

The Mayor's Misdirection by Dan Jacoby

One standard effect among magicians is misdirection. They make you look in one place while they're busy fooling you somewhere else. The same practice is common among politicians.

As Mayor Bloomberg "holds a hearing" prior to signing his bill extending term limits, everyone's attention – especially that of the press – will be focused on the Blue Room at City Hall. Meanwhile, something sinister will be happening down at 40 Rector Street; the Campaign Finance Board (CFB) will almost certainly be breaking the law.

Before the City Council voted to extend term limits, many Council members were planning to run for higher office. To that end, they had been spending a lot of money. If they decide instead to run for a third term, they will not be eligible for matching funds, because they will not be able to stay under the spending limits that come with matching funds.

That's not really a problem, since those Council members will have plenty of money to spend, and don't need matching funds. The problem occurs when someone opposes a high-spending candidate. The opponent becomes eligible to receive far more matching funds (up to \$201,000 vs. \$89,000), and might not have to limit overall spending. The last thing a high-spending incumbent wants in this charged atmosphere is an opponent who gets a couple of hundred thousand dollars for free, and has no spending limits.

The CFB has proposed to change the rules so that everyone who has already spent a fortune can get a "do over." The problem is that the CFB has already ruled, twice, that with a minor exception there is no "do over." In addition, a change in the law, enacted after those CFB rulings, negates that minor exception.

Despite this, it is probable that the CFB will ignore their own precedent and the law, and allow those Council members their "do over" anyway. And they'll do it at a time when everyone's attention is focused on the Mayor's "hearing."

What makes things worse is that there are, at most, only seven Council members who could benefit from the CFB's action. Six of those seven voted to extend term limits, so those six would get a special break to get out of a problem they created for themselves.

One of those six is the Speaker, and she helped shepherd the Mayor's bill through the Council. Could the CFB action be part of the Mayor's payback for her support? It's hard to prove a connection, but the CFB originally proposed the rule change shortly after Speaker Quinn announced her support for the Mayor's bill.