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April 7, 2016

The Honorable Ben Allen
State Capitol, Room 2054
Sacramento, CA 95814

RE: Senate Bill 1107 – Accountable Elections – SUPPORT

Dear Senator Allen,

On behalf of California Common Cause and our members, I am writing with a letter of support for Senate Bill 1107, which would restore control to local governments and the state to enact new options for election campaign funding. Thank you for your leadership on this bill.

Voters are increasingly concerned about political mega-donors in our elections. According to recent polls, 76% of Americans say money has a greater role on politics than in the past,¹ 83% think that money has too much influence in American political campaigns today,² and 87% believe that campaign finance should be reformed so that a rich person does not have more influence than a person without money.³

To address voters' concerns, governments are increasingly considering new approaches to campaign financing. In November 2015, voters in Maine and Seattle approved ballot measures that put power back into the hands of voters and small donors. In Maine, 55% of voters approved strengthening that state's Clean Elections Act, which provides public funds to candidates for state office. In Seattle, 63% of voters approved creating a program to offer public financing for local candidates.

In fact, six California cities *already* had laws similar to those recently approved by voters in Maine and Seattle. Los Angeles, San Francisco, Sacramento, Long Beach, Oakland, and Richmond offer limited public funds to match small campaign donations. These laws amplify the voices of everyday Californians who make small contributions and provide candidates with an alternative to relying on large donors.

Unfortunately, such programs are currently prohibited in other California jurisdictions. Unlike charter cities, state law bans counties, districts, general law cities, and the state from offering public campaign funds, under a provision enacted by Proposition 73, a 1988 initiative that toughened election laws.

Much has changed since 1988 when it comes to campaign finance. Voters in 1988 could have not envisioned the multi-million dollar SuperPACs that exist in 2016. It is time for the Legislature and voters to bring our campaign finance laws into the 21st century.

SB 1107 would remove the ban on voluntary public campaign financing programs. Because the ban was originally instituted by ballot initiative, the bill would refer the issue to the ballot for voters' approval.

SB 1107 *would not* create a public financing program or require any government to offer public financing. It would not spend any public funds or raise any taxes or fees. It would simply remove the ban and permit local governments or the state, if they so choose, to enact laws that create public financing programs. By removing the ban, local governments would have the flexibility to tailor policies to local

concerns and conditions, while requiring basic protections for fairness and accountability. Governments would not be required to take any action: SB 1107 would simply restore local control to decide.

Studies of existing public financing programs have found they reduce the need to fundraise while increasing the diversity of donors. A 2006 study for the San Francisco Ethics Commission found that the city's public financing program "reduces fundraising pressures on candidates, and that this most likely means that candidates have more time to spend discussing issues."⁴ A 2012 study by the Brennan Center for Justice and the Campaign Finance Institute of New York City's public financing system found that it "help[s] bring participants into the political process who traditionally are less likely to be active" and "gives candidates an incentive to reach out to a broader and more diverse array of constituents," thus "strengthening the connections between public officials and their constituents."⁵

SB 1107 also includes two other commonsense reforms to increase the accountability of our elections:

Prohibits foreign contributions to state and local candidates: Currently, foreign corporations and governments may not donate to ballot measure campaigns, but current law does not ban contributions to candidates. SB 1107 would extend the ban to prohibit foreign corporations and governments from donating to state or local candidates, enforceable by the state Fair Political Practices Commission.⁶

Winds down campaign funds of convicted officials: Under current law, if an elected official is convicted of a felony that includes the abuse of their office, such as bribery or embezzlement, they are disqualified from running for office again. In these rare but serious cases, SB 1107 would require the convicted official to return any unused campaign funds to donors or pay past debts, and forfeit any surplus funds after six months to the state's general fund. (Legal defense funds would not be affected.)

For these reasons, California Common Cause strongly supports SB 1107 and we urge its expeditious passage. Please contact me at nheidorn@commoncause.org or (916) 443-1792 if you have any questions.

Sincerely,



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California Common Cause



Gavin R. Baker
Open Government Program Manager
California Common Cause

¹ Pew Research Center, "Beyond Distrust: How Americans View Their Government," Nov. 23, 2015, <http://www.people-press.org/2015/11/23/6-perceptions-of-elected-officials-and-the-role-of-money-in-politics/>.

² "Americans' Views on Money in Politics," *The New York Times*, June 2, 2015, <http://www.nytimes.com/interactive/2015/06/02/us/politics/money-in-politics-poll.html>.

³ Greg Stohr, "Bloomberg Poll: Americans Want Supreme Court to Turn Off Political Spending Spigot," *Bloomberg Politics*, Sept. 28, 2015, <http://www.bloomberg.com/politics/articles/2015-09-28/bloomberg-poll-americans-want-supreme-court-to-turn-off-political-spending-spigot>.

⁴ "Evaluating San Francisco's Partial Public Campaign Funding Program After Two Elections," May 12, 2016, http://www.sfgov3.org/ftp/archive/agencies/ethics/www.sfgov.org/site/uploadedfiles/ethics/campaign_finance/Goldman_School_report_5_06.pdf.

⁵ Brennan Center for Justice and Campaign Finance Institute, *Donor Diversity Through Public Matching Funds*, 2012, http://www.brennancenter.org/sites/default/files/legacy/publications/DonorDiversityReport_WEB.PDF.

⁶ Federal law already prohibits campaign contributions by foreign nationals to state and local candidates; see 52 U.S.C. § 30121. By adding this provision to state law, SB 1107 would enable state enforcement of the prohibition.