



**Do Not Fundamentally Change the Structure of, Appointments to, or Length of Terms of the City Campaign Finance Board or the Choosing of the Executive Director. The existing process has worked well for 31 years.**

The 2019 Charter Revision Commission is charged with putting measures on the ballot in 2019 for New York City voters to consider. [The Commission has released a winnowed down list of topics it will focus on](#), which includes Elections. Within the Elections area, [the Commission has indicated it is considering changes to who appoints the members of the Board; how many members are on the Board; who appoints the Board Chair or whether the Council should provide advice and consent to a mayorally-appointed Chair; and the selection of the Executive Director.](#)<sup>1</sup>

The Campaign Finance Board currently administers campaign finance for city elections, including the city's model public financing program. The Board's composition and appointment process is laid out in section 1052 of Chapter 46 of the New York City Charter. The Board consists of five members. Two are chosen by the mayor, and two are chosen by the Speaker of the City Council. The two members chosen by the mayor and the two members chosen by the Speaker cannot be in the same political party. The Chair of the Board is chosen by the mayor, with consultation required with the City Council. Each member serves for a term of five years and cannot be removed except for cause and upon notice and a hearing. Other important appointment provisions include procedures for re-appointing board members if the mayor or City Council do not act to make a new appointment, and for the Board to select a Chair if the mayor does not do so. Each board member must be a resident of the city and a registered voter. No board member may be a lobbyist, employee of a lobbyist, political party officer, city employee, candidate or work on the campaign of a candidate for nomination or election to city office. Campaign experience, particularly with the New York City system, is a factor in choosing board members.

The Board chooses an executive director, counsel and other necessary staff.

The New York City Campaign Finance Board for 31 years has managed a public matching program that stands as a bulwark against the growing tide of big money that

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<sup>1</sup> 2019 NYC Charter. Elections: Campaign Finance. Available at: [http://www.charter2019.nyc/pdfs/Focus\\_Areas.pdf](http://www.charter2019.nyc/pdfs/Focus_Areas.pdf)

has dominated the political system nationally and in other states. It is a model for change in Washington and has been replicated by other localities, including recently in Denver, Montgomery County in Maryland, and the District of Columbia. The system has been refined and improved over time to amplify the voice of everyday New Yorkers by matching small contributions. This tradition of improvement continued last year when voters passed the 2018 Charter Revision Commission's proposal for an \$8:\$1 match on small donations and lower contribution limits.

The Board of the Campaign Finance Board has played an essential role in establishing a model system New York City can be proud of. Its first Chair, Father Joseph A. O'Hare, and his successor, Frederick A.O. Schwartz Jr., established a culture of integrity and fairness that extends to current members like former Chair Richard J. Davis and current Chair Frederick P. Schaffer.

If the City was starting from scratch, our groups would not recommend a system of elected officials making direct appointments of board members who regulate those same elected officials. However, the Board has such a long history of distinction that we question the need to fundamentally change it. The culture of the Board and conduct of its members have and continue to overcome the usual structural conflicts inherent in direct appointments.

We are not opposed to the Council having formal advice and consent through a public hearing on the Chair of the Board since that would make the Board more balanced between its appointing authorities but not substantially change the structure of the Board that has served the City well. However, the Council already has to be consulted to some extent in the choosing of the Chair.

We oppose any change in the selection or approval of the Executive Director, who should be chosen and approved only by the Board to preserve the independence of the agency.

We oppose any change to the five-year terms which are designed to avoid changes in or before an election year and, instead, result in changes in board members the year after an election.

Our groups recognize the Board can make improvements to campaign finance administration. Audits take too long. Candidates feel it is challenging to navigate the system without being penalized and fined. The Board needs to better utilize technology to make compliance easier for candidates. The Board needs a more customer-friendly

approach with the appropriate ratio of candidate liaisons dedicated to particular races and districts. But these are all issues which the Council and Mayor can address through oversight hearings and their appointees on the Board in running the agency. These issues should not cause the Commission to change the composition or appointments to the Board or the process for choosing the Executive Director.

Charter Revision Commissions in years past have a tradition of improving the campaign finance system. The 2019 Commission, the first including appointments from all elected officials, should not break that positive legacy.