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### Anti-Gay Marriage Group Vows to Stay Involved in Maine Politics

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Reported By: [A.J. Higgins](#)

The state's leading advocacy group for publicly-funded elections is weighing whether it should get involved in a federal lawsuit involving the National Organization for Marriage or NOM. NOM bankrolled much of the Yes On 1 gay marriage repeal campaign and has challenged state officials' request to divulge the source of its donations in court. In addition, NOM is now planning to get involved in next year's legislative and gubernatorial contests. And Maine Citizens for Clean Elections says that raises significant issues about the reporting of independent expenditures.

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Reports filed with the state Ethics Commission show that the National Organization for Marriage provided the brunt of the financial muscle for the Stand for Marriage Maine campaign that successfully repealed the state's gay marriage law at the ballot box last month. Of the \$3 million dollars raised, \$1.7 million came directly from NOM.

The National Organization for Marriage is currently fighting the state's efforts to require the group to reveal the identities of its contributors. Jim Bopp, a lawyer representing NOM, says the organization is planning strategies for supporting and opposing candidates in next year's legislative races.

"They do intend to be active, just like many groups are active, in state legislative races and unfortunately some aspects of Maine's campaign finance laws impose severe restrictions on their ability to participate," Bopp says.

Those restrictions are Maine's requirements that independent expenditures be reported to the state Ethics Commission -- an argument that is currently on the docket in the U.S. District Court in Portland. Under Maine's Clean Elections law, publicly-funded state legislative

candidates are eligible for matching funds when third parties pay for independent expenditures to defeat them.

But Allison Smith of Maine Citizens for Clean Elections says it's pretty hard for candidates to know how much matching money they're entitled to if independent expenditures are not reported to the state. Bopp says requiring NOM to file financial information with the state infringes upon the group's free speech rights. But Smith argues that free speech argument cuts both ways if Maine does not require NOM to report its expenditures.

"So the matching funds part of the clean election system is an absolutely critical part of the system," Smith says. "It provides more speech so that we don't limit speech to the people who can pay for the biggest megaphone."

Smith says later this month, she and other clean elections officials will decide whether to oppose NOM in the federal lawsuit as an intervenor. But even if the courts rule against NOM, the entry of a national financial powerhouse in Maine's state elections could potentially alter the political landscape.

Historically, Maine's legislative races have been low key affairs and the vast majority of House and Senate contests are now publicly funded. Even in the case of independent expenditures, there are limits on the amount of available matching funds. Mark Brewer, a political science professor at UMaine, says a heavily-funded outside interest like NOM could marginalize a targeted clean election campaign.

"There's going to be some districts out there where the majority of the people voted 'yes' on 1 and their member of the Senate or the House voted to approve same-sex marriage," says Brewer. "That could be a real big problem if some kind of big money media campaign comes in to draw attention to that issue."

"I don't understand why people would be upset about someone saying: 'We're going to tell everyone how you voted.' Well, if you don't like that, don't vote that way," says Bob Emrich of

Newport, who co-managed the Stand For Marriage Maine political action committee that repealed Question 1 and plans to run for the House next fall as a Republican.

Emrich says he will run a publicly-funded campaign. He says state representatives who voted for gay marriage in the Legislature, only to watch the majority of the voters repeal the law, will have some explaining to do on the campaign trail.

But John Piotti, the Democratic House Majority leader from Unity, argues that lawmakers who voted for gay marriage always knew the issue would wind up at the ballot box. "I think it's both silly and counterproductive for any organization to try to make someone's stand on marriage equality a litmus test," Piotti says. "And the reason is because I think it's pretty clear that any decision the Legislature makes on marriage equality is going to end up going to the people."

Piotti says he believes that NOM should be allowed to be make independent expenditures in Maine, providing the organization complies with campaign funding disclosure laws.