

STATE OF CONNECTICUT
CITIZENS' ELECTION PROGRAM
PUBLIC HEARING
NOVEMBER 19, 2008

1 MR. CASHMAN: Good afternoon,
2 Everybody. For those of you who don't know me, I'm
3 Stephen Cashman. I'm the Chairman of the State
4 Elections Enforcement Commission and I wanted to
5 welcome all of you here today for the first of our
6 two scheduled public hearings on the recently
7 completed election cycle under our new public
8 financing of state representative and state senate
9 races.

10 We welcome your comments with respect
11 to the pluses of the program, the minuses of the
12 program and any suggestions that you might have for
13 improving it in the next cycle.

14 This represented a historic experience
15 for the people of Connecticut. We had 75 percent
16 of the candidates for elective office participated
17 in the program. The Elections Commission awarded
18 over 93 million dollars in grants for the state
19 house and state senate races; and we had what I
20 believe to be a very smooth introduction,
21 administration and carrying out of the program.

22 We have with us today other members of
23 the commission. To my right is Vice Chairman, Joan
24 Jenkins; to my left, Commissioner Theresa Gerratana

1 and to her left, Commissioner Richard Bozzuto.
2 Commissioner Michael Dolan could not be with us
3 today.

4 At this point, I'm going to introduce
5 our Executive Director and General Counsel, Jeff
6 Garfield, who will have some preliminary remarks
7 with respect to the conduct of the hearing as well
8 as introduction of the commission staff. Jeff?

9 MR. GARFIELD: Yes. Thank you, Mr.
10 Chairman. For the record, Jeffrey Garfield,
11 Executive Director and General Counsel for the
12 State Elections Enforcement Commission. I want to
13 echo the remarks of the Chair about the first
14 inaugural run of the Citizens' Election Program.

15 By all accounts, we feel very
16 encouraged by the participation in the program and
17 by our staff who rose to the occasion to administer
18 this huge new body of law.

19 Today or this campaign marked a new
20 era in the financing of political campaigns in
21 Connecticut and anecdotally, and certainly we will
22 hear direct testimony today, the candidates appear
23 to have liked the program. Clearly much of the
24 special interest money has been removed from the

1 process and candidates have been able to really get
2 in touch with their constituents and owe their
3 elections now to the people.

4 So some major goals of the program
5 that have been in our minds accomplished. I want
6 to take this opportunity to introduce the team that
7 I assembled to put this program into operation.
8 I'm very, very, very, very proud of them.

9 To the Chairman's left is Attorney
10 Beth Rotman. And Beth, as many of you know, came
11 from New York City where she had been the Deputy
12 General Counsel for the New York City Campaign
13 Finance Board and gave us the hands-on experience
14 in public financing that we sorely needed, so I
15 want to thank Beth.

16 To Commissioner Bozzuto's left is
17 Attorney Joan Andrews, who is the -- who is our
18 Director of Investigations and Enforcement and
19 handled all of the enforcement matters relating to
20 the Citizens' Election Program as well as, of
21 course, all of the election complaints that we
22 received.

23 To Joan's left, our Legal Compliance
24 Director, who is also extremely busy during this

1 inaugural period, Shannon Clark Kief, handling
2 requests for advice and opinions; and there were
3 enumerable ones across the months of the campaign
4 and she and her staff did an admirable job
5 responding timely and accurately to the requests
6 that we received.

7 To Vice Chairman Jenkins' right is
8 Jean Love. Jean is our Chief Fiscal Officer. Jean
9 and her unit were responsible for actually getting
10 the grant dollars into the qualifying candidates'
11 campaigns and I have to say that that went off
12 without a hitch.

13 We had extreme cooperation from the
14 office of the comptroller. And Jean, working with
15 the comptroller's office, with her staff, were able
16 to deliver the funds in a very short time into the
17 campaigns that qualified. So great job there.

18 To Jean's right is Mann Hasen. Mon
19 was my top IT guy who designed -- who helped design
20 and implement the eCRIS campaign reporting system
21 and provided with his team so much support to give
22 us the IT support necessary to implement the
23 Citizens' Election Program. And to his right, the
24 IT manager, who handled the heavy hardware and the

1 network capacity, Brian Clonan. Debt of gratitude
2 to both of them and the IT team that worked so --
3 that worked around the clock to ensure that folks
4 that were using the E-filing system had technical
5 assistance, working 24/7 on many nights.

6 And last, but very, very far from
7 least, is Dianna Kulmacz. Dianna, who was our --
8 is our Director of Disclosure and Audit. It was
9 Dianna and her team who handled the application
10 that came in for grants that reviewed really
11 millions of documents to ensure that the decisions
12 that were made by the Commission as to whether or
13 not to award grants were made properly. And they
14 far exceeded my expectations and also worked, as
15 all of us did, on a lot of overtime and 24/7 basis.
16 So I want to thank Dianna and her team.

17 Finally Nancy, yes, I did not forget
18 you, Nancy, Nancy Nicolescu, way over on the left,
19 Nancy wears many hats. She is our Communications
20 Director. She is our Legislative Liaison. But
21 with respect to the Citizens' Election Program, she
22 headed the Candidate Services Unit of the Public
23 Financing Unit. And Nancy and her team of election
24 officers maintained a liaison with each campaign

1 that I know was greatly appreciated. So I want to
2 thank her and her team.

3 With that -- with those introductions,
4 just a couple of housekeeping statements. We're
5 going to run this like a legislative hearing, so
6 please no cell phones. If you written testimony,
7 please submit it to Sheri-Lyn.

8 We would like you to keep to about
9 five minutes. We're not going to ring the bell,
10 but we would appreciate, you know, your brief
11 comments. And with that, it's my privilege to call
12 as our first witness Senator Donald DeFronzo, who
13 was the Senate Chair of the Government
14 Administration Elections Committee at the time that
15 this campaign finance reform legislation was passed
16 and continued to support it, even after leaving the
17 GEA Committee. So, Senator, nice to see you on
18 that side.

19 (Senator Donald DeFronzo, Former
20 Senate Chair.)

21 MR. DeFRONZO: I'm glad Representative
22 Caruso doesn't have control of the bell. Anyway,
23 I'm glad to join you this morning and want to thank
24 you for the opportunity to comment on Connecticut's

1 new campaign finance system. First, I want to
2 commend the Commission and State Elections
3 Enforcement Commission staff for fully implementing
4 the State's comprehensive campaign finance reform
5 program for use in the 2008 election cycle.

6 Given the great complexity of this
7 legislation, the massive change in political
8 culture that was ushered in by the legislation, the
9 need for broad based public education and the large
10 number of candidates participating in the program,
11 your coordinated and professional work in
12 implementing this system in itself was a great
13 accomplishment.

14 Today, as a major component of the
15 campaign finance reform legislation, I do want to
16 share with you some thoughts on the program, what I
17 perceive to be strengths of the program and a few
18 ideas on what we might want to do to improve the
19 program as we move forward.

20 Looking back, in the wake of the
21 Rowland scandals in 2004 and 2005, Connecticut
22 faced a major decision concerning the nature of its
23 campaign financing system. We could have
24 perpetuated the then existing system which gave

1 rise to the pay to play environment of that period
2 or we could fundamentally alter the system by
3 precluding contributions from influential
4 lobbyists, large state contractors, special
5 interest political action committees and business
6 interests through the use of Ad Books. The
7 legislature and Governor Rell chose the latter
8 course and enacted the most sweeping campaign
9 finance reforms in the nation.

10 When the legislature approved that
11 legislation, the compelling reasons for passage
12 included some of these following reasons.

13 First, we were hopeful that the change
14 in system would reduce the appearance of corruption
15 by eliminating the quid pro quo nature of
16 traditional fund-raising and further reduce the
17 likelihood that legislators would be compliant with
18 the views and goals of large contributors.

19 Secondly, by establishing uniform and
20 modest contribution limits, we hope to alleviate
21 the influence of large donors on legislatures. We
22 hope to eliminate the improper influences generated
23 by private sector special interest groups or
24 political action committees and their contribution.

1 Four, we would -- we hope that the
2 program would relieve candidates from the burden of
3 soliciting contributions from influential sources
4 and the dependent relationship that such a system
5 fosters.

6 And, finally, we would hope that the
7 new system would increase candidate participation,
8 participation in general in the electoral process
9 and participation in the public financing program.

10 And I've got to say that based on my
11 personal experience this year, I believe that the
12 new system has achieved these fundamental goals.
13 Earlier this year in my reelection campaign, we
14 were able to exceed both the number and required
15 amount of qualifying contributions by mid April.

16 We accumulated 575 contributions, in
17 individual contributions, 85 percent of which were
18 from within the district. Of these, the average
19 contribution was \$29. No lobbyist money. No state
20 contractors. No PAC money. No add book revenue.
21 This was a marked change from earlier years.

22 By comparison, an Office of
23 Legislative Research report prepared, I believe, in
24 2005 indicated that in 2004 lobbyists and lobbyist

1 controlled PAC contributions accounted for between
2 15 and 25 percent of all contributions to incumbent
3 legislative candidates. In addition, add book
4 revenue, PAC contributions and contributions from
5 contractors often added another 35 to 40 percent of
6 campaign contributions to incumbent legislatures.

7 Clearly the new system has helped to
8 eliminate the financial linkage between lobbyists,
9 contractors, special interest PACs and candidates
10 for the legislature, which often became the basis
11 for ongoing legislative relationships. This is
12 exactly what the reforms were intended to do.

13 Now in addition to these comments, the
14 benefit of the new system, I think, have freed
15 candidates from the burdens of ongoing fund-raising
16 activities, permitting us to spend more time in our
17 districts, campaigning and responding directly to
18 constituent issues throughout this period. And I
19 have to say that I was -- while the system does
20 require sort of a concentrated effort in
21 fund-raising at a certain period in the electoral
22 process, once it's done, you are then free to
23 devote your attention where you really think it's
24 needed.

1 And once we had raised the money, we
2 were really quite flexible to address concerns and
3 issues and attend meetings and be very active
4 within the district. So I do think that is a
5 positive aspect.

6 I also want to comment on a few other
7 aspects of the program. First, with respect to the
8 Commission's Public Education Program, it appears
9 that a very commendable job has been done in
10 informing the public, affected professional groups
11 and most importantly in educating political
12 activists of the workings and requirements of the
13 new system.

14 Dozens of training sessions were
15 conducted with reported positive results.
16 Lobbyists, contractors and other special interest
17 groups were informed of the restrictions and
18 prohibitions on their financial role in the
19 process. Campaign treasurers who assume an
20 enormous burden and responsibility received
21 comprehensive training and ongoing technical
22 assistance. And the Commission's investment in
23 this area, I think has been critical to the early
24 success of the program.

1 Similarly, the Commission's timely
2 processing of inquiries and issuance of declaratory
3 rulings has limited the opportunity for confusion
4 and provided all parties with a uniform set of
5 standards.

6 Perhaps as the program becomes more
7 established, the turnaround time for processing
8 such inquiries can be further improved. Another
9 approach taken by State Elections Enforcement in
10 working with candidates is the creation of your
11 Candidate Services Unit and the assignment of a
12 permanent staff person to work with each candidate.

13 This strategy, which I characterize as
14 a case management model, facilitates access to
15 staff and information, provides a consistent avenue
16 of communication and continuity in the flow of
17 information. This system is user friendly and
18 encourages questioning on the part of the candidate
19 and confidence in the guidance provided to the
20 candidate.

21 Moving on, during this election cycle,
22 an issue came up concerning independent
23 expenditures. And the Commission determined that
24 an expenditure made in praise of a candidate or his

1 or her record did not qualify that candidate's
2 opponent for supplemental funding. And I do think
3 that the Commission's view of this matter is
4 correct, based on the language in the current
5 legislation.

6 However, it also seems clear to me,
7 based on a review of our floor debate and the
8 transcripts related to that, that we had wanted to
9 correct that flaw in subsequent legislation, but in
10 our many reiterations failed to do so.

11 So as you prepare your recommendations
12 for the 2009 legislative session, I would suggest
13 that you review this matter and perhaps provide the
14 legislature with a proposal that could close that
15 perceived loophole because many of us do feel that
16 that is a potential loophole that can be abused in
17 the future.

18 Another issue which deserves your
19 attention is the current time frame in which a
20 political party can fill a vacancy and nomination.
21 At present, a political party can fill a vacancy
22 and nomination up to 21 days before the date of an
23 election. This means that a party can endorse a
24 candidate at their May convention, the candidate

1 can withdraw his or her candidacy and the
2 convention can be reconvened as late as the second
3 week in October to refill the position.

4 Under the existing legislation, the
5 grant to an opposing candidate is tied directly to
6 the status of his or her opponent. Therefore, what
7 one party does can affect the funding in campaign
8 strategy of the other in a very direct way.

9 For example, in my case, a Republican
10 candidate was nominated in May and soon withdrew.
11 Subsequently, in late August, the Republican
12 Convention was reconvened and endorsed another
13 candidate. The check that you folks sent me in May
14 had to be returned, only to be reissued in
15 September.

16 Our campaign, which had shifted into
17 low gear, had to be ramped up immediately when the
18 Republican Convention reconvened and nominated a
19 new candidate.

20 The Republican candidate was given a
21 full grant by the Commission on October 15th and
22 spent over \$90,000 in three weeks. It would seem
23 that imposing an earlier deadline for filling a
24 candidate vacancy would help protect the integrity

1 of the electoral process, ensure continuity in
2 campaigning and lead to a more judicious use of
3 public funds.

4 I don't think it's asking too much of
5 our major parties to nominate serious candidates on
6 a more timely basis; and I would hope that the
7 Commission would consider legislation that would go
8 in the direction of protecting the system from
9 ballot manipulation, the disruption of campaigns
10 and provide safeguards to the integrity of the
11 system.

12 Now, with the exception of a vacancy
13 resulting from the death or an illness of a
14 candidate, the date to fill a vacancy and
15 nomination should be moved back to a point in time
16 much closer to the date of the nominating
17 convention.

18 Finally, on a somewhat more critical
19 note, I would say, that many candidates, me
20 included sometimes, although I love you all a lot
21 --

22 MS. ROTMAN: Sorry, your time is up.

23 (Laughter heard all around.)

24 MR. DeFRONZO: Some of us feel that.

1 not -- some of your decisions are not always fully
2 informed. And I say this in that it appears to
3 many of us that some of your decisions would be far
4 more practical and realistic if more of the staff
5 or -- I know members of the Commission have had
6 practical political experience, but if some of the
7 staff had had more experience as candidates or
8 managers of political campaigns. And while you
9 have demonstrated some flexibility in certain
10 areas, in other areas the Commission's position
11 appears to be rigid and inflexible and sometimes
12 arbitrary.

13 So, for example -- I am going to give
14 you an example here that we were talking about just
15 yesterday. In the area of post election expenses,
16 the Commission's regulation specified that no more
17 than \$1,000 could be spent on thank-you cards in a
18 senate race. All right? So in our campaign, we
19 had 600 contributors, over 300 volunteers. We had
20 over 800 lawn sign locations that people graciously
21 volunteered to give us. We have three town
22 committees, elected officials in three communities
23 and miscellaneous individuals who we might want to
24 thank for various things.

1 Postage alone on that will run over
2 \$700. On the other hand, your guidelines allow for
3 candidates to spend up to \$30 per person for an
4 election day victory party. So under existing
5 regulations, I could have invited 400 people to a
6 victory party on election day, spent \$30 per person
7 or up to \$12,000; yet, I can't spend \$1.25 per
8 person on thank you notes, which would total around
9 \$1,800. And in our case, we didn't have a party.
10 So there's some practicalities here I think we need
11 to look at and I know you can't anticipate all of
12 these things far in advance, but some of these
13 things just don't make a lot of good sense to us.

14 Anyway, more broadly, to address this,
15 I might suggest that in addition to your public
16 hearings, which I know are going to be useful and
17 helpful, I would suggest maybe convening several
18 focus groups consisting of candidates, treasurers,
19 party officials, so that you might be able to hear
20 some of the frustrations and realities of the
21 campaign world more directly and maybe you can
22 thereby be more sensitized to it.

23 But anyway, in any event, I do
24 appreciate the very good work you have done and,

1 again, the outstanding work you did in implementing
2 the program this year. I look forward to seeing
3 your legislative package and working with you to
4 strengthen the program as we move forward.

5 And, again, thank you for your time.
6 I appreciate it.

7 MR. CASHMAN: Thank you very much,
8 Senator. Appreciate your comments. With respect
9 to your first two suggestions associated with the
10 fixes, we, as a matter of fact, discussed those two
11 this morning and you can expect in your legislative
12 package specific on changes to address those. And
13 with respect to the latter two, the purpose of this
14 hearing is to get that type of input and staff will
15 be in touch with you going forward to try and
16 address some of those issues.

17 Because, again, some of those are
18 exactly as you indicated, things that we could not
19 anticipate in terms of the practical way that these
20 things are handled. Thank you very much. Who's
21 next?

22 MR. GARFIELD: Representative Caruso
23 is the next scheduled speaker. I know he was in
24 the room.

1 (Whereupon there was a pause.)

2 MR. GARFIELD: Let's give him a
3 minute.

4 THE AUDIENCE: He's being interviewed.

5 MR. GARFIELD: Oh, he's being
6 interviewed?

7 THE AUDIENCE: Yes.

8 MR. GARFIELD: Then I'm sure he will
9 not mind --

10 MR. CASHMAN: We'll hold his place.

11 MR. GARFIELD: -- while we go to the
12 next speaker who is the current ranking member of
13 the Government Administration Elections Committee
14 and who was the ranking member when the legislation
15 created this program past, Senator Judy Freedman.
16 Nice to see you here, Judy.

17 MR. CASHMAN: Good afternoon, Senator.

18 (Senator Judith Freedman, Government
19 Administration & Elections Committee.)

20 MS. FREEDMAN: I want to thank you,
21 Mr. Chairman, and Mr. Executive Director. It's
22 really strange to be sitting on this side of this
23 kind of a hearing.

24 First of all, I do want to

1 congratulate you. I was a campaign chairman, not a
2 candidate, and it was very interesting to watch all
3 of this roll out, as one who had opposed all of
4 this when it came before me and I had to vote on
5 it. But I do think, and I would agree with Senator
6 DeFronzo, that a candidate, once they qualified,
7 was able to spend their time concentrating on their
8 election and actually getting out and talking to
9 the people. And I think that is a very, very
10 positive campaign aspect, because most people
11 forgot about that when they are out there raising
12 money.

13 As a person on the sidelines watching
14 it, and Jeff knows, I have sent him a letter about
15 one incident that happened during this campaign
16 that I found very bothersome, and it was a last
17 minute mailing that went out, which wasn't
18 altogether on the up and up, at least from my
19 perspective as a campaign manager, and my thinking
20 as I pursued this after Jeff and I had talked and I
21 had gotten his response was that possibly if you
22 are going to give state money, there should be some
23 agreement made between the two candidates about the
24 kind of campaign they are going to run and that

1 they should agree at the onset about lack of using
2 negative campaigning, that it should only be on the
3 positive side and maybe that is something that you
4 can look forward to drafting some type of a
5 resolution that would commit candidates to being
6 positive.

7 We have seen it at the national level.
8 We have seen it at the local level. And I think
9 when a mailing goes out and arrives in people's
10 mailboxes the Monday before an election, there is
11 no time for a response. So I think that's
12 something that it if you work on bringing the
13 candidates together early to agree to this; and if
14 one doesn't agree, I don't think either party
15 should be allowed to get away with it, but maybe
16 you can take a look at doing some sort of a penalty
17 if they go over the line.

18 And I guess you're going to have to
19 determine where the free speech ends when it is
20 state money, where free speech ends and where
21 negative campaigning begins and where it's hurtful
22 to a candidate.

23 The other thing that I found
24 disturbing was I happened to be driving in

1 Bridgeport on I-95 and I saw a billboard for a
2 candidate that didn't actually live in the Greater
3 Bridgeport area, the Greater New Haven area, but
4 was geared more towards Southern Fairfield County.

5 And I thought, well, why is this
6 person taking one of these flashy billboards so far
7 away from the district? Sure, people do ride 95,
8 but I would think that when you're doing that kind
9 of advertising, the money would be well spent
10 within the framework of your district. And I mean
11 if there are billboards further up on the line, in
12 the southern part of the county, that's where you
13 should be taking your billboard.

14 And I would suggest that maybe as part
15 of a future looking at how the money is being
16 spent, you put a few constraints in there. That if
17 you are going to spend money on advertising, at
18 least include it in your district. And if you have
19 to go to papers that are outside the district
20 because of the way the dailies are organized,
21 that's allowable. But if you have to go to a
22 billboard that's 20 miles away from your district,
23 does it make sense to spend money on that?

24 And I had talked to our staff attorney

1 and he said right now there are no constraints as
2 to how you spend the money. And I think maybe
3 that's something that should be looked at more
4 carefully, both by the Commission and by the
5 Committee.

6 Robo calls, of course, came up again
7 and again and again and we have been through this.
8 We have your study. You did a great study on robo
9 calls. I think maybe the only thing we could ask
10 at this point that if it's done by a campaign
11 committee for a legislative seat or anybody that's
12 running for the executive, not done by a federal
13 candidate, that there be a disclaimer on that robo
14 call. Maybe we can do that and at least people
15 will know where it emanated.

16 We got phone calls from three
17 different groups where at least they had caller ID
18 and they could pinpoint where the call was coming
19 from. When they went to pursue it, they couldn't
20 get any information obviously. But I think as part
21 of fair campaigning and if the state is going to be
22 spending the money in allowing people to do this,
23 then there should be a disclaimer like we have on
24 everything else, so at least you know who has been

1 responsible for it.

2 And, finally, the other thing that I
3 had a problem with, and you know I am computer
4 savvy, I had great difficulty with your website.
5 So I would suggest, and I know you have some
6 top-notch people working on that, I would suggest
7 you make it more user friendly for people who don't
8 have a lot of skills, who can click in.

9 And I went to get the list just now as
10 to who had gone in and actually gotten the funds
11 from the Commission, we had to call the office to
12 figure out how to get into it. And I don't think
13 that is user friendly for the general public. So
14 if that could be corrected between now and the next
15 campaign, that would be helpful.

16 And I think that's basically all I
17 have to say, other than, you know, I think you're
18 in the right direction. I think you have a lot of
19 little glitches to erase and I thank you very much.

20 MR. CASHMAN: Thank you very much for
21 your comments. And with respect to the issue of
22 the website, it's my understanding that we are
23 indeed revamping the website in its entirety and
24 probably within about the next six weeks, you

1 should see the results of that.

2 MS. FREEDMAN: Great.

3 MR. CASHMAN: Thank you very much.

4 MS. FREEDMAN: Thank you.

5 MR. CASHMAN: And I do see Senator
6 Caruso or Representative Caruso.

7 (State Representative, Christopher
8 Caruso, Democrat.)

9 MR. CARUSO: Good afternoon, Mr.
10 Chairman, Members and Staff of the Elections
11 Enforcement Commission. My name is Chris Caruso.
12 I'm the House Co-Chair of the Government
13 Administration Elections Committee. I thank that
14 we're all sitting here today. I think the two
15 historic times most recently was the election of
16 President Barack Obama and, secondly, that campaign
17 finance, coupled with public financing, finally
18 took place in the State of Connecticut.

19 For over 20 years, the legislature
20 grappled with different forms of campaign finance
21 reform to no end. It just never passed. And then
22 in 2006, it did pass, with both the help of the
23 legislature and the governor.

24 And the two things that I worried

1 about most from 2006 to the present were what
2 naysayers would say about the process if, No. 1,
3 the system crashed on us, that candidates would not
4 be able to access the program properly, that if
5 they didn't get the assistance they needed from the
6 Elections Enforcement Commission and, secondly,
7 would be the abuse of public funding.

8 And I'm happy to say that neither of
9 those situations occurred. The system worked.
10 There are some issues that need to be worked out;
11 but it worked and it worked well and there was no
12 abuse of public funding.

13 So the naysayers who for years tried
14 to thwart efforts to stop this program, I hope
15 today will support it and to improve upon it to
16 make it stronger.

17 The reason that the system didn't
18 crash frankly was because of the oversight of this
19 Commission and the hard work and the passion of the
20 staff. And I have to tell you, the staff that was
21 assembled by both Jeff Garfield and Beth Rotman are
22 second to none. They showed passion, enthusiasm.
23 They followed the law, the regulations across the
24 board, whether you were an incumbent or whether you

1 were a challenger; and that's what the integrity of
2 the system works best and you did that. So I want
3 to thank you all very much.

4 Also what we have seen is exactly what
5 campaign finance, public financing was meant to be.
6 It was to open up the electoral process, not to
7 just entrenched incumbents who time and time again
8 get reelected. It was to open it up to others so
9 that the system, which we call democracy, is
10 available for all to partake in.

11 One of the biggest problems of
12 partaking in democracy has been the daunting task
13 of raising the necessary funds to run for public
14 office. You may have the intention. You may have
15 the desire. You may have the passion to do it; but
16 constantly are thwarted because of the money, the
17 inability to raise the necessary funds to run.

18 And when you're running against an
19 incumbent, it's even harder because the incumbent
20 has relationships and contacts that have been built
21 up over the years. Under this cycle of the
22 election that we just got through with, we have
23 seen an increase in minority participation, in
24 particular in the Democratic primary cycle. More

1 minorities have run in that primary than in past
2 years. Over 20 races within the cities took place.
3 That bodes well for the system. Even I had a
4 primary and that was good. It's good for the
5 system.

6 Secondly, we saw more women run for
7 elected office, especially in the House of
8 Representatives. That is another plus for this
9 system. And, thirdly, we saw more young people run
10 for office and many of those young people were
11 elected to office today.

12 So the system is working. Are there
13 areas that we need to improve? Absolutely. But I
14 will also warn you that there are people out there
15 that are looking to destroy this system or to stop
16 this system. So we all must be vigilant in making
17 sure the system continues, we improve upon it and
18 make it better.

19 There's been some mistaken opinion
20 that people think the system was set up just to
21 throw incumbents out of office. That is not the
22 case at all. If an incumbent is doing their job
23 and doing it well, the voter will see that.

24 The purpose of the system as well was

1 to open up the process for the public. No longer
2 did you have to spend 14 hours a day trying to
3 raise money. No longer did you go into a room of
4 lobbyists and they hand you checks and say, "Good
5 luck in your election." You raise the necessary
6 money, you have met the threshold and you go out
7 and campaign. And that only helps the system.

8 You get to talk to the voters on the
9 phone. You get to do the door to door. Debates
10 take place much more. And you get to talk to what
11 the people of your district are interested in and
12 most importantly what they will elect you for.
13 That's exactly the fundamental foundation of what
14 this system is about. And I want to thank you for
15 carrying it out.

16 Some of the areas that I looked at
17 that we probably need to improve and make changes
18 on is, one, the independent expenditure especially
19 for positive pieces. For example, in one district
20 a special interest sent out about three mailings in
21 support of a candidate. That placed the challenger
22 at a disadvantage.

23 Now in this particular case, you can't
24 send out a negative piece of an independent

1 expenditure, but you could send out a positive
2 piece about the candidate. So at the very least,
3 if we don't close the loophole on this positive
4 expenditure, we should provide more funding in the
5 grant for the challenge candidate, so that way the
6 challenge candidate can compete effectively against
7 the incumbent.

8 The other area is the leadership or
9 organizational PAC's. And I know that's not great
10 with leadership. Part of the struggle when we put
11 together in 2006 this legislation was that the
12 organizational leadership PAC's remained in place.
13 We need to wean that off of the system and to close
14 them down.

15 It's the same thing with the
16 exploratory committees as well or the PAC's for
17 exploratory. We need to wean those off and close
18 them down to make the system work more effectively.
19 And if we are not going to do that, then I think we
20 have to provide additional funding for the
21 challenge candidate to meet the money that the
22 incumbent would receive from those PAC's.

23 I think that's something we have to
24 look at. We weren't able to do that in 2006 as

1 part of a compromised effort to get the bill
2 passed; but I think we have to be vigilant in the
3 additional sessions now to be looking in those
4 areas.

5 I think I have said what I had to and,
6 again, I want to thank all of you for making the
7 system work. It wouldn't have worked without all
8 of you. And please take tremendous pride in that.
9 We are only, I think, the third state that's doing
10 this, next to Maine and Arizona. I will tell you,
11 and I think you all know, 75 percent participation
12 in this system. When we were working on the
13 legislation, there were so many people said, "This
14 will never work." "We will never get into it."
15 "It will never happen."

16 The poster candidate of this entire
17 piece of legislation and makes me feel good working
18 on this legislation for as many years as we did was
19 a woman candidate in the 80th District. She was a
20 single parent mother. She was a waitress. She
21 held another job. She ran for State
22 Representative. She lost by a very small vote.
23 Very small.

24 But it just shows that here's a person

1 that was interested in running in her democracy and
2 what government should be about. Everything that
3 she had probably learned in school and heard from
4 others about what democracy should be. She had a
5 chance to run.

6 Under the old system of add books and
7 of money from lobbyists and special interest, she
8 would have not had that ability to do it. There is
9 no way a salary of a waitress or a retailer, person
10 working in retail, could even amass the amount of
11 money necessary to go against an incumbent.

12 So as far as I am concerned, she is
13 the poster candidate for this program. And it's
14 also the reason we should all continue to have the
15 passion for this program. Thank you all very much.

16 MR. CASHMAN: Thank you very much,
17 Representative. The Commission does appreciate all
18 of your support in enacting this as well as your
19 support in implementing it; and we look forward to
20 working with you in the next session to address
21 your concerns and the others. Thank you.

22 MR. GARFIELD: Before I call the next
23 speaker, anyone who had not previously signed up, I
24 should mention, if you wish to testify, to please

1 see Nancy Nicolescu and we will make sure you get
2 an opportunity to do so after all of the scheduled
3 speakers have spoken.

4 The next speaker is Tony Razel. I
5 hope I pronounced your name right, but I am sure
6 you will correct the record. And if you could
7 identify yourself and your affiliation with the
8 campaign that you worked for during the past
9 campaign. Thank you.

10 (Antony J. Razel, Treasurer for State
11 Representative Gail Hamm.)

12 MR. RAZEL: I will start by thanking
13 the Commission. It was a pleasure learning the new
14 laws and operating under them. I am Tony Razel and
15 I am the Treasurer for Friends of Gail, 2008. We
16 reelected Gail Hamm this past election.

17 After having worked as the campaign
18 treasurer for my state representative under the
19 Citizens' Election Program, I can say that I am
20 pleased with the new campaign finance laws, but
21 with some reservations.

22 It is my understanding that two of the
23 purposes of the new laws were to free candidates
24 from special interest money and to encourage an

1 increase in the number of candidates who are able
2 to mount campaigns.

3 I cannot speak for my representative;
4 however, I can relate what I have observed. In
5 past elections, she has accepted a significant
6 amount of campaign money from political action
7 committees. I know that she has been uncomfortable
8 with the amount of such contributions, if for no
9 other reason than their negative appearance.

10 I know she was happy for the new laws
11 because they freed her from the appearance of being
12 influenced by PAC's. However, for most changes,
13 there are new difficulties as well as improvements.
14 She had not realized the new problems that
15 accompanied the need to meet contribution
16 thresholds.

17 As we have noticed from past
18 elections, the average citizen seems to be unable
19 to think about elections until after Labor Day. On
20 several occasions she mentioned to me that she was
21 spending a great deal of time on the telephone
22 trying to get supporters to make contributions,
23 much more time than she ever did in past elections.

24 Her supporters seemed perfectly

1 willing to make contributions, but never seemed to
2 realize the urgency involved. We eventually did
3 get sufficient donations to qualify in mid
4 September. That had the benefit of shortening the
5 campaign, but also -- but as to one of the stated
6 goals of the new program, that of relieving the
7 candidate from having to spend a lot of time
8 fund-raising, well, the new laws have had the
9 opposite effect in the case of my representative.

10 The second goal of the new laws upon
11 which I wish to comment is to increase the number
12 of candidates running for office from the point of
13 view of her candidacy over six elections, she has
14 never lacked well financed opposition, so the new
15 laws have not affected her in that regard.

16 However, speaking for myself as a
17 Connecticut citizen, I am pleased about the goal of
18 making it easier for more candidates to enter
19 election races. From what I have seen in the past,
20 it is obvious that when incumbents become too
21 secure in their positions, they become less
22 responsive to the people they serve and their base
23 of support becomes ever smaller.

24 It would be very interesting to

1 examine the effect of the new laws on numbers of
2 candidates running for office and the number of
3 incumbents running unopposed. If the desired
4 effects are not being shown, then perhaps the
5 threshold to qualify needs to be eased.

6 Another question to ask is how many
7 candidates failed to meet the threshold to qualify?
8 One of the more interesting facets of the new laws
9 is the requirement to sell any equipment and
10 furniture purchased for the campaign.

11 At first, that seemed daunting
12 concerning office equipment. In past, we worked
13 with equipment donated by the candidate, purchased
14 from a previous campaign or from a supporter. At
15 the end of the campaign, the equipment was
16 returned. I can appreciate the advantage an
17 incumbent has when equipment is at hand.

18 After some mulling of the change, I
19 realized that we had the opportunity here to
20 benefit our community. We purchased a new
21 computer; and after the campaign, sold it to a
22 church at fair market value for a used computer. I
23 understand that there is a limit of \$50 to that
24 requirement. I would be happier if that limit were

1 increased. I believe that once candidates and
2 treasurers become more comfortable with reselling
3 of equipment, we will all be happy for the change.

4 Finally, speaking from the perspective
5 of a treasurer of an incumbent, the changes brought
6 about by the new laws increased my workload
7 dramatically. Now as well as dealing with the
8 expenses of a campaign, treasurers must be process,
9 deposit, log and report upon many more donations
10 than in previous years.

11 I am happy to say that I am very
12 thankful for the web-based electronic reporting
13 system, eCRIS. That system, while it has minor
14 faults, has been a tremendous assist to my work.
15 Filing paper reports for the number of donations we
16 received would have been a nightmare.

17 There is one thing that I hope gets
18 revisited when changes are considered to these
19 laws. That is the requirement that campaigns do
20 not or not accept checks from sole proprietorships.
21 Many owners of small sole proprietorships view
22 their business checking accounts equivalent to
23 their personal accounts and they do not realize
24 the change in finance laws that no longer permits

1 them to donate from their businesses.

2 There were occasions I had to return
3 checks because they bore the name of a micro
4 business. As I have stated already, I am happy
5 with the changes enacted by the Citizens' Election
6 Program. There has been confusion with the new
7 laws and there are certain new difficulties to
8 overcome; but I believe that in the long run, the
9 changes will have their desired, positive effect on
10 our campaigns and that our system will become a
11 model for other states to emulate. And I thank you
12 very much for the opportunity to make my comments.

13 MR. CASHMAN: Thank you very much for
14 your comments, sir. With respect to the comment
15 that you made regarding participation and the
16 number of incumbents, etc., we do compile those
17 figures. We would expect those will be available,
18 certainly to the members of the general assembly
19 and the public in the next several months.

20 And also, with respect to the
21 disposition of the property, that is something that
22 at the end of this cycle that we will be revisiting
23 and discussing in terms of the practicalities, some
24 of which you have raised. Thank you very much.

1 Any other questions or comments?

2 (No response.)

3 MR. CASHMAN: Thank you very much.

4 MR. GARFIELD: The next speaker is
5 Phil Sherwood from the Connecticut Citizens' Action
6 Group.

7 (Philip Shewood, Deputy Director,
8 CCAG, Connecticut Citizens' Action Group.)

9 MR. SHERWOOD: Thank you. Good
10 afternoon. My name is Phil Sherwood. I'm the
11 Deputy Director of Connecticut Citizen Action
12 Group. We have approximately 30,000 member
13 families in the State of Connecticut. We have been
14 around approximately 37 years and we're one of lead
15 advocates fighting for this clean election system.
16 And, in short, I'm very pleased.

17 The historic campaign that we just
18 witnessed for President is probably the most
19 historic, at least in my generation, and that is
20 perfectly understandable. But Connecticut deserve
21 a lot of credit as well. We made history here and,
22 really, we haven't gotten enough credit for it, to
23 be frank.

24 The implementation of this program has

1 gone very well, in our opinion, but how did we get
2 here because we really shouldn't lose sight of
3 that. Scandals over the last several years have
4 cost Connecticut taxpayers millions of dollars and
5 bad deals, no big contracts and not to mention a
6 massive loss in the public trust.

7 The illegal gifts that were given to
8 legislators, be it former Governor Rowland and
9 others, such as the hot tubs, are still fresh in a
10 lot of memories of the public, but this isn't the
11 whole story of corruption, nor is it even symbolic
12 of the broken system that we did have here. The
13 actual system of corruption and why we lost the
14 public trust was that we had a system that can be
15 traced through politics where a candidate had to
16 endure a never ending quest for large private
17 contributions from the very same people that would
18 later be asking them for favors in return.

19 This activity created the appearance
20 of legal bribery and undermined public trust in our
21 political process and our electoral system. There
22 was a perception, a strong perception, arguably a
23 justified one, that voters were not the owners of
24 the political process. That it was large, private

1 contributors.

2 No doubt the perception of a quid pro
3 quo way of doing business, coupled with the real
4 daunting task of candidates having to shake down
5 large, private contributions from those who wanted
6 to do business with the state did little to
7 incentify {sic} greater candidate or public
8 participation in the political process. But that
9 was then.

10 The transition from the old system to
11 the new clean election system was more seamless
12 than I think most people expected. The program's
13 popularity has already been eluded to. We saw a
14 75, 80 percent candidate participation. This far
15 exceeds the other states that have used some form
16 of public financing the first election cycle of
17 participation.

18 In fact, in many cases where they have
19 had numerous election cycles it's still higher than
20 their participation rates. And candidates, such as
21 Karen Houghtaling, who people have also eluded to,
22 was a single mother, very much a poster child for
23 this clean election system, a single mother working
24 two jobs to make ends meet has publicly stated that

1 she would not have run for public office if not for
2 this clean election system that opened up the doors
3 for her to run.

4 And I gotta say, from the political
5 end, someone who was working on that campaign as a
6 volunteer and who has worked on another political
7 campaign since the implementation of campaign
8 finance reform, was structured internally inside
9 campaigns has changed as well. It's absolutely
10 amazing. Campaigns are now structured and the
11 candidates are now focused on doing grass roots
12 voter contact.

13 There's not this heavy emphasis on
14 shaking down large political contributions from
15 people that were largely outside the district that
16 the candidate was running in in the past. It has
17 given voters more face-to-face time with the
18 candidates and this, I think, is the right step to
19 restore the public trust and open up the doors for
20 candidates to run for public office.

21 But despite being the best reform in
22 the country, which we believe it is, nothing is
23 perfect. You can't legislate morality. There will
24 be always be corrupt politicians, scrupulous

1 individuals that are trying to game the system in
2 their favor.

3 Campaign finance reform, however, has
4 removed the perverse incentive that existed for
5 corruption and has, again, made a significant step
6 forward in restoring the public trust. And CCAG
7 wants to demonstrate our strong organizational
8 support for efforts to address some of the issues
9 with the independent expenditures.

10 Currently only certain independent
11 expenditures are matched. We believe that it
12 should be opened up. And the reason for that is we
13 believe in due time by not providing matching funds
14 that public financing could be corrupted by large
15 private contributions. Not addressing this area of
16 reform risks the real likelihood as well of having
17 candidates want to participate in the system.

18 We want candidates to want to
19 participate in the system; but, again, if the
20 playing field is constantly going to be skewed or
21 we're not matching things of all independent
22 expenditures or more independent expenditures, it
23 may act as a disincentive for candidates to want to
24 participate altogether.

1 Again, advocates also knew when this
2 was passed in 2005, I think there was a legislative
3 fix done in 2006, that we were going to have to
4 visit this reform again. It was too radical of a
5 change. It was too comprehensive to not have to
6 tweak around the edges or refine some parts. In
7 fact, every other state that has passed public
8 financing has had to revisit major components and
9 Connecticut is no different and we shouldn't look
10 at this as a bad thing.

11 And, again, this went off more
12 seamlessly than I think anyone envisioned. And I
13 thank the Commission for their time and their
14 accessibility as well for candidates and
15 treasurers.

16 MR. CASHMAN: Thank you. Questions?

17 MR. GARFIELD: Yes.

18 MR. CASHMAN: Jeff.

19 MR. GARFIELD: Phil, thank you for
20 your testimony. I assume you heard some of the
21 comments that Mr. Razel had made and I wanted to
22 kind of get your take on some of those having --
23 you having spent time with a candidate campaigning
24 under the Citizens' Election Program as well as

1 being an advocate for the legislation that brought
2 the program about.

3 Do you agree with the comment that
4 more time was spent on fund-raising than under the
5 prior system?

6 MR. SHERWOOD: In some cases, that
7 very well may be the case, particularly with
8 individuals that rely heavily on Political Action
9 Committee dollars or large private contributions in
10 the past. Yes. This new system is radically
11 focused towards candidates raising small amounts of
12 money from people inside the district. And many
13 campaigns, for understandable reasons, were not
14 structured that way.

15 So might it have been more difficult
16 for some candidates in the past to fund-raise the
17 money or more time expended? Yes. But the
18 difference is who they're talking to. They're
19 talking to people inside the district and their
20 campaign is relying on small donors.

21 I have heard far more candidates,
22 however, acknowledge that they're now spending
23 their time in the height of the campaign season
24 courting voters as opposed to donors.

1 You know what you're going to have to
2 spend. You know your budget three weeks out.
3 You're not trying to shake people down at the last
4 second because you're worried about the other side
5 doing something or you want to build your war
6 chest. You're focused on contacting voters,
7 building the voluntary recruitment program. It's
8 been amazing.

9 But the old system was the old system
10 and you couldn't get elected, in all likelihood,
11 unless you proved sufficient under the old system.
12 And a lot of people had to change their plans.
13 Senator DeFronzo, my understanding is, qualified in
14 a day. He got 450 contributions in a single event.
15 There was some other money that had to be
16 fund-raised above and beyond that, but my
17 understanding is it took a couple of days and he
18 was qualified. I am sure in prior campaigns he
19 spent far more time fund-raising than he had this
20 time.

21 MR. GARFIELD: Well, thank you. And
22 one other comment or suggestion that Mr. Razel had
23 made was that sole proprietorship checks should be
24 allowed. What is your -- what is your view on

1 that?

2 MR. SHERWOOD: My gut is I think we
3 would have a problem with that. I mean, it's a
4 private enterprise. The whole purpose of public
5 financing is to turn ownership over the elections
6 to the public. To the point of individuals
7 considering business checking accounts as their
8 personal checking accounts, I really can't speak to
9 that, but that's sort of what we are trying to get
10 away from.

11 And, you know, I had nothing to do
12 with the fund-raising component of these campaigns.
13 But I think many campaigns had those issues, where
14 they got those checks and they simply just had to
15 return them. And more often than not, I heard
16 feedback from people that the donors, you know,
17 understood. They understood. And perhaps, you
18 know, cut a personal check. But I think it's a
19 slippery slope allowing business enterprises to
20 give campaign contributions.

21 MR. GARFIELD: Okay. Thank you for
22 your answers and your continued support.

23 MR. SHERWOOD: Thank you.

24 MR. GARFIELD: And the next speaker is

1 Mike Telesca. Mike?

2 (Michael J. Telesca, 2008 Independent
3 Candidate for State Representative.)

4 MR. TELESCA: Thank you. Hi. My name
5 is Alderman Mike Telesca from the City of
6 Waterbury, elected as an independent. I am also
7 the Independent Party Chairman, so of the, I
8 believe, five minor party candidates who qualified
9 this time around, four of them were my candidates;
10 and I come to give some testimony on how we
11 perceived the whole operation happened.

12 You know, first off, I would like to
13 talk about funds. I know that a couple of the
14 previous speakers have talked about how more
15 difficult it is. We didn't find the fund-raising
16 part of it any more difficult because all of our
17 funds, almost exclusively, always comes from grass
18 roots operations.

19 Minor party candidates have never been
20 very much recipients of any type of PAC funds of
21 any great degree. Occasionally we might get one or
22 two, but it was never the basis of our
23 fund-raising, so that was not a problem.

24 What turned to be much more

1 problematic was the signature requirements because
2 they required an awful lot of labor and they also
3 require that having a candidate very early in the
4 process so that you could get a petition.

5 The first hurdle that we ran across
6 was actually getting a petition because receiving
7 the petition wasn't as clearly defined in the
8 legislation and we had to get a ruling from the
9 Commission and the attorneys involved to even
10 receive a petition.

11 One of the problems was we had
12 candidates who had run in previous years. We had
13 ballot status, but we had not gotten 10 percent of
14 the vote. And the first question was, how do you
15 even get a petition because we don't have --
16 because we already have ballot status. So the
17 election division was reluctant to even give us a
18 petition, so we had to ask for a ruling on it and
19 that took a little time and then we finally got a
20 petition out of them. Otherwise, they would have
21 been basically been requiring us to form yet a new
22 party. So that was the first hurdle.

23 The other hurdles were the artificial
24 deadlines. Because the petition requirements --

1 the only petition that existed was the petition for
2 ballot access, which required 1 percent or more of
3 the vote and the deadline on that petition is
4 August 6th. Now the problem we experienced, and I
5 personally experienced because I was a candidate
6 and I was not allowed to participate in this
7 program, because I didn't become a candidate until
8 early September. The deadline to become a
9 candidate for minor parties is -- I believe it was
10 September 10th. I might be off by a day or two,
11 but it was the first week basically of the -- of
12 September, though the deadline to have all
13 signatures collected was August 6th.

14 So we have a bit of a conflict. One
15 law says I don't even have to name our candidates
16 until then and another law says I am already 30
17 days out -- past the deadline to collect
18 signatures. And the collected number of signatures
19 that are required, especially if you're talking
20 about a state senate race, you needed close to
21 3,000 signatures, which is an awful lot of
22 signatures to collect in just a senate race and you
23 needed roughly about 800 to 1,000 in a state rep
24 race.

1 And I'm sure you are probably aware of
2 the fact that if you're running somebody for
3 Governor or for President, you only need 7,500
4 signatures statewide. So these signature
5 requirements are quite high.

6 Now if you're looking forward to two
7 years from now, that -- I'm sorry. Did you have a
8 question or?

9 (No response.)

10 MR. TELESKA: Okay. I'm sorry. If
11 you look forward to the 2010 election cycle, the
12 signature requirements for a Governor's race are
13 almost virtually impossible to meet. You're
14 basically asking for 20 percent of the voter
15 turnout, which roughly is going to be about 200,000
16 to 250,000 signatures. That's verified. Which
17 means you need about 50 percent over that to -- so
18 you're basically asking minor parties to go out and
19 collect roughly about 400,000 signatures and that
20 all has to be done before August 6th, which means
21 you would have to have your candidate -- well, I
22 guess January 2nd, the very first day that you can
23 get a petition, you better have -- decide who your
24 candidate is going to be and be out there with a

1 massive force of people to try to collect that type
2 of signature requirement.

3 So I think in that -- in those regards
4 that it's become rather difficult and if the
5 purpose is to open up the process and not to -- not
6 to actually put up new artificial hurdles for minor
7 parties to participate in this system, I think you
8 need to look at the -- lowering the signature
9 requirement for a statewide position. Because, I
10 mean, even when you're running somebody for
11 Governor, you have a limit.

12 It's not 1 percent of the vote. It's
13 a set figure, 7,500. So, you know, perhaps if you
14 needed to do a signature requirement on that,
15 75,000 would be very, very difficult to do, but it
16 would be something that may be able to be reached,
17 rather than 250,000 to 300,000 or more. So I
18 assume that you really want us to be involved.

19 And the other thing -- and the reason
20 why I talk about that is because, you know, turning
21 the signatures in, as I said, the deadline is
22 August 6th, and my deadline to name the candidate
23 was August 6th or 10th, I forget what the date was,
24 it was the first or second Tuesday in September,

1 but your requirement to actually apply for the
2 money was October 10th.

3 So my point is we can meet the
4 financial part of it. Gaining small donors is not
5 something that's foreign to us. That's our bread
6 and butter. We fund our campaigns by \$20 and \$30
7 donations, so that's not really a problem. But we
8 -- I think that you should look at if your deadline
9 to apply is October 10th for the funds, you should
10 be able to extend the ability to collect
11 signatures, which is the more daunting part of the
12 task, to that date to make it reasonable to reach
13 it and participate.

14 The other thing that I see that's a
15 bit of a -- problematic for me or at least it
16 really smacks of unfairness is that where I come
17 from, there's roughly seven major races out of the
18 Waterbury area; and out of those seven races, the
19 two major parties only went head to head in two of
20 them.

21 We put candidates in every single race
22 because we really do believe that candidates in the
23 -- I should say citizens, the voters, should have
24 the option to vote for someone. Whether they like

1 the incumbent or not, they should be able to have
2 someone other than the incumbent on the ballot
3 line.

4 Now, that's fine. They don't put up
5 candidates. But next year, if they decide to put a
6 candidate up, they are automatically eligible for
7 the full grant. All they have to do is raise the
8 money. Where if we have to collect signatures to
9 prove our worthiness and our viability with the
10 voters and if they don't even put a candidate up,
11 they have no votes, why would they automatically
12 not have to get signatures like we do, if that's
13 what the requirement is? And we have to prove
14 ourselves.

15 So my point is if you're going to
16 create a system, you should create a system that
17 has more balance and accessibility to the program
18 from all parties concerned. I mean, that's my --
19 my total look at what this program is doing. I am
20 very much in support of it.

21 I think it's been very, very good at
22 taking the special interest money out of it and as
23 previous speakers have mentioned, forcing
24 candidates to be more grass root, to have more

1 involvement with the people that they are supposed
2 to represent in their own area, to go out and meet
3 them face-to-face, to collect money from them in
4 small donations.

5 And so that's -- I think that's great.
6 And I don't expect the system -- you know, well,
7 it's not fair. I'm not going to say that because
8 life is not fair. We have -- you have different
9 criterias and you deal with it and you live with
10 it. But I am just saying that there can be some
11 more equability in the way that this program is
12 being administered.

13 MR. CASHMAN: I have a comment --

14 MR. TELESKA: Yeah?

15 MR. CASHMAN: -- on a couple of things
16 that you have raised. With respect to the issue
17 associated with the petitions and that, that we
18 didn't become aware of during the cycle. This is a
19 learning process for all of us.

20 MR. TELESKA: Exactly.

21 MR. CASHMAN: We did become aware of
22 that problem and we did take steps to issue a
23 declaratory ruling, which we hope will clarify that
24 and eliminate that particular problem going

1 forward.

2 MR. TELESKA: If I could -- I'm sorry.
3 I was going to say yes, you did. And it was
4 because I had made that request. I asked for a
5 clarification.

6 MR. CASHMAN: That is part of the
7 process.

8 MR. TELESKA: And the process did work
9 and I will commend you on that.

10 MR. CASHMAN: And with respect to the
11 deadlines associated with the application process
12 and the ballot process, those are set statutorily
13 by the legislator. We didn't have any direct
14 control over that. During this process, part of
15 this proceeding here today is to get that type of
16 feedback and try to tweak the system.

17 We knew going in that it wasn't a
18 perfect system. And some of the things that you
19 are bringing to our attention here are things we
20 were aware of, some of which we were not. But,
21 again, in terms of the administration of the
22 process, all of those types of things will be
23 looked at going forward. Some may be able to be
24 improved. Some may not.

1 Eliminating the October 10th deadline,
2 for example, doesn't apply just to minor
3 candidates. It applies to everybody. And there is
4 some structural reasons why that has to be the
5 case. It's not to disadvantage minor party
6 candidates. It's to allow the process to be
7 administered in a coherent fashion.

8 MR. TELESKA: If I may point out, the
9 -- that date is for ballot access. That August 6th
10 deadline in the legislation is to qualify to be on
11 the ballot, where you need to collect 1 percent of
12 the signatures. That same petition can continue to
13 collect signatures and the signatures count because
14 the other requirement is to get 20 percent of the
15 signatures to qualify for the funds.

16 So I'm saying that you don't
17 necessarily have to use that August 6th deadline to
18 have all signatures collected by you. You just
19 need to have the 1 percent done. But you still
20 should be able to go beyond that to qualify for the
21 money and that's the point I was trying to raise on
22 that.

23 MR. CASHMAN: Can we get a response
24 from general counsel on that?

1 MR. GARFIELD: Yeah. I am actually
2 sympathetic to your point of view on this. Let me
3 say, first of all, that the Commission felt
4 constrained by the existing election law and didn't
5 feel that it had the authority to go forward and to
6 create another different deadline than that from
7 the ballot access deadline with respect to the
8 gathering of signatures on petitions to qualify for
9 the grant.

10 That being said, looking perspectively
11 creating a new deadline, giving petitioning and
12 minor party candidates more time to gather the
13 signatures, I think it's a good thing. I would be
14 concerned, however. There needs to be a balancing
15 act.

16 I don't think we could possibly push
17 it to October 10th, which is the grant deadline.
18 Because obviously, as you know, the petition
19 verification process --

20 MR. TELESKA: Right.

21 MR. GARFIELD: -- is not done by the
22 State Elections Enforcement Commission. It is done
23 by the town clerks. It is done by the Secretary of
24 the State and so it takes -- that process takes

1 time. So maybe there's a happy medium in there
2 and maybe it's September 5th or whatever, but it
3 couldn't possibly be as late as the --

4 MR. TELESKA: No, I understand --

5 MR. GARFIELD: -- application deadline
6 because, you know, you would need your application
7 complete by October 10th in order for the
8 Commission to award the grant. So, you know, we
9 can work on that. I think it's a valid point going
10 forward. And certainly we will have some more
11 discussion about that at the Commission level.

12 MS. ROTMAN: I just wanted to share
13 with you, that I appreciate you bringing to the
14 Commission's attention the issues you and also some
15 individuals from other minor parties brought to the
16 Commission's attention, the issue of the petitions
17 and it put the Commission in a position to be able
18 to assist with that and I want to thank you for the
19 early outreach on that. Because, you know, you
20 really gave us the eyes and ears on how things we
21 were going.

22 And to the extent that we were able to
23 do something so that the candidates that you had
24 that were ready to go, pick up the petition and

1 qualify, I'm glad we were able to work together on
2 that. And I know that we have talked about this
3 separately, but I can -- but I really look forward
4 to our continued work together because we know
5 there's more work to be done.

6 MR. TELESKA: Thank you.

7 MR. GARFIELD: And just a final
8 comment, my congratulations to you. I mean, you
9 and your candidates showed that minor party
10 candidates can qualify for this program and I think
11 that was a great thing and kudos to you.

12 MR. TELESKA: Thank you. And I would
13 just like to say that it did make a difference.
14 Though we didn't win, and this was a very difficult
15 election year with a high profile presidential race
16 and, you know, eight to ten stories a day in the
17 papers about either the Democrat or Republican
18 candidate, there was a lot of clutter to try to
19 rise up above, even on a local level.

20 But I look back at how well we did
21 four years ago and two years ago and we had a very
22 marked improvement, where we two or three times
23 better. So having some money to be able to
24 participate on a real level and advertise our

1 campaign has enabled us to be competitive. And I
2 think as we move forward, we will be more
3 competitive as the -- as our party is more
4 acceptable to the voters.

5 And that's really what we're hoping to
6 do. I mean, if we had been allowed to get into
7 some of the debates, I think that might have helped
8 us a lot more, but we were not -- we were kind of
9 barred from them.

10 MS. ROTMAN: Just one follow-up
11 question. I know it's too early to talk about
12 2010, but looking ahead, I noticed that you did --
13 you did quite well in a number of races. And can
14 we expect that you'll be back with more candidates
15 using the program in 2010?

16 MR. TELESKA: Yes. I believe 80
17 percent of our candidates have reached a threshold
18 where they will have a partial or a full grant.
19 Most of them will have a full grant next time. So
20 yes, we will be there.

21 I mean, the thing that -- what
22 interests me greatly is because I understand. I
23 mean, one of the ways we believe we have to get
24 elected is by offering the voters as full a ticket

1 as possible. And if you don't have somebody at the
2 top of the ticket, it becomes rather difficult.

3 I would greatly anticipate running
4 somebody for Governor in 2010, but I am really
5 concerned at the daunting task. I mean, a good
6 signature collector, to get 15 to 20 signatures an
7 hour is really working hard. And when you start
8 talking about 200,000 or 300,000 signatures, you're
9 talking about 10,000 to 20,000 man-hours to reach
10 that type of threshold.

11 And for small parties, to put that
12 kind of people out in the field and collect that
13 type of signature is really an impossible task. So
14 we are just -- we're appealing to say that, you
15 know, we can be competitive. We want to be
16 competitive. We will meet realistic goals, but try
17 to make the goals realistic. Because in a state
18 rep race, it may seem high, but it's a small area
19 and there's really not that many votes you can
20 concentrate workers in the area.

21 A senate race, again, we're talking
22 3,000 signatures. That's the goal. We got it.
23 We just barely made it in a couple of candidates,
24 but it's -- but you're -- it's on the level of

1 raising signatures to put somebody up for upper
2 congress. But when you start talking about the
3 Governor's race, or any statewide position, 20
4 percent, it's almost an impossibility, especially
5 since we can't even get a petition before January.

6 MR. CASHMAN: Thank you very much for
7 your comments.

8 MR. GARFIELD: Thank you, Mike.

9 MS. ROTMAN: Thank you.

10 MR. GARFIELD: The next speaker is
11 Jonathan Pelto. Good to see you, Jonathan.

12 (Jonathan Pelto, Democrat, Political
13 Statelist, Represented Avery.)

14 MR. PELTO: Good afternoon. My name
15 is Jonathan Pelto from Storrs, Connecticut. I
16 served as a member of the Connecticut House of
17 Representatives from 1984 to 1993 and have followed
18 campaign finance issues and laws for the last 25,
19 30 years, both from an academic standpoint and from
20 a political operative standpoint.

21 I have put together a little
22 presentation that--a draft presentation--that I am
23 handing out to you; and I will clean up a couple of
24 things and add some things and would seek

1 permission to submit it at your next meeting. But
2 I wanted to highlight some of the things that have
3 already been said and a couple of new things, as
4 you start the process or continue the process of
5 reviewing what happened and where do we go from
6 here.

7 First off, I would just like to add my
8 voice to those who have come before me to
9 congratulate you on an extraordinary job putting
10 this together, from the services provided to
11 individual candidates to the actual process of the
12 Commission. I have to say, as an onlooker, that
13 not only was it an amazing job, but many of us
14 thought actually it wasn't impossible and you
15 proved us wrong and you all deserve tremendous
16 credit for having put this system in place.

17 I believe that it will go down 10, 15,
18 20 years from now, and when they look back, it will
19 be seen as the single most important development in
20 Connecticut politics, certainly since the changes
21 that took place in our campaign finance laws in
22 1977 when we adopted in Connecticut many of the
23 changes that had been adopted at the federal level
24 following 1974.

1 But in some respects, this may go down
2 as the most important change within the last 50 or
3 100 years because it really does challenge the
4 opportunity for creating change and is the single
5 greatest example that I think we will -- have seen
6 or will see in the effort to ensure that the power
7 of incumbency is not so great that challengers have
8 no opportunity to succeed.

9 You will see in this presentation, I
10 lay out a couple of things. And first and foremost
11 I want to caution the Commission and, in fact, all
12 onlookers to be extraordinarily careful about
13 looking at one election cycle as a measure of
14 whether or not there has been success.

15 The power of incumbency has been
16 building over decades. It is the single most
17 powerful force in American politics and continues
18 to be such. There was a lot of talk about the
19 different advantages that this system would bring,
20 one of which would be to challenge the power of
21 incumbency. But if and when that's going to
22 happen, it's going to happen over a period of time.

23 I have put in two charts that show --
24 it will give you some sense of putting it into

1 perspective and that is looking back in 2004,
2 roughly 80 percent of the house candidates and 77
3 percent or 80 percent of the senate candidates had
4 races that were for intents and purposes not
5 competitive.

6 That is four out of five races in
7 Connecticut in both chambers were not competitive.
8 That number did not change significantly in '06 and
9 did not change significantly in '08.

10 The reason that that didn't change is
11 that the power of incumbency remains alive and
12 well. There are a variety of ways that incumbents
13 can garner that power. What we are likely to see
14 is the system that you have put in place beginning
15 to chip away at that, but, of course, the
16 fundamental basis for that power of incumbency is
17 in the way the district lines are drawn.

18 And as we watch this over time, I
19 think what we will be looking for is what's
20 happening to those races that we would call
21 competitive, that is, within the 60/40 margin where
22 there's a real opportunity where individual
23 candidates, with a properly funded campaign and a
24 well orchestrated strategy has the opportunity to

1 win. And that number has remained in about the 20,
2 25 percent range in Connecticut over the last three
3 cycles and it's a number that we will want to watch
4 over the next few cycles.

5 The fact is that in Connecticut the
6 truly competitive races, that is where the victor
7 has between 50 and 54 percent of the vote, there's
8 only one in ten races in the State of Connecticut
9 that are competitive, thanks to the way district
10 lines have been drawn.

11 So rather than look for the number of
12 incumbents that are reelected or even the number of
13 incumbents that are challenged, I would say that
14 we're looking -- we would look at a variety of
15 factors.

16 Secondly, I think it's incumbent upon
17 us, no pun intended, to look beyond just the power
18 of incumbency and how incumbents do to issues like
19 a more competitive debate, a more competitive
20 dialogue, an opportunity for competitive races to
21 come forward, an opportunity for voters to get much
22 more engaged in the political process. And in that
23 end, I think that the successes have been
24 extraordinary.

1 Just the mere fact of requiring
2 candidates to collect donations from 150 of their
3 constituents in a house race or 300 in the senate
4 race is in and of itself a sea (phonetic) change.

5 I know that when I was a legislator,
6 even when I wasn't challenged, but when I was, the
7 vast majority of funds would come from PAC's, from
8 large donors outside of the district, from add
9 books. There was a reference earlier to about 50
10 percent or more.

11 I found in my own academic research
12 that incumbents actually on average counted between
13 70 and 75 percent of their money coming from
14 nondistrict sources on average. So to require them
15 to do that, I think really explains the counter
16 message that has been delivered today, some saying
17 that it is an opportunity for candidates to spend
18 less time fund-raising and some saying, in fact, it
19 requires more fund-raising.

20 I think what we will find is that at
21 the legislative level, it will require
22 significantly more time as incumbents have to go
23 back to their districts and actually identify 150
24 or 300 people that are willing to write a check.

1 And that for good reason, they may find that it
2 actually requires more time to raise the initial
3 funds.

4 At the statewide level, it probably
5 will have the exact opposite effect where the use
6 of grass roots and Internet fund-raising will give
7 candidates the ability to focus more on issues and
8 debate rather than raising funds and we all can
9 talk about the anecdotal evidence of the damage
10 that's been done to the political process under the
11 old system.

12 Joe Courtney used my offices for his
13 calling operation in his two campaigns and for 18
14 months, he spent eight hours a day, six days a week
15 in that small, windowless room calling people and
16 asking for money.

17 The same can be said about running for
18 Governor and that's going to change now, thanks to
19 this system, so in that sense, I think it was an
20 extraordinary success. Looking out over some of
21 the challenges, I would urge you to, as has been
22 discussed already, to look and consider the impact
23 of leadership and caucus committees.

24 This is the mechanism for leadership,

1 and particularly the incumbent leadership, to try
2 to impact the outcome of those races. At the very
3 least, I believe it requires a much more
4 disciplined approach to clearer disclosure of where
5 they're spending the money in such a way that the
6 opposing candidates and the public can see that. I
7 will come back to that in just a moment.

8 But if you turn to the two charts that
9 I have laid out here that shows that the four
10 caucuses and there are three committees per caucus,
11 what appears to have happened here, and not
12 intending at all to pick on any particular caucus,
13 but you will see, at least in the preliminary
14 numbers, that in the senate side, the Senate
15 Democrats out spent the Senate Republicans by a six
16 to one margin on leadership and caucus funds.

17 One could argue that those funds,
18 which are predominantly dedicated to the targeted
19 races, the most competitive races, provides a
20 disproportionate impact, not necessarily to the
21 incumbent, but certainly unequals the playing field
22 when you have that kind of an influx of dollars
23 coming from the outside; in essence, an independent
24 expenditure, but an independent expenditure that is

1 actually coordinated with the candidate and
2 provides significant dollars.

3 On the House side, it was harder to
4 tell because of a quirk in the way that the
5 reporting took place, but it looks like that number
6 is going to be about four to one.

7 So as you think about the role of
8 quote, unquote, outside money, the greatest source
9 of outside money is going to be the caucus
10 committees. And while they are near and dear to
11 the leadership as a way to ensure success in
12 competitive races an ensure loyalty among new -- or
13 challenged candidates or new candidates, I would
14 say that if you wanted to think about ways to
15 equalize or ensure that the battlefield is
16 equalized, there is probably nothing greater than
17 you can do than to look at the way in which the
18 caucuses are influencing the process.

19 The notion that each caucus has three
20 was a number that was pulled out of the air in
21 order to ensure that all of the leaders were -- all
22 of the various leaders were happy. When you look
23 at the actual source of funds, what you will see is
24 that most of the caucuses are doubling down,

1 arguably tripling down, in the sense that a
2 contributor is asked to give a check to Caucus No.
3 1, Caucus No. 2, Caucus No. 3, that PAC's are given
4 to Caucus 1, Caucus 2, Caucus 3 and then those
5 funds are then funneled into the targeted races.

6 So one could easily identify a
7 solution, which is every caucus has a caucus
8 committee and that caucus committee provides a
9 centralized role and that way a limitation on
10 contributions is a true limitation on
11 contributions.

12 The other thing is that the present
13 system makes it virtually impossible to determine
14 how those funds are being spent. If you look on
15 the chart that I have, it just -- again, not
16 wanting to pick on any particular caucus, but I
17 just pulled three expenditures reports. This one
18 -- these happen to be three -- two of the three
19 House Democratic Committees.

20 The way in which -- and it appears
21 that almost all of the committees use the same
22 mechanism. When they wrote a check, in this case
23 for staff, they would write a check for -- in one
24 case, \$2,000, and then allocated apparently to six

1 different legislative candidates. But there is no
2 indication whatsoever whether those are in six
3 equal installments, whether those were one
4 candidate who got the lion's share of the benefit
5 from that \$2,000 expenditure and the other five
6 were put in.

7 If I was running against that
8 candidate, there would be no mechanism for me to,
9 without going through every single expenditure and
10 then lay out every single expenditure by every
11 single candidate and then assume that the
12 expenditures were all equal, you will see another
13 expenditure for \$10,000, and the purpose is listed
14 as, "See supplemental list of State Representative
15 Candidates."

16 The most important piece, in addition
17 to obviously the powers that you have, is the
18 ability for public disclosure and public
19 monitoring, by the media, by the candidates and by
20 the public. The present system on the reporting of
21 caucus activities makes that virtually impossible.

22 And then one other example here was a
23 check made out to a printing company. It was only
24 for \$1,855. Most likely a single candidate who

1 some cards were printed for. But the purpose of
2 the expenditure was, "See supplemental list of
3 State Representative Candidates."

4 And I would urge you to require, at
5 the very least, that caucuses have a separate
6 accounting that they attach to their report, which
7 is individually each candidate that they have
8 supported and the extent of support that went to
9 that candidate. So that you could look right down
10 the list, alphabetically or however, and see that
11 Candidate X got \$5,000 worth of support and
12 Candidate Y got \$100 of support, rather than
13 requiring the candidate to somehow decipher how the
14 caucuses may be trying to hide the funding.

15 The second is obviously to look at
16 other ways in which incumbents are ensuring their
17 success, limiting the power of incumbency, some of
18 which is already done for you. The prohibition on
19 using franking privileges after July of an election
20 year. The prohibition of using state funds for
21 political purposes.

22 But, as we know, there are other ways
23 in which incumbents can benefit, one of which I
24 brought as a complaint to the Commission. I

1 understand clearly you are ruling against that
2 complaint. But in that particular case, the
3 incumbent was given free ad space to have a monthly
4 column and that candidate -- and that benefit
5 occurred to nobody else, except for incumbent,
6 because of their relationship with that newspaper.
7 Where you have incumbents who clearly, because of
8 their incumbency, can garner special privileges, it
9 unevens the playing field.

10 Another one would be to look at the
11 independent expenditures, not only as independent
12 expenditures, but, in fact, as a benefit to
13 incumbency. I believe that all of the independent
14 expenditures made this cycle were made to benefit
15 incumbents or virtually all of them were made to
16 benefit incumbents, which is -- which, again, is
17 very understandable because the purpose of
18 incumbents -- of independent expenditures is to
19 ingratiate yourself to the individual person that
20 you are supporting, in which case you want to make
21 sure it's going to be the winner, in which case 90
22 percent of the time it's going to be the incumbent.
23 And so independent expenditures by their very
24 definition are likely to be expenditures to benefit

1 incumbents.

2 And so as you think about the
3 leadership committees and the independent
4 expenditures, think about them as mechanisms for
5 incumbents to protect themselves.

6 As to that -- finally, as to that role
7 of the independent expenditures, obviously there
8 are significant constitutional issues that you will
9 have to grapple with, both in any effort to close
10 down independent expenditures or to punish an
11 incumbent or a candidate who receives a positive
12 independent expenditure. Because in many cases
13 that candidate may not have sought that independent
14 expenditure. It is being done -- could very easily
15 be done not in a way that benefits that candidate.

16 Imagine, if you will, where the person
17 or organization conducting the independent
18 expenditure is really conducting it in such a way
19 as to ingratiate themselves to that candidate,
20 buying an ad or sending out a mailing. It is
21 certainly not necessarily the way that the
22 candidate would use those funds. They may be used
23 in ways that are actually counterproductive to the
24 success of that candidate who is being benefitted.

1 So if you give a one to one dollar
2 benefit to the opponent for something that the
3 incumbent has -- or something that the beneficiary
4 of the independent expenditure has received, when,
5 in fact, it is not clear at all that that benefit
6 accrued to the beneficiary in the way or to the
7 dollar extent that it was.

8 So I would caution you as you explore
9 independent expenditures, first off the
10 constitutional issue, which will prohibit you
11 probably from making significant changes. And then
12 as you try to address what was perceived to be, and
13 may very well be a problem, and that is, what do
14 you do for independent expenditures that are only
15 in the positive? Just remember that if they're
16 done right and they are truly independent, they are
17 done in coordination, then they can't -- then the
18 person who is benefitting can't be held
19 responsible, certainly not to the extent of the
20 full dollar for dollar.

21 The last piece, also on independent
22 expenditure, is much like that of the leadership
23 committee with one change. And that is the way the
24 independent expenditure reporting works, in fact,

1 it's very clear who the independent expenditure was
2 -- who the beneficiary was because the organization
3 conducting the independent expenditures has to file
4 a supplemental report that says, "This expenditure
5 was for the benefit of Candidate X."

6 The problem is there's almost no
7 mechanism for the public, for the media, other than
8 for someone to call a reporter and tell them where
9 to look. That it is extraordinarily hard to
10 identify when those independent expenditures are
11 taking place. Because you would have to go through
12 every single report, looking for the needle in the
13 haystack, where an independent expenditure took
14 place.

15 So, again, I would suggest that both
16 the website and the report be set up in such a way
17 that when an organization conducts an independent
18 expenditure and files a report to reflect that
19 independent expenditure, that front and center on
20 that report is the identification that an
21 independent expenditure has been made, causing that
22 report to be created, who the beneficiary is up
23 front, so that one would only need to actually look
24 at the cover page, rather than go page by page by

1 page trying to look for some sign that an
2 independent expenditure took place.

3 And I think in this day and age on the
4 website as well that when an independent
5 expenditure has been identified, it needs to be
6 readily available to the public and to the media
7 and to the candidates who are looking at that.

8 I do have a variety of other very
9 practical issues and things that I saw with
10 individual candidates. And, again, we will submit
11 those in writing. But most importantly wanted to
12 congratulate you on a job that undoubtedly will be
13 looked upon years from now as having really been
14 the moment of change in our State's history, so
15 thank you for that.

16 MR. CASHMAN: Thank you very much, Mr.
17 Pelto. We very much appreciate your comments and
18 your presentation is very helpful and one we will
19 look at carefully and look forward to your other
20 suggestions in writing. Thank you ver much.

21 MS. ROTMAN: Thank you.

22 MR. PELTO: Thank you.

23 MR. GARFIELD: Break time.

24 MS. ROTMAN: Yeah, why don't we take a

1 short break now.

2 MR. CASHMAN: We're going to take a
3 short recess now, only for about five minutes or
4 so, and then we're going to come back. If anybody
5 came in after we began and wishes to testify that
6 hasn't yet signed up, you can sign up over here and
7 we only have a few more speakers, so there will be
8 plenty of time for anybody who wants to speak that
9 who has not yet signed up. So we'll take about a
10 five-minute recess and we'll be back very shortly.
11 Thank you.

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

14 MR. CASHMAN: We do have a couple more
15 speakers who have signed up. If anybody wishes to
16 speak, there is still the availability of sign-up
17 over here to my left. Jeff, who's next?

18 MR. GARFIELD: Okay. The next
19 scheduled speaker is Martin Mador. Is he still
20 here? I guess he's not. So then we'll go to Karen
21 Hobart Flynn, the Vice President of Common Cause.
22 Great to see you, Karen.

23 (Karen Hobart Flynn, Vice President,
24 Common Cause of Connecticut.)

1 MS. HOBART FLYNN: Hi, Everyone.
2 (Inaudible.) -- National Office of Common Cause.
3 I work with our State Chapters all over the
4 country, but I have spent many years working up
5 here for Common Cause in Connecticut, both as
6 Executive Director and then Chair of Common Cause
7 in Connecticut, when we were one of the groups that
8 worked to pass the Clean Elections Program that we
9 are talking about today.

10 And we are a non-partisan, non-profit
11 group that works to improve the way government
12 operates and we are very pleased to be here today
13 to talk about this new program.

14 I have submitted written testimony,
15 which you should all have, I just brought it here
16 with me today; and I would like to just highlight a
17 few of the issues that I raise there and also talk
18 about a few things that I heard today because I
19 think it is really important that we solicit as
20 much input from people who participated in the
21 program to figure out what works and what doesn't.

22 Talking to a number of people who
23 worked to implement the Maine Clean Election
24 Program up there, one person said to me that doing

1 this work is like having a baby. You think you're
2 done; and the fact is, you have to continually keep
3 an eye on it and work and change and modify as it
4 continues to grow.

5 And so this by no means is going to be
6 perfect program, but I think that it is really an
7 extraordinary reform and I am very proud to have
8 worked on this and also that we have had such, I
9 believe, unqualified success in its first year.

10 I liked the idea that Senator DeFronzo
11 raised about having focus groups to have candidates
12 come in and talk about their perspective. And I
13 think that it could be very helpful with a lot of
14 reporting rules and looking at some of the rules
15 that we set up, including things like thank-you
16 notes. I think that kind of input could be really
17 helpful. I also think that we need to take a lot
18 of those comments and try and look at where we have
19 been historically and the revolutionary way we have
20 changed elections in Connecticut.

21 Because I think that this first year
22 was going to be the hardest for candidates,
23 particularly those who have run before because the
24 old way of raising money for races has completely

1 changed. The -- when we passed this law, it wasn't
2 just about setting up a new program, a new
3 voluntary program, to run -- to qualify and get
4 resources to run for office; we also did a number
5 of other things.

6 Lobbyists' contributions were banned.
7 State contractor contributions were also
8 prohibited. Legislators could only have -- two or
9 more person PAC's could only be limited to one PAC.
10 Many -- we don't allow add book contributions any
11 longer.

12 So more than 100 PAC's terminated
13 their organizations and I am sure the number was
14 higher than that, I just remember seeing a Journal
15 Inquirer article by Keith Fanop (phonetic) on that,
16 several hundred PAC's opted not to re-register, so
17 the entire political landscape changed. And it's a
18 huge adjustment for candidates who are used to
19 raising money from PAC's and lobbyists and others
20 in larger chunks to switch to a model that is
21 focused on getting many small contributions from
22 individuals.

23 We don't allow them to raise money
24 from lobbyists or PAC's in their qualifying

1 contributions and so it represents a sea change and
2 it will be much harder. It's also about adjusting
3 to new reporting guidelines. And I think those
4 things -- those kinds of adjustments are difficult.

5 I think it was helpful when Senator
6 DeFronzo and Representative Caruso and Phil
7 Sherwood also talked about the reason that we did
8 this kind of reform and I think it's important to
9 remember the unprecedented scandals that we had in
10 Connecticut where we had a series of scandals from
11 1999 through 2005 where a state treasurer, several
12 of his friends and family, the Mayor of Bridgeport,
13 the Governor, several of his aides, state
14 contractors, a state senator either pled guilty or
15 were convicted of corruption that involved illegal
16 contributions or kickbacks to elected officials.

17 And although each case was very
18 different, they were classic pay to play scandals
19 that really eroded public trust in government. And
20 we believe that the kind of reform that you passed
21 changes the emphasis and gives candidates an
22 opportunity to run for office without having to
23 rely on special interest contributions.

24 And we are enormously proud of the

1 work that the legislature and the Governor did to
2 pass the strongest set of campaign finance reform
3 and they did it through the legislative process. I
4 also want to commend this agency for the tremendous
5 work to set this program up in record time.

6 Jeff Garfield did tremendous work with
7 his staff and Joan and others. I would also like
8 to commend him for bringing someone with
9 significant expertise, which I think was a pivotal
10 piece of getting this thing up and running and that
11 was bringing in Beth Rotman, who had significant
12 experience with the widely acclaimed New York City
13 public financing program.

14 Her attention to detail. She's one of
15 the few people I know that lives and breathes this
16 stuff and thinks about the details of reporting.
17 That kind of thing is critical to this kind of
18 program and I attribute much of the success to her
19 hard work on this.

20 We -- from the perspective of
21 reformers who fought to pass this, we believe that
22 this has been an unqualified success. People have
23 talked about the broad participation, Republicans
24 and Democrats and minor party candidates running

1 under this system.

2 And, you know, 75 percent running
3 under this program is really something else. When
4 you compare it to Arizona's public financing system
5 in 2000, its first year, they had 25 percent of
6 legislative candidates participated in the primary
7 and only 14 percent in the General Election in its
8 first year. In Maine, 33 percent of legislative
9 candidates ran under the program.

10 Since then, their percentage rates
11 have gone up significantly. And in Maine, 81
12 percent of their candidates ran in the most recent
13 election and roughly two-thirds of eligible
14 candidates ran in Arizona's program. So those
15 systems are up and running, but we've gotten off to
16 a really incredible start with this program.

17 From our perspective, there are a
18 number of things that we're going to have to look
19 at and I think Jonathan Pelto's warning that we
20 need to take time to assess what the results of
21 this kind of reform are going to be, I think is
22 completely right. And I think that we are going to
23 need to look at a number of things, not just
24 incumbent reelection rates, but I think we're going

1 to need to look at competitiveness and whether the
2 races have narrowed in terms of their candidate's
3 abilities to run.

4 I think that there are going to be
5 political scientists, because I have met some at
6 conferences that like to quiz those of us that
7 worked to pass this reform, they're going to be
8 looking at candidate emergents to see if people who
9 had never thought about running and never had
10 access to resources are going to be running. Are
11 we going to see people from under-represented
12 constituencies running for office for the first
13 time? Those are the kinds of studies they're going
14 to look at.

15 We're going to look -- there are going
16 to be political scientists looking at candidate
17 attitudes regarding governing, once they have been
18 elected under the system. Has it changed for them
19 because they don't have to court lobbyist's
20 contributions and they can -- they can vote and get
21 involved in legislation in a way and not feel like
22 they are beholden to anybody that's given money.

23 And another thing that I think that
24 Michael Malbin from the Campaign Financing

1 Institute is going to be looking at is the role of
2 small donors in this. And this, I believe, we are
3 going to find that, you know, not only do we want
4 to see broader participation in the electoral
5 system from candidates, but we will also want to
6 see more participation from those who contribute
7 and volunteer in campaigns.

8 The -- there was a group called the
9 Clean Elections Institute in Arizona that did a
10 study; and one of the things that they found was
11 that the Clean Election System in Arizona greatly
12 expanded the universe of contributors by increasing
13 the number of people who contribute to campaigns
14 and also they saw that there was geographic,
15 economic and ethnic diversity in those who gave.

16 Money wasn't just coming from the
17 wealthy few. They were seeing people from rural
18 areas giving that had never really given before,
19 from households with lower medium incomes and also
20 significant ethnic diversity in people who gave.

21 And I think as we have seen the
22 explosion at the national level with Obama's
23 running for office, where there were three million
24 individuals that gave small contributions, looking

1 at small donor democracy is an exciting new
2 development and I think a very positive development
3 that we're also going to see here in Connecticut.

4 Being an advocate, I always have
5 recommendations for reforms or tweaks; and I think
6 some of those that were suggested earlier by others
7 are important and Common Cause. You know, I know
8 that there are some things that you can look at in
9 terms of your rule making, but a lot of this is
10 going to be up to the General Assembly to decide,
11 but I -- but there are a couple of things that
12 Common Cause has on its list and we will be also
13 taking a look at campaign reports to look at
14 organizational expenditures, looking at exploratory
15 committees and just trying to interview as many
16 candidates as possible, to get their input about
17 things that they need as we look at our legislative
18 agenda.

19 But some things that we would like to
20 see as Common Cause is lowering the financial
21 threshold for electronic campaign filing of
22 reports. It should be lower than just \$250,000.
23 We would like to see -- and I think it would ease a
24 candidate's experience and also help the public be

1 able to see the records a little easier, if we were
2 to switch to all electronic filing.

3 Most public financing systems have
4 mandatory electronic filing and that's something we
5 would like to see. We also are concerned about the
6 independent expenditure issue. As you know, and I
7 know that this is something that you talked about,
8 but currently the Citizens' Election Program
9 matches negative independent expenditures, but not
10 those spent on behalf of a candidate and I do think
11 that it could put candidates at a disadvantage.

12 I don't think that we saw this as a
13 widespread problem in 2008, but I do think that it
14 has the potential of becoming a problem and perhaps
15 decreasing participation in the program and so it's
16 important to take a look at that.

17 I also think that some of the
18 suggestions that Senator DeFronzo made about
19 earlier deadlines for filling a candidate vacancy
20 is an important thing to look at. It's a careful
21 balance about, you know, disrupting other campaigns
22 and having them give back a contribution, those are
23 things that I think make sense to look at.

24 And I also -- I think we have come a

1 long way in the system; but as an advocate, I know
2 the Center for Governmental Studies, we worked with
3 closely, I think they have given Connecticut a
4 D-plus, which they come up and give me a hard time
5 about when I see them, the State of Connecticut,
6 and I think that we need to continue to push to
7 have a system where we could not just have scanned
8 reports, but a data base that people could take a
9 look at and so would like to see an improvement in
10 that area, too. Thank you.

11 MR. CASHMAN: With respect to your
12 comments about the lowering the threshold for
13 electronic filing, you're preaching to the choir
14 here. That proposal has been submitted by this
15 Commission in the last couple of years. It will be
16 again. That is a legislative issue that we are
17 trying to deal with, as well.

18 MS. HOBART FLYNN: Right.

19 MR. CASHMAN: And as well as, you
20 know, the independent expenditures, that's
21 something, again, that we talked about earlier this
22 morning. That seems to be something which there is
23 -- now appears to be widespread agreement on. We
24 were simply constrained by the language of the

1 statute as it was presented to us.

2 MS. HOBART FLYNN: Right. Right.

3 MR. CASHMAN: Any other questions or
4 comments?

5 MR. GARFIELD: Just a quick comment.
6 Again, Karen, I just would like to publically thank
7 you and the members of Common Cause for all of the
8 hard work in bringing about this legislation and
9 not only bringing it about, but in supporting the
10 legislation and the agency throughout the first
11 year, so I really thank you for that.

12 And I would like to assure you that
13 steps are now being taken. We did have a very
14 labor intensive year, a challenging year. But
15 steps are being taken as we speak to create the
16 kind of data base that you're requesting and we
17 expect that to be done in the early part of '09 and
18 further enhancements to eCRIS as we go along.

19 We're also putting groups together,
20 treasurers, Mann is leading the charge and Dianna,
21 putting together focus groups for treasurers to see
22 how they enjoyed the eCRIS experience and will be
23 doing enhancements from there. So thanks for all
24 of your input and support and we look forward to

1 working with you in '09.

2 MS. HOBART FLYNN: Great. Thanks.

3 MS. ROTMAN: I have -- just one
4 comment I will add, just because it may not be
5 something -- I'm sure the Commission knows, but not
6 everybody knows, that -- and you were modest about
7 it, but Common Cause played a big role in education
8 and outreach in this first cycle and undoubtedly
9 contributed to the 75 percent participation rate by
10 really getting out there early with the basic
11 information.

12 And while we at the Commission did the
13 sort of details, this is everything you have to do,
14 Common Cause, and I believe also together with
15 other good government groups, not to slight them,
16 did a lot of work on that very early on, starting
17 from around two years ago when I first got here.
18 And that played a big role in getting us to that 75
19 percent participation number.

20 So just thank you for that. It's
21 something that probably not everybody in the room
22 knows that you did and you were modest about it
23 just now, so I just wanted to share that.

24 MS. HOBART FLYNN: Well, thank you.

1 And, actually, Kim Hynes is one of our organizers
2 that did dozens of these basic trainings about the
3 opportunity of the public financing system. So
4 thank you for that.

5 MR. CASHMAN: Thank you very much. Is
6 there anybody else who wishes to address the
7 Commission? Sir?

8 MR. GARFIELD: Tom?

9 MR. CARUSELLO: Yes.

10 MR. GARFIELD: Tom Carusello from the
11 AFL-CIO.

12 (Thomas Carusello, Political Director,
13 Connecticut AFL-CIO.)

14 MR. CASHMAN: Good afternoon.

15 MR. CARUSELLO: Good afternoon.

16 Members of the Commission, my name is Tom
17 Carusello. I'm the Political Director of the
18 Connecticut AFL-CIO. We represent over 200,000
19 working men and women in the State of Connecticut.
20 We have been long proponents of public financing.
21 I have been ordered to testify in favor of this
22 bill many times in the past and I want to
23 congratulate you on implementing a law which I
24 think has worked as good as can possibly been

1 expected to in the first go around.

2 Now, after all that praise, let's talk
3 about where the problems lie. And, again, I really
4 want to thank you for the law. It seems to have
5 done what it was supposed to do.

6 A good friend of mine ran a primary
7 this year in the Town of Wolcott and I worked as a
8 volunteer on her campaign and we found out here
9 right off the bat, first time out of the shoot,
10 that there was going to be some problems with the
11 law concerning the independent expenditures.

12 I know that you have heard this before
13 during the course of the day here. I understand
14 that, you know, you realize the problems here, but
15 let me just add my voice to say that if the issue
16 of independent expenditures is not dealt with, it
17 will undermine this law. This law will at some
18 point become pointless, if we don't deal with the
19 problem of independent expenditures, whether they
20 be negative in nature or positive in nature.

21 The group that started in the primary
22 in Wolcott and Southington, now extended to four or
23 five groups including at least one union who have
24 done independent expenditures in different races,

1 and I can tell you that as we get closer to the
2 Governor's race, I know for a fact that there are
3 people already figuring out how they are going to
4 do independent expenditures in 2010 for the
5 Governor and other statewide races. So this is
6 certainly an issue that will change the nature of
7 this law that you worked so hard to craft, that
8 legislature worked hard for a number of years to
9 get passed; and I would like to see continue where
10 it should go.

11 The other problem I think in terms of
12 primaries is that you raise -- the candidate raised
13 \$5,000 and then gets \$10,000 from the Citizens'
14 Election Fund. And that in terms of primaries just
15 -- I mean, I understand it's not a general
16 election, but it's not in today's world all that
17 much money. So you raise \$5,000 and you get
18 \$10,000.

19 A candidate who wanted to stay outside
20 the system, for instance, could probably raise
21 \$10,000, a credible candidate, much quicker than
22 they can go get the signatures -- I mean the small
23 contributions that are required from the -- just to
24 get into the system.

1 Now I understand that the nature of
2 being in the system is better because it's a
3 campaign issue, if you're not in it. But to get
4 \$10,000 after raising \$5,000 for a total \$15,000 is
5 just not that much money. And what we found --
6 again, I was a volunteer on this campaign. What we
7 found in this campaign was that at the end of the
8 campaign, when the independent expenditure happened
9 for the other candidate, there was no money to
10 respond to that at all because the money had been
11 allotted. It was only \$15,000 to start with.

12 There truly is a significant
13 difference between the amount of money you get in a
14 general election than the amount of money you get
15 in a primary. And in that particular district, if
16 there had been about 200 more Democrats, it would
17 have been a majority Democrat district and the
18 candidate would have gotten the full general
19 election grant.

20 MR. GARFIELD: Party dominant is what
21 --

22 MR. CARUSELLO: Yeah, party dominant.
23 Right. And so the grant would have been much
24 different for just 200 or so more Democrats in that

1 district, so I think it's something that really
2 needs to be looked at.

3 I was running a campaign two years
4 prior against an incumbent. And, again, we heard
5 about the power of incumbency we heard today,
6 trying to -- spending \$15,000 to take out an
7 incumbent. You know, it's just not that easy to
8 do. We had a credible candidate two years earlier
9 in the 73rd Representative District in Waterbury
10 and we came within 40 votes in that race, but it
11 cost us \$31,000 to do it. So I just think, you
12 know, to run a credible campaign, you need more
13 than \$15,000.

14 Interestingly enough, though, Mike
15 Telesca, whom I know well, Waterbury is the Center
16 of the Universe sometimes. It really is. The
17 other part of this is that when you took a look at
18 the campaign that actually happened this year in
19 Wolcott and in Southington, it started out with a
20 couple of days after the candidate who I was
21 working for was actually certified to be on the
22 ballot, not to get the -- not to qualify for the
23 grant, but a couple of days after the candidate was
24 certified to be on the ballot, that week there were

1 two mailings of frank mail from the incumbent in
2 the first week that the candidate was certified.

3 So I know that there is a law on the
4 books about frank mail in a certain time prior to a
5 general election. I just think that it needs to be
6 looked at in terms of the primary. Because what we
7 saw in this campaign was two full mailings to the
8 entire district happened prior to any of that
9 \$15,000 from the incumbent being spent. So that
10 was -- in my -- because it's taxpayer money, it's
11 kind of like that was the Citizens' Election Fund,
12 too, paying for more mailing.

13 So we ended up in this campaign for
14 the incumbent had two pieces of frank mail at the
15 beginning, \$15,000 from the Citizens' Election Fund
16 and then an independent expenditure at the end. So
17 the fact that this challenger came within 74 votes
18 I thought was a pretty good campaign. Just a few
19 things I think you need to take a look at.

20 MR. GARFIELD: Thank you.

21 MR. CASHMAN: Go ahead.

22 MR. GARFIELD: Thank you, Tom, for
23 your testimony and your thoughts. And I think you
24 have been in and out of the room, but the Chairman

1 has mentioned that with regard to the independent
2 expenditure issue, I think you can expect that the
3 Commission -- I know you can expect that the
4 Commission will be pushing legislation to provide
5 supplemental grant money for independent
6 expenditures that are positive.

7 I don't know if you heard the
8 testimony that Jonathan Peltó gave, but Jonathan
9 also saw that as an issue, but had a kind of a
10 different take on it. Because independent
11 expenditures by their nature are not coordinated,
12 the candidate who benefits from them doesn't
13 necessarily want that speech, depending upon who is
14 doing the speaking.

15 MR. CARUSELLO: Hmm-hmm.

16 MR. GARFIELD: And Jonathan suggested
17 that they shouldn't be compensated, the positive
18 independent expenditure shouldn't be compensated at
19 a dollar per dollar match. How do you feel about
20 that?

21 MR. CARUSELLO: Well, actually, this
22 is the first I have heard of that. I was actually
23 out of the room. I had to go back to my office and
24 come back here. I came back just for this.

1 I haven't thought about it, but I know
2 that this year at a time when -- certainly in a
3 primary, when you're only starting -- when you only
4 had \$15,000, for it not to be compensated dollar
5 for dollar I think would have been a problem this
6 year. It was a fairly substantial -- it was done
7 -- it was more than one mailing that was done on
8 behalf of the candidate. So at the moment, without
9 further thoughts on it, I would have to go with the
10 -- I would stick with the dollar for dollar.

11 MR. GARFIELD: Stick with the dollar
12 for dollar?

13 MR. CARUSELLO: Hmm-hmm.

14 MR. GARFIELD: I understand your point
15 on the primary grants. Obviously, you know, I
16 think that it's a fiscal issue, obviously in this
17 difficult environment that we find ourselves in the
18 State. But the frank mail issue is intriguing. Of
19 course, you probably know this, but the ability for
20 the incumbent to mail until the first week in July
21 is a legislative rule.

22 MR. CARUSELLO: Right.

23 MR. GARFIELD: And so we don't control
24 that. It's a joint rule and it's something that

1 they would have to take upon themselves to limit.
2 And, you know, so that's the challenge.

3 MR. CARUSELLO: Hmm-hmm. Well, it's
4 certainly -- I think it's something that needs to
5 be -- the issue needs to be raised. Because, I
6 mean, right out of the shoot, we saw this and we
7 were like, "How is this happening?" And then I
8 realized that it was frank mail. And unlike 20
9 years ago, frank mail was, you know, a white piece
10 of paper with a survey on it. Right? And now it's
11 -- now it's as glossy and as classy as a well-paid
12 campaign piece and that's what they are now. They
13 are just campaign pieces. So it's kind of a
14 different animal than it used to be 20 years ago.

15 MR. GARFIELD: Hmm-hmm.

16 MR. CARUSELLO: Anyway, those are my
17 thoughts. But, again, good law. Ought to pass.

18 MR. GARFIELD: Did pass.

19 MR. CARUSELLO: Did pass.

20 MR. GARFIELD: Ought to stick.

21 MS. ROTMAN: I will just share
22 briefly, and Tom and I have had some conversations
23 about this in the past, that there are certain
24 things, like the franking privileges or other

1 issues, too, that while they weren't part of the
2 changes of the sweeping campaign finance reform
3 that we're talking about, some of the impacts may
4 feel differently to candidates because -- they feel
5 different because so many candidates are in the
6 program.

7 And I think it is something that is
8 all part of this Commission's review. Because
9 while many, many areas were covered, I think it's
10 all something that we have to think about now in
11 the context of the Citizens' Election Program and
12 the fact that so many candidates are using it. So
13 thank you for that.

14 MR. CARUSELLO: And thank you.

15 MR. GARFIELD: Thank you, Tom.

16 MR. CASHMAN: Thank you very much.

17 MR. GARFIELD: I understand Martin
18 Mador is here.

19 (Martin Mador, Campaign Treasurer for
20 State Representative Mary Mushinsky.)

21 MR. MADOR: Good afternoon. I am
22 Martin Mador. I am here talking to you I guess in
23 two capacities; one is as a campaign treasurer and
24 the other as the Political Chair of the Sierra

1 Club, which is a C-4 organization in endorsements
2 this year and was also subject to your regulations.
3 And I have to say I have been here many times
4 talking to people. I have never, ever had an
5 appointment to do this, so I am overwhelmed.

6 I should also say -- I am tempted to
7 say some complimentary things, but there's a rule
8 which is, "You should never name a building after a
9 living person because as long as they are alive,
10 they have the potential to embarrass you." Well,
11 my campaign is still alive until I file the
12 termination report and possibly go through an
13 audit, so this may be a little bit ill-advised to
14 do this.

15 But let me start off by saying that
16 all of my encounters with SEC staff, in both of my
17 capacities, were positive and helpful; and I really
18 have nothing but praise for the way you have run
19 this operation this year. And I understand that a
20 lot of the rules were getting written as we went
21 along, so it was a little -- so I am sure it was a
22 little bit difficult for you folks, as well.

23 I had a little question about the
24 timeliness of some answers, particularly with

1 regards to the Sierra Club activities, that the
2 answers may have taken a couple of weeks to come
3 back and that was a little discomfoting for me
4 since I really didn't want to do something without
5 some explicit reassurance that what I was about to
6 do was really within the SEC's guidelines, but
7 overall all of the staff I dealt with were helpful.

8 They clearly wanted to make this right
9 and to work with us, so I really have to give you a
10 lot of praise for doing that and I can only hope
11 that won't come back to bite me in the coming
12 months.

13 Let me give you a few quick ideas. In
14 general, as a citizen, as a voter and as an
15 advocate for good government, I think the campaign
16 finance law is extraordinary and the legislature
17 gets a lot of credit for passing this. As a
18 campaign treasurer, I have some very mixed feelings
19 about what it has done to my life, so I have
20 developed some schizophrenia about this.

21 But on the whole, I think it was a
22 great law. I think the State implemented it pretty
23 well. And I would certainly say that now we're on
24 the backside of the election, this really was a

1 success. And even if I -- I was Mary Mushinsky's
2 campaign treasurer. Mary had not had an opponent
3 in the last couple of elections. We did have an
4 opponent this year, so life was a little tougher,
5 but I guess that is just something you have to live
6 with.

7 Most of my thoughts really go to my
8 experience with the Sierra Club as a C-4. I wish
9 there had been a more comprehensive document that
10 really could have told me exactly what we were
11 doing. We had the opinion 2007-12 and 2008-01, the
12 first one for answers to questions submitted by
13 Betty Gallo and the second, questions submitted by
14 the League of Conservation Voters.

15 Both of those documents were
16 exceedingly helpful in telling me what I could do
17 and what I couldn't do. I really do hope for the
18 next cycle you will prepare a comprehensive
19 document for C-4 organizations, really telling us
20 what we could do. There were questions.

21 What can -- when we interview a
22 candidate looking towards an endorsement, what can
23 we talk to them about at the interview? If we ask
24 them questions at the interview about how their

1 campaign was going, is that considered a
2 coordinated conversation? Once we did an
3 endorsement, what could we say to whom and when
4 could we say it?

5 In the end, we were told that we could
6 take the endorsements, we could not send them to
7 the candidate directly, but if we had a website
8 that we used for regular announcements, we could
9 put the endorsement on our website, even though the
10 website was accessible by the general public and
11 not just our membership.

12 The advice we got from SEC was clear
13 and there was no problem following it, but for the
14 next cycle, it would be immensely helpful to have
15 an overall guidance document that really explained
16 to us what we could do and what we couldn't, you
17 know, do.

18 Clearly communications with our
19 membership was protected and there were no really
20 effective restrictions on that. But my fear was
21 that something that we had done would somehow or
22 other become public otherwise and I really needed
23 to know what the boundaries were.

24 If a reporter got wind that the Sierra

1 Club had done endorsements, what am I allowed to
2 say to a reporter, knowing that this is going to
3 appear in a public news story? Some guidance up
4 front about that would be exceptionally helpful to
5 have. What is considered coordination with a
6 candidate? What am I allowed to talk to them
7 about? Particularly in terms of the endorsement.

8 Now Sierra also has a PAC. We didn't
9 raise money through the PAC, so there was a whole
10 set of activities we might have been involved in,
11 which we didn't do, so I don't have any comments on
12 how that worked. I am not entirely clear what
13 difference having a PAC actually made to what we
14 did in terms of the endorsements. We had it, but
15 we didn't use it. I am not sure what difference it
16 would have made, if we didn't have a PAC at all.
17 And that's something that I certainly would like to
18 get clarified in the next election cycle.

19 And then, again, perhaps the most
20 important thing, what steps do I have to take to
21 make sure that what we do does not go to people
22 beyond the Sierra Club membership in the State.
23 That is probably the largest area that I had some
24 questions about.

1 So comprehensive guidance,
2 clarification of the roles of C-4's and the
3 associated PAC would be immensely helpful for the
4 next time. But, as I said, I am very pleased with
5 how things went and I would love to sit here and
6 give you some criticism, but I don't have any.

7 MR. CASHMAN: Thank you very much for
8 that. We do appreciate your comments and we will
9 do our best to address your concerns prior to the
10 next cycle. As you know, I mean, should you have
11 specific questions, though, you can ask. You know,
12 in writing typically is best. And we will try to
13 provide, you know, written responses as quickly as
14 possible to very specific questions that may just
15 relate to your organization.

16 MR. MADOR: Right. And I will
17 certainly do that. Although my hopes in the next
18 election cycle is you will have some sort of
19 comprehensive document for C-4's prepared that may
20 answer all of my questions before I figure out what
21 they are.

22 MR. GARFIELD: We'll do our best.

23 MR. CASHMAN: Anything else?

24 (No response.)

1 MR. CASHMAN: Thank you very much.

2 MR. GARFIELD: Thank you.

3 MR. CASHMAN: Is there anyone else who
4 wishes to speak? Well if not, thank you very much
5 for coming. We will have another public hearing on
6 December 5th beginning at nine o'clock in the
7 morning. It will be in this building. The room
8 will be announced.

9 There are a series of speakers that
10 have already signed up that couldn't be here today
11 that will be here on December 5th. Everybody here
12 is welcome to attend again. And, again, thank you
13 very much for coming. We appreciate your comments
14 and we will take them under advisement. Thank you.

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