

Proposed amendment to S.86

For the purpose of a level playing field with regard to elections. The absence of these rules would prevent independents currently elected for house and Senate from participation in gubernatorial or US senate or congressman races. This means that House members

Despite Equal Time rules by the FCC, the debates of last cycle were all conducted by media outlets and every one of them refused to allow an independent qualified for the ballot to participate upon request. This includes Vermont Public Radio, Channel 3, WGDR, Burlington Free Press, VLCT, and Channel 5 in the election of 2012, in the election of 2010 it included others like AARP. The last of these, Channel 5 was recorded on video stating through it's new director that there was a prior agreement between the democratic party and the republican party to limit the debate to these 2 parties.

None of these media outlets reported that there was a candidate excluded, and throughout the election season wrote extensive coverage without a single mention of an alternative choice. Their headings were always presented as if there were only two options. The FCC rules have been interpreted by VPR and the rest to mean that they do not have to include any candidate that they wish to ignore.

The constitution states that all elections shall be open and free of corruption, and that all citizens have a right to be elected into office. The process has been corrupted by privatization. When the Governor is asked to stand up for the principles of the constitution and open and fair debates of platform with significantly alternative proposals, he says at every door "It's not my debate"

These are the exact same words that the Republican candidate Brock used as well. “I’m sorry it’s not my debate.” The public discourse is being prevented and all candidates are not being vetted. The public chooses between thousands of choices in numerous scenarios, there is reason to trust their choices, and in fact that is the real nature of democracy.

When private entities are legally enabled to censor the presence of a candidate, the election process is subject to the whims of their selection. The people of Vermont cannot vote for a candidate they know nothing about, and they cannot vote for a candidate who has not stood the test of presenting a platform and defending its tenets in light of that of other candidates.

The hosts are not public, they are private entities, even VPR claims itself to be a private entity. They will state that they will only allow candidates into the debates who have gotten 5% of the vote from the election prior. However this is the rule that dictates the difference between a minor and major party, there is no language anywhere that states or suggests that a candidate is illegitimate to participate because of not having 5% of the vote. In fact Randy Brock was permitted to participate although he himself had never achieved 5% of the vote. The reason was that his party had, Although the constitution states that the people have the right to reform government, by this gag on all candidates not belonging to major parties, the ideas of how government can be improved are never compared alongside the plans of those who run it. Without participation in public debates the independent candidate has no chance to achieve a presence in the race, and has next to no chance to achieve the 5% of a major party, in order to be included in the next election.

This also means that an independent must run for at least two cycles before being allowed to participate, as entering the first time must be done simply to achieve that 5 %. The independent is further limited in the following inequitable ways:

The candidates of parties may receive unlimited campaign donations through the parties, this should be obviously a problem where money in politics is plaguing the trust of the people in their government. The independent may not receive as much money. However, as well, the independent who wishes to raise enough money to advertise the presence that the debate hosts exclude, the rules grants for election funding state that a candidate must remain anonymous up until Feb. 15 of the election year to be qualified to get a grant. So what you have in essence is a conspiracy of member of the two parties to create rules that prevent any challenge.

The concern has been that the alternative or independent candidates are a bunch of whackos. Some, frustrated by the censorship of their value to the public have resorted to being arrested for a smidgeon of press coverage. I should not have to be arrested for the public to know I have a good platform to present. Furthermore, just because some candidates do behave in unorthodox manners, that should not mean that I am by proximity a whacko. The rules that I propose you include in this amendment, an amendment that Senator White has agreed to add to S86 when it returns to her committee, will describe proper decorum for candidates at debates, including provisions for barring candidates from future participation if they are not willing to behave modestly.

The worry as voiced is: If we open debates to everyone then we will have everyone and his uncle wanting to come! Should we be so lucky ! Do I need to remind you that this country is proposed

to be a government of the people and by the people? As all of you know running a campaign is no small task, and even getting qualifying signatures in is no afternoon chore. The people do not trust those who have to raise millions of dollars, why should they? So they want to hear from candidates who do not whore themselves to money to be in the races. I must use a perverse term because the amount of money is perverse. I want to run without asking for money, I want the power of my proposals to speak for my candidacy, and not the power of my ability to subjugate myself to big donors and conventional policy.

Last cycle although there were 5 candidates on the ballot for Governor, only three showed up at the door of every debate and only two were allowed to enter and participate and the public only knew about two candidates. I was the invisible one. Your colleagues, the House member from Weston ; Charles Goodwin, the member from Warren; Adam Greshin, the member from Barre; Paul Poirier, and the member from Shoreham; William Stevens, are all currently unable to legally participate in debates and forums of a gubernatorial nature. How would they be able to present a challenge in a Statewide race for Governor or US house or Senate if their right to propose reform to government is muted by private entities?

What if we had 5 or 10 candidates on a single year? If we had that much interest in government operation we would be so lucky! Everyone should be interested! This is everyone's cocreation this thing we call government, It does not belong and should not belong to one subset! The subset of people whose religion is readily defined by Republican or Democratic parameters!

You may ask then, how did Bernie Sanders, an independent get where he is? I will tell you the word I have heard from those who were there when he finally won a mayoral race, and it was not

something I would feel comfortable doing, involving absentee votes from nursing homes. NOW he runs as a Democrat, getting all democratic support systems. switching after the primary to call himself an independent. IN effect he is a democrat posing as an independent.

So why not be forced to choose a party? You can ask others why choosing a party is abhorrent, but for me, its because I like the principles of each party, I want to embody them. Hard work, independence, less government, more tolerance, compassion and caring, I am unwilling to choose a set of principles as my dominant theme, I am unwilling to alienate myself by choice from half and be subjected to peer pressure of conforming to party pressures. It is a deep conviction in me, and it is not unlike a religious choice. WE are all connected, and I am not willing to divide myself to conquer. To suggest that I must do so to participate fairly in elections, or that your colleagues, members Goodwin, Greshin, Poirier, and Stevens must choose a party to be involved in Statewide or national elections is wrong. Plain wrong.

Here is a question you will face, how can we write rules dictating that private media be forced to include mention of candidates? The rules that you will write to allow candidates to participate in debates and forum that are presented to the public as public political vetting of candidates will not require the press to write articles about these candidates, not one word. The words that will be protected are the words that will come from the candidates' own mouths, presented in the course of the debates. Where the debates are recorded in print or on radio or tv, no words will be put into any reporters' mouths , the candidates words will originate from themselves and the press may choose or not choose to comment further on any of what each candidate has to say.

But at least the public will have access to their choices, their choices will not be preselected for them by a private subset of the population. That is expressly forbidden in our Constitution, and the fact that it goes on is exactly why we are in deep economic trouble. If there are numerous candidates, lets say 5 candidates show up for a single debate, the debate hosts will have plenty of time to be prepared for the number of candidates (that will potentially participate) by the number of candidates that achieve ballot status.

Ideally the debates and forums would not be in the domain of private enterprise, and instead the election grant money that would otherwise go to singular candidates be used to set up 14 debates, one in each county, each with a separate focus, economy, agriculture, health care etc.. Each debate televised on local cable access, and require that candidates for statewide office appear at 10 of them for consideration as a candidate. This means that from June to November there would be a debate about every 2 weeks, and likely one a week in the month of October.

This would level the playing field,. and would balance the effect of perverse amounts of money in elections. Last cycle, without counting all the donations, Randy Brock spent over 6 dollars per vote, Shumlin spent nearly a dollar and a half, and I spent 25 cents of my own money for the 2 % of the votes I received. I have had numbers of people tell me, I did not know you were running, if I had I would've voted for you. The absentee ballots are distributed a week or two before the candidate profiles so many votes are cast then. Bernie Sanders and others are actively pushing for greater participation in absentee voting.

The deck is fixed. The catch twenty two is securely latched in place. The Governor, charged with upholding the rights described in our Constitution points a finger to the hosts saying its the

hosts' right, the hosts and the press say that the public isn't interested (though they never ask them), and they tell me I am not gubernatorial material. To justify their gag on reformative policy proposed by independent candidates, in a sheepish manner the press ridicules these candidates at the very end of the season.

Who are they to decide? Who are they to discriminate against me? Do you not trust the people of Vermont? Is this the ruling class, here in this room? Are you all above me? Are any of you more of a person than I am by way of your alignment with a political party? Does that mean you should be represented in court, represented in government and I should not? Do you rule over the people, dictating every aspect of their lives? Do you claim the right to dictate mine? Do you call that freedom? They have the freedom to vote? How can they vote for what they do not see? How can they choose a candidate that does not appear?

How can you call yourselves representative of the people, when the rules (lawmakers) created squeeze out the people who have the vision, who care about common welfare? The vision of alternative candidate is important to vet and to measure alongside the status quo, it is the only way to reform our ways without revolution. The people's capacity to choose their rightful leadership must be trusted. It is not the right of the media or the two party's to limit the choices of the people, it is not their right to censor the presence of candidates, so to remove the rightful full choose from the people. Its important to support another aspect of the election process: the people's right to choose policy and pressure a different leader to implement it. Thus the people of Vermont may say that they don't want to see a candidate elected, but they do want to see the platform implemented, or elements thereof! Those platforms must be compared side by side to

stand the test of public scrutiny. Where private entities block and prevent that they are bastardizing the legal premise of our Constitution that states:

[Article 7th.](#) **Government for the people; they may change it**

(notes)

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That government is, or ought to be, instituted for the common benefit, protection, and security of the people, nation, or community, and not for the particular emolument or advantage of any single person, family, or set of persons, who are a part only of that community; and that the community hath an indubitable, unalienable, and indefeasible right, to reform or alter government, in such manner as shall be, by that community, judged most conducive to the public weal.

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[Article 8th.](#) **Elections to be free and pure; rights of voters therein**

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That all elections ought to be free and without corruption, and that all voters, having a sufficient, evident, common interest with,

and attachment to the community, have a right to elect officers, and be elected into office, agreeably to the regulations made in this constitution.

You will note that the Constitution does not name a 5% mandate for participation in election, and the that our Constitution says we are to reform government in the manner most conducive to public weal. Public weal means The welfare of the community; the general good. I hope you agree that proposing improvements in the form of a platform and running for office is better for the general good than protesting, or suggesting revolution, the latter being illegal.

If independents with the passion to become candidates are subjected to near complete censorship and silencing of their proposed reforms to the government,

It is a corruption of the two party system built up over the years that there is only the lesser of two evils before the public.

I am here today to testify before you, because I see you as courageous people, humble people, people who want to include others, who are okay with the premise that we are all connected, and we all have equal value under the Creative Source. I have written the amendment that will help. Show me that you can reinvigorate our Constitutional premises, our democracy and that you are not here just to protect your own personal status. I am spending time up here, at my own expense because I will help us connect the dots, and improve the trust which is sorely lacking for

the government by the public. You will love being trustworthy and trusted by your own people.

Its a far better reputation than being the stuff of two evils. Thank you for hearing me out, if you have, or for reading, if you have.

Here are the rules that we propose, and I say we, because I speak for other independents (who don't want to prey on nursing home voters).

Amendments to Misc Election Rules S 86

1. Candidates that are legally on the ballot must be permitted to participate in any publicly
2. transmitted debate or forum. They may not be threatened with arrest to prevent participation
3. in public debate.
4. The host of the debate or forum must allow all candidates equal opportunity to respond to
5. questions and may not favor one or another of the candidates.
6. All candidates must conduct themselves with complete decorum.
7. No candidate may use costumes, props, signs, loud or offensive language during the course of
8. the debate.
9. A candidate that fails to observe proper conduct during the debates will receive one warning,
10. and may be barred from further participation in subsequent debates for failing to observe
11. appropriate decorum.
12. Newspapers and media outlets may not censor mention of any candidate legally balloted for
13. public office.
14. Media outlets coverage must name all candidates all candidates available for the post whether
15. present or not.
16. Debate hosts must allow all candidates equal chance to answer each question. They must not
17. appear to give greater credence or favor one candidate or another during any debate or forum.
18. No private entity may host a debate or forum and publicize that debate as a public
19. presentation of candidates and bar the presence of some candidates with the exception if a

19. candidate has shown themselves to conduct themselves in a manner that is disruptive of the
20. public discourse.
21. Polls conducted for the purpose of elections must name by name all balloted candidates in
22. any and all polls regarding that race for the duration of the full election season.