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HB 6335 AN ACT CONCERNING REVISIONS TO CAMPAIGN FINANCE LAWS

Representative Morin, Senator Slossberg and members of the Government Administration and Elections Committee, my name is Bill Jenkins. 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' 2012 candidate committee. I have been serving as a treasurer for 15 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.

I really wish I had more time to review this bill because this bill makes quite a few changes to current campaign finance laws. Here are some of my initial observations:

The term "slate committee" is inserted into many sections of Chapter 155 under this bill yet there is no definition of the term "slate committee" anywhere in Title 9 of the statutes that I can find.

Section 1 of the bill revises subdivisions (25) of 9-601 to limit organizational expenditures to candidate committees for the office of Governor, the Secretary of the State, the State Treasurer, state senator, state representative. It appears to not allow organizational expenditures for candidates or candidate committees for any municipal offices, Attorney General, Comptroller, Judges of Probate and Lieutenant Governor. This doesn't make any sense to me at all.

Since supplemental grants were declared unconstitutional by the US Court of Appeals for the 2nd Circuit in 2010, then there is no longer any need for candidates participating in the Citizens' Election Program to submit weekly supplemental campaign finance disclosure reports once they've spent 90% or more of their campaign funds. This bill should remove all requirements for treasurers to submit supplemental reports.

Section 7 of this bill modifies the requirement for contributor certifications in 9-608(c)(3) by adding an unnecessary provision, specifically:

"(C) whether the contributor is a 'state contractor' or 'principal of a state contractor or prospective state contractor', as such terms are defined in Section 9-612, and"

because the new language immediately following that in (D) covers this:
“(D) a certification that the contributor is not prohibited from making a contribution to such candidate or committee pursuant to subsection (g) of section 9-610 and subsection (g) of section 9-612”

Essentially what this legislation is asking a contributor to say is the same thing twice “I’m not one of them (C) and I hereby certify I’m not one of them (D).” (C) needs to be removed from this proposed legislation for it to make sense.

Reading further on in Section 7 of this bill, 9-608(6) which requires campaign treasurers to report the receipt of any organizational expenditures is proposed to be changed as follows:

(6) In addition to the other applicable requirements of this section, the campaign treasurer of a candidate committee of [a participating] any candidate for the office of state senator, [or] state representative, Governor, Lieutenant Governor, Attorney General, Secretary of the State, State Comptroller or State Treasurer who has received the benefit of any organization expenditure shall, not later than the time of dissolving such committee, file a statement with the State Elections Enforcement Commission that lists, if known to such candidate committee, the committee which made such organization expenditure for such candidate's behalf, [and the amount and purpose of such organization expenditure.]

This is inconsistent with Section 1 of this bill which does not allow organizational expenditures for candidates or candidate committees for Lieutenant Governor, Attorney General and State Comptroller. I also don't understand why this bill proposes to remove the requirement for the treasurer to report the amount and purpose of the expenditure. If the treasurer is no longer required to report those two key pieces of information why report anything at all?

Thank you for revising 9-608(e)(1)(A) by removing (iii) which prohibited non-participating candidates from distributing surplus back to contributors on a prorated basis of contribution.

Section 7 of this bill also adds three subsections to 9-608(e)(1) allowing candidate committees of participating candidates to do three things they were not previously allowed to do:

- (F) Hold post election “thank you” parties for committee workers no later than 14 days after the election or the primary
- (G) Pay the treasurer up to \$1,000.00 if there is money left over
- (H) Use public funds to pay for expenses associated with a post-election audit.

I am not in favor of any of these proposals. With regard to post-election “thank you” parties, that is an improper use of public funds that should not be allowed. We like to

talk a lot about "protecting the public fisc" and allowing public funds to pay for post elections parties does not do that at all.

Paying the treasurer up to \$1,000.00 if there is money left over is a way to get around not having a "written agreement, signed before any work or services for which payment in excess of \$100 is sought is performed" as required by RCSA 9-607-1. This is the subject of a soon to be release Declaratory Ruling, 2011-02 by the SEEC:

http://www.ct.gov/seec/lib/seec/laws_and_regulations/proposed_dec_ruling_2011-02_propriety_of_expenditure_out_of_surplus_funds....pdf

This is a situation where a campaign committee had surplus after election day and the treasurer and the candidate had an oral agreement "should funds be available after all campaign expenses had been paid, [he] would receive \$1,000 for [his] services to the committee." This oral agreement cannot be executed under present law and regulation and shouldn't be. This bill proposes to allow payment in cases like this which I feel is wrong as it amounts to an impermissible contribution by the treasurer to the candidate committee if there are no funds available to pay him after Election Day.

Regarding the use of public funds for any post-election audits, I feel those (if any) should be included in the fee or payment to the treasurer ahead of time. If a treasurer follows the existing laws with respect to the keeping and maintenance of internal records then there should be very little if any expenses associated with any post-election audit. The treasurer can meet with an SEEC auditor at his convenience and the auditor can make any copies he or she feels is necessary for their audit at the expense of the SEEC, not the treasurer or the campaign committee.