



OLR RESEARCH REPORT

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2000 VETO PACKAGE

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The governor vetoed three public acts passed in the 2000 session:

1. An Act Proposing Comprehensive Campaign Finance Reform for State-Wide Constitutional Offices and General Assembly Offices (PA 00-44),
2. An Act Concerning the Inspection of Taxicabs (PA 00-81), and
3. An Act Concerning the Membership and Mission of the Connecticut Energy Advisory Board (PA 00-181).

An act will not become law unless it is reconsidered and passed again by a two-thirds vote of each house of the General Assembly when it reconvenes. This report contains a brief summary of each act, the final vote tallies, and excerpts from the governor's veto messages.

PA 00-44—sHB 5102

*Government Administration and
Elections Committee
Judiciary Committee
Appropriations Committee
Finance, Revenue and Bonding
Committee*

**AN ACT PROPOSING
COMPREHENSIVE CAMPAIGN
FINANCE REFORM FOR
STATE-WIDE
CONSTITUTIONAL OFFICES
AND GENERAL ASSEMBLY
OFFICES**

SUMMARY: This act establishes a two-part system of public financing for election campaigns. The first part sets up a voluntary spending limit program for the general election that grants state funding only after (1) a participating candidate's opponent exceeds the spending limit or (2) a participating candidate is the target of an independent expenditure. To participate in the program, a candidate must agree to the spending limits and receive a threshold level of contributions and receipts. The act makes this program available to state office candidates only for the 2002 election and to legislative candidates for the 2004 election and thereafter.

Under the second program, beginning with the 2006 state election, candidates for state offices who receive a level of qualifying contributions and

agree to limit their spending and comply with other program requirements are eligible to receive state grants for their campaigns. The limits apply and the grants are available after a political party's nominating convention for a primary, if there is one, and the general election campaign. State office candidates are those running for governor, lieutenant governor, attorney general, state comptroller, secretary of the state, and state treasurer. For purposes of the new programs, the existing campaign finance laws' definitions apply.

The act creates a Citizens' Election Fund to pay for the programs. The funding sources are (1) income and corporate tax checkoffs and add-ons, (2) voluntary contributions, (3) donations of candidate or certain political committee (PAC) surpluses, (4) penalties and late fees for election law violations, and (5) its investment earnings.

The act also:

1. reduces certain contribution limits;
2. for purposes of program implementation, expands campaign finance reporting requirements for candidates and those who make independent expenditures;

3. lowers the threshold and subjects legislative office candidates to the mandatory electronic filing requirement for campaign finance statements;
4. bans campaign contributions to certain candidates from those associated with businesses that have state contracts worth over \$250,000;
5. prohibits a state contract award for a year to an individual or business whose PAC has made a campaign contribution to certain elected officials;
6. extends the State Elections Enforcement Commission's (SEEC) authority to include personal jurisdiction over a nonresident, or his agent, who contributes to any candidate, party committee, or PAC; and
7. creates a Blue Ribbon Commission to study public financing and the state's nominating process.

The act makes SEEC responsible for administering and enforcing the new financing provisions. Each year it must report on the status of the fund. If, at the beginning of an election year, the SEEC finds that the fund cannot cover its obligations to participating candidates, it

must distribute money in equal shares to all of them and the candidates can resume accepting contributions and spend up to the program limits.

The act creates penalties for violating program requirements and gives candidates the opportunity to have a hearing conducted by the SEEC. Candidates for state offices can file complaints in Superior Court if they claim they have been harmed with respect to this program in the same way they may complain about other election violations.

The act requires the secretary of the state to provide qualifying candidate committees with a free electronic copy of the statewide computerized voter registry list.

EFFECTIVE DATE: The campaign finance provisions are effective July 1, 2000; the electronic filing and access provisions are effective January 1, 2001; and the Blue Ribbon Commission section is effective upon passage. The tax provisions apply to tax years beginning January 1, 2000. The voluntary spending limits program begins for state office candidates with the 2002 election and for legislative candidates with 2004. The Citizens' Election Program begins with the 2006 state election cycle.

House Vote: 77-71 (April 17)
Senate Vote: 20-16 (April 13)

EXCERPTS FROM THE GOVERNOR'S VETO MESSAGE

“House Bill No. 5102 is flawed because of the following reasons:

- The bill is not a product of bi-partisan input and deliberation.
- The bill does not include important changes that were recommended by the State Elections Enforcement Commission (SEEC) and the State Ethics Commission (SEC).
- The bill does not restrict involvement of special interests in elections.
- The bill diverts taxpayer money from important programs to fund campaigns.
- The bill establishes arbitrary spending limits for candidates and results in more money being spent on campaigns.
- The bill's spending limits restrict candidates' First Amendment right to free speech and would likely not withstand a constitutional challenge. ...

House Bill No. 5102 does little to provide additional protections [beyond those included in the Treasurer's reform bill, PA 00-43] against the campaign finance activity that arose in the [former State Treasurer] Silvester case. The proponents of House Bill No. 5102 have used the thirst for reform brought on by the Silvester case as a reason to rush toward a system of taxpayer financing of campaigns. This is a radical solution that does not

even address most of the issues raised by the Silvester case. ...

If we are serious about reforming our campaign finance system, we have to curtail the role of special interests. Taxpayer-funded campaigns will not stop special interests. They will only serve to take tax dollars away from vital state programs. Closing loopholes and limiting contributions by special interest groups are the best means to restoring public confidence in our election system. When the SEEC and SEC submitted their recommendations to me in January, we all shared the hope that a strong bi-partisan campaign finance reform package could be enacted during this session. Unfortunately, House Bill No. 5102 falls woefully short of real campaign finance reform.”

PA 00-81—sSB 428

*Transportation Committee
Finance, Revenue and Bonding
Committee*

AN ACT CONCERNING THE INSPECTION OF TAXICABS

SUMMARY: This act allows the state's emissions inspection contractor to perform the twice-yearly safety inspections required for taxicabs. Safety inspections performed at the contractor's facilities would be an alternative to having them done at either Department of Motor Vehicles (DMV) offices or by DMV-authorized licensed motor vehicle

repairers. The act requires the motor vehicles commissioner to set a \$20 fee for inspections at all three types of facilities. Prior law required him to set a fee but did not specify the amount.

EFFECTIVE DATE: October 1, 2000

House Vote: 142-0 (April 24)
Senate Vote: 36-0 (April 18)

EXCERPTS FROM THE GOVERNOR'S VETO MESSAGE

"I recently directed the Office of Policy and Management to oversee an independent auditor to review the practices and quality control procedures of the current emissions inspection contractor, Envirotest Systems Corporation (Envirotest). This action grew out of my increasing concerns with the ability of Envirotest to administer the State's emissions inspection facilities.

Also, State Police are investigating emissions inspection stations throughout the state after widespread allegations of illegal conduct on the part of Envirotest employees. Given these activities, it would be imprudent to sign a bill that increases the duties of Envirotest. Since Envirotest has not demonstrated that it can handle emissions inspections, we should not be authorizing the contractor to conduct *safety* inspections of taxicabs. To do so,

could put Connecticut residents at risk on the state's roads.

My rejection of this bill will not diminish the state's ability to perform safety inspections of taxicabs. Safety inspections of taxicabs will continue to be conducted by DMV and DMV-authorized motor vehicle repairers."

PA 00-181—sSB 501
Energy and Technology Committee
Government Administration and Elections Committee

AN ACT CONCERNING THE MEMBERSHIP AND MISSION OF THE CONNECTICUT ENERGY ADVISORY BOARD.

SUMMARY: This act expands and alters the membership of the Connecticut Energy Advisory Board and changes its mission. It requires the board to meet monthly or more frequently as it considers appropriate. It allows the board to impose reasonable reporting requirements on state agencies and private entities in the energy business to give the board the information it considers necessary to carry out its planning and decision-making responsibilities. It also allows the board to host forums to bring agencies and other parties together to discuss energy issues.

The act removes the Transportation and Public Works commissioners (or their designees) from the board.

The act also eliminates the requirements that the board:

1. recommend long-range supply and demand options, emphasizing conservation and resource development in the state, to the governor and the legislature and
2. respond to legislative requests to review energy policy issues.

EFFECTIVE DATE: Upon passage

House Vote: 144-0 (May 3)
Senate Vote: 35-0 (April 27)

EXCERPTS FROM THE GOVERNOR'S VETO MESSAGE

“Given the dramatic price increases in gasoline and home heating oil, now is not the time to reduce the Board’s energy policy and planning functions. This act attempts to change the focus of the Connecticut Energy Advisory Board [and]...it is inappropriate to change an energy policy board into a consumer board.

This act changes the mission of the CEAB in a manner that is inconsistent with the CEAB’s essential mission. It takes away the Board’s duty to recommend programs for enhancing the State’s energy management and does not require the Board to

formulate long-range energy supply and demand options. In addition, the Board is not required to respond to legislative requests for policy formulation or examine ways in which energy affects ...[our] economy. Each of these components to the Board’s duties is vitally important to formulating sound energy policy for the State....

This public act removes two members whose participation on the Board is invaluable. Under this public act the Commissioner of Transportation (DOT) and the Commissioner of Public Works (DPW) are no longer members of the Board. Since the CEAB’s inception, the DOT and DPW have played pivotal roles in shaping the State’s energy policy. Removing DOT’s representation is imprudent since 55% of the state’s energy consumption is consumed by transportation. Similarly, DPW consumes a significant amount of the State’s energy in the State’s development projects and therefore should be represented on an energy policy and planning board. Furthermore, DPW is responsible for administering approximately \$70 million in conservation funds, which are collected through rates to install energy efficient equipment in all projects conducted by DPW.”

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