



Maine Citizens for Clean Elections
Memo on Citizen Initiated Bill to Strengthen Maine's Clean Election Act
Replacement to Maine's Matching Fund System

This proposal is for a matching funds replacement that allows candidates the option to collect additional Qualifying Contributions (QCs) and receive supplemental funding within the Clean Election system. This reform is sought after a 2011 court ruling struck down the matching funds system designed to allow Clean Election candidates outspent by their opponents or outside groups to remain competitive in their races. The amount of supplemental funding is based on and proportional to the number of additional QCs submitted by the candidate.

- Candidates qualify for the Clean Election program as they do now by submitting a minimum number of QCs.
- Additional QCs may be submitted – and supplemental funds requested -- all at once or on an incremental basis at any time up to three weeks before the election as long as each submission reaches the minimum threshold for a "batch."
- It would be up to the individual candidate to determine the appropriate level of funding for their campaign by raising the requisite number of additional QCs.
- Those who decide to participate in supplemental funding submit additional QCs in batches up to a specified maximum and receive additional funds.
- All QCs, including those for supplemental funding, must come from registered voters within the district (or within the state in the case of the gubernatorial election).
- All supplemental funds are paid out by the Ethics Commission within three days of the candidates submission after verifying the additional QCs. upon the candidate's submission of an additional batch.
- General elections allow for a maximum of eight batch submissions. Candidates aiming for the full supplemental distribution in a general election could submit the additional QCs in as few as one and as many as eight separate batches. Candidates aiming for half the supplemental distribution amount could submit as few as one and as many as four separate submissions.
 - If fewer than the minimum number of submitted QCs actually qualifies, the Ethics Commission would advise the candidate of the shortage, and the candidate could, without penalty, gather and submit more QCs.
 - If more QC's are verified than needed for a batch (or multiple of batches), the extra QCs will count toward a future supplemental distribution if requested.
 - All verified QCs above and beyond the number needed for qualifying initially will also count toward a future supplemental distribution.

Legislative Races:

- In order to qualify for Clean Elections, candidates collect and submit a set number of valid qualifying contributions within a certain time frame, which is exactly the same as under current law.
- Initial distribution amounts are slightly higher than under current law.
- Supplemental funds are only available in general elections, including special elections. Candidates in contested primaries receive a single, larger distribution.
- Supplemental funds may be requested in up to eight batches before reaching the maximum supplemental distribution.
- Candidates may collect and submit additional QCs to qualify for supplemental funding beginning January 1 of election year and ending three weeks before Election Day.
- Although candidates may qualify for supplemental funding in the general election at any time between January 1 of the election year and three weeks before Election Day, no supplemental funding for the general election will be paid out until after the primary election.
- No person may give more than one QC to any one candidate in the same election. A person who made a QC in the primary period may not make a QC during the general election.

House Races: Total Campaign Funds Available for a Typical MCEA Candidate					
Uncontested Primary, Contested General ¹					
		# of QCs	Running Total \$	Running Total QCs	Current Law
Seed Money	\$1,000		\$1,000		\$500
Primary Election Initial Distribution	\$500	60	\$1,500	60	\$986
General Election Initial Distribution	\$5,000		\$6,500	60	\$4,923
Supplemental Distribution #1	\$1,250	15	\$7,750	75	\$4,923
Supplemental Distribution #2	\$1,250	15	\$9,000	90	\$4,923
Supplemental Distribution #3	\$1,250	15	\$10,250	105	\$4,923
Supplemental Distribution #4	\$1,250	15	\$11,500	120	\$4,923
Supplemental Distribution #5	\$1,250	15	\$12,750	135	\$4,923
Supplemental Distribution #6	\$1,250	15	\$14,000	150	\$4,923
Supplemental Distribution #7	\$1,250	15	\$15,250	165	\$4,923
Supplemental Distribution #8	\$1,250	15	\$16,500	180	\$4,923

¹ Candidates in contested primaries receive a single distribution of \$2,500. Under current law, they would receive \$1,429.

Senate Races: Total Campaign Funds Available for a Typical MCEA Candidate					
Uncontested Primary, Contested General ²					
		# of QCs	Running Total \$	Running Total QCs	Current Law
Seed Money	\$3,000		\$3,000		\$1,500
Primary Election Initial Distribution	\$2,000	175	\$5,000	175	\$3,331
General Election Initial Distribution	\$20,000		\$25,000	175	\$21,455
Supplemental Distribution #1	\$5,000	45	\$30,000	220	\$21,455
Supplemental Distribution #2	\$5,000	45	\$35,000	265	\$21,455
Supplemental Distribution #3	\$5,000	45	\$40,000	310	\$21,455
Supplemental Distribution #4	\$5,000	45	\$45,000	355	\$21,455
Supplemental Distribution #5	\$5,000	45	\$50,000	400	\$21,455
Supplemental Distribution #6	\$5,000	45	\$55,000	445	\$21,455
Supplemental Distribution #7	\$5,000	45	\$60,000	490	\$21,455
Supplemental Distribution #8	\$5,000	45	\$65,000	535	\$21,455

Gubernatorial Races

- In order to qualify for Clean Elections, candidates collect and submit a set number of valid QCs within a certain time frame, exactly as under current law.
- The requirement under current law for mandatory seed money is dropped.
- Initial distribution amounts are significantly higher than under current law.
- Supplemental funds are available in both primary and general elections.
- Supplemental funds may be requested in up to four batches in the primary and eight batches in the general election before reaching the maximum supplemental distribution.
- Individuals who give a QC during the primary election period may not give an additional QC during the general election. No person may give more than one QC to any one candidate during an election cycle.
- Candidates may collect and submit additional QCs to qualify for supplemental funding at any time beginning October 15 of the year before the election and ending three weeks before Election Day. In the primary, supplemental funding is available beginning when the candidate qualifies for Clean Elections as long as the race is contested at that time. Although candidates may qualify for supplemental funding in the general election at any time, no supplemental funding for the general election will be paid out until after the primary election.

² Candidates in contested primaries receive a single distribution of \$10,000. Under current law, they would receive \$7,359.

Gubernatorial Races: Total Campaign Funds Available for a Typical Major Party MCEA Candidate					
Contest Primary, Contested General³					
		# of QCs	Running Total \$	Running Total QCs	Current Law
Seed Money	\$200,000		\$200,000		\$200,000
Primary Election Initial Distribution	\$400,000	3,200	\$600,000	3,200	\$600,000
Supplemental Distribution #1	\$150,000	800	\$750,000	4,000	\$600,000
Supplemental Distribution #2	\$150,000	800	\$900,000	4,800	\$600,000
Supplemental Distribution #3	\$150,000	800	\$1,050,000	5,600	\$600,000
Supplemental Distribution #4	\$150,000	800	\$1,200,000	6,400	\$600,000
General Election Initial Distribution	\$600,000		\$1,800,000	6,400	\$1,200,000
Supplemental Distribution #1	\$175,000	1,200	\$1,975,000	7,600	\$1,200,000
Supplemental Distribution #2	\$175,000	1,200	\$2,150,000	8,800	\$1,200,000
Supplemental Distribution #3	\$175,000	1,200	\$2,325,000	10,000	\$1,200,000
Supplemental Distribution #4	\$175,000	1,200	\$2,500,000	11,200	\$1,200,000
Supplemental Distribution #5	\$175,000	1,200	\$2,675,000	12,400	\$1,200,000
Supplemental Distribution #6	\$175,000	1,200	\$2,850,000	13,600	\$1,200,000
Supplemental Distribution #7	\$175,000	1,200	\$3,025,000	14,800	\$1,200,000
Supplemental Distribution #8	\$175,000	1,200	\$3,200,000	16,000	\$1,200,000

Benefits

This proposal eliminates the complexity and unpredictability of the matching funds system and builds on the one element that most clearly sets the Clean Election system apart from traditional private fundraising: Qualifying Contributions. Focus groups conducted in Maine in 2012, show that Maine voters strongly identify with Clean Elections through the \$5 Qualifying Contribution – this proposal would build upon that identity.

This proposal does not increase the role of private money in Clean Election campaigns, but it does provide sufficient resources for candidate campaigns to reach voters and control their own message. It gives participating candidates a lot of flexibility within their campaigns, allowing them to choose both the level and timing of supplemental funding.

It also provides an opportunity for an enormous number of voters to participate as QC donors to candidates they support, and it increases the stream of voluntary revenue into the Clean Election Fund.

It avoids constitutional issues by leaving “the government” in a completely neutral position.

³ Candidates in uncontested primaries receive a single distribution of \$200,000, the same as under current law.