



The League of Women Voters of New York State
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THE LEAGUE OF WOMEN VOTERS *of New York State*

CAMPAIGN FINANCE REFORM QUESTIONNAIRE

This questionnaire is formulated to assess the extent to which you agree or disagree to those measures that we believe to be minimally essential to meaningful campaign finance reform. The League’s full proposal for such reform is located on its home page at www.lwvny.org. Click on “League Launches Campaign Finance Reform Project” and again on “League Proposal - Campaign Finance Reform, Enforcement, Transparency and Accountability Act of 2008.” At the end of each question relating to a specific portion of the proposal, we have referenced, in square brackets, the pages (p.) and lines (l.) of the proposal to which the question relates and in parentheses the points to be awarded for each question, with the total points for each subsection and section. We have also provided a set of endnotes that summarize the current law and the manner in which the League proposal would change current law.

Please check your answer to each question and return to the League office within two weeks of receipt. If you have any questions, feel free to contact us at (518) 465-4162.

I. CONTRIBUTION LIMITS

- A. Do you support reduction of contributions to races for statewide office, NYC citywide office, Supreme Court, countywide offices (e.g. county executives, county judges) and State Senate to the federal congressional contribution limits, contributions to State Assembly races to 50% of the federal congressional contribution limit, and contributions to local races to the lesser of 50% of the federal contribution limit or \$0.05 per voter in the district for each election, but at least \$200, subject to an exception for local public financing systems, where applicable?
 _____Y _____N [p. 26, l. 20-22; p. 27, l. 1-18; p. 29, l. 18-22; p. 30, l. 1-2] {8 points}ⁱ
- B. Do you support lowering the aggregate amount an individual may contribute, loan or guarantee in a calendar year to \$25,000ⁱⁱ and the aggregate amount an individual may contribute to a party or constituted committee in a calendar year to \$5,000?
 _____Y _____N [p. 26, l. 20-22; p. 27, l. 1-4; p. 29, l. 14-21] {8 points}ⁱⁱⁱ

II. CLOSING LOOPHOLES

- A. Party Housekeeping Accounts
 Do you support making contributions to and expenditures of party housekeeping accounts subject to campaign finance restrictions? {8 points}
 _____Y _____N [p. 26, l. 20-22; p. 27, l. 1-4; p. 29, l. 6-13; p. 30, l. 14-22; p. 31, l. 1-2]^{iv}
- B. Multi-Candidate Committees Contribution Limits
 Do you support limitation of political contributions by multi-candidate committees: 1. to individual candidates or their political committees to the maximum amounts specified for individual contributions under the League proposal (See question I. A for the proposed limitations.); and 2. to a party or constituted committee to \$2,500 per calendar year?
 _____Y _____N [p. 28, l. 1-22] ^v {8 points}

C. Bundling

Do you support requiring intermediaries who deliver an aggregate \$1,000 or more in contributions in any calendar year to or on behalf of any candidate, authorized candidate committee, multi-candidate committee, party committee or agent to provide with delivery a written list of the name, mailing address and occupation of each contributor, the amount of each contribution, the date each contribution was received by the intermediary, and for contributions of one hundred dollars or more, the name and address of such contributor's employer and filing such lists with the State Board of Elections?

_____Y _____N [p. 18, l. 6-22; p. 19, l. 1-14]^{vi} {4 points}

III. **LIMITATION OF INFLUENCE**

A. Lobbyist Contributions

Do you support limiting the contributions of lobbyists and members of their households to the greater of \$200 or 10% of the individual contribution limit for the office^{vii} and support limiting the ability of lobbyists and members of their households to bundle contributions from individuals so that the individual's contribution that becomes part of the bundle is not more than the maximum lobbyist contribution to the particular election?^{viii}

_____Y _____N [p. 18, l. 6-22; p. 19, l. 1-19; p. 29, l. 1-5] {8 points}

B. Contributions by Labor Unions, Corporations, Joint-Stock Associations, Limited Liability Companies, Professional Limited Liability Companies, and Partnerships: Do you support banning all political contributions by labor organizations, corporations, joint-stock associations, limited liability companies, professional limited liability companies, and partnerships, as is the case under federal law?

_____Y _____N [p. 31, l. 13-22; p. 34, l. 1-4] {8 points}^{ix}

IV. **CAMPAIGN FUND USE**

A. Do you support having the same limitation on the use of campaign contributions as exists in federal law?

_____Y _____N [p. 37, l. 14-22; p. 38, l. 1-6] {3 points}^x

B. Do you support requiring campaign committees to wrap up their operations within two years after the election in the case of an unsuccessful candidate or after the candidate leaves office in the case of a candidate who is elected to office, and within one year after death and limiting the manner in which campaign committees dispose of funds when they wrap up operations so that funds are reimbursed pro-rata to contributors, donated to 501 (c) (3) organizations, donated to the state university of New York, or donated to the state general fund?

_____Y _____N [p. 38, l. 12-23; p. 39, l. 1-18] {3 points}^{xi}

V. **DISCLOSURE** {6 points}

Do you support centralization of filing of campaign finance disclosure with the State Board of Elections?

_____Y _____N [p. 25, l. 20-21] {6 points}^{xii}

VI. **ENFORCEMENT**

A. Enforcing Body ^{xiii}

1. Do you support the creation of an independent body for enforcement of campaign finance law whose chief enforcement officer is appointed by the State Board of Elections, upon nomination of a short list by a bipartisan committee with citizen representatives and

appointment by the bipartisan commission if the SBOE fails to act in a timely fashion, giving this body full investigative and enforcement powers, including subpoena power, without State Board of Election override, and giving this body the power to conduct random audits to determine compliance with campaign finance laws, and prohibiting the chief enforcement officer and employees of the body from engaging in partisan political activity while they serve?

_____Y _____N [p. 6, l. 3-22; p. 7; p. 8, l. 1-2; p. 43, l. 6-24; p. 44; p. 45, l. 1-18; p. 47, l. 11-23; p. 48, l. 1-20] {4 points}

2. Do you support giving the Attorney General power to prosecute criminal violations if the independent body for enforcement of campaign finance laws fails to prosecute within 30 days of a determination of probable cause?

_____Y _____N [p. 46, l. 6-22; p. 49, l. 21-23; p. 50, l. 1-13] {4 points}

B. Penalties

1. Crimes: {4 points}

Do you support making serious willful violations of campaign finance law a felony?

_____Y _____N [p.43, l. 3-23; p. 44] {4 points}^{xiv}

2. Fines

Do you support a system of automatic collection of civil penalties for failure to file timely statements, filing inaccurate statements, accepting excessive contributions, and converting contributions to personal use and discretionary fines of up to \$10,000 for those convicted of criminal offenses?

_____Y _____N [p. 41, l. 21-22; p. 42; p. 43-44] ^{xv} {4 points}

C. Disclosure: Do you support disclosure of civil and criminal proceedings against alleged violators of the campaign finance laws and the outcome of such proceedings on the website?

_____Y _____N [p. 41, l. 12-23] {4 points}^{xvi}

VII. SPONSORSHIP

If elected, would you sponsor the League's proposal for campaign finance reform?

_____Y _____N {14 points}

NAME: _____

ADDRESS: _____

FAX: _____

E-MAIL: _____

TELEPHONE: _____

OFFICE SOUGHT: _____

INCUMBENT: _____Y _____N

PARTY LINES: _____

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- ⁱ The current limit for statewide offices is \$18,000 for a primary and \$37,800 for the general election, for a total of \$55,800 per election cycle. The current limit for NYC citywide offices, the Supreme Court, and countywide offices varies. The current limit for state Senate is \$6,000 for a primary and \$9,500 for a general election, for a total of \$15,500 per election cycle. The current limit for state Assembly is \$3,800 for a primary and \$3,800 for a general election, for a total of \$7,600 per election cycle. The current limit for local races varies, depending on the election. The current federal congressional is \$2,300 for a primary and \$2,300 per general election, for a total of \$4,600 per election cycle.
- ⁱⁱ The current aggregate limit is \$150,000. The League proposal would reduce this amount to \$25,000 per calendar year.
- ⁱⁱⁱ The current aggregate limit is \$94,200 per calendar year. The League proposal would reduce this amount to \$5,000 per calendar year.
- ^{iv} Currently party housekeeping accounts are totally exempt from the contribution and expenditure limitations contained in Article 14 of the election law. . The League proposal would abolish this exemption.
- ^v Currently multi-candidate committees that make only financial contributions to candidates are exempt from limitation. The League proposal would limit them to the maximum contributions for individuals and would also limit their annual contribution to any party or constituted committee to \$2,500. See note i for individual limits.
- ^{vi} Such contributions would be considered individual contributions for purposes of applying individual contribution limits and reported to the State Board of Elections.
- ^{vii} There is currently no lobbyist contribution cap. This proposal would limit contributions, depending on the office, to a high of \$230 each for a primary and general election, for a total of \$460 per election cycle. For some offices, the contribution cap would be lower.
- ^{viii} There is no current bundling limit for lobbyists. The League proposal would limit the amount lobbyists could accept from others for purposes of bundling to the amount the lobbyist could contribute.
- ^{ix} This proposal would ban contributions from certain legal entities, as is the case under federal campaign finance law. Under current law, the nature of the entity determines the contribution limit. Annual contribution limits range, from a high of \$150,000 for LLC/LLPs (considered as individuals) to a low of \$5,000 for corporations. Each affiliated or subsidiary corporation, if a separate legal entity, has a \$5,000 annual limit. The League proposal would ban contributions from all such entities.
- ^x Under current state law campaign funds may be spent for any lawful use. They must not be converted to a personal use unrelated to a political campaign or the holding of a public office or party position. The distinction between political and personal use has become quite blurred under New York law, with officials using campaign funds for country club memberships and improvement of personal homes. Federal law clearly prohibits use of these contributions in gray areas, prohibiting, use for any personal commitment that would exist irrespective of a campaign or duties as an officeholder, including, among other things, use for housing related expenses, clothing, ,non-campaign automobile expense, household food, admission to a non-campaign related event.
- ^{xi} Current law contains no time period for committee wrap-up, and limitations on disposal of funds do not exist.
- ^{xii} Currently some races file disclosure statements with the State Board of Elections and others file with their local county boards. This has resulted in different filing standards and has made enforcement difficult.
- ^{xiii} The next 2 questions relate to provisions that do not exist under current law but that exist in the League proposal.
- ^{xiv} Currently most violations of the campaign finance law are misdemeanors. The League proposal would increase the severity of most violations, other than missing initial filing deadlines, to felonies
- ^{xv} Current law allows for a civil penalty of up to \$500, collectable through judicial proceeding. The League proposal would enable assessment of civil penalties for noncompliance, ranging in amount from \$100 to \$2,000, depending on the nature of the violation and whether it is a first infraction. Acceptance of more than the allowable contribution limit is subject to a civil penalty of two or three times the excess amount, depending on whether the violation is a first infraction. Civil penalties would assessable without judicial proceeding. Criminal fines would be allowed under the League proposal.
- ^{xvi} Current law does not allow disclosure.