GOP electoral initiative dealt major blows

Two key consultants for an effort to change California's winner-take-all system quit over money and disclosure woes.

By Dan Morain, Los Angeles Times Staff Writer
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SACRAMENTO -- A proposed California initiative campaign that could have helped Republicans hold on to the White House in 2008 was a shambles Thursday night, as two of its key consultants quit.

Unable to raise sufficient money and angered over a lack of disclosure by its one large donor, veteran political law attorney Thomas Hiltachk, who drafted the measure, said he was resigning from the committee.

Hiltachk's departure is a major blow to the operation because he organized other consultants who had set about trying to raise money and gather signatures for the initiative. Campaign spokesman Kevin Eckery said he was ending his role as well.

There remained a chance that the measure could be revived, but only if a major donor were to come forward to fund the petition drive. However, time is short to gather the hundreds of thousands of signatures needed by the end of November. And backers said Thursday that they believed the measure was all but dead, at least for the 2008 election.

"'Shambles' is the wrong word," said strategist Marty Wilson, who curtailed his fundraising efforts weeks ago. "The campaign never got off the ground."

Intended for the June 2008 ballot, the proposed initiative sought to change California's winner-take-all system to require that electoral votes be awarded based on how individual congressional districts vote.

Democrats were alarmed by the measure because they assume the Democratic nominee must capture all of California's 55 electoral votes to win the presidency. With Republicans holding 19 congressional seats in California, the GOP nominee would be expected to capture at least 19 of the state's electoral votes, nearly as many as are in Ohio.

A candidate needs 270 electoral votes to capture the White House. In the 2000 election, President Bush defeated Al Gore by five electoral votes.

Federal law authorizes states to establish their own methods for selecting electoral votes. As it is, Nebraska and Maine are the only states that allocate electoral votes by congressional district. All the rest select them on a winner-take-all basis.

Despite the attention the measure garnered after a report in the Los Angeles Times' political blog, Top of the Ticket, and in the New Yorker, it failed to attract significant financial support, perhaps because many
Republican donors are less than energized this year, and perhaps because of the slowing economy.

"There is not a huge amount of donor interest in the measure for a variety of reasons," Wilson said. "I'm not willing to keep beating my head against the wall."

The campaign received only one sizable donation -- $175,000. That is less than one-tenth of the $2 million typically needed to gather sufficient signatures to qualify a measure for the California ballot.

The donation arrived on Sept. 11, one day after Missouri attorney Charles A. Hurth III created a company called TIA Take Initiative America that served as the vehicle for the donation. But the individual donors to the organization were not known.

Hiltachk said he had demanded that "Take Initiative America fully disclose the source of its funds," and said he was assured it would make such a disclosure soon.

"Nonetheless," Hiltachk said, "I am deeply troubled by their failure to disclose prior to my demand and by their failure to disclose to me or to our committee that Take Initiative America had been formed just one day prior to making the contribution. . . .

"I am not willing to proceed under such circumstances," Hiltachk said. "Therefore, I am resigning my role in this campaign."

Eckery added: "There's no reason to be cute on campaign contributions. We had nothing to hide, and the public has every right to know."

Eckery said the campaign would keep the money; it has been used to pay signature gatherers and other costs.

Hurth did not return repeated calls seeking comment. His spokesman, Republican consultant Jonathan Wilcox, would not say who provided the $175,000. Wilcox said the group was planning to donate to other conservative causes around the country, including one in Utah to create school vouchers.

Donors commonly establish entities such as nonprofit corporations to raise money for political campaigns. In at least some instances, donors to such organizations are able to hide their identities.

"I'm not authorized by my clients to speak with the media just yet," Cleta Mitchell, a Washington attorney representing the group, said in an e-mail.

Unlike federal campaign law, California law permits corporations to make political donations. And though there are caps on the size of donations to federal candidates, state and federal law permits donations of unlimited size to support or oppose ballot measures.

Hiltachk said he still believed the measure would "revive California's role in presidential politics, increase voter participation and better reflect the vast diversity of our state."

Democratic consultant Chris Lehane mounted an aggressive opposition campaign that received backing from wealthy donors such as real estate investor and movie producer Stephen L. Bing, who like Lehane is supporting New York Sen. Hillary Rodham Clinton's presidential bid.

On Thursday, Lehane organized a news conference to demand that the organization disclose its donors, and threatened to file a complaint with election regulators.

California Democratic Party Chairman Art Torres also called for disclosure.

"We want to make sure this is not the Freddy Krueger of initiatives that
comes back to life," Lehane said. "We'll continue to monitor it. We thought it was a debacle from the beginning and seems it suffered from its own internal dysfunction."

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