

CAMPAIGN FINANCE

A presentation by Elaine Manlove, Commissioner of Elections At LWV of Delaware – League Day in Dover March 2012

Good Morning. I'd like to thank Charlotte King and the League of Women Voters for inviting me today.

Before I get to campaign finance, I'd like to explain the structure of Elections in Delaware. We are different than most states in that all Elections employees in Delaware are state employees. Elections in most states are run by county officials. I believe that this puts up a step ahead. We are governed by the same laws, use the same voting equipment and work very well together. I often use Florida 2000 as an example. Florida's 67 counties had different definitions of what constitutes a vote. I believe that equipment was not as much of an issue as was the variations in laws from one county to the next.

In addition, I report directly to the Governor. In most states, the Secretary of State is responsible for Elections. The Depts. of Election in the three counties report to their Board of Elections – not to me. Those Boards are equally divided between Democrats and Republicans and are appointed by the Governor and confirmed by the Senate – as am I.

I believe Delaware is unique in Election administration – and we are way ahead of the curve. When I meet with my counterparts from across the country, Delaware is always used as an example of outstanding election management.

We have dramatically improved our voter registration process by the use of electronic signatures. We've saved time, money and paper – and offered the citizens of Delaware better service at a much lower cost. As we move forward we are one of the pilot states working with the Pew Center on the States to make even more improvements to voter registration.

Now onto campaign finance...

Laws governing Campaign Finance can be found in Delaware Code, Title 15, Chapter 80 and they cover school, municipal and state candidates. Political committees and Political Action Committees also file with our office. Candidates for federal office, however, file with the Federal Election Commission.

Candidates begin by filing a Statement of Organization that documents the name of the committee, address and contact information. We collect information on both the candidate and the campaign treasurer. Candidates must have established their committee within 7 days of receiving or expending any campaign funds.

Once the organization has been set up, candidates must then file reports. All committees file year-end reports and candidates also file reports 30 and 8 days before elections. I have hand-outs that show the reporting periods as well as contribution limits.

Recently, we have improved our campaign finance reporting system to make it searchable. It is still a work in progress and we are working to make it even easier to use.

Who Must File

- **All Political Committees**
 - Political Parties
 - Political Action Committees
 - Candidate Committees

must file a Statement of Organization with the Campaign Finance Section of my office when the Committee is formed and whenever any of the Committee information changes. In addition, each Committee is required to file periodic Financial Reports with the Campaign Finance Section. Reports not submitted prior to the deadline are subject to fines and penalties as provided by Title 15 of the Delaware Code.

Definitions

- A **Political Party** is defined as an organization eligible to be listed on the general election ballot, including all their constituent parts (statewide, regional, municipal, district committees, finance committees, subdivisions and organizations related to the Political Committee).
- A **Political Action Committee (PAC)** is a coalition of persons, groups, organizations or businesses to achieve common political goals.
- A **Candidate Committee** is a Committee formed for the express purpose of running a Candidate for a specific Office. All Candidates who intend to run for an office with a salary greater than \$1,000 **must** form a Committee and register with the Campaign Finance Section.

All such Candidates **must** form a Committee and register with the Campaign Finance Section within seven days of any contribution or expenditure. NOTE: If you are a Candidate running for a Federal Office, you are not required to form a Committee in Delaware.

A Candidate Committee can only be located within the State of Delaware. PACs and Political Parties may be located inside or outside of Delaware's geographical boundaries. Filing is required by Out of State Committees if they do not report to another Federal or State (US) Election Authority. Do not duplicate information reported to any Election Authority.

A Statement of Organization must be filed with the Campaign Finance Section as soon as your Committee is established or as soon as there is a change in any of the required information. Any Candidate who runs for an office which pays an annual salary of more than \$1,000 must form a Committee and file a Statement of Organization immediately. All such Candidates **must** form a Committee and register with the Campaign Finance Section within seven days of any contribution or expenditure.

Candidates running for offices with a salary less than \$1,000 and who do not receive or expend more than \$2,000 in their campaign are exempt from filing Campaign Finance Reports. These Candidates are school board and municipal candidates and are required to complete a Certification of Intention and submit it to the Campaign Finance Section.

Candidates are permitted to have only one open, active Committee at a time. However, these Committees may have subcommittees. Additional Statements of Organization must be filed for each subcommittee. All reporting requirements and regulations apply equally to subcommittees.

Recently, we have improved our campaign finance reporting system to make it searchable. It is still a work in progress; however, you can now search on Candidates, Political Committees, PACs and Contributors.

The main complaint I have received is that if you don't know the exact name of the PAC, it's hard to find. I just realized that if you type any letter that is contained in the name of the PAC into the "Name" field, it will bring up a list from which to choose. We are working to incorporate a field that allows you to choose the PAC that you want.

We are also working to mandate electronic filing of reports. In the past, we have accepted both electronic and paper, however, everyone reporting into the same system is always better. In the last election cycle, I had staff enter the paper reports into the electronic system but I have concerns with anyone manipulating information from a candidate. If we were to make a mistake, erroneous information could be displayed on the web without the candidate actually making the mistake.

I'm hoping this has taken some of the mystery out of elections – I'm happy to answer any questions.

Thank you.