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CGA Government Administration and Elections Committee

March 18, 2013 Public Hearing

Campaign Finance Bills

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The League of Women Voters of Connecticut is a non-partisan, statewide organization committed to effective public policy and the active involvement of citizens in their government. On behalf of the League, I would like to thank you for the opportunity to comment on the campaign finance bills before you today.

The League believes that the goals of a campaign finance system should (1) ensure the public's right to know, (2) combat corruption and undue influence, and (3) enable candidates to compete more equitably for public office.

HB 6633 AAC Campaign Finance Law and Prior Bad Acts

The League of Women Voters of Connecticut is a long time supporter of public financing of campaigns and the Citizens' Election Program. HB 6633, if enacted, would limit the ability of individuals convicted of certain felonies from serving as campaign treasurers or receiving a grant from the Citizens' Election Fund. The League believes that disqualification from the Citizens' Election Program for a specified period of time can serve as a deterrent to certain acts. Given the goal of combating corruption and undue influence and the need to protect the public fisc, the League **supports HB 6633 in concept**. However, we are concerned that the bill as written may be overly broad inasmuch as it targets not only treasurers and candidates who have been convicted or pled guilty to felonies which are closely related to the handling of money and have a bearing on the honesty of the individual such as fraud, forgery and embezzlement, but also individuals who have violated Title 9 (which deals with Elections generally) and may sweep in transgressions which have no bearing on the Citizens' Election Program, the use of money or honesty generally. The requirement that the individual must have been convicted or pled guilty in a court of competent jurisdiction might afford some protection in these situations; however, we believe that it is best to spell out the types of violations under Title 9 which might be grounds for disqualification in the bill. Accordingly, if the Committee decides to move forward with HB 6633, we urge it to either delete the references in Section 2 and Section 3 to "a violation of this title" or to clarify them to make clear the types of violations which will lead to disqualification.

Finally, while we defer to the legislature on the appropriate length of time for disqualification, we do believe that some acts may warrant a more severe response than others. The League believes that the public should have confidence in the integrity of its government.

Government officials and employees should be held accountable for carrying out their duties in both an effective and an ethically responsible manner. Taken in conjunction with our goals for public financing of campaigns and being mindful of the public fisc, we believe that holding one accountable can include determining whether the egregiousness of the offence warrants a complete prohibition from participation in the public financing of campaigns.

SB 1127 AAC Campaign Contributions by State Contractors

As mentioned earlier, the League believes that one of the goals of a campaign finance system should be to combat corruption and undue influence. We were and continue to be strong supporters of Connecticut's 2005 campaign finance law which includes public financing of campaigns and bans on contributions by state contractors. These reforms were a direct outgrowth of scandals involving bribes, "kick-backs" and campaign contributions to state officials in exchange for state contracts.

The League **opposes SB 1127** which would permit state contractors to make limited contributions of up to $100 in a manner similar to lobbyists. In *Green Party of Connecticut v. Garfield*, 616 F.3d 189 (2d Cir. 2010), the Second Circuit Court of Appeals noted that Connecticut's Campaign Finance Reform Act (CFRA) was designed not only to combat actual corruption but also the appearance of corruption caused by contractor contributions. The court stated:

> As discussed above, Connecticut's recent corruption scandals were widely publicized, and corruption involving state contractors became a major political issue in Connecticut in recent years....A limit on contractor contributions would have partially addressed the perception of corruption created by those incidents, but such a limit still would have allowed some money to flow from contractors to state officials. Even if small contractor contributions would have been unlikely to influence state officials, those contributions could have still given rise to the appearance that contractors are able to exert improper influence on state officials.
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> The CFRA's *ban* on contractor contributions, by contrast, unequivocally addresses the perception of corruption brought about by Connecticut's recent scandals. By totally shutting off the flow of money from contractors to state officials, it eliminates any notion that contractors can influence state officials by donating to their campaigns. Thus, although the CFRA's ban on contractor contributions is a drastic measure, it is an appropriate response to a specific series of incidents that have created a strong appearance of corruption with respect to all contractor contributions.

Green Party of Connecticut v. Garfield, 616 F. 3d at 205. In its decision, the court discussed at length bans as opposed to limits. It upheld the ban on state contractor contributions while striking down the ban on lobbyist contributions on the grounds that "the recent corruption scandals in Connecticut in no way involved lobbyists." *Id.* at 204.

The League believes that a complete ban on contractor contributions continues to be important in order to dispel any appearance of corruption and maintain the public's trust in government. Accordingly, we urge you to vote NO on SB 1127.

HB 6289 AAC Weekly Campaign Financial Statements

The League supports full and timely disclosure of all contributions prior to elections and of expenditures by a stated deadline. This disclosure is especially important in the weeks leading up to an election. Accordingly, we **oppose HB 6289** which would eliminate requirements for weekly campaign financial filings during the month prior to an election, depriving the public of its right to know and regulators and opposing candidates of crucial information – and an opportunity to respond—shortly before the election. Please vote NO on HB 6289.

SB 1120 AAC the Maximum Amount an Individual May Contribute to the State Central Committee of a Party and SB 1126 AAC Advertisement Books for State Central Committees

As noted earlier, the League was and continues to be a strong supporter of Connecticut's historic 2005 campaign finance reform law. Given the careful and deliberate way in which the law was crafted, we have strong reservations about the doubling of contribution limits to a state central committee (from $5,000 to $10,000) under SB 1120. We are also concerned about SB 1126 which would expand the exclusions from the definition of "contribution" to include advertising books for state central committees, providing yet another avenue for money to flow to the state central committee.

Taken together, these bills represent in our view a chipping away at the campaign finance system established in 2005. The League opposes these bills because we believe that they will once again augment the importance of wealthy contributors at the expense of more numerous but smaller donors and will create opportunities for undue influence. Please vote NO SB 1120 and SB 1126.

Thank you again for the opportunity to comment on these bills.