



October 22, 2019

To the Members of the Public Campaign Finance Commission (“Commission”):

We, the Members of the New York State Senate Republican Conference (“Conference”), state at the outset our unequivocal opposition to the creation of this Commission and its potential findings. The Commission was statutorily empowered to amend the Election Law. This constitutes an unlawful delegation of legislative authority to an unelected commission. It is unconstitutional for the same reason that it is poor governance: it lacks accountability to the People of New York State.

The establishment of this Commission creates a dangerous precedent for unaccountable legislating. If this Commission is allowed to act, what is next? Will difficult issues of policy continually be delegated to a group of individuals unaccountable to voters? Laws should be enacted by elected representatives as the Constitution provides—and not unelected appointed officials, none of whom are accountable to the public.

On these issues, our Conference strongly opposes the creation of a system of public campaign finance and strongly supports the protection of fusion voting in this State.

First, New York's fusion voting system has been in place for over one hundred years and was originally created as a mechanism to fight the political corruption of Tammany Hall. Since the establishment of fusion voting, the New York State Court of Appeals has held that the system of fusion voting is constitutional, and the Legislature has repeatedly referenced fusion voting in our election laws. As we work in a bipartisan fashion to forever end criminal and ethical scandals in New York politics, why would we eliminate a voting system specifically designed to *stop* political corruption?

Second, to eliminate fusion voting would be to limit voter choice. Fusion voting allows independent and disaffected voters—who often refuse to vote for candidates on the ballot line of either major political party—the option of voting for their preferred candidate without being forced to vote on either the Republican or Democratic ballot line. We should not limit New Yorkers' right to vote for candidates of their choice because they have a philosophical or principled position of refusing to vote on the ballot line of major political parties. Fusion voting also allows them to have their vote matter by enabling them to support a candidate with a credible chance of winning on an alternative party line.

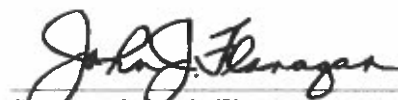
Third, fusion voting has allowed more individuals with differing political perspectives to run for office successfully in New York State. There have been third party candidates elected to office at all levels of government, including members from the Green Party, Liberal Party, Working Families Party, Independence Party, and Conservative Party. Without a system of fusion voting, which allows these individuals the ability to run on multiple ballot lines, these candidates will lose the ability to run competitive races.

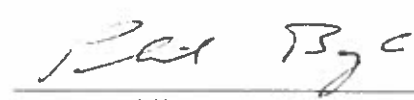
Finally, the greatest concern that our Conference has had regarding proposed public financing of campaigns in New York is the exorbitant cost to our taxpayers. It is important to recognize that maintaining our fusion voting system will SAVE TAXPAYER MONEY. The math is simple: should the Commission eliminate fusion voting, there may be upwards of eight candidates for *every* political office; a different candidate from every political party, which currently has automatic ballot access in our state. This does not even include candidates from other parties who may secure the required number of signatures needed to qualify for ballot placement and public financing of their campaigns. If each of these candidates are entitled to financial assistance from taxpayers to run, the costs will far exceed the proposed \$100 million the State has budgeted for the system.

Under fusion voting, candidates would be allowed to earn the endorsement of more than one political party, yet be limited to no more public campaign funds whether they run on one ballot line or multiple lines. Over the course of years, a public campaign financing system that eliminates fusion voting would cost New York State taxpayers hundreds of millions—if not billions—of dollars. This taxpayer money, most of which would be provided to candidates with almost no chance of winning an election, would be much better used providing needed tax relief for New York residents, protecting our environment, and improving our schools.

Thank you, in advance, for your consideration.

Sincerely,


  
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Senator John J. Flanagan  
Minority Leader

  
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Senator Phil Boyle

  
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Senator James Tedisco


  
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Senator Daphne Jordan

  
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Senator Joseph A. Griffo

  
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Senator James L. Seward



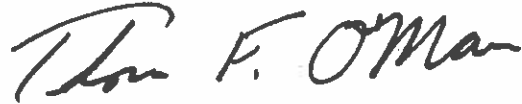
Senator Patty Ritchie



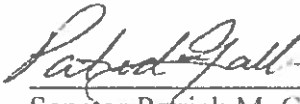
Senator Pamela Helming



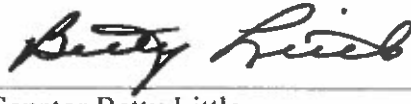
Senator Rich Funke



Senator Thomas F. O'Mara



Senator Patrick M. Gallivan



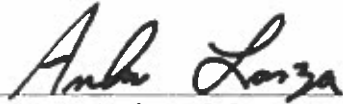
Senator Betty Little



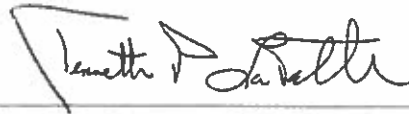
Senator Fred Askhar



Senator George A. Amedore Jr.



Senator Andrew J. Lanza



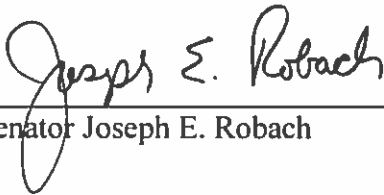
Senator Kenneth P. LaValle



Senator Chris Jacobs



Senator Rob Ort



Senator Joseph E. Robach



Senator Sue Serino



Senator Michael H. Kanzenhofer