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STEVE ADUBATO, host:

Money and politics, next on CAUCUS: NEW JERSEY.

Announcer: Funding for this edition of CAUCUS: NEW JERSEY WITH STEVE ADUBATO has been provided by The Fund for New Jersey, a private foundation focusing on New Jersey public policy issues, and by New Jersey Natural Gas Company, proud to support our communities.

ADUBATO: Welcome to Agenda New Jersey, a special CAUCUS series looking at key issues affecting the quality of our life in our state. I'm Steve Adubato.

You know, money and politics--we've said it before, it's a complex marriage that's been at the center of public debate for years. What can be done on the state level to reduce the influence of big money on political campaigns?

Here to discuss that question and many more are Jon Shure, president of New Jersey Policy Perspective, a non-partisan organization that conducts research into state policy issues; Mark Murphy, executive director of The Fund for New Jersey, the publisher of the Agenda New Jersey series of public policy reports; and finally, Staci Berger, a program director for New Jersey Citizen Action, the state's largest and most aggressive citizen watchdog organization.

I want to thank all of you for joining us.

Mr. JON SHURE (NJ Policy Perspective): Hello.

ADUBATO: I've said this on other Agenda New Jersey programs; I'll repeat it right now. You're going to see a telephone number, Web site, beginning of the program, throughout the program. Do yourself a favor--log on to the Web site, call the number, reach out and get more information on the issue we're going to discuss today, which is campaign finance reform.

(Graphic on screen)

CAUCUS (973) 233-9886 "AGENDA NEW JERSEY" RESOURCE GUIDE

ADUBATO: Mark Murphy, let me ask you--we're working with The Fund for New Jersey throughout this initiative, Agenda New Jersey--why campaign finance reform? Didn't we fix this a long time ago? Didn't we change the laws in New Jersey to reduce the influence of big money?

Mr. MARK MURPHY (Fund for New Jersey): Sure.

ADUBATO: What happened?

Mr. MURPHY: Sure, Steve. Well, it seems each generation has to revisit this issue. Money and politics, as you said at the outset, has been at the core of American public life probably since the inception of the republic. Back in '74, after Watergate, there was a series of reforms that hit the states, and at that time, New Jersey was in the forefront of campaign re--finance reform, but let's face it, that's 25-plus years out of date, and we're--we're back at it now.

(Graphic on screen)

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Mr. MURPHY: When we decided a year and a half ago at The Fund that we were going to come out with a series of issue reports for the new governor and legislature, we put campaign finance reform at the forefront, because before you can even get to the issues, you've got to talk about how we get to our elected officials. How do we have a policy dialogue with people running for office, how do we have real choices, and what's the accountability of those elected officials once in office?

ADUBATO: Now you've made several--there are several recommendations made in the report. I'll let everyone see what it looks like. It is part of the Agenda New Jersey series. If you reach out for our free-of-charge resource guide--got a lot of things to plug here; this is public television and it is free of charge--Agenda New Jersey resource guide, you send in for that, we will ;end you this report, the Campaign Finance Report.

Jon, you're one of the authors here.

Mr. SHURE: Yes.

ADUBATO: Some of the recommendations--we can't go through all of them, but you can get all of them if you write to us or log on to the site--Web site. Some of the most important recommendations in reforming our campaign finance reform laws are?

Mr. SHURE: Well, it comes right back to the money again, Steve, and as Mark pointed out, we have a good system for governor in this state--public funding. The taxpayers kick in and help fund the campaigns, limit on what a candidate can spend. Comes to the legislative elections, we don't do that. There's a limit on how much you can give, but they can spend as much as they want, and a giant loophole, because while you and I could only give \$2,200 to a candidate, we could give \$37,000 to the party or to the legislative leaders, the Senate president, the Assembly speaker and the minority leader, so that money goes right back in, so that's a giant loophole. That's...

ADUBATO: Whoa, back up, back up, back up. Average person watching having a hard time following this. The law states right now that if someone watching wants--wants to give to their state senator or the candidate for the state Senate, they can give how much?

Mr. SHURE: \$2,200 for the primary, the same thing again for the general election.

ADUBATO: \$4,400...

Mr. SHURE: Right.

ADUBATO: ...in a--in an election cycle.

Mr. SHURE: Right, so a two-year term or a four-year term.

ADUBATO: Now if the co-president of the Senate, or the leader of the Assembly, the Assembly speaker--that's a legislative leader...

Mr. SHURE: That's right.

ADUBATO: ...we're talking about, right? Right now, what does the law say that the same person...

Mr. SHURE: Right.

ADUBATO: ...they want to give money to the speaker of the Assembly, what do they give?

Mr. SHURE: Not only does it say you can give that person \$37,000, but it's not per election cycle, two or four years, it's per year.

ADUBATO: So therefore, in a two-year Assembly cycle, we are talking about--quick math...

Ms. STACI BERGER (New Jersey Citizen Action): \$74,000.

ADUBATO: ...74 thou...

Mr. SHURE: \$74,000.

ADUBATO: So what? OK, Staci, so what? They give \$75,000 to the speaker of the Assembly. Impact on policy, impact on our lives, what is it?

Ms. BERGER: Well, it's enormous. The--the leadership in both houses control the voting agenda, so they get to decide what comes to the voting board and what doesn't. A regular person who doesn't have \$75,000 lying around to influence their elected officials for good or bad g--just can ha--will not be heard on the issues the same way that a large corporation, which can write that big check...

ADUBATO: What does 75 grand buy you?

Ms. BERGER: Oh, I'm not sure that it actually buys you anything specific, but it certainly gets you access to somebody that you would not otherwise be able...

ADUBATO: How much access?

Ms. BERGER: I--I would think a fair amount. Not that...

ADUBATO: OK. Let's be specif...

Ms. BERGER: Because I've never written a \$75,000 check, so I couldn't tell you exactly how much access, but I think it...

ADUBATO: Well, you know, we've had legislators on for 15 years that we've been doing this program, Mark, and I--I--every legislator who has ever come here said, 'Steve, how dare you imply anything that that amount of money--any \$5...'

Ms. BERGER: I think legislators are going to listen to everybody because they have to...

ADUBATO: That's what they say.

Ms. BERGER: ...but they're not going to listen...

Mr. SHURE: But the more candid ones...

Ms. BERGER: The--the--right.

Mr. SHURE: ...will admit to you that those are the phone calls that get returned first.

Ms. BERGER: Yeah. Right, and they're the people who have more...

ADUBATO: What doesn't happen--but Mark, what doesn't happen from a public policy--what's not getting addressed?

Mr. MURPHY: Well--well, first of all, I remember when Senate President John Lynch spoke to this leadership PAC issues...

ADUBATO: He was the one.

Mr. MURPHY: ...and he was the first that broke that kind of code of silence that said, 'Well, it's--it's not the access.' And while Staci or Mark or Jon couldn't point to a specific piece of legislation, the fact that the four leaders control the agenda on the floor of the Senate and the Assembly tells you right there which bills come forth in what form, which bills are--are voted out of committee, so that the leadership PAC issue, which I'm at pains to say is a reform from

yesteryear...

ADUBATO: Right.

Ms. BERGER: 1993.

ADUBATO: Oh, Mark, back up. This was in place...

Mr. MURPHY: ...now becomes the problem.

Ms. BERGER: '93.

ADUBATO: This is the byproduct. Allowing legislative leaders to take in that amount of money from a contributor is a byproduct of the last reform.

Mr. MURPHY: Of a--of a prior set of reforms Jon has written...

Mr. SHURE: It limited how much you could give to individual candidates but it...

ADUBATO: Right.

Ms. BERGER: ...(Unintelligible) disclosure.

Mr. SHURE: ...in the name of creating unity and party discipline it allowed this special category of giving. So the recommendation is that we should reduce that amount--they should only be able to get as much as other candidates or maybe a little bit more--and we should also have public funding. We should have the same kind of thing for legislative elections...

Ms. BERGER: That's right.

Mr. SHURE: ...that we have for elections for governor.

ADUBATO: How does that work?

Mr. SHURE: In other words, the taxpayers...

Ms. BERGER: Right.

Mr. SHURE: ...when they pay their taxes, chip--check off a dollar or two. It goes into a fund, and when you run for office, you get your campaign paid for by the public.

ADUBATO: How much? Well, how--how does that get disseminated, Staci? How...

Ms. BERGER: Well, there's...

ADUBATO: ...could that work?

Ms. BERGER: ...there's a number of ways. Candidates in Maine, Arizona, Vermont and Massachusetts are already running in s--in some cases under this system where they have to go out and get qualified by meeting with regular people vot--registered voters in their district in collecting a small amount of money which would also supplement that tax check-off.

ADUBATO: Excuse me. You don't get the money unless you do certain things.

Ms. BERGER: Right. You have to agree to spending limits. You have to--you can't take any private money of the--I'm not sure in the report if it talks about full public financing or partial pub--partial public financing, but in Maine, the way it worked was full public financing.

ADUBATO: Right.

Ms. BERGER: You took no money from anybody except the state Clean Elections Fund.

ADUBATO: Now the money, though--the pot of money--this is interesting. W...

Ms. BERGER: It has to be fairly sizeable in New Jersey for it to be effective, but it's large for the governor's race. So we--we believe that we would actually save money if we spent tax money. If you look at the Parsons debacle, \$500 million that he...

ADUBATO: You're referring to the contract--the \$500 million contract...

Ms. BERGER: Yes, to...

ADUBATO: ...that Parsons got. Did Parsons contribute to any legislators?

Mr. SHURE: Yes, sure...

Ms. BERGER: They--yes, he did, almost \$259,000.

Mr. SHURE: ...and to the party which is another...

ADUBATO: And to the political party.

Mr. SHURE: It's another recommendation of the report, what they call pay to play.

Ms. BERGER: Right.

Mr. SHURE: If you're doing business with the state, then maybe you

shouldn't be allowed to give donations to people who make the decisions about who's going to do business. Same thing at the local level.

Ms. BERGER: Yeah.

ADUBATO: Whoa, whoa.

Ms. BERGER: They get a quarter of a million dollars...

ADUBATO: One of the recommendations in the report is that if you attempt to get a contract with state government, you are then prohibited...

Mr. SHURE: Yes.

ADUBATO: ...from making a contribution to whom or to what?

Mr. SHURE: To whoever--the Legislature or to the governor...

Ms. BERGER: Right, or the governor's office.

Mr. SHURE: ...or the party because they're all involved in making those decisions.

ADUBATO: And, therefore, if you give, you contribute, then you can't compete.

Ms. BERGER: You can't. Right.

Mr. MURPHY: That's right. Correct.

ADUBATO: Wh--wh--wouldn't that--what--wh...

Mr. SHURE: I think that would be--bring a decrease in contributions because I tend to think they're giving in the hopes that they will get considered.

Ms. BERGER: Absolutely.

ADUBATO: Is that true?

Mr. MURPHY: Yeah.

ADUBATO: And again you served in a--we should make it clear, Jon, that you've had many positions both--you're formally a very distinguished journalist but also the chief communications...

Mr. SHURE: Right.

ADUBATO: ...adviser. You were the chief spokesperson for former Governor Florio. Do you think a fair number of people were giving

money to that governor and other governors because they assumed some sort of quid pro quo?

Mr. SHURE: I'm--I'm happy to have been blissfully unaware of fund-raising while I was involved in government because it wasn't my department, but sure, for every governor, yes. I mean, people give contributions because they anticipate that moment when it would be nice to get a phone call returned to talk about a particular thing. Now it's interesting. If I--if you're a legislator and I go to you, 'Here's \$100. Please vote yes,' that--that's a crime. That's a bribe.

ADUBATO: Right.

Ms. BERGER: Right.

Mr. SHURE: But if I say, 'Here's \$100 to your campaign,' and you say, 'Thank you,' or more, like, a couple thousand dollars and then some day I call you, I never have to mention that campaign contribution. You know you got it, and you're probably going to call me back because you're interested.

ADUBATO: You know what? Let's talk about influence. I--I don't think I've told this story on the air. It's a real short one. My legislative career, which was very short as well, one term. I'll never forget. A major political action committee--actually, you know what? They were the dentists. They were the dentists. They have big money. I'll never forget. A lobbyist representing them came to me and--and they--they had raised big money for my opponent. He got elected. Then they didn't like him and so I was running against him. They gave me a fair amount of money. All legal. Appropriate. Above board. I'm in office a few months and they come to me and they say, 'There's a piece of legislation that would allow dental hygienists to do certain procedures.' The dentists were against it. They thought it would take money out of their pocket, and I thought the dental hygienist legislation was a good thing. And I'll never forget the representative from the group said, 'I'm sorry, Steve. Do you actually remember what we did...'

Mr. MURPHY: Yeah.

ADUBATO: '...and do you remember how we didn't give money'--and I was telling...

Mr. MURPHY: Now you understand...

ADUBATO: It was in the hallway of the state Legislature and I remember in the end, and I've said this publicly, not on this show but other places--in the end, I didn't vote the way I knew I should have voted. And I ask myself, 'What am I? Alone in that?' Mark Murphy?

Mr. MURPHY: No, I think that's why it may be hard to quantify these

instances, but we know from our own personal experience how difficult it would be in that position. Also I think it's very important that we enforce the campaign laws that are on the books, but it's important for us to realize that individual legislatures or legislators are working under--laboring under this system...

Ms. BERGER: And it...

Mr. MURPHY: ...which favors incumbency...

Ms. BERGER: Absolutely.

Mr. MURPHY: ...much more than individual positions.

ADUBATO: How so?

Mr. MURPHY: Well, we see it both at the national level and--and the--the local level, where all you have to do is look at the campaign returns. Incumbents are returned to office in the vast majority of situations. Part of that is using office to retain office, and using it as a fund-raising platform. I mean, in our own state at the federal level right now, we have Robert Torricelli running for the Senate.

ADUBATO: As we're doing the show.

Mr. MURPHY: As we're doing the show and probably airing it as well. And we see what a fund-raising machine he is. And more power to him under the current laws, but how much of that time, how much of his reputation is wrapped up in securing the job, not necessarily pursuing the people's business.

Ms. BERGER: And you have to have a legislator...

Mr. SHURE: And it has to have an impact...

Ms. BERGER: I'm sorry.

Mr. SHURE: It has to have an impact on the agenda, because you talk about dental hygienists and dentists. And you didn't hear from the public on that bill.

Mr. MURPHY: No.

Mr. SHURE: 'Cause they don't know and they don't care. There was a big fight several years ago...

ADUBATO: But the dental--the dental hygienists didn't have any real money. Let me just ...(unintelligible).

Mr. SHURE: OK.

Mr. MURPHY: They weren't even at the table.

ADUBATO: They were not at the table, you're right.

Ms. BERGER: They--right. They probably never even know who to call.

Mr. SHURE: There was big fight in New Jersey years ago about the ophthalmologists...

ADUBATO: I remember this.

Mr. SHURE: ...the optometrists.

Ms. BERGER: Right.

Mr. SHURE: And they both gave them contributions. A lot of the legislation that goes down in Trenton is going to help one person or one group make more money.

ADUBATO: Right.

Mr. SHURE: And the average person knows nothing about it, so legislators are pretty much free to say, 'Well, you know, who--what do the special interests say about this? Who gave me money? What would they want me to do, because nobody else cares about it. I'm not going to hear from my constituents about it.'

ADUBATO: So what kind of reforms can change that?

Mr. SHURE: So the agenda gets sent.

Ms. BERGER: Well, they can elect--we can elect people who are not accountable to their funders but are accountable to the public. If you--if you elect candidates based on public financing, with allowing them to have public financing...

ADUBATO: Where's that money come--but--but go back again, Staci.

Ms. BERGER: Sure.

ADUBATO: We're having the co--this conversation over--one--some of our producers and one of our producers said, 'Wait a minute. Let me get this straight. You're gonna take \$1 from my tax return--like I check off this box.'

Ms. BERGER: One dollar isn't enough.

Mr. SHURE: Five dollars.

ADUBATO: OK.

Ms. BERGER: Yeah, \$5, 10. It may even need to be more. We may need

to raise money from a number of sources.

ADUBATO: But then, Staci, if I check that off because I support public financing of legislative elections, I don't get to say who the money goes to?

Ms. BERGER: No.

Mr. SHURE: It goes into a pot for everyone.

Ms. BERGER: It goes into the pot. You don't get to say where your tax money goes now.

ADUBATO: And what am I buying when I do this?

Ms. BERGER: You're buying accountability over your elected officials, people who participate, and it would have to be voluntary to be constitutional.

ADUBATO: Right.

Ms. BERGER: And that's the way it's been operating in Maine and Arizona.

ADUBATO: Why can't we have this? What stands in the way, Mark Murphy?

Mr. MURPHY: I'd like to hear Staci...

Ms. BERGER: Well--well, right now getting legislators--right now getting legislators to enact it is what stands in the way.

ADUBATO: What stands in their way?

Mr. MURPHY: In their way.

Ms. BERGER: Well, they have a lot--they get a lot of money from people who like to be able to give them money and get influence.

ADUBATO: Staci, it's not comfortable--the other side is not comfortable for a legislator to be accepting \$10,000 or \$15,000 from a variety of people within a certain group and that is legal.

Mr. SHURE: Sure.

Ms. BERGER: Sure.

ADUBATO: OK. Bundling is what it's called and some may call it that.

Ms. BERGER: Absolutely.

ADUBATO: It is uncomfortable, for those of us who've ever had the

privilege to serve in the Legislature, it's tough...

Ms. BERGER: Legislators don't...

ADUBATO: ...because you know you need a certain amount of money to run. Why--why doesn't it help legislators?

Ms. BERGER: Legislators don't like it.

Mr. SHURE: Legislators are like...

Ms. BERGER: It does help legislators. It's getting them to understand that it helps them and--and focus on it.

Mr. SHURE: Politicians are like jockeys in the middle of a horse race, OK. They're trying to win the race, not improve the breed.

Ms. BERGER: And get re-elected.

Mr. SHURE: So we can't always rely...

ADUBATO: That's good. I like that.

Mr. SHURE: Thank you. We can't always rely on politicians to do these kinds of things, which is why another proposal in the report is we ought to have limited initiative and referendum. Let the public petition for changes in the campaign finance system or the election system. If the legislator doesn't pass them, let's put them on the ballot and let people decide for themselves.

Mr. MURPHY: Limit it, though, only certain items.

Mr. SHURE: Limit it. Yeah, campaign reform and e--government ethics and--and election conduct kinds of issues.

ADUBATO: Some other recommendations here--and, by the way, haven't we just in fact passed and, you know, hasn't there been tremendous publicity around--Congress coming together and passing a major federal initiative. What does that have to do with the state of New Jersey?

Ms. BERGER: Well...

ADUBATO: How does that help us?

Ms. BERGER: It--it doesn't really help us at the state level because what it's going to do, unfortunately, is drive increased soft money, which was banned at the national level, into state parties.

ADUBATO: Define soft money.

Ms. BERGER: I thought this was hard.

ADUBATO: No, the average--no, the average person is having a hard time with this.

Ms. BERGER: Soft money is money that it is not--you do not have to disclose who the donors are, so...

Mr. MURPHY: Right, 'cause it's going to a party instead of a candidate, that sort of thing.

Ms. BERGER: It's not going to the can--even if it were going to a candidate, it can still--it's going on the national party...

ADUBATO: Right.

Ms. BERGER: ...so they don't have to tell who gave it.

ADUBATO: So that didn't fix anything for us, Mark Murphy?

Ms. BERGER: It--it...

Mr. MURPHY: Well, the concern, as Staci says, is it's like pushing in a balloon on one side. It's going to bulge out elsewhere. You--you clamp down on this kind of contribute--contributions nationally and it will be funneled into state--state election and parties.

Mr. SHURE: Now there's another reason why politicians don't address this. They--they--they come back and they say, 'I talked to my constituents and they're not telling me the main issue they care about is money in politics,' but they're missing a subtlety to it. A lot of people aren't voting these days. They're not saying, 'I'm not voting because of money and politics,' but they are saying, 'I'm not voting because these candidates aren't talking to my issues. They're not talking about things that I really care about.' That's because of the money. The agenda is really being controlled by the people who are funding the elections and so it's stopping the dialogue from the--from the candidate to the public that needs to be there.

Ms. BERGER: And a quick example is en--energy deregulation passed in 1999. Enron gave over \$125,000 to state legislators to help enact that bill. What that bill did not do was address the real needs of working families in New Jersey by phy--by finally reducing rates and forcing the Board of Public Utilities to permanently alter the way that energy is provided.

ADUBATO: And that might have had something to do with that \$125 grand?

Ms. BERGER: Well, we didn't give a--it certainly had a lot to do with it, we think.

ADUBATO: Speaking of agendas, Jon Shure, you mentioned agendas

before. Agenda New Jersey is the initiative. It is part of an ongoing effort put forth by The Fund for New Jersey that we are proud to have partnered up. And you can see it right there, Agenda New Jersey. That is our resource guide. If you call that number on your screen, I promise you we will send you the campaign finance reform initiative. And also, if you log on to our Web site, which you'll see in just a couple of seconds, we are linked to The Fund for New Jersey and you can read this report in detail.

One of the other recommendations I'm going to put out there that is in the report, New Jersey should prohibit direct campaign contributions from corporations because...

Mr. SHURE: Well, at the national level, it's a--it's a crime for a corporation to give money. They can only do it through a political action committee where decisions are made by a large group of people, ostensibly about who to give the money to. It--it's too much influence for a--for a corporation to be able to directly contribute to a race in New Jersey.

ADUBATO: What about unions?

Mr. SHURE: Unions can do it as well, and--and at the national level, they have to have a political action committee, too.

ADUBATO: OK. Let's talk about--because campaign finance reform, in my mind, also involves the way campaigns are run and the way information is communicated to people who do choose to vote, even though many don't, as Jon said. One of the recommendations in the report, if a campaign ad does not mention the candidate's name or the office sought, it should still be counted against the candidate's spending if it is obviously helpful to the candidate.

Mr. SHURE: That's right. It's a loophole we have in the elections for governor because we put a limit on how much you can spend, so your ads say 'Vote for me for governor or vote against my opponent,' and that counts against your limit. Then they--then the party turns around and makes an ad that never says the name of the office or the person, just says 'Vote Democratic' or 'Vote Republican,' but that ad looks just like the ads for governor, so they reinforce each other. That doesn't count against the spending cap of the candidate for governor.

ADUBATO: I want to be clear. Mark and I are running against each other in a gubernatorial race?

Mr. SHURE: Yeah.

ADUBATO: OK. I'm spending money basically trying to destroy Mark's reputation...

Mr. SHURE: Right.

ADUBATO: ...which is sort of like live campaigns.

Ms. BERGER: And vice versa.

Mr. SHURE: It's not that hard to do in this case.

ADUBATO: Say--stop. Now I get charged that.

Mr. SHURE: Yes.

ADUBATO: I'm a Democrat, he's a Republican. The Democratic state committee runs an ad that also criticizes Mark.

Mr. SHURE: No, it can't mention Mark. It can talk about...

Ms. BERGER: Or...

Mr. MURPHY: Per name, but it can certainly...

Mr. SHURE: It can criticize Mark's party, let's say.

ADUBATO: Can--can that ad say...

Ms. BERGER: A Republican

ADUBATO: ...`If you elect the Republicans in the state of New Jersey...

Mr. SHURE: Yes.

ADUBATO: ...`we're gonna lose all gun control laws.'

Ms. BERGER: They're gonna raise their--they're gonna raise your taxes.

ADUBATO: `They're gonna raise our taxes.'

Mr. SHURE: That's right.

ADUBATO: That ad does not mention Mark's name.

Mr. SHURE: That's right.

ADUBATO: Does not mention my name. This recommendation, the Agenda New Jersey recommendation on campaign finance reform says what?

Mr. SHURE: That the intent of the law was to not allow those kinds of things to happen without counting it against your spending limits, so they should count and there should be a way to determine how much of it should count so that loophole is closed.

ADUBATO: OK. The ad now says--I put an ad out that says, 'Mark Murphy, in office, has voted to raise your taxes. If you don't like that, here's his telephone number. Call him directly.'

Mr. SHURE: Right. That's another kind of ad where it wasn't put out by your opponent or by a political party, but by some other group. That ought to count against it to, because it's all part of the same thing.

Mr. MURPHY: There are really two reforms being--being put forth here. One is expenditure accountability, and the other, frankly, is message accountability. Too often now we've got unnamed third parties making the accusations against candidates and we want a situation where a candidate for office needs to stand up and own all of the ads being done on his or her behalf...

Ms. BERGER: And that happened...

Mr. MURPHY: ...so that--that it's directly tied to the candidate. If I am going to go out on a limb and put down my opponent, Steve Adubato, in this race, it ought to accrue to me to have said that and to stand by those statements. We feel that that will actually have a dampening effect and tone down some of this heated negative rhetoric if I've got to own the fact that I'm--I'm putting this forth in the public sphere, rather than some anonymous third party.

Ms. BERGER: It's also very damaging to our campaign finance laws that are on the books, because it allows third parties and national committees to just run Mack trucks right through our public financing, which is what happened in last fall's gubernatorial race. The Republican National Committee ran a tremendous number of ads on behalf of ca--of Brett Schundler that didn't...

ADUBATO: Let--let me ask a question. Three of us--four of us--three of you on the panel are--it's sort of like, you know, we are, in fact, speaking to each other on some level. We are the choir, if you call it that. Who would be sitting right next to Mark Murphy, right there in that empty spot on that couch, arguing that much, if not all, of what is in this report is dead wrong and dangerous? Who would be doing that?

Mr. SHURE: Well, the interesting thing is almost no one would be doing it, because the people who are stopping...

ADUBATO: Well, then why can't we get it done?

Mr. SHURE: Well, but that's the point. The people who are stopping it from happening aren't arguing that it's wrong. They're just not dealing with it. They're just not taking it up. Legislation gets introduced, it's just not going to get heard in committee and put out to the floor for a vote. You don't have to be against it to stop it. That's one of the problems with this.

ADUBATO: Wait a minute. So that goes back to the leadership PAC issue, the money, the unlimited amount of money--or, no, the \$74,000, \$75,000 in a one-year period that a president of the Senate or the speaker of the Assembly can get. Or you know what's interesting? It's not just the president of the Senate and the speaker of the Assembly.

Ms. BERGER: ...(Unintelligible).

ADUBATO: It's also the party, the leader...

Ms. BERGER: Of the party.

ADUBATO: ...of the party not in power in the Legislature.

Mr. SHURE: That's right.

ADUBATO: So it's the so-called minority leader in the state Assembly also gets to raise the same amount.

Ms. BERGER: ...(Unintelligible).

ADUBATO: They control, together with those in the majority party, the agenda. Therefore, it doesn't even get addressed.

Mr. MURPHY: That's the point.

ADUBATO: And where's the hue and cry? Where's some--Mark, we started this conversation 18 months ago. I remember the three of us, me, you and Jon sat in your office in New Brunswick and we're trying to make sense of this. One of the things we wanted to do and still want to do is get the average person watching to respond, to react, to say, 'Wait a minute. This doesn't make sense. I want to be a part of the solution, not just complain.' What can they really do right now?

Mr. MURPHY: Well, that's--that's the key to the whole Agenda New Jersey, the series and the campaign finance reform. The message coming out of this program and out of the report is, 'We need to restore democracy and the responsibility back to individual voters.' That's why no corporate donations. Why should a corporation be driving the public debate when it is citizens who are--are--are--comprise the democracy? We need people at home to realize, 'You're not hopeless. You're not being held hostage by an evil system that you can do nothing about.' Citizen Action here with us and Staci and others are working at the neighborhood level as well as at the state level. There are petitions. There are clean candidates. It makes sense...

ADUBATO: Clean candidates?

Mr. MURPHY: Clean candidates who are already not taking some of

these contributions, paving the way by their own behavior nationally and in New Jersey to say that, 'I'm going to act as if these laws are, in fact, in place.'

ADUBATO: Even if they're not.

Mr. MURPHY: Re--renouncing PAC contributions. These are the kinds of people that we need to bring to the fore. We need to organize locally to--to show those leaders most adverse to change, whether they're in the majority or in the minority, that there is a groundswell that can't be ignored.

ADUBATO: And consequences for not acting?

Mr. MURPHY: And consequences.

ADUBATO: Quick question. The recommendations in the report make a lot of sense. However, playing devil's advocate since there is no one sitting next to Mark arguing another point of view, as we do this program in the middle of September, we have another candidate running for statewide office, in this case, the US Senate, who happens to be using a fair amount of his own personal wealth, Doug Forrester, to--to run this race. And fair to say he wouldn't be where he is if he chose not to do that. Not the first time in New Jersey, won't be the last.

Ms. BERGER: It's actually a legacy in New Jersey.

ADUBATO: OK. A lot of pretty rich people. Jon Corzine sitting in the Senate.

Ms. BERGER: Frank Lautenberg.

ADUBATO: He spent--I don't know--60--\$60 million. Here--here's the question. Is that a--"campaign finance reform," in quotes--I hate when people do that, but you know what I mean--have anything to do with spending your personal fortune in a campaign?

Ms. BERGER: It's very hard because the--the constitutional ruling on that is--has made it pretty clear...

ADUBATO: It's my free speech.

Ms. BERGER: ...it's your--that it's your money.

Mr. SHURE: But--but in New Jersey for governor, for example, if you agree to take public funding, then you agree not to use your own.

Ms. BERGER: Right. Which is why--which is why Citizen Action and other organizations are working for a national public financing system where you can...

Mr. SHURE: You can--you can get people to give up that freedom if

they do it in exchange for something else, which is to take the public funding.

ADUBATO: The candidate says, 'Well, I don't need all this. I'm just going to spend my own money.' What do you do there? You can't fix every part of it.

Mr. MURPHY: No.

ADUBATO: Is that something you just can't get to, Mark?

Mr. MURPHY: No. What one can do is, as Staci and Jon are pointing out, you can change the calculus whereby a candidate makes that decision. Right now enormously wealthy--not a little bit wealthy--enormously wealthy individuals can run using their own money because the system is such that it rewards them. As--as Staci says...

Ms. BERGER: Right. And the parties like it because they don't have to raise their own money.

Mr. SHURE: But we--we--right.

ADUBATO: How can we change that?

Mr. MURPHY: But as Staci says, if we have the public financing, it wouldn't prohibit Mark Murphy, millionaire, to use my own money, but it would change the public perception about my using it.

Ms. BERGER: One thing we haven't talked...

Mr. SHURE: We've had public funding for governor in this state since 1977.

ADUBATO: Right.

Mr. SHURE: And in the general election, no candidate has ever spent their own money. They've always chosen to take they public funding because they don't want the...

ADUBATO: Every time?

Mr. SHURE: ...they don't want the negative publicity of trying to buy the election and they want the money without having to raise it.

ADUBATO: But US Senate races seems to be different.

Mr. SHURE: Well, that's right. There's no limit on that.

Ms. BERGER: There's no limit. And there's no...

Mr. SHURE: And there's no public funding.

Ms. BERGER: There's no--there's no public funding. They can't...

Mr. SHURE: Now in some...

Ms. BERGER: There's no other way for them to run.

ADUBATO: Few seconds left, what have we missed?

Ms. BERGER: Well, the one thing about public funding that we haven't talked about is the ability for legislative candidates to be indicated on the ballot that they are the people--that they have taken public funding, as opposed to raising private money.

ADUBATO: That's important for people to know that, Staci.

Ms. BERGER: It's huge because it gives the candidate sort of a se--a Good--Good Housekeeping seal that they get a tremendous reward on Election Day from voters who don't know anything about them and it encourages both candidates to participate because they--nobody wants to be the candidate who doesn't have...

Mr. SHURE: Right.

ADUBATO: Well said. Good job.

Announcer: If you would like more information on this program or if you'd like to express an opinion, e-mail us at info@caucusnj.org. And visit us on the World Wide Web at www.caucusnj.org.

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