



The League of Women Voters of New York State
62 Grand Street, Albany, New York 12207
Phone: 518-465-4162 Fax: 518-465-0812
www.lwvny.org E-Mail: lwvny@lwvny.org

THE LEAGUE OF WOMEN VOTERS *of New York State*

TESTIMONY BEFORE NEW YORK STATE PUBLIC CAMPAIGN FINANCING COMMISSION September 10, 2019

Borough of Manhattan Community College (BMCC), 199 Chambers Street, New York, NY

Good afternoon. My name is Laura Ladd Bierman, and I am the Executive Director of the League of Women Voters of New York State. The League is a non-partisan political organization working to promote civic responsibility through informed and active participation of citizens in government. We are best known for the work our 4,000 members in 48 local Leagues throughout the state do in registering and educating voters on local and state issues. However, advocacy has always been an important facet of League activity since our founding as an outgrowth of the women's suffrage movement 100 years ago. On behalf of the League, I want to thank the Commission for this opportunity to speak about campaign finance reform and a small donor matching system for New York State.

For many years, New Yorkers have been frustrated by the deplorable condition of our state's campaign finance system and the outsized power of wealthy interests in Albany. These problems have persisted, but not because of lack of awareness and the absence of solutions. Two special Commissions, one in the 1980s and one five years ago, of which our own Barbara Bartoletti was a member, looked at a campaign finance system beset by corruption scandals and called for sweeping and comprehensive reform. Still our state leaders failed to act.

Our colleagues at NYPIRG just released a report on the 2018 New York State Legislative Elections confirming that concerns about the campaign financing system found by these earlier Commissions still persist in that successful candidates receive the bulk of their campaign funds from organized special interests and the wealthy rather than small donors. These same special

interests make their presence known in Albany through a pervasive pay-to-play culture that continues to reveal itself in scandal after scandal.

Comprehensive campaign finance reform including a small donor matching system is the change New Yorkers so desperately need. For decades the League, along with our good government colleagues, have tirelessly worked toward this end. This Commission now has before it a historic opportunity to make sweeping improvements to our broken campaign finance system, a system which has for far too long undermined democracy and encouraged public distrust in government. Cynicism and public distrust in government discourage public participation in our democracy as well demonstrated by New York's weak voter turnout year after year.

At the national level the League has long been a leader in reforming our nation's campaign finance system to ensure the public's right to know, combat corruption and undue influence, and enable candidates to compete more equitably in public office and allow maximum citizen participation in the political process. The state League has supported public financing in New York state elections for many years and the New York City League was an early and strong proponent of public financing for New York City elections. Among the well-documented benefits of public financing are a greater diversity of candidates elected to office and an increase in the number of overall contributors, especially the number of small donors. We already know the benefits of a small donor matching system, and we also know how to establish such a system through the example of the New York City system, the work of previous Commissions, Governor Cuomo's bill in the 2019-2020 Executive budget, and the extensive research done by our colleagues in the Brennan Center and others focused on implementing public financing.

However, the League strongly believes that effective, independent and adequately funded enforcement, and much lower limits on all campaign contributions, including contributions to parties, are also fundamental to reforming New York's broken campaign finance laws. They should not be viewed as mere additions to implementing a public financing system. New York cannot build a functional public financing system on top of the existing weak enforcement structure and sky-high contribution limits. Robust, independent, adequately funded enforcement, greater campaign finance restrictions for all candidates and parties, and public financing must go hand in hand. Substantial and sweeping changes are needed to the entire campaign financing system.

Specifically, the League urges the following critical reforms:

- We need to reduce contribution limits for all candidates, not just those participating in a public matching system. New York currently has by far the highest contribution limits of the 39 states that limit contributions, of which \$69,700 for statewide office is the most egregious example. This has the inexorable result of focusing candidates on larger contributors and organized interests. Contribution limits for all candidates, not just those participating in public matching, should be lowered to levels more consistent with federal limits, including contributions to party committees and party transfers to candidates. It is critical that the Commission lower contribution limits across the board for all candidates in order to avoid discouraging candidates from participating in the public matching system.
- We need to establish an independent campaign enforcement agency outside the Board of Elections to enforce campaign finance laws for all candidates. Experience to date with the Enforcement Division within the state Board of Elections has not been positive. New York City has a separate campaign finance board that has jurisdiction over all candidates. Similarly, we strongly believe that the same board that administers the public matching system should enforce campaign finance laws for all candidates. It should have a guaranteed stream of funding to ensure that oversight is strong and the public's money is protected.
- We need to further reduce or eliminate entirely contributions by all lobbyists and contractors doing business or seeking to do business with the state. The legislative session in Albany is notoriously replete with continual fundraising from lobbyists and special interests and this particular reform is long overdue. There are many examples from other states of effective pay-to-play restrictions as well as New York City's extensive system.
- We need to place reasonable limits on party housekeeping accounts at all levels. Currently there are no limits. Like the recently closed LLC loophole, housekeeping money has long been a major source of avoidance of New York State's already weak contribution limits.

- There should be new reporting requirements instituting complete disclosure for bundlers of contributions similar to those in New York City. The new campaign finance board is also an opportunity to reform campaign finance databases and better inform the public.

Establishment of a small donor public matching system without these other reforms will diminish the likelihood that candidates will participate in the new system. It will allow the status quo in which organized interests and large contributions have an undue influence in Albany to continue. We ask the Commission to institute a long-overdue complete reform of New York's campaign finance laws.

On behalf of the League, I want to thank the Commission for inviting us and wish them well in the task before them.