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## State officials vow to preserve public financing

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HARTFORD — State officials pledged Friday to work to retain Connecticut's public financing system for state elections by whatever means necessary.

That most likely means the state first would appeal Thursday's federal court ruling that found the system unconstitutional and discriminatory to minor-party and unaffiliated candidates.

If that appeal fails, the General Assembly and Gov. M. Jodi Rell could modify the system during the 2010 legislative session, which starts Jan. 1. This still would leave a public financing system in place in time for the summer and fall state election season in 2010, which includes campaigns for governor, other constitutional offices, and the legislature.

The governor made her comments Friday, one day after Judge Stefan R. Underhill of U.S. District Court in Bridgeport issued a permanent injunction blocking further implementation of the public financing scheme.

"Connecticut's Campaign Finance Reform Act is a model in the nation," Rell said. "It was, and will remain the means to keep special interest and lobbyist dollars out of our election process. I will do everything possible to keep this program intact and will support an immediate appeal of the decision."

Rell and the legislature crafted the act in 2005 and 2006 on the heels of the bid-rigging scandal that led to the near-impeachment of then-Gov. John G. Rowland. Rowland instead resigned, and ultimately served 10 months in prison after admitting in federal court he took more than \$100,000 in gifts from contractors and subordinates, many of whom contributed to his campaigns.

"I cannot, and will not let Connecticut return to the days of unfettered special interests controlling our electoral process," Rell added. "If necessary, we can amend the law to address the concerns of minor parties."

The plaintiffs in the lawsuit included the Green Party of Connecticut and the Libertarian Party of Connecticut.

The judge said one of the problems with the public financing scheme, known as the Citizens Election Program, is that it provides "public financing to participating candidates at windfall levels, well beyond historic expenditure levels in most races, thus creating merely illusory expenditure 'limits' for participating candidates."

Underhill also wrote that the system allows weak major-party candidates to qualify for public financing "without first requiring those candidates to demonstrate the

same significant modicum of public support that minor-party candidates must establish."

It also discourages minor-party candidates from participating by releasing significant additional funding to a participating major-party opponent once the minor-party candidate reaches a minimal level of fundraising.

Connecticut set a national record in 2008, the first year of the program, when 75 percent of legislative candidates opted to use public funds.

"It took lobbyist money, it took special interest money, and the impact of large campaign contributions out of the process," Secretary of the State Susan Bysiewicz, Connecticut's chief elections official, said. "If there are imperfections, if there are flaws, we should fix them, but we should not throw out the entire law."

Attorney General Richard Blumenthal is expected to file a motion to stay Underhill's injunction while Connecticut seeks an expedited appeal in the 2nd U.S. Circuit Court of Appeals.

"Minor-party candidates, quite simply, have failed to demonstrate that they bear an unconstitutional burden as the result of this law," Blumenthal said. "In fact, they are no worse off than without the campaign finance system."

"It's a great victory for all independents and third-party people out there," Connecticut Green Party spokesman Timothy McKee said. "All we wanted is a level playing field, not rules that made us jump through extra hurdles."

Green Party co-Chairman S. Michael DeRosa of Wethersfield said that under the current system, a minor-party candidate for governor in 2010 would have to collect 200,000 petition signatures and raise \$250,000 in small contributions to qualify for state funding. A Democrat or a Republican only would have to raise the \$250,000 in qualifying contributions.

This system implies that "all parties are equal in Connecticut, but some parties are more equal than others," DeRosa added. "The state certainly has a right to appeal this case, but quite frankly they should stop wasting people's money."

Rep. James F. Spallone, D-Essex, co-chairman of the legislature's Government Administration and Elections Committee, said he supports an appeal and is optimistic that regardless of the outcome, public financing will be in place for the 2010 election.

"Fortunately we're well over a year away from a state election," he said, adding this would give the General Assembly time to repair the system if an appeal should fail.

"I'm confident we can make the necessary changes if we need to," Spallone said.

*This story includes Associated Press reporting.*