

The Vermont PROGRESSIVE PARTY



Josh Wronski, Progressive Party Executive Director, Testimony on H.429 for the Vermont Senate Committee on Government Operations

Thank you to Sen. Hardy and the Committee for the opportunity to testify on the Miscellaneous Elections Bill.

My name is Josh Wronski and I am the Executive Director of the Vermont Progressive Party.

I have been in this position since 2016, so have been active in coordinating elections activities through 4 Vermont Primary and General Elections, in addition to seven town meeting day elections.

I have a number of thoughts on the proposed changes in the Elections Bill that I would like to share, in addition to some ideas for ways the legislation could be improved.

I'll start off with the "Sore Loser" provision. This change is something that we oppose.

I have heard the argument from Rep. McCarthy and other members of the House Committee on Government Operations that running in a Party Primary is a significant choice a candidate makes, and they should not be allowed to run in the general election if they lose.

As a party leader, I understand the frustration when someone chooses to run in your primary, loses, and then runs as an independent or under a different party banner. We have experienced that exact scenario on several occasions at the local level, and it can be frustrating.

That said, we believe strongly in enhancing ballot access, not restricting it, and do not think we should be afraid of more candidates appearing on the general election ballot.

Primaries are for major party members to choose their nominees for the general election. They should not be a way for a party to prevent a candidate from appearing on the general election ballot.

We know that voter turnout more than doubled between the Vermont Primary and General Election in 2022 with 133,578 people voting in the primary and 291,955 people voting in the general election. If a candidate is looking to run in the general election AND seeks a party nomination, we should not deny the more than 150,000 Vermonters who only choose to vote in general elections from weighing in on that candidate.

In the 2022 General Election, 31.9% of general election races were unopposed. In some cases, we have seen candidates who lose their party primary choose to run in the general election because that race would be unopposed otherwise. The “Sore Loser” provision could result in more races being unopposed, and that is not healthy for democracy.

In other cases, we have seen candidates choose to run in the general election after losing a party primary because they were locked out of participating in the primary process by the Party which denied access to party candidate forums and events. If this provision goes into effect, there are few ways to ensure equal access for all candidates running in that party’s primary during a primary process.

If the committee does choose to go this route and pass this provision, I would hope that you would also consider legislation guaranteeing that political parties grant equal access to all candidates running in their primary.

Vermont has a long and proud tradition of fusion voting. 69 fusion candidates ran in the last election. This is a good thing for our democracy and allows for candidates to truly reflect their values on the ballot while encouraging the political parties to work together. With this in mind, we should not be denying a different political party from running their candidate of choice in the general election just because that candidate lost the nomination of a different political party. Which candidates appear on the general election ballot should be up to the candidates and the political parties, and we should not allow the voters of one political party to restrict the members of a different political party from running their candidate of choice.

I would ask if this is really something that your constituents are asking you to address. We know that in general it is incredibly rare for a candidate to lose a party nomination and then run as an independent or member of another party. It happens once or twice per election cycle at most. There are even fewer examples of this having a serious impact on the final result of the general election. This change is a solution in search of a problem that does not really exist and is not being asked for by Vermonters.

If we want to enhance our democracy, encourage greater participation, and ensure that the true will of the voters is being realized, we should pass strong Ranked Choice Voting legislation for all primary and general elections. If that happened, we would not need to worry about how many candidates appear on the general election ballot and if their appearance in the general election would cause vote splitting.

This bill also expands the amount of money available for political candidates to donate to political parties from \$10,000 to \$60,000. This is also something we oppose.

Vermonters have made clear time and time again that they do not support more money in our political system.

This provision would only lead to more money being spent in our elections and could potentially lead to political parties focusing their attention on wealthy or well-resourced candidates who can afford to contribute the \$60,000 maximum to their political party.

I very much appreciate that this committee has supported public campaign financing in the past, and would encourage you to remove this provision and instead explore ways that we can fix and expand public campaign financing in our state. There are many good models for public campaign financing that we would support. Our current system is untenable for candidates, and should be replaced with a stronger system that includes down ballot candidates as well. If we are concerned with funding for our political parties, there are a number of countries that have implemented public funding of political parties, and this is something we could explore as well.

During this process we have also heard much debate around the filing deadline for independent candidates. It used to be that the filing deadline for independent candidates was after the general election, but this was changed last legislative session. I believe this was a mistake, and the committee should revisit this and move the deadline to after the primary election again.

We have seen in recent situations such as the Franklin County Sheriff's race that the candidates nominated by the political parties do not always reflect the values of their district, or even the values of the party they were nominated by. Allowing independent candidates to decide to join a race after the

nominees of the major parties are known provides a backstop for situations where the parties do not nominate candidates who reflect the values of their communities.

The last thing I will speak on is the idea of adding language to this bill to strengthen financial reporting requirements. I appreciate the testimony and ideas from the Director of the Ethics Commission.

During my time in this position I have often been frustrated by the lack of any real consequence for failing to report campaign finance contributions. In one situation a few years back, a certain political party spent upwards of \$30,000 dollars in a local election, bragged about it on social media, and yet did not report any of the contributions or expenditures. We reached out to their chair and treasurer directly to ask them to report, but were ignored. After several attempts to get them to file, we were left with no recourse but to file a complaint with the Attorney General and Secretary of State. Many months later the AG agreed with us, issued a fine, and disclosed the contributions and expenditures.

Had these contributions been public during the campaign, it likely would have been a news story, or at least a campaign issue, but voters never had the opportunity to understand who was spending money in their community.

This is a serious and rare example where a fine was actually issued, but there are many other examples of candidates who don't file for one reason or another, and there are rarely any repercussions. Adding a fine would go a long way towards ensuring compliance.

Thank you so much for the opportunity to testify on H.429. I am happy to answer any questions.