

Hearing on NYC Public Campaign Financing Not So Public

Posted on May 07, Posted by [David Howard King](#) Category [City](#)

Senate Republicans held a hearing today on the New York City public campaign finance system in what seemed as an attempt to beat back the push by a number of advocacy groups and legislators for the state to adopt a similar system. Things probably didn't work out as Republicans had intended.

Testimony was by invite=only and a number of good government groups protested their exclusion.

Outside the small hearing room, six Senate sergeants-at-arms guarded the doorway. The public was told there was no room for them and were barred entry.

"Let us in!" protesters shouted, the words thundering through the room from outside each time someone entered, causing consternation among speakers and legislators. Protesters discovered that the windows were open to the room and started their chant quietly outside the window. Some threw money and asked, "How much do you want to let us in? What does it cost?" Sergeants-at-arms were called in to drive away the protesters. They shut the window and eventually State Troopers responded.

The push for campaign finance reform has come as a slew of Demcoratic legislators have been arrested by federal authorities on corruption charges. But Senate Republicans continue to be the main benefactors of large corporate donations that are currently allowed in loopholes under current law.

David Keating of the Center For Competitive Politics testified that New York City-style public finance is like giving "whiskey and car keys to teenage boys." He advocated instead that New York adopt Oregon's style of campaign finance regulation.

Oregon has no limits on campaign finance donations.

Keating told legislators that he felt people making small donations should not have to report them, invoking Russian President Vladimir Putin having access to all the names of people who contributed to his opponents. Hitting on a favorite talking point of Senate Republicans — that the public does not want to pay for candidates to run — Keating said that the public could theoretically finance Neo-Nazi candidates.

Republican Kathy Marchione asked Keating how many instances of corruption there have been in the city's campaign finance system. Keating indicated he didn't know but offered, "That could be looked up."

Keating also was unable to answer questions about New York's current campaign contributions laws. He encouraged everyone to "do more research on this."

Bill Mahoney of the New York Public Interest Research Group stood outside the hearing room for hours. Earlier in the day he issued a report showing that 103,805 campaign finance violations occurred since 2011.

"These violations range in severity from corporations donating over their \$5,000 limit to filers failing to disclose the dates of their contributions as required by law," Mahoney said. "Taken together, the massive number of minor violations is indicative of a system in which the purported enforcement entity is willing to tolerate a complete disregard for its regulations."

Gov. Andrew Cuomo praised Mahoney's report.

Seven groups submitted a complaint to the Committee on Open Government on the public being excluded from the hearing. Here is the letter:

Brennan Center for Justice

Center for Working Families

Citizen Action of NY

Common Cause NY

Communications Workers of America District One

League of Women Voters of New York State

New York Public Interest Research Group

Mr. Freeman:

The Open Meetings Law and the rules of the Senate clearly declare that every committee meeting should be open to the public:

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Senate Rules §3(3). All meetings of committees shall be open to authorized representatives of the news media and the general public as observers.

This is in keeping with the state's Open Meetings Law, which states:

Article 7, §103. Open meetings and executive sessions. (a) Every meeting of a public body shall be open to the general public, except that an executive session of such body may be called and business transacted thereat in accordance with section ninety-five of this article.

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This morning, the Senate Elections Committee commenced a public hearing on public financing of elections. Members of the Senate Elections Committee and/or staff reportedly directed sergeants-at-arms to deny entry to interested members of the public. This was done despite the room being well below capacity at the start of the hearing. (Several photos taken by reporters at this time showed there was plenty of remaining space). Nonetheless, sergeants-at-arms barred public entry claiming the room was filled to capacity. Several sergeants-at-arms were asked if members of the public could enter if some of those already in the room were to leave. They said "no." When told this was in violation of the state's Open Meetings Law, one sergeant-at-arms claimed to simply be following orders from the Committee. This suggests an intentional violation by the Elections Committee of the Senate Rules and the Open Meetings Law.

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With the recent spate of arrests and polls showing keen public interest in reform issues, members of the public ought to at least be able to observe and listen to the proceedings, in accordance with the law. The failure to open up a "public" hearing to the public today is a new low for democracy and open government in New York.

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We urge the Committee on Open Government to investigate this breach of the Open Meetings Law and the Senate's rules in furtherance thereof and formally censure the Senate Elections Committee for its conduct shutting out the public today.

Sincerely,

cc: Senate Co-Majority Leaders Skelos and Klein

Senate Democrat Conference Leader Stewart-Cousins

Senator Liz Krueger, Elections Committee Ranking Member

Attorney General Eric Schneiderman

Albany District Attorney David Soares

Governor Andrew M. Cuomo

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