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Clean elections bill heads to Senate committee

By Phil Kabler

STAFF WRITER

A bill that proponents say will allow candidates to spend more time meeting voters and less time chasing big-money contributions advanced from the Senate Judiciary Committee Monday.

Dubbed the Clean Elections Act, the bill to create a system for publicly financed campaigns passed on a 10-4 vote Monday, but faces a tougher obstacle when it goes to the Senate Finance Committee.

The bill (SB270) would allow qualified candidates for a variety of offices who agree to abide by campaign spending limits to have their campaigns publicly financed. Those limits would range from \$7,500 for a candidate in a single-member House of Delegates district race to \$1 million for gubernatorial candidates.

Though the bill advanced by a wide margin, it drew considerable questions and criticism from committee members.

Many questioned whether there would sufficient funding for the program, since the bill rules out direct appropriations from the Legislature as a funding source.

"I think the goal of this legislation is to increase public trust ... in elections by taking private funds out of the process," said Judiciary Chairman Jeff Kessler, D-Marshall. "While it appears to be a laudable goal, it does have some serious financial implications."

Sen. Steve Harrison, R-Kanawha, cited the current gubernatorial primaries, where 19 candidates are running.

As written, the bill allows participating candidates to request up to double the office's funding limit, if a nonparticipating challenger is raising and spending that amount. In a worst-case scenario, that would mean the fund would be asked to pony up \$34 million in gubernatorial primary financing, if the act were in effect this year.

“In the case of a gubernatorial race, it could multiply very quickly in that scenario,” Harrison said.

Proponents of the bill said the money candidates must obtain from registered voters to qualify for public funding would make it unlikely that so-called fringe candidates would participate.

As amended Monday, the number of qualifying \$20 donations required would range from 75 in a single-member House district to 2,500 from at least 20 counties for governor.

“Raising that kind of money in that kind of numbers is not easy,” said Norm Steenstra, director of the West Virginia Citizen Action Group.

After the meeting, Julie Archer of WV-CAG noted that similar legislation has been a huge success in Arizona, where Clean Election candidates currently hold nine of 11 statewide offices, including governor.

Besides the qualifying contributions, the Clean Elections fund would be financed from check-offs on state income tax returns, donations, and fines for election law violations.

Sen. Jon Blair Hunter, D-Monongalia, noted that more than 30 organizations are endorsing the bill.

“There are a lot of organizations out there that really feel this is an important bill,” he said, adding, “It takes it away from where we’ve all got to go out and spend a lot of time raising money.”

Sen. Evan Jenkins, D-Cabell, noting that many of the organizations supporting Clean Elections lean toward the liberal side politically, questioned whether the law would shift the elections process from one set of special interest groups to another.

Jenkins, who made a failed bid for state Supreme Court in 2000, noted that one of the groups endorsing Clean Elections is the Affiliated Construction Trades Foundation.

One of the ACT Foundation’s current television ads, Jenkins said, “is a not so thinly veiled attempt to influence the Supreme Court race.” The ad depicts the high court as protecting West Virginians from big corporate bullies.

Sen. Mike Ross, D-Randolph, argued that the legislation would hurt what amounts to a boon for the state economy every election cycle.

“It’s free enterprise. This goes against free enterprise,” he said.

To contact staff writer Phil Kabler, use e-mail or call 348-1220.

Today's Legislature schedule

Senate

9 a.m.: Transportation, Economic Development committees

11 a.m.: Floor session

1 p.m.: Health and Human Resources Committee

2 p.m.: Education, Banking and Insurance committees

3 p.m.: Finance, Judiciary committees

5 p.m.: Education Committee

House

9:30 a.m.: Finance Committee

10 a.m.: Education Committee

11 a.m.: Floorsession

2:30 p.m.: Government Organization Committee