

After the GAO Report: What Do We Know About Public Election Funding?

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Abstract

In June of 2010, the Government Accountability Office (GAO) released a comprehensive evaluation of the effects of full public funding in Arizona and Maine. The report seeks to evaluate the policy effects of public funding in the states with regard to several stated goals of its supporters, including slower campaign spending growth, diminished interest group influence, enhanced political participation, and heightened electoral competitiveness. The GAO's paper is timely considering that full funding programs are becoming both more common and more visible to the public at large; however, its analysis of public funding is not comprehensive. Moreover, its findings in some areas are not sufficiently robust. These shortcomings are generally resultant of unnecessary limitations that GAO researchers place on their data as well as improper methodological choices.

That said, the GAO's analysis does contain several interesting findings, and its publication marks a good opportunity for political scientists and policy analysts to compare notes. Combining the contributions from each provides a more complete picture of what is known and unknown in the study of publicly funded elections. In this paper, I review the findings of the GAO report as well as those of a growing number of scholars who have examined the topic. I describe what the GAO, political scientists, and policy analysts have told us about public election funding, as well as opportunities that remain for further research. Where applicable, I supplement this review with basic analysis of additional data. This essay should therefore be useful both for political scientists and the policy community.

In June of 2010, the Government Accountability Office (GAO) released a comprehensive evaluation of the effects of full public funding in Arizona and Maine, entitled “Campaign Finance Reform: Experiences of Two States That Offered Full Public Funding for Political Candidates” (GAO 1), as well as a complimentary methodological appendix (GAO 2). The report seeks to evaluate the policy effects of public funding in the states with regard to several stated goals of its supporters, including slower campaign spending growth, diminished interest group influence, enhanced political participation, and heightened electoral competitiveness. The GAO’s paper is timely considering that full funding programs are becoming both more common and more visible to the public at large; however, its analysis of public funding is not comprehensive. Moreover, its findings in some areas are not sufficiently robust. These shortcomings are generally resultant of unnecessary limitations that GAO researchers place on their data, an apparent inattentiveness to existing academic practice, and improper methodological choices.

That said, the GAO’s analysis does contain several interesting findings, and its publication marks a good opportunity for political scientists and policy analysts to compare notes. Combining the contributions from each provides a more complete picture of what is known and unknown in the study of publicly funded elections. In this paper, I review the findings of the GAO report as well as those of a growing number of scholars who have examined the topic. In the sections below, I describe what the GAO, political scientists, and policy analysts have told us about public election funding, as well as opportunities that remain for further research. This essay should therefore be useful both for political scientists and the policy community.

The paper proceeds as follows: In the next section, I briefly overview the history and rationale of American public election funding. I then review known findings of the GAO, political scientists, and policy organizations with regard to the relationship between public funding and a number of factors including campaign spending, candidate participation, interest group influence, electoral competition, campaign strategy, and voting behavior. Where applicable, I supplement this review with basic analysis of additional data. I close with recommendations for good practices in future public election funding research.

Why Public Funding?

In *Buckley v. Valeo* (424 U.S. 1 1976), the Federal Election Campaign Act was contested on the grounds that its mandatory limitations on both the spending of and contributions to Congressional candidates were unconstitutional limitations on speech. In a *per curiam* opinion, the Supreme Court found that the main element of speech in a political contribution is the expression of support:

A contribution serves as a general expression of support for the candidate and his views, but does not communicate the underlying basis for the support. The quantity of communication by the contributor does not increase perceptibly with the size of his contribution, since the expression rests solely on the undifferentiated, symbolic act of contributing (Ibid.).

This logic allowed the Court to uphold the constitutionality of contribution limitations while striking down forced spending limits, since restrictions on candidate spending equate to “direct and substantial restraints on the quantity of political speech” and are therefore unreasonable restrictions of First Amendment rights (Ibid). However, because candidate participation (and acceptance of spending limits) in the presidential public financing program is voluntary, it survived constitutional scrutiny.

Nonetheless, for reformers who see money as a nefarious element in American politics, the *Buckley* decision has forced creativity. Since spending limits cannot be imposed upon candidates, states looking to reduce the role of money in politics must provide candidates with a reason to accept restrictions on their campaign spending. Public funding programs seem to be natural vehicle to this end; not only do subsidies serve as an incentive for candidates to participate, but they also directly address several problems beyond cost inflation. Indeed, critics of the prevailing campaign finance system often cite public funding as a panacea of sorts, with the potential to alleviate one or all of at least four major deficiencies in American elections: high average costs, low average competition, the appearance of corruption, and the burden that fundraising places on campaigns.

Public election financing seems like a logical solution to these problems. Candidates opt into programs that include spending limits because they receive a subsidy in exchange. By providing challengers with more money while requiring candidates to spend less overall, public funding programs promise to close spending gaps between challengers and incumbents, reducing the overall cost of elections. Moreover, subsidies diminish candidates’ reliance on so-called “special interest”

contributions, reducing the likelihood that interest groups will gain undue influence over legislative activities. Finally, candidates recognize that subsidies allow them to avoid the dreaded task of fundraising, which also facilitates greater control over the remainder of their campaign time.

Despite their theoretical potential, public funding programs expanded slowly to state legislative elections. In the 1980s and 1990s, a small number of states, including Hawaii, Minnesota, and Wisconsin, began offering candidates relatively small subsidies that only partially fund their election campaigns. However, in the late 1990s, voters in Maine and Arizona passed ballot referenda to provide candidates for all state offices with subsidies intended to cover the entirety of their campaign costs, beginning in the 2000 election. Connecticut began its own full funding program in 2008. The successful passage of these laws is part of a larger national movement called “Clean Money, Clean Elections,” currently the most widespread campaign finance reform initiative at the state level.¹

Under Clean Elections programs, candidates qualify for full public funding by raising a small amount of money from a predetermined number of individual contributors. Once they prove their viability in this fashion, Clean Elections candidates receive public subsidies sufficient to wage an entire primary and/or general contest. In return, participating candidates agree to raise no additional money and to abide by spending limits equal to their subsidy amounts. To encourage participation, candidates running against those who choose to opt out of the program receive matching funds for their opponents’ expenditures above the spending limit. The matching funds provisions are intended to guarantee financial parity for participating candidates in nearly all circumstances. Important details about each state’s program are contained in Table 1.

[Table 1 About Here]

During the 2000s, full public funding has spread steadily to other states. In addition to Connecticut’s comprehensive system, New Mexico implemented a Clean Elections program for its Public Regulation Commission candidates in 2003, extending it to judicial candidates in 2007. North Carolina passed full funding for judicial candidates in 2004, as did Wisconsin in 2009 and West Virginia in 2010. New Jersey is currently studying a pilot program in its legislative elections, and Rhode Island is considering a similar trial. The cities of Albuquerque and Portland have recently passed full funding laws for municipal elections and at least a dozen other cities are considering them.

¹Hereafter, I use the terms “full funding” and “Clean Elections” interchangeably.

Moreover, as of early 2010, a bill is pending to offer major public funding to candidates for both houses of the United States Congress.

Does it Work? The GAO Report and Beyond

Efforts to gauge the efficacy of public funding programs have nearly always relied on their ability to address the core problems described above. Generally speaking, when it comes to altering the political landscape, previous analysis demonstrates that the size of the subsidy matters a great deal. Partial funding has shown some promise in slowing spending inflation in Wisconsin (Mayer & Wood 1995), but has proven ineffective in New York City municipal elections (Kraus 2006) and Minnesota state campaigns (Schultz 2002). An early study of Minnesota found that public funds have helped private contributors to gain an aggregate dollar advantage over PACs (Jones and Borris 1985). However, Schultz (2002) found that Minnesota's partial public subsidies have not actually reduced the spending of PACs, which had simply channeled their money through soft money and lobbyists. Scholars have also found little competitive change in partially-subsidized elections (e.g., Jones & Borris 1985; Mayer & Wood 1995; Malbin & Gais 1998, 136; but see: Donnay & Ramsden 1995). In short, partial public funding seems to have marginal effects, at best.

The GAO report addresses Clean Elections in Arizona and Maine, and marks the broadest effort to date to answer the crucial question: does *full* funding work? As I will describe below, there is building evidence that Clean Elections achieves at least some of its reform objectives, and the GAO's wide-ranging evaluation is a welcome effort to contribute to our knowledge of public funding efficacy. Yet, the GAO report suffers from problems that affect its substantive findings in some areas. Generally, these issues stem from an unwillingness of the agency to consider pre-existing data sources, to collect original data, or to fully consider the impact of its methodological choices. Greater attention to these areas would have substantially strengthened the report's findings.

That said, the GAO's report does make important contributions in certain areas. Combining those findings with other studies from the political science and policy communities yields a complete picture of both the state of knowledge on public funding efficacy and opportunities for future research. Moreover, a critique of the methodological issues alluded to above is potentially helpful for researchers, who should be aware that better practices exist. In subsequent sections, I therefore compare the GAO's conclusions in several substantive areas to previous and forthcoming research

from political scientists and policy analysts. Where necessary, I supplement this review with new data.

Spending

The GAO report is a welcome addition to the literature on the topic of campaign spending in fully funded environments. Slowing the growth of campaign spending is an oft-repeated goal of public election funding, and political science has devoted surprisingly little attention to an examination of the relationship between public funding and campaign spending levels.

The agency finds that compared to the two elections prior to public funding implementation, spending in Maine House and Senate elections decreased and held steady, respectively (1: 53). The GAO also reports that spending overall has increased in Arizona since 2000 (1: 59), but because it did not obtain spending data from Arizona prior to 2000, the office is unable to draw conclusions about the possible effect of public funding on campaign costs. However, one positive finding in the GAO report was that spending gaps have narrowed between challengers and incumbents in Maine (1: 56), and in the five election cycles under public funding, there is no significant difference between challenger and incumbent spending in Arizona (1: 62). For reformers who seek an even playing field for challengers, this is a promising finding.

In order to gain more perspective on historical spending patterns, I obtained data from the Wisconsin Campaign Finance Project (WCFP) that allow spending to be tracked farther back in time, albeit no data exist for 2008.² In both Arizona and Maine, WCFP data allow the historical spending trend to be extended by three additional election cycles; data are collected from 1994-2006 in the former and 1990-2006 in the latter. I examine the mean spending (in 2006 dollars) of different types of candidates (challenger, incumbent, open seat) from each state who ran in races contested by at least two major party candidates. Particularly with regard to evaluating public funding, including uncontested races (as the GAO does in its report) in a historical analysis of mean candidate spending is a suboptimal practice. If, for example, uncontested incumbents spend little to no money then it is possible that public funding would appear to increase overall spending if it also increased the number of challengers in the electoral system. Restricting the sample to contested elections avoids this issue.

I begin with a basic test of inflation-adjusted average spending levels for all contested candidates,

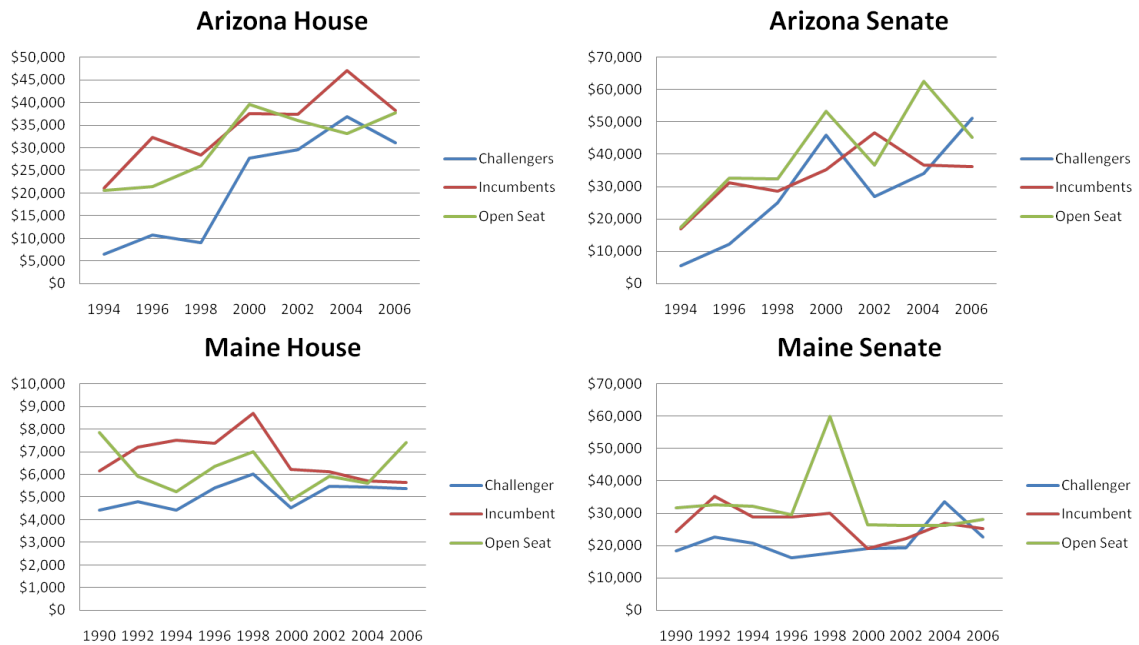
²<http://campfin.polisci.wisc.edu/>

before and after the 2000 election in Arizona and Maine. Table 2 contains overall mean spending levels prior to Clean Elections, compared to overall spending after its implementation as well as post-Clean Elections tabulations of spending by traditional and publicly funded candidate groups. The comparison reveals that spending in Arizona House and Senate races was significantly higher in 2000 and beyond; in both houses average spending increased more than \$15,000. In the Maine House, spending is down significantly by about 8% for all three categorizations in publicly funded years. For contested Maine Senate races, neither overall spending nor that of privately financed candidates differs significantly after 1998; however, Senate candidates who participated in public funding did spend about 10% less than mean levels before the implementation of Clean Elections.

It is worthwhile to note that spending is higher after 1998 even for Arizona candidates who opted out, and lower for traditionally financed Maine House candidates. These trends are somewhat curious, and serve as a reminder that Table 2 cannot definitively prove that Clean Elections is solely responsible for fluctuations in spending levels. For instance, changes in district boundaries or political conditions for majority parties are also potential causes that cannot be ruled out. However, if Clean Elections *has* caused higher spending in Arizona and lower spending in Maine, there is a likely statutory explanation. The primary and general election grant amounts to participating candidates are set as the average of candidate spending in the previous two election cycles in Maine, while in Arizona grants to state house candidates for the two election phases initially totaled \$25,000 and are not tied to previous spending levels. If the \$25,000 grant in Arizona is substantially more than some candidates were able to raise prior to Clean Elections, then it should not be surprising to see spending rise there after the implementation of public funding while spending is flat in Maine.

To illustrate this concept, I depict mean candidate spending for contested challengers, incumbents, and open seat candidates in Figure 1. In Maine, the WCFP data tell the same story as the GAO report: With the exception of the open-seat spike in 1998 that results from a significant outlier, spending in Maine is flat or trending slightly downward. A noticeable decrease in mean spending occurs in 2000 for all three candidate types in Maine house elections, and ignoring the afore-mentioned outlier, 2000 marks a drop in open-seat and incumbent spending in Senate races as well.

Figure 1: Inflation-Adjusted Spending in Contested Races



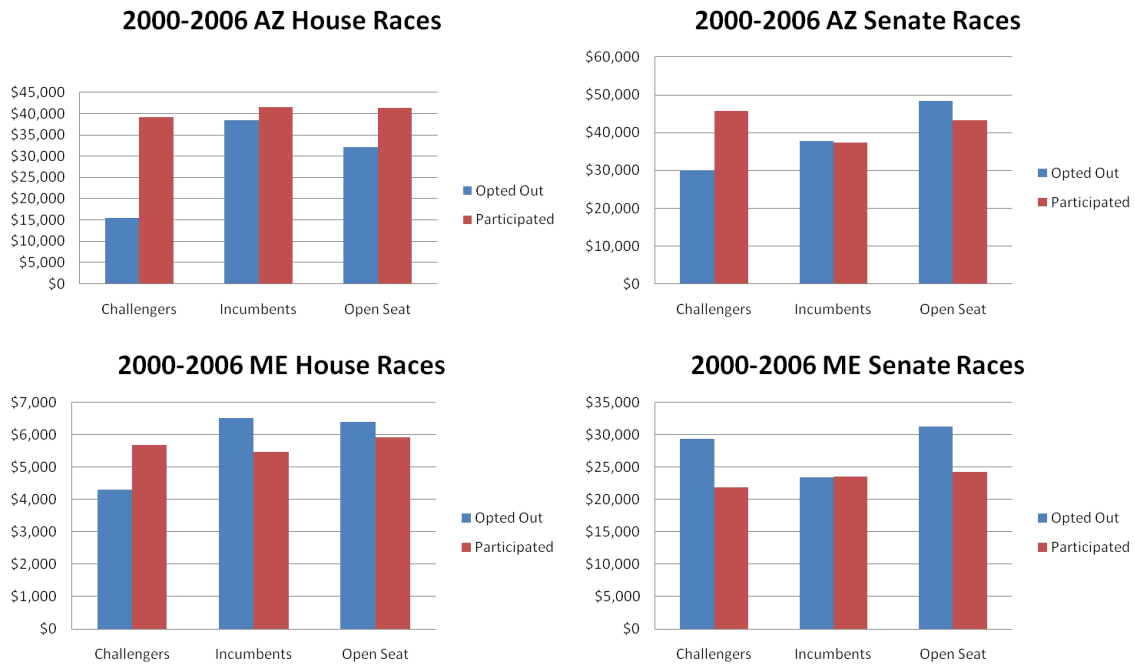
The WCFP data extend to Arizona elections from 1994. In both Arizona House and Arizona Senate elections, Figure 1 shows that mean spending for all three candidate types was higher in 2006 than in 1994, with noticeable increases in 2000, when Clean Elections was implemented. However, in elections to both houses, the average financial positions of both open seat candidates and challengers were most affected in the 2000 election; for both candidate types, spending rose substantially in that year. Notably, mean challenger spending rose from a flat trend of about \$10,000 before 2000 to about \$25,000 after. Considering that \$25,000 was the initial Clean Elections grant amount in 2000, it seems reasonable to conclude that public funding significantly bolstered the average financial position of previously cash-strapped challengers in Arizona.

In an effort to determine which candidate groups are most aided by Clean Elections, I depict the mean spending of contested challengers, incumbents, and open seat candidates by public funding status from 2000 to 2006 in Figure 2. In Arizona, similar patterns are apparent for both challengers and incumbents in House and Senate races: While publicly funded challengers outspend their traditionally financed counterparts by wide margins, incumbents spend about the same regardless of their public funding status. Publicly funded open seat Arizona House candidates outspend those who opt out, while there is little difference in spending between publicly and traditionally funded

open seat Senate candidates.³

In Maine House races, publicly funded challengers and incumbents spend significantly more and less, respectively, than their privately financed counterparts, while public funding status does not appear to affect the spending of open seat candidates. Figure 2 suggests a slightly different picture in Maine Senate elections, with incumbents in the two groups operating at nearly equal levels while the spending of publicly funded challengers and open seat candidates appears to lag behind privately funded candidates. It is worth noting, however that none of the differences apparent in Senate elections are statistically significant.

Figure 2: Candidate Spending By Public Funding Status



In short, overall spending is fairly flat in Maine before and after the implementation of Clean Elections, while it has risen in Arizona. This difference, however, is resultant of the manner in which subsidy levels are set in the two states. A comparison of spending levels by publicly and traditionally financed candidates confirms the intuitive notion that public funding helps challengers the most. Arizona’s grant levels are well above mean challenger spending in elections prior to 2000; the corresponding improved financial position of challengers alone may account for higher mean

³Two-tailed *t*-tests show significant differences for open seat House candidates, but not for their Senate counterparts.

spending there in public funding years. Finally, it is worth noting that contrary to the findings in the GAP report, analysis of WCFP spending data provides little basis to conclude that overall spending has risen in Arizona since the implementation of Clean Elections.

The GAO also aptly includes a description of trends in independent expenditures, which is an oft-overlooked area of campaign finance analysis. To my knowledge, the GAO's effort in this report is the first to gather information on spending by independent actors. The GAO finds that independent expenditures have grown substantially since 2000, although a considerable spike is apparent in 2004 that may be due to a broadened definition of "independent expenditure" that occurred in that year (1: 58). While the GAO reports that independent expenditures have increased in Arizona under public funding, its evidence is largely anecdotal, and no conclusions should be drawn regarding independent expenditures in that state. Regardless, public funding in both Arizona and Maine creates different incentives for independent groups. A better understanding of independent expenditures would be a welcome addition to the literature on public funding.

Candidate Participation

In presenting frequencies of candidate participation, the GAO report yields several interesting findings. For example, the GAO finds that participation rates overall more than doubled from 2000 to 2008 in both Arizona (1: 25) and Maine (1: 17). The office also reports differential partisan participation, with Democrats more likely to participate in public funding. These conclusions are consistent with those reported in Werner and Mayer (2007), which predicts that Democratic challengers are more likely to accept public funding in Arizona and Maine, as well as Miller (2010b), which found that incumbents in Arizona, Connecticut, and Maine were more likely to face a publicly funded challenge than their Democratic counterparts. In tandem with studies in the political science literature, the GAO report suggests that the practical effects of public funding on partisan competition may be uneven, and the potential for public funding to yield disproportionate benefits for Democrats should be further studied.

The GAO also reports that while participating candidates in Maine were more likely to win (1: 22), non-participating candidates in Arizona had more success (1: 30). However, this fact alone says little about the relationship between public funding and electoral outcome since the agency does not account for the potential role of obvious factors such as the partisan affiliation or incumbency status of candidates. The houses of the Maine Legislature are generally controlled by Democrats while

Arizona is a Republican-leaning state; accordingly, the propensity of Democrats and Republicans to opt into and out of public funding, respectively, is itself a likely cause of the seeming differential effect of public funding on electoral outcomes. In other words, due to their personal ideology or some other reason, most incumbents in Maine have participated in public funding (1: 21) and most incumbents in Arizona have opted out (1: 20); superior average incumbent performance likely explains the apparent discrepancy between the two states. A more appropriate analysis of the success of participating candidates would therefore be a controlled multivariate analysis capable of ruling out such confounding factors.

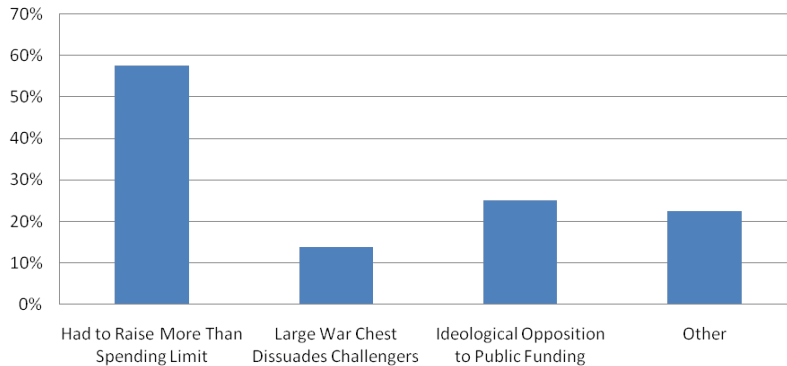
The GAO also presents some information with regard to candidate motivation for participating in Clean Elections. However, since the report relies on frequency statistics from groups of 5 interest group representatives and 11 legislative candidates in each state, it is difficult to draw conclusions. For instance, Table 7 of the report contains frequencies of non-participating Arizona candidates' responses to one of eight reasons for opting out of public funding (1: 28). However, since only 6 of the informants in the GAO study opted out, it is impossible to say with any certainty that the GAO's sample is valid. While the agency does explicitly note in the appendix that its elite candidate interviews cannot be used to generalize candidate opinion as a whole, the tabling of frequencies in this manner is potentially misleading, especially for readers lacking statistical training.

That said, the GAO correctly identifies the solicitation of elite opinion as good research practice, since any changes in a post-Clean Elections environment would likely be derivative of altered behavior among such groups. However, in order to make broad claims as to candidate motivation, opinion, and psyche, a better method would have been to deliver a survey instrument to *all* legislative candidates. Such an approach has been successfully utilized in studies of candidate behavior and opinion during publicly funded elections (see: Miller 2010a; 2010b; 2008; Francia and Herrnson 2002). La Raja (2008) employed similar elite survey tactics, surveying *potential* candidates from Connecticut to determine the extent to which the availability of public funding encouraged their entry into public life.

To determine candidate motivation for opting out of full funding programs, Miller (2010b) reports the results of such a survey of state house candidates in publicly funded states. Of 43 survey respondents in that study who opted out of public funding in Arizona, Connecticut, and Maine, Miller found that about 60% reported ideological opposition to the programs, while about 10% cited the need to raise a large war chest and to raise more than the spending ceiling, respectively. These

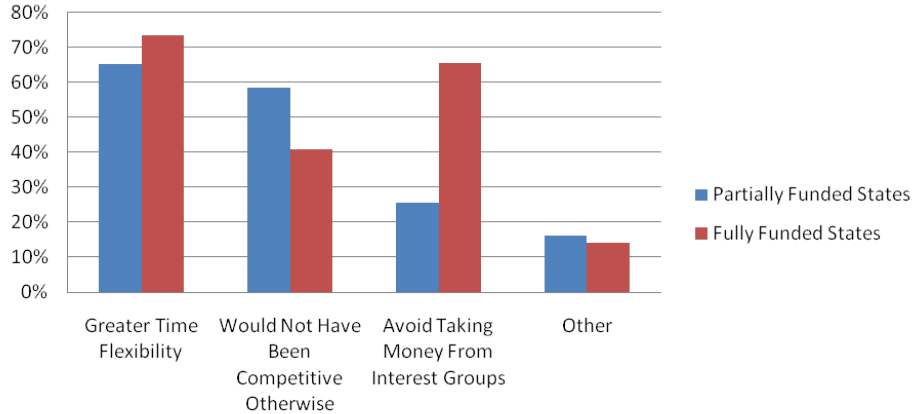
results suggest that fiscally conservative candidates are likely to opt out of full funding due to a personal belief in limited government, or to a recognition that participation in conservative districts may invoke the wrath of a conservative electorate.

Figure 3: Reasons for Opting Out Cited By Traditional Candidates, Partial Funding States



Further analysis of Miller’s survey data yields additional insight into candidates’ rationale for participating in public funding. Figure 3 depicts the percentage of 80 traditionally financed respondents from the partially funded states of Hawaii, Minnesota, and Wisconsin who reported opting out for various reasons. Compared to the respondents from Clean Elections states cited above, a similar proportion in the partially funded states—about 10 percent—reported opting out of public funding so that they could amass large sums to preclude competition. However, ideological opposition is weaker in states that offer smaller subsidies than it is in Clean Elections states by a factor of about two-thirds; just over 20% of traditional candidates in partially funded states cited ideology as a reason for opting out of public funding. The clear leader in the partially funded states is a concern among candidates that spending limits are insufficient, with a majority of traditionally funded candidates citing concerns with spending limits as one reason for opting out.

Figure 4: Reasons for Participating Cited By Publicly Funded Candidates



Miller’s survey also solicited responses of publicly funded candidates in both partial and full funding states regarding their reasons for *accepting* public subsidies. There were 206 and 106 fully funded and partially funded respondents, respectively. The percentages of respondents who cited each answer are depicted in Figure 4.⁴ In both full funding and partial funding states, a majority of candidates reported that because they recognize that they will spend less time fundraising, accepting full funding lends them greater flexibility over their campaign time. Over 60% of fully funded respondents also cited the desire to avoid accepting donations from interest groups as a motivating factor, as opposed to about one quarter of partially funded respondents. This difference is not surprising, considering that partially funded candidates must still raise considerable sums from donors. Finally, about 60% of partially funded respondents cited an inability to raise sufficient funds from private sources as a reason for accepting public subsidies, compared to about 40% of those from fully funded states.

Probing the mind of candidates in publicly funded states is informative because it sheds light on the likely effects of public funding, including some in areas that have been understudied. Healthy percentages of candidates in both partial and full funding states see public funding as a vehicle for spurring competition, and there is a strong desire among fully funded candidates to avoid entanglements with interest groups. The GAO report rightly examines each of these areas as potential places for observable effects of public funding. However, majorities of both partially and fully funded

⁴Survey methodology and data are described at length in Miller (2010a; 2010b).

candidates cited the potential for public funding to deliver increased time flexibility as a factor in their decision. If public funding changes the way that candidates use their time, as the responses depicted in Figure 4 seem to suggest, then evaluations of public funding should go beyond analysis of competition and interest group strength to less observable areas such as altered candidate strategy and campaign dynamics.

Interest Groups

In eliminating the ability of special interest organizations to contribute to participating candidates, public funding holds great promise to reduce instances of *quid pro quo* exchanges between interest groups and voters. Indeed, as noted in the previous section, fully funded candidates recognize this potential, citing it as an attractive feature of Clean Elections programs. Yet the topic of interest group activity in publicly funded states has received scant attention in the political science literature. The GAO report is a welcome exception to this trend. The agency's analysis of interest group power is suboptimal, but its inclusion will hopefully mark the beginning of an extended conversation in the academic and policy communities.

The GAO finds that the perception of interest group influence has not decreased as a result of public funding. However, its methods on this front are questionable. The GAO relies on a survey of voting-age citizens, asking them whether "the public financing law had greatly or somewhat decreased special interest group influence" (1: 71). The agency restricts its polling sample to respondents who "indicated that they were a lot, some, or a little aware" of the public funding laws of their states (Ibid.). Unfortunately, allowing respondents to opt in without testing their actual knowledge likely expands the sample beyond realistic dimensions, since previous research has found that a large proportion of citizens actually know very little about public funding even during highly publicized trials in New Jersey (Woolley and Vercellotti 2007). Moreover, to accurately gauge the role of interest groups in their states before and after 2000, respondents would have to have been residents of their state prior to 2000 and fairly well informed with regard to political affairs. Finally, the question requires respondents to reflect on the opinion that they harbored over a decade previously; it is not clear whether this is a realistic request. With these issues in mind, the GAO report actually tells us very little about either the actual or perceived role of interest groups in Arizona and Maine, which underscores the necessity of further exploration.

A citizen poll may have succeeded if a baseline were established prior to 2000. Since such data do

not exist, a superior opinion poll would have eschewed mass opinion in favor of the views of registered lobbyists, current and former legislators, and other political elites. Such respondents would be more likely to have long-term ties to the political climate of their states, and would possess superior information about the actual workings of interest groups. While the GAO did solicit qualitative responses on this question, due to the problems with the sample size mentioned above, its findings cannot be generalized. The shortcomings of the GAO on this front are unfortunate, but they do highlight the fact that an in-depth study of elite opinion on the role of interest groups would be a solid contribution to the political science literature.

That said, there are other, arguably superior ways of studying the influence of interest groups. One might be to re-analyze the data on independent expenditures of interest groups before and after public funding; another might be to examine the political contributions of registered lobbyists, as well as those of business, labor, and advocacy groups. Still another would be to focus on behavior within legislative institutions. An examination of roll-call voting trends on key issues would be an extremely promising means of ascertaining whether interest groups' role in policy making has changed after the advent of full funding (for similar studies, see: Esterling 2007; Witko 2006; Fellowes and Wolf 2003; Wawro 2001; Stratmann 1991; Hall & Wayman 1990). A rigorous study of legislative behavior accounting for interest group contributions would be a particularly welcome one, given the public attention in the wake of a recent flurry of legislative activity on controversial topics in Arizona.

Electoral Competition

Analysis of electoral competition in the public funding literature has largely focused on three questions: Whether Clean Elections changes the demographic composition of the candidate pool, whether more candidates are likely to run in fully funded environments, and whether victory margins are narrower when public funding is present. On the topic of demographics, the GAO cites difficulty in obtaining information about legislative candidates, and its paper therefore does not engage the question of whether public funding has altered the demographics of the candidate pool in fully funded states. It is worth noting, however, that a great deal of information about candidates and districts is documented in secondary sources or collectible with some effort; candidate information is often obtainable from political parties, web searches, or archival research, and basic demographic analysis at least is not impossible.

For instance, with regard to candidate experience, one accessible measure for Senate races is

simply whether candidates were once members of the House. This measure was successfully utilized by Malhotra (2008) in his analysis of electoral competition in Arizona and Maine. Furthermore, data on campaign spending prior to 1998 in Maine or 2000 in Arizona eluded the GAO (1:5), but the Wisconsin Campaign Finance Project at the University of Wisconsin, Madison has maintained spending data for both states in a public database that dates back to the early 1990s.⁵ Finally, while the GAO states that “data were not available to address issues specific to legislative districts” (1:33), with regard to partisan composition and basic census information, such data were compiled for districts in the 1990s in Barone *et al.* (1998), and for the 2000s in Lilley *et al.* (2007), and have been previously utilized in evaluations of public funding (see: Miller 2010a).⁶

Having obtained data such as these, Werner and Mayer (2007) found that women in Maine and Arizona House (but not Senate) races are significantly more likely to accept public money than men, but that the makeup of neither the overall candidate pool nor the legislative bodies is different after Clean Elections. Furthermore, a 2008 study by the National Association of Latino Elected and Appointed Officials found little evidence of increased numbers of Latino candidates after the implementation of Clean Elections (NALEAO 2008). On the question of sheer candidate numbers, the GAO finds little evidence that Clean Elections has increased the average number of candidates in state legislative elections, or that it has raised the likelihood of third-party or independent candidates emerging (GAO 1: 49). This finding is likely disappointing to public funding advocates, particularly given that La Raja (2008) found some evidence that full funding provides an incentive for the entry of high-quality candidates in Connecticut. La Raja’s findings might be particular to Connecticut; alternatively, other factors such as instances of open seats, redistricting, or partisan trends may obscure the true effect of public funding in the GAO’s study. In short, the preponderance of the evidence to date suggests that Clean Elections has not altered the typical number or type of candidates in legislative elections, but a controlled study of candidate emergence in both primary and general elections would be a valuable addition on this front.

Future researchers may also consider alternative measures of candidate emergence. For instance, one additional way to examine whether Clean Elections encourages candidate entry is to determine whether incumbents are more likely to be challenged when public funding is available. Instances of incumbent challenges are an important concept, since an uncontested election is the antithesis

⁵<http://www.campfin.polisci.wisc.edu/>

⁶Moreover, the Census 2000 *State Legislative District Summary File* provides comprehensive demographics for each legislative district in the 2000s. See: <http://factfinder.census.gov/servlet/DatasetMainPageServlet>

of a competitive one. Additionally, analysis of uncontested incumbent elections has the additional benefit of avoiding bias that may result from fluctuating numbers of open seats in a given election that could affect mean candidate numbers overall.

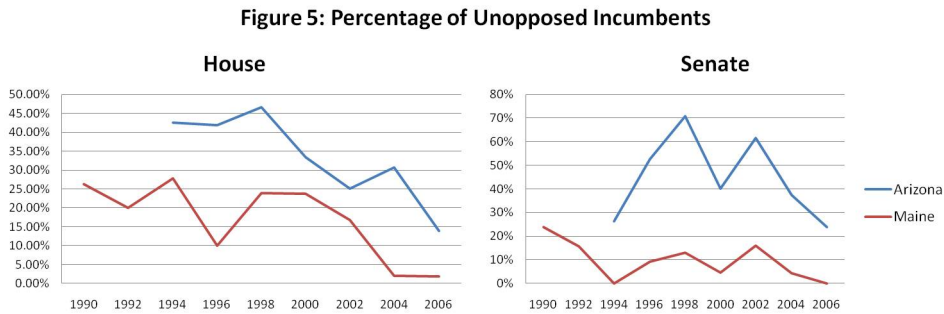


Figure 5 depicts the percentage of House and Senate incumbents in a given election who were not opposed by a major-party candidate in Arizona and Maine from the 1990s to 2006, according to WCFP data.⁷ The trend lines in both House and Senate elections are fairly analogous; Maine enjoys fewer uncontested incumbents, but year-to-year fluctuations are quite similar between the two states. In Senate races, instances of unopposed incumbents appear to be on the rise in the latter half of the 1990s, dropping slightly when Clean Elections was implemented in 2000, rising in 2002, and then declining fairly steadily in 2004 and 2006. With the exception of the spike that appears in 2002, instances of unopposed incumbents appear to have declined in both states' Senate contests since 2000.

House incumbents in both Arizona and Maine also appear to be less likely to run unopposed after the 1998 election. In the case of Maine, nearly all House incumbents were challenged in 2004 and 2006, while in Arizona, the rate of unopposed incumbents declined from typical rates of over 40% in the 1990s to under 15% in 2006.⁸ In short, Figure 5 certainly does not contradict the notion that incumbents are more likely to face a challenge when public funding is available, although other factors such as redistricting could also cause such changes. This possibility underscores the necessity of a well-designed study of candidate emergence capable of isolating the effect of Clean Elections. Such an analysis would be a strong contribution to the study of public funding and electoral competition.

With regard to electoral margins, the GAO analyzed the closeness of elections in Arizona and Maine, which has also been previously addressed in the political science literature (see: Mayer,

⁷Data are available from 1990 in Maine and from 1994 in Arizona.

⁸In Arizona's multimember districts, I define an "unopposed incumbent" as one who did not face a non-incumbent of the opposite party.

Werner, and Williams 2006; Werner and Mayer 2007; Malhotra 2008). Examining data through 2004, Mayer, Werner and Williams (2006) found “compelling evidence” of heightened competition in both Arizona and Maine after 1998, with higher apparent rates of incumbents receiving more than 60% of the vote and lower incumbent re-election rates in House elections. Werner and Mayer (2007) extended this analysis to include the 2006 elections, with similar findings. Malhotra (2008) employed two dependent variables and multiple specifications of a regression model to measure the effect of Clean Elections in Senate elections in both states. Malhotra’s approach allows for potentially confounding factors such as incumbent presence and challenger quality to be controlled. Malhotra found no evidence of enhanced competition system-wide when public funding became available, but did find that incumbents saw diminished margins when they were met by a publicly funded challenger. In short, political science has consistently shown that publicly funded challengers perform better on Election Day, but the existing evidence underscores the point that Clean Elections subsidies can only effect competition in paired races where it is present, and then is strongest when the challenger runs with public funding.

On the question of electoral competition, the GAO’s analysis finds no change on dichotomous measures of contestedness (1: 41) or incumbent reelection rates in either Arizona or Maine after implementation of Clean Elections (1: 44), but it does report statistically significant changes in the winner’s victory margin in both states during years for which public funding was available (1: 35). However, I believe that the GAO’s methodological approach is flawed, and breaks from well-founded practices that previous scholarship establishes. Accordingly, its findings are less robust than existing studies of competition in the political science literature.

For instance, rather than to follow Malhotra’s sensible approach of a multivariate regression controlling for pertinent covariates, the GAO instead opts for a “quasi-experiment” that examines competitiveness in Arizona and Maine compared to that of four other states each, before and after the 2000 election. Unfortunately, the GAO’s design leaves much to be desired. For instance, the agency’s researchers do not provide any balance tests demonstrating that the groups are well-paired. This shortcoming is particularly important considering the fact that the GAO seems to have matched states more on the basis of factors corresponding to their legislative structure, like chamber size, and less on the observable conditions of their legislative elections, such as average candidate spending, partisan balance, typical levels of competition (pre-2000), and district population. Failure to attend to this distinction results in state pairings at odds with previous work in the political science liter-

ature. For instance, while Miller’s (2010a) study of matched pairs groups Montana with Maine in a balanced matching design, the GAO pairs Montana to Arizona. Furthermore, despite taking apparent pains to design pairings that should facilitate causal inference, the GAO refuses to attribute the lower victory margins in Arizona and Maine to public funding, citing data limitations and an inability to measure “candidate popularity,” which its analysts believe is a potential confounding unobserved variable (1:34).⁹

The GAO’s design also fails to properly assign districts to the appropriate treatment condition. The agency employs a pre-post design that examines mean variable levels in each state, overall, before and after the implementation of public funding. While such an approach may seem to be an intuitive way to gauge the programs’ effectiveness, it ignores the political realities of the manner in which public funding is implemented. Because participation is optional, a number of candidates do not participate and so public funding is not present in all legislative races. Indeed, while the GAO reports that nearly all legislative races in Maine saw at least one participating candidate in 2006 and 2008, participation rates are lower in Arizona, and in both states participation has increased dramatically since 2000, when participation rates were much lower (1:32).

It is unreasonable to expect that public funding will have an effect in contests where it is utilized by neither candidate. In focusing on overall measures of concepts like electoral competition without regard to the utilization of public funding in a paired race, the GAO misses a crucial opportunity to build valuable same-state control groups from which to draw causal inference. Following previous studies in political science (i.e., Malhotra 2008; Miller 2010a; Werner & Mayer 2007), “treated” districts should be those in which the challenger accepted public election funding, as opposed to all districts in Arizona and Maine during elections after 1998. Assigning districts in which no public funding was present to the treatment condition no doubt biases the findings. If the agency reports no statistically significant changes after the implementation of public funding, this design flaw alone could be the reason.¹⁰

To gauge the effect of public funding on competition, a single, controlled fixed-effects multivariate

⁹It is unclear what the GAO means by “candidate popularity,” and how it would confound such an analysis. It would seem that a perfectly appropriate measure of a candidate’s “popularity” is, essentially, her share of the vote, which is a component of the dependent variable.

¹⁰The inclusion of Connecticut as a “control” state paired with Maine is also potentially problematic. In 2008, Connecticut became the third state to offer full public funding to legislative candidates. The GAO notes that “In some models, we excluded races from Connecticut in 2008 to account for the fact that public financing became available in that election year” (GAO 2: 52). However, it is not clear whether Connecticut is appropriate as a “control,” even omitting 2008. For instance, it is plausible that some challengers abstained from running in 2006 because they knew that public funding would be available in 2008.

analysis with victory margin as the dependent variable would likely have served the agency’s purpose. Another approach would be a panel difference-in-differences model measuring competitive trends within the same districts before and after Clean Elections. The agency could also have constructed a matching design pairing candidates based on observable characteristics of both the politician and the district, which would have yielded a reliable causal effect on competition. Any of these approaches would have been superior to the GAO’s methodological framework. That said, while it does not meet benchmark standards in this area, the GAO has attempted what will hopefully lead to greater effort to draw causal inference on the competition question, and its efforts underscore that a well-conceived quasi-experimental design would mark a solid contribution to our understanding of the relationship between Clean Elections and electoral competition.¹¹

Campaign Strategy and Candidate Behavior

As noted above, a comprehensive survey of candidates has proven useful in yielding generalizable findings with regard to their motivation for participating in or opting out of public funding. However, such a method could have also yielded insight into the manner in which public funding alters campaign strategy and candidate behavior. A consideration of altered campaign dynamics is crucial in drawing the linkage to political participation, since it is reasonable to believe that factors other than campaign spending should be crucial in driving mass participation. Specifically, more people should vote when candidates are able to devote more time to high-quality, personal contact with voters (see: Han 2009; Nickerson, Friedrichs, and King 2006; Nickerson 2006; Nickerson 2005; Ramirez 2005; Hillygus 2005; Wong 2005; Bennion 2005; Green, Gerber, and Nickerson 2003; Michelson 2003; Niven 2002; Niven 2001a; Niven 2001b; Gerber and Green 2000).

It is reasonable to expect that in publicly funded elections, more such contact should occur, since fully funded candidates devote significantly less time to fundraising than their traditionally financed counterparts (Francia and Herrnson, 2003). If they do not devote time to fundraising, rational candidates should spend more time interacting with voters, groups, and media. The GAO finds that 4 of the 6 participating candidates that it interviewed from Maine (1:18) and 3 of 5 participating candidates from Arizona (1:27) reported that their acceptance of public funding allowed them to devote more time to voter mobilization. This is generally consistent with the survey data reported above. Miller (2010a) confirms these findings using a matching design that supports causal inference.

¹¹By “well-conceived,” I mean one that could facilitate causal inference.

Miller found that fully funded candidates devoted nearly ten percentage points more of their time to voter interaction, suggesting that Clean Elections imparts substantial effects on the conduct of the campaign.

In a previous round of surveys and interviews with candidates in Arizona, Miller (2008) found that the matching funds provisions of public funding create incentives for pervasive gaming among traditionally financed candidates. Non-participating candidates who raised more than the statutory spending limit reported a reluctance to raise and spend money during the election, knowing that doing so would result in the issuance of a matching funds check to their publicly funded opponent. As a result, traditionally funded candidates withheld their financial activity until the closing days of the election, so that publicly funded candidates would receive matching funds on or after Election Day. In other words, Clean Elections seems to have created incentives for traditional candidates to withhold their spending until the end of the election, leading to a flurry of late spending on both sides. The claim of traditional candidates that the incentive structure under Clean Elections effectively chills their political speech for much of the campaign is the basis for pending litigation in the federal courts. As of June 2010, the Supreme Court has temporarily enjoined Arizona from issuing matching funds grants while it reviews a District Court decision in *McComish v. Bennett* that has to date upheld the constitutionality of the program.

In short, Clean Elections appears to alter the behavior of all candidates, not just those who accept subsidies. Future research should account for the propensity of public funding to change the behavior of other political actors, including party leaders, lobbyists, and community organizers.

Mass Political Behavior

The GAO notes that “increasing voter participation, as indicated by . . . voter turnout, was a goal of public financing programs in Maine and Arizona” (81). However, it does not clearly state why we might expect increased voter participation during years when public funding was available. If public funding affects voter turnout, we should expect it to do so in a non-uniform fashion, enhancing turnout in legislative districts where it is utilized by at least one candidate. This is certainly true in elections where no statewide candidates are on the ballot, but even in gubernatorial election years, turnout effects are likely to differ depending upon the public funding status of legislative candidates in any given district. Thus, an examination of statewide turnout statistics is unlikely to capture the true casual relationship between public funding and voting turnout.

That said, there are observable indicators of altered political behavior that might prove informative. Turnout may be affected where publicly funded candidates are present, but the conception of turnout as a dependent variable is likely a suboptimal measure of voting behavior in relatively low-information contests such as state legislative elections. The supposition that we should expect a relatively low-information election such as a state legislative contest to drive voter turnout is a shaky proposition, and ignores a much more likely measure of linkages between public funding and voting behavior. For instance, while it is unlikely that a candidate for State House will compel a voter to travel to the polling place and cast a ballot on Election Day, it is much more likely that an energetic down-ticket campaign will compel citizens who are already in the voting booth to continue voting further down the ballot. In other words, public funding is much more likely to result in diminished district roll-off than enhanced statewide turnout.

Roll-off has been examined in the context of publicly funded state house elections, and for public funding advocates, the results are promising. Employing a panel difference-in-differences model, Miller (2010a) demonstrates that roll-off is significantly diminished in legislative races where at least one candidate accepted full public funding in both Connecticut and Maine, by a factor of between 1.5 and 2 percentage points. In other words, when public funding is present in a given contest for state house, more people are likely to vote in that election. Miller's analysis suggests that the heightened interaction between candidates and voters is responsible for diminished roll-off, but it is unable to determine whether such interaction diminishes roll-off through enhanced voter information, mass political efficacy, or both. Future studies of the relationship between public funding and mass political behavior might employ the sort of balanced, quasi-experimental design described in sections above to test the effect of publicly funded candidates on mass political knowledge and efficacy. Such an understanding would provide a crucial link between public funding and voting behavior.

Discussion

Two trends are clear in the future of public funding. First, the direct partial programs of the 1980s and 1990s, such as those functioning in Hawaii, Minnesota, and Wisconsin, are not likely to expand elsewhere. Previous work has failed to find conclusive evidence of partial programs curbing spending growth or enhancing competition (i.e., Kraus 2006; Schultz 2002; Malbin & Gais 1998, 136; Mayer & Wood 1995; Jones and Borris 1985). Furthermore, as noted above, partial programs

appear to do little to alter the campaign activities of candidates. While such programs may reduce somewhat the influence of business, labor, or issue advocacy organizations compared to individual contributors, these relationships have not been fully studied. Considering what is known, there is little reason for states or municipalities that might be inclined to implement public funding to seek partial programs. Perhaps predictably then, partial funding has become less prevalent among public funding schemes.

However, this is not to say that public funding has not been a popular reform tool. In fact, the second trend in public funding is that future programs will likely provide direct subsidies to candidates at levels approximating full campaign costs. As noted above, since Arizona and Maine implemented their Clean Elections programs in 2000, a number of other states, including Connecticut, have followed for at least some elections. The most promising avenue for Clean Elections seems to be in judicial elections, where at least four states have created full funding programs and a number of others are discussing them. Similar trends are apparent in city elections; two major cities are running elections with full funding, and at least two others seem to strongly considering it as an option.

That said, it is important to note that the trend toward full funding will only continue if the federal judiciary allows it to do so. As of July 2010, there are two major cases in federal courts that have the potential to effectively end Clean Elections in Arizona and Connecticut, with eventual implications for Maine as well. The first case, *Green Party of Connecticut v. Garfield*, challenges public funding in Connecticut. The suit was brought by the state's minor parties, including the Greens and Libertarians, who claimed that the program's provisions discriminate against them because minor party candidates are subjected to extra qualification requirements. In a July 2010 decision, the Second Circuit Court of Appeals disagreed with the petitioners, but did strike down Connecticut's "trigger provisions," the component of public funding that provides participating candidates with matching funds when their opponents opt out and spend more than the Clean Elections spending limit. This decision is at odds with one from the 9th Circuit Court in *McComish v. Brewer*, in which the justices were unpersuaded by petitioners' claims that matching funds adversely affect the speech of traditional candidates, as described in Miller (2008).

In June 2010 the Supreme Court issued an injunction barring the release of matching funds during the 2010 Arizona election while it considered whether to hear the case. Considering that the above decisions from the Courts of Appeals are now at odds with each other, the Supreme Court

will almost certainly hear the matching funds cases in fall 2010. Given other recent decisions with regard to campaign finance such as *Citizens United v. FEC*, which granted campaign speech rights to corporations as of 2010, the future of matching funds seems bleak.

The anticipated outcome in the cases above has led some advocacy groups to believe that well-funded hybrid plans may be the only way to inject substantial public funding into the system while passing constitutional scrutiny by the federal courts. Perhaps the most visible of these is the *Fair Elections Now Act*, which is as of May 2010 a bill in United States Senate committee. If passed, the act would create a system of public funding for Congressional elections that mixes large subsidies with generous matching of subsequent small donor contributions with no spending cap. Considering the costs involved with subsidizing Congressional elections, public funding remains an important field of study regardless of whether it survives in the states. If scholars and analysts can continue to determine how Clean Elections has altered various components of the electoral system, policymakers will have better information with which to build funding programs in the future.

Conclusion

GAO-10-390 marks an attempt at comprehensive evaluation of the role of public funding in state legislative elections; the academic and policy communities should welcome the agency's attempt at wide-ranging analysis. While the report is incomplete in some areas and methodologically questionable in others, combined with other studies of public funding, it yields a complete picture of what we know about public funding, as well as what opportunities exist for continued research in the immediate future. In addition to those opportunities, which have been enumerated in this paper, the comparison yields a template for good research practice in public funding scholarship. Future analysts should proceed with a number of guidelines in mind.

First, on most questions, they should avoid drawing conclusions from an examination of mean variable levels overall, before and after public funding. Since participation is optional, public funding is not deployed in all legislative districts, and should not be expected to affect contests in which no candidate accepts it. An analysis of competition, for example, should compare the margins of publicly funded candidates to those who were privately funded both before the implementation of Clean Elections and after. Indeed, in the context of a difference-in-differences model, districts in which no public funding was accepted after Clean Elections provide an important in-state baseline trend, potentially obviating the need to construct control groups from neighboring states. Analysts

must consider how the uneven acceptance of public subsidies affects their research design.

Second, future scholarship should continue to focus on the behavior of political elites such as candidates, party leaders, lobbyists, and legislators. Survey methods are a promising means to gain insight into the aggregate behavior and opinions of such actors, but they are not the only appropriate method. Qualitative methods, including elite interviews and content analysis of websites, speeches, and media coverage all hold the potential to bear fruit with regard to the relationship between public funding and the conduct of elections. If public funding affects familiar concepts like electoral competition or campaign spending, it does so by influencing the behavior of elites. Collection of more and better data from such actors will likely lead to previously undiscovered program effects, and may also enhance our understanding of the causal dynamic underlying existing findings.

Third, and not fully distinct from the point immediately above, researchers should be willing to search for data that are not readily attainable from centralized state election organizations. The state agencies should not be viewed as the only reliable source of information with regard to candidates, legislative districts, and campaign finance. A number of university and non-profit centers, including the University of Wisconsin's Campaign Finance Project and the National Institute for Money in State Politics, provide reliable secondary sources of financial information. Moreover, the U.S. Census Legislative District File as well as at least two almanacs are a valuable source of information on legislative district composition. Finally, the websites and staffs of the political parties, local newspapers, and the candidates themselves are useful sources of information that should be better-utilized.

Fourth, as with many questions of policy effectiveness, causality is a crucial element to research design when it comes to the study of Clean Elections. Researchers should design studies that facilitate causal inference, and should be forthcoming with regard to the covariate balance between groups and the sensitivity of their findings, particularly since candidate funding status is a non-random event. As noted above, the uneven application of full funding yields unique opportunities for difference-in-differences models that should allow causal conclusions. Well-conceived matching designs also hold promise in a number of areas, including competition, provided that they meet the balance criteria described above.

Tables

Table I-1: Summary of Public Funding Regulations

	Hawaii	Minnesota	Wisconsin
Qualification	raise \$1,500	\$1,500 in amounts < \$50	raise \$1,725 in amounts < \$100
Total Spending Limit	app. \$32,000*	\$31,400*	\$17,250*
Maximum Subsidy	15% of spending limit	50% of spending limit	45% of spending limit
Maximum Matching Funds Distribution	NA	NA	NA
	Arizona	Connecticut	Maine
Qualification	220 \$5 donations	\$5,000 from 150 in-district contributors	50 \$5 donations
Total Spending Limit	\$35,673**	\$41,000**	\$6,148**
Maximum Subsidy	\$31,673	\$35,000	\$5,648
Maximum Matching Funds Distribution	up to 3X subsidy	up to 2X subsidy	up to 2X subsidy

*Hawaii's spending limit \$1.40 for each voter in a district. Minnesota and Wisconsin spending limits apply only if all candidates in a given race accept them.

**In Arizona, Connecticut, and Maine, candidates are allowed to raise \$5,000, \$6,000, and \$500 prior to qualifying. Once they accept public funding, they may raise no additional money.

Table 2: Mean Spending Before and After 2000,
by Candidate Funding Status

	Pre-2000	Post-2000	Post-2000	Post-2000
		Overall	Traditional	Pub. Funded
Arizona House	\$20,725	\$36,281*	\$30,694*	\$40,372*
Arizona Senate	\$24,153	\$42,411*	\$41,488*	\$43,465*
Maine House	\$6,176	\$5,693*	\$5,679*	\$5,700*
Maine Senate	\$26,857	\$24,492	\$28,192	\$23,147*

*2 tailed *t*-tests, significant at $p < .05$

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