

Panel makes backup plan for short Clean Election funding

By Rebekah Metzler, Staff Writer

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AUGUSTA — In a unanimous vote Thursday morning, members of the Maine Commission on Governmental Ethics and Election Practices approved a rule that would reduce payments to legislative and gubernatorial candidates if the state's public financing account runs dry.

Maine candidates who qualify for Clean Election funding, a public financing system, will be allowed to privately raise money if the state's account runs short, according to the current law.

The Clean Election fund would go bankrupt if more than five candidates qualified in the primary and two ran in the general election, according to the commission staff.

"The cost of the legislative portion of the Maine Clean Election Act program is fairly predictable," wrote Jonathan Wayne, executive director of the ethics commission, in his memo to commissioners. "The big variable is the cost of the (Clean Election) gubernatorial candidates."

As of Thursday, nine of the 23 candidates for governor were seeking public funding.

The commission decided that in the case of a shortfall, it would reduce the initial payments made to legislative candidates for the general election. In the case of gubernatorial candidates, the commission would reduce the matching fund payments — money that would be triggered by spending of their opponents above and beyond their initial allotment of \$600,000 — for the general election.

If a shortfall occurs, reductions in the candidates' payments would be based on how much money is available: The more gubernatorial candidates who qualify for funding, the steeper the reductions would be for everyone.

To make up for any gap in public funding, legislative candidates could raise their own money, up to \$350 per contributor per election. Gubernatorial candidates could raise up to \$750 per contributor per election.

The overall amount candidates would be allowed to raise would be capped at the total money they would have received had Clean Election money been available, unless lawmakers decide to change the law. According to the commission staff, those additional contributions could come

from political action committees, political parties, corporations and labor unions, as well as individuals.

Candidates for the Blaine House are eligible to receive an initial payment of \$400,000 during primaries and up to \$200,000 in matching funds, if they qualify for public financing. Candidates are given \$600,000 as an initial payment in the general election, with up to \$600,000 in matching funds available. The maximum per candidate is \$1.8 million.

Gov. John Baldacci spent \$1.5 million in his 2006 re-election campaign.

To qualify for public funding, gubernatorial candidates must raise at least \$40,000 from registered Maine voters, with contributions capped at \$100 each; they must also collect 3,250 \$5 checks from Mainers. None of the gubernatorial candidates has yet met those requirements. They have until April 1 to qualify.

The Clean Election fund receives an annual transfer of \$2 million from the General Fund, in addition to revenue collected from \$3 taxpayer check-offs on tax returns and the \$5 qualifying contributions collected by candidates.

Since 2002 the Legislature has, at times, transferred money from the Clean Election fund to the General Fund, but has usually returned money when asked by the commission, according to staff. Last year, the Legislature decided to make two transfers from the Clean Election fund totaling \$485,240 on June 30, 2010 and June 30, 2011.

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