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HB 5022 AN ACT CONCERNING THE CITIZEN'S ELECTION PROGRAM

Good morning Chairman Spallone, Chairman Slossberg and members of the Government Administration and Elections Committee, my name is Bill Jenkins and I am here to talk about HB 5505 An Act Concerning the Citizens' Election Program. Presently, I am a treasurer for a political committee organized by two or more individuals and I am the treasurer for State Representative Mike Alberts' 2010 candidate committee. I have been serving as a treasurer for 14 years for quite a number of campaigns and political committees. I am a member of the Connecticut Republican State Central Committee and I serve as the Secretary of that committee. I am also the Republican Registrar of Voters in Chaplin.

This bill appears to be an attempt to fix Chapter 157 of the Connecticut General Statutes, otherwise known as the Citizens' Election Program which was declared unconstitutional by Judge Stefan Underhill of the US Court pf Appeals Second Circuit mostly because the present law unfairly discriminates against petitioning and minor party candidates.

Simply put, current election law allows a petitioning candidate to gain access to the ballot by obtaining petition signatures "from qualified electors equal to the lesser of (1) one per cent of the votes cast for the same office or offices at the last-preceding election," however, Chapter 157 presently requires these same candidates to obtain signatures from 10% in order to qualify for a 1/3 grant, 15% for a 2/3 grant and 20% for a full grant.

This bill lowers those petition thresholds from 10%, 15% and 20% to 3%, 4% and 5% respectively. Unfortunately, I'm of the opinion that Judge Underhill is still going to determine once again that you're continuing to discriminate against petitioning and minor party candidates if you were to pass this bill in its present form. This will be the death of the Citizens' Election Program and while I may like that, I don't think you do.

My question is why does a candidate only need collect 1% to get on the ballot yet need to collect three times the signatures to qualify for a 1/3 grant, four times that to qualify for a 2/3 grant and five times that to qualify for a full grant? I would suggest that you change the ballot access threshold specified in 9-453(d) from one percent to five percent and give petitioning and minor party candidates the same level of grants you give major party candidates and forget about these incremental levels. If candidates have access to the ballot, they all deserve to be treated equally. I think this is the message that Judge Underhill is sending in this case.

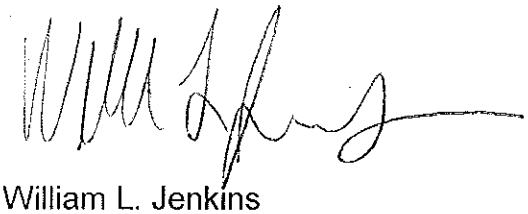
This bill also changes how supplemental grants are handled and adds yet another form of "incumbency protection" to Chapter 157 which I think is just plain wrong. For example, starting at line 832 of the bill which applies to State Rep. candidates, if an incumbent IS seeking reelection, the opponent isn't eligible for supplemental grants. This is an open invitation for incumbents to be nonparticipating candidates and outspend their opponents into oblivion since the opponents will no longer qualify for supplemental grants the way they do under present law. I honestly could not believe it when I found this in the bill as it seems to go against the ideals and goals of the original legislation.

I agree that the grants should be lowered for all participating candidates across the board and this bill almost does that but it doesn't lower it for the gubernatorial candidates. I never did agree with different levels of grants for Governor and other statewide offices and this bill makes that situation even worse because it doesn't change the 3 million dollar grants to the gubernatorial candidates yet cuts the grants to the rest of the statewide candidates from $750,000.00 to $500,000.00. These candidates have to campaign to the same audience as the candidates for Governor yet they're only going to be allowed to have one sixth of the money to do it with. If the party levers were still on the ballot, I'd be more inclined to agree with your logic here but they were removed in 1986.

I do agree that unopposed candidates should not receive any public funds at all and I'm glad to see that this bill does just that.

One last issue I have with the changes brought about by the passage of the Citizens' Election Program is why nonparticipating candidates can no longer distribute their surplus to political committees, party committees or return to contributors on a prorated basis. I would hope that you'd consider revising 9-608(e)(1)(A) by removing subsection "iii" which requires nonparticipating candidates to distribute their surplus to charities and the CEP only.

Thank you for your time and attention.



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