

**State of Connecticut  
State Elections  
Enforcement Commission**



**Legislative Analysis 2009**

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## Sources of Information

The following summaries have been compiled from the Office of Legislative Research bill analyses and tailored specifically for the State Elections Enforcement Commission. Only Public Acts affecting or of interest to the SEEC were included in this report.

## For Further Information

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## Availability on the Internet

The 2009 Public Acts and reports are available through the Connecticut General Assembly web site:  
<http://www.cga.ct.gov/>

## Acknowledgments

State Elections Enforcement Commission  
Sean Sullivan – Elections Public Policy Intern  
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# **SEEC Budget**

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## BUDGET SUMMARY

### Budget Reductions

Date Effective	Bill Number	Public Act	Citizens Election Fund	Admin	Personal Services	Other Expenses	Equipment
<b>FY 09</b>							
11/9/2009	7601	08-1	\$5,000,000				
1/15/2009	5095	09-1	\$7,500,000		\$50,000		
3/9/2009	6602	09-2	\$1,000,000		\$25,000	\$13,000	\$770
5/26/2009	1167	09-111		\$700,000			
<b>FY 10-11</b>							
10/1/2009	6802	09-3	\$25,000,000				

### SEEC Budget Allotment for Fiscal Years 2009-10 & 2010-11

	2009-10	2010-11
Personal Services	\$1,581,631	\$1,632,885
Other Expenses	\$314,058	\$326,396
Equipment	\$24,985	\$24,985
Citizens Election Fund Administration Account	\$3,000,000	\$3,200,000

**AN ACT CONCERNING DEFICIT MITIGATION**

**(NOVEMBER 24 SPECIAL SESSION - 2008)**

**EFFECTIVE DATE: SEPTEMBER 1, 2009**

**SUMMARY:**

(Only one section of the act that pertains to the SEEC is listed below, a majority of the act is not relevant).

Section 5:

The sum of \$5,000,000 shall be transferred from the Citizens' Election Fund to the General Fund and shall be available for use as General Fund revenue for the fiscal year ending June 30, 2009.

**AN ACT CONCERNING A STATE DEFICIT MITIGATION PLAN FOR THE FISCAL  
YEAR ENDING JUNE 30, 2009**

**EFFECTIVE DATE: MAY 26, 2009**

**SUMMARY:**

(Only one section of the act that pertains to the SEEC is listed below, a majority of the act is not relevant).

(92) The sum of \$700,000 shall be transferred from the Citizens' Election Fund administration account, Elections Enforcement Commission, and credited to the resources of the General Fund for the fiscal year ending June 30, 2009.

**AN ACT IMPLEMENTING THE PROVISIONS OF THE BUDGET CONCERNING  
REVENUE**

**EFFECTIVE DATE: OCTOBER 5, 2009**

**SUMMARY:**

**Public Act 09-3**, June Special Session, had increased the late filing fee for campaign treasurers. (Effective October 1, 2009)

On October 5, 2009 Governor Rell signed into law **Public Act 09-8**, An Act Implementing the Provisions of the Budget Concerning Revenue

Section 43 of Public Act 09-8 reverses the increase to late filing fees from \$200 back to \$100. (Effective October 5, 2009)

**Section 43:**

Section 9-623 of the general statutes, as amended by section 151 of public act 09-3 of the June special session, is repealed and the following is substituted in lieu thereof:

(a) Any person who knowingly and willfully violates any provision of this chapter shall be fined not more than five thousand dollars or imprisoned not more than five years, or both. The Secretary of the State or the town clerk shall notify the State Elections Enforcement Commission of any such violation of which said secretary or such town clerk may have knowledge. Any such fine for a violation of any provision of this chapter applying to the office of the Treasurer shall be deposited on a pro rata basis in any trust funds, as defined in section 3-13c, affected by such violation.

(b) (1) If any campaign treasurer fails to file any statement required by section 9-608, or if any candidate fails to file either (A) a statement for the formation of a candidate committee as required by section 9-604, or (B) a certification pursuant to section 9-603 that the candidate is exempt from forming a candidate committee as required by section 9-604, within the time required, the campaign treasurer or candidate, as the case may be, shall pay a late filing fee of [two] one hundred dollars.

**AN ACT CONCERNING DEFICIT MITIGATION FOR THE FISCAL YEAR ENDING  
JUNE 30, 2009**

**EFFECTIVE DATE: JANUARY 15, 2009**

**SUMMARY:**

(Only one section of the act that pertains to the SEEC is listed below, a majority of the act is not relevant).

**Section 4:**

The amounts appropriated to the following agencies in section 11 of public act 07-1 of the June special session, as amended by section 68 of public act 07-5 of the June special session and section 3 of public act 08-1 of the November 24 special session, are reduced by the following amounts for the fiscal year ending June 30, 2009:

Elections Enforcement Commission – Personal Services: \$50,000

**Section 5:**

Notwithstanding section 9-701 of the general statutes, the sum of \$7,500,000 shall be transferred from the Citizens' Election Fund and credited to the resources of the General Fund for the fiscal year ending June 30, 2009.

**AN ACT CONCERNING DEFICIT MITIGATION MEASURES FOR THE  
FISCAL YEAR ENDING JUNE 30, 2009**

**EFFECTIVE DATE: APRIL 1, 2009**

**SUMMARY:**

This act makes various changes to reduce a projected General Fund deficit for FY 09. A section-by-section analysis appears below.

**§ 1 — REDUCED FY 09 GENERAL FUND APPROPRIATIONS**

The act reduces FY 09 General Fund appropriations for specified agencies and purposes by a total of \$8,859,370 as shown in Table 1. It also increases the legislature's unallocated lapse for FY 09 by \$1,070,500, from \$2.7 million to \$3,770,500.

**TABLE 1: REDUCED FY 09 APPROPRIATIONS**

<b>Agency/Account</b>	<b>For</b>	<b>Reduction</b>
Elections Enforcement Commission	Personal Services	\$25,000
	Other Expenses	\$13,000
	Equipment	\$770

**§ 12 — FUND TRANSFERS**

The act transfers money from several special state funds and accounts to the General Fund as revenue for FY 09. The funds and amounts transferred are shown in Table 2.

**TABLE 2: TRANSFERS FROM SPECIAL FUNDS AND ACCOUNTS TO GENERAL FUND**

<b>Special Fund or Account</b>	<b>Amount Transferred</b>
Citizens Election Fund	\$1,000,000

(b) Notwithstanding section 9-701 of the general statutes, the sum of \$1,000,000 shall be transferred from the Citizens' Election Fund and credited to the resources of the General Fund.

## § 17-21 — EXPANDING THE BOTTLE ACT TO INCLUDE NONCARBONATED BEVERAGES

The act expands the beverage container redemption law to types of water, which it terms "noncarbonated beverages." It requires, starting April 1, 2009, that noncarbonated beverage containers indicate a refund value of five cents. It requires distributors to pay dealers and redemption centers a two-cent handling fee for each redeemed noncarbonated beverage container, and makes conforming changes.

The act excludes from these requirements bottles, cans, jars, or cartons (1) containing three or more liters of a noncarbonated beverage or (2) made of high density polyethylene (HDPE).

It also excludes from this requirement noncarbonated beverages (1) sold or offered for sale for consumption on an interstate passenger carrier or (2) in a dealer's inventory as of March 31, 2009.

It allows manufacturers that bottle and sell up to 250,000, 20-ounce or smaller containers of noncarbonated beverages in a calendar year to seek an exemption from the act's requirements and authorizes the governor to delay implementation of the requirements for noncarbonated beverage containers until October 1, 2009.

The act defines noncarbonated beverages as water, flavored water, nutritionally enhanced water, and any beverage whose label identifies it as a type of water. But it excludes juice and mineral water. It defines beer, other malt beverages, and mineral water, soda, and similar carbonated soft drinks, already covered by the redemption law, as carbonated beverages.

As already required for carbonated beverage containers, noncarbonated beverage containers must clearly indicate, by embossing or by a stamp or label or other method securely attached to the container (1) either the container's refund value or the words "return for deposit," "return for refund," or other words approved by the Department of Environmental Protection (DEP), and (2) either the word Connecticut or the abbreviation, "Ct."

Under prior law, beverage containers required to carry these markings were individual, separate, sealed glass, metal, or plastic bottles, cans, jars, or cartons of any size containing a beverage. Under the act, bottles, cans, jars, or cartons (1) containing three or more liters of a noncarbonated beverage or (2) made of HDPE are not required to have these markings.

By law, a manufacturer is a person who bottles, cans, or otherwise fills beverage containers for sale to distributors or dealers. The act makes owners of private label trademarks used for private label beverage brands manufacturers. By law, a dealer's place of business is the location from which the dealer sells or offers

beverage containers for sale to consumers. The act specifies that this place of business must be a fixed location.

### *Small Manufacturers*

The act allows manufacturers who bottle and sell up to 250,000, 20-ounce or smaller containers of noncarbonated beverages in a calendar year to apply to DEP for an exemption from the bottle redemption law for these beverages. A manufacturer may apply for an exemption no later than November 1, 2009 and annually thereafter. It must do so on a DEP-approved form. An application filed on or before April 1, 2009 is automatically approved and valid until December 31, 2009. The exemption application must be accompanied by a sworn and signed affidavit certifying that the applicant annually sells 250,000 or fewer such bottles in a calendar year. The DEP commissioner must approve each application that meets the act's requirements within 30 days of receiving it.

### *Delay of Implementation*

A manufacturer, dealer, or distributor of noncarbonated beverages may ask the governor or OPM secretary to delay implementing the act's requirements for noncarbonated beverage containers until October 1, 2009. They may apply on a form the governor or secretary prescribes. The governor or secretary may delay implementation on a showing that the noncarbonated beverage requirements will cause undue hardship to the affected industries.

**AN ACT CONCERNING EXPENDITURES AND REVENUE FOR THE BIENNIUM  
ENDING JUNE 30, 2011 (SECTIONS INVOLVING SEEC LISTED ONLY)**

**EFFECTIVE DATE: SEPTEMBER 9, 2009**

**SUMMARY:**

**Section 1:**

**2009-10 General Fund Allotment**

<b>ELECTIONS ENFORCEMENT COMMISSION</b>	
Personal Services	\$1,581,631
Other Expenses	\$314,058
Equipment	\$24,985
Citizens' Election Fund Administration Account	\$3,000,000
<b>AGENCY TOTAL</b>	<b>\$4,920,674</b>

**Section 11:**

**2010-11 General Fund Allotment**

<b>ELECTIONS ENFORCEMENT COMMISSION</b>	
Personal Services	\$1,632,885
Other Expenses	\$326,396
Citizens' Election Fund Administration Account	\$3,200,000
<b>AGENCY TOTAL</b>	<b>\$5,159,281</b>

**Section 74:**

(b) (1) Notwithstanding the provisions of section 9-701 of the general statutes, the sum of \$18,000,000 shall be transferred from the Citizens' Election Fund and credited to the resources of the General Fund for the fiscal year ending June 30, 2010.

(2) Notwithstanding the provisions of section 9-701 of the general statutes, the sum of \$7,000,000 shall be transferred from the Citizens' Election Fund and credited to the resources of the General Fund for the fiscal year ending June 30, 2011.

**Section 86:**

Section 9-701 of the general statutes is repealed and the following is substituted in lieu thereof:

There is established the "Citizens' Election Fund," which shall be a separate, nonlapsing account within the General Fund. The fund may contain any moneys required by law to be deposited in the fund. Investment earnings credited to the assets of the fund shall become part of the assets of the fund. The State Treasurer shall administer the fund. All moneys deposited in the fund shall be used for the purposes of sections 9-700 to 9-716, inclusive. [The State Elections Enforcement Commission may deduct and retain from the moneys in the fund an amount equal to the costs incurred by the commission in administering the provisions of sections 9-603, 9-624, 9-675 to 9-677, inclusive, and 9-700 to 9-716, inclusive, provided such amount shall not exceed two million dollars during the fiscal year ending June 30, 2006, one million dollars during the fiscal year ending June 30, 2007, or two million three hundred thousand dollars during any fiscal year thereafter. Any portion of such allocation that exceeds the costs incurred by the commission in administering the provisions of sections 9-700 to 9-716, inclusive during the fiscal year for which such allocation is made shall continue to be available for such administrative costs incurred by the commission in succeeding fiscal years.]

**Section 151:**

**Public Act 09-3**, June Special Session, had increased the late filing fee for campaign treasurers. (Effective October 1, 2009)

On October 5, 2009 Governor Rell signed into law **Public Act 09-8**, An Act Implementing the Provisions of the Budget Concerning Revenue

Section 43 of Public Act 09-8 reverses the increase to late filing fees from \$200 back to \$100. (Effective October 5, 2009)

## **2009 Public Acts**

**Senate Bill 887 - PA 09-234  
Changes to Development Statutes and Infrastructure  
Enhancement at the United States Naval Submarine Base –  
New London  
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**Senate Bill 913 - Public Act 09-170  
United States Senate Vacancies  
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**House Bill 6439 - Public Act 09-36  
Certain Voting Rights of 17 Year-Olds  
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**AN ACT CONCERNING CHANGES TO ECONOMIC DEVELOPMENT STATUTES  
AND INFRASTRUCTURE ENHANCEMENTS AT THE UNITED STATES NAVAL  
SUBMARINE BASE - NEW LONDON**

**EFFECTIVE DATE: JULY 1, 2009**

**SUMMARY:**

(Only one section of the act that pertains to the SEEC is listed below, a majority of the act is not relevant).

**§ 12-13 — SUBMARINE BASE INFRASTRUCTURE CONTRACTS**

The law authorizes \$50 million in Manufacturing Assistance Act (MAA) bonds for enhancing infrastructure at the Naval Submarine Base—New London to support long-term, ongoing naval operations there. Under prior law, DECD had to grant the bond proceeds to the U. S. Navy and other eligible applicants for this purpose. The act makes the U. S. Defense Department eligible for the grants and changes the Navy reference to U. S. Department of the Navy.

The act exempts the sub base infrastructure project grants and contracts, as well as the Navy and Defense departments and other eligible contractors, from certain requirements that apply to state contracts, subcontractors, and applicants for state financial assistance. It:

1. waives, for these departments and other eligible applicants, the requirement to apply for financial assistance to the DECD commissioner;
2. exempts any state contractor working under a contract between the state and the Navy or Defense departments from restrictions on state contractors' political contributions to candidates for state office; and
3. exempts contracts between the state and either department from the requirement that state contractors and their subcontractors comply with state antidiscrimination laws and affirmative action requirements.

The act also allows DECD to provide grants covering up to 100% of the total infrastructure project costs. Existing law limits MAA funding to 50% to 90% of a project's costs, depending on its location and other specified factors.

**AN ACT CONCERNING UNITED STATES SENATE VACANCIES****EFFECTIVE DATE: JUNE 25, 2009****SUMMARY:**

This act eliminates the governor's power to fill U.S. Senate vacancies by appointment and instead requires a special election, with two exceptions. It authorizes the governor to (1) appoint a replacement if there are 50 or more U. S. Senate vacancies among the states and (2) nominate someone to fill a vacancy occurring during the last 14 months of a senator's term, which the General Assembly must confirm.

The act establishes a procedure for issuing the writs of election and holding the special election and specifies the process for selecting convention delegates to endorse a candidate, holding a convention, and holding a primary if someone challenges the party-endorsed candidate. Electors whose names appeared on the voter registry list compiled for the last regular election prior to the vacancy, or any supplementary list, are eligible to vote in the special election.

**SPECIAL ELECTIONS TO FILL VACANCIES**

When a U. S. Senate vacancy occurred under prior law, the governor appointed a replacement. If there was sufficient time before the scheduled end of the term, a successor was elected at the next regular election, filling the office for the remainder of the term.

The act eliminates the governor's power to appoint a replacement in most circumstances. Instead it requires her to issue writs of election to town clerks or assistant town clerks within 10 days after a vacancy to fill it for the remainder of the term. With some exceptions, the special election must be held on the 150<sup>th</sup> day after the writs are issued, but not on a weekend. Senate-elect vacancies are filled in the same way as Senate vacancies.

Under the act, the governor's writs are conveyed to a state marshal who transmits an attested copy to town clerks or assistant town clerks. Several procedures are the same as those for state elections: the process clerks follow to notify electors of the election date; the way the special election is organized and conducted; and the way the vote is declared, certified, directed, deposited, returned, and transmitted.

### *Exceptions to the 150-Day Special Election Calendar*

If the vacancy occurs more than 63, but less than 125, days before the next regular November state or municipal election, the governor must issue the writs on the 60<sup>th</sup> day before the next regular election and the special election to fill the vacancy must be held at the same time as the regular election. However, if it occurs after the municipal election in the year preceding the last year of a senator's term or during the last year of a senator's term, the governor nominates a replacement (see NOMINATION OR APPOINTMENT below), unless there are 62 days or less before a regular state election and the vacant U. S. Senate office will be on that ballot. In that case, the vacancy remains and there is no special election. This means, if the vacancy occurs 62 days or less before the next regular state election and the vacated office will not be on the ballot, the governor must issue the writs and a special election is held 150 days later to fill the remainder of the term.

### **NOMINATION OR APPOINTMENT TO FILL VACANCIES**

The act addresses two circumstances under which a U. S. Senate vacancy in Connecticut would not be filled at an election. First, if the vacancy occurs after the municipal election in the year preceding the last year of a senator's term or during the last year of a senator's term, the governor nominates someone to fill it. The nomination must be (1) filed with the clerks of the state Senate and the House of Representatives and (2) approved by two-thirds of the membership of each chamber.

Second, in the event that 50 or more simultaneous U. S. Senate vacancies occur, including in Connecticut, the act authorizes the governor to fill the vacancy by appointment. If there is sufficient time before the scheduled end of the term, an election is held to elect a successor to fill the office until the end of the term. The act matches prior law for gubernatorial appointments. If the vacancy occurs:

1. at least 150 days before a November state election, the appointee serves until the January 3 immediately following, and a replacement is elected at that election to serve the remaining portion of the vacated term, if any;
2. less than 150 days before a November state election and the vacated term does not expire the January 3 immediately following, the appointee serves until the January 3 following the next November municipal election, and a replacement is elected at the municipal election to serve the remaining portion of the vacated term, if any; or
3. less than 150 days before a state election and the vacated term expires January 3 immediately following, the appointee serves until that January 3.

## CONVENTIONS, PARTY ENDORSEMENTS, AND PRIMARIES

As under prior law, the parties must hold a convention to endorse candidates to fill a U. S. Senate vacancy. For the purposes of an election to fill a vacancy, the act changes the law on convention delegates and revises the deadlines for making party endorsements and holding primaries. Under the act, the convention must be held between the date when the vacancy occurs and 56 days before the date when a primary would occur (56 days before the election), whether or not one does. The endorsements are not effective until the presiding officer and secretary of the convention certify them to the secretary of the state.

Delegates to the convention are the same ones who served at the convention held for the previous state election. In the event of a vacancy in the delegation, the town committee in the former delegate's town fills it.

The act prohibits a primary from being held if a vacancy occurs between the 125<sup>th</sup> day and 63<sup>rd</sup> day before a regular November state or municipal election. Instead, the party-endorsed candidate is the party's nominee. In that case, the parties must make their endorsements by the 60<sup>th</sup> day before the election.

The act allows for a primary any other time a vacancy occurs and a special election will take place to fill it. If a person challenges the endorsed candidate within 14 days after the party endorsement, a primary is held on the 56<sup>th</sup> day before the election.

The secretary of the state must make petition forms available on the day after the writs of election are issued. The process for obtaining the forms is the same as under current law. This means the secretary of the state must fill in identifying information on each petition form page and give the requestor petition pages that can be duplicated. If the candidate is indigent, the secretary must give the requestor a sufficient number of pages or as many as the person requests. Anyone requesting a petition form must give his or her name and address and the name, address, and office sought for each petition candidate, along with a consent statement signed by the candidate.

**AN ACT CONCERNING THE VOTING RIGHTS OF CERTAIN SEVENTEEN YEAR  
OLD PERSONS**

**EFFECTIVE DATE: MAY 20, 2009**

**SUMMARY:**

This act implements the constitutional amendment electors passed during the 2008 election allowing 17 year-olds who will turn 18 on or before the day of a regular election to vote in its primary.

Under the act, like the constitutional amendment, such an individual must apply and otherwise qualify for admission as an elector. He or she may then vote in a primary of the party with which he or she is affiliated that is held to determine nominees for the regular election. Upon turning 18, the individual's electoral rights attach. By law, a "regular election" is any municipal or state election. State elections include candidates for federal office.

## **Failed Proposals**

**SB 1107**

**Electronic Filing of Campaign Reports**

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**SB 1108**

**Powers and Duties of the State Elections**

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**HB 6438**

**The Definition of a Campaign Contribution and the Filing of  
Certain Reports by Campaign Treasurers**

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**HB 6662**

**Revisions to the Citizens Election Program**

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**HB 6663**

**Revision of Certain Campaign Finance and Citizens Election  
Program Statutes**

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## AN ACT CONCERNING ELECTRONIC FILING OF CAMPAIGN REPORTS

### SUMMARY:

By law, candidate committees, political committees (known as PACs), and party committees that raise or spend over \$1,000 during a primary or election campaign, or in a calendar year, whichever is applicable, file periodic campaign finance statements with the State Elections Enforcement Commission (SEEC).

Beginning April 1, 2010, this bill lowers, from \$250,000 to \$5,000, the threshold at which statewide office candidates must file these statements electronically and makes it applicable to all candidates who file with the SEEC. It also subjects the following individuals and committees to the mandatory electronic filing requirement:

1. state central, legislative caucus, and legislative leadership committees;
2. town committees and PACs that register with the SEEC and (a) maintain a balance of \$5,000 or (b) raised or spent \$5,000 or more in the last election; and
3. individuals or committees that make or are obligated to make independent expenditures exceeding \$1,000 in the aggregate.

Under the bill, as under current law, candidate committees that do not reach the threshold in contributions or expenditures may file online. Similarly, party committees and PACs that do not have a \$5,000 balance may file online.

In light of the new online filing system known as eCRIS, the bill eliminates references to a SEEC-created "software" program, replacing them with a "web-based" program. It retains provisions requiring the SEEC to prescribe a standard reporting format for instances when treasurers choose to submit statements online through a program other than eCRIS. Since the law requires committee treasurers to submit all electronic filings online, the bill eliminates an obsolete provision allowing mandatory electronic filings to be made using alternative media forms (e. g. , disks or tapes).

The bill also makes technical changes.

## **CANDIDATES**

Beginning April 1, 2010, campaign treasurers for statewide office candidates, legislative candidates, and candidates for judge of probate who raise or spend \$5,000 or more during a primary or general election campaign must file their campaign finance statements online using eCRIS or a SEEC-prescribed software program. The requirement applies to exploratory and candidate committees. Current law applies only to the candidate committees of statewide office candidates. Statewide office candidates are those running for governor, lieutenant governor, attorney general, state comptroller, state treasurer, or secretary of the state.

The bill eliminates the mandated re-filing requirement under which candidate and exploratory committees that reach the threshold (\$250,000 under current law) must resubmit any previously-filed statements that were not filed electronically.

## **PARTY COMMITTEES AND PACS**

Beginning April 1, 2010, each state central committee, legislative caucus, and legislative leadership committee must file all required campaign finance statements online using eCRIS or a SEEC-prescribed software program. So must any town committee or PAC registered with the SEEC that has a balance of \$5,000 or more as of the last day of March according to its April campaign finance statement.

## **INDIVIDUALS AND COMMITTEES THAT MAKE INDEPENDENT EXPENDITURES**

By law, any individual or committee that, during a primary or general election campaign, makes or becomes obligated to make an independent expenditure or expenditures exceeding \$1,000 in the aggregate to promote the success or defeat of a statewide office or legislative candidate must file a report with the SEEC.

Beginning April 1, 2010, the bill requires these individuals and committees to file the report online using eCRIS or a SEEC-prescribed software program.

## AN ACT CONCERNING THE POWERS AND DUTIES OF THE STATE ELECTIONS ENFORCEMENT COMMISSION

### SUMMARY:

This bill expands the State Elections Enforcement Commission's (SEEC) power to investigate alleged election violations, impose penalties for such violations, and issue orders requiring violators to comply. It allows SEEC to refer evidence of election law regulation violations to the chief state's attorney in the same way that it can refer violations of the law.

It authorizes SEEC to ask the Hartford Superior Court to enforce its orders and authorizes the court to comply with the request. The commission may apply for an enforcement order only after giving the violator an opportunity for a hearing conducted as a contested case under the Uniform Administrative Procedures Act. SEEC may use informal methods to secure compliance with election-related regulations just as it can with election-related laws.

The bill authorizes SEEC to adopt regulations for electronically filing campaign finance statements. By law, candidate committees must disclose their campaign receipts and expenditures in a statement filed with SEEC based on a schedule set out in statute. Statewide candidates that raise or spend \$250,000 or more during a campaign must file the statements electronically. Other candidate committees may file the statements electronically.

Lastly, the bill authorizes the attorney general to impose the same remedies as the Superior Court when ruling on cases referred by SEEC having to do with erroneous decisions by election officials in connection with an election, primary, or referendum. This means he can order a recount of votes, certify different election or primary results, and order a new referendum.

### SEEC INVESTIGATORY POWERS

With respect to investigations, it allows SEEC to:

1. investigate alleged election, referenda, and primary law violations based on statements filed with it by registrars of voters (it may currently investigate on its own initiative or based on statements filed by town clerks or the secretary of the state or individual complaints);
2. investigate alleged violations of election, primary, and referenda regulations on its own initiative; based on statements filed by registrars of

voters, town clerks, or the secretary of the state; or based on written complaints under oath from individuals;

3. hold hearings as part of investigations of regulation violations;
4. issue broader subpoenas for records by allowing it to compel the production of records, documents, or information in any format, rather than just books and papers;
5. order that voting tabulators, ballots, memory cards, and any component or process used to program the card be impounded until the investigation is completed (it may currently order that voting machines be impounded); and
6. issue the impoundment order to the registrars of voters, local official, or company that maintains custody (it may currently issue the order to town clerks).

### **SEEC'S POWER TO IMPOSE PENALTIES**

By law, SEEC may impose a civil penalty of up to \$2,000 per offense against anyone who violates certain specified election-related laws. The bill expands the SEEC's jurisdiction and allows it to impose this penalty on:

1. registrars of voters who fail to promptly update the statewide voter registry system,
2. election officials for failure to discharge a duty required by laws on elections and voting methods,
3. anyone who violates election-related regulations,
4. anyone who violates the federal Help America Vote Act, and
5. anyone who violates a commission order.

The bill allows SEEC to impose a penalty of \$2,000 per offense or twice the amount of any improper payment or contribution, whichever is greater, against any person it finds to be in violation of (1) the law on electronic filing of campaign finance statements, or (2) regulations on campaign finance, electronic filing, and the Citizens' Election Program (CEP). It can already impose this penalty for campaign finance and CEP law violations.

Just as it does currently, SEEC must provide an opportunity for a hearing before imposing penalties under the bill.

## **SEEC'S POWER TO ISSUE ORDERS**

The bill allows SEEC, after a hearing, to issue orders requiring anyone who it finds received a contribution or payment in violation of campaign finance or CEP regulations to return it or give it to the General Fund or the Citizens' Election Fund (the funding source for the CEP). SEEC already has this authority with respect to violations of law.

It allows SEEC to issue orders for intentional violations of (1) campaign finance, CEP, and electronic filing regulations and (2) laws on electronic filing. As under current law, the orders would be issued after a hearing and may require the removal of certain campaign workers, prohibit people from serving as such workers, and suspend the political activities of party or political committees.

The bill allows SEEC, after a hearing, to revoke a person's eligibility to serve as an official or poll worker on the day of an election, primary, or referendum if it finds that he or she intentionally violated any regulation relating to the conduct of an election, primary, or referendum.

Lastly, it allows SEEC to order a candidate committee that receives money from the CEP to comply with CEP regulations.

## **AN ACT CONCERNING THE DEFINITION OF A CAMPAIGN CONTRIBUTION AND THE FILING OF CERTAIN REPORTS BY CAMPAIGN TREASURERS**

### **SUMMARY:**

This bill codifies the term "slate committee" for purposes of campaign finance and the Citizens' Election program. It defines it as a political committee formed by at least two candidates that will serve as the sole campaign funding vehicle (1) for nomination or election to any municipal office, (2) in a primary for the office of justice of the peace, or (3) for the position of town committee member. Although the term "slate committee" is not currently used in statutes, the law does govern the activities of political committees formed solely to aid or promote the success or defeat of a candidate or referendum question (commonly referred to as "slate committees.") (For example, CGS § 9-603 dictates where campaign finance statements are filed, -604 addresses the formation of candidate committees, -608 distribution of surplus campaign funds.)

The bill expands the list of services and items that are not considered campaign contributions. Only campaign contributions and expenditures must be publicly disclosed in campaign finance statements; thus candidates are not required to disclose the value of the services or items.

The bill eliminates a requirement for candidate committees, political committees (known as PACs), and party committees to report certain contributions in periodic campaign finance statements. By law, candidate committees, PACs, and party committees that raise or spend over \$1,000 during a primary or election campaign, or a calendar year, whichever is applicable, file periodic campaign finance statements of their contribution receipts and expenditures with the State Elections Enforcement Commission.

It provides that a committee's campaign treasurer cannot be penalized for failing to disclose the name and address of any person or business that purchases space in an ad book and the aggregate amount spent on the ads if the person or business fails to provide the information.

### **CAMPAIGN CONTRIBUTIONS**

The bill expands the list of services and items that are not considered contributions and generally makes those for party committees applicable to slate committees.

It does this by exempting:

1. the cost of donated food and drinks, up to a total of \$50, to be consumed at a single slate or party committee meeting, other than a fundraiser and
2. up to \$400 in discounted food and drinks sold to a slate committee during a calendar year or election cycle, as applicable.

The bill (1) makes the current exemption of up to \$200 in discounted food for candidates applicable for an election cycle, rather than a single election and (2) expands the current exemption of up to a total of \$400 in a current year for all party committees to up to \$400 for each party committee.

The bill (1) raises the exemption for costs associated with hosting a house party (i.e., cost of invitations, food, drinks, and using real and personal property), (2) extends the house party exemption to the community room in a person's residential facility, and (3) creates house party exemptions for two or more people living in the same household.

Under the bill, the expenditure thresholds for candidate parties are per election cycle and those on behalf of party or slate committees are per election cycle or calendar year, whichever is applicable. Table 1 shows the exemptions.

**TABLE 1: MAXIMUM EXEMPTIONS FOR HOUSE PARTIES**

Exemption for:	Individual Candidate		Party Committee		State Committee	
	Current Law	Bill	Current Law	Bill	Current Law	Bill
<b>Individual</b>	\$200	\$400	\$400*	\$400**	N/A	\$400**
<b>2 or More People Sharing the Same Household</b>	N/A	\$800	N/A	\$800	N/A	\$800

\*Current law limits individuals to a total of \$400 for all party committees; the bill applies the exemption to each such committee.

\*\*An individual may spend up to \$800 per party or slate committee per calendar year or election cycle, as applicable.

## **CAMPAIGN FINANCE STATEMENTS**

The bill eliminates a requirement for candidate committees, PACs, and party committees to include in their periodic campaign finance statements:

1. the total amount and denomination of money received from anonymous contributors;
2. the names of people who purchase items at a fundraiser that total \$50 or less; and
3. the names of people who donate up to \$50 in food or drinks for a slate or party committee meeting.

It requires these committees to indicate in these statements whether a person contributing an aggregate of over \$400 to a slate committee financing a candidate for chief executive officer of a town, city, or borough has, or is associated with a business that has, a contract valued at over \$5,000 with the town, city, or borough.

## AN ACT CONCERNING CERTAIN REVISIONS TO THE CITIZENS' ELECTION PROGRAM

### SUMMARY:

This bill modifies state election laws on campaign finance and the Citizens' Election Program. It makes several changes affecting campaign finance reporting for candidates who participate in the program (participating candidates) and those who do not (nonparticipating candidates), including changes to procedures and requirements for periodic and supplemental campaign finance statements.

The bill allows people who make donations from a joint checking account to allocate the contribution between them and changes the certification requirement for those who contribute over \$50.

The bill establishes a date by which participating candidates in the Citizens' Election Program are considered "opposed" for the purpose of determining grant amounts. It revises the procedure for submitting supplemental campaign finance statements and for reporting excess expenditures, eliminating the requirement that (1) all candidates report spending when they reach 90% of the applicable spending limit and (2) participating candidates submit reports when their spending exceeds 100%, 125%, 150%, or 175% of the limit.

The bill expands reporting requirements for statewide office candidates with respect to their qualifying contributions and generally gives the State Elections Enforcement Commission (SEEC) 10, rather than four, days to review their applications for Citizens' Election Fund (CEF) grants. By law, statewide office candidates are those running for governor, lieutenant governor, attorney general, state comptroller, secretary of the state, and state treasurer.

The bill makes conforming and technical changes.

### CAMPAIGN FINANCE

#### *§ 1 — Contributions by Joint Checking Account Holders*

By law, campaign treasurers must equally divide campaign contributions made by joint checking account holders who co-sign the check.

The bill creates an exception to the law by allowing the account holders to indicate how they want the contribution attributed. They must include their intent on a statement that is presumably submitted with the check.

### *§ 2-3 — Campaign Finance Statements*

By law, the following committees and individuals must file periodic campaign finance statements with the SEEC: (1) candidate committees for statewide and legislative candidates; (2) party committees; (3) individual lobbyists; and (4) political committees (known as PACs) other than those formed to aid or promote the success or defeat of a municipal referendum or municipal office candidates.

The bill exempts certain candidates from filing these statements and makes changes affecting the period the statements must cover and the criteria for determining whether they are considered timely. It also changes the filing schedule for state central committees and expands reporting requirements for organization expenditures.

#### *Exemption from Filing Periodic Campaign Finance Reports*

Under current law, if any candidate in a primary or general election campaign with at least one participating candidate receives contributions, loans, or other funds or makes or obligates to make an expenditure that in the aggregate exceeds 90% of the applicable spending limit for the primary or general election period, the campaign treasurer must also file supplemental campaign finance reports with the SEEC. (The bill revises the procedure for filing supplemental campaign finance reports by eliminating the 90% threshold and requiring every candidate to submit these reports before each primary and election. See EXCESS SPENDING AND REPORTING.)

The bill eliminates the dual filing requirement by allowing any supplemental report to satisfy the requirements for periodic campaign finance reports, including those required to be filed in January, April, July, and October, which presumably precede most supplemental finance reporting.

#### *Period Covered*

The bill slightly expands the period periodic campaign finance statements must cover. It does not change the filing deadlines for submitting them. Monthly statements must include information through midnight on the last day, rather than simply the last day, of the month before the filing deadline. Statements required to be filed seven days before an election, primary, or referendum must include information through midnight on the second, rather than the seventh, day preceding the filing deadline.

#### *Timely Submission to SEEC*

Under the bill, periodic campaign finance statements must be received by the SEEC by a specified time on the filing deadline to be considered timely, not just postmarked by the filing deadline. To be deemed on time, the SEEC must receive hard copies by 5:00 PM and electronic submissions by midnight on the filing

deadline. Under the bill, authorized electronic means include e-mail, fax, and SEEC-created web-based programs.

The bill specifies that grant applications, supplemental campaign finance statements, and independent expenditure reports are considered timely when they are filed according to the procedures existing law establishes.

### *State Central Committees*

The bill aligns the filing schedule for state central committees with the schedule for most other party committees, candidate committees, and PACs. Generally, they must file on the 10<sup>th</sup> day of January, April, July, and October, but not on a weekend or holiday. They must also file on the seventh day before a regular state election and on the seventh day before any other election, primary, or referendum for which the committee has made or received a contribution or expenditure.

Under current law, state central committees submit reports three times per year and also file on the 12<sup>th</sup> day preceding any election.

### *Organization Expenditures*

The law requires each campaign finance statement that a legislative caucus, legislative leadership, or party committee treasurer files to include an itemized accounting of organization expenditures made to benefit participating legislative candidates. The bill expands this requirement to also include organization expenditures made to benefit nonparticipating legislative candidates.

### *§ 3 — Certifying Contributions Over \$50*

The law prohibits communicator lobbyists, principals of state and prospective state contractors, and their immediate family members from making contributions to (1) candidate and exploratory committees for statewide and legislative candidates, (2) PACs authorized to contribute to those candidates, and (3) party committees. Under current law, individuals who make contributions to these committees that separately or in the aggregate exceed \$50 must certify that they are not a communicator lobbyist or a principal of a state or prospective state contractor.

The bill (1) potentially expands the PACs covered by the ban to include those that statewide or legislative candidates establish or control and (2) changes the certification contents.

Under the bill, these contributors must provide a certification attesting to the fact that they are not prohibited from making a contribution under either the contractor or lobbyist contribution ban. The bill requires the SEEC to amend the sample form upon which certifications are made to include an explanation of the contribution bans and their exceptions, and an explanation of the terms

“immediate family member of a communicator lobbyist,” “state contractor,” and “prospective state contractor.” The form already includes “communicator lobbyist” and “principal of a state contractor or principal of a prospective state contractor.” The bill provides treasurers who deposit a contribution based on a certification a complete defense to any action taken against them concerning the contribution, unless they knew or had reason to know that the certification was false prior to the deposit.

In addition to the certification, the bill requires individuals who make contributions to any of the covered committees that separately or in the aggregate exceed \$50 to state whether they are (1) a communicator lobbyist, or the immediate family member of one or (2) a state contractor, or a principal of a state or prospective state contractor, which includes immediate family members. Under the bill, as under existing law, they must also provide the name of their employer.

### *§ 3 — Surplus Donations*

By law, candidate committees and political committees, other than ongoing PACs or exploratory committees, must spend or distribute surplus funds within 90 days of (1) a primary when a candidate loses, (2) an election, or (3) a referendum.

The bill treats participating candidates who do not qualify for or receive grant money as nonparticipating candidates, allowing them to distribute their surplus funds to charitable organizations or the CEF. The law, unchanged by the bill, requires participating candidates who receive grants to distribute any surplus to the CEF.

## **CITIZENS' ELECTION PROGRAM**

The Citizens' Election Program is a system of public campaign financing under which statewide and legislative candidates who receive qualifying contributions, agree to abide by certain spending limits, and comply with other requirements, are eligible to receive state grants to fund their campaigns.

### *§ 5 — Exemption from Affidavit of Intent*

By law, candidates who finance their campaigns entirely from personal funds or do not receive or spend over \$1,000 from other sources are not required to form a candidate committee and must attest to their eligibility for this exemption in a sworn statement.

If these candidates do not intend to participate in the Citizens' Election Program, the bill further exempts them from the requirement to file an affidavit certifying their intent to abide or not abide by the program's spending limits. Like other candidates who do not intend to participate, they are called “nonparticipating candidates.”

### *§ 6 — Qualifying Contributions*

The bill expands statewide office candidates' reporting requirement with respect to qualifying contributions. By law, all participating candidates, whether running for statewide or legislative office, must submit documentation with their grant application demonstrating that their contributions meet the qualifying contribution criteria (see BACKGROUND). The bill requires statewide office candidate and exploratory committees to also file documentation on or about the same time they submit periodic campaign finance reports.

In addition, the bill prohibits contributions made by minors under age 12 from counting as qualifying contributions. By law, minors under age 18 can contribute a maximum of \$30 to (1) exploratory and candidate committees and (2) PACs and party committees in a calendar year.

### *§ 7 — Determining Opposition Status*

The bill establishes a date by which participating candidates are considered "opposed" for the purpose of the program. Under the bill, a participating candidate is considered to have a major party opponent if, by the nominating or petition deadline set by law: (1) a major party endorses a candidate, (2) a candidate from any other major party receives at least 15% of the delegate vote on a roll-call at the party convention, or (3) a candidate qualifies as a petitioning candidate for any other major party's nomination.

By law, participating candidates who are opposed are eligible for a full grant while those who are unopposed are eligible for 30% of the applicable grant amount.

### *§ 8 — Grant Applications*

The bill (1) extends, from four to 10 days, the time the SEEC has to review most grant applications from statewide office candidates and (2) specifies that the SEEC will not review general election grant applications it receives during the seven days before the last primary application deadline until after the next deadline, a week later.

Within 10 business days following Thursday or Friday submissions, the SEEC must review the applications it has received from statewide office candidates and determine whether to approve or reject each one. The SEEC must continue to review applications from legislative candidates within four business days.

### *§ 3 & 9 — Excess Spending and Reporting*

By law, participating candidates are entitled to additional money from the CEF if their opponents exceed certain spending limits, that is, if they make excess expenditures. The bill (1) revises the procedure for submitting supplemental

campaign finance statements and for reporting excess expenditures and (2) deems candidates who submit supplemental campaign finance statements to have satisfied the periodic campaign finance report filing requirement.

### *Supplemental Campaign Finance Statements*

Under current law, if a candidate in a primary or general election campaign with at least one participating candidate receives contributions, loans, or other funds, or makes or obligates to make an expenditure that in the aggregate exceeds 90% of the applicable spending limit for the primary or general election period, his or her campaign treasurer must file a supplemental campaign finance statement with the SEEC. Thereafter, the campaign treasurer filing the initial supplemental statement and the campaign treasurers for all opposing candidates must file periodic supplemental campaign finance statements according to a specified schedule.

The bill eliminates the 90% threshold and requires the campaign treasurer of each candidate in a primary or general election campaign with at least one participating candidate to file weekly supplemental campaign finance statements according to the following schedule:

1. for a primary campaign, on the Thursday following the July filing date set by law, and every subsequent Thursday, including the one before the primary and;
2. for a general election campaign, on the Thursday following the October filing date, and every subsequent Thursday, including the one before the election.

Supplemental statements must cover the following period: the first day not included in the last statement through midnight on the second day preceding the filing deadline.

### *Excess Expenditures*

Under current law, each campaign treasurer of a candidate in a primary or general election campaign with at least one participating candidate must file a declaration of excess receipts or expenditures when the candidate committee receives contributions, loans, or other funds, or makes or obligates to make an expenditure that in the aggregate exceeds 100% of the applicable spending limit. The treasurer must do the same if the candidate has receipts or expenditures that in the aggregate exceed 125%, 150%, or 175% of the applicable spending limit for the primary or general election. These requirements apply to treasurers for participating and nonparticipating candidates.

With respect to excess expenditures, the bill (1) bases reporting for participating candidates on their expenditures only and (2) eliminates the requirement that they file declarations at the 125%, 150%, and 175% thresholds.

Under the bill, if a participating candidate in a primary or general election campaign with at least one participating candidate makes or obligates to make an expenditure that in the aggregate exceeds 100% of the applicable spending limit for the primary or general election period, his or her campaign treasurer must file a declaration of excess expenditures with the SEEC. The bill does not change the filing schedule. If the candidate exceeds the threshold more than 20 days before the primary or general election, the treasurer must file the declaration of excess expenditures with the commission within 48 hours of the occurrence. If a candidate reaches the threshold 20 or fewer days before the primary or election, the treasurer must file the declaration within 24 hours.

The bill does not change the procedure for nonparticipating candidates. If a nonparticipating candidate in a primary or general election campaign with at least one participating candidate exceeds one of the thresholds (100%, 125%, 150%, or 175%), the treasurer must file the declaration of excess receipts or expenditures with the commission according to the same schedule for participating candidates.

The bill specifies that declarations of excess expenditures must cover the following period: the first day not included in the last statement through midnight on the first day preceding the filing deadline.

## **BACKGROUND**

### *Qualifying Contributions*

In addition to the certification from contributors that they are not a state contractor or prospective state contractor or a communicator lobbyist or an immediate family member of one, contributions must include:

1. the contributor's name and address;
2. the amount, form, and date;
3. the candidate committee's name;
4. whether the contributor is 18 or older;
5. the name of the contributor's employer and the contributor's occupation; and
6. an affirmation that the contribution is being made from personal funds, is not being reimbursed, is not a loan, and is not otherwise prohibited.

## AN ACT CONCERNING REVISION OF CERTAIN CAMPAIGN FINANCE AND CITIZENS ELECTION PROGRAM STATUTES

### SUMMARY:

This bill changes state election laws on campaign finance and the Citizens' Election Program. Concerning campaign finance, it lifts the cap on one type of organization expenditure and also specifies that such expenditures do not include de minimus activities. It exempts certain items and services from the definition of contribution, including the purchase of advertising space on signs at a town committee's fundraising affair. It authorizes candidates to organize post-primary or election meals or events for campaign workers up to 14 days later.

With respect to the Citizens' Election Program, the bill authorizes candidates who participate in the program (participating candidates) to submit corrected grant applications if the State Elections Enforcement Commission (SEEC) rejects them for other than "substantial noncompliance" with application requirements and conditions. It eliminates the grant differential between primary grants for candidates in party-dominant districts and those in non-party-dominant districts. It allows participating candidates who receive grant money from the Citizens' Election Fund to use any remaining funds for post-election audits or to pay treasurers up to \$1,000 for their services.

The bill allows the SEEC to continue reviewing a grant application for up to one week beyond its deadline and also requires it to complete any post-election investigation of the program within six months.

### CAMPAIGN FINANCE

#### *Organization Expenditures*

By law, organization expenditures are made by legislative caucus, legislative leadership, or party committees for the benefit of candidates and their committees. Organization expenditures are not considered campaign contributions and thus are not restricted to lawful committee purposes.

The bill lifts the cap on organization expenditures consisting of the use of offices, telephones, computers, or similar equipment by removing the restriction on using the equipment when it results in an additional cost to the legislative caucus, legislative leadership, or party committee. It thus allows candidates to use this equipment when the committee making the expenditure incurs a cost.

The bill also specifies that organization expenditures do not include de minimus activities such as (1) using the personal computer or cell phone of an individual or business to send an email or a message, respectively, without pay or (2) posting or displaying at a town fair a candidate committee's name or a party candidate listing (see BACKGROUND). However, these activities may still have value and be considered campaign finance contributions or expenditures.

The bill eliminates the requirement that campaign treasurers for participating legislative candidates file a statement with the SEEC listing any committee that made an organization expenditure on the candidate's behalf, including the amount of the expenditure and its purpose. It retains the requirement that treasurers for party committees and legislative caucus and leadership committees include with each campaign finance statement an itemized accounting of organization expenditures.

### *Campaign Contributions*

The bill exempts certain items and services from the definition of "contribution," including:

1. up to \$100 in personal items or services that are customarily associated with occupying a residence and
2. up to \$20 (fair market value) in donated personal property a candidate committee possesses.

The bill also exempts from the definition the purchase of advertising space on signs at a town committee's fundraising affair, provided they clearly identify the purchaser. Although the law prohibits communicator lobbyists and their families and state and prospective state contractors and their principals from (1) purchasing advertising sign space in advertising books at a town committee's fundraiser and (2) contributing to or soliciting on behalf of candidates, generally, the bill allows them to purchase advertising space on signs at fundraising affairs.

The bill raises, from \$200 to \$400, the individual exemption for costs associated with hosting a house party (i. e. , cost of invitations, food, drinks, and using real and personal property). Under the bill, as under existing law, individuals may apply this exemption to each candidate for whom they host a house party during a single election or primary campaign. It applies as an aggregate total during a calendar year for house parties to benefit party committees.

### *Volunteer Services*

The bill authorizes paid committee workers to also volunteer their time with a candidate committee. Under the bill, they must sign an affidavit indicating the number of unpaid hours they will serve and provide it to the campaign treasurer of the committee with which they will volunteer. The treasurer must file the affidavit with the SEEC when he or she files any required periodic campaign finance statement. Presumably, the bill applies to individuals who work for and are paid by any type of candidate, party, or political committee.

### *"Thank You" Parties*

The bill authorizes participating and non-participating candidates to host a meal or an event after a primary or an election to acknowledge committee workers' efforts. The party must occur no later than 14 days after the primary or election, whichever is applicable (see BACKGROUND).

The bill does not include a monetary limit for each worker nor does it define "event." However, the law allows candidates to spend up to \$100 on gifts for each of their campaign or committee workers in a calendar year. Regulations specify that participating candidates may purchase meals for them as follows: up to \$15, \$20, or \$30 per person per occasion for breakfast, lunch, or dinner, respectively (including tax and gratuity for each meal).

## **CITIZENS' ELECTION PROGRAM**

### *Grant Applications*

By law, the candidate and campaign treasurer must sign the grant application. The application must include certain written certifications and a cumulative itemized accounting of campaign finances.

The bill allows candidates to submit corrected primary or general election grant applications if the SEEC rejects them for other than "substantial noncompliance" with application requirements or conditions. The bill does not define this term.

It appears that candidates must submit these applications, correcting each of the defects the commission identifies, in accordance with the schedule specified by law. However, the law containing the schedule is amended by the bill and contains two different schedules. Thus, it is unclear when candidates must submit corrected applications. The SEEC must review any corrected application in the same manner as it reviews original applications.

The bill also authorizes the SEEC to continue an application review for up to one week. One reason for continuing a review is missing documentation, but the bill does not specify any others.

However, if the SEEC continues a review for a reason other than missing documentation, the commission must inform the candidate of the basis. If the review is continued without prejudice until the commission's next meeting, the applicant may submit missing or incomplete information by 5:00 p.m. the day before the commission next meets to consider applications. The bill does not specify how the SEEC must treat a candidate who fails to provide the required additional information timely.

### *Grants for Primary Campaigns*

The bill eliminates the differential in primary grants for major party legislative candidates based on whether they run in a party-dominant district (i. e. , one in which a major party has at least 20% more enrolled voters in his or her district than another major party has, as determined by the latest enrollment and voter registration records of the secretary of the state).

It instead provides that all candidates receive the primary grant allowed by law for those in non-party-dominant districts: \$35,000 for state senator and \$10,000 for state representative. Currently, a major party candidate for state senator or state representative in a party-dominant district receives a \$75,000 or \$25,000 primary grant, respectively.

### *Investigations*

The law authorizes the SEEC to investigate possible violations of election law. The bill requires the SEEC to complete any investigation within six months that it conducts of the Citizens' Election Program. The commission must provide monthly status updates to the subject of such an investigation. The bill does not specify consequences for noncompliance.

### *Post-Election Payments*

The bill authorizes participating candidates who receive a grant from the Citizens' Election Fund to use any remaining funds after an election to make a payment to their campaign treasurer of up to \$1,000 for services rendered. By law, candidates may compensate without limitation (1) campaign and committee staff and (2) attorneys, accountants, consultants, or other professionals for services during a campaign. However, the SEEC has advised that participating candidates may not use campaign funds for bonus payments for campaign staff or volunteers on or after an election (see "Post Election Fact Sheet – November 2008.")

By law, the commission may inspect or audit the accounts or records of candidates who participate in the Citizens' Election Program. The bill allows participating candidates to use remaining grant funds after an election to comply with any audit the SEEC conducts. Presumably, this applies only to an audit of a candidate's own committee.

## BACKGROUND

### *Party Candidate Listing*

A “party candidate listing” is any communication that (1) lists the names of one or more candidates; (2) is distributed through public advertising including broadcast stations, cable television, newspapers or similar media, direct mail, telephone, electronic mail, public Internet sites, or personal delivery; and (3) treats all candidates in a substantially similar way. The content must be limited to (1) the identification of each candidate, including photographs; (2) the offices sought; (3) the offices the candidates currently hold, if any; (4) the party and a brief statement about the party or the candidates' positions, philosophy, goals, accomplishments, or biographies; (5) an encouragement to vote for the candidates; and (6) information about voting, such as voting hours and locations.

### *“Thank You” Parties*

For the 2008 election, the SEEC prepared a fact sheet stipulating that post-election parties held by participating candidates must occur on Election Day. In accordance with regulation, the sheet provided that campaigns could not exceed the “per person per occasion” meal limit set by regulation (see “Election Day Parties – November 2008.”)

# Resolution

HJR 121

Resolution Confirming the Nomination of  
Patricia Stankevicius of Wolcott to be a Member of the State  
Elections Enforcement Commission

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**RESOLUTION CONFIRMING THE NOMINATION OF PATRICIA STANKEVICIUS  
OF WOLCOTT TO BE A MEMBER OF THE STATE ELECTIONS ENFORCEMENT  
COMMISSION**

**EFFECTIVE DATE: JULY 1, 2009**

**SUMMARY:**

Resolved by this Assembly:

That the nomination by Her Excellency, the Governor, of Patricia Stankevicius of Wolcott, to be a member of the State Elections Enforcement Commission, effective July 1, 2009, to serve a term ending June 30, 2014, or until a successor is appointed and has qualified, whichever is longer, in succession to Father Michael Dolan, is approved and confirmed, and she is appointed said member for said term.