

Term limit cash crunch

Council wanna-bes sue over ruling on campaign financing

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DAILY NEWS CITY HALL BUREAU

SEVERAL CITY Council hopefuls filed suit yesterday to level the financial playing field they said was left lopsided when term limits were extended from two to three.

At issue is a Campaign Finance Board decision which lets Council members keep any money they raised to run for a higher office — as long as they don't use it to run for reelection next year.

Many of those candidates — including Speaker Christine Quinn — have shelled out far more than the \$161,000 spending limit for Council candidates.

The CFB ruling means they won't have to return contributions above the \$2,750 Council limit — candidates for mayor and controller can collect as much as \$4,950 — and won't be penalized for what they've spent.

It would allow the candidates to use the extra money for a 2013 run for higher office.

"It's just plainly illegal," said Leo Glickman, a lawyer for the three Council candidates who sued the CFB yesterday.

"It's not only deeply unfair to the candidates the law is designed to help, it is denying the voters the competitive elections that the law promotes."

The candidates — Yetta

Kurland, who hopes to unseat Quinn; Mel Gagarin, who is running for the seat occupied by Melinda Katz in Queens, and Jo Anne Simon, who wants the job held by David Yassky in Brooklyn — say the CFB should give new candidates extra financial support, let them exceed spending limits or come up with another solution.

Quinn has spent \$289,000 on her mayoral race as of the last reporting deadline in July.

"The Campaign Finance Board — an independent agency that is the national gold standard on public financing and stringent

campaign regulations — has issued what we believe to be fair and clear guidelines for candidates affected by the term limits extension," Quinn said.

Yassky and Katz both say that they're still running for controller but do have the option to seek a third term instead. Katz had already spent \$775,000 as of July; Yassky had spent \$145,000.

CFB Director Amy Loprest defended the board's solution.

"If these incumbents choose to opt out of the [Campaign Finance] program they face no limits on their spending," she said in a statement.

"By allowing them a fresh start, the board hopes to impact their behavior going forward and allow these elections to unfold on a more level playing field."

Some Council members who've changed their plans recently say they do not get an extra boost from the CFB's ruling.

"In fact, I'm now at a disadvantage of having to freeze that money and start from zero," said Councilman Peter Vallone Jr., who said he's raised \$1 million to run for Queens borough president.

"Anybody running against me will have more than that. It'd be difficult for me to raise the maximum in just a few months."

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