

Testimony of Tom Swan

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Before the Government Administration and Election Committee

In regards to SB 1126

March 2015

Senator Cassano, Representative Jutila, and other members of the GAE Committee, my name is Tom Swan and I am the Executive Director of the Connecticut Citizen Action Group (CCAG). On behalf of CCAG member families I want to thank you for considering proposals to protect our Citizen Election Program and for the opportunity to testify on SB 1126 AAC Revisions to Campaign Finance Laws. I am sorry that I will be out of town, so I am submitting only written testimony, but would be happy to answer any questions upon my return.

John Rowland's recent sentencing for breaking campaign finance laws is a reminder of why we passed the Citizen Election Program (CEP) and why it is so important that you act to protect this vital act. Before I get into the good, the bad, and the ugly of SB 1126 there are a few items I want to get out there.

- The law that was passed in 2005 continues to be the best in the country and is something we should be very proud about. The participation rate of candidates and the increase in the diversity of the legislature are positive quantifiable results and the act has clearly more than paid for itself.
- The activist right wing Supreme Court has made it more difficult for the CEP to fulfill its stated goals when enacted. Their elimination of the triggers to protect candidates against outside money has resulted in a change in organizational expenditure limits that is not desirable. But it should be noted money spent through parties has disclosure requirements and is therefore better than the secret money we have seen in each of the last two election cycles. The Citizen United decision means that the secret money that was spent each of the last two cycles could have been direct corporate money and public pronouncements by a former State Senator on plans to build a CT specific Koch Brothers type of entity creates further legitimate concerns.
- The secret money poses the greatest threat to the CEP.
- The intentional use of Federal Party accounts to usurp state bans on contractor money was clearly not within the spirit of the original legislation.

As to SB 1126, I will start with the good: the sections dealing with Independent expenditures and coordinated expenses are good for the most part, but there needs to be a better definition of a candidate to include the time prior to an official candidacy eg incumbents before they become a formal candidate.

We also support the efforts for greater disclosure of the money behind "shell" groups and of spending by 5-1 C4s are important reforms.

As for the bad, we oppose exempting audits for candidates previously audited and for the limitations on the timing of audits. While we recognize that audits can be onerous for Treasurers and candidates, it is important that public funds be accounted for and that the integrity of the program continued to be protected.

We believe another bad piece of the program is the part allowing candidates to transfer public funds to parties because it is too open ended. We understand it could make sense to pay for a pro-rated portion of an office or materials to a party, but the allowed transfers need to be clearly delineated and have limits as to what it can be for

There are several items that we find to be just plain ugly in this bill. The changes to the treatment of minor party candidates and petitioning candidates are steps in the wrong direction. We should be lessening the barriers to these candidates qualifying for public funds (cutting the number of petitions for each level of possible support by 1/3 would much more fair) instead of adding them.

The other ugly piece is the cutting of the grants for candidates unopposed by a major party candidate. This appears to us to just be a pander to partisan arguments trying to score political points. The voters in these districts deserve to be reminded that there is an election coming up and to learn about the person running for office. If the folks whining the most about this spent half the time they do trying to score political points on this recruiting and training candidates this would be moot.

Furthermore, in a state that has minor party candidates to be Governor, US Senator and most recently State Senator, along with having a major city elect a Mayor as a write-in candidate we should think what may be possible ramifications of such a change. If you insist on pandering to the shrill voices calling to cut the grants to candidates who are unopposed by another major party candidate, we would argue it should for people truly unopposed and that candidates being challenged by petitioning or minor party candidates get a full grant. A Michael Bloomberg would have enough of an advantage and we should not further that advantage in legislation.

Finally, there are some areas not covered in SB1126 that we would like to see addressed. These include:

- Closing the lobbyist ad-book loophole for parties.
- Exploring ways to legally keep contractors from using federal party accounts to support state candidates.
- Forcing greater disclosure by vendors on utilization of funds.
- Identifying a mechanism to limit the damage of outside spending to participating candidates' campaigns that will survive the Supreme Court and as part of this re-establish spending limits on party expenditures.

On a separate front we oppose H.B. No. 7033 (RAISED) AN ACT CONCERNING THE OFFICE OF GOVERNMENTAL ACCOUNTABILITY. We do not believe the Office of Government Accountability has lived up to its hype and we should revisit the whole restructuring.

Thank you for your consideration and we look forward to working with you to improve these bills as they move forward.