

Candidate Questionnaire Local Candidates Committee NYS Flections 2018

Citizens Union appreciates your response to the following questionnaire related to policy issues facing New York State, and our interest in reforming state government. Please return the questionnaire to us as soon as possible, and no later than September 14th. Responses to these questions will be one of several factors Citizens Union uses to evaluate candidates running for New York State Comptroller, and to issue an endorsement in the General Election. Please feel free to affix any additional information such as a résumé, campaign brochure, or issue statements.

If you seek our support, we will also need to schedule an interview with you as part of the evaluation process. **Please** contact us if you wish to be interviewed.

We plan to make responses to this questionnaire public on our website, printed voters directory, and other appropriate venues.

We thank you very much for your response.

Biographical Information	
Candidate Name: Mark Dunlea	
Party Affiliation(s):Green Party	Age: 64
Education: BS Management RPI; Juris Doctor Albany School	
Office Sought/District: NYS Comptroller	
Occupation/Employer: Organizer / Attorney	
Previous Offices, Campaigns and Community/Civic Involvement:	
Resume attached	
(Please feel free to affix any additional information such as a résumé, campaign brochure, or issue statements.)	
Campaign Contact Information	
Campaign Manager Name: Peter LaVenia	Additional Staff Contact:
Address: 156 Big Toad Rd. Poestenkill NY 12140	
Telephone: 518 860-3725	Fax:

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I. AFFIRMATIONS

Have you completed required campaign finance filings?	YES
Are you willing to be interviewed by CU's Local Candidates Committee?	YES
(Please note: interviews are prerequisites for Citizens Union endorsements.)	
Signature of Candidate: Wark Dunke	Date:9/17/18

II. CANDIDATE QUESTIONS

1. What reforms do you think are necessary to promote a timelier, more transparent, and more accountable budget process? What is your view of applying GAAP (Generally Accepted Accounting Principles) to the state's budget? What is your position on the creation of an independent budget office?

As Executive Director of the Hunger Action Network of NYS and a Board member and economic advisor to the Fiscal Policy Institute, I for many years advocated for budget process reform in the state legislature and during the budget hearings for a variety of reforms, including the adoption of an independent budget office. I believe the NYC budget office provides a good model, which includes a guarantee of funding. It is critical that the office in fact be independent, with members selected for their expertise and not for their political donations and connections.

We need to enact comprehensive Clean Contracting Reforms (discussed in more details later). We need to identify upfront all nonspecific lumps sums in the budget.

I think that the use of GAAP is useful to provide a more traditional analysis and overview of the state budget, including identifying who much revenue and expenses directly related to the current fiscal years. I certainly oppose the traditional use of one-shot gimmicks (selling state assets to public authorities) to raise revenues to cover operating shortfalls in the budget or to use long-term debt as a substitute for raising revenues – especially in elections years – to cover operating expenses. However, I do think there is a role for the transparent use of rainy day funds to help the state navigate the cyclical nature of the economy, business cycles and revenues (e.g., raise more revenues when the economy is doing well to help cover shortfalls in revenues during lean economic times).

As always we need to stop the practice of having the Governor waive the three days reading of budget bills before they are enacted. Most lawmakers have little idea what is in the budget bills other than school aid.

2. Do you believe that the current balance of power between the governor and the legislature in the budget process is appropriate? What steps do you believe are necessary, if any, to change this balance? Do you support instituting a later start date to the state fiscal year to allow for more deliberation by the legislature?

I oppose the present practice of three (or four) men in the back room passing the state budget without the opportunity for the public or lawmakers to read the final budget bill. The joint conference budget committees are just for show, little more than press conferences where the members report the decisions made by the leaders behind closed doors. I support strengthening the role of the committee chairs in making decisions related to the budget giving them the power and jurisdiction similar to Congressional joint conference committee (e.g., they shape the entire budget under their jurisdiction, not just play with a \$50 million table target).

I oppose the Governor using the budget to push through policy changes apart from direct appropriations. I believe the legislature should have more ability to propose alternate budget line items.

I am not sure that a later fiscal year would improve the budget process, absent the legislature becoming full time. There of course is not formal requirement that the budget has to be adopted by the beginning of the fiscal year, though that makes sense. Delaying the budget adoption date would cause problems for other entities that rely upon it for revenue, starting with local school boards. It would be helpful if the Governor was to proposed the budget earlier, and that the revenue forecasting started earlier. The Executive hearings in November and December should be more open to allow taxpayers more of an opportunity to present budget testimony.

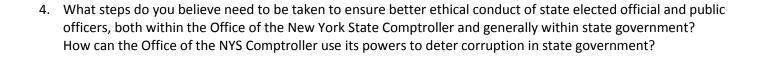
The state legislature must be required to follow the same Freedom of Information requirements as other government entities, as well as the open meetings law.

3. Do you support measures to limit the role of money in elections and politics, such as substantially reducing contribution limits and/or instituting a matching public campaign financing system at the state level? If elected, would you set an example on campaign finance reform by voluntarily limiting the size of campaign

contributions you receive by an amount significantly less than the current limit, should reforms not be enacted?

There are no meaningful campaign contribution limits in the state, especially for the statewide candidates and political parties. I have long advocated in the legislature for a system of full public campaign financing based on the Clean Money model as used in Maine and Arizona (i.e., you collect a certain number of small contributions to qualify). (for details, see http://www.howiehawkins.org/issue_brief_on_public_campaign_finance.) The State Comptroller office is particularly notorious for abuse of pay-to-play campaign financing, such as when Comptroller Carl McCall ran for Governor (while calling for campaign finance reform). I oppose the partial campaign finance model in NYC has having been ineffective in curb the role of private donations, especially for Mayor. If elected, I will limit contributions to the federal limit. I would prohibit any employee of the Comptroller's office or anyone doing business with the comptroller from making a donation to the campaign.

I support strong limits on outside income for state legislators and full disclosure of present outside income. I would also impose strict limits on the personal use of campaign funds, including a prohibition against using campaign funds for attorney fees in criminal investigations and to pay for personal household uses even when they perform some campaign function. I would eliminate the Limited Liability Corporations loophole.

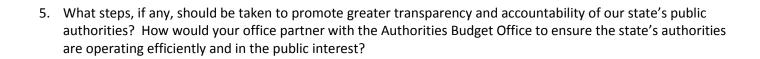


When I was a Town Board member in Poestenkill, I passed an ethics law for the town. The first time the NYS legislature raised their salaries during a lame duck session I sued them on behalf of Ralph Nader since it violated the state constitutional requirement against raising their salaries during and with respect to the term for which they have

We certainly need much stronger ethics laws for state legislature, including significantly restricting outside income. I support Impaneling a new Moreland Commission on Public Corruption and Replace JCOPE with an Independent Ethics Commission. I would support term limits of 8 years for state elected officials, including the Comptroller. I would prohibit individuals or firms with contracts with state government, including authorities, from making campaign contributions.

As State Comptroller, I would have a unit investigate in more detail every contract provided to anyone who had made a contribution to a statewide official or political party.

When I was first elected to office in the Town of Poestenkill, I required all our contracts to go out to bid to lower costs; I managed to cut local property taxes every year I was in office. One result was that the County Democratic Party chair went to federal prison for two years as result of corruption related to the previous insurance contract. There is a massive amount of corruption at the local and state level in NYS, with more than 40 state officials have been indicted or forced to resign in the last few decades. We need much more aggressive efforts to root out corruption. That is far more likely to occur if someone other than the two major parties is the state comptroller.



Public authorities are a barely legal way for state to evade the constitutional restrictions on the incurring of public debate. They are also used to evade proper budget practices, with authorities far too often been used as a backdoor source to plug budget gaps. The authorities are used to pay excessive salaries too far too many politically connected

individuals and to evade public scrutiny and oversight. The authorities spend over \$60 billion a year, almost 40% of the general state budget. They are a source of corruption, as we have witnessed with the recent trials on the Buffalo Billion and the Empire State Development Corporation.

As a law intern for NYPIRG, I group I co-founded in 1973, I wrote the Citizen Taxpayer Lawsuit law giving taxpayers the right to sue for illegal expenditures of taxpayer funds. We successfully sued to reform the practice of lulus in the state legislature. NYPIRG unsuccessfully challenged the scheme by Albany Mayor Erastus Corning and Governor Rockefeller to have Albany County build the Empire State Plaza in order to evade the restriction on public debt.

The recent public authority reforms were a step in the right direction but for more is needed. If authorities are not to be abolished, they must at least be required to follow the same procurement and transparency guidelines as other state agencies. I support the State Procurement Integrity Act proposal of 2017.

I support the Authorities Budget Office's (ABO) proposed rules requiring Industrial Development Agencies (IDAs) to publish online essential information about projects they are providing with taxpayer subsidies. IDAs should make known their agreements with companies receiving subsidies, how IDAs select winning projects, and their standards for recouping taxpayer dollars if required jobs are not created

Reinvent Albany recently testified that "The Rule would make transparent requirements placed on IDAs in 2015 to make them more accountable to taxpayers. A 2015 law required IDAs to create an application form for companies to seek subsidies, form project agreements with companies receiving benefits, and enact policies for measuring corporate progress in hitting job targets and terminating and clawing back benefits if job targets are not reached. It is not known to what extent IDAs are complying with the law." 6. Currently, at least \$12.7 billion of state budget funds are in appropriations without adequate spending criteria or oversight, notably in spending pots controlled by the legislature and in large lump-sum appropriations in UDC and other budget lines. Would you favor a requirement that spending from all such funds be publicly identified, including a description of which vendors/contractors are paid what out of each such budget line? Do you have other recommendations for improving transparency in this area?

Yes

There should be comprehensive, online disclosure of all grant and contracts expended under lump sum funds. Lump sum appropriations should disclose in the state budget the detailed purposes and criteria set forth for their distribution. There should also be a time limit for the reappropriation of lump sums to decrease slush funds and the use of such funds as "one-shot" budget gap fillers.

7. What are your views regarding the fiscal health and forecast for New York State, both in the private and public sectors? How would you use the power of the office to promote a fiscally sound future for New York State?

The growing income inequality in NY – already the worst in the country – threatens the ongoing fiscal health of the state. The state would be far fiscally stronger with more equal income distribution.

One certainly worries about what is going on with the Governor declares a \$6 billion or more gap in the state budget and then opposes increasing revenues to solve the situation, somehow magically resolving the budget with only about \$1 billion in additional revenues.

Our state fiscal planning needs to be tied into our planning to deal with the climate emergency.

8. What are the key areas in state government, local government, and in school districts that you have identified where New York State can realize significant fiscal savings? How would you use the Office of the NYS Comptroller to help achieve those savings?

The single biggest way the state could save money is by enacting a single payer universal health care system. Various studies have indicated that overall health care spending would decrease by \$30 to \$50 billion a year. A state single payer system could also help eliminate the need to devote most of the county property tax levy to paying for Medicaid. I helped re-organize the single payer movement in NYS by co-founding Single Payer NY which has passed NY Health the last four years in the state Assembly. I unsuccessfully tried to convince Tom DiNapoli to have the state comptroller do a study of the fiscal impact on a single payer healthcare system.

As Comptroller, I will be an advocate for fair taxes. I will oppose state budgets that fail to comply with the resolution to the lawsuits on school funding requiring the state to increase funding for inner-city and rural schools. I will advocate to restore state revenue sharing with local governments to the 8% level required by the former Section 54 of the state finance law, as opposed to the current 0.4%. It is also under that the janitor in Trump Tower pays a higher percentage of their income for state and local taxes than Trump and other wealthy New Yorkers.

For nearly two decades I have campaigned to overhaul the corporate welfare slush fund – known as economic development – that is too often used to waste billions of tax dollars to reward political campaign contributors. As Executive Director of Hunger Action Network one of my roles is to help identify and create jobs to assist low and moderate income individuals, including welfare participants, to become economically independent. I helped draft legislation to set corporate accountability standards for such payments, including clear contractual obligations as to the number of jobs to be created; claw back provisions if the jobs were not created; and wage and labor standards for the jobs that were created. These reforms have still not been adopted.

The state should establish benchmarks to compare economic development subsidies to investments in traditional public infrastructure. Economic development projects are presented without an alternatives analyses that presents different options for public investments.

I support eliminating the present economic development program to save tax dollars. Economic development should focus on infrastructure developments to support economic development agendas developed by local communities.

9. How do you see the role of the comptroller in reviewing government contracts? What changes would you make to the state comptroller's role with respect to contracts?

The bid rigging of the \$750 million contract for the Buffalo Billions occurred shortly after the Governor stripped the authority of the state comptroller to review such contracts (e.g., with SUNY). As Comptroller, I would have publicly challenged the state Assembly this year when they refused to pass their own legislation that has been passed by the State Senate to restore oversight of such contracts and create a database of economic development projects.

I see the role of the State Comptroller in reviewing state contracts to protect taxpayers from fraud and improper expenditures rather than to go along with the wishes of the political leaders at the State Capitol. That is why we need a Green to watch the green.

I support adoption of the Clean Contracting legislation. This would forbid state controlled nonprofits (such as Fort Schuyler Management) from contracting on behalf of the state unless specifically allowed by the legislature. It would require state authorities to comply with state agency procurement guidelines. It would give the Comptroller the authority to pre-review SUNY / CUNY construction and service contracts, and OGS centralized contracts. It would require Comptroller approval of state funded SUNY Research Foundation contracts of over \$1 billion.

The key points include: :

1. Require competitive and transparent contracting for the award of state funds by all state agencies, authorities, and affiliates.

- 2. End economic development awards by state non-profits and SUNY, and transfer this responsibility to Empire State Development Corporation (ESDC).
- 3. Empower the comptroller to review and approve all state contracts over \$250K.
- 4. Prohibit state authorities, state corporations and state non-profits from doing business with their board members.
- 5. Create a 'Database of Deals' that allows the public to see the total value of all forms of subsidies awarded to a business as six states have done.

If the state continues the corporate welfare programs, I would transfer the awarding of all awards to ESDC rather than allowing award by state non-profits and SUNY. I support empowering the Comptroller to review and approve all state contracts over \$250k. We should prohibit state authorities, state corporations and state non-profits from doing business with their board members.

10. What is your view on continuing the office's current executive order that prohibits the New York State Common Retirement Fund from doing business with investment advisors who have made political contributions to the state comptroller, and which bans involvement of placement agents, paid intermediaries, and registered lobbyists in investments with the fund? Are there any other measures that should be instituted to avoid conflicts of interest regarding firms that may have interactions with the Comptroller's Office or pension funds?

I support such restriction and would extend it to prohibit the comptrollers' office from doing business with any entity that has made campaign contributions to the Comptroller, the Governor, or state political parties. The possibility for abuse of conflict of interest is far too great.

I have supported an investigation into the recent actions of Vickie Fuller, who as Chief Investment Officer for the Comptroller helped lead the fight against divesting the state pension fund from fossil fuels. Shortly after leaving her position she was rewarded with a position on the Board of Directors of The Williams Companies, a major natural gas pipeline company who has actively lobbied the state to promote the use of fossil fuels. The state's investment in The Williams Companies apparently increased by over \$100 million dollars during Ms. Fuller's tenures. Questions I submitted to the Comptroller's officer related to what disclosures if any took place with respect to Ms. Fuller's discussions with TWC.

11. Do you think that the pension fund should have a broader objective than maximization of investment returns to meet future liabilities? Would you continue the focus on climate change, limits on political spending, and diversity and non-discrimination issues? Do you think they help or hurt the overall objective of the fund? Do you believe any further changes should be made?

I have advocated that the state pension funds be divested from fossil fuels. If the pension fund had been divested when I and others first requested this five years ago, the fund would be worth an additional \$13 billion. In addition, the state should not be seeking to profit from an industry that is driving climate change and extreme weather and threatens the future of life on the planet, including human beings. The former acting State Comptroller before Assemblymember Tom DiNapoli was appointed by the legislature has argued strongly for divestment, documenting that fossil fuels have become a financially risky investment as the world has decided to end the use of fossil fuels. In recent years, fossil fuels have significantly underperformed all other sectors of the stock market.

It is estimated that between \$6 and \$11 billion is invested in fossil fuels.

While protecting taxpayers by ensuring an adequate rate of return on investments, the pension funds should be managed to assist in improving the quality of life for New Yorkers, including state workers.

We should not invest in businesses that violate the formal social policy of the state. The state should not invest for instance in companies that are the business of waging weapons, including supplying weapons to foreign countries.

I recently met with the head of NYSERDA. We talked about the positive role that local municipal ownership of energy

sources can assist with siting of renewables. She added that in Europe it has been public pension funds that have led the development of off shore wind, where the newest projects are coming in at 5.5 cents per kwh without the need for subsidies.

One issue that has hindered the state's program for solar on schools is the need to have third-party agreements. The state Comptroller should assist in facilitating this happen.

The comptroller should also address the credit obstacles that have hindered the state's implementation of the law to energy retrofit a million homes and create tens of thousands of living wage jobs.

We should also look at a public bank as a way to lower costs for local government, especially school boards.

Unfair and abusive monetary and lending practices by the banking system are a major cause of economic problems. Many small business and community initiatives are unable to raise the capital needed to finance their work and/or are forced to pay usurious rates. New York should create a state-owned bank to target investment into the new technologies and businesses of a sustainable green economy. Public investment is the fastest way to jump-start private job creation.

The state bank would be capitalized by the deposits of state tax revenues, and possibly a portion of state pension funds if agreed to by government workers.

For nearly 100 years the state of <u>North Dakota</u> has operated a public bank that provides, in partnership with community banks and credit unions, low-cost financing for farms and businesses, home mortgages and student loans and public infrastructure projects. More recently, the newly elected Democratic governor of New Jersey, Phil Murphy, has voiced support for creating a public bank in his state. Residents of Los Angeles will vote on whether to create a city public bank this November.

North Dakota has the lowest foreclosure rate in the country, the lowest credit card default rate, and the lowest unemployment rate. It has no debt at all, and it has had no bank failures at least in the last decade. The bank has been extremely profitable, providing significant revenue to the state budget.

Unlike private banks, which are legally bound to think first of the quarterly profits of their shareholders, the Bank of North Dakota is obligated to serve the community. Like private banks, a publicly-owned bank has the ability to create money in the form of bank credit on its books, and it provides, in partnership with community banks and credit unions, low-cost financing for farms and businesses, home mortgages and student loans and public infrastructure projects.

A coalition of groups recently called for the creation of a public bank for NYC. The bank would make equitable investments that support low-income housing, union and living wage jobs for residents, democratically-controlled clean energy, public infrastructure, cooperative ownership, and small businesses, prioritizing minority and womenowned busineses and locally-based enterprises. The bank would foster community wealth-building and neighborhood-led development, including by financing cooperative and not-for-profit models that provide long-term public benefit. The bank would offer high-quality, affordable financial services to low-income, immigrant and communities of color. 12. What is your view regarding the establishment of an independent board to help the comptroller oversee investments rather than maintaining the comptroller as the sole trustee?

I have mixed feelings about an independent board.

NYC does provide a role for labor organizations in managing the city pension funds, as does the teacher retirement system. I think more input for workers is important and support that.

At the same time, NY is unique in treating its public pension funds as a contractual obligation, meaning that the taxpayers rather than workers contributing to the funds are at risk from any shortfalls.

In addition, there have been too many times in the past when the Governor and legislature have sought to raid the state pension funds to help offset budget shortfalls. It is important to prevent such political considerations from influencing the management of the fund.

So I support providing an increased role for state workers but would need to see a specific proposal to ensure that the fund remains independent.

13. What changes, if any, need to be made to the pension fund in order to ensure that it is able to meet future liabilities which are expected to grow at a high rate?

I would examine ways to reduce the cost of managing investments in the fund since it mainly follows an index investment strategy.

14. If elected, what organizational changes would you make to the Department of Audit and Control, if any?

I would increase performance audits of state and local government agencies to improve performance and ensure compliance with state law.

While working for the Hunger Action Network, I became aware of the problem of wage theft. Low-income workers in NY have more than \$1 billion stolen annually from their paychecks. The state labor department helps workers collect only about \$25 million. It appears that the Labor Department was told to adopt a more pro-business approach under Cuomo. One result was the backlog of complaints increased. I was able to get the Comptroller to do an audit which agreed about the poor performance but failed to recommend needed staffing changes to correct the problem

I would also increase audits of county Departments of Social Services to ensure that needy households receive in a timely fashion the benefits they are legally entitled to.

Please use the space provided or a separate sheet of paper to elaborate on your positions on the issues contained in the previous pages. You may also provide additional information on any actions that you have taken or plan to take to advance your positions on these issues.

III. CAMPAIGN PROMISES MADE TO VOTERS (PAST AND CURRENT)

In addition to evaluating their stances on the issues above, Citizens Union will assess candidates on the commitments they are making to voters during the campaign. What are the top five promises or goals you are making to the voters during this campaign?

We thank you very much for your response. Please feel free to use additional paper if the space provided is not sufficient.

TOP FIVE 2018 CAMPAIGN PROMISES OR GOALS

1.

Divest the state pension funds from fossil Fuels.

2.	Advocate for fair taxes.
3	Increased efforts to address corruption at the state and local level.
4	Increase audits of state and local government performance.
5	Advocate for public campaign finance and ethics reform.

IV. ETHICAL REPRESENTATION OF CONSTITUENTS

Citizens Union believes that all New Yorkers deserve to be represented by officials who work for the public interest and honor the public trust. With the corruption conviction of recent legislative leaders, we seek to endorse a candidate who will demonstrate that she/he will honor the full commitment of the oath of office, and always represent the public interest above all else.

Please tell us how you have and would continue to conduct the political affairs of this office in an upright manner, and maintain the public trust.

My career has been devoted to public service. As a student at RPI, I was one of the co-founders of NYPIRG (New York

Public Interest Research Group) and the first chair and co-founder of National PIRG. NYPIRG remains one of the leading groups in New York on open government, consumer and environmental protection, and health care issues. Upon graduating from Albany Law School, I took a job for \$3,200 a year being a community organizer in the South and Southwest for ACORN (now NY Communities for Change). Upon returning to the Capital District of NY, I spent 28 years as the first Executive Director of the Hunger Action Network of NYS, helping to end hunger and poverty in NYS. Hunger Action Network never paid its top staff person more than 3 times the lowest paid staff person. Hunger Action was unusual in that we addressed both the root causes of hunger and the need to provide immediate food relief. We also thought it was critical to empower our guests, and organized a number of Welfare Rights Organizations, including Community Voices Heard in NYC. At Hunger Action Network, I coordinated for 12 years along with Bread for the World the Faith and Hunger Network, increasing faith advocacy around hunger issues. For many years I worked with groups like SENSES and the Fiscal Policy Institute, a labor-backed think tank, to advocate for fair taxes, budget reform, corporate accountability and job creation. At Hunger Action, I worked on poverty, homelessness, fair taxes, government reform, health care, food policy and job creation.

I believe however that climate change is the greatest threat to humanity and so far our governments' response has been woefully inadequate. Five years ago I decided to quit Hunger Action Network, and without a paying job, to devote my time and organizing skill set to try to stop climate change. I decided to run for Comptroller as a way to highlight the need for climate action by starting with the easy and simple step of divesting the state pension funds from fossil fuels. We have succeeded in convincing NYC to take such a step but for five years have been unable to convince, or even meet with, the present Comptroller. I have been an advocate for ethics and campaign finance reform throughout my life. Please return to: Citizens Union, Local Candidates Committee, 299 Broadway, Suite 700 New York, NY 10007 Via email to <u>candidates@citizensunion.org</u> or fax to 212.227.0345 • Call us at 212-227-0342 with questions