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Lawmakers Tell Lobbyists to Do as We Say, Not as We Do

Published March 5th, 2010 5 Comments

Lawmakers placed Proposition 15 on the June ballot. They titled it the “California Fair Elections Act of 2008.”

The measure requires lobbyists and their employers – irrespective of whether they work for private sector entities or local government – to pay an annual \$350 fee that would be used to offer public financing for candidates for Secretary of State, who licenses lobbyists, among other professions.

To use these funds – some \$6 million every four years – a candidate would need to get the signatures of 7,500 registered voters and have each contribute \$5.

The state’s 1,239 lobbyists, 383 lobbying firms and 3,153 lobbyist employers object to being singled out to pay for this test run of public financing of political campaigns for two election cycles.

Among other things the proposition says:

“The current campaign finance system burdens candidates with the incessant rigors of fundraising and thus decreases the time available to carry out their public responsibilities.

“The current campaign finance system diminishes the free speech rights of non-wealthy voters and candidates whose voices are drowned out by those who can afford to monopolize the arena of paid political communications.

“The current campaign finance system fuels the public perception of corruption at worst and conflict of interest at best and undermines public confidence in the democratic process and democratic institutions.

“Existing term limits place a greater demand on fundraising for the next election even for elected officials in safe seats.

“The current campaign finance system undermines the First Amendment right of voters and candidates to be heard in the political process, undermines the First Amendment right of voters to hear all candidates’ speech, and undermines the core First Amendment value of open and robust debate in the political process.

And:

“Citizens want to ensure the integrity of California’s system of electronically reporting lobbyist contributions and the integrity of future Secretaries of State to administer lobbyist disclosure programs. Voters would like the opportunity to elect a Secretary of State who has not accepted any contributions from entities or individuals that employ lobbyists.”

(Editor's Note: Isn't that the source of the "public financing?" Lobbyists and their employers?)

The author of the 2008 legislation that became Proposition 15, AB 583, is Sen. Loni Hancock, a Berkeley Democrat.

Hancock is holding a March 24 lunch fundraiser at Chops Steakhouse just across the street from the state Capitol. She seeks anywhere from a \$1,000 to a \$3,900 contribution.

In fact, of the lower house's 50 Assembly members, 34 voted for Hancock's bill. Of those, as of March 5, 30 have already held their first fundraiser of 2010.

Of the 17 Senate Democrats who voted for Hancock's bill, 12 have held fundraisers during the current legislative session.

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5 Responses to "Lawmakers Tell Lobbyists to Do as We Say, Not as We Do"

1 **Steven Maviglio** Mar 5th, 2010 at 4:24 pm

What's your point? That legislators should universally disarm before the initiative becomes law? You gotta play by the rules of the game.

2 **Hector Soothound** Mar 5th, 2010 at 5:05 pm

From the bill's floor analysis.

In at least two other states, Arizona and Vermont, state courts have invalidated lobbyist fees that were used to fund public financing programs similar to the one proposed by this bill. In Arizona's public financing system, one of the major funding sources was an annual fee of \$100 imposed on certain classes of registered lobbyists. In Vermont, the public financing system was funded, in part, by a 5% tax on all expenditures exceeding \$2,500 in a calendar year by a lobbyist or lobbyist employer. In both states, state courts struck down those fees on the grounds that the fees impermissibly burdened interests protected by the First Amendment.

But the constitution has never stood in the way of "good policy" has it?

3 **Wally Webgas** Mar 5th, 2010 at 5:22 pm

Magviglio, you have been a paid chump to long, Loni Hancock has no race yet she expects people "max out". And you suggest she is being disadvantaged. Why didn't she carry a bill that would disallow fundraising in Sacramento or during the session

This exercise in public finance couldn't pass if it was straight up.

No this is an attempt to make public policy by pimping to a perception that hacks like you feed off.

I hope anyone reading this disarms every client you have.

4 **Management Slug** Mar 5th, 2010 at 6:42 pm

Is it not a shame that Mr. Maviglo has lost sight of the reality that anyone donating to this initiative either was never engaged or understood the need for hard work. Mr. Maviglio it is your clients sir who do not engage the average citizen in meaningful discussions. Big labor has bought and paid for your clients two and three times over and this just another way of picking the public pockets under the guise of good government. Pimping for the trial lawyers, Prison guards, Teachers Union and least we not forget SEIU, certainly gives you the high moral ground.

It is a shame that local government has to have a lobbyist just to remind the elected person from that district of the reality that exists back home. The state is broke and this is what we are spending our time on. You can bet if this misconceived measure passes the electorate it will be thrown out by the courts just as it has been in two other states. Ms. Hancock and her beloved Husband should confine their energies to the Peoples Republic of Berkley where they will be appreciated by all of the down trodden citizens of that fine degenerate city.

5 **Jim Cassie** Mar 8th, 2010 at 9:53 am

I understand the point Steve is making. Until the three-point shot was approved for the NBA, few attempted a jumper from that range. But the point of the "do as I say" opinion by Mr. Lucas is that those that purport to support the Clean Money Campaign have a golden opportunity to make a statement by not holding fundraisers.

Frankly, most of these people don't have a real campaign in June or November and the money goes elsewhere for the good of the cause.

I have talked with many of the 50 Democrats that support the Clean Money Campaign and are listed on their website. The responses vary from "I didn't know I was on it" to "I thought it was only a test."

The "test" could have required insurance agents to fund the Insurance Commissioner's race or accountants to pay for the Treasurer's contest. Or better yet, attorneys paying for the AG. But Sen. Hancock chose lobbyists and we will undoubtedly be the centerpiece of why Prop. 15 is good public policy come June.

So, lobbyists are fighting back with our own campaign. Public financing of elections have failed in both the legislature and overwhelmingly with Prop. 89. Under current law, lobbyists cannot make political contributions to state officials. What do you think the reaction of the voters will be in June to a scam that, in effect, has lobbyists funding the SOS races in 2014 and 2018?