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NEW YORK CITY CHARTER REVISION COMMISSION
PUBLIC HEARING

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NEW YORK UNIVERSITY D'AGOSTINO HALL
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New York, New York 10012

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A P P E A R A N C E S:

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COMMISSIONERS:

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- CESAR PERALES, Chair
- RACHEL GODSIL, Vice Chair
- CARLO A. SCISSURA, Secretary
- JOHN SIEGAL
- DEB ARCHER
- MARCO CARRION
- DALE HO
- UNA CLARKE
- WENDY WEISER
- ANNETTA SEECHARRAN
- MENDY MIROCZNIK
- ANGELA FERNANDEZ
- KYLE BRAGG
- SHARON GREENBERGER
- LIRAN ANGELO
- MATT GEWOLB, Executive Director

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1 MR. PERALES: Good afternoon. I think we're
2 ready to go.

3 My name is Cesar Perales, and I have the
4 honor of chairing the New York City Charter
5 Revision Commission that was called together by
6 Mayor Bill De Blasio.

7 I will note for the record that we have a
8 quorum, and let me ask each of the commissioners
9 to introduce themselves. Let's start with Marco
10 on the left.

11 MR. CARRION: Good morning, everyone -- or
12 afternoon. My name is Marco Carrion. I
13 currently serve as the mayor's commissioner of
14 community affairs.

15 MR. PERALES: And while I introduced myself,
16 I didn't tell you who I was or what my background
17 is. I am the former secretary of state. I'm
18 also a former deputy mayor of New York City, and
19 I've served in the federal government. But
20 beyond my public service, I was also the founder
21 and first executive director of the Puerto Rican
22 Legal Defense and Education Fund, now known as
23 Latino Justice.

24 So I have a special interest in not just how
25 the City works, but on the issue of voting

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1 rights.

2 MS. WEISER: Good afternoon. My name is
3 Wendy Weiser, and I direct the democracy program
4 at the Brennan Center for Justice here at NYU
5 School of Law, and I'm delighted that NYU is
6 hosting today's hearing and that you are all here
7 to participate.

8 MR. HO: Good afternoon. My name is Dale
9 Ho. I direct the voting rights project at the
10 national office of the ACLU here in New York.
11 I'm also an adjunct professor in the clinical
12 program here at NYU law school.

13 My practice is entirely in voting rights and
14 not in campaign finance, but I'm very much
15 looking forward to being educated by the first
16 panel today.

17 MS. ARCHER: Hello, everyone. My name is
18 Debra Archer, and I am a professor here at NYU
19 law school. In my past life, I was an attorney
20 with the NAACP Legal Defense Fund and with the
21 ACLU.

22 MR. SIEGAL: Good afternoon. John Siegel.
23 I'm a graduate of NYU Law School and very happy
24 to be back here. And my experience with the
25 campaign finance system, the Campaign Finance

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1 Act, actually dates back to its beginning. I was
2 deputy campaign manager and issues director of
3 the first successful mayoral campaign after
4 enactment of the Campaign Finance Act, a campaign
5 that would not have succeeded but for public
6 financing, and I thereafter represented five
7 city-wide campaigns before the Campaign Finance
8 Board over the years, and I'm glad to see many of
9 my former regulators, adversaries, friends here
10 today.

11 MS. ANGELO: Hi. I'm Liran Angelo. Right
12 now I'm a senior fellow at the Institute for
13 State and Local Government in CUNY, and I spent
14 many years doing the budget both on the City
15 Council side and the mayor's side.

16 MR. PERALES: Thank you all. Just some
17 brief remarks. The Charter Revision Commission
18 appointed by Mayor De Blasio is appointed to
19 examine the entire City charter, but like all
20 mayors that have appointed a Charter Commission,
21 this mayor indicated a particular interest in
22 having this Commission look at the question of
23 elections, the administration of elections, and
24 basically, in large, the issue of democracy in
25 our city.

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1 It's important that you understand that.
2 We've received hundreds of comments on all parts
3 of the charter, but many of them related to the
4 administration of elections.

5 We have gone through a period of hearing
6 from many New Yorkers. We've had hearings in
7 every borough. This meeting, like all the
8 others, is open to the public and is being
9 live-streamed. And many people who listen in and
10 watch us through the streaming mechanism, then
11 write in questions.

12 So we've had hundreds of questions, and we
13 are at the point in our process in which we are
14 focused on some particular issues that have been
15 of special interest to those who have come before
16 us and that are of special interest to the
17 commissioners, and so the panels that we're
18 hearing from this week and next have expertise
19 that they are bringing to the floor -- all
20 right -- that -- is this still picking me up?

21 AUDIENCE MEMBER: Yes.

22 MR. PERALES: Great -- and that will help us
23 in your determination. Remember, that our job is
24 to determine what it is we want to put on the
25 ballot in November to have the voters of our City

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1 determine yea or nay on our recommendations, So
2 that this meeting today is very, very important.
3 We're looking forward to hearing from both of the
4 panels.

5 Before I proceed into this panel, let me
6 just ask Matt Gewolb, our executive direct, to
7 lay down our ground rules.

8 MR. GEWOLB: Thank you, Mr. Chair. Thanks
9 to the panelists for being here. So the way that
10 we're going to do this is similar to our previous
11 issue forum, but it's slightly different for the
12 commissioners.

13 What we're going to do is hear from each of
14 the panelists. I'll give you a two-minute
15 warning sign. We'll have a brief Q and A after
16 each speaker, and a longer and broader Q and A
17 session all the panelists have spoken.

18 So because we have a lot of speakers and a
19 great deal of material to cover, what we're going
20 to ask is that during the Q and A after each
21 speaker for the commissioners that you try to
22 stick to clarifying and understanding points that
23 are somewhat unique to that particular speaker as
24 best we can and saving broader questions where we
25 want to hear from the full panel for after all

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1 the speakers have gone. So to the best of -- the
2 best that we can, we'll try to stick to that
3 format, Mr. Chair.

4 MR. PERALES: Thank you, Matt.

5 Let me now introduce the first panel. To
6 provide us a candidate perspective Council Member
7 Carlos Menchaca; to give us some history Steve
8 Lewis of the New York City Law Department; key
9 current features, Amy Loprest of the New York
10 City Campaign Finance Board; performance data,
11 Eric Friedman, also from the Finance Board;
12 candidate perspective from former Council Member
13 Rosie Mendez, if she's able to make it; and a
14 comparative analysis by Professor Michael Malbin
15 from the Campaign Finance Institute and SUNY
16 Albany.

17 With that, Council Member Menchaca.

18 MR. MENCHACA: Thank you. Thank you to the
19 Chair and to all the members of this Commission.
20 I come here to -- with you -- or before you to
21 talk about my experience as a candidate, and this
22 exercise actually was beautiful to kind of go
23 back and remember those moments that I think are
24 going to be helpful in this discussion.

25 My decision to run for City Council came

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1 months before the actual election. This was
2 after Sandy had impacted the City and the work
3 that we were doing in Red Hook really gave me a
4 sense of understanding of how important good
5 government -- good government leaders were, how
6 important they were to something like a recovery
7 response.

8 That gave me ten months -- nine months to
9 launch a campaign and win, and I really believe
10 that the campaign finance system phenomenon that
11 we are experiencing right now was critical in
12 that.

13 And there are really three things that came
14 to me in my decision to run. First was the
15 affirmation of my family and my loved ones. I
16 needed that first. Second was just being a
17 little bit crazy to go out and take a leap of
18 faith, and then -- and then the Campaign Finance
19 System.

20 I was able to launch a campaign in
21 nine months to win against an incumbent that had
22 been in power for 11 years, who had figured out a
23 way to keep -- keep the position, but what the
24 system allowed me to do was to have a
25 conversation with donors at five, ten, and my

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1 branded experience of \$38 for the 38th District
2 about the campaign finance. That was my
3 beginning part of my conversation with everyone,
4 that their dollars would multiply by six.

5 That allowed folks to feel empowered in a
6 challenger, and for people that were not
7 entrenched in the system, which is where I have
8 to go build my political support, became
9 possible. And my average dollar amount for the
10 whole campaign was around \$100 average.

11 I won with 59 percent of the vote, and in a
12 district that is more than half foreign born and
13 half of the population making under \$35,000, this
14 is the community that needed leadership. And
15 with a small timeframe -- in two weeks I raised
16 \$40,000, and that is the kind of power that we
17 have as challengers to a government that need new
18 representation.

19 I was also -- and I became the first Mexican
20 American elected in the City's history and also
21 the first openly gay legislator in Brooklyn, out
22 of a district that didn't necessarily give you
23 the impression that that was going to happen.

24 And I have to tell you that the
25 conversations that I was able to have, one on

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1 one, with people that said, "What can I do to
2 help someone like you get elected?" the small
3 dollar donations were the thing that made them
4 feel empowered and part of a campaign to change
5 the direction of this neighborhood that needed it
6 so bad.

7 I think what's important about this
8 discussion is that we can do better. What's
9 important about this discussion is that the
10 "better" means that we can actually really limit
11 the high dollar donations and keep them all, I
12 would love, at small averages like \$175
13 donations. That keeps our conversations focused
14 on people, our neighbors, that want to be part of
15 government.

16 And because people don't -- not everybody
17 knows about this Campaign Finance Board work and
18 the system, it really -- it could force us to
19 change the nature of neighborhoods electing
20 neighborhood leaders to represent them. And I'll
21 leave it there for Q and A.

22 MR. PERALES: Yeah, I'll take the
23 prerogative of the chair and ask a quick
24 question.

25 MR. MENCHACA: Sure.

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1 MR. PERALES: As somebody who was out in the
2 community talking to people who wanted an
3 opportunity to participate, did you hear comments
4 about the fact that the government is rigged and
5 that the people who make the big donations are
6 the ones that can really influence what's going
7 on?

8 MR. MENCHACA: Without a doubt. That became
9 a real kind of first hurdle for folks to feel
10 like, "How are you going to raise money?" And
11 this is really coming out of just noneducation
12 for regular neighbors in your neighborhood about
13 how something like this happens, and so it was
14 about an education -- it was about educating
15 people on how this can actually work and
16 demonstrating very quickly when we filed in our
17 first filing over \$40,000 that we were serious,
18 and it came from small dollar donations.

19 So this was part of the conversation on the
20 ground, and I think really changed the way people
21 felt connected. And it came back when I ran for
22 reelection just less than a year ago, really kind
23 of going back to the folks that said yes at \$5
24 and -- and returning with that conversation.

25 So, yes. And it's actually changing the way

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1 that District 38 understands its own power to
2 elect from here on out.

3 MS. ARCHER: So I'm wondering if there was
4 any role of the average contribution number or
5 the relative weight of contributions from small
6 donors to large donors, did that play at all into
7 the campaign dynamics and the election?

8 MR. MENCHACA: Absolutely. And so -- and I
9 think I know what your question is, so let me
10 answer it and see if I'm hitting it right, but
11 the donation came with an investment of not just
12 money at \$10, but also time. And so folks that
13 had invested in the campaign were able to come in
14 and feel part of the campaign and were part of
15 the machine of our discussions in and around door
16 knocking.

17 And so people felt like there was an
18 investment that they could do at their level, and
19 it multiplied, and they felt like they could come
20 onboard to the campaign and actually do the work
21 on the ground to get the word out. And so it
22 created synergy around people feeling like they
23 don't have to be a big corporation.

24 So much of the federal presidential
25 elections shape people's understanding about how

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1 all elections work, and so chipping away at that
2 was -- was job number one. And once people felt
3 like they could invest their money at \$10, \$38,
4 we invited them, and they became some of the
5 strongest on-the-ground operation volunteers for
6 me throughout the campaign.

7 MS. ARCHER: I think this is just a
8 clarifying question. You said you wanted to
9 limit high-dollar contributions. Are you
10 recommending a cap on contributions? And if you
11 are, you floated the number around 150, 175. I
12 don't remember which one you said. If you could
13 help by telling us your thinking about why that
14 would be the cap you would set.

15 MR. MENCHACA: I think about -- I think
16 about people wanting access to a campaign, to a
17 candidate, to a process where they can feel like
18 they have an equal voice and this idea that we
19 can limit campaign contributions so that at the
20 end of the day the fuel for a campaign comes from
21 everywhere, from corporate -- you know, not
22 corporations, but wealthy and non-wealthy, but
23 they can be in the same -- in the same space with
24 the same kind of investment is exciting.

25 And so I think that's where the proposal is

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1 coming from, so that they can be in a room and
2 say we're doing a fundraiser, say we're doing a
3 campaign launch, that everyone there that has
4 invested knows that everyone else had a cap and
5 that their dollar matters and that all the
6 dollars are kind of equal in that opportunity for
7 expansion.

8 So that's my dream. That's -- that helps us
9 as candidates stay focused on everyone that is
10 donating.

11 MR. PERALES: The councilman has to leave.
12 I'll allow one more question. I think someone on
13 that end -- was it you, John, or --

14 MR. SIEGAL: No. I think Debra has another.

15 MS. ARCHER: It was -- I wanted to know why
16 you're picking the number 150. Why --

17 MR. MENCHACA: Well, I mean that's the one I
18 know well, so it helps -- it helps -- or I should
19 say it's coming from just my own experience on
20 the ground. Asking for \$175 is easier than
21 asking for \$2,000 from a family.

22 So this is about -- this is about creating
23 an opportunity, because the -- the low dollar and
24 the activation of the six match is whatever that
25 number has to be has to -- whatever that is is

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1 good, but it's a different ask if it's over
2 \$2,000. That's a different -- that's a different
3 profile.

4 And what I'm saying is that there's a really
5 great opportunity for kind of equal access to the
6 face of a foundation for -- for a candidate like
7 myself who was an insurgent, a challenger.

8 And I think what's the story behind all this
9 is really a question about how we can confront
10 entrenched elected officials that will always
11 have the support of powerful interests. And
12 this -- this -- um, this system allowed me to
13 launch a campaign in nine months from nothing to
14 something and allowed me to have the conversation
15 that we're having here today, and really inspired
16 a group of people that didn't even know that this
17 even existed.

18 I think that's a whole other component to
19 this, how do we get more education out to folks
20 who know that they can actually impact a local
21 leader in their neighborhood to fight for them
22 the way that they want to be heard.

23 And I think that was -- that was the spirit
24 of the campaign that could have only happened if
25 they knew that their dollars -- at 175 -- and

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1 there is some people that were able to kind of
2 over the course of time get to 175 and be proud
3 of that, that their dollars are going to multiply
4 by six.

5 It's a game changer for folks that don't
6 feel like they have any voice against these
7 larger wealthier people in a neighborhood that I
8 think seemed to feel like they get all the power
9 in an election like this.

10 MR. PERALES: Given this Commission's
11 commitment to democracy, let me exhort you to go
12 back and vote.

13 MR. MENCHACA: Yes. Yes. We're about to
14 pass a budget, and I'm really excited about that,
15 as excited to be here with all of you, and I want
16 to wish everyone a happy Friday. Thank you.

17 MR. PERALES: Steve Lewis.

18 MR. LEWIS: So I would like to thank the
19 Commissioners for inviting me to reminisce a
20 little bit about the time back in 1987, and that
21 era, when we were first looking into campaign
22 finance laws, and in fact, the City Council first
23 passed the law that is -- that obviously has
24 changed in many ways over the years, but, you
25 know, in basics it was sort of a -- the '87

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1 version as introduced, the '88 version as passed
2 remained sort of the basis for the program up
3 until today.

4 And just to remind everyone a little bit of
5 the time period, the mid-80's, mid to late 80s,
6 Ronald Reagan was president, Ed Koch, of course,
7 was the Mayor. Rudy Giuliani, was the U.S.
8 attorney, making a name for himself.

9 So the bill -- let's sort of start with the
10 bill and then work backwards in time a little
11 bit. The bill, which was introduced in
12 September 1987 by council members Katzman,
13 Messenger and Michaels at the request of Mayor Ed
14 Koch. The bill actually was first, or in its
15 initial form had been drafted by members of the
16 New York City Law Department, the Corporation
17 Counsel's office. It was a major initiative by
18 the then Corporation Counselor Peter Zimra. It
19 went through some revisions over the course of
20 legislative discussion, but its essentials remain
21 pretty much -- pretty much intact.

22 So I think the main question right now is
23 what -- what triggered this response. Why did
24 the City feel it had to engage in what was at the
25 time a pretty radical, actually, to some extent,

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1 still, as it turns out a fairly radical approach
2 to campaign financing by providing for public
3 funding, and like any lawyer, I go right to the
4 record and look at the law itself and look at the
5 legislative intent and findings in Section 1 of
6 that law, Local Law 8 of 1988, and to quote
7 straight from it, "both the possibility of
8 privilege and favoritism and the appearance of
9 impropriety harm the effective function of
10 government, whether or not the reliance of
11 candidates on large, private campaign
12 contributions actually results in corruption or
13 improper influence. It has a deleterious effect
14 upon the government, and that equates to the
15 appearance of such abuses and thereby gives rise
16 to citizen apathy and cynicism," and it went onto
17 note that special conditions had arisen in the
18 City of New York as a result of the presence of
19 unique concentrations of wealth and financial
20 power which require special measures pertaining
21 to ethics in government. So what it got -- what
22 had happened to provoke this rather radical
23 response? And there were, although perhaps
24 forgotten by some, there were an extensive and
25 wide-ranging series of corruption scandals

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1 rocking New York City in the mid-1980's, did not
2 simply involve local -- did not involve City
3 officials necessary. There were a number of
4 state and federal officials also implicated, and
5 actually most of them did not directly involve
6 campaign donations, although some did; but it
7 seemed for a while that everyone was in on it.
8 That politicians up and down the line, City
9 officials, federal members of Congress were all
10 on the take one way or the other, either taking
11 money or giving money, granting favors in
12 exchange.

13 Just to highlight a couple of, probably, the
14 main ones that hurt the City greatly and resulted
15 in this law, I just want to mention Wedtech. I
16 don't if any of you may remember Wedtech. It
17 was, at the time, thought to be an outstanding
18 company in the South Bronx helping to lead its
19 revival. It was -- it received a lot of no-bid
20 military contracts from the federal government
21 because it was thought to be a minority-owned
22 business. It was not. That was almost the least
23 of the issues. Congressman Mario Biaggi was
24 jailed on various racketeering charges. Stanley
25 Simon, the Bronx borough president also convicted

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1 of multiple crimes, including taking a bribe from
2 Wedtech, which included some of the campaign
3 contributions, that he took the contributions in
4 exchange for his help winning Board of Estimate
5 approval for a contract that it was seeking. And
6 he was accused of taking campaign contributions
7 from other companies as well in exchange for
8 favor.

9 Then, there was the Parking Violations
10 Bureau. Stanley Freedman the Bronx Democratic
11 party boss bribed officials to get a PVB contract
12 directed to a company that he was associated
13 with. He gave Queensboro president Donald Manus
14 and the PVB stock in that company in exchange to
15 get the contract. That -- that, well, of course,
16 was a major scandal. Unfortunately borough
17 president Manus took his own life which, of
18 course, in a City that gets caught up in tabloid
19 stories suddenly became it's own sensation and
20 just ratcheted up the sense by the community at
21 large that there was a severe corruption issue in
22 New York City, and I just wanted to note he was
23 ultimately cleared, but at the time, state
24 senator Manfred Ohrenstein, just before the bill
25 was introduced, he was indicted on

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1 misappropriating state legislative funds for
2 campaign work, so again, everyone -- everyone in
3 the business of politics seemed to be one way or
4 the other, committing crimes, taking money, or
5 spending money inappropriately.

6 I know we're pretty much out of time, I saw
7 the little clock. I just wanted to quickly jump
8 through the fact that right after all those
9 incidents, Governor Cuomo, Mayor Koch established
10 various commissions, the Sovereign Commission,
11 the third Commission. They all looked into these
12 issues, how to deal with them and campaign
13 finance reform, including public financing was
14 pretty much at the top of the list in terms of
15 what they thought would be an appropriate
16 response, and state legislature did not act
17 except in a minor way, and so it was really left
18 up to the City which stood up to the plate, and
19 passed that law, as I said, in early 1988.

20 MR. PERALES: Thank you, Steve. Anybody on
21 the panel for questions of Steve?

22 People my age like to hear the stories we
23 all remembered as young people.

24 VOICE: Yes.

25 MR. PERALES: So, I, for one, enjoyed your

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1 presentation.

2 VOICE: Okay.

3 MR. PERALES: But, basically, so that we
4 will be educated, you gave us the circumstances
5 in which the City acted for the first time.
6 Basically how would you describe what was the
7 first -- what was that law that was passed, how
8 did it influence or determine campaign finance?

9 VOICE: Well, I mean, that law was really
10 the City's law and, I should say, there certainly
11 were many approaches that were discussed and, in
12 fact, I mentioned before, the state legislature
13 passed a sort of an early version of a so-called
14 pay-to-play law, the so-called Goodman Law, that
15 restricted contributions by those that were
16 appearing before the Board of Estimate. It was a
17 very convoluted and complicated law, but, you
18 know, we did the basic, certainly not as much as
19 of the multiple matching that we have now, but
20 even, basically, the one-on-one matching is set
21 forth. I think the basic framework for the
22 current law really existed at that point.

23 MR. PERALES: With that it seems appropriate
24 to turn to Amy at this point to tell us where we
25 are.

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1 VOICE: Well, thank you very much for the
2 opportunity to talk about our public matching
3 funds programs and the work of the board. As it
4 has been spoken about before, the public matching
5 fund program amplifies the voices of small
6 contributors in the political process and aims to
7 decrease the possibility of corruption or the
8 appearance of corruption from large campaign
9 contributions. Candidates who are running for
10 City office, mayor, public advocate, comptroller,
11 borough president and City council member can
12 voluntarily choose to participate in the program
13 and receive matching funds for their campaign for
14 office. For participating candidates who qualify
15 the program matches the first \$175 of
16 contributions by New York City residents at a
17 six-to-one ratio. This means that if a
18 contributor gives \$10 that is matched with \$60 in
19 public funds, bringing the total value of that
20 contribution to \$70. When it was established in
21 1988 the program matched contributions to \$1,000
22 at a rate of one-to-one. The rate was changed in
23 1998 to provide a four-to-one match for the first
24 \$250 per contributor and was increased again in
25 2007 to the current six-to-one formula. The

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1 establishment of the multiple match and the
2 subsequent increase each -- changes each
3 effective incentive for candidates to seek small
4 dollar contributions and increase the role of
5 small contributors in the funding of local
6 campaigns. As there were in 1988, there were
7 contributions -- limits on contributions that
8 applied to all candidates whether or not they
9 choose to participate in the matching funds
10 program. The limits were subject to an increase
11 earlier this year pursuant to the Campaign
12 Finance Act. For the next election the
13 contribution limits are \$2,850 for City Council,
14 \$3,950 for borough president, and \$5,100 for the
15 city-wide offices. Contributions from people
16 outside of New York City and organizational
17 contributions from political committees and
18 unions are allowed, but they're not matched by
19 public funds. Candidates have been prohibited
20 from accepting contributions from corporations
21 since the 1998 charter amendment enacted by
22 city-wide referendum. Nonparticipating
23 candidates have been subject to the contribution
24 limits, the corporate contribution band, and
25 disclosure requirements since the passage of

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1 legislation in 2004. In the years since,
2 legislation was enacted to put new restrictions
3 on special interests to further reduce the risk
4 of corruption through the financing of campaigns.
5 A 2006 law prohibited the matching funds for
6 contributions from lobbyists, their spouses and
7 domestic partners. A more expansive set of
8 limits was added to the act in 2007.
9 Contributions from LLCs and partnerships were
10 prohibited, and new limits and restrictions were
11 added to reduce the appearance of pay-to-play in
12 City politics. If a contributor has business
13 dealings with the City at the time of their
14 contribution, they are subject to a lower doing
15 business contribution limit of the \$250 for City
16 Council, \$320 for borough president and \$400 for
17 city-wide offices. These limits apply to
18 everyone in the doing business database, which
19 includes lobbyists, anyone who is a chief officer
20 with an entity with City business dealings, has
21 at least 10 percent ownership interest or is a
22 senior manager or oversees business with the
23 City. These limits apply to all candidates and
24 doing business contributions are not matched with
25 public funds. In order to receive public funds

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1 candidates must meet a two-part fundraising
2 threshold to show that they have significant
3 support from those they wish to represent. Those
4 running for City Council must raise \$5,000 in
5 matchable contributions and collect 75
6 contributions of \$10 or more from residents who
7 live in their City Council district. Mayoral
8 candidates must raise 250,000 in matchable
9 contributions with at least 1,000 contributors
10 giving \$10 or more. In my written testimony,
11 you'll see the thresholds for all the other
12 offices, I'm not going to go into them. Once a
13 candidate meets the threshold, he must be on the
14 ballot and have an opponent, to receive most of
15 their matching funds. Candidates must also
16 demonstrate compliance with the Campaign Finance
17 Act and not have any outstanding penalties or
18 repayment obligations from previous campaigns.
19 Under a recent amendment to the act, the board
20 will disburse early payments to candidates who
21 have met the threshold in June. These early
22 payments will be limited to \$10,000 for City
23 Council, up to \$250,000 for mayor.

24 The majority of public funds are paid out to
25 candidates after the ballot is set, which is a

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1 little more than one month before the date of the
2 election. By joining the program, candidates
3 agree to abide by strict spending limits that
4 vary by office. These spending limits ensure
5 that the amount of money raised is not the
6 deciding factor between candidates, while also
7 allowing candidates the ability to get their
8 message out to voters. These limits are adjusted
9 for inflation after each four-year election
10 cycle. The chart is in the testimony, they range
11 for mayor, \$7,286,000 to \$190,000 for City
12 Council for the primary, and then again for the
13 general election. Public fund payments are
14 capped at 55 percent of the spending limit
15 established for that office. This insures that
16 campaigns have a mix of public and private funds.
17 In 2021, the maximum payments to mayoral
18 candidates will be \$4,007,300 for City Council
19 candidates, and the maximum payment will be
20 \$104,500. Candidates must demonstrate they have
21 spent public funds on items allowed under the
22 campaign finance law known as qualified
23 expenditures.

24 A key component of our system is that we
25 have the best disclosure requirements in the

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1 country. Throughout the election cycle all
2 candidates are subject to thorough disclosure
3 requirements. Campaigns must regularly report
4 their financial activity, which is published
5 online, so the public can find out who their
6 candidates are raising money from and how they're
7 spending it. Documentation is also closely
8 audited by our staff before, during, and after
9 the election to make sure candidates qualify for
10 public funds honestly and ensure candidates are
11 appropriately spending those funds. Not only
12 does our rigorous process safeguard the
13 taxpayers' money that goes towards campaigns, but
14 it ensures that candidates are treated the same
15 as their opponents regardless of their political
16 party, background, or whether or not they hold
17 elected office. In 2010, voters overwhelmingly
18 approved an amendment to the charter requiring
19 that independent spenders disclose their activity
20 to the CFB. This requirement was further
21 strengthened through subsequent legislation.
22 Independent groups that spend more than \$1,000 to
23 support a candidate or ballot initiative must
24 report not only the owners, officers and board
25 members of the organization, but also must report

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1 details about where their major funders, those
2 that contribute more than \$50,000 to that entity
3 get their funding. Any communications put out by
4 independent spenders must include a "paid for by"
5 notice that includes the names of the entity's
6 principal owner, CEO and top-three donors along
7 with a URL directing voters to the CFB's website
8 for additional information. An essential
9 condition for the success of the public matching
10 funds program is the structure of the Campaign
11 Finance Board as set in the City charter. The
12 CFB is an independent and nonpartisan agency. We
13 have a five-member board appointed by the Mayor
14 and the Speaker of the City Council. The
15 appointments made by the Speaker and the Mayor
16 must not be from the same political party, but
17 the charter does not specify which parties those
18 appointees must represent. This means that the
19 board is strictly nonpartisan as opposed to
20 bipartisan. This means that the board does not
21 become hamstrung by bipartisan gridlock and
22 enforced matters do not break along party lines.
23 The nonpartisan nature of the board has also
24 allowed us to build a staff of qualified
25 professionals whose party affiliation is not

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1 taken into account.

2 Another critical element of our structure is
3 our continued independence. In addition to our
4 nonpartisanship, we are a non-mayoral agency,
5 which further ensures that we remain separate and
6 apart from political concerns. We have
7 independent budget authority, which was added
8 through a charter amendment proposed in 1998.
9 The board presents the mayor with its budget
10 request in March, which the Mayor is required to
11 include without revision in his Executive Budget
12 which he submits to the Council. The 1998
13 commission specifically including this proposal
14 to insulate the board from political pressure.

15 Now, I'm happy to answer questions but Eric
16 Friedman from our office has a presentation about
17 a data analysis of how the program worked in the
18 2017 city-wide election.

19 MR. PERALES: Why don't we just go?

20 MR. FRIEDMAN: Thanks very much. Again, my
21 name is Eric Friedman. I am assistant executive
22 director for public affairs at the New York City
23 Campaign Finance Board. I want to thank you and
24 the commissioners for the opportunity to
25 demonstrate the impact of the matching funds

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1 program we have and also illuminate a few areas
2 of focus for further reforms.

3 So I'm going to start with a quick case
4 study that demonstrates the effectiveness of the
5 program and why it works. So one of the things
6 that we do to explain the impact of the program
7 is to draw a comparison between what happens here
8 in the state and federal levels. So we're going
9 to look at a single neighborhood in New York City
10 and the way their incumbent representatives raise
11 funds for their campaign. I won't say which
12 neighborhood we're talking about or which
13 lawmaker because the point is not to talk about
14 the individuals but about the systems.

15 So we're going to look at a member of
16 Congress who has about a million dollar budget
17 for his reelection in 2016. As you can see, all
18 the way in the left it's got a tiny sliver of his
19 fundraising from small contributors of \$200 or
20 less, less than one percent. The lion's share,
21 more than three-quarters of his budget comes from
22 political action committees. We have a member of
23 the state senate, who has a smaller budget, and
24 does a little bit better with small contributors,
25 about seven percent, but also relies heavily on

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1 PACs and LLCs and corporations who can give to
2 candidates at the state level. Almost \$0.90 of
3 every dollar he raised comes from these special
4 interest entities. So then, we turn to a member
5 of the City Council. So you look at City
6 Council. Our City Council member actually has a
7 larger share of his contributions that come from
8 small dollar contributions, and when combined
9 with public matching funds, make up more than a
10 majority of overall funding, 62 percent. Only
11 25 percent from PACs. So if you lived in this
12 neighborhood, I mean, we're talking about
13 perceptions, right? If you lived in this
14 neighborhood what candidate are you going to
15 trust, that is, you know, who is putting the
16 interests of you and your neighbors first. The
17 matching funds program means that candidates are
18 spending less of their finite time during a
19 campaign seeking funds from these big money
20 special interest entities and more time in their
21 neighborhoods, seeking the support of the people
22 they hope to represent. It's a typical story,
23 and I think you see it repeated over and over
24 again throughout the City. By and large, the
25 majority of funds raised by candidates come from

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1 City residents. This is a little more true,
2 certainly, for City Council than it is and for
3 city wide, but the matching funds program keeps
4 candidates close to home, and when they are in
5 the City -- what you're looking at here is a map
6 of contributor activity across the City, across
7 the entire 2017 election. In some of the most
8 active neighborhoods, when it comes to small
9 dollar contribution activity are miles away from
10 what I think most people think of as the kind of
11 traditional big money contributor areas, on
12 either side of Central Park, Brooklyn, all over
13 the City, contributors are getting involved in
14 supporting candidates, and you heard Council
15 Member Menchaca, his story. Again, that story
16 again repeats itself all over the City.

17 So, some basic -- a few more basic
18 statistics about the 2017 election in the context
19 of the past few election cycles. One thing to
20 note, as we go through, is 2017 was a little bit
21 of a different election than the few previous,
22 and there were more incumbents running on the
23 ballot, really, than in any election since 2005.
24 With the way the term limits shake out. But one
25 of the things to note that the program, since the

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1 advent of the multiple match, in 2001, has had
2 consistently high levels of participation.
3 Higher than 80 percent in most cases, and higher
4 than 90 percent in the primary election, and then
5 above 60 percent in the general election. The
6 participation dipped slightly in the 2017
7 election, but still, higher than 80 percent for
8 the primary. And -- and participation in the
9 general election has really remained consistent
10 across elections. Just briefly, because of a
11 number of incumbents on the ballot and fewer
12 challengers, the overall cost of the program
13 dipped in between, \$17.7 million or so paid to
14 candidates was really the least and lowest we've
15 had since the advent of the multiple match. With
16 term limits opening up most offices for 2021, we
17 expect the number to go back up considerably. So
18 we're going to look a little bit at a few charts
19 that will illustrate the role of small dollar
20 contributors in the system. The vast majority of
21 people who do contribute are small dollar
22 contributors. That is slightly more true in
23 2017, you know, overall, and if you look back at
24 the past several cycles, between two-thirds and
25 three-quarters all contributors are giving \$175

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1 or less. Those contributions -- they make up a
2 smaller portion of the candidates' overall
3 fundraising for sure. You know, smaller -- for
4 city-wide candidates for mayor and public
5 advocate comptroller, the small dollar
6 contributions are making up probably less than
7 10 percent generally of their overall fundraising
8 whereas for council, it gets up closer to
9 30 percent pretty consistently.

10 So we're going to look next at a
11 distribution of contributions from individuals in
12 the last two mayoral elections. So on the left
13 here in green are contributors. On the right in
14 red are contribution totals, so overall dollars.
15 So one of the things you see when you look at the
16 distribution is the impact of those maximum size
17 contributions all the way on the right and
18 especially in these mayoral races. So when you
19 look at contributors, it's a little bit of a
20 J-shaped distribution. While most donors are
21 small donors, there is an uptick on that far
22 right of the chart for people who are giving the
23 maximum amount of 4,950. So for 2017 there were
24 665 individuals who gave that maximum 4,950
25 contribution to candidate for Mayor, combined

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1 with around 14,000 who gave 175 or less. Yet
2 knows 665 contributors made up nearly half of the
3 overall fundraising for mayoral candidates. And
4 as you can see, the distribution of the charts
5 looks roughly the same in 2013 as it does for
6 last year's election. It's those, you know, tall
7 bars all the way on the right that represent
8 still what is the greatest risk for an appearance
9 of corruption in the current system.
10 Contributors who can write \$5,000 checks, or who
11 can deliver piles of \$5,000 checks?

12 Looking at a similar distribution for City
13 Council, the charts look different. The small
14 contributors on the left are playing a much
15 larger role. There are more of them
16 proportionately in comparison to the larger
17 donors. And as you can see, this is a story that
18 is consistent across the past two elections. And
19 when you look at the distribution of dollars
20 there on the right, council candidates intend to
21 be much less reliant on the contributors at the
22 higher end of the scale than their counterparts
23 running for mayor. And in both cases, the
24 contributions of \$500 or less are a majority of
25 the overall money that they raise.

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1 So, just to close, when you add in the
2 public funds, it means those small dollars
3 contributors are playing an even greater role in
4 the campaigns. Again, council candidates are
5 more reliant on public funds than are candidates
6 for city-wide office though, you know, public
7 funds are still -- at least for candidates for
8 controller, public advocate and mayor -- they're
9 making up a significant portion of their budget,
10 but not nearly as much as it is for City Council.
11 One of the things we'll be taking about later is
12 finding a way to get those city-wide candidates
13 to increase their focus on the small dollar
14 contributors. And with that, I'm happy to take
15 questions.

16 MR. SIEGAL: So listening to these three
17 presentations combined, I'm focusing on the
18 anticorruption impact of the system. I think
19 it's true that, since 1989 when this system took
20 effect, there have not been indictments and
21 convictions of high-level City officials and
22 political leaders, certainly not of the sort that
23 Steve described of county party chairs and
24 borough presidents and the like, literally being
25 convicted of corrupt acts.

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1 During the same period, if you look at our
2 state government, at risk of profound
3 understatement, there have been a nearly endless
4 series of personal and governmental corruption
5 charges, trials, downfalls, et cetera. To what
6 extent do you think it's fair to attribute the
7 public matching funds system in the City for that
8 difference, and is there any reason to believe
9 that if we were to yet further lower the
10 contribution limit that it would have an impact
11 on any continuing problem of perception, of the
12 possibility of corruption at that level?

13 VOICE: Well, I guess our statistician, who
14 is sitting in the back, always reminds me there's
15 a difference between causation and correlation.
16 So I don't know if we can say the public matching
17 funds program is the cause of the difference in
18 those two facts that you pointed out. I do think
19 that it definitely different kind of people as
20 Council Member Menchaca explained, you know, from
21 his own personal story. I do think that it
22 attracts and it enables people who are a
23 different kind of -- come from a different kind
24 of experience than perhaps in the past or the
25 perhaps at the state level to be able to run and

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1 be successful in running for office. You know, I
2 think that part of the job, the program, is to
3 make the government -- the appearance that the
4 government is more responsive to the people, and
5 the small dollar matching funds program really
6 does that. You have an investment in your
7 council member or your, you know, any level of
8 office by giving a small dollar contribution.
9 They are seeking those small dollar
10 contributions, as you can see from Eric's
11 presentation at large numbers and really making
12 those contributions more valuable is a very
13 important part of the process.

14 Now, I'll steal a quote that I heard from
15 someone who is an advocate in Seattle, but, you
16 know, I think that it's a very apt description.
17 "In order to make -- to built trust in
18 government, you have to make government
19 trustworthy," and this is sort of what we're
20 trying to do. Making the government more
21 representative of the people they represent makes
22 people have more trust in their government.

23 MS. WEISER: I'm wondering if you can talk a
24 little bit, based on your analysis, of why there
25 is a dip in participation in the public financing

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1 system in the general elections, and also if
2 there are some differences in characteristics
3 between who participates and who doesn't
4 participate, and where they get their fund from.

5 VOICE: Certainly. So when you look at the
6 general election, the reason that participation
7 rate is a good deal lower, in the primaries, you
8 have a lot of candidates who don't have much
9 campaign activity. So out of 64 candidates in
10 the last election overall who didn't participate
11 in the program, 28 of them reported spending not
12 a single dollar on their campaign; and there's an
13 additional number who had very small campaigns.
14 I think there are some -- there is some number at
15 the higher end, a small number of candidates who
16 rely on self-funding. There is a number of
17 incumbent -- incumbent members of the council,
18 particularly, who didn't have much competition
19 and opted not to participate, so as not to use
20 taxpayer funds for their campaign. One of the
21 changes to the law that was enacted in 2016
22 provided the ability for candidates to rescind
23 their certification. Candidates have to opt into
24 the system by June 10th before an election. So
25 the new law, Local Law 193 of 2016 provided the

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1 ability for candidates to opt out again as late
2 as the end of July. For certain, that happened
3 about four times in 2017. So for candidates who
4 aren't sure they'll have an opponent, they can
5 kind of wait and then -- and then kind of opt of
6 the system in July, and, again it's responsible
7 for a small number of opt-outs, but together, I
8 think that's what -- hopefully that gives you a
9 little bit better picture.

10 MS. WEISER: And just to clarify, it means
11 that the nonparticipants are not largely raising
12 large outside dollars, they're just not spending
13 very much, for the most part.

14 VOICE: Correct.

15 VOICE: And one thing that's true, except
16 for people who are self-financing their own
17 campaigns, candidates who are nonparticipants are
18 bound by the same contribution limits. So their
19 fundraising patterns are, you know, similar.

20 VOICE: Again, just one other detail. So of
21 those 64 nonparticipants in the 2017 election --
22 2017 elections, only nine of them actually spent
23 higher than the spending limit for candidates in
24 the program, so just a little context.

25 MR. PERALES: Let's take advantage of the

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1 fact we don't have too many more questions at
2 this point to move on to former Council Member
3 Mendez, but you can expect questions from us when
4 you're all finished. Council Member?

5 VOICE: Thank you. Good afternoon. I have
6 been intricately involved in seven campaigns in
7 Council District 2. Three from my predecessor
8 Margarita Lopez, three for myself, and one for
9 who is now my successor in the seat. Back in
10 1995, when we were looking to run someone against
11 the incumbent, it seemed daunting to raise the
12 kind of money we needed to raise. I was part of
13 this inner circle. We were having lots of
14 meetings, and you know, we started very early
15 because we knew we still had to raise a lot of
16 money. That was when it was the 1-to-1 match,
17 and at the end of the day, the incumbent decided
18 not to run for reelection, but we had another
19 incumbent of sorts. The chief of staff to
20 Sheldon Silver decided to run and she was treated
21 as the incumbent. So luckily we had started
22 early, collecting money and doing a lot of work
23 on the ground that it helped us level the playing
24 field. I don't remember how many volunteers we
25 had then. We had many, but it was the boots on

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1 the ground from committed individuals and the
2 campaign finance and a candidate who worked like
3 a horse that enabled us to win the seat; and, um,
4 hence, years later when term limits was kicking
5 in, it was that successful run that made me
6 seriously consider running. Without the matching
7 funds, I -- I don't know that I would have left
8 my job for a year to run for office and to do
9 everything that was needed to ensure running for
10 office. By the time I ran for office in 2005,
11 though, what happened is I saw a lot of people
12 moving into the district to run, and actually,
13 one person, I don't think, really moved into the
14 district, just used an address in the district.
15 I challenged four individuals who did not meet
16 the requisite of signatures who would have been
17 eligible -- it cost me the New York Times
18 endorsement, by the way, but these individuals
19 got, you know, like, a thousand signatures or
20 less, we needed 900 signatures at the time. And
21 we had seven people then running in my seat. It
22 was still a very lively race and campaign. The
23 following years in -- in other seats and -- and
24 in other races , what I saw, even in my district,
25 were some people who weren't seriously

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1 considering or seriously running for office,
2 running because the amount of signatures had been
3 lowered in the City Council raise from 900 to
4 500, and because of the generous campaign
5 finance, they did fundraise a little bit, but I
6 took every race seriously. I was out there
7 campaigning every day, and some of these
8 individuals were not there until the very end;
9 but I think this system is very important. It
10 helps people who would otherwise not run, run. I
11 would not have convinced my successor to run if
12 we had not been able to do this successfully. If
13 as grassroots activists, we had not had a winning
14 formula and a background in our community to show
15 that people will take us seriously and -- and in
16 all those cases, we all, when it was an open
17 seat, did not work for like close to a year in
18 order to dedicate ourselves to the race. So the
19 campaign finance didn't help pay our expenses,
20 but it made us viable candidates and that was
21 important. I'm two minutes left or two minutes?
22 I'm trying to remember -- there were a couple
23 other things and I didn't write down a little
24 list for myself.

25 MR. PERALES: I have got a couple questions

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1 that may help you get to that.

2 VOICE: Sure, let's do that.

3 MR. PERALES: I know the prior questioning
4 has gone to the issue of corruption and how this
5 system has, perhaps, helped limit corruption.
6 I'm more interested in more candidates getting
7 into the race and I think you spoke to the fact
8 that you see yourself as a grassroots candidate,
9 that you were a part of a group that was
10 grassroots, and you suggested that you may not
11 have been able to run, had it not been for the
12 contribution matching. Do you think that
13 increasing the matching percentage will result in
14 more candidates running? Do you see more
15 candidates running as a good thing or a bad thing
16 because you sort of implied that sometimes people
17 will move in to a district to run, who may not
18 have much constituency support.

19 Just talk a little bit about the impact that
20 you think raising contribution limits, the match
21 to a much greater extent would make a difference.

22 VOICE: I -- you know, I think more people
23 running is a good thing. I do think, though,
24 that, you know, when we had the higher limits of
25 signatures, then we did out people who were

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1 really not serious about running. I also think
2 that there should be some kind of residency
3 requirement. Like I said, there was one
4 individual that I know that did not live in the
5 district. He used someone's address and got
6 matching funds, hooked up with one of my
7 political opponents who helped fundraise and meet
8 the -- the criteria to get the matching funds.

9 So I think it's important. I think more
10 money will help more people run. But I also
11 think it needs to be tempered with something a
12 little more stringent so that people who are
13 serious about running are benefitting, and other
14 people who are just running as spoilers, or, you
15 know, trying to be a pain are -- are out there.
16 So there was one year where I had one candidate,
17 and he was the only candidate, and he wasn't
18 serious about running, and he qualified to be on
19 the ballot because of the lower amount of
20 signatures and the campaign finance ability.

21 MS. SEECHARRAN: Is this on?

22 MR. CARRION: (Indicating.)

23 MS. SEECHARRAN: Sorry, you just mentioned
24 that --

25 MR. PERALES: Why don't you introduce

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1 yourself, because you got here a little late and
2 no one knows who you are.

3 MS. SEECHARRAN: Thank you. Thank you, and
4 my apologies for getting here late. So my name
5 is Annetta Seecharran and I run an organization
6 called Chhaya Community Development Corporation
7 based in Queens. So you just mentioned that
8 there should be some more stringent rules tied to
9 -- if -- if we were to, um, support, um,
10 increasing the matching funds that there should
11 be some more stringent rules tied to that. What
12 are some -- some thoughts you might have around
13 those kinds of rules?

14 VOICE: Well, the, um, residency requirement
15 which I think you in -- well -- I -- I don't know
16 how long you have to live in the district. I
17 know when there is a redistricting, you don't
18 have to live in the district. As my 2013
19 campaign candidate did not live in the district,
20 but said he would move in. Certainly, people who
21 have a lot of money can sort of decide what
22 district they want to move in to run, if it's
23 more appealable. Those options are just
24 sometimes not available to other grassroots
25 candidates. And you know, the amount of

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1 signatures, I think it's important. The state
2 changed the amount for City Council from 900 to
3 500. So in 2017, I -- I ran for a small
4 political post called Democratic District Leader.
5 I immediate needed 500 signatures in what we call
6 the heart of Alphabet City. From Avenue B to the
7 East River, from 14th Street to Delancey. Our
8 City Council candidate needed 500 signatures from
9 East Broadway to 35th Street, from 5th Avenue to
10 the East River.

11 So, um, you know, um, there seems to be a
12 discrepancy, and, you know, people who are moving
13 into districts or who have been there for a
14 little while and decide to run, I think when they
15 -- I think previously when they look at those
16 higher numbers on what they need to qualify on
17 the ballot would make a decision on whether
18 they're going to run now or in a couple of years
19 and put more work into the community. So I, you
20 know, and that's a state issue, how many
21 signatures are needed to qualify for a particular
22 seat.

23 MR. PERALES: I've got a follow-up question
24 that is not, perhaps, directly related to what
25 we're been talking about, but in return for the

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1 receipt of public matching, city-wide candidates
2 are required to participate in debates; is that
3 not so?

4 VOICE: That's correct, yes.

5 MR. PERALES: Yet, members -- candidates for
6 the City Council receive public funds and need
7 not participate in any debates. Is that also
8 true?

9 VOICE: That's correct. The law does not
10 have a debate requirement for main office --

11 MR. PERALES: Exactly.

12 VOICE: -- but city-wide offices.

13 MR. PERALES: I, for one, don't understand
14 that, but not that I want you to see the answer,
15 but would you, former Council Member Mendez,
16 given your sense that there are people that show
17 up, wanting to run for office, who have no
18 relationship to the community. Do you think it
19 would be good if everybody were to forced to
20 debate?

21 VOICE: You know, I don't know what would be
22 entailed administratively with doing debates in
23 every district. I mean, there have been cases in
24 which we've seen, you know, 12 candidates in a
25 City Council seat. I can tell you there are

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1 always debates. So a lot of the not-for-profits
2 in the community will do debates, the League of
3 Women Voters, I know in my race and in some other
4 races have always done debates. So there's
5 always an opportunity for people who are
6 interested to catch those debates. Now with
7 social media, you know, they get live-streamed.

8 So I remember we had a local debate this
9 past -- last summer for the City Council race on
10 -- it was on housing and cultural groups and it
11 was being live-streamed through Facebook and a
12 lot of people were able to --

13 MR. PERALES: I'm not trying to be rude, but
14 is that a yes or a no? Do you think, if you get
15 money from the citizenry, from the public, you
16 should be required to participate in at least a
17 debate?

18 VOICE: I think you should participate in a
19 debate. I don't know that it needs to be
20 organized by the City.

21 MR. PERALES: Thank you.

22 I think we've got one more panelist,
23 Professor Michael Malbin. You've got the floor.

24 VOICE: Thank you, Mr. Perales.

25 Members of the board, staff, does this work?

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1 My time begins when it works.

2 So I gave you a much longer written
3 statement, I'll submit that for the record. I am
4 going to summarize. Yes, I was asked to speak
5 about where the City fits nationally. This first
6 slide -- in order to save time I'm not going to
7 spend a lot of time on that first slide. The --
8 the types of public financing systems, before the
9 City went to multiple match, matching grants,
10 partial grants, mixed systems, tax credits,
11 rebates, most of those began in the 1970's after
12 Watergate. Starting in the 1990's, 1996 in
13 Maine, there was a move toward -- three states
14 adopted full public finding. The goal behind
15 full public financing was to get all private
16 money out of politics or out of candidate
17 support. That system is still going in those
18 three states and still doing reasonably well with
19 modifications, but they were given a -- there was
20 significantly hamstrung by a Supreme Court
21 decision that affected a form of differential
22 support for candidates, and in addition, Citizens
23 United made it absolutely clear that you can't
24 get big -- large money out of politics. You can
25 get money out of -- going directly to candidates,

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1 but clearly, independent expenditures are
2 constitutionally protected. The City was the
3 first to adopt a multiple matching system of more
4 than two-for-one. And what was important about
5 the City is that it was the first one to
6 articulate and act seriously on a different goal;
7 and that goal was to stimulate citizen
8 participation and small donor participation.
9 That was new. It didn't really catch on in a lot
10 of other jurisdictions. It was mentioned, a
11 number of us mentioned it was something you
12 should look at. But where it really caught on
13 was after Citizens United and people realized, ah
14 hah, we can't get private money out, but maybe we
15 can build from the bottom up, and that will
16 change the balance in the system, and then you
17 began seeing a lot of other jurisdiction looking
18 at it. Los Angeles became the second major city
19 to adopt multiple match, and then you have new
20 ones since. Montgomery County, Maryland has gone
21 through the first set of primaries since then,
22 and District of Columbia and Howard County,
23 Maryland are enacting, but have not yet gone
24 through a test, and then there's yet another new
25 set of system vouchers adopted in one City so

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1 far. It's new, again, it's only had a partial
2 test. We cannot really -- if something's only
3 gone through a couple of council districts, you
4 cannot definitively say it's working, not working
5 or what are the side effects.

6 Because the City had a different goal, not
7 that it was rejecting the other goals, but was
8 adding this other important goal about bringing
9 in new small donors to see if my organization
10 decided to make this a focus of a lot of its
11 research. We suspected, as the council member
12 had said earlier, that this could really have a
13 transformative effect on the system, not simply
14 about money but through parlaying candidates
15 recruitment of small donors in the district, and
16 converting them into volunteering and so forth.

17 And so we looked at it, and we did a number
18 of studies, many of them published in
19 peer-reviewed journals. We did find strong
20 effects when we looked at the City comparing
21 itself to itself over time.

22 But in order to -- again, to have a really
23 good serious test it was valuable to have more
24 than one city, which wasn't possible until 2013
25 -- until 2011, rather. And so Los Angeles joined

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1 -- I said 2013 -- it's really 2011 and '13 were
2 the years of the election. And so we did this
3 next article that compared New York City to Los
4 Angeles and we did a fairly sophisticated
5 differences and differences test. I'll give you
6 just one of the many graphs we put in there to
7 give you a flavor of it. In order to control for
8 the fact -- you know, it could be that
9 contributions from small donors go up just
10 because the economy gets better, or it could be
11 that people care more about City Council more
12 than they care about state legislature. You need
13 to be able to control for differences across
14 jurisdictions if you're going to make a serious
15 test. The way we did it is, we looked at donors
16 for City Council races compared to state
17 legislative races covering the same geographic
18 area. And we looked at census block groups,
19 which is much smaller than Zip code, so you get
20 much more refined analysis and what counts is not
21 the absolute number higher. What counts is, did
22 the difference -- what's why it's called
23 difference and differences -- did the difference
24 between City Council and state legislature change
25 after legislative reforms? And the answer was

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1 yes, in New York City. The gap widened. No, in
2 Los Angeles. The gap did not widen. Similar
3 looking programs, um --- hello -- now, other
4 parts of the research went further, the impact is
5 not only on the numbers of small donors. The
6 donors have also been more representative. The
7 following table compares small donors in City
8 Council elections with other jurisdictions in
9 other offices. In this table, you're measuring
10 what did -- since a lot of groups with small
11 donors -- how do they compare to the City as a
12 whole? And if you're at 100 percent it means
13 you're exactly represented. If you're at
14 110 percent, it means that you're higher than the
15 City as a whole and so forth. So basically, in
16 New York City, almost everywhere, you have small
17 donors. That's just not true with most other
18 jurisdictions and most other races.

19 MR. GEWOLB: You've got about one minute
20 remaining.

21 VOICE: I got a lot more to go. I mean, if
22 you're not interested, that's fine, seriously.

23 MR. GEWOLB: Okay.

24 VOICE: Okay, the, um, what this tells you
25 is that in New York City, small donors almost

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1 perfectly matched -- CVGs -- almost perfect
2 matched in the City and income, poverty level,
3 racial composition, not true in other
4 jurisdictions, not true for other offices.

5 Bottom line of the article, New York City's
6 program was effective in races -- in, in City
7 Council races in increasing small donors, number
8 proportional to reports of demographic diversity.
9 Not true for Los Angeles, but also not true for
10 city-wide races in either city -- I didn't bother
11 showing you that, the mayor is very different.
12 The important point for your job is that the
13 differences in results seem partly connected to
14 very detailed decisions about program design.
15 You can't just say, what if I did this to one
16 aspect of the program without looking at its
17 interactions with all the others?

18 Now I want to say -- I'll get to say more
19 about program design later, but I want to get to
20 2017. The fact about 2017 is that small donor
21 numbers took a major step downward in 2017. Our
22 -- our article took you through 2013. Here's
23 what happened in 2017. Look at the red numbers.
24 Percent of money from small donors, private money
25 only, City Council candidates, 29 percent. This

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1 is even lower than before you had multiple
2 matching. Take this seriously, this is a big
3 drop. Now, can I tell you exactly what the
4 causes are? No, but the number was striking. In
5 addition, when you compare mayor -- we'll go back
6 here. This one doesn't give you mayor. If you
7 compare mayor to other city-wide elections, yes.
8 No matter, in every election, the percent of
9 money from small donors going to mayoral
10 candidates is way lower than for City Council,
11 even lower than -- about half the number for City
12 Council in 2017.

13 So two major sets of conclusions. One,
14 mayors compared to City Council, small donors are
15 less important to mayoral candidates, both cities
16 all years. Mayoral donors show less geographic
17 demographic diversity in both cities. Mayor and
18 city council in both cities rely more on small
19 donors than state assembly. City council, major
20 drop in 2013 to '17 but still double the mayor.
21 Explanations and recommendations to come in the
22 second panel. Those are big findings.

23 MR. PERALES: Thank you very much. I see a
24 hand over there. Liran?

25 MS. ANGELO: Thanks. Do you think that the

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1 lack of response or the lack of impact in a place
2 like Los Angeles or the difference in impact
3 between LA and New York has anything to do with
4 either voters becoming accustomed to having
5 matching funds. So if it's very new in the city,
6 it may not have, kind of, sunk on down to the
7 level of the voter, and I guess the other thing
8 would be, is there a tipping point, you think, in
9 terms of how much of a public match there is? I
10 mean, six-to-one is quite substantial. Perhaps
11 one-to-one doesn't seem like that much. When
12 you're giving \$10, it's worth \$20. You're giving
13 \$10, this gets you 60 more. It's a bit
14 different.

15 And I guess my last question is, for the
16 drop in council elections, is it incumbency? I
17 know at a certain point you just assume the
18 incumbent is going to win, or perhaps you want
19 the incumbent to win, and there's less incentive
20 to invest your money.

21 VOICE: If I forget one of the three parts,
22 remind me.

23 One, yes, I do think there's an
24 acculturation effect. I do think that it becomes
25 part of the culture when candidates use the

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1 incentive to activate their citizen; however, the
2 real -- understand that the real effect is not
3 directly on donors. That's not the way this
4 thing works. The real effect is on mobilizers.
5 It's on whether -- the candidate perceives it to
6 be worth it to spend his or her time mobilizing
7 people in the district to give small
8 contributions. People don't -- there's a lot --
9 there's experimental research on this. The
10 two-to-one, four-to-one -- this doesn't make a
11 difference if you go directly to the donors in an
12 experiment. It does work because contributions
13 require people to be asked.

14 Now, we did not find a big difference
15 between the four-to-one and the six-to-one match.
16 We did find a big difference between one-to-one
17 and either four or six. Would it make a
18 difference if you went to 10? I don't know, I
19 suspect yes. But, again, I suspect it because
20 what's going on is the key thing you're trying to
21 estimate -- there's no hard science for this --
22 is what will motivate the candidate, and that
23 interplays with contribution limits, it
24 interplays with spending limits, it interplays
25 with fears of independent expenditures, and I

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1 will get to all of that in the other part. Did I
2 get all three parts of your question?

3 MS. ANGELO: Incumbent.

4 VOICE: When you looked at incumbents one
5 year and incumbents another year, non-incumbents
6 one year and non-incumbents another year, there
7 was a drop in the percentage of money raised by
8 incumbents. So it wasn't only that there were
9 more incumbents, but when you drill for
10 incumbents, there was still a drop.

11 MS. WEISER: On the same, did you look at
12 independent expenditures from one year to
13 another, and whether there was a difference in
14 them, and did you explore whether that accounted
15 for any of these differences?

16 VOICE: No, I did not study independent
17 expenditures in the city in both years.

18 MR. PERALES: John?

19 MR. SIEGAL: So I hear your admonition that
20 small changes in program design can have big
21 impacts. The corollary of that is something
22 that's always true in public policy, which is
23 changes will have unintended consequences.

24 VOICE: All right.

25 MR. SIEGAL: If we change the matching level

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1 from six-to-one and increase it, will that have
2 an impact in other jurisdictions where you do
3 work or you follow the advocacy efforts, where
4 people who are trying to get matching systems
5 like ours will run up against, well, they did
6 that in New York and they had to go raise it and
7 they had to go spend more public money, so if we
8 make it a richer match, will we be undermining
9 advocates in other cities who are trying to get
10 systems -- who are trying to inaugurate systems
11 along the line of ours?

12 VOICE: First, on the unintended
13 consequences, I think what you need to be
14 concerned about is not just any one element of
15 the system. When I talk about detail, it's the
16 way the details interact. It's the way limits
17 interact with -- and I will speak directly to
18 this in the recommendation phase.

19 I might increase -- this other point, the
20 cost point, I will also speak to, but I will take
21 the opportunity to respond on this one. Might
22 people flinch if they saw that you had to go up
23 to ten-to-one? The answer is, at ten-to-one or
24 whatever, the cost is still, from my perspective,
25 although not from tabloids' perspective -- from

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1 my perspective you're still talking small change.
2 It's really cheap to run this program compared to
3 giving one zoning variance to one big donor.

4 MR. PERALES: We've got one for Liran.

5 MS. ANGELO: I would just add, from the
6 tabloid perspective, it doesn't matter how small
7 the match is. It could be a very big headline.
8 So I hear what you're saying. It doesn't much
9 matter much in terms of bad publicity because you
10 will get it.

11 VOICE: Yes.

12 MR. PERALES: Dale?

13 MR. HO: Thank you so much for coming in
14 this afternoon. I just have a question. It
15 wasn't something that you addressed in your
16 comments. So this may be something that you've
17 encountered in your research. It might not be.
18 But is there any research out there, or are you
19 aware of any that finds any kind of linkage
20 between the percentage or the number of donations
21 that -- contributions -- I'm sorry -- that
22 candidates are receiving from smaller donors as
23 opposed to larger ones, the relationship between
24 that and the confidence in elections or
25 appearance of corruption or mistrust of the

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1 system. I mean, I think, anecdotally we probably
2 have a gut instinct there. But I'm just
3 wondering about what kind of empirical evidence
4 may be out there that you might be aware of.

5 VOICE: Short answer, no. There's too many
6 intervening variables. So there's a lot of bad
7 research that says no. For example, hey, we have
8 contribution limits at the federal level since
9 1974, and confidence in the government has gone
10 down. Yes? Couple of wars, couple of
11 recessions, there's too much else going on and,
12 no, the research is not good.

13 VOICE: If I can answer your question from
14 him. We did do -- I mean, and this is not
15 exactly on point, we did do research with CUNY to
16 analyze whether people were more likely to vote
17 if they were contributors. And our analysis came
18 out that people were -- contributors were three
19 times more likely to vote. Now that doesn't
20 necessarily mean that they have more confidence
21 in government, but it does mean that they're more
22 civically active.

23 VOICE: And I think voters are more likely
24 to contribute; that is, as you said earlier,
25 correlation and causation. However, there's

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1 strong reason to believe that -- you see, voting
2 is on the low end of the participation scale.
3 There's -- there's reason to believe that
4 activating people to give \$10 is what Council
5 Member Menchaca was saying, that it does get
6 people to activate, volunteering, which
7 indirectly gets turnout working; but it's more
8 complex.

9 MR. PERALES: Let me give my thanks to the
10 panel. It's been very instructive. I know some
11 of you are going to stick around and be on the
12 next panel, but again, my thanks. And members of
13 the next panel, get ready.

14 VOICE: I need a minute.

15 MR. PERALES: You want to talk a minute?
16 Sure. Go ahead.

17 VOICE: You can start without me.

18 (Whereupon, a short recess was taken.)

19 MR. PERALES: Let me begin by making some
20 announcements. The Brooklyn borough president
21 Eric Adams, is slated to be on this panel, but he
22 has been delayed, so we will proceed without him.
23 I know he's got a very busy schedule, so I may
24 call on him next when he does, in fact, arrive.

25 With that, let me indicate that this, as

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1 opposed to Panel One, is focused on actual
2 proposals for campaign finance reform.

3 And let me run through the list of
4 panelists. Alex Camerada from Reinvent Albany
5 Rachel Bloom from the Citizens' Union, Frederick
6 Schaefer and Amy Loperez from the Campaign
7 Finance Board. I indicated the borough president
8 of Brooklyn will hopefully join us, and we will
9 still have Professor Michael Malbin, Campaign
10 Finance Institute. And I hope you're not
11 offended because we're going to try to keep folks
12 to their schedule. We're running tight again.
13 With that, let me start with Alex Camerada.

14 VOICE: Thank you, Chair Perales and members
15 of the charter revision commission. I'm Alex
16 Camerada, a senior policy advisor for Reinvent
17 Albany. Reinvent Albany advocates for
18 transparency and accountability in state
19 government, and we are leading champions for
20 transparency in New York City government,
21 especially strengthening open data and freedom of
22 information law.

23 I'm going to summarize much of my testimony
24 because of matters of time. So we were asked to
25 comment on three specific proposals the

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1 commission is specifically looking at.

2 One is increasing or eliminating the cap on
3 public matching funds. The second is lowering
4 the campaign contribution limit, and the third is
5 increasing the match rate beyond the six-to-one
6 match currently in the first \$175 of any campaign
7 contribution. So in short, we support all three
8 of these proposals. We think all should be done
9 simultaneously, and I would echo what Michael
10 mentioned earlier about a lot of interplay
11 between these three different proposals. You
12 know, we went back and forth internally as to
13 whether we would support some of them solely.

14 First, regarding the cap on public matching
15 funds, as you know, from the earlier hearings
16 there's currently a 55 percent cap of the
17 spending limit for the office a candidate seeks
18 on the amount of public matching funds they can
19 receive. We think that should be lifted
20 entirely, which effectively raises it to 86
21 percent of the spending limit for the office.
22 The reason it's not 100 percent is one-seventh of
23 the money under the current public match rate
24 would be from private funds that were 14 percent.
25 There's a Kallos Bill in the City Council that he

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1 testified to this commission about. It was
2 introduced before the last council and also this
3 council. It has quite a bit of support that it
4 would lift the public match cap altogether.

5 As part of advocacy for that bill, we did
6 put out some data with Represent Us New York
7 about a fundraising by council members. It
8 echoes some of the data that Michael presented.
9 It's a little bit different because we only
10 looked at the candidates who won, and mainly the
11 council members who are currently in office and
12 we looked at the base amount of the contribution,
13 not the allocation of the public matching
14 portion. So if you look at Page 2 of my
15 testimony, you'll see that council members
16 currently in office raise an overwhelming portion
17 of their funds from what we call larger
18 contributions to the amount of above \$175 and we
19 have it at 88 percent of the money that they
20 raise comes from contributions larger than 175.
21 Even when we looked at the thresholds for 500 and
22 1,000, you can still see, when looking at the
23 dollar value, it's quite high. Now, in the
24 appendix of my testimony, you can see a breakdown
25 for each individual council member. You'll also

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1 note that there's a second chart in the
2 second-to-last page of my testimony in the
3 appendix that shows that when you look at it by
4 contribution, council members raise a majority of
5 their contributions from small donations. But
6 when you look at it in dollar terms, that's where
7 you see these stark differences.

8 Michael's number was 29 percent. The reason
9 there's a difference, I believe, is because he
10 was looking at all candidates, not just the ones
11 who won, and also, because he was looking how the
12 public match portion was allocated.

13 I think it's notable that for the public
14 match portion, the match is provided not just a
15 small contributions up to 175, but also any
16 contribution, and so we support actually
17 eliminating the match for the amount above 175
18 which would also save the City millions of
19 dollars.

20 I also wanted to note on the public match
21 cap, that looking at the 2013 races for both City
22 Council and mayor. So 168 candidates ran for
23 City Council in 2013. 51 of those candidates hit
24 the public match cap -- that's 30 percent --
25 during the primary election. In the general

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1 election 15 candidates did, so I think that
2 points to the need to lift the public match cap,
3 particularly for City Council, and to lift it
4 significantly, because you have 30 percent of the
5 candidates actually hitting it for the primary
6 election.

7 For the mayoral election Kallos put out data
8 that showed that 49 percent of the funds raised
9 for City Council came from the largest
10 contribution possible, which was \$4,950. Now
11 it's 5,000, and just 5 percent of the funds came
12 from contributions of \$175 or less. So it really
13 is important for city-wide races to incentivize
14 small dollar fundraising but also important for
15 the City Council, at least based on the data from
16 the last election on lifting the size of the
17 contribution limits. We recommend lowering the
18 contribution limits by 50 percent on Page 4 of my
19 testimony --

20 MR. GEWOLB: Alex, about two minutes left.

21 VOICE: Okay. I provided some comparisons
22 to other localities. New York City contribution
23 limits, much to our chagrin as advocates are
24 actually not all that much higher than other
25 places. They are significantly higher than Los

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1 Angeles, they're actually lower than Chicago and
2 looking at New York City, if you believe New York
3 City is more like a state because of its size, we
4 found looking at contribution limits for
5 individuals for state legislatures, the median
6 for governor was 3,800. We have a higher -- I'm
7 sorry, roughly similar limit for mayor and
8 city-wides and the median was 1,000 for state
9 senate and state house. The caveat there is
10 depending on the place. The contribution limit
11 -- it could be per year, it could be per election
12 or it could be per election cycle. So the
13 comparisons are a bit difficult, but generally
14 speaking New York City's contribution limits seem
15 roughly comparable to other places, but generally
16 speaking across the country, contribution limits
17 are pretty high. Particularly when you think
18 about people who make contribution. I think
19 Michael presented data previously, over 98
20 percent of the people in the city do not give any
21 campaign contributions. The median household
22 income is \$58,856. So really, when you look at
23 people who give contributions, particularly large
24 ones, it's a very select group of people. It
25 tends to be older, white males. Obviously their

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1 voice should count, but what -- the purpose of
2 the city's system is really to make sure
3 everybody's voice counts. And clearly, we need
4 to elevate those who have less money, in our
5 view.

6 As far as the last proposal we're asked to
7 comment on, which is increasing the size of the
8 six-to-one match, we heard history how it's gone
9 up over time. We looked for data to support that
10 making a difference. We did not find a lot. We
11 found that in 2009 the number of first-time
12 contributors did go up from 28,170 to 33,900.
13 When the match was raised from two-to-one to
14 four-to-one, I believe. I'm sorry, from
15 four-to-one to six-to-one, and the proportion of
16 first-time contributors giving small
17 contributions also went up at that time from 68.7
18 to 83 percent. I think an interesting place to
19 look at, although relatively new reforms, is
20 Montgomery, Maryland. They have a tiered public
21 matching rate. So it -- the way it works is the
22 public match actually is larger for smaller
23 contributions, and it phases out as the
24 contribution increases in size.

25 MR. PERALES: I think your time is up

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1 Mr. Camerada.

2 Let me ask a quick question, because it
3 relates to something you said, and I think
4 Professor Malbin also made reference to it, which
5 is the interplay between the changes, the fact
6 that you've got to look at the entire design of
7 the system. One of the things that I'm
8 interested in, and I've asked this question
9 before, whether or not increasing the match
10 basically will bring in many more candidates. I
11 just have a sense, instinctively, that I assume
12 that is true. Has anyone studied that? Has
13 there been any -- is there any evidence to
14 suggest that if you raised the match from
15 six-to-one, from seven-to-one, or ten-to-one,
16 whether or not it's going to have a real impact
17 on the number of candidates?

18 VOICE: The only peer-reviewed work on the
19 impact of public financing looks at the full
20 public financing, and the answer is yes, it did
21 have an effect, a positive effect on candidate
22 emergence. There's been no comparable studies
23 for looking at matching rates.

24 VOICE: If I could just add, I think our
25 concern is that we want candidates to have the

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1 biggest pool of donors possible. We don't want
2 to see a narrowing of the pool, and so when you
3 increase the match rate -- I mean, I just did
4 this on the back of an envelope for City Council,
5 if you keep the same spending limit, it would
6 reduce the number of contributions, small
7 contributions that they would need to raise from
8 180 to 135, so it's not necessarily a positive
9 thing, to have fewer contributors. The idea
10 would be, you want a candidate to have a broader
11 set of --

12 MR. PERALES: But you -- back of the
13 envelope -- what happens if you bring in more
14 candidates?

15 VOICE: I don't know about that. I was
16 looking at it from a perspective of one
17 candidates and their donors.

18 VOICE: One of the hard -- reasons this is
19 hard to analyze in New York City is because it's
20 hard to parse out the effects of term limits and
21 the interplay of having an incumbent running for
22 office versus insurgents. So we look at -- there
23 are a large number of candidates running always,
24 but when there's an open seat there's generally
25 more candidates. So it's hard to parse out the

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1 effect of the matching rate versus the, you know,
2 effect of the term limit.

3 MR. PERALES: Wendy.

4 MS. WEISER: Just one question. Would that
5 be -- would you -- would that be addressed or
6 helped by increasing the spending limit, and what
7 would your view be on that?

8 VOICE: Well, in the context of the three
9 proposals we were asked to comment on, we thought
10 lifting the public match cap would address the
11 fact that you're also narrowing the donor pool
12 potentially by lowering the or by increasing the
13 match rate. But yes, you could also increase the
14 spending limit. I don't know if we would
15 recommend that.

16 MS. WEISER: Thank you.

17 MS. SEECHARRAN: Over here.

18 Okay. So Alex. Just to -- just so I am
19 clear in what you're saying, you're saying that
20 you're not recommending an increase in the
21 matching, but in the previous panel, we heard
22 some pretty compelling arguments for suggesting
23 that the matching has been very effective in
24 increasing the kinds of candidates, the diversity
25 of candidates. So are you saying that it works

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1 as is, the matching piece, but you are
2 recommending that the limit be lowered?

3 VOICE: So we support increasing the amount
4 of public match range from six to one we didn't
5 -- what it should be raised to we think that in
6 addition for the three reforms that were
7 mentioned that the -- that contributions above
8 175, which is currently the case are matched. We
9 don't think those contributions should be
10 matched. We think we should incentivize small
11 donor giving, and the best way to do that is to
12 only match the amount up to 175, and not the
13 first 175 of a \$5,000 contribution, for example.

14 MR. PERALES: Let's move onto Rachel Bloom.

15 MS. BLOOM: Thank you. Good afternoon,
16 Chair Perales and members of the Charter Revision
17 Commission. My name is Rachel Bloom and I'm the
18 director of public policy and programs at
19 Citizens Union. Thank you so much for having the
20 opportunity to share our recommendations on
21 campaign finance with you today. Over the last
22 three decades New York City's campaign finance
23 program has positioned itself at the forefront of
24 efforts in the face of ever-increasing influence
25 of big money in political campaigning. It is a

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1 claim throughout the country as a ground breaking
2 model of how a municipal campaign finance system
3 can transform elections and bring about a much
4 more diverse range of candidates.

5 The following are our thoughts, concerns and
6 recommendations for the commission to consider on
7 the subject of campaign finance, and I will note
8 that much like Alex, I imagine I won't get
9 through all of it, but I did bring copies and
10 leave them at the desk for all of you. I don't
11 know if you have them in front of you.

12 So the first thing of the issue of
13 increasing public funds for candidates. We are
14 -- Citizens Union is neutral on the issue of
15 increasing public funds given to candidates;
16 however, if the commission chooses to do so, we
17 note some concerns regarding the potential impact
18 that we wanted to highlight for you.

19 MR. PERALES: Could you just clarify
20 something for me? Are you talking about
21 increasing the match or just overall --

22 MS. BLOOM: Increasing the public match,
23 yes. The first concern we have is qualified
24 expenditures. Matching funds from the Campaign
25 Finance Board can only be used as qualified

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1 expenditures as dictated by law. So matching
2 funds cannot be used, for instance, in advance of
3 the calendar year of an election, to pay family
4 members or for ballot litigation. The more a
5 candidate receives in matching funds, the less
6 they will be able to spend on unqualified
7 expenditures.

8 The other thing we wanted to raise was
9 documentation requirements. A candidate relying
10 upon the CFB for matching funds is required to
11 keep detailed receipts of all of their expenses
12 and to submit them for review. Candidates must
13 maintain and may be required to produce these
14 copies of checks, bills, and other documentation,
15 and which obviously makes sense for public money;
16 but Citizens Union has concerns that if the
17 amount of matching funds rise, so will the
18 justifiably heavy burden of submitting all
19 required paperwork to the CFB, and if you have
20 ever attended a hearing about the from people who
21 have run and gone through the system, this is
22 something you hear, a lot of treasurers talking
23 about the paperwork and how burdensome it is, so
24 the more we increase the match that's more of
25 something we need to sort of be keeping aware of.

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1 The second thing we wanted to highlight is that
2 we support prohibiting public funds for
3 consultants that also lobby. Citizens Union
4 believes that participants in the City's campaign
5 finance program should be banned from using
6 public matching funds to purchase strategic
7 campaign consulting services from firms that also
8 lobby. While we do not take the position that
9 these campaigns cannot hire these lobbyists, we
10 do believe that public funds should not be
11 allowed for this purpose. We are concerned about
12 the possibility of lobbyists having undue
13 influence with the politicians they may have
14 helped to elect. So that is our second proposal.

15 Another thing that we wanted to focus on is
16 improving laws regulating elected officials'
17 nonprofits. In the end of 2016, Local Law 181
18 brought nonprofits that are affiliated with
19 elected officials under certain campaign finance
20 regulations, closely regulating a proposal put
21 forward by Citizens Union. We believe that the
22 council missed some key opportunities to ensure
23 that organization under the influence of an
24 elected official are appropriately regulated to
25 prevent the circumvention of campaign finance

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1 rules or the appearance thereof. Under current
2 law an organization affiliated with an elected
3 official is defined as an entity for which the
4 official or their agent is the principal officer
5 with control over the organization or which was
6 created by the official or agent in recent years.
7 This definition is, by our belief, too narrow, to
8 properly determine whether an official controls
9 an organization, or whether it is independent, we
10 recommend that additional factors be considered,
11 including whether the official's political
12 operations and the organization do things like
13 share office space, resources, consultants,
14 whether the organization sponsors programs
15 primarily featuring the official, and whether the
16 organization has directors or managers with close
17 ties to the official. The law does, however,
18 leave open the possibility for the conflict of
19 interest board to develop criteria to define
20 control in such a way, um, and so that is another
21 one of our recommendations.

22 MR. GEWOLB: Rachel, you've got about
23 two minutes.

24 MS. BLOOM: Two minutes, okay. Briefly --
25 I'm not going to go into detail. We have much

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1 greater detail in our written testimony. I know
2 at different hearings, people, union
3 representatives, have supported altering laws
4 regarding campaign coordination between unions.
5 We support subjecting candidate coordination but
6 not communication with union members to campaign
7 finance regulations. We believe communications
8 between an organization and its members should
9 not be impeded in any way when those
10 communications are not coordinated with a
11 candidate, but when a candidate directs the union
12 to act as an arm of his or her campaign and
13 conduct its campaign work, we believe this must
14 be considered a direct in-kind contribution and
15 should be regulated under the City's campaign
16 finance laws.

17 Our last two points, very quickly, we
18 support enacting war chest restrictions, and,
19 finally, we support transferring lobbying,
20 reporting and enforcement to the Campaign Finance
21 Board. We are concerned that the city clerk is
22 responsible for lobbying oversight and
23 enforcement when that position is held by someone
24 who is appointed by the City Council, the very
25 entity of which lobbying of officials occurs. We

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1 believe this is a conflict of interest that must
2 be removed and that the CFB is uniquely
3 positioned to take on this oversight role. We
4 recommend that lobbying and reporting
5 responsibilities are transferred from the city
6 clerk's office to the Campaign Finance Board to
7 create a more independent system of lobbying law
8 enforcement and that the CFB be given sufficient
9 resources to take on these new responsibilities.

10 We thank you today for the opportunity to
11 share our -- share our thoughts, and we look
12 forward to the continued work of the commission
13 in assisting and making changes in the form and
14 function of our City government. Thank you.

15 MR. PERALES: Thank you. John?

16 MR. SIEGAL: Two questions. First, the
17 proposal to restrict payments to consultants who
18 also lobby, and in terms of qualified
19 expenditures. Sounds great. I could imagine a
20 lot of people advocating for that. Have you
21 given thought to the details, for instance, how
22 could you do that? How could you have an impact
23 on a campaign consultant who after an election
24 registers to lobby? Is the proposal that
25 qualified matching funds could not be paid to

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1 people who had previously lobbied, or would it be
2 forward-looking, and if so, how could that work?

3 VOICE: I think, you know, um, as with
4 everything, the devil is in the details. I think
5 as it stands we were sort of just talking about
6 -- we were thinking about people who engage in
7 both at the same time, which is a lot of
8 agencies. You know, we can't -- what someone
9 does in the future is sort of -- not something we
10 can control. I imagine you could put a time
11 limit perhaps on -- on their ability to lobby,
12 but we're sort of at this moment talking about
13 people engaging in both simultaneously.

14 MR. SIEGAL: Second question, really not to
15 you, but to others on the panel, does the CFB
16 want to be in the business of doing lobbyist
17 regulation?

18 VOICE: Are you talking about that proposal
19 or the proposal about the moving of the lobbying.

20 MR. SIEGAL: Moving the lobbying, but also,
21 if you have views on this because I, you know,
22 both.

23 VOICE: As far as the second, the -- about
24 moving the lobbying, I mean, obviously, you know
25 the ideas of an independent regulatory -- I mean,

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1 that's what we do. We're an independent body so
2 we don't really have a particular opinion about
3 that. If the idea is that Citizens Union is
4 making recommendations that an independent
5 organization regulate -- you know, deal with the
6 administration of lobbying registration, you
7 know, we are an independent organization.
8 Whether or not that makes us the uniquely able to
9 be able to do that, you know, I know I leave it
10 to you to decide.

11 On the other provision, I share some of the
12 issues about knowing who is lobbying, and you
13 know, the devil would be in the details about
14 making expenditures to organization -- firms that
15 do both lobbying and campaign consulting. It
16 might be difficult to implement, but we'd have to
17 look into that more closely.

18 MR. PERALES: Wendy.

19 MS. WEISER: I'm -- this is very loud.

20 VOICE: I'm sorry.

21 MS. WEISER: I'm wondering if you can just
22 elaborate on your proposal regarding the
23 member-to-member communications for unions and
24 how to separate between coordinated activity and
25 communications with members and how you would

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1 address individual members volunteering for
2 campaigns in that as well.

3 VOICE: So, I mean, we -- we took a look at
4 the current law which -- which under
5 Section 3-617 a candidate is allowed to appear
6 before members at Union-sponsored events as long
7 as they're not fundraisers. We think the current
8 provisions provide the proper balance between
9 allowing organizations to communicate freely with
10 members, you know, recognizing their first
11 amendment rights to free speech and ensuring
12 candidates do not receive unlimited in-kind
13 donations from large membership organizations. I
14 think there had been proposals to you at several
15 of the hearings that this be changed. We are
16 sort of more saying we support the law as it is.
17 I wasn't sure if there was going to be someone
18 testifying today to change it, and so that's why
19 I wanted to be sure -- we wanted to be sure to
20 include those provisions.

21 MR. PERALES: Thank you very much,
22 appreciate it.

23 VOICE: Thank you.

24 MR. PERALES: We will now move onto
25 Frederick Schaefer.

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1 VOICE: Thank you.

2 MR. PERALES: Is Amy going to say anything,
3 or is he talking for you?

4 VOICE: I'm just going to help answer
5 questions.

6 MR. PERALES: You're going to help answer
7 questions. All right. I got it.

8 MR. SCHAEFER: Chair Perales and members of
9 the commission, thank you for inviting us to
10 share our policy proposals with you today. As
11 you know, after each election cycle, the CFB
12 conducts a review of our programs and proposes
13 changes as required by the Campaign Finance Act.
14 This regular review has ensured that changes have
15 been made with each election cycle to strengthen
16 the program, further amplify the voices of small
17 contributors and update it so it remains relevant
18 with an ever-changing election landscape.

19 The matching funds program has been
20 successful here in New York City with established
21 candidates and first-time challengers alike,
22 relying on the program to help them build
23 competitive campaigns for office. As described
24 in our earlier presentation, our analysis shows
25 that the program decreases candidates' reliance

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1 on big money contributions while helping to
2 develop a broad, diverse base of small donor
3 contributors in every neighborhood across the
4 City. In order to further increase the impact of
5 New Yorkers' small contributions to candidates,
6 the board has the following recommendations. We
7 believe that enhancements to the program can
8 ensure that the impact of small dollar
9 contributions is felt as clearly in elections for
10 city-wide offices as it is in the City Council
11 races. We all have an interest in making sure
12 the voices of regular New Yorkers are heard in
13 City Hall, and therefore, we have five
14 recommendations that we believe will make the
15 program work better for all City offices and
16 further reduce the influence of big money in New
17 York City.

18 First, lowering the contribution limits. We
19 recommend lowering the contribution limit from
20 \$5,100 to \$2,250 for city-wide offices. From
21 \$2,950 to \$1,750 for borough offices, and from
22 \$2,850 to \$1,250 for City Council seats.
23 Lowering contribution limits across the board
24 will help small dollar contributors play an even
25 larger role in City campaigns. The majority of

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1 those who gave a contribution in the 2017 mayoral
2 race were small contributors. Overall,
3 73 percent of those contributing to mayoral
4 hopefuls gave \$175 or less. Over 13,000 people
5 gave small contributions to participating mayoral
6 candidates in the last election cycle, compared
7 to only 650 people who gave a maximum
8 contribution of \$4,950; however, those maximum
9 contributions made up 45 percent of the private
10 fundraising of mayoral candidates before
11 accounting for public funds, even though they
12 were nearly 21 times -- there were nearly 21
13 times the number of small contributors as large
14 donors.

15 Given the demands of raising a large amount
16 of money to run for mayor and other city-wide
17 offices, it's no wonder that candidates it is the
18 most effective to pursue the largest
19 contributions to fund their campaigns.
20 Amplifying the voices of small contributors needs
21 to start with cutting the contribution limit to
22 increase the power of those without deep pockets
23 or wealthy friends.

24 Two, increase the matching formula for
25 city-wide offices. To increase the value of

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1 public funds and further amplify the voices of
2 small contributors, the matching rate for
3 city-wide candidates should be increased from
4 six-to-one to eight-to-one. This should be
5 coupled with the maximum matchable amount, an
6 increase from \$175 to \$250 for those offices.
7 Our analysis shows that these two proposals in
8 combination will change the balance of private to
9 public funds for city-wide offices, making them
10 more like the City Council races. Increasing the
11 matching rate, along with lowering the
12 contribution limit will significantly increase
13 the impact of small dollar contributions. In
14 fact, during the past three city-wide elections
15 the median public funds payment to City Council
16 candidates was 53 percent of the spending limit.
17 In other words, just shy of the 55 percent
18 payment cap. In other words, it was working
19 pretty well. Conversely, the median public funds
20 payment to participating mayoral candidates was
21 just 28 percent of the spending limit. Even
22 mayoral candidates who pursued strong small
23 dollar fundraising strategies were far less
24 reliant on public funds than City Council
25 candidates.

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1 Third, increase the public funds cap. We
2 propose increasing the amount of public funds
3 that campaigns can receive by increasing the
4 public funds cap from 55 percent to 65 percent.
5 A candidate for City Council would have to raise
6 \$17,417 in matchable contributions in order to
7 receive the maximum of 104,500 in public funds.
8 That candidate would then need to raise \$68,083
9 in private funds to hit the spending limit for
10 City Council races. This modest increase in
11 public funds cap from 55 to 65 percent would
12 allow candidates to increase their reliance on
13 small dollar contributions and public funds. At
14 the same time, it would also allow candidates
15 some flexibility to raise and spend private funds
16 in advance of receiving the matching funds.

17 MR. GEWOLB: Rick, we have about two minutes
18 remaining.

19 MR. SCHAEFER: Thank you. Under the
20 Campaign Finance Act, most public funds are paid
21 only after the ballot is finalized, which is a
22 little more than a month before the election.
23 Many candidates, particularly for city-wide
24 offices, begin campaigning well in advance of
25 this timeframe and need to be able to spend funds

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1 prior to when public fund payments are made. In
2 conjunction with a lower contribution limit and
3 increased matching formula, this will help create
4 a more inclusive, effective program for city-wide
5 candidates. Under the current system, candidates
6 for city-wide office virtually never qualify
7 enough contributions to reach the 55 percent
8 public funds cap that is available to them.
9 Based on our analysis, changing the matching rate
10 would increase the amount of public funds going
11 to city-wide campaigns, making it more likely
12 that they will receive the maximum amount of
13 public funds available to them, even if we lifted
14 the cap to 65 percent. Under this proposed
15 system city-wide candidates could run competitive
16 campaigns primarily funded by small dollar
17 contributions.

18 Our last two proposals I'll just deal with
19 very briefly since my time is almost up. One is
20 to lower the thresholds for city-wide candidates
21 to empower more small dollar fundraisers, to run
22 viable, competitive campaigns for City office we
23 support lowering the threshold for participating
24 candidates running for city-wide office. In
25 order to qualify for public funds candidates in

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1 the program currently must meet a two-part
2 fundraising threshold. Mayoral candidates must
3 raise 250,000 in matching claims with 1,000
4 contributors giving at least \$10, while
5 candidates for public advocate or controller must
6 raise \$125,000 with 500 contributors giving at
7 least \$10. Lowering the threshold for city-wide
8 offices would make it easier for grant -- for
9 grassroots candidates to meet thresholds earlier
10 and run viable campaigns. We propose thresholds
11 of \$125,000 for mayor and \$75,000 for public
12 advocate, but in order to assure that candidates
13 running for office are reaching out to voters
14 across New York City and to maintain the rigor of
15 lower thresholds we propose adding a new
16 geographic requirement. In addition to meeting
17 this two-part threshold, candidates for any
18 city-wide office must collect at least 50
19 contributions from each borough to qualify for
20 public funds, and finally, we would propose
21 lowering the minimum contribution, counting
22 towards the threshold from \$10 to \$5. Thank you.

23 MR. PERALES: Thank you.

24 Well, I actually will have two questions.

25 The first has to do with when these new rules

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1 would go into effect. We here would be putting
2 before the voters in November these changes that
3 we'd advocate to the charter. How would this
4 affect the 2021 election? I suspect there are
5 people who are already raising funds.

6 MR. SCHAEFER: I think our proposal is that
7 it would go into effect immediately.

8 MR. PERALES: Therefore.

9 MR. SCHAEFER: I mean, there are candidates
10 already running for the 2021 election.

11 MR. PERALES: Exactly.

12 VOICE: But there have been change in the
13 law, later in the election cycle that have been
14 able to be accommodated. So I think the step --
15 the recommendation would be that they would go
16 into effect for the 2021 election cycle.

17 VOICE: When we're in the out period, as we
18 are, it makes it a lot easier to do than
19 obviously if we were closer to the election date.

20 MR. PERALES: All right. The other question
21 was actually a bit -- little bit more vague,
22 because we keep hearing, we as commissioners,
23 that you make one change here, it's going to have
24 an impact on the other part of the election
25 scheme, and have you run numbers so that you can

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1 be confident that your proposals will result in
2 about the same amount of total money that can be
3 spent by the candidate?

4 VOICE: Well, I'm going to let Amy answer
5 the details, but on a general level, we're not
6 proposing any increase in the expenditure limits.

7 MR. PERALES: Exactly. That's what I was
8 wondering.

9 VOICE: And what we're trying to do with the
10 first three proposals, and they really do mesh
11 together, is to say, if you lower the
12 contribution level, as we are proposing, by more
13 than half, we tried to structure the second and
14 third proposals so that roughly that same amount
15 of money comes back into the system through
16 public funds in a way that is consistent with the
17 goal of encouraging small donor contributions,
18 and so, yes, we have run those numbers so that
19 those three proposals, we think, work together in
20 total.

21 Amy, did you want to add anything?

22 VOICE: No, that's exactly what we did.
23 That's how we came up with these numbers.

24 MR. PERALES: Yes.

25 MR. HO: Thank you again for your testimony

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1 this afternoon. So my question is related to --
2 I mean, the five proposals that you've set forth,
3 they would all -- the current contribution
4 limits, the current match amounts -- those are
5 all set forth currently in the administrative
6 code; is that right?

7 VOICE: Yes.

8 MR. HO: Sorry, just for the transcript. So
9 I guess my question is, do you have views about
10 how appropriate it would be to set these numbers
11 into the city charter which is something that is
12 -- I mean, three -- these proposals or some
13 version of them -- I don't know about the precise
14 numbers, I'm nowhere near as steeped in this as
15 you are, but they all seem to have some intuitive
16 appeal. But my question is whether it makes
17 sense for them to be instantiated in the city
18 charter. As you can see from all this machinery
19 here, it's quite difficult to amend. If it turns
20 out that the numbers should change over time,
21 maybe the limits need to be reduced even more,
22 maybe the match numbers need to go up even
23 higher. Maybe we miscalibrated something and we
24 need to adjust something. If they're in -- if
25 these changes are in the city charter, that kind

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1 of ties the hands of the City in a way that, if
2 they're in the code, maybe they're a little bit
3 easier to adjust, and I was just wondering if you
4 had any thoughts about that.

5 VOICE: I believe -- but it's been a long
6 time since I was in the corporation counsel's
7 office -- that city charter provisions can be
8 amended by the City Council, just like ordinary
9 legislation.

10 MR. PERALES: That is also my belief.

11 VOICE: So we -- at some level, we give the
12 charter -- we put it on a higher pedestal, but
13 for purposes of municipal law, it's just another
14 statute.

15 MR. HO: Thanks.

16 MR. PERALES: Wendy?

17 MS. WEISER: So I have a few questions. So
18 the first is, you recommend increasing the public
19 funds cap just to 65 percent, others have asked
20 for it to be raised to 85 percent. I'm wondering
21 if you can comment on the proposals to raise it
22 even higher, and why you did not make that
23 recommendation, and then I have questions about
24 independent expenditures.

25 VOICE: Well, part of it is a practical

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1 reality. If you raise it to 85 percent, and I
2 don't think that anybody could actually spend it,
3 anyway, because of the limited period of time in
4 which you've got to make expenditures and the
5 fact that you need to start spending before you
6 get the money. On top of that, any prudent
7 campaign is going to think about the necessary
8 expenditures that are not eligible for a match,
9 and -- and figure a cushion in to take care of
10 those which can be spent, they're legal expenses,
11 they're just not eligible for a match. And so
12 when you take those things into account, it means
13 you're never going to really reach the 85 percent
14 anyway, so our proposal really is designed to
15 take the burden of that risk off of the candidate
16 and say okay, let's move it up in a way at that
17 accomplishes what Kallos's proposal tries to
18 accomplish to a large degree, but let's also
19 recognize that it would be unlikely and likely
20 imprudent to any candidates to push too close to
21 85 percent anyway.

22 MS. WEISER: Before I ask my next question
23 did you want to respond to that?

24 VOICE: Sure, somewhat in the interest of
25 finding common ground for the commission, I think

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1 with the city-wide races, 65 percent is plenty
2 because the city-wide candidates don't often hit
3 the cap. Our concern would be for City Council
4 because as I mentioned 30 percent of the
5 candidates in 2013 actually hit the cap. So if
6 you're only increasing it from 55 to 65 percent,
7 that's ten percent. Ten percent of 104,000,
8 10,400 -- that's like ten contributions with the
9 public match. That's not much.

10 VOICE: Well, we're also raising the maximum
11 -- we would propose raising the maximum matchable
12 contribution from 175 to 250. So I think that
13 also needs to be factored in.

14 VOICE: I mean just for absolutely clarity
15 for those who are not well steeped in the whole
16 -- you know exactly how the election calendar
17 works, we make public funds payments to
18 candidates who are on the ballot and are opposed
19 on the ballot. Therefore, we can only make those
20 payments once the ballot has been set. That is
21 set in state election law, and candidates file
22 their petitions, the ballot -- the Board of
23 Elections has their hearings. The ballot is set,
24 roughly, at the end of July, beginning of August.
25 Which means that we make our first public funds

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1 payments in the beginning of August which leaves
2 about five weeks before the primary for the
3 candidates to spend these public funds. And
4 that's the timing issue that we're talking about
5 to spend, you know, 85 percent of your spending
6 limit in that five weeks is quite difficult.
7 There is a new law that allows making small seed
8 payments earlier in June, but that's only \$10,000
9 for a City Council candidate, \$250,000 for a
10 mayoral candidate. So, again, you're talking
11 about spending the bulk of your money in that
12 period of time, and you have to spend money
13 earlier. I mean, outside of that, you're getting
14 ready, you're communicating, you're raising
15 money. There are lots of things to spend money
16 on before that, that you wouldn't have the public
17 funds for, and again, there is the issue of, you
18 know, making sure that people document that
19 they've spent the money appropriately and this 65
20 percent creates a balance that makes it, you
21 know, not an undue burden to be able to meet that
22 documentation requirement.

23 MS. WEISER: Thank you. And then my other
24 question was on independent expenditures. There
25 are no proposals that you have from the Campaign

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1 Finance Board relating to them, and I was just
2 wondering if you have seen a problem of increased
3 independent expenditures and if you had any
4 proposals also that you wanted to make regarding
5 sort of strengthening the independent expenditure
6 disclosure requirements.

7 VOICE: I think our position is that they've
8 worked very well. There have been some
9 fluctuations, some ups and down depending on the
10 election cycle as to how much has come in, how
11 much has been spent through independent
12 expenditures, but we think overall this is more
13 or less under control and our primary concern
14 right now is that it not be weakened. We don't
15 see a particular need to strength it at this
16 time.

17 MR. PERALES: Any other questions?

18 MR. SIEGAL: Yes, I have several. First of
19 all, our charge is to increase democracy. There
20 are multiple democratic values at stake here.
21 Increasing the role of small donors is only one.
22 One of the great values of the campaign finance
23 system, it seems to me over the last 20 years, is
24 that it has enabled quality candidates,
25 experienced candidates, candidates from

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1 previously less represented communities to run,
2 but it only works if they can run effectively.
3 The reason, clearly, that mayoral candidates rely
4 more on big contributions is because it takes a
5 lot of money to run an effective mayoral
6 campaign, and while it sounds good and feels good
7 to say let's lower the contribution limit, that's
8 going to have consequences. Candidates are going
9 to have to work way harder to raise money.
10 They're going to have to spend a lot more time
11 raising money; and we haven't had situations
12 under the campaign finance system where
13 qualified, capable, well-known candidates have
14 not had the funds to run effectively, but if we
15 make fundraising that much harder, we may. I
16 don't know too many people who have run
17 city-wide, particularly for mayor who think that
18 lowering the contribution limit is a good idea,
19 and any regulatory body needs to listen to the
20 expertise of the people they're regulating and
21 consider that. So the question is, have you
22 really thought through how this is going to
23 change the way campaigns actually function,
24 because there is an efficiency to getting on the
25 phone and getting 500 people to give \$45 or

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1 \$5,100 dollars, that is going to be lost here so
2 I'm interested in your views on that.

3 VOICE: I completely agree with what you
4 just said. And if our only proposal were to
5 decrease the contribution limit, I would have the
6 exact same concerns. After all, just to use
7 round numbers so the arithmetic works well, if
8 you decrease the contribution limit from \$5,000
9 to \$2,500 and make a mayoral candidate just go
10 get twice as many of those contributions, we
11 haven't accomplished very much. That's why we
12 want to increase the match for city-wide
13 officials from six-to-one to eight-to-one, and
14 increase the matchable amount from \$175 to \$250.
15 We crunched those numbers precisely with this
16 problem in mind, and we think that the overall
17 effect of those three things together meets the
18 concern that you have just expressed, and that I
19 would have as well.

20 MR. SIEGAL: And has that empirical analysis
21 been submitted to us? Do we have access to see
22 what the scenarios look like and what these
23 changes would do based on prior experiences?

24 VOICE: We have that, but what you can see
25 from Eric's J-shaped charts that he showed

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1 earlier is that candidates are -- even city-wide
2 candidates are raising large numbers of small
3 dollar contributions. So they are already, you
4 know, you can see that just doing the math does
5 change the total amount of money that they're
6 going to get. So it -- we can work on submitting
7 something about this particular analysis, but I
8 just, you know, just from what you already have
9 before you, you can see candidates are already
10 reaching out to small --

11 MR. SIEGAL: No, I understand, Amy, but the
12 question is, what would be the -- you have to
13 raise -- you have to raise X dollars to run an
14 effective campaign, and with these changes, if
15 you model them based on prior experiences, what
16 would the budgets look like, and would the
17 increase in the matching ratio really offset the
18 decrease in the cap.

19 VOICE: It's our belief that it would not
20 only offset it, but it would then also increase
21 the percentage of public funds that mayoral
22 candidates -- percentage of their total
23 expenditures up closer to what the number is for
24 City Council, and if you, you know, like to see
25 more detailed analysis, we'd be happy to provide

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1 it.

2 MR. SIEGAL: We'll talk about that and
3 follow up.

4 Second question and this, frankly, from a
5 user's or a candidate's perspective because I've
6 already heard a lot about this and I imagine
7 other members of the commission have, which is
8 the implementation. Are you proposing to
9 implement these changes retroactively,
10 particularly with respect to the contribution
11 limit?

12 VOICE: By retroactively, if it's
13 prospective, starting on the date of passage, are
14 you defining that as retroactive? Because --

15 MR. SIEGAL: No.

16 VOICE: -- the money has already been
17 raised?

18 MR. SIEGAL: Well, let me be more specific.
19 Are you proposing that candidates who in 2017 --
20 in 2018, excuse me, have raised \$5,100, that they
21 have to refund a portion of those contributions
22 to get under the new cap?

23 VOICE: I mean, I can tell you that in the
24 past, the contribution limit has changed. The
25 corporate contribution ban went into effect and

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1 all of those changes were done prospectively. In
2 1998, the contribution limit went down
3 substantially from the previous election cycles.
4 So I think that there's no difficulty in saying
5 that the contribution limit reduction would be a
6 perspective so that if you have contributions
7 that are over 5,100 or within the limit by the
8 date that its passed, those are fine, but then
9 going forward, you have to abide by the lower
10 contribution limit and since no public funds have
11 been made -- done, apply the matching to all the
12 public funds which you get paid in the election
13 with a higher matching rate.

14 MR. SIEGAL: Likewise, are you proposing
15 that it would be prospective so that candidates
16 who in the 2017 cycle raised but didn't spend
17 money and transferred forward into this cycle
18 would be able to keep the money they raised under
19 the old rules?

20 VOICE: So people who are transferring --
21 it's a very, very granular question.

22 MR. SIEGAL: But we've lived through it.

23 VOICE: I have to think about it. I -- I
24 would assume that.

25 MR. SIEGAL: Yes.

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1 VOICE: I mean, I just don't know how it was
2 treated in the past. I think that in the past
3 that it was all money raised before the date of
4 the passage of a lower contribution limit was
5 allowed, but the transfer, I'm just looking for.

6 MR. SIEGAL: So if I hear you right, there
7 are going to -- there could conceivably be
8 candidates running in 2021. There will be
9 candidates running in 2021 who have at different
10 times during this election raised money under
11 different sets of rules, right?

12 VOICE: And that's happened in the past,
13 yes.

14 MR. SIEGAL: Whether or not it's happened
15 before, I mean, we're dealing with fundamental
16 fairness, because the message you're sending to
17 the market is if you're thinking of running next
18 time, you should be out raising every dollar you
19 can raise right now, which is somewhat
20 inconsistent with the philosophy and ethos of the
21 system, and also, I mean, it could have very
22 unfair impacts on some candidates, and I'm just
23 raising this directly, it's been raised with me,
24 our chair raised this in the first instance. I
25 mean, there are real questions of equity and

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1 fairness here in the next elections at stake, I
2 think.

3 VOICE: Just because it's been done in the
4 past doesn't mean that it could not be done.
5 There have been, you know, candidates have had to
6 refund contributions, like you're running in a
7 special election, for example, and you raised
8 money for the contributions for a regular
9 election and then there's a special election, and
10 candidates have been asked to refund all the
11 contributions that are over the limit. There's
12 others. You could do it either way. I'm just
13 saying that in the past, it's been prospective
14 but there have been -- there are examples in the
15 current system where people have been asked to
16 refund money --

17 MR. SIEGAL: I'm just raising the issue
18 because this is something that we're all, in
19 particular, the commission, will have to think
20 through very carefully.

21 VOICE: It might be helpful to look at
22 numbers because the theoretical concern with
23 fairness is certainly an absolutely legitimate
24 concern. If the amount of money raised, you
25 know, in the first year of the four-year election

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1 cycle is generally sufficiently small, that it is
2 not worth the administrative burden of trying to
3 do this retroactively, that might weigh into the
4 decision, but, certainly, I see your point about
5 fairness.

6 MR. SIEGAL: We don't even know because we
7 have to make this proposal in September and it
8 will be on the ballot in November, and you won't
9 know what people are raising this year until the
10 end of your reporting.

11 VOICE: Now, the first disclosure statement
12 is due in July. So we would know.

13 MR. SIEGAL: But what people raised in the
14 second half of whatever year this is -- whatever
15 year this is.

16 VOICE: 2018.

17 MR. SIEGAL: Two more questions. One is,
18 the geographic requirement on the threshold to
19 qualify. This seems to me to be a fundamentally
20 different requirement than we've ever had in the
21 system, right? Campaign finance reform is
22 basically let's limit, let's regulate what money
23 candidates can raise. It's kind of like money in
24 politics, it's trade, let's set some rules on
25 what can and can't be done. This is a different

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1 proposal. This is affirmatively requiring that
2 candidates go out and raise money in a certain
3 way, and it's fifty-fifty contributions in a
4 borough -- in each borough for city-wide. It
5 seems inconsequential, but I have two concerns.
6 One is, will this open the door to a whole new
7 set of regulations now? We're going to say, you
8 have to go raise from this, you have to go raise
9 from this, all these requirements. It's like
10 engineering campaign fund raising. Number one.

11 Number two, have you actually looked at how
12 many Republicans raised 50 matching contributions
13 in Bronx, or how many Democrats actually raised
14 50 contributions in Staten Island, and do we
15 really want to tell candidates that they have to
16 go out and introduce themselves to communities
17 where they have no background and no ties, and
18 the first thing they have to do is go ask for
19 money. That doesn't seem to me like it's getting
20 money out of politics. It seems to me like it's
21 pushing the fundraising race into places for
22 other reasons. I'm interested in your thoughts
23 on that.

24 VOICE: We're talking about this only in the
25 context of how you qualify, and.

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1 MR. SIEGAL: Which means you have to do it
2 early.

3 VOICE: Right. And it's also in the context
4 of significantly reducing the dollar amount. And
5 so you're trying to identify people its by half
6 the dollar amount. And so you're trying to
7 identify people who are recently likely to be
8 real candidates, and so we thought the number 50
9 is really quite minimal even for a Democrat in
10 Staten Island or a Republican in the Bronx; and
11 we think it's really just limited to this
12 context. This is not intended to be the tip of
13 an iceberg, and if it needed to be fine tuned a
14 little bit, one could say four out of five
15 boroughs is one out of all five, but we did think
16 some geographical distribution in this context,
17 given the lowering of the amount was a --

18 MR. SIEGAL: It's interesting because I
19 assumed it was to try to remedy the map that Eric
20 puts up that shows that, you know, almost all
21 money comes from a certain swath of Brooklyn and
22 Manhattan around the park, but what you've just
23 said is, there's -- I mean, do we really have a
24 concern about relatively weak, unqualified,
25 unsupported candidates qualifying in city-wide

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1 races. Is that really a problem? I'm not sure
2 we've seen that.

3 VOICE: I mean, the idea is while we would
4 lower the threshold by a half, we would, you
5 know, just add this little additional burden.
6 And the point of that map is that candidates are
7 fundraising all across the City already and you
8 know, that's a truism.

9 MR. SIEGAL: Okay.

10 VOICE: Maybe if you put that map up for a
11 state, you know, state offices you would see a
12 completely different kind of map. So we are
13 ready. Candidates are raising money all across
14 the City and all different candidates, and so
15 this is not -- you know, in our analysis, this is
16 not a particularly burdensome and not meant to be
17 the tip of the iceberg.

18 MR. PERALES: John, you've got one more
19 question?

20 VOICE: You want to be mayor for the whole
21 city, you should raise money for the whole City.

22 MR. SIEGAL: I do have one more. Thank you
23 for your patience. So under the charter,
24 member-to-member organizational contacts
25 communications are excluded from the definition

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1 of independent expenditure. Can you explain what
2 the line is under your regulatory system of where
3 a member-to-member contact crosses a line that
4 converts it into a contribution or an in-kind
5 contribution and why is that the regulatory line
6 that you've set?

7 VOICE: The line is coordination with the
8 candidates, and it's an absolute red line. We
9 absolutely cannot run this kind of system unless
10 we have a clear and honest reporting of
11 contributions and the definitions of
12 contributions has to include an in-kind
13 expenditures made in coordination. Otherwise,
14 you end up with what's essentially an
15 unenforceable law which is pretty much what we
16 have at the federal level.

17 MR. PERALES: Wendy?

18 MS. WEISER: I just wanted to clarify that
19 -- is it your testimony that the recommendations
20 that you have proposed would reduce the
21 percentage of overall fundraising that comes from
22 a relatively small number of people without
23 reducing the number of people and without
24 reducing the overall amount so as to reduce the
25 appearance and risk of corruption. Is that the

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1 effect of your recommendations?

2 VOICE: Well, I'm -- if I haven't understood
3 your question, you can correct me, but I think
4 the answer to your question is that our proposal
5 is considered as a package will significantly
6 increase the role of public funding, particularly
7 in the city-wide campaigns without changing
8 either the total amount of money or the
9 expenditure limits; and that is a good thing.

10 MS. WEISER: And it will do so in a way that
11 also can reduce both risk and appearance of
12 corruption? Is that fair in part of what you
13 were thinking through in those proposals.

14 VOICE: Yes, in both lowering the
15 contribution limit and increasing the public
16 funds. That would do both of those things.

17 MS. WEISER: Thank you.

18 MR. PERALES: All right. Thank you very
19 much. Let me move to Professor Michael Malbin,
20 once again.

21 VOICE: I'm waiting for the screen, thank
22 you. It turns out there's a great overlap
23 between my recommendations and the Campaign
24 Finance Board, so I'll be able to be more mindful
25 of time.

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1 MR. PERALES: Great.

2 VOICE: Just very quickly remind you where
3 we stood at the end of my last one. The system
4 has been effective with respect to city councils
5 on a number of dimensions through 2013. 2017,
6 there appears to have been a sudden change. The
7 system never achieved these kind of results with
8 mayoral or other city-wide elections. I am going
9 to go through things in this order. I'm not
10 going to read this -- that will waste time. But
11 here's where I am. Mayor and city-wide
12 elections, I think you ought to increase the
13 matching fund rate. Eight-to-one seems like a
14 possibility. I think you could look at
15 ten-to-one for the first 250. I'm not sure what
16 the numbers should be until we run the scenarios
17 that I think you ought to run, and that Mr.
18 Siegal suggested. I'll go through that more. I
19 think we should remove the 55 percent cap on
20 public money. I don't know what purpose that
21 serves. What is your public policy? I don't get
22 it as long as there's a spending limit. Third, I
23 agree that there ought to be some kind of --

24 MR. PERALES: Just -- could it be
25 100 percent?

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1 VOICE: It can't be 100 percent because
2 you're matching a private contribution.

3 VOICE: 86 is as high as you can get.

4 MR. PERALES: So 86 would be the maximum.

5 VOICE: Right.

6 VOICE: And I think there will be practical
7 problems that the CFB has pointed to, and I think
8 candidates could figure out their own budget. I
9 think at some point you hit the spending limit
10 and you raised enough --

11 MR. PERALES: I understand your point.

12 VOICE: Okay. I would have defined the
13 geographical requirement -- in terms of council
14 districts rather than boroughs. I would say we
15 do have an experience of requiring a geographic
16 requirement, and that's the presidential system,
17 where it's 40 percent of the states. I would
18 reduce the contribution limit. Again, I don't
19 have a specific number in mind. Cutting it in
20 half seems to make sense. With respect to the
21 City Council where the problem is a new one that
22 appeared in 2017, I think you need to consider
23 increasing the matching fund raised which is
24 different than saying yes, increase it. Consider
25 reducing the contribution limit and again, just

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1 do away with this public funding cap as long as
2 you keep the spending limit. The public funding
3 cap is crucial if you don't have a spending
4 limit, but you do have one. For a borough-wide
5 I'm set somewhere between the two. Let's not
6 spend time on that.

7 For contribution limits, Alex had an idea I
8 think what I'm articulating is what he had in
9 mind. You could consider something like the
10 following: Match only contributions from donors
11 whose total aggregate contributions come to no
12 more than X dollars. Let's say, match the first
13 250 if somebody gives no more than 500 to a
14 candidate. The overall contribution limit is
15 \$2,500 if it's not matched. You could do
16 something like that. It's in several proposals.
17 That would be another way of leveraging the small
18 contributions. The administrative stuff has been
19 figured in other proposals pending. So that's
20 another idea worth toying with and again, you
21 need to work out with what this means. For
22 independent expenditures the current rule is a
23 significant improvement over past rules. There's
24 still a major problem that you have not yet
25 experienced in the City, but it's a growing

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1 experience nationally in many other
2 jurisdictions, and that is the problem of C4s
3 laundering their money through other C4s that
4 then give their money who do the independent
5 study. So the committee for good government
6 gives to the committee for better government,
7 that gives to the let's do better PAC. And the
8 endorsement, the disclosures to the committee
9 that does better government. It's nonsense. You
10 get no more information out of that. This is
11 what a really good Brennan Center report called
12 "Gray Money." There's a good proposal that I
13 quote from past federal proposals. There are
14 others in that report. There are ways of dealing
15 with pass-through money. Unless you deal with
16 pass-through money, what you have now will not
17 work, hasn't happened yet, but it will. Most
18 important recommendation, and this, Mr. Siegel
19 was pointing to. Without voluntary participation
20 nothing can be accomplished. Candidates have to
21 buy in. You have to be aware of the
22 interactions. You have -- you should use
23 quantitative models, you should test a variety of
24 hypothetical lifts and exactly as was suggested,
25 you should look at the actual donor pool in past

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1 elections and the actual candidates of past
2 elections and run the models. Who would be
3 affected. How would they be affected? What
4 would those candidates meet to have a reasonable
5 budget for running in the next cycle. This can
6 be done, it should be done.

7 Things to avoid. The charter should
8 continue to protect the Campaign Finance Board's
9 status and budget. This is an unusually
10 competent board that is unusual free from
11 political interference. When you live here, you
12 may not recognize how rare this is. Protect it.

13 Second, take seriously what they say about
14 administrative difficulties. Don't let that be
15 your only priority, but take it seriously.

16 Finally, another point. Costs. To be fast
17 about this. There's a bogus criticism that comes
18 up now and then. The total cost under the most
19 optimistic of scenarios that you could imagine is
20 going to bring the total cost up to five
21 one-hundredths of one percent of the City
22 operating budget from the current three
23 one-hundredths of one percent. To put it mildly,
24 this is a rounding error, and the errors that big
25 donors get are not rounding errors, they're

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1 bigger than that.

2 Next steps. And this goes to the point I
3 forget -- I think Mr. Ho made it. The problem
4 with you're trying to do everything now is not
5 how much power do you have versus a City Council.
6 It's can you really do the job in 10 weeks? I
7 think it's very heart to run the qualitative
8 models with all of the scenarios and to come up
9 with valid language that can be actually
10 comprehensible over the course of the ten weeks
11 you have. My written statement recommends
12 studying parameters rather than numbers. If you
13 do go to final decisions, I strongly urge you not
14 to take short cuts. To run the models, to take
15 the time, and actually -- should it be
16 eight-to-one? Should it be ten-to-one? Should
17 it be this contribution limit, should it be that
18 contribution limit? Run it with multiple
19 scenarios. Los Angeles shows what could happen
20 when good intentions run into wrong numbers. It
21 didn't work. It had absolutely no effect on
22 small donor participation. It was kind of a
23 waste of public policy credit with the public. I
24 mean, that was the previous research in the
25 previous panel.

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1 Finally, Campaign Finance Board obviously
2 does have technical competence to the extent you
3 want it, we're perfectly happy to weigh in and
4 run models for you if you need them or want them.

5 I didn't even get into my two-minute
6 warning. I'm happy to take questions.

7 MR. PERALES: Congratulations. Dale?

8 MR. HO: So I appreciate your point about
9 how, you know, this is a carefully calibrated
10 system. You tinker with one piece, you have to
11 worry about how it's going to affect the other
12 pieces. But are there any other pieces given,
13 sort of, the complexity of these issues and the
14 limited amount of time that we have. Are there
15 any of the pieces here, of the recommendations
16 that you have or the ones that the CFB, excuse
17 me, has, that wouldn't necessarily have
18 reverberations throughout the system, and I'm
19 thinking, for instance, eliminating the cap, the
20 cap on matching funds, right? I mean, is that
21 something that you could tinker with without
22 necessarily dealing with --

23 VOICE: I actually think if you're prepared
24 to do it you could run multiple scenarios with
25 different matching rates and contribution limits

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1 and come up with answers. Then the question is,
2 can you actually put it into a ballot
3 proposition?

4 I don't think it's impossible to do it, I
5 just think you need to realize that there's a lot
6 of homework and you have a lot of subjects on
7 your plate. That's easy. The campaign
8 contribution limits. I don't see the purpose,
9 therefore, I think it's easy. Apparently the
10 Campaign Finance Board thinks the purpose --
11 okay. I don't think the other is that hard,
12 but --

13 MR. HO: But maybe your proposal from the
14 board is just, you know, go up to 65 percent or
15 something like that --

16 VOICE: That is our proposal but I would not
17 disagree this is a piece of the puzzle that's
18 probably more separate from the other
19 interlocking parts, because the additional factor
20 of the expenditure limit. I mean, we don't -- we
21 don't favor abolishing it, but if that's
22 something that you want to consider, I would
23 agree that it's a less complex piece.

24 MR. HO: And can you just articulate why you
25 don't favor abolishing it?

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1 VOICE: I did the best I could. Let Amy see
2 if she could do better.

3 VOICE: With the previous point about doing
4 that alone, I think, you know, just either
5 lifting or going to our 65 percent increase.
6 There are two issues about doing that alone. It
7 would further emphasize some of the issues that
8 we had in the current system that the public
9 matching funds program doesn't necessarily create
10 the incentives for city-wide offices because now,
11 you know, City Council candidates quickly meet
12 the 65, the 100 percent, you know, 86 percent of
13 city-wide offices already have trouble meeting
14 the 55 percent. So that's that. The reason is
15 two-fold, again, and, again, it's about the idea
16 of the timing, and you know, while candidates can
17 make their own budget, they do have a spending
18 limit. If 85 or 86 percent of their money is
19 coming from public funds and that 86 -- they can
20 only expect to receive that -- most of that
21 86 percent of their budget in the beginning of
22 August. Certain kinds of candidates would be
23 fine with that because they are the type of
24 candidates who would be able to get credit
25 extended to them or get loans from other people.

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1 There are other kinds of candidates that would
2 find that more difficult. So that is the timing
3 issue. That is why we recommend it more
4 measured. And the other is something Rachel
5 brought up and that I brought up before, is
6 again, if 85 percent of your budget has to be
7 spent on things that are qualified, that you have
8 to document as qualified, it leaves you very
9 little room to do things that you might have to
10 do. You might have to have ballot litigation,
11 you may have a relative who is a professional
12 campaign consultant, you -- can't spent public
13 money on a family member, so you wouldn't be able
14 to hire that person. Things like that.

15 MR. PERALES: All right. Let -- let's just
16 move -- if you'll allow me, Alex, we've been
17 joined by the borough president of Brooklyn, my
18 home borough.

19 VOICE: You're a smart man.

20 MR. PERALES: We have a very interesting pro
21 and con here on a number of suggestions and
22 reforms being proposed. We did want to hear from
23 you. We understand that you've got your own
24 proposal to reform our election processes, and I
25 wanted to give you an opportunity because the

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1 hour draws late. So with that, Eric Adams.

2 VOICE: Thank you. Thank you so much. And
3 I think the first thing I would like the people
4 to sort of put in the back of their minds that I
5 learned from my days in policing, it's one thing
6 to talk about the principles and philosophy of
7 patrolling the street, but when the rubber meets
8 the road, it's a different concept. And I just
9 wondered, did anyone who's here either sitting at
10 the table here or the panel, have you ever ran
11 for office? Have you ever tried to call 10,000
12 people to raise millions of dollars, and that's a
13 real conversation. I have to pay \$5,000 a month
14 to a compliance attorney to make sure that that
15 compliance attorney is looking over my documents
16 so I'm not fined for making some simple mistakes.
17 The number of people I need to hire to input
18 information, the mounds of papers and copies to
19 go after to make sure thing are put in writing;
20 and at the heart of this conversation that I
21 think people really don't want to engage in is
22 that money is the problem. We should not be
23 spending the hours. I made 10,000 calls when I
24 ran for borough president. You do even an
25 analysis of the governor's money, you look at the

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1 millions he be raised in close to 2000 came from
2 small donors. When you look at all the
3 corruption cases we've had in the last series of
4 corruption cases, it was tied to the money. The
5 expectation that as long as I have to call
6 someone and get them to give me a \$5,100
7 donation, they're not going to do that in the
8 pink houses NYCHA development. We did an
9 analysis of where campaign contributions came
10 from, based on Zip codes, low-income zip codes.
11 You will be surprised how little money comes from
12 those low income zip codes. So if all of our
13 contributions is coming from the Upper East Side,
14 coming from those communities that are
15 financially sound, then we're the voices of
16 everyday people. There's no incentive to knock
17 on 40 projects. There's no incentive to knock on
18 the pink houses, Fort Green. This community is
19 being left out, and when I looked over my numbers
20 and saw the overwhelming amount of money that
21 came from those low dollar donors. But even if
22 we decrease the dollar amount, even if we say,
23 let's move from 5,100 to 2,500, John, the janitor
24 is going to have the challenge of getting 2,500.
25 Bob who went to Brooklyn Law School and can call

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1 up all of his law school buddies, can reach that
2 number.

3 And two, we remove money out of politics
4 completely. I believe we should have a
5 100 percent public finance committee. Every
6 dollar should be given by the government, we
7 could reach a qualifier to determine how once
8 reaches that level. It could be the number of
9 signatures. We can triple the number of
10 signatures. We can have everyone collect a
11 dollar from each person who wants to contribute
12 and it goes in the campaign system. Other states
13 are looking at different things. The primary
14 foundation to my belief is not based on a
15 philosophy of running a campaign from running a
16 campaign. It wasn't my relationships with people
17 I've known throughout the years as a captain or
18 relationships that I come with an edge because
19 I'm elected. There's an edge you come with
20 already. I would not be able to raise the money
21 that I've raised throughout the years. It's not
22 possible. It's not possible if you're a good
23 organizer, a good community person, that you're
24 doing great things in your community, and you're
25 a good leader. You cannot do the tasks that it

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1 needs to raise money, you're going to be
2 frustrated, you're going to be tired, you're
3 going to be really put in a position where you
4 don't want to run for office. You know, you just
5 doesn't want to do it. We're losing good people
6 because of that. And so the conversation of,
7 well, you know, if we give someone \$6 million in
8 the campaign finance system for a primary you'll
9 have someone like a Bloomberg, who is spending
10 \$100 million. They're going to spend it anyway.
11 You reach a critical mass when there's only a
12 certain dollar amount you need to get your
13 message. Everyone should have the same dollar
14 amount, same period of time. I think we should
15 decrease the period of time that a campaign
16 should take place, the same amount for each
17 office, City counsel, borough presidents,
18 comptroller, mayor, public advocate, city-wide
19 elections should be the same dollar amount, and
20 we should move towards that level. Anything
21 other than that, we're tinkering around the
22 edges, and I just wanted to really tell you that
23 money is the enemy. It's always going to be the
24 enemy. We're always going to have a problem with
25 corruption until we get money out of campaigns.

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1 MR. PERALES: Thank you. You alluded to
2 something that's come up before, which has to do
3 with who would qualify, because I don't think you
4 would advocate that anybody who raises his hand
5 ought to get all the money he needs to run for
6 mayor.

7 You alluded to the use of petitioning. Some
8 people have argued that you ought not run for
9 office if you can't get 500 people to give you
10 some money. You have any reaction to that
11 thought?

12 VOICE: I am open to a dollar amount that
13 everyone can contribute based on their community
14 demographics, no matter what it is. If we make
15 that dollar amount a dollar, then you will see
16 far more people in poorer communities doing so.
17 If we drop from 5,100 to 2,500, you might as well
18 still say a million dollars. You're not getting
19 that the from the communities whose voices are
20 being unheard.

21 MR. PERALES: Anyone else? Go ahead, John.

22 MR. SIEGAL: I appreciate your coming.
23 We've heard privately from many other senior
24 elected officials, but you're here and publicly
25 speaking out and I know I and the whole

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1 commission appreciate that; and I, you know,
2 think this is a very strong appeal you're making.
3 I get that you think we should replace the system
4 with a fully publicly funded system, but if we
5 don't, what is your reaction as a candidate to
6 the impact of lowering the contribution limit
7 from 5,100 to whatever it is, the 2,500, the
8 \$1,000 you can raise to run statewide as a
9 senator, whatever. What is your opinion about
10 the impact that will have on what you need to do
11 to run for office?

12 VOICE: So we take John the messenger. A
13 good organizer, able to do the job, then, we take
14 Harry who is the president of the Brooklyn Bar
15 Association. He holds a dinner, he's going to
16 get 200, 300 people to write that \$2,500 check.
17 He's going to max out. He's going to get the
18 contribution. The young man that's coming from
19 that economically challenged area, he's not
20 getting one \$2,500 contribution. So to continue
21 to believe that if we cut it in half, or we cut
22 it to \$1,000. That's where I really want us to
23 go to the place of. When you ask someone who's
24 basically trying to figure out how they're going
25 to get a loaf of bread to write you a \$1,000

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1 check, you might as well say, just give me a
2 million dollar check. It's not going to reach
3 the target. And I can't express that on the
4 ground those who run for office will tell you of
5 many good candidates never ran for office because
6 they cannot pay what it takes to run for office.

7 MR. PERALES: There's always -- how about
8 \$500? I'm bidding. \$500. Does that make it
9 fair?

10 VOICE: I think a good mock exercise is for
11 everyone in CFB, everyone who's making these
12 decisions, to run a mock election. Those who
13 have never felt what you go through to run an
14 election could never really understand it. I
15 think to run a mock election, give them the task
16 of calling people and given them \$500. If ever
17 you want people to lose your number, try to raise
18 that \$500. See what it is to get that document
19 filled out 100 percent correct and have to call
20 the person back four and five times for them to
21 fix something you missed in your address.

22 They say, listen, I wish I never gave it to
23 you. See what it is to say that, you know, you
24 forgot to get the receipt for the Coca-Cola that
25 someone did at their house party, so we're going

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1 to find you. See what it is to make all those
2 copies over and over again, and keep binders, and
3 then three years later, say, remember that race
4 you ran three years ago? We're getting ready to
5 hit you with a fine because we finally did your
6 audit. Everyone should go through that at least
7 one time before you make the rules.

8 MR. PERALES: Have you had an opportunity?
9 You look like nice people to me.

10 VOICE: And they are, trust me, and they're
11 doing their jobs. I don't criticize. When I was
12 a cop and gave someone a summons for double
13 parking, I didn't want to be criticized. I was
14 doing the job of safety. They're doing their job
15 the best we can. We just gave them a task that
16 is difficult. And many of them -- trust me when
17 I tell you -- they never had to run for office to
18 go for the oversight that they're putting on
19 those who are in office.

20 If they did, they would have a different
21 view of what they're doing.

22 MR. PERALES: Anybody else have any other
23 questions? With that, I want to thank -- I want
24 to thank everyone who came and took of their time
25 and testified before us. This has been very

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1 instructive. We've got a tough job to do. Come
2 up with some recommendations to see if we can
3 improve our electoral system and get something on
4 the ballot that the citizens of New York City
5 will approve this November. That's our task, and
6 we appreciate your making it a lot easier for us.
7 Thank you very much.

8 VOICE: Thanks.

9 MR. PERALES: Do I hear a motion?

10 MR. HO: Motion.

11 MR. PERALES: Second? I hear a second. All
12 those in favor?

13 VOICES: Aye.

14 MR. PERALES: All opposed? We're adjourned.

15 (Whereupon, at 4:04 P.M., the above matter
16 concluded.)

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C E R T I F I C A T E

STATE OF NEW YORK)
 : SS.:
COUNTY OF NASSAU)

I, KEVIN HAGHAZARI, a Notary Public for and within the State of New York, do hereby certify:

That the above is a correct transcription of my stenographic notes.

I further certify that I am not related to any of the parties to this action by blood or by marriage and that I am in no way interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set my hand this 28th day of June 2018.



KEVIN HAGHAZARI

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