

Andrea Gyger

From: Mike Spalding [REDACTED]
Sent: Thursday, December 22, 2011 4:02 PM
To: Andrea Gyger
Cc: Ari Armstrong; Diana Hsieh
Subject: Rules Concerning Campaign and Political Finance, 8 CCR 1505-6

Dear Secretary Gessler:

Please consider the contents of this email as testimony on this matter, submitted for publication in the record, along with my name and email address. I am a registered voter in Jefferson County.

Thank you for attempting to untangle the current campaign finance laws. Although I would rather the Gordian Knot be severed entirely, if we are going to have these laws we should attempt to reduce the damage to free speech. In the past year I have directly experienced the chilling effect of these convoluted requirements in four separate instances.

The Libertarian Party of Colorado is a small (but important) part of our political process. Because of the necessity of learning so many regulations, we have had difficulty getting volunteers to fill the Treasurer position. Our last volunteer quit in January when the party had another campaign finance fine levied against it.

In a related instance, after I took over the Treasurer's position, I ended up going to court to plead our case. The \$800 fine was equal to our bank account at that time. During the hearing the Secretary of State office used a lawyer and a paid expert witness to counter my arguments. We did not have the means to hire a lawyer to protect our remaining funds for political advocacy.

In a separate but similar incident, the Jefferson County Affiliate of the Libertarian Party disbanded after accumulating over \$2,000 in fines. The volunteer who oversaw funds did not properly file campaign finance reports as this affiliate was not running candidates. A group that investigated local issues and wrote letters to the editor was destroyed because they chipped in for pizza at the meetings.

Finally I worked on a campaign over the summer for a candidate I cannot name for fear of prosecution. He went through many hoops and purchased 3 separate permits so he could sell beer at a fundraiser. Unfortunately he did not get the names and addresses of everyone who dropped by for a beer and he accepted cash for payments. Both of these are forbidden by his current understanding of campaign finance laws.

In addition to these specific incidents, these laws cause ongoing hardship for political advocacy. As I mentioned before, it is difficult to get anyone to volunteer for Treasurer positions for local political parties or candidate campaigns. Also, the Libertarian Party of Colorado currently will not give any financial or other ("in kind") help to candidates for fear of not reporting these transfers correctly. And finally not only can we not pass the hat at meetings, we can't even allow a tip jar for the barkeeps at a fundraiser.

The campaign laws do not hurt the large parties and well funded advocacy groups that can afford to pay specialists to keep them out of court. They do threaten to shut down the activism of concerned neighbors and friends. They have prevented free speech by citizens of Colorado. If you can't repeal them entirely, please modify them so citizens can participate in political advocacy.

Thanks for your consideration,

- Mike Spalding
Registered Voter
Littleton 80127