

Dems assail state's 'fusion' voting, giving outside clout to minor parties – The Buffalo News

By Robert J. McCarthy

Under New York's "fusion" voting system, minor parties like Conservative and Working Families have influenced state politics far beyond their minuscule registrations for as long as anyone can remember.

That's because New York remains one of only eight states that allow multiple parties to nominate the same candidates and aggregate the votes received on different ballot lines.

But now Democrats are making noise about ending the age-old system. The influential Erie County Democratic Town Chairs Association has unanimously called for ending the power of party leaders to enable candidates from other parties to run on their lines. Their resolution called it "an archaic holdover from the 19th century."

"It's just been a joke forever," said association Chairwoman Gayle Syposs, who also heads City of Tonawanda Democrats. "It's the tail wagging the dog."

She said her group supports Gov. Andrew M. Cuomo's call to end waivers known as "Wilson-Pakula" authorizations for candidates of other parties to run on their lines. He would not end major party cross-endorsements.

Advertisement

Advertisement

Erie County Democratic Chairman Jeremy J. Zellner has sought the change for years.

"It's a real mess," said Zellner, who is also Erie County's Democratic elections commissioner. "It really lends to confusion."

Zellner noted that eight parties and 66 candidate squares jammed last year's ballot. Besides Democrats and Republicans, this year's gubernatorial election will offer well-known minor parties like Conservative and Working Families along with obscurities like Reform, Green and Women's Equality. A candidate named Jimmy McMillan scored more than 40,000 votes for governor in 2010 on the Rent's Too Damn High line.

But minor parties represent few Erie County voters compared to Democrats, who have 280,186 registered voters, and Republicans, who have 150,689. Independence tops the minor party rolls at 28,222, though elections experts believe many of its members think they are "independents." Conservatives, who may exercise the

strongest local influence, register only 13,301. Other parties include Working Families at 2,809; Green at 1,663; Women's Equality at 198, and Reform at 92. "Blanks" or some other party claim 107,417.

All parties must attract at least 50,000 votes in each quadrennial election for governor to qualify for status on the ballot. Syposs, of the town chairs group, says that requirement should be strengthened, especially since minor parties often nominate Democrats or Republicans as a matter of self-preservation.

"At least raise the bar to 200,000 votes," she said.

The new Democratic push, however, arrives just days after the party's humiliating defeat in the April 24 special election for the 142nd Assembly District. In an overwhelmingly Democratic district, a Democrat running on the Republican and Conservative lines – Erik T. Bohen – defeated endorsed Democrat Patrick B. Burke.

Intensifying the sting for Democrats, Bohen triumphed on the strength of the Conservative vote, which unofficially tallied 1,188.

The Democratic effort also gains steam as actress-activist Cynthia Nixon challenges Cuomo for the party nomination, after already snaring the Working Families nod. Observers say that if Nixon fails to win the primary but remains on Working Families, she could siphon enough Democratic votes to pose real problems for Cuomo in the November general election.

Neither local nor statewide Democrats say their candidates will refuse minor party backing, including Cuomo who is expected to gain Independence and Women's Equality. Indeed, Cuomo forces created Women's Equality in 2014 to make him and other Democrats less dependent on left-leaning Working Families.

Last month, some influential labor leaders even hinted that their disenchantment with Working Families might prompt founding their own new labor-based party.

Gerald Benjamin, the veteran political scientist and statewide political observer at SUNY New Paltz, said he recalls discussing fusion's pitfalls with former Gov. Malcolm Wilson more than 40 years ago. But even then, he recalled, Wilson agreed the system was too entrenched with politicians indebted to minor party bosses.

But now he hears renewed talk as Democrats eye controlling the Senate and all of Albany, coupled with Nixon's strong challenge to Cuomo.

"They're saying: 'If we get a lock on the statewide election and [minor parties] have someone who makes life less comfortable, let's do away with it,'" he said.

Benjamin also described the stands of major parties as "transactional." Republicans resist the idea, he noted, because of the Nixon threat that could benefit presumed gubernatorial candidate Marc Molinaro. Democrats want to see such threats eliminated.

"It complicates and bedevils," he said of the New York system.

Minor party chiefs like Erie County Conservative Chairman Ralph C. Lorigo noted that most states phased out fusion voting as the major parties gained control. But New York courts ruled against such attempts in 1947, paving the way for the 1962 establishment of the Conservative Party as a check on Gov. Nelson A. Rockefeller's "liberal" GOP.

Lorigo said minor parties encourage more participation because voters identify with their specific philosophies more than the blur separating Democrats and Republicans.

"No one knows exactly what they stand for," he said of the majors. "People want to vote for what they believe in."

Lorigo reiterated his familiar claim that Erie County Democrats, who routinely sought Conservative backing in previous years, shun his minor party under the leadership of Zellner and County Executive Mark C. Poloncarz.

"The local Democratic Party is so progressive that they don't get the average Erie County voter," he said. "Every election cycle proves to be just like this special election."

That's why local Conservatives annually sponsor radio ads prior to election urging votes on their line. While Conservatives comprise about 2 percent of the electorate, he said, they often garner close to 10 percent of the vote.

Louisa Pacheco, Working Families Western New York chairwoman, said after becoming disenchanted with the two-party system she was delighted to find an alternative.

"I saw this as a party with values, one that matters to immigrants, school children and parents," she said. "It's a place on the ballot to mobilize for people who can't pay to play."

Erie County Republican Chairman Nicholas A. Langworthy, meanwhile, says the new Democratic effort to end fusion voting stems from the party's lack of relationship with the powerful Conservative Party in recent years.

"I would only classify it as a hatred for Ralph Lorigo and his family," he said, also referring to County Legislator Joseph C. Lorigo, C-West Seneca, a frequent target of Poloncarz and Zellner.

Langworthy said the new Democratic effort attempts to "dominate in perpetuity" local and state politics and end a working relationship that "over the years brought diversity in ideology."

"I think the system works," he said.