



## Update on the status of CEP in the final budget and continuing attacks on the State Elections Enforcement Commission - 11/14/2017

**Action Item – Contact your state legislators to let them know that these attacks on the CEP and SEEC are unacceptable. Be prepared at your legislative coffees/meetings to challenge them to support these essential programs.**

### Process

- **Inserting these items in the budget circumvented the legislative process. These new regulations were implemented without public scrutiny or opportunity for public comment.**

### CEP

- **Raising the maximum contribution from \$100 to \$250 favors incumbents who will be able to raise the basic required fund with less difficulty and disadvantage challengers and those from less wealthy districts.**
- **Shortening the schedule to qualify for grants will disadvantage those who enter the race later in the process (primary challengers.)**

### SEEC

- **New timelines established for the SEEC complaint process are unreasonable given the cuts to staffing and the ability of the accused to run out the clock rather than comply with documentation requests.**

### Context/Background

At this time the Public Issues team is carefully following the attacks in the final budget on the Citizen's Election Program and the State Elections Enforcement Commission. Inserting these new regulations in the budget is one way legislators create policy without any comment from the public. In general, these new regulations weaken the CEP program, favor incumbents over challengers, and continue to erode the effectiveness of the SEEC, State Elections Enforcement Commission, by creating unreasonable timelines for addressing complaints. The SEEC is seriously understaffed and there is a freeze on hiring, making it impossible for them to meet these deadlines.

### §§ 268-273 & 276 — CITIZENS' ELECTION PROGRAM (CEP)

*Makes changes to the CEP, including establishing a grant reduction schedule, freezing inflationary grant adjustments for 2018, increasing the maximum individual qualifying contribution (QC) amount, and adjusting QCs for inflation*

- Establishes a four-step grant reduction schedule under which legislative and statewide office candidates receive reduced general election grants, beginning 70 days before the election, the closer to the election that they submit their application. (LWVCT – This severely affects late entry/petitioning candidate's ability to compete.)

- Increases, **from \$100 to \$250**, the maximum individual qualifying contribution (QC) amount beginning on December 1, 2017 and January 1, 2019 for legislative and statewide office candidates, respectively

## § 274 — SEEC'S COMPLAINT PROCESS

*Revises SEEC's process for reviewing and resolving complaints.*

**LWVCT** - The new process seriously hamstrings the SEEC's ability to fully investigate complaints and collect supporting evidence within the proscribed timelines.

- Requires commission staff to conduct and complete a preliminary examination of a complaint within 14 days after receiving it.
- Requires staff to docket a complaint for a probable cause determination by the commission for any complaint pertaining to a de minimis violation that it is unable to resolve within 45 days after receipt
- Requires SEEC to dismiss any complaint it receives on or after January 1, 2018, that it has not adjudicated within **one year** after receiving it.
- Allows certain actions to extend the one-year deadline (e.g., issuance of a subpoena or litigation in state or federal court related to the complaint)

**An excellent article on this attack on the SEEC**

<https://ctmirror.org/2017/10/30/tucked-in-budget-shorter-leash-on-election-watchdogs/>

**On November 13, 2017 LWVCT and Common Cause issued a press release decrying the erosion of CEP in the final budget.**

### **Groups Call on Legislature to Repeal Secretive Attacks on the Citizens' Election Program**

The League of Women Voters of Connecticut and Common Cause Connecticut have ramped up their efforts to force the Connecticut legislature and Governor Malloy to repeal the attacks on the Citizens' Election Program (CEP) in the recently passed budget.

“The changes in contribution limits and the adoption of an arbitrary timeline for investigations are the type of self-serving actions that lead many people to believe that politicians have little regard for their constituents,” said Carol Reimers, President of The League of Women Voters of Connecticut. “The fact that these changes were passed outside of the regular legislative process is very disturbing,” she continued.

“We will not sit by silently while the legislature tries to sneak these attacks on the CEP as part of the must-pass budget, said Cheri Quickmire, Executive Director of Common Cause Connecticut. The legislature is coming in to fix some aspects of the budget bill and these egregious changes to the CEP should rise to the top of the issues to be considered. We will not stop until the legislature does the right thing,” she added.

As part of the effort to fight back against these changes the LWVCT and Common Cause CT:

- Sent a letter to the Chairs of the GAE Committee requesting that they hold a public hearing on the proposed changes to let the public weigh in on the attacks and to better understand the potential impact.
- Sent a letter to all declared candidates for the General Assembly urging them to continue to abide by the \$100 contribution limit and making clear their intention to make public the names of people who do and don't abide. Similar letters will be sent to all of the 2018 candidates for the House and Senate;
- Sent a letter to every member of the legislature urging them to repeal these attacks on the CEP when they are in this week.

League Statement on the implementer language on the SEEC

The League of Women Voters of Connecticut urges you remedy the implementer language in the most current budget that attacks the SEEC's enforcement capacity, **§ 274 — SEEC'S COMPLAINT PROCESS**. The Commission is already working with a seriously reduced staff and the new time restrictions specified in the budget would make it impossible for the SEEC to follow complaints to a final resolution.

The SEEC has already suffered severe budget cuts and staff reductions. These new restrictions set unreasonable time limits for the SEEC to respond to complaints. The Implementer stipulates that the SEEC must conduct and complete a preliminary review a complaint by the fourteenth day following its receipt. And that for any complaint received on or after January 1st 2018, the commission must issue a decision or dismiss the complaint within one year. Given current staffing levels and the difficulty of attaining all of the documents related to the complaint, these time limits will make it extremely difficult for the SEEC to fulfill its role to ensure clean elections.