

SUPPORT FAIR AND CLEAN ELECTIONS

Publicly Financed Candidates Elected to Nearly 400 Seats in Six States

- November 2008 was Connecticut's first general election under its new Clean Election program. 81% of those elected to the General Assembly participated in the program.
- In Maine, Clean Elections officials now hold 85% of seats in the statehouse.
- 54% of the Arizona legislature is Clean Election officials, up from 42%. In addition, eight out of eleven statewide elected officials in Arizona ran and won using Clean Elections.
- Clean Elections officials including five of the seven Supreme Court Justices hold 68% of North Carolina's top judicial seats. Clean Elections candidates were also elected to three Council of State offices — Commissioner of Insurance and Superintendent of Public Instruction.
- In the 2008 elections, Clean Elections candidates also won seats on the Portland, Oregon City Council and the New Mexico Public Regulation Commission, which regulates public utilities.

The WV Public Campaign Financing Act would create an alternative public financing option for candidates seeking election to the state Senate and House of Delegates. The system is voluntary and candidates who participate agree to abide by contribution and spending limits. Public funds would be available to candidates for the state Senate and House of Delegate candidates in single-member districts beginning with the 2010 elections, and to candidates in the remaining districts beginning in 2012.

How does it work?

Candidates who voluntarily select the Fair and Clean Election option must:

- ✓ Collect a set number of \$5 qualifying contributions from registered voters in their districts. The number of qualifying contributions a candidate must collect depends on the office and district in which the candidate is running. Qualifying contributions must be checks or money orders and will be audited.
- ✓ Agree to raise no private money for their campaign and to spend none of their own.

Qualified candidates:

- ✓ Receive a set amount of public funding upon certification. The amount of funding a candidate receives depends on the office and district in which the candidate is running. (Contributions from 1996-2002 were examined to help set amounts).
- ✓ Receive limited one-to-one matching funds (i.e. maximum amount of additional funding is 2 times original funding) when outspent by a non-participating candidates or independent expenditures.

Table 1. Required qualifying contributions required and amount of funding available for candidates for House of Delegates.

# of Delegates elected	1	2	3	4	5	6	7
# of Qualifying contributions	100	125	150	175	200	225	250
Initial funding available*	\$7,500	\$10,000	\$12,500	\$15,000	\$17,500	\$20,000	\$22,500
Maximum funding available**	\$22,500	\$30,000	\$37,500	\$45,000	\$52,500	\$60,000	\$67,500

*A candidate would receive this amount in a contested primary or general election. In an uncontested primary election, a candidate may receive only 25% of the amount available for the office (in a contested election). In an uncontested general election, a candidate may receive only 10% of the amount for that office in a contested race.

**A candidate may also receive limited one-to-one matching funds when outspent by a non-participating candidate (up to 2 times the original funding).

Table 2. Number of qualifying contributions required and amount of funding available for candidates for state Senate.

	# of Qualifying Contributions Required	Initial Funding Available	Maximum Funding Available
Senate (Districts 8 & 17)	400	\$35,000	\$105,000
Senate (all other Districts)	250	\$20,000	\$60,000

Non-participating candidates may raise private contributions from individuals and PACs based on the current campaign finance laws of West Virginia and spend an unlimited amount of their own money.

Public Funding of Campaigns ---Where does the money come from?

- ✓ Qualifying contributions collected by candidates
- ✓ Designated amounts from the state’s Abandoned Property Trust Fund
- ✓ 10% surcharge on civil and criminal penalties over \$1,000
- ✓ Revenue generated from a tax check-off program (West Virginia taxpayers may designate \$3 of their taxes to the Public Campaign Financing Fund, without increasing their tax bill)
- ✓ Unspent Seed Money Contributions (“Seed money” is a contribution of no more than \$100 made by an individual to be used only prior to or during the qualifying period.)
- ✓ Unspent public financing funds (For example, any funds left over after unsuccessful primary would be returned.)
- ✓ Voluntary donations
- ✓ Penalties levied by the Election Commission for violations of the Public Campaign Financing Act
- ✓ Interest generated by the Public Campaign Financing Fund
- ✓ Other sources designated by the legislature

Maine has designated \$2 million in funding from general revenue. Arizona’s Clean Elections Act is funded primarily from a 10% surcharge on all civil and criminal penalties, and returned \$1,364,578 in surplus to the state’s general fund in 2006. Connecticut’s program is funded through the state’s unclaimed assets.

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