

## **Clean Election Fund may take a bath**

BILL NEMITZ January 8, 2010

How simple it sounded when the Maine Clean Election Fund was created by voters back in 1996: A serious candidate steers clear of campaign contributions from the typical influence-peddlers and, in exchange, gets enough public money to fight the good fight from the June primary right through to the general election in November.

Not so in this winter of discontent. As Maine braces for the 2010 gubernatorial free-for-all, the state's first-of-its-kind clean election system is feeling the strain on two fronts – one financial, the other political.

First, the financial.

"We're hoping for the best, but we're planning for the worst," said Jonathan Wayne, executive director of the Maine Commission on Governmental Ethics and Election Practices, which oversees the fund.

Here's why: Assuming state legislators make good on a few payments totaling \$6 million that were due Monday but have yet to arrive (hey, they're busy finding \$438 million to balance the state budget), the Clean Election Fund will have just under \$10 million for qualified legislative and gubernatorial candidates heading into this election cycle.

Based on expenditures from the past two legislative elections, in 2006 and 2008 – 81 percent of the House and Senate candidates ran "clean" in 2008 – the ethics commission has projected that this year's legislative campaigns will consume no more than \$3.8 million of the Clean Election Fund.

The race for governor could be a bit pricier. Maybe a lot pricier, depending on how many candidates qualify for public funding by the April 1 deadline.

Among the 20 or so candidates now actively running for governor, Democrats Donna Dion, Patrick McGowan, Elizabeth Mitchell and John Richardson have declared their intent to seek public funding. Ditto for Republican Peter Mills, Green Independent Lynne Williams and unenrolled candidates Christopher Cambron, Alex Hammer and John Whitcomb.

Granted, at least a few of the aforementioned are dreaming. There's no scenario outside their own fantasies by which they can collect the requisite 3,250 individual checks for \$5 and the minimum \$40,000 in "seed money" – at no more than \$100 per donation – to become clean election candidates.

But there's no doubt some will qualify for primary-election funding – \$400,000 upfront and another \$200,000 in matching funds if their privately financed opponents outspend them.

And it's eminently possible that one or more clean candidates still will be standing after the primaries – meaning they'll be due another \$600,000 upfront and \$600,000 more, if needed, in matching funds.

So let the number crunching begin.

"We would have enough money if we had four candidates for governor who qualified for the funding in the primary and then two of them were to be in the general election," said Wayne.

Anything beyond that – namely, three clean election gubernatorial candidates on the November ballot – and the fund goes broke.

For the record, Wayne noted, he's rooting neither for nor against anyone.

"But from a fiscal perspective, I hope that doesn't happen," he said. "Because we'd have to reduce the amount we pay to both the legislative and the gubernatorial candidates."

Bottom line: Like everything else in state government these days, clean election money is tight. And, depending on what lawmakers do in the coming weeks (they've "borrowed" from the fund before), it could get even tighter.

Which brings us to the politics.

Where once publicly funded candidates wore their "clean" status like a badge of honor, there are signs heading into this campaign that it could soon become a bull's-eye.

In an interview Thursday, Democratic newcomer Rosa Scarcelli said that in these economically challenging times, she doesn't think "using taxpayer money to run a campaign is an appropriate use of taxpayer money."

"I just couldn't do it," said Scarcelli, adding that "I've busted my tail" funding a campaign with \$750 donations (the maximum allowed for privately financed candidates) from individual supporters.

Those are fighting words for Scarcelli's publicly funded (they hope) Democratic opponents. In separate interviews, McGowan, Mitchell and Richardson all noted that the Clean Election Act was passed by a strong majority of Maine voters (56 percent, to be exact) who wanted the election process taken away from "special interests" and put back into the hands of the average voter.

"The fact is, I feel good about this. I feel like I'm empowering the people," said Richardson, who resigned his job as commissioner of the Department of Community and Economic Development to run for the Blaine House.

To run as a clean candidate, he said, is to "get back to the grass roots of democracy."

Mitchell, during a break from presiding over the Maine Senate, said she makes no apologies for seeking clean election money.

"It was the people of the state of Maine, I believe, who enacted this legislation," Mitchell said. "And they didn't just enact it for the good times."

McGowan, who announced his candidacy this week after stepping down as the commissioner of the Department of Conservation, said that fully funding the clean election system is a matter of "trust with the voters of Maine."

Besides, McGowan cautioned, "It's all a big hypothetical. We're talking about something that isn't real yet."

Then there's Mills, also in the state Senate, who fully expects to come under fire in his GOP primary as the lone Republican seeking clean election status.

(His instincts serve him well – Edie Smith, the spokeswoman for privately financed GOP hopeful Les Otten, said Thursday that "Les feels strongly that it's not a wise use of taxpayer dollars – especially in this economy where there are a lot of other needs within the state budget.")

Mills said clean election funding "has become part of the landscape" in Maine – for some very valid reasons.

Care to name one?

"It's hard to get bought for a hundred bucks," Mills replied, adding with a chuckle, "Although on some days, I'm tempted."

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