

BANGOR DAILY NEWS

State can't afford welfare for politicians

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Significant and necessary changes are on the way for the Maine Clean Election Act, which has been in place since 2000.

Under the current system, Clean Election candidates have to collect a minimum number of \$5 contributions from voters in their districts to qualify for public funding — 60 contributions for a House campaign and 175 for a Senate race. It's a voluntary program for candidates running for the Legislature and for governor. Once they collect the required contributions, House candidates receive more than \$4,000 for a general election and Senate candidates receive just over \$19,000.

It's important to note that only 13 percent of Clean Election money comes from the \$5 contributions and donations. The rest comes from taxpayer dollars, the same pool of money that funds education, public safety, MaineCare and other vital government services.

Here's where it gets interesting and why the courts have intervened. If a privately financed opponent raises money during the course of the campaign or a third-party entity spends money on their behalf, the Clean Election candidate receives a matching dollar-for-dollar contribution made up largely of taxpayer money.

Earlier this year, a federal District Court judge ruled that part of the Maine Clean Election Act that deals with matching funds was unconstitutional. That ruling followed a U.S. Supreme Court decision on the constitutionality of Arizona's Clean Election Act, which is modeled on the Maine law. The Supreme Court held that Arizona's "matching funds scheme substantially burdens protected political speech without serving a compelling state interest and therefore violated the First Amendment."

For that reason, we, as members of the Veterans and Legal Affairs Committee, cast our votes recently in favor of amending the Clean Election Act to comply with the Supreme Court decision. If the full Legislature endorses the majority report of the committee, Clean Election candidates still will be eligible for public funding, which was the intent of the original law. However, the provision that allows them to access matching taxpayer funds every time their traditionally funded opponent raises money will be gone.

Since the Maine Clean Election Act went into effect, Maine taxpayers have had to pay \$23 million to fund partisan campaigns. Although a small portion of that money came from the individual \$5 contributions and other means, the majority of it came out of your pocket as a taxpayer. That money went to campaign signs, radio and TV ads and, in one case, a laptop computer for a candidate's personal use. Surely this is not what Mainers had in mind when they passed the Clean Election Act.

At a time when Maine is faced with a budget shortfall of at least \$220 million and funding for heating oil assistance promises to be a challenge, it is difficult to justify doling out endless amounts of funding for every person with political aspirations.

Put another way, the state of Maine cannot afford welfare for politicians. The Legislature has budgeted \$3.3 million for the program next year, which would help a lot of impoverished senior citizens heat their homes.

Yet Democrats on the Veterans and Legal Affairs Committee want to add more money to the system despite the Supreme Court ruling. During the hearing, they proposed setting up a tiered system in which candidates could receive up to four distributions of taxpayer money — more than \$10,000 for a House race and more than \$52,000 for the Senate. That's \$10,000 to run a legislative race in a district that is in some cases one-quarter the size of Bangor.

We believe this violates the spirit of the court ruling and is therefore unacceptable. In accordance with the Supreme Court ruling, we merely removed the matching funds provision. This means that Clean Election candidates will continue to receive a limited amount of public money at the beginning of their campaigns and it will be up to them to decide how and when to spend it.

It also will compel candidates to earn votes the “old-fashioned” way — by hitting the streets and knocking on doors.

In the end, the system remains intact and more importantly taxpayers will be better off.

Reps. David Johnson, R-Eddington, and Doug Damon, R-Bangor, are members of the Veterans and Legal Affairs Committee.