

Testimony

of

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before the

New York City Council Committee on Governmental Operations

Oversight Hearing on the Campaign Finance Board's 2013 Post Election Report

September 22, 2014

New York City’s Campaign Finance Law – enacted in 1988 – is one of the New York City Council’s most important achievements.

First, because it gave people of modest means the resources to run for elected office. The result: a very diverse local legislature that is well representative of New York City.

Second, the Council has worked hard to keep the Campaign Finance Program relevant and effective. We agree with the Campaign Finance Board that: “The Program has thrived and succeeded because the Act has been adapted to a rapidly evolving political landscape. The Board’s mandate to propose amendments to the Act — many of which have become law — has helped keep the Program strong.” Changes have been considered well before the next election cycle, limiting partisan influences.

Among some of the most significant changes during the last quarter century that were passed by the Council and signed into law by the mayor have been:

**1988:** Council mandates an English/Spanish voter guide to be mailed to NYC voters.

**1989 to 2007**: Matching public funds formula evolve to encourage small contributions.

**1996**: Citywide candidates in the Program must participate in a series of public debates.

**1998**: a ban on corporate contributions.

**2007**: Council restricts size of contributions from people doing business with the City.

Civic groups see today’s hearing and the CFB’s post-election report as the kick off of an every-four-year process to make sure the campaign finance law well serves the City.

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I would like to briefly highlight some of those issues proposed by the CFB that deserve serious consideration:

1. **Should determinations be made earlier in the election cycle about awarding public funds payments**? As the CFB notes: “The [current] timing of payment determinations can make planning difficult for some campaigns, and candidates who fail to qualify for public funds at the earliest date have limited time during the busiest weeks of the election cycle to resolve the issues preventing their payment.”

2**. Should the Council and the City Administration review the Campaign Finance Law to assess how well it handles concerns that public funds may be spent in highly one-sided races?**

3. **Can the impact of bundling by people doing business with the City be reduced?** Direct doing-business contributions are greatly restricted­–from $4,950 in citywide races to $500. But an analysis of campaign disclosures in 2013 shows that intermediaries are significantly more likely to be doing business with the City than contributors overall, magnifying their influence.

4. **Can restrictions on “mass mailings” by public officials close to an election be made more uniform**? Officials who are running for office are prohibited from using government resources to send mass mailings in the 90 days before an election.

The CFB says the City Charter provides inadequate guidance, forcing it to make case-by-case judgments in a very short time frame.

5. **Should New York City adopt instant runoff voting (IRV) for City elections?** NYPIRG has not taken a position on this issue.

6. **Can the City do more to encourage its citizens to register to vote and then to turnout on Election Day?** City Charter requires 19 city agencies to help register voters and increase public awareness about candidates, proposals, and elections. NYPIRG believes that agency plans should move beyond minimal compliance and embrace the optional reforms allowed under the law. NYPIRG believes that agencies should require:

* verbal assistance for clients wishing to complete registration forms be offered during application for services;
* the physical integration/attachment of voter registration forms to agency application/recertification/change of address forms at their next printing;
* provisions for the collection and timely transmittal of completed voter registration applications to the Board of Elections; and
* Increased efforts to ensure agency sub-contractors are following the law.