accounting and as a Public Sector Budgeting software consultant for Oracle Corporation. As a young man I earned a masters degree in public administration from Cornell University and an undergraduate accounting degree from NYU. I have been an active observer of local government including Orangetown Town government, and serve on the Board of Directors for the Orangetown Housing Authority and the Pearl River Chamber of Commerce. I am not registered with any political party.)

Public Hearing Testimony

Comprehensive Campaign Finance Reform for New York State

Hosted by

Senator David Carlucci (D-Rockland/Westchester)

Testimony by

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May 8, 2013

Senator Carlucci and other distinguished members of the committee and guests I want to thank you for this opportunity to address the critical issue of comprehensive campaign finance reform in New York State which, if we actually can achieve real and constructive reform, will go a long way towards addressing the problem of political corruption in our state. Campaign finance reform is a necessary component of corruption reform but I want to be clear it is just that one component, a step in the right direction, not a panacea and not a cure-all.

To say that this hearing is timely and that action on this issue is necessary or past-necessary is an understatement. The top editorial in the *New York Times* yesterday (5/7/13) was entitled "Corruption in Albany". I hesitate to think how many times over the last ten years the *Times* and other media outlets in our state have run stories with similar headlines, but the number is surely mounting. The latest editorial came in response to the arrest on Monday of yet another state official on corruption charges. This time it was former State Senator John Sampson who now has the unenviable distinction of being the 32nd politician from our state in just the last seven years to be indicted or convicted of a crime, censured or accused of misbehavior. Sadly, the list is too long to recount here, but it includes names we know all too well, a former Governor, comptroller, numerous state senators and assembly members.

The news of Sampson was also astounding because it is second time in less than a month that New Yorkers have seen a former leader of the Senate arrested on corruption charges. It was just weeks ago that we awoke to the news that Sampson's successor as Democratic leader, Malcolm Smith, was charged with trying to bribe his way into the New York City mayoral race. And just last week we learned that another disgraced politician, Senator Shirley Huntley, was secretly taping her colleagues.

To those who wonder if the *Times* editorial and the countless others like it are just classic instances of a muckraking press looking for the worst, finding it and publicizing it over and over, I wish I could say that is the case. Unfortunately the facts tell us otherwise. Consider the findings of one of my colleagues, Dick Simpson, a researcher and fellow academic from the Department of Political Science at the University of Illinois in Chicago. In February of last year he published his fifth anti-corruption report which focuses primarily on Chicago and Illinois. In the process of doing his research public corruption conviction data from the U.S. Department of Justice and what he found should concern all of us. The data show that New York tops the list of states with the most federal public convictions. Between 1976 and 2010 there have been an astounding 2,522 public corruption convictions or an average of 70 per year. Compare that to the 2nd "most corrupt" state, California at 2,345 and Illinois at 1,828. Since New York has a much larger population than a state like Illinois or certainly many of the other states on the list, it is also important to look at this data per capita. And when Simpson did that he found New York fared just slightly better, although not much. New York with approximately 19.38 million residents (2010) averages

about 1.3 convictions per 10,000 residents, putting us third in per capita convictions behind Louisiana, and Illinois (D.C. excluded).

Given what we know now, sadly most people will tell you that at this point it is not a question of if another New York official will be arrested, but when and how many? And given the events of the last few weeks, as well as the recent revelations that at least two officials, Huntley and her colleague in the Assembly Nelson Castro, have been were wearing wires and secretly taping their colleagues for prosecutors, you don't have to be particularly psychic to know that there will likely be more arrests to come.

This is a sad and embarrassing state of affairs for a state with a once great and proud political tradition. I will tell you it is personally sad for me not just as a citizen of this state, but also as a parent and professor. I teach and study government and politics. One of the things we hope to do is to inspire the next generation to pursue public service which is and should be the noblest of professions. It is very difficult to help raise the next generation of smart, energetic, gifted, talented, moral and ethical public servants when the models they are seeing in the news, when the people they are confronted with daily on the internet and in social media, are anything but.

Unfortunately as our young people can tell you, our state has become notorious nation-wide as the most corrupt state in the union. Public corruption has now come to define who we are and become synonymous with our state politics. And the first words that come to most people's minds when you mention New York government these days are corrupt, unethical, and dysfunctional. This is not acceptable. Public corruption is not a victimless crime. It has victims and the victims are all of us, our kids, our grandkids, and our collective future.

It is a shameful and embarrassing situation and one which we need our lawmakers in Albany to take seriously but to begin to address immediately. And that is why forums and hearings like this are so important.

Yesterdays *Times* editorial ends by asking "what can be done to keep the remaining unindicted lawmakers in line?" One thing we cannot and should not do is continue to rely solely on federal prosecutors. During his press conference announcing Smith's arrest U.S. Attorney Preet Bharara who, along with everyone in his office deserves a good deal of praise for the work they have done, said we are in the midst of a public corruption crisis and called on leaders to address the issue.

As Bharara said, "every time a politician is arrested in New York, it should not feel like a scene from Groundhog Day. And yet it does.... we have the best corruption-fighting team in the business. And we will continue pursuing and punishing every corrupt official we find. But the public corruption crisis in New York is more than a prosecutor's problem. Putting dirty politicians in prison may

be necessary but it is not sufficient. And the dream of honest government cannot come to pass unless there is real change.” The truth of what he said should not be lost on any of us – this is a crisis and it is more than a prosecutors problem. Putting people in jail is necessary but not sufficient. What we need instead is real change.

There are generally two types of reforms we can pursue to end corruption. The first are prosecutorial in nature, they speak to the need to make it easier to detect, apprehend, convict and penalize the guilty. The second are those that speak to changing the structural and institutional problems which have contributed to and in some cases caused this crisis.

While both are important and we should pursue them vigorously, I join with the US Attorney in believing that to pursue only the first is a mistake. This is, as Bhara said “more than a prosecutors problem”. In order to fight corruption on this large scale we need to pursue a comprehensive plan which involves both prosecutorial and institutional reforms.

And as the people of New York said in a recent poll, change begins – but does not end - by addressing the role of money in politics and reforming our states outdated campaign finance system. A poll conducted by Global Strategy Group and Mercury Public Affairs — two firms on opposite sides of the political aisle — found that according to voters, money in politics is the number one problem facing the state. And a full 89 percent said it was either ‘extremely’ or ‘very’ important to reduce the influence of money in politics. This sentiment was echoed by Governor Cuomo who, in his January State of the Union Address, said one way to “reconnect the people to the political process and their government” is to “pass campaign finance reform... this year.”

If you look at the data, there is also no question that both the public and our Governor are right, our campaign finance system is sorely in need of reform. A report released on May 7, 2013 by the New York Public Interest Research Group (NYPIRG) shows that from 2011-2013 candidates and committees in our state committed at least 103,805 violations of state campaign finance laws. Worse yet, according to the study’s author (NYPRIG), the bulk of these violations, which range in severity, went unpunished.

It is, as this recent report and the spate of corruption arrests indicate, time to get our campaign finance system in check. As a start and in accordance with many experts in this field, in the short term I support three common sense steps beginning with adopting...

(1) A state-wide small donor matching fund program

According to the poll, this proposal has a good deal of support among voters. “Seven in 10 likely voters (70%) believe the proposal would reduce the influence

of money in politics, and a slightly higher percentage (72%) believes it would help to end corruption in-state government.” Of course the benefit of a public-matching program is that it increases the impact and power of a small donation and small donors. This system could be modeled after the one in New York City which provides that small-dollar contributions up to \$175 are matched with public funds (at a rate of 6 to 1). At the state level this could be raised to \$250 +/- . This has the benefit of allowing small contributions and thus small contributors to be much more valuable to a candidate, in some cases sextupling donations up to \$1,050. Added bonuses include the fact that candidates who opt-in may be subject to additional reporting and financing regulations. It also gives candidates an incentive to campaign in their home districts and more among their constituents instead of soliciting large contributions from wealthy special interests outside of their districts. This would be particularly important at the state level because given the current contributions limits and loopholes so many legislators can fundraise outside their home districts making them less accountable to their constituents and more accountable to special interests. A report by the Center for Working Families, for instance, found that former only three of the 575 donors to State Senator Pedro Espada’s last campaigns were from his district.

(2) Stricter Contribution Limits for Individuals & Corporations

Limit the amount of money an individual can contribute to make it more in line with federal standards. At the federal level individual contributions are capped at \$2600. New York should adopt a similar (or lower) cap to bring us in line with federal standards.

Consider limiting or prohibiting corporate contributions as well as the parties use of “housekeeping” and “party” accounts. Particularly in the case of the parties it is important to insure that the reforms do not weaken the organizations which, when they are working well and responsible, are critical to policy making in a separated and divided system.

(3) Tougher Disclosure Rules

Currently state regulations require disclosure every six months with increasing frequency in the days leading up to and after an election. In comparison to others levels of government, this is fairly lax and we should consider not only tightening disclosure rules regarding all political and lobbying contributions but making disclosures more frequent. Transparency in this area is key to helping deter and detect potential corruption.

I said previously that change begins, but does not end, by addressing the problem of money in politics. As much as these problems need to be addressed and these reforms are necessary, they are only a step in the right direction. Skeptics are right to question whether they go far enough. New York City, for

instance, has a system of small donor matching funds and the most notorious case of corruption this summer took place there. Similarly skeptics are right to ask questions like how much public financing of campaigns cost before they decide whether the cost is worth bearing? Currently, we are getting disparate accounts when it comes to cost and the gap between the two sides is close to \$170 million. Moreover, skeptics are also right to note that not all instances of corruption are tied to campaign finance reform so fixing this system, while a start, will not get us where we need to be.

With this in mind, in order to end corruption and restore integrity we must not just address campaign finance but other key issues including, but not limited to:

(1) Encouraging Widespread Voter Access and Participation

Voter turnout is low and particularly in party-primary elections skewed toward party activists. We should consider various avenues for encouraging voter participation. These include allowing same-day voter registration and early voting. When it comes to early voting, for instance, New York is in the minority. Thirty-two states have some form of early voting and at least 32 million Americans cast their ballots early in the last election.

(2) Restricting Pensions for Officials Convicted of Crimes Involving Their Offices

If a public official is convicted of an offense that involves his/her office they should no longer be eligible to collect their pension.

(3) Reforming the state's redistricting process

While this process has been widely considered, real reform when it comes to redistricting is key to cleaning up the state government.

(4) Insuring Lawmakers are working for their Constituents and not beholden to outside clients or bosses

In January 2011 NYPIRG released a report showing that 135 New York legislators reported one or more sources of outside income in addition to their public earnings. For instance, 47 were reported to be engaged in real estate and 45 in the practice of law. New Yorkers deserve to have legislators who are working full-time for their constituents and not accepting any outside income. If the cost of professionalizing the legislator is too much for the state to consider at this time, it is critical that all outside income be reported in a transparent way so that all potential instances of impropriety can be fully investigated.

(5) End Revolving Door/Double-Dipping as Consultant/Lobbyist

Support Sen. David Valesky's bill which prohibits campaign consultants from lobbying legislators they helped elect. This practice was well documented by NYPIRG which found that at least two dozen political consulting firms are also registered lobbyists with the state. This means that over the past two years many of the same consultants who worked to elect lawmakers, turned around lobbied them on behalf of clients once they were in office.

If the question is whether we can end or cure corruption in this state, the good news is we can. But we have to be realistic that it won't be easy and it will take a comprehensive plan beginning with, but not ending with, campaign finance reform. More importantly, we have to be clear that in order to be enacted these changes will require real leadership from Albany, a willingness to listen to experts in this area who have been studying these problems and potential solutions for a long time, and a broad coalition of support.

As the U.S. Attorney stated, we are talking about changing the culture and while that is never easy, but it is possible.

Thank you for your attention to this important issue and your commitment to the people of Rockland and Westchester County.



**Testimony of Robert Werner
National Field Director, Americans for Campaign Reform**

Presented to a hearing sponsored by the Independent Democratic Conference

Restoring the Voters Trust in New York State Government: Reforming New York State's Campaign Finance and Election Laws by Increasing Accountability, Closing Loopholes, and Implementing Public Finance

May 8, 2013

Americans for Campaign Reform (ACR) is a national non-partisan organization committed to strengthening American democracy through comprehensive campaign finance reform. ACR is co-chaired by former US Senators Bill Bradley, Bob Kerrey, and Alan Simpson, and we have attracted support from nearly 175 former Members of Congress on a bi-partisan basis, including New Yorkers Sherwood Boehlert, Amo Houghton, Mike Arcuri, and Scott Murphy. We are active participants in the effort to enact significant campaign finance reform in Albany, working closely with the Brennan Center for Justice, New York Leadership for Accountable Government (NY LEAD), and the New York Fair Elections Coalition.

ACR supports voluntary public funding of elections through a system which encourages candidates to rely on small donations from a large number of supporters, provides matching funds to maximize the impact of small donations, requires full disclosure of money spent to influence elections, has reasonable contribution limits and provides each eligible candidate with the resources necessary to run an effective, competitive and winning campaign. Such a public funding system should be based on the following principles:

- Our leaders should be elected by, and accountable to, the voters based on their ideas, ability, experience, and character, not their access to individuals, entities or special interests that can give and raise large campaign contributions. A public funding system should support candidates who can show widespread support by building a base of small donor contributions.
- No individual, organization or entity should be allowed to contribute to a candidate, political party or political committee at a level that gives rise to the appearance or reality that such contributions will provide the contributors with undue access or influence and increase the potential for real and apparent corruption.

- Our campaign finance system must allow every eligible individual to have a meaningful opportunity for his/her voice to be heard and to participate in voluntarily supporting the candidates of their choice. Matching small contributions with public funds in an amount that empowers each small donor should be the foundation of any public funding system.
- Candidates who qualify for public funds must have access to sufficient funds to communicate their ideas, values and perspectives, and to engage their opponents, so that they can fully make their case as to why they should be elected and, so that the voters can then make an informed choice. After each election, there should be an independent review to identify any adjustments needed to qualifying requirements and funding levels consistent with the goals and principles of the public funding system
- The rights of independent and third party candidates must be respected.
- Changes in society and technology often require elections and campaigns to evolve and adapt to most effectively reach voters. Our campaign finance system should encourage and support such changes to the extent they support the goals and principles of the system.
- Efficient, effective and independent administration and enforcement of the campaign finance system is necessary to allow citizens and candidates to have confidence in the system and our democracy. Recognizing the problems inherent in Members of Congress administering and enforcing the system that governs their own reelection, there must be an independent, non-partisan commission to administer and enforce the law and make appropriate adjustments to the rules, including qualifying and funding levels.

Americans for Campaign Reform applauds that hard work that many legislators have put forth over these past months to craft policy proposals aimed at improving our democracy. Successful reform in New York not only improves how Albany works, it has national implications. New York can lead the way, providing a beacon to the nation.

A son of New York, President Theodore Roosevelt, proposed a system of public funding of elections in 1905. This is in keeping with the grand tradition of innovation that New Yorkers have often led in the past, and enacting campaign finance reform with public funding of elections at its centerpiece in 2013 will continue that tradition.

Why NYS must end cross endorsements and fusion candidates.

Hello,

My name is Joe Ciardullo from New City, NY. I want to first thank Senator David Carlucci for hosting this public comment to hear from citizens and taxpayers like myself.

Before I get started, I wanted to present some facts. According to a report on legislature turnover by citizens United, **“The twelve year incumbent re-election rate still averaged 96% from 1999 to 2010.”**¹ Recent media reports have stated that in NYS you have a greater chance of being removed from office in handcuffs than you do being voted out of office.

I'd like to read an opinion piece that I wrote that was recently published on April 6th on this subject.

The recent scandal involving bribes, corruption and payoffs revolved around the concept of having the GOP “allow” a democrat to run for NYC mayor on their line. This is known as a cross endorsement or fusion. This process is bad for NY and I will explain why.

On Election Day, have you ever noticed that many times a candidate appears on more than one line, or they appear on all of the lines? How does this happen? Are they that good and that popular that political parties with such different values and principles feel they are the best candidate for the position, and will represent their views?

Candidates of the two major parties, rely on the third parties to help get them elected. I am always puzzled as to how a candidate can represent both the working families and the conservative party when in fact those parties have almost nothing in common and are polar opposite. The fact is, most of the voting public usually votes the party line that they are affiliated with or that represent their views. They rely on the party to handle the vetting process.

In actuality, it's most likely that party bosses (the ones who can control and steer who the party nominates) have struck a deal. The deal can be for jobs, favors, influence, etc. Deals are struck so that there is little opposition within the party as to who is picked to represent them. All of this is hidden from the general voting public.

1

How can we fix this? First, eliminate cross endorsements, a candidate can only run for an office under the political party they are affiliated with. If a party can't find their own candidate, then they don't run a candidate for that office. The petition process and primary process stay as is.

This would eliminate much of the back room dealings. Take this a step further. Have no party affiliations represented on the ballot in November. Just have an office and the qualified candidate(s) name. It would then be up to the voter to know who they want to vote for. A voter would actually have to research and learn more about the candidate, as opposed to just voting the party line. In this scenario, the political party then takes on the role of educating their party members and the general public as to why their candidate is the best one for the position.

Candidates tend to run from their affiliation when interfacing with the general voting public. Evidence of this, are the numerous political advertisements, palm cards, flyers and signs that do not list the candidates party affiliation, and if they do, it is not obvious.

It's time for a change and time to cleanup the voting process so that these types of scandals are a thing of the past. I urge our elected officials to embrace this and take a stand on banning cross endorsements.

Additionally, on the subject of campaign finance, I would like to see more disclosure by candidates and donors. There should be a requirement for any campaign contribution to disclose the relationship to the candidate. By this I mean any business relationship.

When looking at campaign contributions, it is very interesting that after some digging, you see companies, individual representatives, and owners family, contribute to elected officials, which who they have a business relationship. The contributions are not based on a specific political party or philosophy, as they tend to go to current elected officials that are/were serving when the company has also done business with the municipality that the elected officials represent. (see attachment) The more I look into the campaign contributions, the more a "quid pro quo" type of arrangement emerges. This needs to stop or at a minimum be disclosed. If the public had an easy way to determine if campaign contributor, benefits from doing business with the municipality, then the voter could see who the elected official really works for.

Thank you

Joe Ciardullo
New City, NY
Noslow6@optonline.net

Attachment

http://www.elections.ny.gov:8080/plsql_browser/CONTRIBUTORB_NAME?LAST_NAME_IN=&NAME_IN=REED+SYSTEMS&position_IN=START&date_from=01%2F01%2F2005&date_to=05%2F05%2F2013&AMOUNT_from=1&AMOUNT_to=50000&ORDERBY_IN=N

List of contributors whose name is like REED SYSTEMS% For Transaction Date Range: [01-JAN-05 to 05-MAY-13] Contribution is greater than or equal to [\$ 1] And less than or equal to [\$ 50000]

Record are sorted by [NAME] Note that Corporation Names, Committee Names, Partnership Names etc. appear in alpha order first followed by Individual Names in alpha order by Last Name.

Schedule Legend	
•	A = Monetary Contributions/Individual & Partnerships
•	B = Monetary Contributions/Corporate
•	C = Monetary Contributions/All Other
•	D = In-Kind Contributions
•	G = Transfers In

Disclaimer: The majority of financial disclosure statements filed at the State Board are entered into the database directly from e-mail or diskette filings submitted by committee treasurers or candidates. The information contained in paper filings is entered into the database exactly as it appears on the forms. Because database searches retrieve information exactly the way it is reported, search results may be inaccurate and/or incomplete.

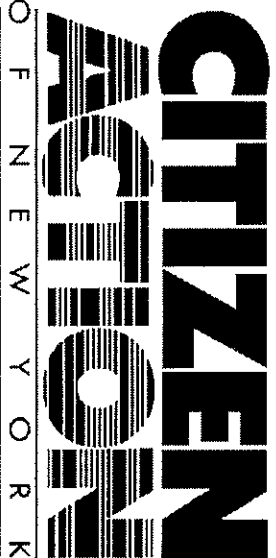
Contributor	Amt	Cont r. Date	Recipien t	Filin g	Sche d	Office	Dis t	Coun ty	Municipal ity
REED SYSTEMS	180.00	09-MAR-11	<u>COMMITTEE TO ELECT JIM DEAN</u>	2011 July Periodic	B	Highway Superintendent	NA	Rockland	Orangetown
REED SYSTEMS BOX 209 ELLENVILLE, NY 12428	180.00	03-FEB-07	<u>COMMITTEE TO ELECT JIM DEAN</u>	2007 July Periodic	B	Highway Superintendent	NA	Rockland	Orangetown
REED SYSTEMS PO BOX 209 ELLENVILLE, NY 12428	170.00	23-OCT-09	<u>FRIENDS TO ELECT KEN SCHMITT</u>	2009 27 Post Special	B	Supervisor	NA	Putnam	Camel
REED SYSTEMS LTD PO BOX 209 ELLENVILLE, NY 12428	500.00	26-OCT-10	<u>COMMITTEE TO ELECT MIKE MCGUIRE</u>	2010 27 Post General	B	County Court Judge	NA	Sullivan	Sullivan

REED SYSTEMS LTD PO BOX ELLENVILLE, NY 12428	500.00	06- OCT-09	<u>FRIENDS OF MARC PFEIFER</u>	2009 11 Pre General	B	Highway Superintend ent	NA	Dutchess	Poughkeepsie
REED SYSTEMS LTD PO BOX 209 ELLENVILLE, NY 12428	140.00	19-JUL- 10	<u>FRIENDS OF MARC PFEIFER</u>	2011 January Periodi c	B	Highway Superintend ent	NA	Dutchess	Poughkeepsie
REED SYSTEMS LTD P.O. BOX 209 ELLENVILLE, NY 12428	1,500.00	17- MAY- 11	<u>FRIENDS OF WAYNE BALLARD</u>	2011 July Periodi c	B	Highway Superintend ent	NA	Rockland	Clarkstown
REED SYSTEMS LTD PO BOX 209 ELLENVILLE, NY 12428	170.00	20-APR- 09	<u>FRIENDS TO ELECT KEN SCHMITT</u>	2009 July Periodi c	B	Supervisor	NA	Putnam	Camel
REED SYSTEMS LTD PO BOX 209 ELLENVILLE, NY 12428	250.00	25- MAY- 10	<u>FRIENDS TO ELECT KEN SCHMITT</u>	2010 July Periodi c	B	Supervisor	NA	Putnam	Camel
REED SYSTEMS LTD 4 BURTS RD CONGERS, NY 10920	100.00	28-SEP- 11	<u>ORANGETO WN REPUBLICA N COMMITTEE</u>	2012 January Periodi c	B	N/A	NA	Rockland	Orangetown
REED SYSTEMS LTD BOX 209 ELLENVILLE, NY 12424	100.00	04- OCT-11	<u>SULLIVAN COUNTY REPUBLICA N COMMITTEE</u>	2012 January Periodi c	B	N/A	NA	Sullivan	Sullivan
REED SYSTEMS LTD PO BOX 209 ELLENVILLE, NY 12428	50.00	04- NOV-07	<u>TOWN OF WAWARSIN G DEMOCRATI C COMMITTEE</u>	2007 27 Post General	B	N/A	NA	Ulster	Ulster
REED SYSTEMS LTD BOX 209 ELLENVILLE, NY 12428	100.00	05- OCT-11	<u>TOWN OF WAWARSIN G REPUBLICA N COMMITTEE</u>	2011 11 Pre General	B	N/A	NA	Ulster	Wawarsing
REED SYSTEMS LTD. PO BOX 209 ELLENVILLE, NY 12428	180.00	26-SEP- 12	<u>ORANGETO WN REPUBLICA N COMMITTEE</u>	2012 Off Cycle	B	N/A	NA	Rockland	Orangetown
REED SYSTEMS LTD. PO BOX 209 ELLENVILLE, NY 12428	100.00	02- OCT-07	<u>ORANGETO WN REPUBLICA N COMMITTEE</u>	2007 11 Pre General	B	N/A	NA	Rockland	Orangetown

REED SYSTEMS, LTD PO BOX 209 ELLENVILLE, NY 12428	270.00	18-MAR-09	<u>COMMITTEE TO ELECT JIM DEAN</u>	2009 July Periodic	B	Highway Superintendent	NA	Rockland	Orangetown
REED SYSTEMS, LTD P.O. BOX 209 ELLENVILLE, NY 12428	135.00	08-JUL-11	<u>COMMITTEE TO ELECT MICHAEL SIMONE</u>	2011 32 Pre Primary	B	Highway Superintendent	NA	Putnam	Putnam
REED SYSTEMS, LTD PO BOX 209 ELLENVILLE, NY 12428	200.00	22-MAR-09	<u>FARRELL FOR D.A.</u>	2009 July Periodic	B	District Attorney	NA	Sullivan	Sullivan
REED SYSTEMS, LTD PO BOX 209 ELLENVILLE, NY 12428	500.00	19-JUL-09	<u>FARRELL FOR D.A.</u>	2009 32 Pre General	B	District Attorney	NA	Sullivan	Sullivan
REED SYSTEMS, LTD PO BOX 209 ELLENVILLE, NY 12428	150.00	15-OCT-11	<u>FRIENDS OF ALEX GROMACK</u>	2011 11 Pre General	B	Town Supervisor	NA	Rockland	Clarkstown
REED SYSTEMS, LTD PO BOX 209 ELLENVILLE, NY 12428	150.00	27-MAY-11	<u>FRIENDS OF ALEX GROMACK</u>	2011 July Periodic	B	Town Supervisor	NA	Rockland	Clarkstown
REED SYSTEMS, LTD PO BOX 209 ELLENVILLE, NY 12428	150.00	25-MAY-10	<u>FRIENDS OF ALEX GROMACK</u>	2010 July Periodic	B	Town Supervisor	NA	Rockland	Clarkstown
REED SYSTEMS, LTD PO BOX 209 ELLENVILLE, NY 12428	500.00	24-FEB-11	<u>FRIENDS OF ALEX GROMACK</u>	2011 July Periodic	B	Town Supervisor	NA	Rockland	Clarkstown
REED SYSTEMS, LTD PO BOX 209 ELLENVILLE, NY 12428	100.00	03-JUL-08	<u>FRIENDS OF ELLIOTT AUERBACH</u>	2008 July Periodic	B	Comptroller	NA	Ulster	Ulster
REED SYSTEMS, LTD P.O. BOX 209 ELLENVILLE, NY 12428	200.00	13-OCT-09	<u>FRIENDS OF PETER SCILIANO</u>	2009 11 Pre General	B	Highway Superintendent	NA	Westchester	Mount Pleasant
REED	1,500.00	27-JUL-	<u>FRIENDS OF</u>	2007	B	Highway	NA	Rockland	Clarkstown

SYSTEMS, LTD PO BOX 209 ELLENVILLE, NY 12428		07	<u>WAYNE BALLARD</u>	32 Pre General		Superintend ent			
REED SYSTEMS, LTD PO BOX 209 ELLENVILLE, NY 12428	100.00	23-SEP- 08	<u>ORANGETO WN REPUBLICA N COMMITTEE</u>	2009 January Periodi c	B	N/A	NA	Rockland	Orangetown
REED SYSTEMS, LTD. PO BOX 209 ELLENVILLE, NY 12428	100.00	19-APR- 12	<u>CITIZENS TO ELECT JOHN BONACIC</u>	2012 July Periodi c	B	State Senator	42	N/A	N/A
REED SYSTEMS, LTD. PO BOX 209 ELLENVILLE, NY 12428	100.00	21-APR- 10	<u>CITIZENS TO ELECT JOHN BONACIC</u>	2010 July Periodi c	B	State Senator	42	N/A	N/A
REED SYSTEMS, LTD. PO BOX 209 ELLENVILLE, NY 12428	100.00	27-APR- 11	<u>CITIZENS TO ELECT JOHN BONACIC</u>	2011 July Periodi c	B	State Senator	42	N/A	N/A
REED SYSTEMS, LTD. PO BOX 209 ELLENVILLE, NY 12428	200.00	23-SEP- 09	<u>TOWN OF POUGHKEE P REPUBLICA N COMMITTEE</u>	2009 32 Pre General	B	N/A	NA	Dutchess	Poughkeepsie
REED SYSTEMS,LTD PO BOX 209 ELLENVILLE, NY 12428	200.00	11-SEP- 06	<u>ORANGETO WN REPUBLICA N COMMITTEE</u>	2007 January Periodi c	A	N/A	NA	Rockland	Orangetown
Total Contributi ons	8,875. 00								

Oracle found [32] records matching



Jesse Laymon
Downstate Campaigns Manager
Citizen Action of New York
Suite 802
40 Worth St
New York, NY 10013

**Testimony of Jesse Laymon on the need for publicly financed elections given before
the New York State Senate Independent Democratic Conference, May 8, 2013**

Good afternoon, my name is Jesse Laymon, and I am here representing Citizen Action of New York and the Fair Elections for New York campaign.

First, let me thank you for holding these hearings in public. Yesterday, another group of Senators in Albany held a hearing on political corruption that made a mockery of our democracy. First, they failed to invite many of the leading experts on campaign finance. Then, they invited anti-reform advocates and those bent on preserving the broken status quo. Then, when the real experts on campaign finance, from groups like NYPPIRG, Common Cause, the Brennan Center for Justice, Citizen Action and the Center for Working Families arrived prepared to testify, they were turned away at the door. In fact, not only were the experts not allowed to testify, but the general public was shut out of these so-called public hearings. Activists for reform lined up outside and were barred from entering despite the availability of seats in the hearing room.

The Senators in Albany who held that hearing had set out to convince the public and the press that our government in Albany works just fine, and that real campaign finance reform with strong public financing is unnecessary. Instead, they accomplished the opposite; they made a mockery of themselves and their office, and they demonstrated once again how badly we need reforms that will enable ordinary New Yorkers to have their voices heard in Albany.

So I want to add my voice to the others here today to clearly say: now is the time for publicly financed elections. I am very pleased to see the Senators here today have included provisions for the enactment of a small donor matching system in your campaign finance reform bill.

However, we all know that simply introducing a bill including public financing is not enough. Today, I want to implore to work with your colleagues in the State Senate to **pass** a bill with publicly financed elections before the end of this legislation session. We are aware of how difficult it can be to build consensus in Albany. However, we believe that the

votes are there in both the State Senate to pass a bill that creates a small donor matching system. And as of yesterday, the State Assembly has taken the lead in reforming Albany, having passed its version of the 2013 Fair Elections Act. Certainly, there is no reason why a bill that includes public financing cannot come to the floor

When you pass publicly financed elections, you be supported by a growing grassroots movement of New Yorkers who demand real democracy and a government that responds to their needs. The majority of voters also believe that New York needs publicly financed elections. According to a March 2013 Siena Research Institute poll, 61 percent of likely voters said that they are in favor of public campaign financing. According to a Lake Research poll, 79% of New Yorkers favor a system of public matching funds for small donations in particular. It's clear that the people of this state will not accept a campaign finance reform package without some form of publicly financed elections.

Everyday New Yorkers want public financing because they are sick and tired of Albany's endemic culture of corruption and the overwhelming influence of big money in politics. These two aspects of our political system are intimately tied together: illegal corruption is all too common in Albany because CEO campaign contributors regularly use money to gain influence with Albany lawmakers. Corruption does not happen because elected officials are inherently greedy or selfish. Rather, Albany's culture of corruption turns good lawmakers bad and creates perverse incentives that undermine your work.

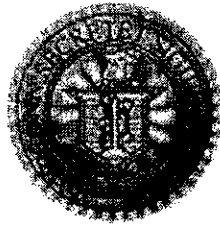
Publicly financed elections will be instrumental in transforming Albany's 'show me the money' culture. By enacting a small donor matching system, you can create new incentives that encourage candidates for elected office to pay attention to the voters instead of big donors. When candidates for office no longer rely on big campaign contributions to fund their campaigns, they can focus exclusively on the needs of regular people and craft public policy that responds to and fulfills their needs.

Public financing also affords you the chance to diversify participation among New Yorkers in our elections. There is no reason why New Yorkers across this state should not enjoy the same opportunities to participate in legislative and statewide campaigns.

Public financing is also a cost effective reform. Peer-reviewed research by the Campaign Finance Institute conclusively demonstrates that a small donor matching system will cost between \$25 to \$40 million, or \$2 per New Yorker per year. For less than the price of a cup of coffee, New Yorkers can have faith that our campaign finance system ensures that lawmakers work for them, and not wealthy interests.

New York's broken campaign finance system, combined with the scandals of the past several weeks, has caused the people of this state to lose faith in our system of democratic government. Right now, you have the chance to restore their faith by passing comprehensive campaign finance reform with publicly financed elections at its core. I urge not to wait, to use your positions in the State Senate to bring a bill to the floor that includes a system of public financing, and to ensure that public financing passes this year.

Thank you.



DENISE MERRILL
SECRETARY OF THE STATE
CONNECTICUT

Public Testimony
Public Campaign Financing
May 8, 2013

- Good afternoon, to the members of this legislative committee,
- For the record, my name is Denise Merrill and I am Secretary of the State of Connecticut.
- I am testifying today in favor of the legislation to adopt a publicly financed system of funding political campaigns.
- I am strongly in favor of the public campaign financing proposal you have in front of you.
- But instead of going over the merits of this proposal in detail, as I am sure you probably have testimony from many people who can explain that, let me speak to you as a neighbor from next-door Connecticut.
- We are a state that was the very first state to adopt a voluntary public campaign financing system without a court ordering us to do so.
- Like New York, we were moved to act in this area of public policy and take what many thought was a radical step at the time due to the shame of another major corruption scandal – one that ended up putting our governor in federal prison and some of his top aides with felony convictions.
- Their crimes – awarding lucrative state contracts worth millions over the years to contractors who had bestowed upon these individuals lavish gifts, including our governor and his infamous hot-tub by his contractor-financed lake house.

- While it was bad enough that personal favors were done for the governor and his aides in exchange for millions in taxpayer funded state business, each of these contractors and their lobbyists were also major campaign contributors – surprise surprise.
- So in response to this scandal, we created a campaign finance system designed to reduce the power of special interest money in our politics, and give us clean elections where the voices of the citizens and voters would be most prominent.
- We banned political contributions from state contractors of those seeking to do business with the state, and we banned contributions from political lobbyists.
- We also offered a deal: If you as a candidate for state office – state assembly, state senate, or constitutional office such as Governor or Secretary of the state in my case – can raise a threshold amount of small donations from a set number of people, the state will grant you money to run your campaign.
- That money was provided by our unclaimed property fund.
- What it means is that there is not an additional commitment of taxpayer funds out of our general fund of the state budget to pay for political campaigns.
- And it also means that candidates for office who decide to participate in the public financing system need to abide by strict spending limits.
- But the good news is, once they raise the initial threshold amount, the grant the candidates receive is substantial and can fund their entire campaign.
- That means literature, TV commercials in some cases, ground operation, get out the vote – all of it funded with enough public dollars to more than adequately provide for the expenses of a serious campaign.
- And raising the threshold amount of small contributions is by no means easy.
- It is hard work.
- The contributions can be no larger than \$100 per contributor.
- I for instance had to raise \$75,000 in small donations before being awarded a grant of \$375,000 to fund my statewide campaign for the Democratic primary for Secretary of the State in 2010.
- But here's the flip side: Once you raise that threshold amount – you're done. No more raising money.

- Then you can focus on the issues, talking to voters and constituents, and really listen to the needs of the people.
- You can discuss ideas, and go door to door walking neighborhoods.
- And the big money special interests cannot drown out the voice of the voters, because if you participate in the public financing system, you don't take their money and you don't owe them anything.
- So how has it worked in Connecticut?
- Extremely well.
- Our legislature is more diverse, with more Latin Americans, Asian Americans, African Americans and women winning races for public office since we adopted this system.
- We have nearly 80% of all of the candidates for our General Assembly – Republicans AND Democrats participating in the public financing system.
- And – as an election administrator myself I am particularly proud of the fact that the number of legislative races uncontested by a major party is at an all-time low and has declined dramatically in the last two election cycles.
- Translation: It is getting easier and easier to find candidates to step up to the plate and run for office.
- And the fact that this has happened after we adopted our public campaign finance system is no coincidence.
- These two facts go hand in hand.
- Take away the huge influence of special interest money in our politics, take away the constant need to raise money, and what do you have?
- You have cleaner elections, more candidates running for office, and a more diverse legislature.
- I would say that is a smashing success for our public financing system.
- Lastly, I would point out one more thing: Our legislative process has gotten cleaner and more reflective of public will.
- Look at what happened in Connecticut in the wake of the awful tragedy in Newtown where 26 innocent boys, girls and educators at Sandy Hook Elementary

school were gunned down and murdered by a deranged young man with access to enormous firepower.

- Instead of the shameful gridlock and inaction we saw in Congress in the face of polls that saw more than 90% of the public in support of universal background checks for firearm purchases...
- We set a national example in Connecticut of sensible, bipartisan compromise that extended a ban on assault weapons, imposed background checks on all firearm purchases, and did a number of other things.
- We showed the nation how Democrats AND Republicans could work together on a sensitive issue like gun control and not be intimidated by the bullying tactics of the gun lobby.
- I also attribute that to the fact that 80% of the legislature received their campaign funding NOT from special interests, but from public funds.
- That makes our General Assembly beholden to – their constituents, and NOT powerful financial interests.
- So public financing not only equals cleaner elections – but cleaner GOVERNMENT as well.
- So as a neighbor let me say in a strong voice how much I support New York's effort to pass public campaign financing.
- Thank you.