

BANGOR DAILY NEWS

editorial

Rethink Clean Elections

8/13/10

The renewed controversy over Maine's Clean Election system highlights the impracticality of the public funding program at the statewide level. It hasn't taken private money out of campaigns for governor or prompted higher-caliber candidates to run. At the legislative level, however, the Clean Election program has been a success. With the program perennially short on money, limiting public funding to legislative races deserves close consideration.

In 1996, Maine voters strongly supported creation of a system to publicly fund candidates who agreed to limit their campaign spending. After unsuccessful court challenges, the public funding was first available to candidates in 2000.

The latest criticism of Maine's public funding law came last week when the Maine Heritage Policy Center filed a lawsuit challenging its provision for matching funds. The conservative group contends that giving the additional money — up to \$600,000 for gubernatorial candidates in the general election — violates free speech provisions because it dissuades privately funded candidates from some spending.

Legal challenges to public matching funds in other states have had some success. Matching funds in Arizona were put on hold by a judge as the case proceeds.

There is little evidence that clean funding has improved Maine's governors' races. The fact that candidates who use the public funding can still raise money through political action committees, PACs, which can also spend money to support clean candidates, is a major loophole. This is especially true at the gubernatorial level, where large sums of money are needed to fund a campaign.

At the legislative level, however, clean funding has had a largely positive impact. According to a 2007 review of the Clean Election Act at the behest of the Legislature's Legal and Veterans Affairs Committee, the number of candidates for House and Senate seats has increased since the law was passed. In a decade, there had been a 10 percent increase in legislative candidates, the report found.

The public funding also appears to have encouraged new challengers to incumbent candidates. From 1990 to 2000, there was an average of 31 legislative districts (out of a total of 186) where incumbents seeking re-election were unchallenged. In 2004 and 2006, that number dropped to an average of 2.5 districts.

The public funding was especially important in encouraging women to run for office. In 1990, there were 70 female candidates for the Maine House of Representatives; in 2006, there were 102 female House candidates. Seventy-one percent of female candidates said the clean funding was very important in their decision to run; 53 percent of male candidates said it was very important, according to a survey conducted by the study group.

The primary reason candidates cited for running clean was that it freed them from fundraising, which allowed them to focus on other issues.

Bills to prohibit publicly funded candidates from participating in political action committees and to limit public funding to only legislative races were considered and rejected last year.

Both should be revisited by the next Legislature.