

STATE OF CONNECTICUT
CITIZENS' ELECTION PROGRAM
PUBLIC HEARING
DECEMBER 5, 2008

1 MR. CASHMAN: Good morning, Everybody.
2 Welcome to the hearing for the State Elections
3 Enforcement Commission and the review of the
4 Citizens' Election Program. Thank you all for
5 coming. At this point, I'm going to turn the
6 program over to our Director of the Citizens'
7 Election Program, Beth Rotman, for some
8 introductory remarks and then we look forward to
9 hearing your comments. Beth?

10 MS. ROTMAN: Thank you, Steve. Good
11 morning. As Chairman Cashman mentioned, I'm Beth
12 Rotman, Director of the Citizens' Election Program
13 for the State Elections Enforcement Commission.
14 Thank you to everyone who is here to discuss the
15 Citizens' Election Program, which the Commission is
16 charged with administering.

17 I am proud to be the director of the
18 landmark program and it's a pleasure to see
19 everyone here today at the Commission's post
20 election hearing. This is the second of the
21 Commission's two post election hearings. As the
22 dust begins to settle on the 2008 election season,
23 Connecticut has passed an extremely important
24 milestone: The first run of the completely

1 voluntary Citizens' Election Program.

2 The program, which provides grants to
3 qualified candidates, represents the broadest, most
4 comprehensive and most successful effort to remove
5 special interest money from the political system
6 undertaken by any state in this nation's history.

7 In the program's first run, 75 percent
8 of the State's candidates for state legislature
9 participated in the voluntary program. When
10 compared to the first run statistics of comparable
11 programs, that 75 percent number is extraordinary.
12 By way of reference, in their first runs, the
13 public financing programs in Arizona and Maine had
14 participation rates of one quarter and one third of
15 eligible candidates respectively.

16 The embrace of the program by
17 candidates is extraordinary, but the change in
18 Connecticut goes much farther. Connecticut has
19 made history this election season not only because
20 of the staggeringly high participation rate, but
21 more importantly because of what that high
22 participation statistic really means for the State
23 of Connecticut.

24 The fact of the unprecedented

1 participation rates for the first elections for
2 voluntary public campaign financing means that the
3 State of Connecticut has virtually eliminated
4 special interest money from the elections. This is
5 what democracy could be, this is what democracy
6 should be and it's happening here. Thank you for
7 coming. And I will turn things over to Jeffrey
8 Garfield, the Commission's Executive Director and
9 General Counsel.

10 MR. GARFIELD: Thank you, Beth, and
11 thank you for those remarks. At this point, we do
12 have a long list of speakers today; and we would
13 like to get to them as quickly as possible, but I
14 would like those of us around the table to
15 introduce themselves, starting with Dianna.

16 MS. KULMACZ: Good morning. Dianna
17 Kulmacz. I'm the Director of Campaign Disclosure
18 and Audit with the Commission.

19 MR. HASEN: Mann Hasen, IT Manager.

20 MS. LOVE: Jean Love, Fiscal
21 Administrative Manager.

22 MS. JENKINS: Joan Jenkins,
23 Commissioner.

24 MR. CASHMAN: Stephen Cashman. I'm

1 Chairman of the Commission.

2 MR. BOZZUTO: Dick Bozzuto, Commission
3 member.

4 MS. ANDREWS: Joan Andrews, Director
5 of Legal Affairs and Enforcement.

6 MS. KIEF: Shannon Kief, Director of
7 Compliance.

8 MS. NICOLESCU: Nance Nicolescu,
9 Director of Communications, Legislative Affairs and
10 Candidate Services.

11 MR. GARFIELD: Okay. Thank you very
12 much. Just a couple of housekeeping issues. If
13 you do have a cell phone, in keeping with the
14 tradition of the legislature, please turn it off
15 during the hearing. I will ask speakers to keep
16 their comments brief. We do want to get all of
17 your input on the record, as the Commission looks
18 to formulate its recommendations to the 2009
19 General Assembly.

20 And leading off today is the Speaker
21 Elect, Christopher Donovan. Chris, if you can --
22 long-time supporter of public financing. Great to
23 see you here today, Mr. Speaker.

24 MR. DONOVAN: I guess -- well, I would

1 like to thank you for inviting me here to come and
2 say hello. And I come here as -- certainly as a
3 House majority leader, but also as a candidate who
4 has just been through the process.

5 And I want to commend the Commission
6 for making it as smooth a process as possible. As
7 a first year, we did it with such an extent of
8 candidates and, you know, we had our ups and downs
9 and bumps along the way; but I was very impressed
10 with how smoothly things worked, generally.

11 I personally went out early to see how
12 it worked and started my -- raising my \$5
13 contributions and up to the \$100 early, just to see
14 how it worked. And, you know, you hate to say
15 this, but it was a little fun, going around and
16 getting the small contributions and talking to
17 people. It was different from the way we had
18 raised money before, though it reminded me when I
19 first ran for office, you know, nobody appeared.
20 They gave me a shot, but people back home did it.
21 So it was very reminiscent of that, going around
22 and talking to people and people --

23 There was actually one gentleman who
24 was helping me out. He was going around and we

1 were at some event and he was at a table and he
2 said, "There's Chris over there. Give him five
3 bucks. Come on." And, you know, before I left the
4 evening, it had been -- it was early, so I had the
5 long form. You remember the long form? So people
6 filled out the long form and gave me the five
7 bucks. I think I left that evening with at least
8 20 contributions. I was well on my way to the 150.

9 I think it was also for, those
10 candidates who took time and thought about it and
11 did it early, it worked out well. For those who
12 kind of waited a little bit towards the end, it was
13 a little rough.

14 But I think the Commission did a great
15 job in also having people, consultants that people
16 could talk to and work things out. That was
17 important, I think especially in the first year.
18 There were a lot of questions, people filling out
19 forms that they had never done before. People
20 writing checks in different ways that they had ever
21 done before, you know, couples signing for each
22 other and not doing that.

23 So we learned a lot and I think my
24 colleagues are very interested in talking about it

1 and some of the bumps along the way and try to
2 smooth it out. But I think overall it was a
3 tremendous, tremendous, tremendous success. And
4 things went smoothly.

5 You know, I really didn't hear much --
6 once people made the level, things went very
7 smoothly from that point along. And I want to
8 commend all of the people who in the Commission
9 made it work. And I think it was a really great
10 start and I really think made Connecticut shine
11 across the nation as a State that invested in
12 public housing; and not only did it, but did it
13 well. So congratulations.

14 MR. CASHMAN: Thank you very much.
15 The Commission greatly appreciates the cooperative
16 effort with which all members of the General
17 Assembly have worked with the Commission into
18 formulating this program, implementing it and
19 providing the funding for it; and we certainly look
20 forward to making any necessary changes in the
21 upcoming session. Thank you very much.

22 MR. DONOVAN: Thank you.

23 MR. GARFIELD: Thank you, Chris. Our
24 next speaker is Representative Andrew Fleischmann,

1 a long-time member of the Government Administration
2 Elections Committee and also a long-time supporter
3 of the Public Financing Program and the quest for
4 campaign finance reform in Connecticut. Great to
5 see you, Representative.

6 (State Representative Andrew
7 Fleischmann, Democrat, West Hartford.)

8 MR. FLEISCHMANN: Great to be seen.
9 Thanks so much for having me here this morning. It
10 is truly a pleasure for me to be here with you to
11 talk about how the system worked, having worked so
12 long with many of you to make this system a reality.
13 I almost have to pinch myself to realize we're
14 already at the point where it's shown what
15 Connecticut can do and now we're just debriefing.
16 What I would like to do is talk about what worked
17 well and where there might be some improvements,
18 some tweaks.

19 In terms of what worked well, so on
20 the technical side, I can tell you that up until
21 this cycle dealing with the computer filing system
22 was not an easy thing nor a predictable thing.
23 Under the CFIS system that had been administered by
24 the Secretary of the State, there were all sorts of

1 glitches.

2 I had treasurers tell me about
3 pressing the Send button and having all sorts of
4 data that they had entered simply disappear into
5 cyberspace and then not being able to reach people
6 to find out what had happened, how the glitch could
7 be fixed. So there were all sorts of frustrations
8 for my treasurers and I often felt guilty for
9 asking them to serve.

10 Under the new system that you all set
11 up, I am not aware of a single glitch that occurred
12 for my treasurer; and that may seem like a small
13 thing to folks watching on CT-N, but the fact is
14 that you had so many candidates doing so many
15 filings and this was the first year you had the
16 system up and running and I think that was an
17 extraordinary accomplishment and I thank you for
18 the work you did to make that happen.

19 In terms of service, as I indicated,
20 previously we had a system with divided
21 responsibilities, some resting with the Secretary
22 of the State, some with the Commission; and it
23 could be quite difficult at times to get someone on
24 the phone to help.

1 I had treasurers who would tell me of
2 their frustration of calling at 4:30 or 5:00 on a
3 weekday and having no one at an office who could
4 answer because the day had ended; and, meanwhile,
5 there was a filing due, say, midnight that night,
6 but they were out of luck because they hadn't
7 conformed to the schedule of the one person who
8 might answer questions.

9 Under the approach that you all set
10 up, that problem virtually disappeared. You all
11 were very customer friendly. Of all of the calls
12 that my campaign people placed to the Commission, I
13 am aware of only a single call that went unreturned
14 and that was during the crunch time of the July
15 filing when I imagine it's possible it was lost in
16 the shuffle, but all other calls were returned.

17 The person who was assigned to our
18 campaign was invariably helpful, courteous, polite.
19 And it really -- and the notion of having an
20 assigned staff person is a great one. You know?
21 There is an individual who can be reached and who
22 can be spoken to. So I commend you for having used
23 that structure and I would encourage you to
24 continue it.

1 Last and most importantly, in terms of
2 the implications for candidates and campaigns, it
3 was an extraordinary feeling to be out there in
4 September asking people to please give \$5 to my
5 campaign. I had some people who would say to me,
6 you know, "That's just too little. I would like to
7 give you more." And I'd say, you know, "Really,
8 don't bother. I have already met the threshold for
9 \$5,000 in total contributions. I just need some
10 more individual contributors from my town. Please
11 give \$5."

12 And so it was fun for me to be able to
13 tell people, "No. \$100, not needed; \$50, not
14 needed; \$5, that's great." And it was not hard to
15 go ahead and reach that 150 donor threshold, once I
16 realized I was short of it because the ask was so
17 small.

18 It was fun to have a campaign cycle
19 where there were equal resources available to my
20 challenger and myself. I didn't have to listen to
21 carping about some kind of an unlevel playing field
22 because the resources were equal. In fact, though
23 the final reports haven't been filed, my guess is
24 my opponent outspent me because I chose not to use

1 all of the resources available to my campaign
2 through the grant.

3 And I think it's good for democracy,
4 that they got a lot of mail from my opponent. They
5 saw advertising for my opponent. They knew about
6 the philosophical differences. I think it made for
7 a good campaign and I think it's better for our
8 democracy and it was a pleasure to be a part of
9 such a system.

10 In terms of improvements, on the
11 technical side, my campaign entered a whole bunch
12 of data into your system and the most important
13 data to us had to do with contributors; but when it
14 comes to download that information, at present, I
15 believe the only format one can get it in is a PDF
16 document.

17 Now, that is tremendously frustrating
18 to those of us who have entered the data because
19 what it means is when it's time to go ahead and put
20 together our own data base to do thank-you notes,
21 we have to go ahead and recreate it in our own data
22 base.

23 So having had my treasurer go ahead
24 and enter all of the information, I now had to find

1 other volunteers to reconstitute it so I could do
2 my thank-you letters. If the data could be
3 downloaded in a format like Excel or even just a
4 format that is -- one that's compatible with most
5 data bases, like ASCII, that would save a
6 tremendous amount of time and unnecessary repeat
7 effort and I would appreciate it if the Commission
8 could look into doing that.

9 With regard to the calendar, as the
10 Speaker Elect indicated, under this new system,
11 most of the fund-raising efforts are front-loaded
12 because if you haven't gotten it all done by early
13 October, you're too late to be able to come before
14 the Commission and apply.

15 And I think it's good in the sense
16 that all of the fund-raising is done, but most
17 people in the public aren't aware of the new
18 calendar. So there were all sorts of contributions
19 coming into campaigns into October after you had
20 finalized your process.

21 I would suggest that it would probably
22 be good to make some change to reflect the fact
23 that most public awareness of elections really
24 comes to its height in October. People's tendency

1 to participate comes to its height in October. And
2 what I would suggest is either setting some later
3 dates for candidates who choose to participate in
4 the system to allow them to cross the threshold.
5 Because even if they are not crossing the threshold
6 two weeks before election day, that's still better
7 than being able to do it at all and I think maybe
8 candidate may be ought to have that option.

9 Another possibility I would put out
10 there for you is to make it permissible for a
11 campaign that has reach the thresholds and gotten
12 its grants, grant, singular, excuse me, to continue
13 accepting contributions and to use those as dollars
14 that will go back to the fund, the Citizens'
15 Election Fund.

16 As long as you don't have a situation
17 where those late contributions are giving one
18 campaign or another an advantage, it's really
19 immaterial whether they're accepted or rejected in
20 terms of the fairness of the playing field. But,
21 meanwhile, if you allow for acceptance of those
22 dollars, those could be funds that would go into
23 the Citizens' Election account to further
24 strengthen the system.

1 So to conclude, I would like to
2 observe that those improvements I just mentioned
3 are really tweaks. They are not massive changes.
4 And, in fact, overall I think that you did an
5 amazing job of taking a system that was only put
6 into law a few years ago and making it a reality.
7 And I know there was a lot of hard work involved in
8 making that happen and I thank you for having done
9 that.

10 MR. CASHMAN: Thank you very much for
11 you comments. Our IT person, I think, can address
12 at least your technical comment.

13 MS. HASEN: The download of that data
14 will be available as of January 2nd of this year.
15 We are all done with our final testing, so you will
16 get exactly what you requested in multiple formats,
17 Excel, Access and also just a common limited file.
18 You can have all of that data back from your
19 campaign. Not just you, everybody in the public
20 also can have that.

21 MR. FLEISCHMANN: That's great. And
22 --

23 MR. HASEN: For contribution and
24 expenditure, also.

1 MR. FLEISCHMANN: Just for my
2 understanding, once that's available in January,
3 will that be forever available and for the next
4 cycle, available in a real-time basis? Because,
5 frankly, I have already done my thank-you notes for
6 this campaign, so it's a little late for this
7 cycle, but is that a permanent change?

8 MR. HASEN: That is correct. It will
9 be permanent from now on with about 12 hour delays.

10 MR. FLEISCHMANN: That's great. Thank
11 you.

12 MR. HASEN: You're welcome.

13 MR. CASHMAN: Thank you very much.

14 MR. FLEISCHMANN: Thanks.

15 MR. GARFIELD: Thank you,
16 Representative Fleischmann. Our next speaker is
17 Jay Salvatore. Mr. Salvatore?

18 (Mr. Jay Salvatore, Campaign Treasurer
19 for State Representative Kurt Cavanaugh.)

20 MR. SALVATORE: Yes.

21 MR. GARFIELD: Okay. Thank you.

22 MR. SALVATORE: Good morning. I think
23 -- are you handing out, Sheri-Lyn, a copy of what I
24 am going to speak about today?

1 MS. LAGUEUX: Yes.

2 MR. SALVATORE: Thank you. I wanted
3 to give some thought to what I'm going to say to
4 you today, so I did prepare it ahead of time for
5 you. My name is Jay Salvatore. I live in
6 Cromwell.

7 About a year ago, a friend asked me to
8 act as treasurer for his campaign for State
9 Assembly. I had never acted as a treasurer, so I
10 knew I had a lot to learn. At the time, I was not
11 even aware of the Citizens' Election Program or the
12 State Elections Enforcement Commission, so I am a
13 real rookie in this process. I'm not like the
14 previous speaker who had some knowledge of what was
15 going on.

16 In the last year, I have learned a
17 lot. It's been an amazing process. Our campaign
18 successfully participated in the Citizens' Election
19 Program and we've now gotten through the election.
20 After going through this process, it's my opinion
21 personally and acting as a treasurer that the
22 Citizens' Election Program should be considered a
23 tremendous success.

24 As a citizen, I am proud that our

1 state has taken the lead in rationalizing the
2 political fund-raising process. I am also happy
3 that it's placed limits on total spending and
4 eliminated inequities in candidate funding.

5 As treasurer, I know our campaign was
6 very excited to have an opportunity to focus on
7 getting our message out, rather than constantly
8 worrying about fund-raising. I heard from previous
9 candidates that up until the last minute they were
10 out there, trying to match their opponent in
11 raising money and we didn't have to worry about
12 that.

13 Early in the process, we had a
14 spending budget. We knew that our opponent would
15 be working with the same budget and that we would
16 both be operating under the same set of rules. I
17 truly believe that this process opens the door to
18 ordinary citizens to participate in the election
19 process. And I consider myself an ordinary citizen
20 and I did participate in the election process.

21 I can't compare the CEP to the prior
22 system, but I can give you a pretty good recap,
23 what it was like to go through this starting from
24 scratch. As I mentioned, although I was very

1 pleased with the entire process, there were some
2 particular items that were critical to our success
3 and some items that I believe could be improved.

4 On the success side, I wanted to give
5 credit to some of the staff at the SEEC. I was
6 very impressed with their attitude, hard work and
7 knowledge; and I would not have been able to get
8 through this without them. Specifically I wanted
9 to mention our campaign liaison officer, Lisa
10 Saccanino. She was always available to answer my
11 questions, returning e-mails promptly and always
12 giving me great information.

13 I also wanted to mention Dianna
14 Kulmacz, and who handled a number of the training
15 sessions I attended and other members of the SEEC
16 IT staff, who also trained me on how to use eCRIS.
17 ECRIS was also a valuable and easy to use tool and
18 I did all mandated reporting on line. Also, the
19 SEEC website was a great source of information
20 throughout the campaign.

21 Some of the items I think you might
22 want to consider looking at going forward include
23 following some of my experiences from the campaign.
24 I think clarifying the process for qualifying

1 campaign contributions. Our committee used the
2 recommended contribution certification form;
3 however, we were never sure whether certain items
4 would be approved when we submitted our grant
5 application.

6 There no way to completely verify the
7 information on the certification form that was
8 submitted by the contributor and there were
9 instances where the information on checks listed
10 different or addresses than the contribution form.
11 It would be helpful to understand guidelines around
12 this so we could catch the problems up front.

13 Again, I asked questions about those.
14 I got great answers. But we were never really sure
15 what was going to pass and what wasn't when
16 submitted things. Luckily we got through the
17 process in the first try and we didn't have any
18 problems with that.

19 I wanted to talk about reporting for a
20 moment. One of the things that happened to us is
21 that our reporting was triggered when our opponent
22 hit their 90 percent spending threshold. When my
23 opponent hit his threshold, I was informed that I
24 would need to start reporting weekly. I understand

1 the purpose of the threshold trigger, but why would
2 this trigger reporting apply to our campaign? I
3 think it created a lot of extra work for us and
4 requirements and I'm not sure the real benefit
5 associated with that.

6 There was some confusion at the SEEC
7 related to this. Based on my opponent's trigger
8 and a notice from the SEEC, I started weekly
9 reporting using the supplemental report in eCRIS.
10 I clarified with the SEEC staff that this would
11 replace my scheduled reporting; however, after the
12 election, I received a notice that I was being
13 personally fined for missing reporting deadlines.
14 It took me about a week to straighten this out with
15 the SEEC staff.

16 And then one other final item on
17 reporting that I wanted to raise and that is
18 reporting on other committee expenditures. I spent
19 a great deal of time trying to understand the
20 requirements related to uncoordinated campaign
21 spending by town or state committees.

22 I communicated these rules to whoever
23 would listen. However, I was completely subject to
24 the other committee for compliance. I recommend

1 that this requirement be eliminated mainly because
2 I don't have any control over the process. If they
3 have given the information, I can report it; if
4 they don't, I don't and theoretically I am in
5 violation.

6 Another item that I suggest that you
7 look at is the response by SEEC attorneys. As I
8 mentioned, one thing I was very pleased with was
9 the response from my liaison. However, I did ask
10 several questions that were referred to staff
11 attorneys for resolution.

12 In this case, the process was far from
13 satisfactory with responses taking one to two weeks
14 and in some cases requiring that the question be
15 asked multiple times. I recommend that you
16 consider giving more authority to the liaisons to
17 research and resolve issues.

18 And, finally, one other recommendation
19 is outside regulatory requirements. There are, as
20 I'm sure you are aware, regulatory requirements for
21 a campaign outside of the SEEC, primarily the IRS.
22 If you truly wish to encourage broader citizen
23 participation in the election process, I would
24 recommend you expand information about these

1 requirements, especially IRS requirements, provide
2 information about obtaining and using tax ID's, tax
3 filings and guidance for actions and decisions
4 regarding the creation and the termination of the
5 campaign committee.

6 I am in that process right now, trying
7 to decide whether we're going to terminate the
8 campaign committee or not, what reporting I need to
9 do with the IRS. I'm really left to do all of that
10 research on my own, primarily. It would be helpful
11 if that was packaged with some of the other
12 information that you are providing to campaigns.

13 Thank you very much and I really
14 appreciate the opportunity to be able to share some
15 of these experiences with you and thank you for the
16 opportunity.

17 MR. CASHMAN: Thank you, Mr.
18 Salvatore. Your real world experiences are much
19 appreciated. Does anybody have any questions?
20 Comments? Jeff?

21 MR. GARFIELD: Yes. I do want to agree
22 with you on the 90 percent supplemental reporting
23 requirement. I think that that requirement did
24 cause treasurers and the agencies some heartache.

1 We are looking at some ideas to change that
2 requirement, so we hear you and that we expect will
3 certainly be part of the presentation that we make
4 to the Commission at the next Commission meeting.

5 MR. SALVATORE: Thank you.

6 MR. GARFIELD: I want to clarify
7 something on reporting of committee uncoordinated
8 expenditures. Are you referring to the
9 organization expenditures?yes.

10 MR. SALVATORE: Yes.

11 MR. GARFIELD: Because they are
12 supposed to obviously give you the information --

13 MR. SALVATORE: Right. And that's the
14 issue.

15 MR. GARFIELD: -- from which to
16 report. That's where the communication fell down?

17 MR. SALVATORE: Well, I think in my
18 case, I had done a lot of research on this in
19 trying to understand what they could help with,
20 what they couldn't. And there's guidelines within
21 your documentation about coordinated expenditures,
22 which are not allowed, uncoordinated expenditures
23 with town or state committees. So I understood the
24 process pretty well.

1 The town committee that I was working
2 with really wasn't aware of anything until I
3 brought it to their attention. And what I was
4 always nervous about throughout that process was
5 would they really comply? Would they do what was
6 necessary? Because I had no idea what they were
7 planning on doing or what they weren't planning on
8 doing and they eventually did give me some
9 information. I'm not sure it's complete or not.
10 So I am not sure that putting that burden on the
11 campaign committee to capture that information and
12 include it in the reports is beneficial or always
13 going to be accurate.

14 MR. GARFIELD: I understand. I will
15 say that in terms of the Commission's role, we did,
16 as you may know, a lot of education. There was a
17 sheet of several pages that went out to town
18 committees regarding the treatment of organization
19 expenditures and what their obligations were.
20 Obviously in any new program, there's some start-up
21 confusion and a learning curve and I'm sure that as
22 the -- as they get more comfortable with the notion
23 of what they need to do, under that particular part
24 of the law. And we will see improved communication

1 between the town -- the party committees and the
2 candidates who are benefitting by the organization
3 expenditures.

4 MR. SALVATORE: My only suggestion
5 there is separate the two, just for you to
6 consider, because I am fine with them having
7 reporting requirements. Let them report that to
8 you and then take that away from the campaign
9 itself. So that's really my suggestion for your
10 consideration.

11 MR. GARFIELD: Okay. And I thank you
12 very much.

13 MR. CASHMAN: Thank you for your
14 comments.

15 MR. SALVATORE: Thank you.

16 MR. GARFIELD: Thank you. I notice we
17 are joined by the Senate Co-Chair of the Government
18 Administration Elections Committee, Gayle
19 Slossberg. Good morning, Senator Slossberg. And
20 if you have comments to make, you have the floor.

21 (State Senator, Gayle Slossberg,
22 Democrat, Senate Chair, Government Administration
23 and Elections Committee.)

24 MS. SLOSSBERG: Well, thank you and I

1 thank you for welcoming me here this morning and
2 for holding this hearing and the previous hearings
3 that you have had. And I do want to just let you
4 know that we have heard, you know, great things
5 about the administration of this program. I know
6 we were all a little nervous when we jumped off
7 this cliff together; but by all accounts, I think,
8 you know, there are some bumps that need to be
9 addressed and whatnot and I look forward to working
10 with all of you in the upcoming session to address
11 them; but all I can really do is give you all a pat
12 on the back for a job well done. We have heard by
13 and large very good things from all of you and all
14 of your staff. So congratulations. I look forward
15 to hearing the rest of the testimony and working
16 together for the rest of the session.

17 MR. GARFIELD: Thank you so much,
18 Madam Chair.

19 MS. SLOSSBERG: Thank you.

20 MR. GARFIELD: And we look forward to
21 working with you, as well. Our next speaker is Art
22 House. Art?

23 (Art House, Democrat, Candidate for
24 State Senator.)

1 MR. HOUSE: Thank you, Mr. Chairman,
2 Members of the Panel. It's a pleasure to be here
3 today. I am Art House. I ran in the 8th
4 Senatorial District as a Democrat and I was asked
5 to come here today to report on that experience.

6 The 8th District is a seat which has
7 never gone Democratic. And one of the reasons I
8 decided to run was the attractiveness of public
9 financing. So I think in that sense my candidacy
10 was partly inspired by the availability of public
11 financing.

12 And it was a close race. We had about
13 a 48 percent of the vote. So I think it was a good
14 campaign and it was a good experience. I have
15 three kinds of comments for you today, very
16 briefly. Management, good government and fairness.

17 In management, and I think it's -- the
18 first thing I have to say, it's extremely important
19 to have a good treasurer. I had a very competent
20 one named Matthew Kelly. But the role of treasurer
21 has been changed by this act. It is no longer a
22 fund-raiser. It's a compliance officer. And it is
23 extremely complex and quite demanding. We killed a
24 lot of trees. We made massive reports.

1 He had praise for the work of your
2 staff. His telephone calls were promptly returned.
3 The staff was knowledgeable. The questions were
4 quite technical. But people knew what they were
5 doing. They gave him answers and we were able to
6 get through the compliance function easily. They
7 are very prompt, as well. So congratulations, I
8 think, for managing this in an effective manner.

9 One specific recommendation he had was
10 that he found that the fact that there were three
11 lists of public -- of potential donors to be quite
12 confusing. I suggest you have a list, just simply
13 have a list of people who can contribute and who --
14 and that's it. Not three separate lists. But that
15 was one specific concrete thing that you might note
16 for future use.

17 Two other points, good government and
18 fairness. Good government, I think there were
19 significant positives during the entire campaign.
20 I never met with a lobbyist. I never met with a
21 state contractor. And that's different between
22 past years. Obviously, that is how money would
23 have been raised so that was a stark difference.

24 I think it started the process of

1 grass roots activities. A lot of town committees
2 have no idea what is going on and a number of them
3 were not active in the campaigns just because they
4 didn't realize how important it is. In the future,
5 I think they will be, both because they can
6 contribute money to campaigns and they can help
7 with that list of 300 that you need. Others were
8 quite motivated and were very strong participants.
9 But in the future, I think town committees will be
10 strengthened because they will have a role in the
11 public financing qualification process. Also, the
12 Senate Democrats, the parties themselves, have
13 stronger roles because they can contribute. So I
14 think those are two positive outcomes from this.

15 And a third, I would say, is that from
16 August onward, after we qualified, we were able to
17 concentrate on the issues, on the campaigns, out
18 working with voters and not on financing. That was
19 a tremendous benefit, not to have to interrupt
20 campaigning or discussion of a serious matter in
21 September and October because you had to go raise
22 money. I thought that was a net positive and I
23 deeply appreciated that.

24 On fairness, I think the record is

1 mixed. I must say I disagree with the comment made
2 by Representative Fleischmann. I do not think that
3 this new system ensures fairness or a level playing
4 field. Name recognition is huge in a political
5 race. I don't have to tell you that. At the state
6 representative level or at the municipal level up
7 to about 20,000, 25,000, you can compensate for
8 lack of name recognition by hard work. If you
9 start in June and you knock on doors four or five
10 hours a day and make phone calls all the time, you
11 can probably reach about 10,000 doors or
12 households, which is maybe half of a state rep
13 district. You can't do that for a senate district.

14 And so name recognition is a very big
15 (inaudible) but the other side ought to get the
16 same amount of money. If have you a primary in a
17 state senate race and somebody has \$30,000 and owns
18 the lawn sign game through the entire month of
19 August, that person's name recognition goes up
20 very, very dramatically.

21 It was suggested to me that I ought to
22 find someone just to primary against, very simply
23 to get the \$30,000. We thought of doing that, but
24 there was no person genuinely interested and it

1 would have been a sham, just simply to have the
2 name recognition go up. But there is a very
3 serious disadvantage. And if you give one side
4 \$30,000 for primary, you ought to give the other
5 side \$30,000 in order to have a -- to approach the
6 level playing field for name recognition.

7 I do think the system works, if both
8 sides are equally well-known. If you have a
9 candidate who might only be able to raise say
10 \$20,000, \$30,000, \$40,000 and have you public
11 financing and that amount is leveraged to \$100,000,
12 you approach fairness. Both have \$100,000.
13 Obviously the person who would only have \$20,000,
14 \$30,000, \$40,000, moving up to \$100,000, makes the
15 race more fair.

16 On the other hand, it's like a 100
17 yard race. If you have an incumbent with a name
18 recognition of about 60 percent and a neophyte with
19 zero, you're starting a 100 yard dash with somebody
20 at 60 yards and one at zero and you will never
21 catch up. It just won't happen. In which case,
22 the person with no name recognition may need
23 \$200,000, \$300,000, in order to run a fair race
24 against somebody to make up for that name

1 recognition.

2 So advertising is the only way to do
3 it. It was interesting in our race, there were no
4 press releases. The demise of print journalism was
5 quite significant. I mean, we had the -- the print
6 journalism role has just diminished remarkably.
7 And the only way to reach voters is through
8 advertising or through direct mailing.

9 You can't do it by having a press
10 conference. No one shows. Print journalism, very
11 simply, is rapidly spiraling downward. So,
12 therefore, the role of money in equalizing name
13 recognition is more important than it's ever been.

14 You can't cover all of the bases. I
15 think this in terms of management was a clear
16 success. And I think in terms of good government,
17 it clearly was a success. It's a great
18 accomplishment and I think Connecticut can be proud
19 of it. In terms of fairness, I think it's mixed.
20 I think it does strongly protect incumbents and
21 that is a long-term consequence, which I think can
22 be quite negative for the State of Connecticut, if
23 that is not compensated for.

24 Those are my experiences. I am glad I

1 ran. And I think this was a better experience
2 because of public financing than it would have been
3 without it.

4 MR. CASHMAN: Thank you very much for
5 your comments. Questions?

6 (No response.)

7 MR. CASHMAN: Next speaker?

8 MR. GARFIELD: The next speaker is
9 Vincent Marino.

10 (Vincent Marino, Republican, Candidate
11 for State Senate.)

12 MR. MARINO: Good morning.

13 MR. CASHMAN: Good morning.

14 MR. MARINO: My name is Vincent
15 Marino. I was the Republican candidate for the
16 14th Senate District and I want to thank you all
17 for the opportunity to come out this morning and
18 thank you for having these hearings.

19 I was asked to come and speak about my
20 experiences as a challenger in this election cycle.
21 And I will tell you from a candidate's perspective,
22 it was a wonderful experience.

23 The public financing, I think, took
24 away all stresses associated with prior elections.

1 And although I was not a challenger in any prior
2 election, I do have experience as a Town Chairman
3 of the Orange Republican Town Committee, which I
4 served for five years, and I worked with state
5 representative and state senate candidates during
6 that time period.

7 And the stresses associated with
8 raising money in those prior elections, running up
9 until November, whatever election day was, trying
10 to come up with an extra few thousand dollars to do
11 a couple of things was constant and I think it
12 really did distract in those prior elections from
13 what the true mission of a campaign is and that is
14 to hone a message and get that message out to the
15 public.

16 I think overall my experience during
17 this campaign was that public financing allowed me
18 to move away from that stress of financing, which
19 gratefully was completed for me in June, and then
20 the stress became that of my treasurer to get all
21 of the paperwork done, which I do believe there can
22 be improvements made in that regard, getting, you
23 know, in the paperwork. It was a few dozen trees
24 that had to be chopped in order to actually get all

1 of the paperwork done.

2 But from a candidate's perspective, I
3 think that it was a great experience. I did not
4 see there being any problem with the minimum
5 thresholds of 300 signatures and \$15,000. I
6 thought that that was a perfectly fine threshold.
7 And just to disagree with the prior speaker, as a
8 challenger running against Senator Slossberg, who
9 obviously had greater name recognition than myself,
10 it's an imperfect system.

11 It's -- you know, we are never going
12 to have a perfect system. It's just an
13 impossibility. There's going to be challengers
14 with zero name recognition and I am sure we can
15 find a challenger with more name recognition than
16 an incumbent. You know, that's the way the system
17 works. It's imperfect.

18 And I don't think it would be fair
19 from a challenger's perspective to -- if I would
20 have had \$300,000 and Senator Slossberg would have
21 had \$100,000, I don't think that's a way to
22 equalize this system.

23 I think, you know, we can only do the
24 best that we can do; and I think that this is the

1 right first step. And from my perspective, I
2 thought \$100,000, although compared to prior
3 elections where significantly more money was spent
4 by people not participating or prior to the
5 existence of this program, \$100,000 may not be the
6 right number to fund a campaign for a senate
7 district. I think as long as the number is equal
8 between both parties, I think that's fair.

9 I don't know what that -- I couldn't
10 suggest to you what that right number is. I found
11 that we spent every last penny. Maybe we felt we
12 wished for an extra penny or so, but we did manage
13 our money appropriately.

14 There was some comments made by prior
15 speakers, and I will not go into them in depth, but
16 I do believe that there needs to be some fixing
17 with respect to reporting. There was the 90
18 percent requirement. That, you know, we found that
19 once we hit the 90 percent threshold, you know,
20 there wasn't necessarily reporting the way that
21 there was supposed to be on the other side. And I
22 understand that we were pretty close to the
23 election at that point and we were told, "Well,
24 shortly after the election, there's going to be an

1 additional reporting, so we're just going to wait
2 for that." The rules are what the rules are. We
3 had to follow the rules or we don't follow the
4 rules. That would be the only thing I would take
5 away from that.

6 With respect to your Commission, you
7 know, I would like to applaud you all. From my
8 treasurer's perspective, he had nothing but great
9 things to say about the communication with the
10 people that were assigned to our campaign.

11 Your efforts were tremendous. Your
12 efforts were in unchartered territory; and so in
13 that regard, I think you did a tremendous,
14 tremendous job. So I want to thank you for your
15 effort over the last four months. For me, it was a
16 great experience.

17 How to make this system better? I
18 think, you know, it's not an overhauling. It is a
19 tweaking here and there. And I think in the large
20 regard, it is in reporting to make -- not only from
21 a donor's perspective easier, if we could do this
22 electronically, it might be better.

23 I know in the court system, I'm a
24 practicing attorney, and we have gone to electronic

1 filing and we are held responsible to maintain our
2 originals. So if there is ever a question, you
3 know, we have to produce the originals. So maybe
4 we could go to some form of electronic filing to
5 reduce the level of paperwork that actually needs
6 to be done, but we would be charged or the
7 treasurers be charged with the responsibility of
8 maintaining the originals. So ever there was an
9 audit, that paperwork could be produced. That
10 might be one way of reducing the number of paper
11 that is used.

12 Also with reporting, I don't
13 necessarily think that it's necessary at 90
14 percent. I don't know if 90 percent is a magic
15 number to trigger some event. I think that at a
16 certain point, you know, there should just be
17 milestones, whether it's, you know, a month before
18 the election, two weeks before the election, a week
19 before the election, a week after the election,
20 whatever that is. I don't think there is a magic
21 percentage that would make a difference, quite
22 frankly.

23 From a candidate's perspective, we are
24 organizing our campaign in a certain way. We are

1 spending our money in a certain way. It's not
2 going to make a difference at 90 percent, if my
3 opponent files at 90 percent that I'm suddenly
4 going to do something different. By that point,
5 it's too late anyway. So I don't think that that
6 is a magic number.

7 But I would like to thank you all for
8 the opportunity to come up. I had a great
9 experience overall. And if you have any questions,
10 I'm happy to field them.

11 MR. CASHMAN: Thank you very much.
12 With respect to -- I do appreciate you sharing your
13 experience with us. With respect to the electronic
14 filing, that is an issue which the Commission has
15 advanced to the General Assembly and undoubtedly
16 will be advancing again. Currently campaigns for
17 state senate are not necessarily required to file
18 everything electronically. We certainly encourage
19 that.

20 We think it would be better for
21 candidates and certainly for the Commission and
22 apparently for the trees, but that is something
23 that is an ongoing discussion between the
24 Commission, the legislature and the various parties

1 involved, so that will be brought up again
2 undoubtedly.

3 MS. ROTMAN: Thank you. I would like
4 to add to Chairman Cashman's point. Of course, the
5 Commission completely agrees on the issue of
6 electronic filing being the better way to go, not
7 only because of the issues you raised, but because
8 of the increased transparency for the public and
9 the increased availability of the Commission to do
10 our jobs in seeing where the spending is in these
11 competitive races. And we also agree with you, and
12 the Commission hasn't put out proposals on this
13 yet, but we're considering at our next meeting
14 something very similar to what you just spoke
15 about, but I can't resist giving a little preview,
16 which is taking out the uncertainty of what --
17 first of all, some treasurers were just confused
18 about what is really meant by 90 percent, 90
19 percent of what. That's always -- can be tricky.
20 And putting in the certainty of the deadlines, like
21 you mentioned, and so the transparency is there.
22 We don't lose anything for the public or for the
23 campaigns.

24 Because one of the goals of that 90

1 percent and how it -- it did work in some races,
2 even with the confusion of what it meant out there,
3 was that it allowed candidates to know when their
4 opponent might be near the spending limit because
5 the program protects participating candidates with
6 the opportunity to come to the Commission to ask
7 for supplemental grants. And a lot of those late
8 statements are all done with that in mind, the sort
9 of 90 percent being the idea that now we're getting
10 close to the spending limit and it gives the
11 opportunity for candidates and then the Commission
12 to weigh in on whether supplemental funds should
13 issue, either because something is reported or
14 because something is brought to our attention that
15 is not reported that's happening out there in the
16 race.

17 But we hear you on that and it's
18 something we're working hard on and so I really
19 appreciate the feedback on that, in particular.
20 Thank you.

21 MR. MARINO: Thank you.

22 MR. CASHMAN: Jeff?

23 MR. GARFIELD: Yes. Thank you, Mr.
24 Marino. I do want to thank you for your nice

1 comments about the staff of the Commission. It was
2 a very strong effort by all of us to try and bring
3 a program to Connecticut elections that -- it was
4 very challenging and we certainly appreciate your
5 comments and thoughtful suggestions.

6 MR. MARINO: Absolutely. Thank you.

7 MR. CASHMAN: Thank you, Mr. Marino.

8 MR. MARINO: Have a good day.

9 MR. GARFIELD: Our next speaker is
10 Cicero Booker. Mr. Booker?

11 (Cicero Booker, Independent, Candidate
12 for State Senate.)

13 MR. CASHMAN: Good morning.

14 MR. BOOKER: Good morning. It's a
15 pleasure to be here with you this morning. For the
16 record, my name is Cicero B. Booker, Jr. I live at
17 149 Devon Wood Drive, Waterbury, Connecticut.

18 I would first like to thank the
19 program director and staff on the Citizens'
20 Election Program, Candidate Services Unit, for
21 their efforts and support in helping to keep
22 candidates in compliance with the state law as well
23 as the program rules. I believe that is a very
24 important service.

1 I was a candidate for the 15th Senate
2 District in Waterbury, running on both the
3 Independent party and the Working Family party
4 lines. As you well know, they are minor parties.

5 It is my understanding I was the only
6 minor party candidate running for the state senate
7 that qualified for the State's full funding. In
8 order to qualify, there was 599 small grass roots
9 contributions made from in the state and out of the
10 state or in the district and out of the district to
11 help reach the set goal of \$15,000.

12 I am in strong support for the
13 Citizens' Elections Funding program. I believe it
14 has value for our election process. However, I
15 believe it should be made equally fair for minor
16 party candidates. For example, as a minor party
17 candidate, I was required to collect over 2,700
18 signatures within the district to qualify for full
19 funding; and I had to get 20 percent of the vote
20 for the party to qualify for full funding next
21 election without collecting the signatures.
22 However, the major parties that failed to enforce
23 the candidate for the election in the district,
24 therefore, not getting 20 percent of the vote, can

1 still qualify for full funding the next election
2 without collecting the signatures.

3 I believe that a major party that
4 fails to endorse a candidate in any district, the
5 endorsed minor party candidate in the district
6 should automatically qualify for full funding
7 without collecting the signatures and the major
8 party should lose their automatic funding status in
9 the district for the next election cycle and then
10 would be required to follow the established current
11 guidelines for minor parties to regain their
12 funding status. This would correct the flaw I see
13 in the program and bring some level of fairness.

14 With that said, I will close and
15 answer any questions you have for me. I thank you
16 for your attention in allowing me to speak to you
17 this morning and I wanted to be short and sweet and
18 to the point.

19 MR. CASHMAN: Well, thank you very
20 much, Mr. Booker. It's nice to see that we do have
21 with us a minor party candidate who went through
22 the program. I take it your experience overall was
23 favorable?

24 MR. BOOKER: Was it favorable?

1 MR. CASHMAN: Was it favorable?

2 MR. BOOKER: Yes, I believe it was
3 favorable. But you have to remember, a minor party
4 candidate, I am an elected official in the City of
5 Waterbury as a minor party candidate. And we're
6 used to working with what we call nickel and dime
7 and with the grass root contributions.

8 In this case, this program allowed a
9 campaign that be fully -- you know, be fully
10 involved, using all of the necessary medias, you
11 know, television, radio, newspapers and so on and
12 so forth, mailings and stuff like that. So it was
13 a rewarding experience, yes.

14 MR. CASHMAN: And as you obviously are
15 aware, the legislature has determined the role of
16 the minor party candidates as it relates to
17 participation in the program. I think there are
18 members of the legislature here and your comments
19 certainly will be noted by them. And we will
20 probably be putting forth some recommendations
21 associated with making it more accessible for minor
22 party candidates going forward. This was, again,
23 the first go-around under the rules that were set
24 up. And your implementation and how it implemented

1 as it related to you is instructive to us and we
2 will be trying to make some corrections with the
3 assistance of the General Assembly. Thank you very
4 much for your comments.

5 MR. BOOKER: Thank you.

6 MS. ROTMAN: I would just like to add
7 -- first of all, to congratulate you because while
8 you weren't the only senate candidate to qualify
9 for a full grant, you were one of a handful and it
10 was really a job well done. And I know that the
11 staff and myself personally enjoyed -- not the fact
12 that it was difficult, but the diligence that you
13 showed in your campaign to meeting all of those
14 requirements. And just to share with you on a
15 personal note, that it was very satisfying to see
16 you ultimately qualify and we enjoyed being a part
17 of that process with you.

18 So thank you, especially for doing all
19 of that work and congratulations for getting there.
20 It was really rewarding for all of us to see that
21 happen.

22 MR. BOOKER: And I thank you, as well.
23 What I did learn from the program is I didn't
24 realize I knew so many people.

1 MR. GARFIELD: Thank you, Mr. Booker.

2 MR. CASHMAN: Thank you very much.

3 MR. BOOKER: Thank you.

4 MR. GARFIELD: Our next scheduled
5 speaker is Representative Diana Urban. I don't see
6 her in the room, so we will go to William Jenkins.

7 (William Jenkins, Campaign Treasurer
8 for Mike Alberts.)

9 MR. JENKINS: Good morning, Everyone.
10 My name is Bill Jenkins. I have been serving as
11 the treasurer for various campaigns and political
12 committees for the past 12 years. Most recently I
13 served as the treasurer for State Representative,
14 Mike Alberts' campaign committee in 2006 and in
15 2008. I have been a member of the Chaplin
16 Republican Town Committee for the past eleven years
17 and have served as the Republican Registrar of
18 Voters in Chaplin since 2006. I have represented
19 the 35th Senatorial District on the Republican
20 State Central Committee for the past 11 years and
21 was elected Secretary of the Committee in 2007.

22 I am going to go over a number things
23 that -- my experiences with the program this year.
24 The first thing I would like to talk about is the

1 distribution of surplus. For quite some time,
2 distribution of surplus from a candidate committee
3 was allowed to be done by the following methods:
4 To a party committee, to an ongoing political
5 committee, return to contributors on a prorated
6 basis or to a 501(c)3 charitable organization.

7 It makes perfect sense that a
8 participating candidate must return any surplus to
9 the fund, but it amazes me that now a
10 non-participating candidate can only distribute the
11 surplus either the fund or a charity,
12 9-608(e)(1)(A)iii reads as follows:

13 "A candidate committee for a
14 nonparticipating candidate, as described in
15 subsection (b) of section 9-703, may only
16 distribute any such surplus to the Citizens'
17 Elections Fund or to a charitable organization",
18 which means they now can't give it to a party
19 committee, an ongoing political committee or they
20 can't return to contributors on a prorated basis.

21 I feel this is wrong and unfair since
22 you have now removed the right for a
23 non-participating candidate, who wasn't part of the
24 Citizens' Election Program or anything under

1 Chapter 157, to distribute his or her surplus in
2 the same manner that a municipal candidate could
3 and can continue to do under present law.

4 As a side note, according to the
5 Internal Revenue Service, candidate committees are
6 political organizations subject to tax under the
7 IRC Section 527. Now I'm not a tax attorney. I
8 don't have a whole lot of experience with the
9 Internal Revenue Service's codes, but from what I
10 understand about the federal tax code, a candidate
11 committee is excluded from paying taxes on what the
12 committee spends to influence an election.

13 So if they take all of their
14 contributions and spend it, then they have no tax
15 liability. However, an expenditure in the form of
16 a distribution of surplus made after an election
17 certainly cannot be considered an expenditure to
18 influence an election. Now if you make one before
19 the election, you probably could argue that, Hey,
20 I'm making a charitable contribution to someone,
21 he's a good guy, and that certainly could be argued
22 that it's certainly an expenditure to influence an
23 election, but I think it's difficult, if not
24 impossible, to make a case with the IRS that you

1 tried to influence an election by making a
2 charitable contribution after an election day. It
3 -- and possibly making that political organization
4 under federal law subject to federal taxes. It
5 might be worth the Commission's time to investigate
6 this further with the Internal Revenue Service.

7 Another issue, the grant application,
8 SEEC Form 15, demands more than the law requires.
9 9-706(b) requires candidates to certify to seven
10 items and treasurers to eight. The grant
11 application form designed by the Commission
12 requires candidates and treasures to certify to a
13 multitude of additional items that are not found in
14 any statute or regulation or declaratory ruling.

15 The one that concerns me the most is
16 demanding that candidates and treasurers certify
17 that they read and understand all applicable
18 statutes, regulations and/or declaratory rulings.
19 Now, I'm probably -- seriously, I'm probably only
20 one of a handful of people in the entire State of
21 Connecticut that actually has sat down and read all
22 of Chapter 155 and Chapter 157. I mean, call me
23 someone with too much time on my hands, but it's
24 one of the things that I enjoy doing with my spare

1 time, is reading statutes. I know it sounds crazy
2 and I guess that's just one of my personal quirks.

3 But, again, I maintain that I have
4 read all of those and, quite frankly, I can't
5 honestly swear that I understand everything that's
6 in those statutes. And it's -- I just think it's
7 an unreasonable request for someone to certify to
8 that. After signing the SEEC Form 15 saying, Hey,
9 I read and I understand in those statutes,
10 regulations and declaratory rulings.

11 And for one thing, I mean, many
12 treasurers and candidates -- I'm sure many
13 treasurers and candidates submitted these, the SEEC
14 Form 15's, and I'm not sure if they read them
15 before they signed on them because there was a typo
16 on there that I picked up and crossed out when I
17 submitted mine.

18 Because under the treasurer it said,
19 oh, where was it? On the May 5th -- on the May
20 2008 revision of the SEEC Form 15, under Item 9 for
21 the treasurer on Page 5, it says special election
22 when it should have been election. Obviously
23 that's because you first designed the form for the
24 special elections in 113th and the 23rd senatorial,

1 whatever they were, the special elections in
2 December, but when you were transferring the firm
3 -- transforming the -- making the additional
4 changes to the form for this election cycle,
5 something got missed. And, like I said, everyone I
6 know signed them that I saw on the website and
7 didn't notice that error.

8 On another item, I feel this program
9 has made participating candidates even less
10 connected to the people, contrary to popular
11 belief. Candidates now, in my experience, don't
12 even see the need to write simple thank-you notes
13 to people who made contributions anymore since 80
14 to 85 percent of their money comes from the State.
15 Willing volunteers and donors are now told,
16 "Thanks, but no thanks. I have my money from the
17 State, so I'm all set."

18 Past campaign activists now feel
19 disconnected and distant from the process because
20 candidates no longer need their help and
21 assistance. On the other hand, although this
22 public money for the campaigns has certainly been a
23 windfall to political consultants, mail houses,
24 printers and polling companies.

1 All the candidates have to do now is
2 hire some out of state political contractors to
3 perform the functions that volunteers had done in
4 the past. This program has caused yet more people
5 to become disillusioned with politics and increase
6 the voter apathy that has been a growing problem in
7 the state over the past 20 years.

8 The simple facts are this
9 multi-million dollar program to fund political
10 campaigns with taxpayer dollars has really only
11 accomplished three things.

12 It has added a significant number of
13 state employees to the State Elections Enforcement
14 Commission. No. 2, it's made -- candidates have to
15 perform much less work in order to seek office.
16 Like it or not, part of running a political
17 campaign is fund-raising, just as knocking on doors
18 is and making public appearances is.

19 No. 3, it has taken millions of
20 dollars of money away from other areas that the
21 government should be concentrating on, like public
22 safety, public transportation and social services.

23 I know the claim has been made that
24 this money is from the Abandoned Property Fund and

1 it's really not tax dollars; but ultimately the
2 money that's in the Abandoned Property Fund is
3 always -- has always wound up into the General
4 Fund, one way or the other, so it's essentially a
5 robbing -- in my opinion, a robbing of Peter to
6 Paul type of situation.

7 I think the result of this past
8 election proved that giving financial handouts to
9 candidates has essentially had no effect on the
10 outcomes of all the race -- all legislative races
11 across the state.

12 Election results are much more a
13 function of other factors, including voter
14 registration statistics, incumbency or who's at the
15 top of the ticket, rather than who spent more money
16 on their campaign.

17 For example, in the 50th District,
18 which I'm intimately familiar with, in 19 -- excuse
19 me -- in 2002, the winner of that race was outspent
20 three to two. I know that because we were on the
21 three side and we lost. In 2004, the winner was
22 outspent three to one. In 2006, the winner was
23 outspent two and a half to one. In this year, the
24 same two candidates ran against one another. Both

1 took state money; and as a result, the results were
2 almost identical to 2006 where the winner was
3 outspent two and a half to one.

4 Based on my 16 plus years of being
5 involved in and running political campaigns at the
6 state level, a well financed and nearly perfectly
7 run campaign can only influence an actual outcome
8 of an election by no more than 3 percentage points.
9 The natural, noncontrollable, underlying factors
10 that are parts of any campaign cannot be overcome
11 by money alone.

12 I would respectfully urge you to drop
13 your quest for passage of legislation that would
14 require mandatory electronic filing for all
15 participating candidates. I expressed my
16 opposition to this at the GEA public hearing this
17 past February, based on my experience with other
18 agencies' websites and systems, most notably the
19 Secretary of State's statewide voter registration
20 system for registrars. As I mentioned earlier, I'm
21 a registrar in the Town of Chaplin. Mr. Garfield's
22 response was that the SEEC developed its own
23 software and the problems I experienced with the
24 Secretary of State's system would not be

1 experienced with the SEEC system.

2 That's probably true. I would -- I
3 don't doubt that your system is probably better
4 designed than the current system we have for the
5 voter -- for the Secretary of State's office. And
6 I will give you that one. That's true.

7 However, the only problem is that all
8 of these systems were all run through the
9 Department of Information Technology; so no matter
10 how good your software system is, you're subject to
11 problems that DOIT may have, may or may not have,
12 with sites going down, servers not working properly
13 and those types of reliability issues.

14 And my concern is what happens if the
15 system crashes on the 10th of the month and the
16 reports are due or if there is a major storm that
17 disabled power and cable. I know that sounds crazy
18 and maybe a little -- not very likely to happen,
19 but just for the three years that I have been the
20 Registrar in Chaplin, we have had two power outages
21 on Election Day, a thunderstorm and somebody
22 hitting a telephone pole, so these things do
23 happen.

24 And when we're required to file these

1 reports by midnight on the 10th of the month or
2 face a \$100 fine, I don't -- right now the present
3 law doesn't allow any latitude to waive that, even
4 in the case of an natural occurrence that is beyond
5 anyone's control.

6 I also understand that you're
7 suggesting that the legislature increase the late
8 filing fee for the 7th day preceding the report
9 from \$100 to \$1,000. I just think that that's
10 absolutely outrageous. I mean, to me it's bad
11 enough to pay a \$100 fine for a late filing, but a
12 \$1,000 fine? I mean, it's almost like you're
13 elevating it to a level to a late filing fee, which
14 could honestly be an honest mistake to the level of
15 a felony and I just think that's extremely wrong
16 and I would hope that you don't do that.

17 I have also studied quite a few of
18 this year's campaign finance disclosure statements
19 that are posted on the Commission's website or
20 created using the eCRIS system. And let's face it,
21 we have a long way to go.

22 Why is it that SEEC Form 30 requires
23 me to numerically assign a contribution ID when I
24 do my form by hand and instructs me to continue

1 sequentially until the termination of the
2 committee, yet the eCRIS system never lists them
3 sequentially. All of the reports I have looked at,
4 there's a contribution ID number, but they're all
5 over the lot. It goes from 1 to 2 to 140 to 30 to
6 -- nothing's in order. And if the eCRIS system
7 doesn't do it in order, why should anyone who does
8 a hand report be required to do it in order?

9 I think, to me, in order for it to
10 make sense, it seems to me that it would be nice if
11 the eCRIS system could sort things numerically
12 before it puts -- before it issues the report, but
13 that's not happening.

14 It's also almost impossible, for even
15 a highly experienced campaign treasurer like me, to
16 make sense out of the amended disclosure statements
17 that many treasurers filed this year. Some of the
18 contributions were listed in boldfaced, some were
19 in red, some were in strike through, strike through
20 red, strike through bold; no where on the
21 Commission's site or in any of the literature or
22 regulations you've published is any explanation to
23 decipher these codes.

24 I did call Nancy Stanowicz (phonetic)

1 and asked her how -- what the explanation was for
2 this and she recommended that I talk to Amjad
3 Mahmmod, who I unfortunately haven't had a chance
4 to talk to, but there probably is an explanation
5 for what bold red means or strike out means and all
6 of that, but I just haven't talked to him. But,
7 again, my --

8 MR. CASHMAN: I am going to ask you if
9 you would, please, to just conclude your comments
10 in the next minute or so.

11 MR. JENKINS: Okay.

12 MR. CASHMAN: If you have written
13 documentation or if you can prepare it in the
14 future, we will be happy to take it under
15 advisement.

16 MR. JENKINS: Okay.

17 MR. CASHMAN: But please conclude your
18 comments in the next minute. Thank you.

19 MR. JENKINS: Okay. Another issue,
20 the sole proprietorship issue, I think -- I mean,
21 9-601 (9) defines an individual as a human being, a
22 sole proprietorship or a professional service
23 corporation organized under Chapter 594a and owned
24 by a single human being.

1 This year we had contributions from
2 sole proprietorships and we were told, "Hey, you
3 can't take that because -- and I -- and my response
4 to the Commission was, "9-601 (9) says an
5 individual is a sole proprietorship. Mr.

6 Garfield sent an e-mail to State
7 Representative Chapin last December saying the same
8 exact thing. "We have revisited the issue and
9 determined that a sole proprietorship check can be
10 a qualifying contribution provided that the
11 individual owning the business submits a signed
12 contribution certification card and that it would
13 count toward the in district number of 150 for a
14 state rep. And my concern is was that's what Mr.
15 -- at least that's what Mr. Chapin was told. We
16 were told something completely different a few
17 months later.

18 The House parties were allowed under
19 9-601a(b)5 and contributions -- a donation from a
20 business up to \$100 is allowed under 9-601a(b)12;
21 however, the Commission is saying that House
22 parties are okay, but you can't take a \$100
23 donation from a business.

24 I think that's -- I think that is an

1 inconsistent application of the law. I have other
2 comments that are -- other things that are in the
3 written testimony, so if you would like me to
4 conclude, then I will; but there are a few other
5 things that are in the written testimony that you
6 can review later on.

7 MR. CASHMAN: Thank you very much and
8 we will. Have you provided the written testimony
9 to the clerk?

10 MR. JENKINS: Yes.

11 MR. CASHMAN: Thank you very much.

12 MR. JENKINS: Okay.

13 MR. GARFIELD: Kim Hynes?

14 (Kim Hynes, Former Candidate for State
15 Representative, Organizer, Common Cause of
16 Connecticut.)

17 MS. HYNES: For those of who don't
18 know me, I'm the Senior Organizer for Connecticut
19 Common Cause. Common Cause is a non-partisan,
20 nonprofit citizen lobby which seeks to improve the
21 way Connecticut government operates. Common Cause
22 has more than 400,000 members nationally and 36
23 state chapters. In Connecticut, we have about
24 7,200 members.

1 First, I want to thank the SEEC for
2 arranging this hearing and also for the amazing job
3 you guys did in implementing this program. I have
4 been speaking to a number of candidates and all of
5 the feedback was uniformly positive.

6 The response when people had
7 questions, the rapidity of which the answers were
8 given, all very, very positive feedback. And I
9 just want to thank you. It's an amazing job that
10 you did. Thanks especially to Beth and Jeff, who I
11 worked with and who were very helpful to me.

12 My time, yes, over the past year, I
13 have been both doing some public education on the
14 program and also talking to candidates since the
15 election and before the election to see how they
16 did with the program. I am going to skip over a
17 little bit of my written testimony, just in the
18 interest of time; but all of the candidates that I
19 have interviewed, which has been more than a dozen
20 to date, have had very good experiences with the
21 program.

22 The two things that they have
23 highlighted to me is the pleasure they took in
24 actually getting out and involving the grass roots

1 and that became part of their fund-raising strategy
2 to reach the threshold amounts. They looked at
3 that as an opportunity to really gather their
4 volunteers and identify their supporters; and they
5 felt that was very helpful.

6 The second thing I heard over and over
7 again is, "I never could have run, if not for this
8 program." Nancy Seltzer, who ran in Milford for
9 Jim Ammon's seat, is a single mom putting two kids
10 through college and she said -- she called the
11 program a blessing. She said she never in a
12 million years would have been able to run without
13 this program. And that's what I heard really over
14 and over again from people from all parties.

15 What all of the candidates had in
16 common was the trust they held in the Connecticut
17 Government to honor the promise of campaign funds
18 once they met program requirements. The thousands
19 of citizens who donated small amounts trusted, too,
20 that the candidates they supported would get the
21 promised grants and be able to wage competitive
22 races.

23 One issue that has come up is what
24 happens when a candidate is opposed by an

1 individual whose campaign ends on unexpectedly not
2 long before the election. Though unlikely, this
3 actually did happen in the 2008 cycle.
4 Fortunately, somebody was found to fill the slot;
5 otherwise, the other candidate faced losing his
6 grant.

7 I think that's just maybe a fix we
8 need look at, if the opposition suddenly dies and
9 there's no one to fill the slot, the other
10 candidate already has ordered mailings and spent a
11 bunch of money. And, you know, just we might need
12 to look at that on a time frame for dropouts or
13 death or what have you.

14 Another thing that I think we need to
15 look at is in 1996, citizens in Maine voted to
16 adopt the Maine Clean Elections. Their program is
17 very similar to the Connecticut system.
18 Connecticut, however, reached 75 percent
19 participation this year. It took Maine years to
20 get there. So I think that's a real credit to the
21 SEEC and everyone who worked to make the program
22 possible, as well as to all the candidates who
23 participated.

24 In Maine, they have really seen

1 positive effects in terms of the diversity in the
2 legislature, the number of people who run and the
3 lessening of the influence of special interest
4 money, which is -- it's been a great thing for them
5 and I think it will be a great thing for
6 Connecticut, too.

7 However, starting in 2001, the Maine
8 legislature started to take from their Clean
9 Election Funds to address budget shortfalls. It's
10 been quite a problem for them. While they have
11 every year had just enough money to make their
12 program work, from year to year, they don't know if
13 the money is going to be there. So it's very
14 unsettling, both for the candidates who are
15 thinking of running and for the voters who put that
16 system in place.

17 Last week, unfortunately our own
18 legislature voted to take five million dollars out
19 of the Citizens' Election Fund. Members of the
20 General Assembly justified this unfortunate action
21 by asserting that the money was surplus and would
22 not be needed, but's that actually not something
23 that is clear or something that we can determine at
24 this point.

1 Common Cause is alarmed by the fact
2 that lawmakers did not rule out future cuts that
3 could be put -- that could put the viability of the
4 program at risk. It is clear that the current
5 budget shortfall must be taken very seriously and
6 difficult decisions need to be made. However,
7 Common Cause will fight during the upcoming
8 legislative session to protect the Citizens'
9 Election Program from future cuts, which we believe
10 could seriously undermine the integrity of the
11 program.

12 While the 2008 election cycle did not
13 use the entire amount projected for this year, it
14 is not appropriate to assume that future cycles
15 will also utilize less money than anticipated. The
16 2010 election cycle will include the Gubernatorial
17 race, as well as other statewide offices. There
18 may well be more primary candidates for various
19 offices than anticipated originally when the
20 program was designed. In 2006, there were at least
21 six candidates for Secretary of State from the
22 Democratic Party alone from time to time. That
23 alone would boost the budget needed more than what
24 is currently anticipated.

1 As well, in the race for Governor,
2 there could be a situation where we have an
3 independently wealthy candidate that emerges that
4 opts out of the program and self-finances. That
5 potentially could require matching funds for the
6 other Gubernatorial candidates that could run into
7 the millions of dollars so, again, unanticipated
8 funds that might be need.

9 Finally, another variable is the
10 amount of independent expenditures that could be
11 made. We have no way of anticipating how many
12 groups might spend independent expenditures that
13 may be matched, also a variable that there is no
14 way to know, so there is no way to know how much of
15 cushion we will need.

16 It is vital that the Citizens'
17 Election Fund maintain a surplus, so that all
18 qualifying candidates can be assured that their
19 grant will be delivered on time. Citizens of
20 Connecticut strongly believe in this program. As a
21 Senior Organizer of Connecticut Common Cause, I
22 have fielded many calls and e-mails from
23 individuals all over the state who are outraged
24 that the fund was raided. They in turn placed

1 calls and sent e-mails to their senators and
2 representatives, asking that law makers respect the
3 program that replaces monetary influence with
4 citizen involvement.

5 The Citizens' Election Program has
6 been a tremendous success in its first election
7 cycle and has very strong support among the voters
8 of Connecticut. Perhaps in the end it isn't so
9 much about funding of elections as it is about
10 getting citizens better informed and more involved
11 and promoting trust once again in our government.

12 The type of involvement that this
13 program promotes, I believe, takes us back to the
14 type of democracy that our forefathers envisioned.
15 I really want to thank everyone who has worked so
16 hard to make this program a success and everyone
17 who will continue to work to keep our elections
18 clean in the years to come. Thanks.

19 MR. CASHMAN: Thank you very much.
20 Jeff?

21 MR. GARFIELD: Yes. Thank you,
22 Mr. Chairman. And thank you for your testimony,
23 Kim. You should be heartened to know that we are
24 working out a solution to the problem that you

1 noted regarding the dropping out of the candidates
2 and the effect on the grant for those candidates
3 who were in the program and I think we will have an
4 adequate solution to present to the government
5 administration elections committee in 2009. And I
6 appreciate all of your efforts and the efforts of
7 Common Cause regarding the funding issue.

8 It was a dangerous situation. We
9 realize that, you know, that the state is facing
10 incredible deficits; but this program, as you say,
11 is -- has strong support, was long time coming and
12 it will take a lot of vigilance on everybody's part
13 to keep the funding intact. So we thank you for
14 your efforts to help us secure that funding. Thank
15 you.

16 MS. HYNES: You are very welcome.
17 Anyone else?

18 MS. ROTMAN: Just very briefly to add
19 to Jeff's comments, thank you for the work that you
20 have done and the work that Common Cause has done.
21 We certainly appreciate the compliments of our
22 staff. Who wouldn't? But the realty is that while
23 we're all very proud of the work that the
24 Commission has done and everybody on the team

1 worked very hard, it's quite accurate to say that
2 without the continued involvement of all of the
3 people like -- and groups -- like Common Cause that
4 help passed the law; without your continued
5 involvement, your own work with candidates, working
6 on campaigns and your outreach to get the word out
7 there, then we would not be in the successful place
8 that I think we're in.

9 So thank you again for that because
10 you really were a great team member with us and we
11 couldn't have done it without you. So thank you.

12 MS. HYNES: Well, I look forward to
13 working with you over the next years.

14 MR. CASHMAN: Thank you.

15 MS. ROTMAN: Thank you.

16 MR. GARFIELD: Okay. The next
17 scheduled speaker is David Stevenson.

18 (David Stevenson, 2008 Democratic
19 Candidate for State Representative.)

20 MR. STEVENSON: Good morning. I thank
21 you for holding these hearings because I think
22 these hearings are our best means looking backwards
23 in retrospect and it's our best means of looking
24 forward successfully and continuing this program.

1 My name is David Stevenson. I live in
2 Bethel. I am a full-time real estate professional.
3 In May of this year, I was asked to seek the office
4 of State Representative and I took on a second
5 full-time career for the following six months.

6 I had the pleasure of many great
7 neighborhood discussions with voters in the 107th
8 District. I conducted a spirited race with David
9 Scribner, a good and decent person whose voting
10 record I disagreed with.

11 With reference to what Mr. House said
12 earlier, he mentioned about the lack of challenge,
13 the lack of challenge in his race and the
14 incumbency, my opponent had not been challenged
15 since 2000, so it was a long period of time that
16 there was no opportunity to view any other points
17 of view in the 107th assembly districts.

18 My experience is one which I would
19 greatly recommend to anyone with a strong will,
20 lots of energy and a wonderful, supportive family.
21 My wife Diane was and continues to be incredible.
22 The process also brought many young adults into the
23 process. People like Sal Liccione, who managed my
24 campaign, and Michael Gradia, Nick Alred, Bob

1 Garavel, James Root, just to name a few, and, of
2 course, many others who campaigned door to door
3 with me by foot or by bicycle. Today's volunteers
4 will be tomorrow's candidates. So this was a great
5 experience for all of them who were involved at the
6 grass roots level.

7 I would like to begin my testimony
8 with the letter from Phil Specht, a farmer who
9 lives in Iowa and whom I know through
10 issue-oriented political campaigning. He wrote,
11 "Our democracy is dependent on giving voters the
12 power to decide and it can only happen in contested
13 seats with challengers. David Stevenson should be
14 credited with taking citizenship seriously and
15 doing his part to keep office holders accountable.
16 We are all better because of it."

17 Now this letter was written
18 specifically about me; but in realty, it's a
19 testimony to the great experiment which Connecticut
20 and 12 other colonies began over two centuries ago
21 and a testimony to this new great experiment which
22 was begun here in Connecticut this year.

23 Along with America's interest in a
24 presidential election and the prospect of America's

1 first African American president and/or America's
2 first woman president or America's first woman vice
3 president, America's eyes were also focussed on
4 Connecticut's statewide elections, as they have
5 been focused on our state since corruption brought
6 down a Governor, a crisis which provided us with
7 the impetus and the opportunity to move forward
8 with a public financing bill.

9 Now many naysayers have noted that
10 public financing did not affect outcomes of
11 legislative elections in 2008. In fact, many seats
12 continued to go unchallenged this year in spite of
13 the great experiment which Connecticut's
14 legislature initiated. I believe that that will
15 change, but there is a greater good which we saw an
16 immediate positive effect in the removal of
17 campaign donations from lobbyists, corporations and
18 political action committees.

19 Now I am not going to cast any stones
20 on those individuals. Lobbyists, corporate members
21 and Political Action Committee members are people.
22 They are human beings, not specters hiding in the
23 shadows, looking to undermine the will of the
24 people. However, their behavior, the work on

1 behalf of their own self-interest had been allowed
2 to go unchecked and even encouraged by our
3 legislature, our government.

4 These lobbyists, corporate members and
5 Political Action Committee members felt the need to
6 compete against each other; and in that competitive
7 process, they sought out the best government money
8 could buy. Connecticut's allowing that system to
9 continue enabled and even encouraged them to engage
10 in behavior that they knew was morally wrong and
11 which we knew was morally wrong.

12 Donations to legislators from these
13 groups, whether they were donations of hundreds or
14 even thousands of dollars, were donations with
15 expectations in return. In return, those donations
16 cost Connecticut's citizens, Connecticut's
17 taxpayers many times those donation amounts.

18 Succinctly put, would you rather have
19 Connecticut taxpayers spend \$50,000 in each of 151
20 two-person state house elections than \$170,000 in
21 the 36 two-person senate race elections or would
22 you rather have Connecticut taxpayers foot the bill
23 for the payoff, which these lobbyists, corporate
24 and Political Action Committees have received for

1 many years along with the morass of immoral
2 behavior which accompanied that system? I will
3 take clean elections any day. Thank you very much.
4 If there are any questions?

5 MR. CASHMAN: Thank you very much.
6 Anybody have any questions?

7 (No response.)

8 MR. CASHMAN: Thank you much for
9 sharing your experiences.

10 MR. STEVENSON: My pleasure. Thank
11 you for having me here.

12 MR. GARFIELD: Greg Simones?

13 MS. ROTMAN: We have some sign-ups. I
14 believe the next speaker is not here yet, so if
15 Greg Simones is not here yet, we will go to William
16 Cutler.

17 MR. CASHMAN: If there's anybody here
18 who has not signed up and wishes to speak can see
19 the clerk and we will make the time available.

20 (William Cutler, Citizen.)

21 MR. CUTLER: Thank you very much for
22 the opportunity for speak briefly. I am a citizen.
23 I have been a very active participate in a number
24 of political activities. I have had no experience

1 whatsoever with this new procedure. This is the
2 first of a major step forward for Connecticut and
3 it's an opportunity to learn. People like myself
4 and others need to learn a lot about how this has
5 been done and what needs to be done.

6 It's an opportunity to study the
7 results and the manner in which the program was
8 effected. There is an important public relations
9 follow-through that is needed to get the message
10 through to the people of Connecticut and I want to
11 emphasize that.

12 Perhaps the way to do that would be
13 through commissioning the University of Connecticut
14 or some element thereof to perform a broad public
15 relations survey and get that message into the
16 hands of the citizenry. One question that comes up
17 is the adequacy or the -- was this -- the monies
18 involved, how they were spent. How the next step,
19 the next election will be effected by these
20 procedures and the changes.

21 This is an opportunity to stimulate
22 and to springboard forward on the basis of the
23 experience that has been had and thank you very
24 much for what you are doing and what you have been

1 able to accomplish so rapidly. Thank you.

2 MR. CASHMAN: Thank you, Mr. Cutler,
3 for your comments with respect to the public
4 relations aspect of it. This is the second of two
5 of our hearings to get feedback from the public as
6 a starting point to see what people thought of the
7 program and to hopefully take suggestions on how to
8 improve it and with respect to the very important
9 question of how the funds were spent, all of the
10 candidates who participated in the program are
11 required to submit disclosure statements which are
12 going to be subject to audit by our staff over the
13 next couple of months.

14 And, obviously, if there's any
15 problems that arise from those audits, we will
16 bring those to the attention of the legislature for
17 corrective action. But thank you very much for
18 your comments.

19 MR. CUTLER: Thank you, sir.

20 MS. ROTMAN: I will just let you know
21 by way of background that -- first of all, thank
22 you very much for the comments and I will let you
23 know by way of background that there are -- there's
24 quite a bit of academic research going on right

1 now, not just at the Commission, but also from
2 various universities, studying the impact that the
3 program will have on the State of Connecticut.

4 They have done a lot of research on
5 what happened in the process in 2004 and in 2002
6 and I understand that there is a survey out in the
7 field, as we speak, it may not look into all of the
8 issues that you suggested, but I wanted to thank
9 you for that comment.

10 Some research is being done and I
11 think there is more to be done that the Commission
12 will be an active part of. So I look forward to
13 hearing more from you in the future about ideas.

14 MR. CUTLER: One point on that, if I
15 may, there has been some thought that this would
16 result -- this would produce less participation and
17 some diminution of broad participation by
18 volunteers in connection with campaigns. I know
19 there may have been some less activity. And that
20 is one element that I think should be covered in
21 any such survey, whether taking the money issue out
22 has caused some reduction in citizen activity.

23 MR. CASHMAN: Thank you very much.

24 MS. ROTMAN: I'll just -- thank you

1 very much. And I will tell you that actually I
2 should mention that it's the Campaign Finance
3 Institute who is doing a study and I believe they
4 are looking at that exact question. There has been
5 some evidence in other jurisdictions of public
6 financing that there's also increased citizen
7 involvement when people give a small five dollar
8 contributions, that they actually feel more
9 connected to the process, so they are looking at
10 that issue. So I look forward to seeing what they
11 come up with and for sharing that information.

12 MR. CUTLER: Thank you.

13 MR. GARFIELD: Thank you. Our next
14 speaker is the Vice Chair of the Government
15 Administration Elections Committee, Representative
16 Diana Urban. Good morning, Representative Urban.
17 Good to see you.

18 (Diana Urban, State Representative,
19 Government Administration and Election Campaign.)

20 MS. URBAN: Good morning. It's good
21 to see everybody this morning and I am so glad that
22 we are having this opportunity to have some public
23 input. And, of course, I think you probably all
24 know that I have been one of the biggest fans of

1 our new public financing and I am extraordinarily
2 proud that Connecticut is pretty much leading the
3 nation on these issues.

4 That being said, I think that there
5 are a few areas that we can improve in; and I think
6 that you have kept the lines of communication open
7 during the process; and I want to compliment Jeff
8 and Beth on that. You know, you have been very
9 responsive.

10 And I would also think that a lot of
11 the candidates would probably share some of the
12 things that I am going to say because of the
13 treasurers, who were, you know, introduced to this
14 program and it took a lot out of the treasurers for
15 each and every campaign.

16 So I would start by saying that I
17 would hope that we could expand some of the
18 training efforts. I had -- out in Southeastern
19 Connecticut there were treasurers that felt
20 that--and maybe Southeastern Connecticut says this
21 a lot--that we weren't getting the attention that
22 we would like to be getting out in that area of the
23 state. So if there were more convenient times?

24 I know there were treasurers that were

1 working full time and trying to get to some of the
2 trainings and, you know, hoping that we could
3 expand the trainings and the times of the trainings
4 and the -- and probably sometimes the -- at the
5 beginning and I know getting the whole thing up to
6 speed there were times where there were
7 communication gaps. But, as I said, you guys did a
8 great job of taking care of that as the process
9 moved forward. But I did get some panicked phone
10 calls from treasurers about, you know, how does
11 this whole thing work and how do we get from A to
12 B?

13 The contributions coming in from
14 people when you're getting your, you know, your
15 threshold number, people were confused about that
16 contribution process. People felt like it was an
17 onerous process with all of the signatures that had
18 to be made and I think that I went through this
19 with you on other occasions, that you have to sign
20 the check and then sign the affidavit and then if
21 it's two people, they both have to sign the check.
22 And I think that we talked about ways that it could
23 be a lot easier, so that it didn't make it such a
24 painful process for some of the contributors.

1 And I almost also wondering whether we
2 want to make it clear the age of the contributors.
3 Because as I read the regulations, it really could
4 have been somebody -- I guess I'm not sure what the
5 burden of proof was, whether the person was
6 cognizant, you know, two years old, five years old,
7 ten years old. You know, at what point, you know,
8 did we cut off?

9 And yet I would also like to say that
10 some kids thought it was just the most wonderful
11 thing in the world to be able to give \$5 to a
12 campaign. So, you know, I wouldn't want to say
13 that, you know, we don't want to take teenagers out
14 of the picture completely, but I do think that
15 that's probably something that we want to look at.

16 And I did get a few comments on how
17 user friendly the eCRIS is. And I'm sure that we
18 can continue to work on making that more user
19 friendly. I know myself that, you know, I am
20 technically challenged. And when you are trying to
21 deal with your kids who are like totally -- I mean,
22 I am still trying to figure out texting with my son
23 and it's -- I am making him crazy because I am
24 making him try to teach me how to do all of this.

1 You have to remember that some of the
2 treasurers and people that are working on these
3 campaigns are not, you know, technologically
4 talented. So the more user friendly we can get the
5 eCRIS, I think the better. And that all being
6 said, I just think that it was a tremendous
7 success, even if I did have an opponent.

8 Seriously, you guys did a great job;
9 and I hope that we will continue to lead the nation
10 on -- in this aspect. I think it makes a huge
11 difference, a huge difference. So thank you. And
12 it's nice to see my Chair here today.

13 MR. GARFIELD: Thank you,
14 Representative Urban. And I certainly agree with
15 your comment, that you have been a strong supporter
16 of the Citizens' Election Program and of this
17 agency. I thank you for that.

18 I just want to respond relatively
19 quickly to some of the points that you raised
20 regarding expanding training. I will say that I
21 think we made a, you know, an incredible effort to
22 hold quite a number of training sessions in the
23 evening hours. I do realize that if there was one
24 thing we could work on for 2010, it would be to

1 expand the locations. I realize that many of those
2 trainings were held in Hartford and that there is a
3 need to go to other parts of the state to expand
4 those training opportunities.

5 I will say that we are working and we
6 will have up and running for the 2010 campaign an
7 online training program, so that should help
8 considerably for treasurers who will be -- whose
9 candidates will be participating in the program for
10 2010. I hear you on the joint checking account
11 issue. I think that's an issue that we can work
12 together on to resolve.

13 MS. URBAN: Excellent.

14 MR. GARFIELD: I do think that, you
15 know, some of the documentation issues that you
16 raised, there is a need to certainly have the
17 integrity of the program and the certifications
18 that are now required by law. But that being said,
19 I think that the joint check account issue in
20 particular is one that we can -- I think that there
21 is a reasonable solution to that.

22 Age of contributors, very, very good
23 point. I think that there is a balancing. And
24 right now the law allows anybody under 18 to make a

1 contribution of \$30, up to a limit of \$30. So, you
2 know, we should probably look at that more closely
3 as we go into the 2009 session.

4 MS. URBAN: I do have to say I still
5 want to emphasize, I loved -- there were some
6 youngsters that thought it was tremendous to be
7 able to do it. So, you know, it's --

8 MR. GARFIELD: Well, that's the
9 balancing. And you do want to --

10 MS. URBAN: Yeah.

11 MR. GARFIELD: We do have the
12 teenagers doing work at the polling place.

13 MS. URBAN: Right. And you want to
14 encourage them --

15 MR. GARFIELD: And getting them used
16 to, you know, democracy at an early age is a good
17 thing. So, you know, we have those issues to
18 debate as we go forward. And eCRIS, we are
19 continuing to work on eCRIS. I know that Mann
20 Hasen and his team have put together a focus group.
21 We are going to get -- be getting input from the
22 treasurers on what their feelings were with the
23 system. We are committed to enhancing the system.

24 I think we had a very good first run

1 at it and we're obviously open to a dialogue to
2 improve it going forward. So thank you for your
3 comments.

4 MS. URBAN: Well, I would -- you know,
5 I would just like to add that participating in this
6 for the trial or the first run, not the trial run,
7 this was the first run, but it's just a tremendous
8 experience because you really feel that the power
9 is being given back to the people within these
10 campaigns, so that they know that a candidate whose
11 running a clean campaign is focussed on discussion
12 with the people and with their opponent. And I
13 just don't think it gets any better than this. And
14 I also -- and I do have to say, again, when we
15 started this, I was like, How are they ever going
16 to get this together and actually get it done? I
17 was like, "Whoa." And my, you know, my sincere
18 compliments to everybody sitting here, that you did
19 get it together and it worked. So congratulations
20 to you all, too.

21 MR. GARFIELD: Thank you.

22 MS. URBAN: Thank you.

23 MR. CASHMAN: Thank you very much,
24 Representative Urban. On behalf of the Commission,

1 we do appreciate your support and look forward to
2 working with you in the upcoming legislation
3 session to address the issues that are being raised
4 here today.

5 MS. URBAN: Thank you, Mr. Chairman,
6 and I look forward to it, too.

7 MS. ROTMAN: Okay. So I think we're
8 running a little ahead of schedule and a few of our
9 later speakers may not be here yet, so we'll take
10 the next sign-up in order of when you came in,
11 which would be John Pelto.

12 (Jonathan Pelto, Democratic Political
13 Strategist, Represented Avery.)

14 MR. PELTO: Good morning again. My
15 name is Jonathan Pelto. I live in Storrs,
16 Connecticut and appreciate the opportunity to come
17 back and provide an addendum to my earlier
18 testimony at the last meeting. You should have in
19 front of you a second part of a Power Point
20 presentation. If not, perhaps I could -- we could
21 get that to you, so that I could point out just a
22 couple of things.

23 MS. ROTMAN: Is this a hard copy or
24 actual Power Point?

1 MR. PELTO: Hard copy. I'm sorry.

2 MS. ROTMAN: Okay. We will get that
3 now. Thanks.

4 MR. PELTO: Again, I will submit this
5 via e-mail as well as anybody else who would like
6 copies of either the first one, or from the last
7 meeting, I would be happy to get them copies.

8 What I wanted to come back for was to
9 address one point in particular and that is what I
10 think is a growing case for amending the statute to
11 allow the legislative caucus to have one caucus
12 committee rather than three.

13 I know that this is an organic
14 project, an organic piece of legislation that
15 required give and take and certainly understand the
16 premise behind the notion that each of the
17 legislative caucuses be given three leadership
18 committees.

19 As you will recall, that in the
20 original legislation, the speaker of the house is
21 given a leadership committee. The majority leader
22 is given a leadership committee. And the caucus
23 has a caucus committee. And that is replicated in
24 the senate for both the Senate Democrats, Senate

1 Republicans and, of course, House Republicans.

2 So there are a total of twelve
3 leadership committees that are handled differently
4 or caucus committees that have rights and
5 privileges significantly greater than any other
6 committee and the notion there was to allow
7 caucuses to maintain their standard role of helping
8 their candidates. Because as we have seen, during
9 particularly the latter part of the 80's and the
10 90's, the caucuses for the most part took the place
11 of the political parties in the recruitment and
12 training and support of candidates.

13 And I think that that is an
14 understandable and an appropriate part of the
15 political process; but what has happened, not
16 surprisingly, is that while the caucuses maintain
17 the letter of the law, this, what arguably would be
18 called a loophole, allowed them to violate the
19 spirit of the law. The spirit of the law being
20 that there be a limited mechanism for allowing the
21 caucuses to play a role in supporting their
22 targeted candidates and a limited role for special
23 interest, despite having been banned from
24 participating in the elections of rank and file,

1 the opportunity for special interest to come to the
2 support of the caucuses so that the caucuses could
3 come to the support of their candidates.

4 In the last presentation I made to
5 you, I showed you the disproportionate difference
6 between how the caucuses handle this delicate
7 issue. The Senate Democrats and House Democrats
8 made significant use of the opportunity to bring in
9 outside resources and target it towards their
10 targeted candidates.

11 There were -- the two Republican
12 caucuses made much less use. In fact, the quick
13 number was that the House Democrats had raised and
14 spent over \$80,000 to support their candidates.
15 The Senate Democrats, just from Political Action
16 Committees, not even from individuals, House
17 Democrats in the range of \$80,000, Senate Democrats
18 in the range of \$54,000, House Republicans in the
19 range of \$12,000 and Senate Republicans, \$2,000.

20 So there was very disproportionate use
21 of this opportunity or this loophole. But what was
22 particularly interesting, when you pulled out the
23 numbers, was by having three committees that served
24 under one caucus, these leadership committees were

1 able to maximize maxed out donations from selected
2 interest groups. That is, if you take a look at
3 which committees gave more than \$2,000 per caucus,
4 that is, did they write a check to Caucus Committee
5 No. 1, did they write a check to Caucus Committee
6 No. 2 and then write a check to Caucus Committee
7 No. 3?

8 Of the money that the Senate Democrats
9 raised from unions, more than 50 percent of it came
10 from unions that had already maxed out to one of
11 the caucus committees. That there were, in fact,
12 six different unions that gave more than \$2,000 per
13 caucus and the data is in front of you, but there
14 was one union that actually maxed out to each of
15 the three Senate Democratic caucuses.

16 The case is even stronger on the House
17 side, where over 75 percent of the money raised
18 from unions for the Democrats came from unions that
19 had maxed out to at least one of the caucuses and
20 then was giving more money to the others. So that
21 there were actually three different committees that
22 maxed out to Caucus 1, Caucus 2, Caucus 3.

23 The spirit of the law was clearly to
24 restrain the shifting of special interest money

1 into the caucuses and then from the caucuses in
2 support of the candidates. The notion that the
3 \$2,000 contribution limit from a union PAC or an
4 ongoing political committee was exactly that, that
5 it was the ability to flow special interest money
6 into targeted races, but that there would be an
7 effort to cap that.

8 But, obviously, by allowing each
9 caucus to have three PAC's and then coordinate
10 those expenditures as clearly was the case by
11 looking at the way in which the money was expended,
12 you have a total of one, two, three, four, five,
13 six, seven, eight, nine, ten; ten different groups
14 on the House Democratic side that were giving
15 multiple contributions to multiple PAC's to steer
16 the money into the targeted races and thereby
17 giving certain races an advantage.

18 It did happen on the Republican side
19 as well, although not as much. It was interesting
20 to note that on the Senate Republican side there
21 was not a single organization that gave more than
22 \$2,000; but on the House Republican side, there
23 were two special interest money PAC's that gave
24 more than \$2,000. So this wasn't only done by the

1 Democrats, it was also by the Republicans, of
2 maximizing the benefit of having three PAC's under
3 the umbrella of one caucus.

4 The other is, as you begin to look at
5 who was taking advantage of this opportunity, where
6 you'll see, as I said, tremendous differences
7 between the caucuses with the House Democrats
8 bringing in PAC money of an excess of \$80,000,
9 Senate Republicans only \$2,000. But even the way
10 in which that money was brought in or the types of
11 organizations that -- where the money was solicited
12 from different greatly.

13 And I think it's worthwhile to note
14 that allowing that opportunity to exist or that
15 loophole to exist does give significant benefit to
16 the caucuses to go to special interest money. As I
17 said, House Democrats raised over \$80,000, 77
18 percent of that came from unions, another 16
19 percent came from Democratic town committees or
20 Democratic PAC's associated with Democratic tick
21 legislatures and about 8 percent from what we would
22 traditionally call one or more interest group
23 committees, things like realtors or home builders
24 or in the Democrats' case, a number of different

1 medical related special interest groups.

2 In the Senate Democrats, just over
3 \$50,000, almost \$55,000, was brought in from
4 special interest and then funneled into political
5 campaigns, of that, 87 percent of that came from
6 unions and about 9 percent from Democratic related
7 committees and another 4 percent from special
8 interest.

9 The Senate Republicans, about 50/50 on
10 their money, from interest groups versus
11 legislature PAC's and House Republicans about 50/50
12 from interest groups and Republican legislative
13 PAC's doing far less well obviously from unions.

14 The last is just how significant some
15 individual groups were able to push the boundaries.
16 There was one union in particular that by giving
17 the maximum contributions to a variety of different
18 caucus committees was able to give \$10,000, far in
19 excess obviously of the spirit of the law, which is
20 \$2,000 per, was able to give \$10,000 by writing
21 checks to multiple committees within a given caucus
22 and then going to the next caucus and giving
23 multiple checks, giving checks to multiple
24 committees.

1 There was a total of thirteen groups
2 that gave more than \$4,000 via the caucuses to the
3 political process. Of those thirteen groups,
4 eleven were unions, one was a Democratic related --
5 a committee related to a Democratic legislator and
6 one was a traditional, what we would call, an
7 industry oriented special interest group.

8 But I think that as you look at how to
9 strengthen the law, and as we had talked last time,
10 the independent expenditures are clearly one of the
11 areas that there has been a lot of concern about,
12 that when you actually account the dollar impact of
13 independent expenditures or special interest funds,
14 the flow of money from special interest to
15 legislative caucuses to candidates far exceeds the
16 independent expenditures, probably by a level of
17 seven or eight to one. So if there is a real
18 pressing problem that we see, as measured by this
19 election cycle, it's far more in the area of the
20 excessive use of special interest funds to the
21 caucuses than it is necessarily on this time to the
22 independent expenditures, although that may very
23 well change.

24 And then last, but not least, is just

1 to -- as previously speakers said -- to be very
2 weary of the efforts to derail the program under
3 the guise of needing to take some of the funds to
4 fund very important essential services, not there
5 aren't essential services in the state that need to
6 be funded, but legislators were elected to make
7 difficult decisions. They need to prioritize that.
8 But going after the public financing fund strikes
9 me as being just about as counterproductive as one
10 could get in trying to put the state on an even
11 course.

12 And there are plenty of anecdotal
13 examples, that if five million dollars is needed or
14 forty million dollars, is needed, there are much
15 more appropriate places to get. So I know the
16 Commission will be concerned about that. I know
17 all of us on the outside will be concerned about
18 that. But in the end, the legislators will have to
19 step forward and ensure that those inside the
20 caucuses that want to derail the program in that
21 method are not successful.

22 I don't think it was coincidental that
23 proposals came forward during the special session
24 from both Republicans and Democrats to take funds

1 out of the public financing account, that that
2 coincidence is one to watch as we move forward as
3 undoubtedly there will be legislators who see an
4 opportunity to bring -- to derail the program
5 without necessarily having their fingerprints on it
6 and I urge us all to be weary of that.

7 MR. CASHMAN: Thank you very much.
8 Once again, we very much appreciate the time and
9 effort that you have put into compiling this for
10 us. It's quite interesting, to say the least. We
11 will take it under advisement and consider that as
12 part of our proposed legislative proposal in the
13 next session and we appreciate the time and energy
14 that you put
15 ward in preparing it for us. Thank you very
16 much.

17 MR. PELTO: Thank you.

18 MS. ROTMAN: So it looks like we're
19 back on to our scheduled speaker, Greg Simones,
20 Treasurer for the Senate Candidate, Tom Simones. I
21 understand you're here?

22 MR. THOMAS SIMONES: Yes.

23 MS. ROTMAN: Okay. Great.

24 MR. THOMAS SIMONES: (Inaudible.)

1 MS. ROTMAN: Absolutely. Come on up.

2 MR. THOMAS SIMONES: (Inaudible) --
3 for my brother. I wanted to thank the committee
4 for hearing us today. We had a very positive
5 experience. I ran for the 20th District senate
6 seat on the Republican ticket and it was a very
7 positive experience that we had working with Andrew
8 Vascudo (phonetic) and people from the elections'
9 committee. My brother can elaborate greater on
10 that, but I just wanted to thank them and thank you
11 all.

12 We think there should be some things
13 that should be addressed. When I first was
14 running, I thought that the idea of public
15 financing meant that PAC's would be out completely.
16 And \$100,000 is a lot of money to run a Senate race
17 with. It's a lot of money. And I think people,
18 legislators, senators, I mean, all of those
19 together should be beholden only to the people that
20 are constituents. That's what is behind the spirit
21 of the law. And to allow PAC's to still come out
22 and advocate for people, I think it's -- you know,
23 either one or the other.

24 And it seems like the job was left

1 unfinished. I mean, the idea of allowing to -- the
2 goal, No. 1, allowing candidates to compete without
3 reliance on special interest money. Well, they are
4 competing without relying on special interest
5 money, but special interest spends money on the
6 people, then there's -- it's the wrong people that
7 you want to be beholden to. You want to be
8 responsible and beholden only to your constituents,
9 and, of course, to the State.

10 So that kind of seems, in my opinion,
11 just to be not in the spirit of the law. However,
12 if that were corrected, I think the monies are more
13 than enough and for -- you know, to allow us to
14 compete fairly.

15 The next thing, Goal 4, encouraging
16 competition in the electoral process. I spoke with
17 many, many people. And the potential candidates we
18 spoke or people that were thinking of being
19 potential candidates were deterred from running
20 because they thought the standards were too high.

21 To let you know, I started running my
22 race about five months before the election.
23 Four-fifth's of that were collecting the 300 names
24 and the money. So I was basically left with a --

1 one month to run my campaign. And my brother was
2 very helpful. I believe he did a very good job. I
3 know we did because people have been still talking
4 to me to this point. I mean, they're seeing me on
5 the street, still asking me if I won. "How did it
6 turn out for you?"

7 It was very, very gratifying
8 experience for the whole family. It was a grass
9 roots movement. Family, friends from the
10 Southeastern Connecticut region, but most people
11 did not even think of running, most of Southeastern
12 Connecticut was unopposed. The incumbents ran
13 unopposed. And I just feel like democracy is
14 better when we have two parties running, at least,
15 not just one. I mean, it doesn't make things too
16 interesting.

17 And the reason people were doing that
18 is because they felt that they could not qualify.
19 And, in actuality, Andrea Spillman and Mark Gutman
20 were on the ticket, he was Libertarian and, of
21 course, Andrea is a good friend of mine from the
22 20th District, who was the Democratic incumbent, I
23 felt that it was very interesting to notice my
24 brother could go online on the eCRIS system and

1 Andrea and I basically qualified in the same week.
2 We had already applied in the same week, which was
3 weeks before the deadline.

4 The parties had to jump in, both
5 Republicans and Democrats. 50 percent of both
6 parties did not qualify for the funds. They did
7 not have enough people or enough money or both.
8 That was the legislative -- you know, the
9 legislators and senators, senatorial candidates,
10 until the last week; and they were basically
11 dragged across the line by the parties.

12 That seems to me to be the -- and my
13 brother will speak to maybe, you know, ways that we
14 can get around that. I think that there is a
15 problem. I mean, the money -- for me, if somebody
16 has got \$5 to spend and sign up for you, and I had
17 people -- and they know they're just putting in a
18 ballot. They might not even vote for you. But
19 they'll say, "Hey, I'd love to put you on the
20 ballot. You're a good guy." But if they have five
21 bucks, that's all they got. But if a person has
22 \$100, they usually have \$500. If they have \$500,
23 they usually have \$1,000. And there was -- and
24 that was where it became very difficult.

1 I think there should be some loosening
2 of the standards. I think there should be a higher
3 threshold. I don't know how you would do it. I
4 mean, one idea would be, okay, for every member in
5 your family, you can give a hundreds bucks in your
6 family. And just put that down and write it or
7 raise the limit to like \$500 as a cap; but I
8 believe there are some things that should be done
9 about that.

10 Also, this was very interesting to me,
11 that the third party candidates, one of the goals
12 was to get people to compete in the process; but,
13 in actuality, it's to get Democrats and Republicans
14 to compete in the process. I mean, it's kind of
15 like Animal Farm. All animals are created, except
16 some animals are more equal than others. And I say
17 that completely with no shame whatsoever.

18 I think the fact that -- I think it's
19 absolutely an abomination that this law would be
20 passed by Democrats and Representative and not
21 allow people who got popular support from the Green
22 Party, from the Independent Party, especially when
23 there's 1.2 million roughly independents in this
24 State. That dwarfs the number of the eight hundred

1 and some odd thousand Democrats and six hundred and
2 some odd thousand Republicans and it's also a
3 violation of the equal protection laws of the State
4 Constitution and the United States Constitution.
5 It's going to come under fire.

6 And I would say we need to do
7 something right to correct it now. Either that or
8 -- I mean, it shouldn't be saying we're trying to
9 get candidates out there. Just to give someone
10 who's running for Senate. And I was -- I switched
11 parties. I was Independent and I switched because
12 I didn't want to run with \$35,000. I wanted to run
13 with an additional \$85,000, when I raised my
14 \$15,000. That is not fair. And that's just --
15 like I said, it's just not fair. It's against the
16 spirit of the law. And it must be corrected or
17 there will be a judicial challenge and it will be
18 overturned. I think that anybody that voted for
19 this to have it to be a two-party club is wrong
20 and they have to acknowledge that it was wrong and
21 fix it.

22 I think at this point, I am going to
23 turn it over to my brother to talk about
24 qualification standards, but I thank you for

1 listening to me and here is my brother, Greg.

2 MR.

3 MR. GREG SIMONES: Thank you for
4 giving us this opportunity today.

5 MR. CASHMAN: Good morning.

6 MR. GREG SIMONES: It was an amazing
7 experience to participate in this process. We were
8 a bunch of political novices and threw together a
9 campaign, like my brother said, in five months. We
10 were trying to learn. You know, early on my
11 brother said, "Do you want to be my treasurer and
12 campaign manager?" So that was two extra jobs on
13 top of my regular job, so it made life interesting.

14 But since I had worked for the State
15 of South Carolina, I had been a state employee, he
16 figured, you know, he handed me this document, you
17 know, the finance laws and figured I could digest
18 it and figure it out. And, in part, that was
19 mostly true, but it is a learning process and we do
20 thank the people on the Candidate Services Unit for
21 their assistance because, I mean, there were a lot
22 of phone calls, a lot of back and forth, which made
23 it really helpful to us to understand the process
24 and do everything as is stated in the law.

1 I wanted to add, I think it was going
2 back to what my brother Tom had just said. If you
3 go back to the definition of a candidate, too, on
4 -- in the guidelines, that was something that
5 struck me kind of doing the postmortem on this, was
6 that it really didn't specify it had to be strictly
7 Republican or Democrat, that it was anyone that had
8 been endorsed or nominated by a political party and
9 was entitled to a position on the ballot.

10 So the issue of equal funding seems to
11 be not strictly done away with in what I understand
12 is the letter of the law. So that was just
13 something additionally to add support to what he
14 just said.

15 As for qualification standards, I know
16 the intent -- I guess it was the goal, as looking
17 through the six goals, Goal No. 5 was to allow more
18 time to campaign. But the realty was, as my
19 brother said, it seemed like it was about half or
20 more of the people did not qualify until pretty
21 close to the deadline, October 10th.

22 And so we had a flurry of activity in
23 October, trying to get a lot of TV ads out and
24 radio ads and get the word out; and part of that

1 was due to our inexperience and maybe we should
2 have started sooner, but it seemed like a lot of
3 people, including the people who seemed to have
4 more experience in the process than we did, were
5 also up against that deadline, too.

6 And a couple of ideas that I had,
7 maybe potential solutions, was to maybe moving that
8 qualification deadline up earlier a month, trying
9 to encourage people to qualify sooner so they would
10 have time to actually get out and meet the people.
11 That was the intent of the law. And we realize
12 now, in 20/20 hindsight, that we would have loved
13 to have gotten out and talking to more people.
14 That was really where the rubber met the road. You
15 know, we were finding out what the people wanted.
16 And we spent so much time and flurry of activity,
17 just trying to raise funds, a small group of
18 people, it was very difficult for us to do that.

19 The other possibility is lowering the
20 qualification standards and maybe the financial
21 standards. This was one thing that I was thinking
22 that the amounts for the Representative and the
23 Senate are not necessarily proportional. I think
24 it was -- was it \$5,000 and 150 people in district

1 for the Representative and \$15,000 and 300 people;
2 but if you look at the proportionality of those
3 numbers between the two, there is a disproportion
4 between dollars. I think one is three times -- the
5 number of people is twice the amount, but the
6 dollar amount is three times the amount of the
7 Representatives, so there is a disproportionality.
8 And I don't know what the intent was when the law
9 was written, so I don't have that knowledge of what
10 the intent was; but I also just wanted to note that
11 there is a disproportionality.

12 And, also, if there is a lowering of
13 these standards, I don't mean that in the negative
14 sense, because I think we wanted to encourage the
15 participation and get people out there, I don't
16 mean that in a negative way at all, but I found a
17 lot of people saying, and we weren't sure whether
18 we were going to make it or not either, so -- until
19 towards the end.

20 Okay. Let me see, the other
21 possibility was -- and I found -- and we found that
22 raising the money was easier than getting the
23 signatures. That was another thing and that was
24 one of our lessens learned that we would like to

1 pass along. And the other possibility, and I don't
2 know the legalities, I'm not a lawyer, I am a
3 scientist, so if I am speaking out of turn, just
4 take that into consideration, some of the out of
5 district people that did have, you know, support
6 from out of district people, may want to consider
7 some of those or a proportion of those as
8 qualifying for the candidate. These are just, like
9 I said, just suggestions.

10 And, also, with the donations form, we
11 found out -- we did a lot of work with the Hispanic
12 community in New London and we had to have the form
13 translated where we wrote in beside each of the
14 things in Spanish because we were dealing with a
15 lot of Spanish speaking folks.

16 My understanding was that there is a
17 form in the works; but given that the Secretary of
18 the State had, you know, a major push in trying to
19 bring Latino voters in to, you know, more
20 participation, we saw that firsthand and we wanted
21 to afford them the opportunity and the knowledge
22 because it was a learning process for a lot of
23 these people, including us, but including them, as
24 far as what they could do, what they couldn't do.

1 Splitting the tickets. Just learning the voting
2 process.

3 So we tried to get voter registration
4 cards out to people. We were encouraging people to
5 vote. Whichever way they voted, we wanted people
6 out there, too. And the form may need to be
7 streamlined or organized because I know in cases
8 where you have the numbers on the left and then
9 there's occasionally a number on the right,
10 sometimes those things got omitted, just purely by
11 visualization and you just couldn't see it, so we
12 would get forms that were half done and we don't
13 meet the standards when it goes into the audit
14 process to qualify for the grant. So that was
15 another recommendation that I might offer to the
16 Committee. And that's pretty much my part of it.
17 I will let my brother wrap it up.

18 MR. CASHMAN: If I could just
19 interject a question here?

20 MR. GREG SIMONES: Yes, sir.

21 MR. CASHMAN: Because you indicated
22 that you had more difficulty with the signatures,
23 in other words, in meeting the 300 individual
24 contributors rather than the threshold \$15,000; of

1 the two, the 300 people was the greater problem?

2 MR. GREG SIMONES: It was. You know,
3 we started raising money and people were very
4 generous early on and so we started raising, you
5 know, more dollars. And I was concerned that we
6 were going to all of this extra money and then we
7 may need to turn a lot of money back in, so I
8 started saying to my brother, "We just need -- you
9 know, I would average it out saying, "We need
10 donations of \$20 or less", just to get the
11 signatures.

12 So we had to kind of adjust midstream
13 to kind of make things balance. And we came out on
14 balance at the end. But there were a lot of people
15 that probably would have given -- of course they
16 would have given more, people were pretty generous.
17 But we had a fair number of \$100 donations. And I
18 know the way it's structured, for 300 people, you
19 need what, an average of \$50 a donation to get to
20 the threshold of \$15,000.

21 MR. CASHMAN: Yes. Clearly the system
22 is designed to encourage small contributions from a
23 significant number of individuals to show
24 broad-based support. That's the underlying

1 concept.

2 MR. GREG SIMONES: Yeah. It's a lot
3 easier to go ask a person for a \$5 or \$10 donation.
4 And they are more than likely to give that,
5 especially in these tough economic times.

6 MR. CASHMAN: Thank you very much.

7 MS. ROTMAN: Just a question for you,
8 actually. You made a comment about considering out
9 of district contributions as part of the threshold.
10 They could be considered for part of the \$15,000
11 threshold, but not the \$300 number. Were you --
12 was your suggestion specifically that those out of
13 district contributions should be counted towards
14 the \$300? I mean, because they can count to the
15 \$15,000.

16 MR. GREG SIMONES: Right. I
17 understand that. Yeah, they do count towards the
18 money total, but not towards the number of people
19 total. And I would say, I know the goal is to
20 have, you know, district support; but if there --
21 if people are having a tough time, they may want to
22 -- you know, the board may want to consider a
23 percentage of out of district contributions,
24 whatever that might be, 10 percent, 25 percent.

1 You know, it might be something worth considering
2 to make that more achievable.

3 We were fortunate in that we have, you
4 know, a network in our ethnic communities and
5 others that we had -- that a lot of people don't
6 have access to and we were able to approach a lot
7 of our friends in the area and these were, you
8 know, just average folks. But we were able to
9 raise the funds, where a lot of other people may
10 not have that network of people to rely on. And
11 that was the -- you know, so I can understand that
12 they would probably have greater difficulty. And
13 that was my understanding from other candidates,
14 they did have some difficulties.

15 MS. ROTMAN: I appreciate that. I
16 will tell you that from the staff perspective, we
17 did a lot of training earlier because we, as most
18 people know, had three special elections where
19 campaigns were able to achieve thresholds of 75
20 percent relatively quickly. But we saw on the
21 staff end that it takes some work and that the one
22 thing that we really were taking around to the
23 trainings is saying, you know, it's the same amount
24 of work, whether you do it early or later, please

1 start early.

2 And I will tell you that on the staff
3 level, we were a little surprised that so many
4 people waited towards the deadline. Maybe we're
5 all somewhat deadline driven people. And I have to
6 tell you that it's my suspicion that when the
7 legislature makes any changes to those numbers at
8 all, that it is -- it's just a guess, but that a
9 lot of people would have started earlier, realizing
10 that it takes some work and maybe more work than
11 they had planned.

12 MR. SIMONES: Well, it may be a lot
13 harder than people anticipated and it seemed that
14 it affected the incumbents and the people who were
15 knowledgeable about this, too, as much as it did
16 those of us who were novices, because I noticed
17 names on there that were qualifying late that were
18 people that were supposedly had been in the system
19 for a while so.

20 MR. TOM SIMONES: I have --

21 MR. CASHMAN: Real quickly.

22 MR. TOM SIMONES: Like my brother was
23 saying about -- I mean, Andrea Stillman, as
24 everybody knows, has been up here for a long time.

1 She -- I don't know if she just held back, but she
2 qualified roughly about the same -- she put her
3 paperwork in the same time I did through September
4 25th. So, I mean, it's not as easy as going --
5 like I said, you have to -- I mean, it came down to
6 the point where I was going -- after I finished
7 with my ethnic community, my Greek American, after
8 I finished with my second ethnic community, which
9 is the Latino community, then I am just going to
10 people's houses and knocking on doors, "Hi, my name
11 is Tom Simones. Can you give me \$5? I would like
12 to be on the ballot." And people would sit there
13 and say, "Jeez, did you know this house is a
14 Democrat?" And I said, "I know. What house isn't?
15 I'm your neighbor." "Oh, okay." And I said, "You
16 don't have to vote for me." I said, "Just get me
17 on the ballot." You know? And that was -- like I
18 said, but it took a lot of -- I mean, for me to
19 have to hit the ground and take four months, it's
20 almost like what you said, we had the majority of
21 that, 75 percent of that money quick, and we had a
22 lot of -- I am not saying to allow people out of
23 state or to allow people even further, as my
24 brother was saying, but to allow people still in

1 the Southeastern Connecticut area, people from
2 Mystic, people from Stonington, people from Groton
3 that were donating to my campaign to be qualified,
4 Connecticut citizens, that would be, I think -- you
5 know, a percentage of that would be very helpful so
6 we can get passed, because the idea, again, the
7 spirit of law is to get fund-raising over as
8 quickly as possible and move into the campaigning
9 portion of the campaign.

10 Other -- and just the last thing I
11 wanted to -- two last things. One, we spoke with
12 several candidates who were ready to quit. They
13 had told us the week before, "We're not going to
14 make it. We're not going make it. I can't make
15 it. I'm going to quit running." So they went back
16 to the party and the party -- like I said, the
17 party dragged virtually 50 per -- both Democrats
18 and Republicans dragged 50 percent of their people
19 over and, you know, they helped the parties do
20 whatever they had to do, but they got them the
21 money so they could qualify at the very end.

22 The final thing that was an issue,
23 it's not a big issue, but it was just the
24 illiterate voters. There should be some special

1 line on there. I had several people that did not
2 -- they were of specifically the Latino background,
3 Dominican, a couple of Dominican individuals who
4 had never gone to school and I thought that, you
5 know, just that they -- that there should be a line
6 where you can put your X or your mark or something
7 to allow these folks equal access. I just didn't
8 think they should be shut out of the voter process.

9 Because we did a lot of registering in
10 the Latino community. And, like I said, when I was
11 out there, to a person, they all voted for Obama.
12 I don't think there was one person who didn't vote
13 for him. But the idea -- I told them, "Look, you
14 can go out there and you can -- Greg was saying
15 voter education. People don't realize that if you
16 vote for a Democrat for president, you can vote for
17 a Republican for State Senate and a Green Party
18 candidate. They thought like it's the all party
19 level lever. If I start here, I have to keep going
20 straight across. So that was a part of the
21 education process.

22 Just in closing, I would like to
23 thank, you know, Secretary of State Bysiewicz, she
24 did a great -- I mean, she did a really good job

1 picking her staff, keeping them all organized and I
2 thank you for hearing us this morning.

3 MR. CASHMAN: Thank you very much.

4 MR. GARFIELD: Thank you. Mr. Mark
5 Papa?

6 (No response.)

7 MR. GARFIELD: Is Mr. Papa here? He
8 is the next scheduled speaker. If not, yeah, Karen
9 Houghtaling. And I hope I pronounced your name
10 right, Karen.

11 (Karen Houghtaling, 2008 Democratic
12 Candidate for State Representative.)

13 MS. HOUGHTALING: It wouldn't be the
14 first time it was mispronounced. Hi. My name is
15 Karen Houghtaling and I would like to thank the
16 Commission for giving me the opportunity today to
17 testify before you in regards to the new Citizens'
18 Election Program.

19 I believe that Connecticut legislature
20 and this Commission deserves recognition and praise
21 for this program. I can't tell you what it was
22 like to run for public office under the old system
23 where private money is largely what funded the
24 campaigns. I can tell you, though, that I have

1 heard stories of campaign managers harassing
2 candidates to call more lobbyists and candidates,
3 in turn, harassing lobbyists for bigger checks.
4 After all, more often than not, the person with the
5 most money won the election; and if you raised
6 enough, you could send a message loud and clear to
7 any political challengers not bother to run.

8 Today what I can tell you is that I
9 went -- I would not have -- I'm sorry. Just a
10 little nervous. Today what I can tell you is what
11 I would not have run for State Representative this
12 past August if it were not for the new Citizens'
13 Election Program. I wanted to run because I
14 recently became a grandmother and became
15 increasingly worried about her future. I want to
16 be as proactive as possible to ensure that she has
17 the same opportunities that I was given.

18 The Citizens' Election Program is what
19 actually made it reality for me. Not only to run
20 for office, but to run a competitive campaign. The
21 old system would not have allowed someone like me,
22 who was working two jobs to make ends meet, while
23 helping to raise my granddaughter, to wage a
24 competitive campaign against an incumbent.

1 No doubt there will be other people
2 like me in the future who have thought about
3 running and will actually do so, now that there is
4 a new system that encourages people who aren't
5 connected to big money to run for office.

6 As I spoke to the voters in the
7 district, they seemed to understand and truly
8 appreciate the idea behind the State Citizens'
9 Election Program. As I and others went door to
10 door seeking qualifying contributions, donors
11 seemed to understand that it was them who now owned
12 the election process.

13 Many voters also said to me that they
14 had never gotten so many contacts from one campaign
15 or candidate in the district before. I would like
16 to think it's because of the volunteer program that
17 we built over the course of the campaign, which it
18 is to a large degree. It had more to do with the
19 new system that allowed and encouraged myself and
20 my volunteers to spend more time with the voters
21 than campaigns had been able to do in the past.

22 I am not surprised that about 75
23 percent of the candidates for state office used the
24 Clean Election System. We would want to spend more

1 time calling people outside a district for campaign
2 cash when they could be talking to actual voters at
3 the door or on the phone.

4 I would also like to express the
5 urgency of addressing the independent expenditure
6 provisions with the Citizens' Election Program.
7 The program currently only provides matching funds
8 for certain independent expenditures. This needs
9 to be fixed this next legislation session. I came
10 up short by 50 votes for an incumbent on election
11 night. We knocked on thousands of doors, made
12 thousands of calls, sent out handwritten postcards
13 and had a message that resonated with the public.
14 I am proud of this. But in the end, if I had known
15 that I would be effectively outspent two to one
16 because of the independent expenditures that were
17 not matched, I am not sure if I would have decided
18 to make the sacrifice to my family to run for
19 office while working two jobs.

20 I liked the idea of relying on small
21 donors to get my campaign's message out and would
22 not want to do so in any other way. If this
23 loophole is exploited more in the future, others
24 I'm told are already positioning themselves to

1 abuse it. What incentive is it for candidates like
2 me to want to participate or even run?

3 I might have been a new kid on the
4 block when it comes to running for public office,
5 but I knew I could never be competitive in a system
6 where someone was essentially encouraged to rely on
7 big, private money contributions. It's also
8 important to note that all the independent
9 expenditures were from a single organization. In
10 other words, one large contributor changed the
11 dynamics of the campaign.

12 In closing, I think the new campaign
13 finance reform system will continue to open the
14 door for legitimate candidates that would not be
15 inclined to run otherwise. My biggest fear for the
16 future of the program is that the special interest
17 somehow will attack the program or figure out a way
18 to undermine it or that the independent expenditure
19 loophole is not fixed. I think it's important that
20 the State and the advocates for campaign finance
21 reform continue to fight for this program and
22 protect it. Thank you.

23 MR. CASHMAN: Thank you very much.

24 MS. HOUGHTALING: You're welcome.

1 MS. ROTMAN: Thank you. And I will
2 just share, you may know this already, may not, but
3 at the last Commission meeting, the Commission
4 authorized drafting legislation to address that
5 very issue, which did concern the Commission in
6 which we know came up in your race. So thank you
7 thank very much for --

8 MS. HOUGHTALING: Thank you.

9 MR. ROTMAN: -- coming here and
10 telling us about that today.

11 MS. HOUGHTALING: Thank you.

12 MR. GARFIELD: Thank you, Karen. The
13 next speaker is Jim Dean.

14 (James H. Dean, National Chair,
15 Democracy for America.)

16 MR. DEAN: Good morning. My name is
17 Jim Dean. I am a resident, voter, taxpayer in
18 Fairfield, Connecticut. I am also the Chair of a
19 Political Action Community called Democracy for
20 America, which is a national organization of about
21 725,000 members, several thousand of whom happen to
22 be here in Connecticut.

23 And we conduct trainings and we
24 organize all over the country and our real mission

1 is helping citizens take responsibility over the
2 political process. I really came up here for just
3 a couple of things.

4 One is to thank all of you, as well as
5 the legislature, as well as the Secretary of State
6 and her staff, for really establishing a national
7 leadership in the field of campaign financing
8 reform. We supported this year about 100
9 candidates. We probably supported about 1,000
10 people running for office in the four years that we
11 have been in existence. I can't tell you how many
12 states I walk through all of the time where the
13 price of or the cost of running for office, even at
14 the legislative level, is well into the six figures
15 and in some states well over a million dollars. It
16 is completely out of control. And I have never
17 been prouder to be a citizen of Connecticut for the
18 work that you have done to try to see this through
19 to make really Connecticut a real place for citizen
20 politics.

21 How many times have we walked around
22 the State and heard, "Well, that's the Hartford
23 crowd doing what they want to do." Well, now the
24 answer to that is, if you don't like the way that's

1 going, we are the Hartford crowd and it's your
2 responsibility to run for office. And, in fact,
3 quite a few members of ours did run for office.

4 I was very happy with the fact when I
5 was told that we were not allowed as a national
6 political action committee to send out emails or to
7 raise money for these candidates because under the
8 new laws and, in fact, I embrace that because it
9 shouldn't be about special interest, no matter what
10 their politics are. It should be about the
11 citizens. And we fully, fully support this effort,
12 as we do support similar efforts in other states.

13 I would also just like to quickly give
14 you just a couple of take-aways that I know just
15 anecdotally from the experience of some of the
16 candidates that I knew who were running for office.
17 And No. 1 is, you do have to start early. I really
18 believe that. No matter what rules are changed and
19 what procedures have changed, it really is the same
20 as any election under any circumstance; you have to
21 start getting your list together, getting your
22 networks together to run for office.

23 It's serious business and it does take
24 a lot of work. It's hard to do. We certainly want

1 to be supportive of that, but I think I think we
2 need to get that message out to a lot of people.
3 Because, you know, when you are running, doing this
4 for the first time, obviously you're going to find
5 out a lot of things that you didn't know about; and
6 if you start early, you can overcome some of those
7 challenges.

8 The second thing that I--and I think
9 all of us would encourage this--is that whatever
10 needs to be done to make it possible for other
11 parties to participate on an equal level playing
12 field should be done because it is democracy and I
13 know we have a large number of unaffiliated voters
14 in the state. And the more that we do to
15 accommodate their energy and empower them to be
16 part of the process, the better. So those are
17 things.

18 And then the third thing, and I know
19 you have done a lot of work on this already, but to
20 the extent that it's possible, for either this body
21 or others, either to do training, and we are a
22 partisan organization so I hesitate to say that
23 we're the answer to that or the solution to that
24 problem, but those trainings, the learning that you

1 have gotten from this first go-around of this
2 publically financed elections, anything that you
3 could post on your website about sort of tips, just
4 generalized tips in a non-partisan way, to really
5 try to give people a heads-up on what they're in
6 for I think is enormously helpful.

7 It is tough to take responsibility
8 over the process. It's tough to have a job and
9 take care of people you love and try to be making
10 the change that you want to make in our government
11 and we said that we can make that as easy as
12 possible. We're certainly all for that. But most
13 of all, I really want to, again, thank all of you
14 as well as a lot of other folks who are not in this
15 room.

16 We need to stick with this program.
17 We need to keep it fully funded, which is very,
18 very important, I think, to everybody here in
19 Connecticut. And, most of all, we need to make it
20 work. And it really has worked, on large part
21 because of the work that you have done and others
22 have done. And we very much want to be as
23 supportive as we can, either me as a personal
24 citizen of the state or us as an organization in

1 any way we can to make that happen for every party.

2 MR. CASHMAN: Thank you very much.

3 MR. DEAN: Thank you.

4 MR. CASHMAN: We appreciate your
5 comments.

6 MR. GARFIELD: The next speaker is
7 Tessa Marquis.

8 (Tessa Marquis, Project Coordinator,
9 New Standard Institute.)

10 MS. MARQUIS: Hi.

11 MR. CASHMAN: Good morning.

12 MS. MARQUIS: My name is Tessa
13 Marquis. I live in Milford and have volunteered in
14 several capacities for candidates in Connecticut
15 over the last few years. The use of funds received
16 by candidates for campaign help and for temporary
17 employees frees the more experienced volunteers for
18 some crucial work during the campaigns. And just
19 as there's a constant search for good, viable
20 candidates for these local races; there is also a
21 dirth of experienced campaign support staff and
22 management.

23 In spite of the training sessions and
24 literature provided, a considerable amount of time

1 was spent explaining, re-explaining and arguing
2 about the rules of the new game. We need to
3 continue to build an infrastructure of candidate
4 support staff and management and the funds from
5 this program certainly help us to accomplish this
6 goal.

7 Ideally, as town committees and
8 candidates become more experienced with the
9 program, we may see a growth towards improved
10 infrastructure and encouragement of a talented,
11 professional workforce.

12 The number of dedicated, passionate,
13 experienced young people simply cannot afford to be
14 involved in politics may be encouraged to continue
15 and possibly even double their efforts, if they can
16 stop working their jobs and volunteering or --
17 because the election cycle falls awkwardly in the
18 school year, they have to kind of stop right when
19 we're really getting started.

20 I feel that this program holds great
21 promise. I wish it was available for all
22 elections. In Milford, we were discussing how to
23 get an enormous amount of money to run a mayoral
24 candidate in the next few months and it's -- it's,

1 um, frightening. It's really scaring me. It is
2 six figures. Instead of cutting the amount of
3 money available for campaign finance, what I would
4 like to see is an expansion of the funding and
5 access to include the municipal elections because
6 that is where we start to train people to then run
7 for the state and the federal level. Thank you.

8 MR. PAPA: Mr. Papa?

9 MS. ROTMAN: Then I think we are due
10 for a five-minute break on our schedule.

11 MR. CASHMAN: We'll take a brief
12 recess and we will reconvene very shortly.

13 (Whereupon a break was taken in the
14 proceeding.)

15 MR. CASHMAN: Who are our sign-ups?
16 If anybody is here who has not signed up and wishes
17 to speak, please see the clerk over there and we
18 will time to accommodate everybody. Our next
19 speaker is?

20 MR. GARFIELD: Judy Aron. Is Judy in
21 the room? No? Yes. Okay.

22 (Judy Aron, Former Candidate for State
23 Representative and Critic of Public Candidate
24 Financing.)

1 MS. ARON: And I guess now there's --
2 now for something completely different, as they
3 say. I felt compelled to comment today on the new
4 public financing campaign laws that were enacted by
5 our Connecticut State Legislature. The claim is
6 that it reforms the way political donations were
7 made and received and that the new system levelled
8 the playing field.

9 The Governor even gave it her blessing
10 and said that these reforms were a model for the
11 rest of the nation. We have heard several other
12 speakers also say the same kind of things. They
13 explained that it was okay for politicians to take
14 State money because it isn't taxpayer money.

15 In my view, this new public financing
16 scheme for political campaigns is nothing more than
17 State funded political welfare. And I believe that
18 no candidate can run with the message of reducing,
19 controlling, justifying the size and expenditures
20 of State Government while taking government funding
21 for their campaigns.

22 It would seem to me that our State
23 surely has more pressing issues to spend our
24 precious State money on than financing political

1 campaigns where money is used for lawn signs,
2 bumper stickers, robo calls and probably millions
3 of pounds of paper in the form of distasteful and
4 annoying mail that gets thrown in the circular file
5 upon receipt.

6 The fact that this money purportedly
7 came from unclaimed liquidated assets from
8 Connecticut citizens does not mean that the State
9 should waste it on political campaign propaganda.

10 There's so much more that could be
11 done with that money, especially as we're facing
12 large budget deficits. Connecticut could also have
13 used those millions on tax relief. Connecticut
14 taxpayers should be fuming mad at this. I know I
15 am.

16 State money was frittered away by the
17 political machine on both sides of the aisle and I
18 think it's a travesty. The State of Connecticut
19 has social welfare, corporate welfare, medical
20 welfare, educational welfare and now political
21 welfare.

22 I think we ought to leave the
23 fund-raising to the campaigns and keep government
24 out of it. Funding campaigns was never and never

1 should be a function of the government at any
2 level.

3 Now I understand that the primary
4 source of the CEF's deposits is money derived from
5 the sale of property deposited in the State Special
6 Abandoned Property Fund, which is administered by
7 the State Treasurer, but that does not mean that it
8 isn't a State financial resource that could and
9 should be put to better use.

10 And let's take a look at the notion of
11 abandoned property. Is it entirely proper for the
12 State to liquidate those assets to the benefit of
13 the statewide politicians? If the State won't
14 spend it on worthwhile government programs, then
15 why not give it to charity? If the State must
16 redistribute that wealth at all, then why don't
17 they use it in a more worthwhile endeavor? I just
18 find the whole concept of this political welfare
19 scheme distasteful and incredibly wasteful.

20 The CEF was projected to contain in
21 excess of fifty million dollars for grant
22 disbursement for the 2008 General Assembly election
23 cycle. I have heard that it was actually 9.5
24 million, and you can correct me if I am wrong, that

1 was actually spent in the November 2008 election
2 cycle.

3 So while we disbursed millions of
4 dollars of political candidates to blow it on
5 Chochkis (phonetic) to promote their campaigns,
6 really the only beneficiaries of this State funding
7 was every specialty printer, advertiser and
8 campaign marketer in Connecticut and beyond.

9 And, in fact, I attended a political
10 candidate program, my son ran for office in Hamden,
11 and I have to tell you that the mass mailing and
12 robo call pitchmen were practically salivating over
13 the dollars that were coming their way from the
14 candidates sitting before them.

15 As far as the state political machines
16 go, they all seem to claim that if one didn't take
17 this public money, then one was doomed to lose,
18 despite the fact that both sides of the aisle
19 participated and someone had to lose. I also think
20 that this program makes the politicians a bit more
21 lazy, some thank God that they didn't have to
22 bother with fund-raisers or even most of their
23 constituents in person. They just had to bug a
24 number of people they already knew, 150 for the

1 House, 300 for the Senate, for a few bucks
2 initially so they could reach their dollar amount
3 thresholds to qualify for this State handout.

4 Constituents were really only
5 important to them primarily to help them qualify
6 for their grants. By funding political campaigns
7 like this, I think that it also keeps the cost of
8 campaigns artificially high. Now they are
9 essentially saying that it cost \$30,000, which is
10 \$5,000 from small donors and \$25,000 from the State
11 grant, to fund a State House race and \$90,000,
12 which would be \$15,000 from donors and \$75,000 from
13 the State grant, to fund a State Senatorial race.
14 And, actually, I have seen successful races funded
15 on much less.

16 The only good thing about the program
17 is that it is voluntary. Truly if legislators
18 wanted real campaign finance reform, they should
19 only have made it so that PAC, money special
20 interest money and money from businesses should be
21 capped. Period. We didn't need to have any kind
22 of State money being used in these campaigns.

23 And the question begs to be asked,
24 what could your town have done with the \$200,000,

1 which would be \$100,000 from each party in State
2 money, that was given to the four people running
3 for state house and State Senate in your own
4 district? Instead, that \$200,000 was used on
5 mailers, TV ads and phone calls and I think
6 Connecticut deserves much better.

7 I would also like to add that the
8 discrimination against minor party or third party
9 candidates in this program is just -- it's
10 appalling, quite frankly. My son ran for State
11 Representative in Hamden. As I said, for specific
12 reasons, he was not able to run on the Republican
13 candidate ticket. His paperwork wasn't submitted
14 on time, so he had to run as a petitioning
15 candidate. He had never intended on taking State
16 funded money anyway, participating in this
17 political funding in the first place.

18 So it really only impacted his
19 opponent as to the amount of money that he was able
20 to then get from his grant, whether he was going --
21 you know, whether my son was going to run as a
22 Republican or run as a petitioning candidate.

23 I think, though, that if people choose
24 not to take public funding for the reasons that I

1 have stated, which my son also decided not to take
2 this funding, we had noticed quite markedly that
3 folks who decided, who made the conscious decision
4 not to take public funding, were ostracized by
5 their parties and other candidates.

6 It was like, "What do you mean, you're
7 not taking State money? You know, that's free
8 money. You don't have to do anything for that",
9 pretty much. And I think their candidacies weren't
10 taken very seriously either, which I think is very
11 sad.

12 We have heard that, you know, certain
13 people were deterred from running for office
14 because of the paperwork and the rules and
15 regulations and everything that's involved in this
16 and I think that's kind of a shame, too.

17 So I will just wrap it up to say that
18 I just don't think that funding these campaigns by
19 government is a good idea. And I think that really
20 truly if we wanted to clean up our campaigns in the
21 State of Connecticut, that really all we needed to
22 do was to put a cap on the amount of PAC money,
23 special interest money and money from businesses
24 that are donated to these campaigns in the first

1 place.

2 Because if you really take a look at
3 it, as Mr. Pelto pointed out before, special
4 interest money, businesses' money and so forth made
5 it into these campaigns anyway. I don't think that
6 -- you know, I don't think that giving State money
7 the way we have is a good thing for our State. So
8 thank you very much for your time.

9 MR. CASHMAN: Thank you, Ms. Aron, for
10 taking the time to express your views. Thank you.

11 MR. GARFIELD: Our next speaker is
12 Representative James Spallone, a member of the
13 Government Administration Elections Committee who
14 is one of the legislators who worked very hard to
15 enact campaign finance reform. Great to see you,
16 Representative Spallone.

17 (James Spallone, State Representative,
18 Government Administration & Elections Committee.)

19 MR. SPALLONE: Thank you. It's a
20 pleasure to be here. Thank you, Chairman Cashman,
21 Director Garfield, members and staff of the State
22 Election Enforcement Commission. I welcome the
23 opportunity to describe my experience with the
24 Citizens' Election Program, which I will start off

1 by saying that it was a very positive one indeed.
2 As noted, I am James Spallone. I'm a State
3 Representative from the 36th District, Chester,
4 Deep River, Essex and Haddam; and I am an
5 eight-year veteran of the Government Administration
6 Election Committee of the Legislature. As I noted,
7 the experience was very positive.

8 I became interested in campaign
9 finance reform many years ago, back when I worked
10 on the staff at the Democratic National Committee
11 in Washington. I noticed the large corporate
12 checks that would come in to the DNC Headquarters,
13 some in connection with the convention 1988 for its
14 operations.

15 There had been a recent cultural
16 change in Washington where my party, the Democrats,
17 had begun accepting large contributions from
18 regulated industry at the federal level to help
19 with the congressional campaigns. It was really
20 spearheaded by Representative Coelho of California.
21 And I think the result was clear in the agenda that
22 was set and the outcome in the legislature that
23 things had changed, I think for the worst for my
24 party at that time, and it was really spelled out

1 well in a book called *Honest Graft* by Brooks
2 Jackson, a journalist.

3 So one of the most memorable moments
4 or two of the most memorably moments of my
5 legislative career were the passage of this
6 legislation at almost 3 a.m. in the morning on
7 December 1st and the signing of the bill into law
8 by Governor Rell a few days later.

9 So there was never any question that I
10 would participate in this program. I looked
11 forward to it and I was excited about it. As I
12 said, the system worked well and for me, as
13 expected. Personally I was off to a great start in
14 reaching my threshold in April and May. That did
15 slow down a little bit, due to the end of the
16 session, special sessions, starting up my own law
17 practice and a death in the family. But once I
18 concentrated on finishing off, getting that last
19 1,500 or so, everything worked fine.

20 And although I thought about how the
21 system worked in theory for years, it was great in
22 practice not to have to worry about fund-raising
23 except for reaching those thresholds.

24 I have always been a great advocate of

1 door to door campaigning, and, of course, did that
2 again; but I also more readily accepted invitation
3 to go to community events or drop in on community
4 events, knowing I wouldn't have to worry about
5 maybe squeezing in or planning a fund-raiser. It's
6 really the planning that takes the time, more than
7 doing it, especially since I have always run a
8 shoestring operation. I don't have a big, big
9 organization.

10 Supporters of mine were generally
11 enthusiastic but some didn't quite understand how
12 the system worked, despite my discussing it during
13 the campaigns and so forth over the years. It is
14 new. People I found were very responsive if the
15 requests were made in person. Really, I am only
16 looking for \$5, etc.

17 My treasurer, Art Thompson, went to
18 the training that you held here. He said it was
19 extremely helpful. He only had good things to say
20 about the staff and the assistance he received when
21 he had questions. Clearly the -- and I have spoken
22 with some of you about this. The eyes of the
23 Nation were on Connecticut during this legislative
24 race cycle; and I hope the eyes of Washington DC

1 were on us, too, because we need fundamental change
2 there in the way that we fund campaigns.

3 We're going to be on the
4 defensiveness, I think, for this program in the
5 next year; and I would advise my colleagues and
6 this body to proceed with caution regarding
7 changes. We do need, I think, to go through the
8 cycle with statewide elections to see how it works
9 with statewide office. I am sure more people will
10 be used to it and more will be participating and
11 there will probably be even more challenged races.

12 I was disappointed in the five million
13 dollar diversion in the deficit reduction package.
14 We are going to have to hold the line on diversions
15 from the program. It will not be easy under these
16 economic circumstances. But we have to remember
17 that the Citizens' Election Program is an
18 investment in democracy. Connecticut had the
19 experience of the donors having too much influence
20 on the legislative and executive branches. And I
21 submit that it is more expensive in the long-run,
22 that corruption is more expensive certainly than
23 the Citizens' Election Program.

24 So we need to listen to people who

1 come to testify before this body and before the GEA
2 committee and we need to make practical changes to
3 make the program work better, if needed. But we
4 also need to experience another cycle in order to
5 make sure we know what changes are truly needed and
6 we need to monitor the case in federal court.

7 I would be happy to answer any
8 questions you have and look forward to working with
9 you in the future to make this a better program.

10 MR. CASHMAN: Good morning,
11 Representative. Thank you for your support. I have
12 asked other speakers and I will ask you the same
13 thing. In your campaign, did you find it more
14 onerous the threshold, the \$5,000 threshold, or the
15 150 or was neither a particular problem.

16 MR. SPALLONE: Neither was a
17 particular problem. I had a unique perspective in
18 that I had not accepted Political Action Committee
19 or lobbyists' contributions in the past, so I
20 already had at least 150 donors from within my
21 district that I could approach.

22 MR. CASHMAN: So you had a ready made
23 list essentially from which to work off of?

24 MR. SPALLONE: Yes.

1 MR. CASHMAN: Thank you very much.
2 Appreciate your time.

3 MR. SPALLONE: Thank you.

4 MR. GARFIELD: Thank you. We will now
5 move to Michael Riolino, if he is here. Michael?

6 (Michael Riolino, Campaign Treasurer
7 for Democratic State Representative, Michael
8 Lawlor.)

9 MR. RIOLINO: Good afternoon, Ladies
10 and Gentlemen. My name is Michael Riolino and I
11 was the treasurer for Michael Lawlor who ran for
12 State Representative in the 99th District in East
13 Haven and I was happy to be his treasurer,
14 especially because this was the first year of this
15 new public financing program and I was eager to
16 learn about how it was going to work and I was
17 eager to help Mike to also win his election.

18 I felt that in my town in particular
19 that the public financing actually gave us a good
20 campaign, if you will. We actually had an opponent
21 who was on the same playing field as us, so it was
22 really going to boil down to who could gain the
23 most support from our town and that was
24 interesting.

1 I also was the record keeper and I
2 would file all of the necessary reports. I enjoyed
3 using the eCRIS system. I was able to
4 electronically file all of the needed reports. I
5 found that system to be very easy to operate.

6 As far as getting the 150 East Haven
7 residents, we actually felt that that was going to
8 be a challenge and we wanted to get all of the
9 required signatures and all of the required
10 donations in a reasonable time, so that we could
11 have -- so that we could submit our requests for
12 the \$25,000. And when we had to submit our 150
13 residents and \$5,000, we also included a bit of a
14 buffer, in case any of the contributions were
15 disqualified. And even though we thought had all
16 of the bases covered, there were still some
17 contributions that were disqualified.

18 So we took everything into account and
19 we spent our money wisely and I recently just
20 closed out our account and I sent the remaining
21 funds back to the State, so hopefully we could
22 continue this next year. And I would be glad to
23 answer any questions from this panel.

24 MR. CASHMAN: Thank you very much for

1 you time. Appreciate the opportunity to hear from
2 you.

3 MR. RIOLINO: Thank you very much.

4 MR. GARFIELD: Our next speaker is
5 Matthew Lesser. Is Matthew here? If not, we will
6 go to a sign-up, our next sign-up person, who is
7 John Green.

8 (John Green, Director, Working
9 Families Party.)

10 MR. GREEN: Hello, everyone. Thanks
11 for taking the time to hear my testimony. Also, I
12 just want to extend, you know, congratulations to
13 the Commission and staff on a job well done. I
14 know I was in your offices and on the phones quite
15 a bit asking -- it felt like Stump the Chumps on
16 Card Talk sometimes, like really how can I come up
17 with a question that they wouldn't be able to
18 answer? I think I prevailed often. But,
19 nonetheless, the responsiveness was excellent and
20 to be commended so I appreciate that.

21 Again, my name is John Green. I'm the
22 Director for the Working Families Party in
23 Connecticut. Working Families is a minor party
24 here that was established in 2002 and is now

1 qualified as a minor party in about 75 state
2 legislative districts and all five congressional
3 districts and has elected people in the City of
4 Hartford to the Board of Education, city counsel
5 and recently a registrar of voters position.

6 I am going to speak primarily to, you
7 know, the issues around minor party participation
8 in the program. First, I want to provide a little
9 background on our involvement in public financing.
10 When the public financing legislation was first
11 proposed a few years ago, Working Families
12 supported it, primarily because we felt it was an
13 important step in curbing the sort of corrupting
14 influence of money in politics and in government.
15 We also thought that public financing, you know,
16 could create more opportunities for candidates that
17 weren't necessarily connected to, you know, a base
18 of wealthy donors or contributors or to deep
19 pocketed Political Action Committees.

20 And although the legislation included
21 language that, as we have heard, establishes more
22 challenging requirements of minor party and
23 petitioning candidates, we still supported it.

24 There are some other minor parties

1 that have opposed the public finance system for
2 this reason. We took a slightly different view.
3 We felt that while the requirements on minor party
4 and petitioning candidates were perhaps a little
5 more stringent and demanding than they should have
6 been or could have been, we also recognized that
7 the reward for minor party candidates who did
8 participate in the program were substantial. Most
9 minor party and petitioning candidates raised far
10 less money than what these grants represent for
11 them.

12 And so we felt that for those parties
13 whose candidates were willing to, you know, had the
14 will and the capacity to actually do the work and
15 qualify, that it was a significant advantage and an
16 improvement over the previous private money kind
17 of, you know, anything goes system.

18 So this year we decided to test that
19 theory by fielding two candidates, one for State
20 Representative and one for State Senate. Both
21 sought to participate in the public financing
22 system and for the most part, we were successful.

23 They both were qualified. The State
24 Senate, who you heard from earlier, Cicero Booker,

1 received a full grant and the State Representative,
2 Candidate Debra Novel, received a two-thirds
3 partial grant. And having been through the system,
4 you know, once now, I think our position on the
5 system remains essentially the same, that we
6 continue to support it. And we think that it's
7 mostly a positive thing for minor party candidates.

8 Having said that, I think our
9 experience also highlights, you know, some element
10 of truth. There's some real concern around the
11 issues that critics have raised in terms of the
12 ability for minor party candidates to participate
13 and I would like to just share a few of those
14 experiences and point to a couple of other concerns
15 that are not specific to minor parties and close
16 with just a couple of recommendations that I hope
17 the Commission and the legislature will consider,
18 as they are thinking about where to go from here.

19 And, again, I want to stress that I
20 think our view continues to be that this program at
21 its core is essential and beneficial for democracy,
22 in general, including for minor parties.

23 So I am not going to -- you know, I
24 think people here know the way the system here

1 works for minor party candidates. There's, you
2 know, these additional thresholds based on getting
3 a certain number of petitions on nominating
4 petitions or having attained a percentage of the
5 vote in previous elections and there's a sort of
6 tiered system for what percentage of the grant
7 those candidates get. You know, 10 percent gets
8 one-third grant, 15 percent gets a two-thirds grant
9 and 20 percent gets the full grant.

10 So as I said earlier, our belief has
11 been that those thresholds are probably a little
12 higher than they might need to be. And so I will
13 shed a little more light on that, particularly with
14 respect to petitioning candidates.

15 One thing I -- to start with is to
16 understand that the petitioning requirement is
17 based on a percentage of voter turnout at the last
18 election, percentage of votes cast at the last
19 election. You know, there are very wide
20 differences in terms of what that number actually
21 is in a high turnout district versus a low turnout
22 district. So urban districts, where the percentage
23 of voters who vote is lower, the threshold itself
24 is substantially lower; districts where the

1 percentage -- where the turnout of voters is
2 higher, the numerical threshold for achieving
3 eligibility in the program is also higher.

4 So, for example, in our case this
5 year, we fielded a State Senate candidate in
6 Waterbury in a district that was primarily
7 Waterbury, in a district that's historically had a
8 pretty low turnout and a State Representative
9 candidate in a district that's entirely in
10 Simsbury, a district that historically has had a
11 very high turnout as a percentage of registered
12 voters. In fact, the total population of the 15th
13 State Senate district is much, much larger than the
14 population of the 16th State Rep district. The
15 number of signatures needed was not that different
16 between these two because the percentages of
17 turnout is so vastly different.

18 So, for example, in 2006, in the 15th
19 State Senate District, there were approximately
20 13,500 votes cast. In the 16th State Rep District
21 in the same year, there were approximately 11,000
22 votes cast one. And even though one is a senate
23 district and one is a rep district, the number of
24 votes cast was actually comparable.

1 So the number of signatures to qualify
2 for a full grant in the State Senate District was
3 roughly 2,700 and in the State Rep District roughly
4 2,200. So one question that may come to mind is
5 why did the State Senate candidate succeed in
6 getting the full grant while the State Rep
7 candidate was only able to become eligible for a
8 partial grant, even though the number needed for
9 State Senate was higher than the number needed for
10 State Rep. People following this? Okay.

11 And I think the answer is something
12 that would -- that is important for folks to
13 consider is, as they think about changes here. An
14 answer to getting 2,200 signatures from a
15 population of about 15,000 registered voters is a
16 lot harder than getting 2,700 signatures from a
17 population of 40,000 registered voters. There's a
18 sort -- for people who have been involved in
19 political campaigns, any aspect, whether it's a
20 retail campaign or whether it's door knocking or
21 phone banking or what have you, there is a sort of
22 law of diminishing returns.

23 If you are phone banking a list of
24 10,000 registered voters, the first pass through

1 that list, you might contact 50 percent of them.
2 The next time you call through the 50 percent you
3 didn't reach, you're not going to reach 50 percent
4 of them. There is just -- this is the nature of
5 the beast, someone smarter than I can explain it,
6 but there is a sort of saturation point that makes
7 it harder to continue to get contacts with the same
8 diminishing universe of people.

9 So in the case of a State Rep
10 District, like the one that we're talking about
11 here, getting 2,200 signatures is like actually
12 getting a signature from one out of every six
13 adults in the community. It's a pretty daunting, I
14 think bordering on impossible task that I think is
15 something that, you know, could be looked at.

16 And just to give a little perspective
17 on this, the Working Families Party as a whole
18 gathered approximately 35,000 signatures on
19 nominating petitions for a variety of offices this
20 year, so we are not adverse to doing that work and
21 we have never really complained about it being
22 burdensome. I think it would create a burden for
23 the Secretary of State's office who has to deal
24 with all of this.

1 But achieving the density that this
2 system requires in a given district is, in fact, a
3 different -- a different animal and a much bigger
4 challenge than just raw numbers. So I think
5 this is a problem that will probably worse in the
6 next cycle because, as we know, voter turnout
7 across the board was higher in a presidential year
8 than in a Gubernatorial cycle. So that, again, the
9 number of signatures needed as a percentage of
10 registered voters in a given community is going to
11 increase.

12 And my concern is that a large number
13 of communities or districts will be bordering on
14 sort of off-limits for minor party candidates that
15 use the public financing. It will just be
16 bordering on being not possible to attain the
17 density of signatures for petitioning candidates.

18 So that is one challenge we
19 experienced and I think that, you know, we and
20 others will continue to experience. I think it
21 relates to a second challenge that we have heard
22 from some major party candidates about, as well,
23 which is sort of the challenge of timing.

24 I think it's more -- a more key

1 challenge for minor party candidates. Obviously a
2 part of the solution is to start sooner. I think
3 we all get that and people can learn from that
4 experience this year. But we also supported major
5 party candidates this year who were running as
6 clean money candidates and almost universally the
7 sentiment that we heard from candidates was that
8 they were going to focus on raising their
9 qualifying contributions, you know, before doing
10 anything else. And that was the sentiment we
11 reinforced that I reinforced and I think it made
12 sense.

13 People who sort of dealt with, you
14 know, "I don't qualify for this grant, I basically
15 have no campaign, so that's what I have to do."
16 For candidates running as minor party and
17 petitioning candidates, that meant that the
18 petitioning phase was a whole other phase that took
19 a period of time. And I think the sentiment was
20 similarly, "I don't even want to focus on
21 fund-raising until I know that I will actually be
22 eligible to get a grant." In other words, if the
23 signature phase was not completed, those candidates
24 couldn't participate in the program anyway.

1 And so for same sort of psychology
2 that says, "Let me focus on this one thing alone
3 and then turn my attention to the next phase",
4 creates a longer and more challenging time frame
5 for minor party candidates. I think it's probably
6 not a coincidence that I believe all of the minor
7 party candidates qualified for the program,
8 qualified within the last, you know, week or maybe
9 couple of days, submitted their application at the
10 very end. And, again, some of that is just because
11 of starting sooner, but I think there is a realty
12 to not wanting to -- or not having the ability to
13 raise the funds without having some knowledge that
14 you are eligible to participate in the program.

15 So, anyway, both of these points I
16 think argued for sort of modestly adjusting some of
17 the thresholds and requirements for minor party
18 candidates and I will suggest a couple of specifics
19 later. I want to weigh in on other topic that has
20 nothing to do with minor parties.

21 It was, I think, addressed by a couple
22 of other speakers, which is the interpretation of
23 the restrictions on independent expenditures and
24 the awarding of matching funds. As I understand

1 it, the current interpretation was that in one
2 case, a political action committee was allowed to
3 spend somewhere in the ballpark of \$15,000 in a
4 State Representative primary on an independent
5 expenditure; but because of the i.e. was only
6 positive in nature, it did not trigger a, you know,
7 a matching grant for the candidate on the other
8 side.

9 And, you know, I think there's two
10 really serious concerns raised by this. One is
11 that I think that it seems to me that the purpose
12 of the public financing system is, or the primary
13 purpose, is largely to -- you know, to get -- you
14 know, to eliminate that sort of corrupting
15 influence of, you know, special interest in the
16 political system. And this interpretation of the
17 law, I think, opens up, you know, a loophole large
18 enough to drive a caravan of realtors through.

19 And so it arguably negates almost
20 everything else that the program could achieve or I
21 think it has the potential to negate that, as deep
22 pocketed special interest will continue to have the
23 resources to make, you know, close to unlimited
24 expenditures in support of their preferred

1 candidate.

2 And I think the second thing is it
3 worries me that an agency would have to become sort
4 of an arbitrary of what constitutes positive versus
5 negative mailing or positive versus negative
6 communications. To me, that sort of sets up a
7 slippery slope that could be open to endless debate
8 and challenge and controversy.

9 So my sense is it would be easiest and
10 best for the program to treat all independent
11 expenditures the same. So that's a recommendation
12 on that. So hopefully the SEEC will revisit this
13 or the legislature will revisit it.

14 And, finally, I just want to offer a
15 couple of other suggestions that I hope would maybe
16 on the table as the discussions about possible
17 changes in the system evolve. One, as I have
18 stated, I think some modification on the
19 petitioning or minor party candidate percentages
20 that are required is probably needed to ensure a
21 bit more of an element of fairness and ensure that
22 the thresholds are not prohibitively high. If the
23 legislature wanted to maintain a three-tiered
24 system, you know, system something like, you know,

1 5 percent, 10 percent, 15 percent as opposed to the
2 10 percent, 15 percent, 20 percent. You know, not
3 some sweeping huge change I think would kind of
4 accommodate this concern.

5 I think a second thing that should be
6 looked at with respect to petitioning candidates is
7 given the significant differences across districts
8 and the percentage of voter turnout and the number
9 of voters that turn out, it may be worth looking at
10 making that a flat number as opposed to a percent
11 of votes cast.

12 So that a candidate who is seeking to
13 qualify or be eligible in a district, in a State
14 Rep District in Simsbury, would have the same
15 numerical goal as petitions as a candidate seeking
16 to be eligible in Hartford. Even under the current
17 system, there's a huge difference between the
18 number of signatures you would be required to get
19 between those two districts.

20 And leveling that off by establishing
21 it as a flat number, similar to the way the
22 qualifying contributions, in district
23 contributions, is a flat number. It's not a
24 percentage of anything. So a flat number across

1 the districts would, I think, make that, you know,
2 just less prone to -- I don't know, it just seems
3 better. I can't put a better word on it than that.

4 And then lastly, I think it's worth
5 considering -- you know, some of the other
6 testimony we heard from folks was about the, you
7 know, not getting done until a very late stage of
8 the campaign or concerns about, you know, specific,
9 you know, sort of practices around the qualifying
10 forms themselves and, you know, getting the
11 business entity checks or the, you know, dual
12 account signer, that sort of stuff, joint account
13 signer, my sense is that some of the stress and
14 pressures faced by treasurers would be relieved if
15 the program, and this may be a bigger shift that
16 folks are willing to consider, but would be
17 relieved if the program was a hybrid of the current
18 public financing system with something closer to a
19 matching fund system, like what is used in New York
20 City as opposed to sort of the all or nothing
21 system that we have now, wherein a candidate for
22 State Representative who raises \$5,000 in qualified
23 contributions gets a grant of \$25,000; a candidate
24 who raises \$4,995 in qualifying contributions gets

1 a grant or zero, that there may be a way to relieve
2 some of the pressures, if there was essentially --
3 you know, for example, if we made -- you know,
4 there still could be a floor, you know, you have to
5 raise \$2,500 in qualifying contribution and then,
6 you know, we'll match anything on a four to one or
7 five to one basis that you raised above that up to
8 the limit of \$30,000 between qualifying
9 contributions and public financing.

10 So I think that that system would
11 accomplish a few things. You know, I think
12 removing the sort of all or nothing aspect would
13 make it easier for candidates to, you know,
14 balance, you know, fund-raising with viewing other
15 things in the campaign that they think are
16 important. You know, you could sort of spend as
17 you go or raise as you go.

18 I think it would allow candidates to
19 qualify sooner in the process, so that they have
20 some matching funds on hand to use in August and in
21 September as opposed to -- I think there was a lot
22 of candidates, even major party candidates or
23 incumbent candidates, who didn't qualify until
24 September and October.

1 I think removing the all or nothing
2 aspect would also significantly reduce the stress
3 and the pressure on candidates and treasurers that
4 stems from the detailed requirements of the QC
5 forms themselves. You know, not that we want to
6 encourage treasurers to be careless, but, you know,
7 the \$50 contributor who forgets to list his
8 employer, you know, what's at stake in that? If
9 that contribution is thrown out, you know, that
10 could cost the campaign \$300; right? The \$50 that
11 they lose because it's not a valid contribution and
12 then the \$250 in matching funds that they would
13 have gotten. But it doesn't risk costing that
14 campaign \$85,000. Right?

15 So the sort of need to fix all of the
16 things that people neglect in forms becomes less of
17 a stressful process, that people could say, if it's
18 worth it for me to correct that form or if I am
19 able to do it, I can do that and then it will be
20 considered a legitimate and qualifying contribution
21 and we'll get the match; if not, it doesn't mean I
22 end my campaign.

23 And I think lastly that sort of the
24 matching system or removing the sort of all or

1 nothing system combined with slightly lower
2 thresholds for minor party and petitioning
3 candidates, you know, would create a system wherein
4 public financing was more proportional to the
5 effort and the base of the candidate, regardless of
6 party.

7 So a candidate who is willing to work
8 had and has a base of support in that community
9 would be capable of receiving a full grant. A
10 candidate who works less hard and has less of a
11 base, could participate but might receive less
12 money and all of that would be done regardless of
13 the party's status of the candidates. That's all I
14 got.

15 MR. CASHMAN: Thank you very much.
16 You have presented some interesting ideas and we
17 will be taking them under our consideration. Thank
18 you very much.

19 MR. GREEN: Thank you.

20 MS. ROTMAN: Before you go, I just --
21 I do want to say congratulations because you did
22 have a lot of candidates -- a number of -- a couple
23 of candidates qualify and I know there was a lot of
24 hard work on your part and the candidate's part and

1 so congratulations on that because I know it must
2 have been gratifying to get there in spite of some
3 of the issue. And I know it was certainly a
4 pleasure to work with you on that.

5 MR. GREEN: Likewise. Thank you.

6 MR. GARFIELD: Thank you, John.

7 We're going to move to our next scheduled speaker,
8 Matthew Lesser.

9 MR. CASHMAN: And if anybody has come
10 in in the interim that wants to speak, see the
11 clerk and we will accommodate you as quickly as
12 possible.

13 (Matthew Lesser, Democrat, State
14 Representative-Elect.)

15 MR. LESSER: Good afternoon. I'm
16 Matthew Lesser. I'm the State Representative-Elect
17 from the 100th District in Middletown, Middlefield,
18 Rockfall and Durham. Thank you for giving me the
19 opportunity to speak on this issue. I would like
20 to particularly thank Chairman Cashman, and Vice
21 Chair Jenkins.

22 On November 4th, with the help of the
23 CEP, I was able to challenge a three-term incumbent
24 in my race for the Connecticut House of

1 Representatives. Even as a first-time candidate
2 for state office, I am confident that I would have
3 been able to raise the \$30,000 necessary to run a
4 competitive race.

5 However, doing so would have had real
6 costs for my ability to run an effective campaign
7 and I believe for the health of the system. For
8 any campaign or candidates, time is its most
9 precious resource. After I qualified for public
10 financing in June of 2008, I was able to spend all
11 of my time on the campaign, meeting voters directly
12 and understand more fully the range of their
13 concerns. That made me a better candidate, one
14 more responsive to the needs and priorities of my
15 perspective constituents. I also believe that
16 having had the chance to meet so many of my
17 constituents will make me a better legislator.

18 The result of public financing is a
19 more in touch, a more competitive and more
20 independent legislature in which our General
21 Assembly finds itself accountable to our voters and
22 to the voters alone.

23 As we prepare to enter a challenging
24 session in which we will be asked to make difficult

1 choices regarding the budget, it is a comfort to
2 know that in part thanks to the CEP, P our General
3 Assembly is more independent of special interest
4 than it has ever been.

5 That said, as with any new program,
6 there is some room for improvement; and I would
7 like to offer four suggestions. First, the power
8 of party committees threatens to erode the intent
9 of the CEP. The total level of organizational
10 support received from all sources should be capped
11 at a certain level. I would suggest \$10,000, but
12 the actual level is, I think, less important.

13 The rules at present allow a candidate
14 to receive organizational support from eight or
15 more different party committees. In a scenario
16 involving eight, the additional organizational
17 expenditures permissible, \$28,000, would exceed the
18 total size of the CEP grants. In the event that
19 one party exceeds the spending cap, I would suggest
20 that the maximum level of organizational support
21 should be correspondingly increased.

22 My second suggestion is that the SEEC
23 regulations should be restricted with regards to
24 the exploratory committees. Currently the

1 regulations allow candidates to raise and spend
2 unlimited funds in an exploratory committee and
3 still remain eligible for the full CEP grant. This
4 is a loophole that allows for, in my view, an Enron
5 Iraqi intent of the CEP. The regulations should be
6 amended so as to reduce the CEP grant by the amount
7 spent by an exploratory committee.

8 Third, the ban on contributions from
9 current and perspective State contractors and
10 lobbyists and their family is in my view too harsh.
11 No one wants candidates for State office to appear
12 beholden to special interests; however, the CEP
13 program itself and the \$100 limit for qualifying
14 contributions are in my view by themselves
15 sufficient to ensure independence for State office.

16 And my fourth and final suggestion is
17 that, and this actually goes to I know what some
18 other speakers have suggested, is that to the
19 extent allowable under the First Amendment, the
20 SEEC should try to place limits on independent
21 expenditures that do not promote the defeat of the
22 candidate. And that can be either limits or
23 providing qualify -- matching contributions.

24 Because outside groups appear to have

1 the power to spend unlimited funds to promote the
2 candidate of their choice, a loophole that could
3 render the CEP program irrelevant, in much the same
4 way that we have seen Section 527, organizations
5 decreasing the attractiveness on the presidential
6 level of the presidential public financing system.
7 So those are my four recommendations.

8 Thank you for giving me the
9 opportunity to speak. I am glad to be here as a --
10 as to what I view as a success story of the program
11 and I hope the program continues.

12 MR. CASHMAN: Thank you very much for
13 your comments and congratulations on the outcome of
14 your race and we look forward to working with you
15 in the upcoming session.

16 MR. LESSER: Thank you. I would also
17 like to turn it over, if I may, to my -- someone
18 who was instrumental in my campaign, my deputy
19 treasurer, Saul Carlin.

20 MR. CASHMAN: If you speak briefly,
21 that will be fine.

22 MR. CARLIN: Thank you,
23 Representative-Elect Lesser. Saul Carlin. It's
24 been an honor to join you here. Thanks to the

1 Chair and the Vice Chair for giving us this
2 opportunity to speak on such an important matter.
3 I would also like to acknowledge our campaign's
4 official State Election Liaison, Andrew Casputto,
5 for always being patient and courteous as we both
6 worked through the CEP's requirements for the first
7 time.

8 My name is Saul Carlin. I am a
9 student at Wesleyan University. And in addition to
10 working on Representative Lesser's campaign, I am
11 President of the Wesleyan Chapter of Democracy
12 Matters, which is the youth branch of Common Cause.

13 As a long-time advocate for clean
14 elections and electoral reform, I want to
15 congratulate everyone at the State Elections
16 Enforcement Commission for their faithful and might
17 I add successful execution of a Clean Elections
18 Program that this year effected truly progressive
19 change to the way campaigns are run in the State.
20 Thanks to the CEP, 81 percent of the membership
21 of next General Assembly will have run as clean
22 candidates. 75 percent of all candidates were able
23 to put their fates in the hands of the voters,
24 rather than special interest by participating in

1 the program.

2 But as Representative Lesser
3 suggested, steps can be taken to further increase
4 the competitiveness and independence of
5 participating campaigns by eliminating overall
6 expenditures from both party committees and PAC's.
7 Their influence runs counter to one of the
8 essential goals of public financing, which is to
9 put on an equal playing field. All candidates
10 surpassed a certain threshold for public support.
11 There will always be room for improvement, but
12 having had the opportunity to become intimately
13 familiar with CEP, I have confidence that it will
14 be viewed as a model program by legislative bodies
15 across the Nation as they look to reform their
16 electoral systems. Thank you.

17 MR. CASHMAN: Thank you very much for
18 your comments.

19 MR. GARFIELD: The next speaker is
20 Susan Kniep followed by David Blackwell.

21 (Susan Kniep, former mayor of East
22 Hartford, President of Connecticut Federation of
23 Taxpayer Organization.)

24 MS. KNIEP: Thank you very much and

1 thank you very much for holding these hearings. I
2 am Susan Kniep. I'm the former mayor of East
3 Hartford and currently the President of the
4 Federation of Connecticut Taxpayer Organization.

5 It's very good to know that campaigns
6 are no longer owned by incumbents. And, in fact, a
7 level playing field has been offered to all
8 candidates who may wish to run for State election.
9 So certainly the campaign finance laws, as they are
10 today, are beneficial to candidates and beneficial
11 to voters, so that we have informed voters to
12 determine the candidate of their choice to best
13 represent them. And what better way than being
14 informed by having the financial resources to relay
15 to voters.

16 There are, however, some flaws in the
17 system. And I'm assuming that's why you are having
18 these hearings today and certainly the previous
19 speakers were so eloquent in speaking to some
20 outstanding issues. One that has not been
21 addressed, however, is the fact that incumbents who
22 are running for election unopposed, incumbents who
23 are running unopposed still do have access to
24 public financing.

1 Now, if there is only one name on the
2 ballot, unless absolutely no one who goes to the
3 poles votes for that person, which is highly
4 unlikely, I'm sure they're going to receive at
5 least one vote, they are guaranteed their seat.

6 So when you are looking to saving
7 money and your -- and the issue of financial
8 resource now and going forward, that might be an
9 area that you wish to address. Because certainly
10 incumbents, we now pay -- well, we paid for public
11 financing of campaigns before this recent
12 legislation, which has benefitted many in the 2008
13 election, and that is through incumbents being
14 allowed to send out types of literature to their
15 constituents during the course of the year.

16 And one thing I would ask is that the
17 State Elections Commission audit, conduct a formal
18 audit, of those pieces of literature that are
19 supposed to be informative to the constituents as
20 opposed to campaign pieces. And I think the more
21 that you look at those, you're going to find that
22 there is -- that it's very difficult to tell the
23 difference between a piece of campaign literature
24 and the literature that is being sent out by

1 legislators, informing their incumbents of --
2 informing their constituents of what is going on in
3 the State.

4 In fact, I would like to see that
5 whole program abolished because that is costing us
6 millions of dollars. Incumbents today sitting in
7 the legislature have every opportunity to write
8 articles in their local newspapers or coming to
9 local legislative bodies, to town counsel meetings,
10 etc., or holding a forum in their towns, which they
11 should be doing.

12 But we, the taxpayer, do pay for
13 incumbents in our State to send out pieces of
14 literature, which I would ask that the Enforcement
15 Commission look at to determine if, in fact, these
16 border on pieces of campaign literature.

17 The other issue is that what Mr. Pelto
18 had spoken to previously, it is hopeful that you
19 will be holding formal hearings on those issues
20 that were raised. Because as important and
21 significant as public financing is and wanting to
22 keep it on a level playing field, involved
23 participants who donate those \$5 or \$10 and feel
24 that they have a vested interest in the campaign,

1 the intent, of course, in public financing is to
2 take the special interest, to take the PAC's out of
3 the election.

4 And, in fact, if they could funnel
5 money in to party caucuses and those funds can find
6 themselves -- find their way to candidates, then
7 those issues must be addressed. Certainly any
8 hurdles for a third party candidate should be
9 addressed, as well, which I feel confident you will
10 doing as.

11 As the President of the Federation of
12 Connecticut Taxpayer Organizations, we, our
13 organization, took a position on the State
14 Constitutional question. We did want to see a
15 State Constitutional Convention. We lost. We lost
16 that referendum item.

17 And I think that one contributing
18 factor to us losing was the fact that we had three
19 elected officials standing in unison on the State
20 property denouncing this question. And I am
21 wondering if maybe we don't need some laws as it
22 relates to that particular issue.

23 But we have referendum questions that
24 are going before the voters statewide. If we

1 should not be restricted elected officials from
2 using State property to denounce or promote, or
3 promote, these referendum questions.

4 You know, certainly when that
5 happened, we realized that we had an insurmountable
6 issue to address. And, unfortunately, I think that
7 with the three major state leaders standing
8 together denouncing that question did not allow us
9 to be on a level playing field. So I would ask if
10 there's anything that could be addressed in that
11 regard.

12 Also, signs in schools. I don't know
13 if the Elections Enforcement Commission can do
14 anything about notifying the Boards of Education,
15 but I can tell you that we did have people standing
16 at poles and those individuals are -- were aware
17 that signs had been placed in schools. They were
18 on classroom doors saying to vote no for the
19 constitutional convention. And, obviously, that is
20 a violation. Maybe the school districts are not
21 aware of that. Maybe they need to be made aware of
22 that.

23 And getting back to the issue of
24 allowing incumbents or any candidate who is running

1 unopposed to have access to public financing, I
2 would ask that you look to the fact that we had --
3 I believe it was roughly close to 60 people or 60
4 positions that were unopposed in this election.

5 So many people went into the poles and
6 they voted, they only saw one name on the ballot.
7 And you did have incumbents who went after and did
8 get this money. Now, certainly something is not
9 quite right about that. We would hope that through
10 public financing, people would realize -- although
11 I am sure there are many people out there who don't
12 even know that there is public financing who may
13 wish to run for election and think that, "Well,
14 gee, I have to raise all of this money. Can I do
15 it?" But -- and so maybe there needs to be greater
16 advertising or letting people know that this money
17 is available.

18 But certainly when you have people
19 running, one name on the ballot, and especially if
20 they are incumbents, there is absolutely no reason
21 why they should be receiving, especially the
22 incumbents, one dollar of campaign financing when
23 running unopposed.

24 I thank you so very much for listening

1 to my statement and thank you very much for holding
2 this meeting. And I would also like to take the
3 opportunity to commend every member of the State
4 Elections Enforcement Commission. I, too, have
5 relied on you in calling and posing my questions.
6 I get an immediate response, a very courteous
7 response, an accurate response; and I know that I
8 am not alone in calling you. So I thank you so
9 very much.

10 MR. CASHMAN: Thank you very much, Ms.
11 Kniep.

12 MR. GARFIELD: Thank you. The next
13 speaker is Former State Representative, David
14 Blackwell. Great to see you, David.

15 MR. BLACKWELL: Good afternoon, Mr.
16 Garfield, Mr. Chairman and Members of the
17 Commission. For the record, I am David Blackwell
18 and I was the candidate in the 4th Senate District.
19 I have some copies of my testimony here.

20 I want to begin just by thanking you
21 for this opportunity to come before you and give
22 you my impressions of the Citizens' Election
23 Program and how it worked in the 4th Senate
24 District.

1 And at the outset, let me say that the
2 CEP provided me the funds necessary to run a
3 competitive campaign for the State Senate. The
4 fact that I did not prevail had probably more to do
5 with the coattails of Barack Obama than anything
6 else. However, there were other factors at play in
7 this race and I want to talk about them for a
8 moment.

9 As a candidate and as a State
10 legislator formerly, I have supported the concept
11 of a level playing field through publically
12 financed campaigns. However, as a State
13 legislator, I did vote against public financing
14 campaigns for several specific reasons. And,
15 regrettably, I think my reasons were born out in
16 this, the inaugural test of the Citizens' Election
17 Program.

18 I think the primary flaw in the CEP is
19 caucus PAC's. The pernicious effect of
20 organizational expenditures made by caucus
21 political action committees who coffers are infused
22 with special interest money are the problem.

23 Three years ago when this legislation
24 was created, creating the CEP, the Chairman of the

1 House GEA committee, Chris Caruso, admitted on the
2 floor of the House that he had had great difficulty
3 sleeping the night before, as he was still deciding
4 whether to support the very legislation that his
5 committee had produced. According to
6 Representative Caruso, and I want to quote, "Some
7 of those concerns that I have raised before deal
8 with various political action committees and their
9 ability to provide in kind services to the
10 participating services."

11 Like Representative Caruso, the use of
12 caucus PAC's is the sort of reason why I did not
13 support this as a State legislator. The amounts of
14 organizational expenditures that caucus PAC's are
15 entitled to provide are huge and should give any
16 candidate pause. Moreover, the balance sheets of
17 the Senate Democratic caucus PAC's dwarf those of
18 their Republican counterparts.

19 Now, theoretically, a Senate candidate
20 in the 4th Senate District could see \$10,000 from
21 each of the three senate caucus PAC's, \$10,000 from
22 the State party and \$10,000 from each of the four
23 town committees. That is a total of \$80,000 extra
24 in a Senate campaign.

1 Now, upon learning of the extent to
2 which caucus PAC's are permitted to give
3 organizational expenditures, I sought to level the
4 playing field in my own race by suggesting to my
5 opponent that she and I jointly pledge to reject
6 such funds. My suggestion itself was rejected by
7 my opponent and now I understand why.

8 It appears upon preliminary inspection
9 that ten's of thousands of dollars extra were put
10 into her campaign. Unfortunately the reporting
11 requirements of this law are so weak that I will
12 not know sometime until 2009, if at all, exactly
13 how much was spent on my opponent's campaign.

14 The laws are intentionally designed to
15 withhold such information until well after
16 campaigns have ended and the next legislative
17 session has begun. However, the filings of the
18 three senate Democratic caucus PAC's show that more
19 than \$150,000 of special interest in other monies
20 were deposited as recently as September and October
21 of this year. Such funds were then used to produce
22 and send out a series of election mailers on behalf
23 of Senate Democratic candidates.

24 The result was that my opponent spent

1 more in this legislative race, either directly or
2 indirectly, than in almost any of my opponent's
3 prior campaigns. The conclusion I make is that
4 rather than limiting the impact of special interest
5 and other money into campaigns, the CEP actually
6 has increased the flow of money into certain
7 campaigns by simply laundering special interest
8 money.

9 On Sunday, November 2nd, several
10 people provided me literature mailed on behalf of
11 my opponent from her campaign and from the Advocacy
12 Group, Love makes a Family. The mailers, which are
13 attached to my testimony as Exhibits A and B, show
14 identical photos of my opponent together with other
15 individuals. After contacting Elections
16 Enforcement on Sunday night, it was determined that
17 the photos do not appear to be from the candidate's
18 government website, campaign website or any other
19 website in the public domain. Rather it appears
20 that the same photograph was shared between my
21 opponent's campaign and Love Makes a Family.

22 The law does not allow for a candidate
23 to coordinate his or her message with an
24 independent political action group. Doing so, as

1 you know, constitutes a prohibited contribution to
2 the candidate's campaign. The law provides, of
3 course, for an equal grant of money to the agreed
4 candidate; however, as the Election Enforcement
5 investor astutely pointed out, at 8 p.m. on a
6 Sunday night, even if Election Enforcement would
7 rule in my favor on the Monday before the election,
8 what was I going to do with the money? My
9 conclusion here is that there must be something
10 that the -- the law does not adequately provide for
11 unlawful literature drops that occurred just days
12 before the election.

13 There are a couple of other factors
14 that I just want to briefly mention and Mrs. Kniep
15 mentioned legislative mailers. Such mailers are
16 used by incumbents on both sides of the aisle. I
17 used them when I was a legislator, but I didn't use
18 them once I was nominated for office.

19 Now, of course, we moved, the
20 legislature moved the nominations from July to May
21 just a few years ago and also this year, for the
22 first time, legislators or candidates had to sign
23 affidavits saying they would abide by the spending
24 limits of CEP 10.

1 I received this on July 9th and it
2 cost the taxpayers \$12,710.95. This is after my
3 opponent was nominated. This is after my opponent
4 signed an affidavit saying that she would abide by
5 the spending limits. And I suggested some
6 legislative texts to oppose this loophole in my
7 testimony.

8 I also want to mention the State Bond
9 Commission Slush Funds. The 2007, 2008 State
10 budgets authorized ten million dollars in State
11 Bond Funds for the House and Senate, Democratic
12 caucuses and the Governor's office. The Senate
13 Republicans and House Republican were specifically
14 excluded from any such funds. These funds were
15 generic in that they weren't designated for any
16 specific project or any specific district.

17 The original amount was 140 million
18 dollars, but the Governor refused to consent to
19 that brazen request. Additionally you may have
20 noticed that Governor, because of the recent budget
21 crisis, the current budget crisis, has said that
22 she will not use the funds as her disposal.

23 Senate Democrats had no such
24 reservations, rather they directed 22 percent of

1 their Slush Funds authorized for themselves to a
2 single district, single candidate's district, that
3 of my opponent. These are State monies and we will
4 be paying for them for the next 20 years.

5 Finally, I just want to mention
6 something that goes back a number of years. There
7 is a letter from Elections Enforcement to the
8 Senate Democrats giving express permission for
9 incumbents to appear at public functions, but not
10 for challengers.

11 I had a problem trying to appear at
12 some of the same functions that my opponent
13 appeared, whether it was a veteran's group or a
14 senior citizens' group. At least in one condition,
15 I was told, one circumstance, I was told by a
16 senior citizens' group that I had nothing to say.

17 Now I find that to be a little bit
18 disheartening, as a challenger, that I am not
19 allowed to go before the senior citizens' center
20 and talk to the senior citizens when my opponent
21 can put it in the paper and, in fact, it was in the
22 senior citizens' center mailer that my opponent was
23 appearing, but I was told I had nothing to say.

24 As I said at the outset, the

1 Democratic party had the distinct advantage of an
2 extremely popular standard barrier for the 2008
3 election and yet the CEP did help me run a
4 competitive campaign. However, it would be
5 disingenuous to conclude that the CEP had levelled
6 the playing field or has even taken the special
7 interest money out of elections. I think the
8 contrary is true in certain conditions, certain
9 circumstances.

10 The CEP actually has increased the
11 amount of money in political campaigns and has
12 allowed incumbents on one side of the political
13 aisle to tilt the balance of any truly competitive
14 race back into their favor. With the additional
15 funds of caucus PAC's at their disposal, there is
16 no reason that the Senate Democrats should ever
17 lose a competitive race.

18 If the CEP is truly to work, Chairman
19 Caruso's concern about political action committees,
20 their ability to provide in kind services to the
21 participating candidates must be resolved. I thank
22 you for your time.

23 MR. CASHMAN: Thank you very much for
24 you comments. Next speaker?

1 MR. GARFIELD: The next speaker is
2 Christine Horrigan from the League of Women Voters.

3 (Christine S. Horrigan, Director,
4 Government Issues, League of Women Voters in
5 Connecticut.)

6 MR. CASHMAN: Good afternoon.

7 MS. HERRIGAN: Good afternoon. And I
8 did submit my written testimony earlier today by
9 e-mail, so I hope you all have a copy. The League
10 of Women Voters in Connecticut believes that there
11 is no better investment in democracy than clean
12 elections. Clean elections help to ensure that
13 legislators are not beholden to special interests,
14 a particularly important consideration during tight
15 budget times.

16 The Citizens' Election Program enables
17 candidates to spend more time discussing issues
18 with the voters rather than fund-raising. The
19 program also reduces corruption and the appearance
20 of corruption; thereby instilling confidence in our
21 elected officials. We are thrilled that
22 approximately 75 percent of the candidates running
23 for the General Assembly elected to participate in
24 the Citizens' Election Program.

1 As reported at the launch of the
2 Citizens' Election Program in June of this year,
3 Maine and Arizona both have campaign finance funds.
4 In their first year of use, they had a 30 percent
5 candidate participation rate. Connecticut is
6 clearly doing something right.

7 Although we cannot control the
8 characters or the actions of individuals who run
9 for office, we can reduce the influence of special
10 interest money in our system through public
11 financing of elections. We urge the legislature to
12 restore the money that was recently cut from the
13 Citizens' Election Program and to continue to
14 recognize and support the important role this
15 ground-breaking program plays in our democracy.
16 Thank you for the opportunity to comment.

17 MR. CASHMAN: Thank you very much for
18 your testimony.

19 MR. GARFIELD: Thank you, Christine.
20 And thanks to the League for all of their support
21 over the years in bringing about the campaign
22 finance reform and supporting the Commission.

23 MS. HARRIGAN: You're welcome.

24 MR. GARFIELD: Do we have some more?

1 We have Peter Thai?

2 MR. THOR: Thor.

3 MR. GARFIELD: Thor. Sorry about
4 that.

5 (Peter Thor, Director, Policy &
6 Planning, AFSCME Council 4.)

7 MR. THOR: Hi. My name is Peter Thor.
8 I'm the Director of Policy & Planning for Counsel
9 4 AFSCME, which is one of the largest unions in the
10 State of Connecticut, representing \$35,000 state
11 municipal employees.

12 I wanted to speak very briefly and I
13 have got a really small issue. The -- I think the
14 -- with regard tot he rules and regulations
15 promulgated by the SEEC, we came across something
16 that was a little difficult. As part of my
17 responsibilities, I was asked to calculate what it
18 would cost if we lent out our phones to a
19 candidate.

20 We have a bunch of phone jacks in our
21 lower office that we have had since we built the
22 building and we simply plug in old phones, and --
23 if a candidate wants to use the phones and they get
24 volunteers who come in and dial away.

1 And so I was asked to do a calculation
2 on what this would cost. Now, for purposes having
3 absolutely nothing to do with this, we estimate --
4 for other business purposes, we have an estimate of
5 the square foot value of our floors.

6 So I did a calculation on -- based on
7 the number of square feet around four desks on four
8 phones that inconvenienced no one. It's just the
9 way it's been done since 1986, when we built the
10 building, and I came up with a number which I
11 converted into an hourly number and I recall the
12 number, I don't -- I don't even -- I don't have my
13 work along with me, I lost it, but I remember the
14 number, it was \$9.87 an hour, so I rounded up to
15 \$10.

16 And the candidate had phoners in for
17 two hours and got a -- and was told to pay us a
18 total of -- I believe it was \$346. And we simply
19 can't find a way to justify that number. In other
20 words, we think we made a profit off that
21 candidate's contribution.

22 So what I am asking the Commission to
23 consider is some sort of basis that we can use for
24 calculating a cost based on our real costs. And I

1 have no idea how the Commission came up with that,
2 but it's based on real costs and hopefully not a
3 market cost.

4 So it's a relatively small thing, but
5 I think it has an affect on some candidates and I
6 think it discourages people from making
7 contributions to the election effort, which I think
8 is an important part of the process, which this
9 law, which we heartily support, was intended to do.

10 My other point is a larger one. Other
11 speakers have addressed it; but on the independent
12 expenditure problem, we're hoping that you propose
13 legislation to correct that.

14 And that -- and other than to say
15 thank you very much and I can see that you have
16 survived.

17 MS. ROTMAN: Thank you very much. And
18 I'll -- just to give a little background, your
19 comments are very well taken and we will absolutely
20 look at that issue, as we will look at a lot of
21 issues we have heard about today.

22 Just a little background on the issue
23 that you raised, I think that the term hotelling is
24 what is often used in campaigns and I believe there

1 was a suggestion that the fair market value for
2 what it would have cost a candidate to use those
3 kinds of resources on the market would be the
4 appropriate benchmark.

5 I am not saying that to be
6 defensiveness or to say that we won't certainly
7 take your comments under advisement and think about
8 whether that remains appropriate going forward; but
9 that is where it came from. With the idea to keep
10 the level field, it should be the cost available on
11 the open market with the idea that not all
12 candidates necessarily had access to coming to your
13 space in particular or any other particular space,
14 but sort of the open market space.

15 MR. THOR: I see your point and I
16 think -- I think it's worthy of consideration, that
17 you look at a more relaxed standard because I
18 suspect that most candidates will have access to --
19 you know, I think most of us in this room have
20 participated in campaigns at one time and I know I
21 have dialed a lot of phones from lawyer's offices,
22 real estate offices and, you know, all over the
23 place as well as -- I know there is one person in
24 New Haven who has five lines in his house for one

1 explicit purpose. Thank you very much.

2 MR. GARFIELD: And our final speaker,
3 last but far from least, Tom Swan of the
4 Connecticut Citizens' Action Group.

5 (Thomas Swan, Executive Director,
6 Connecticut Citizens' Action Group.)

7 MR. SWAN: I have a lot of testimony.
8 I won't be that long. As Jeff mentioned, my name
9 is Tom Swan. I'm the Executive Director of the
10 Connecticut Citizens' Action Group. We were both
11 strong advocates of the law and I have also known
12 to be a practitioner sometimes of politics in terms
13 of helping with campaigns and all.

14 And I think -- I watched the first
15 day's worth of testimony and I have heard most of
16 today, although I had to step out for a couple of
17 phone calls and meetings, and I think I want to put
18 some of this in context. You all, the Governor and
19 the Legislature deserve an amazing amount of kudos
20 for what you have accomplished during the course of
21 this year.

22 And I know a lot of other people have
23 talked about it, but I don't know that anybody is
24 reminded that three years ago we were written up in

1 national newspapers across the country as
2 Corruptacut and that we were the most -- and we
3 were the Louisiana of the north, the most corrupt
4 state in the entire country.

5 And right now, I know that our allies
6 at Common Cause, Jeff, Beth and I, are being asked
7 to travel all over the country to describe what you
8 have accomplished and the legislator and the
9 Governor enabled in a very short period of time.
10 And I know that you all have, the staff of
11 Elections Enforcement, were put under a lot of
12 pressure to do this in a real short period of time;
13 but from moving in that short a period of time,
14 from being known as a corrupt -- the most corrupt
15 state in the nation to the state with the model
16 campaign finance reform program, could not have
17 happened without your hard work and time.

18 And we deserved that. We made the
19 legal 220 million dollars to Enron for a \$50,000
20 campaign contribution to the Republican Governor's
21 Association. We would give politically connected
22 lobbyists finder's fees in exchange for them to
23 help raise money for our state treasurer and no one
24 party had a lock on that level of corruption.

1 I heard Former Representative
2 Blackwell a couple of minutes talk about leadership
3 PAC's. We did a study, I think it was in 2000 or
4 2002, that showed the top five lobbying firms
5 funneled over 50 percent of all contributions to
6 leadership PAC's, which beforehand could give an
7 unlimited amount of campaign contributions to
8 whatever campaign that they wanted to do. And if
9 we go back and look, we will see a number of races
10 that got over \$50,000 from one PAC.

11 I heard my friend, Bill Jenkins,
12 earlier talk about, you know, that a
13 disincenticized [sic] participation. I think no
14 matter what candidate that you talk to, including
15 those that were frustrated with the program, would
16 say it was the exact opposite. That they actually
17 had to spend time talking to people within their
18 district and involving -- and I think that a lot of
19 legislators who had had the experience of having
20 the one or two cocktail parties in Hartford, where
21 you could raise your \$50,000 or your \$100,000 and
22 go back to your campaigns, it had become sort of
23 easy. And especially if you were from a district
24 that people so much used to being asked to

1 contribute or to give to candidates.

2 It was a little bit more difficult or
3 if you were in a poor district, it might have been
4 a little more difficult, but we sought every single
5 person that attempted to do it from those places,
6 even people that became challengers very late
7 within the process. Marilyn Moore in Bridgeport or
8 Edwin Vargas, here within Hartford, they were able
9 to qualify and meet that threshold. Was it a pain
10 in the butt maybe? Yeah, but they did it and they
11 had to talk to people in their districts for the
12 first time instead of having to go to PAC's and
13 lobbyists.

14 Also, my friend, Mr. Jenkins, talked
15 about the difference between a good campaign or a
16 bad campaign makes up a difference of 3 percent.
17 As a practitioner of campaigns, I can't state that
18 there's -- that the truth is anything further than
19 that. And if he really believes that, I think that
20 might explain, at the risk of making a partisan
21 statement, why the Republicans have shrunk to 37
22 seats within the house.

23 The difference is in how leadership
24 PAC's and money was allocated and all during this

1 campaign, I could not believe when I heard a radio
2 ad with a PAC saying that, you know, "Vote for a
3 House Republican this year. We will lower your
4 taxes in a year", that Republicans didn't
5 necessarily have the name, thinking that was an
6 effective use to be electing people to the House of
7 Representatives for that caucus.

8 And then people said you don't have
9 necessarily the turnover and we talked about in
10 past years or the competition. I haven't fully
11 done my homework, but I don't think we have seen as
12 many incumbents lose general elections since the
13 income tax year.

14 I think people for the most part are
15 happy with their legislators, but we did have
16 greater competition. But the most important thing
17 is that we have restored the public's trust. We
18 have gotten candidates going back to their
19 community and involving their constituents. The
20 strategies are going to evolve.

21 The next election cycle is statewide
22 races where the rubber is really going to hit the
23 road. But the work that you and the staff of the
24 Elections Enforcement did this year has made that

1 road much clearer and much more hopeful.

2 And as we saw both with our experience
3 here, but I would argue again at the national
4 level, where we saw more participation in people
5 giving, and people that had never given before, I
6 mean, President Elect Obama raised 750 million
7 dollars with over half of that coming from people
8 that gave less than \$50, who had never been asked
9 before.

10 And what we have done is we have
11 created a system that incentivizes that type of
12 participation by grass roots people by eliminating
13 the type of corruption that gave us that terrible
14 name. And I would say yes, created a more
15 competitive and vibrant democracy that is going to
16 result in better public policy, including, I hope,
17 universal health care in the next year. So I just
18 want to thank you and say you did a really great
19 job.

20 MR. GARFIELD: Thank you, Tom. Thank
21 you thank for all those comments and particularly
22 for your long standing support of this reform
23 effort and your support of this agency going
24 forward, ensuring that we had the proper resources

1 to do the job that you say that we have done. And
2 we are certainly very proud of the accomplishments
3 of the first run and we owe you a debt of gratitude
4 for all your support.

5 MR. SWAN: I owe you a gratitude. It
6 worked out as well as I could have hoped and, you
7 know, we will support a number of the reforms that
8 were talked about, from independent expenditures,
9 the electronic filing to some of the others. But
10 you all really made what we were hoping for as a
11 system a reality and the residents of Connecticut
12 owe you a lot of gratitude because I know it was a
13 lot of time. Thank you.

14 MS. ROTMAN: Thank you, Tom. And I
15 will add my personal thanks to that because really
16 the teamwork that you offered at the Commission
17 staff has just been tremendous. So thank you and I
18 look forward to our continued work together.

19 MR. SWAN: Thank you.

20 MR. CASHMAN: Thank you. Is there
21 anybody else that wishes to speak? If not, I will
22 conclude the hearing. Thank you all for coming.
23 Thank you for your input. Thank you.

24

CERTIFICATE

STATE OF CONNECTICUT)
)
COUNTY OF NEW HAVEN)

I, Sara Devino Posta, a Notary Public
duly commissioned and qualified in and for the
State of Connecticut, do hereby certify that the
foregoing record is a correct and verbatim
transcript of the proceeding hereinbefore set
forth.

I further certify that I am neither
attorney or counsel for, nor related to or employed
by any of the parties to the action in which this
proceeding is taken; and further that I am not a
relative or employee of any attorney or counsel
employed by the parties thereto, or financially
interested in the action.

In witness whereof I have hereunto set
my hand and affixed my notarial seal this 12th day
of January, 2009.

Sara Devino Posta, LSR No. 00267
Notary Public

My commission expires January 31, 2012