

Legislature needs to support clean elections early on

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When legislators get back to business in January in Augusta, a pressing issue will be before them – just how pressing they find it to be remains to be seen.

The Supreme Court struck down a provision of Arizona's clean election bill – which was modeled after Maine's law – in June that allowed for matching funds for legislative candidates using clean election funding.

Chief Justice John Roberts wrote in the majority opinion that matching funds violate the First Amendment because they “inhibit robust and wide-open political debate without sufficient justification.”

While the court did not rule against public campaign financing, and said such laws are constitutional, this change effectively erodes Maine's clean election system by only allowing a single, uniform allocation for all clean election candidates, while privately funded candidates have the ability to raise money to their heart's content and receive as much PAC – political action committee – money as they are able to garner.

Thankfully, clean election supporters saw the Supreme Court ruling coming, and asked the Maine Legislature for a resolve in order to change the law after the decision.

Alison Smith, co-chairwoman of Maine Citizens for Clean Elections, said the state's ethics commission kicked into high-gear this summer and came up with a proposal being referred to as the “requalifying” or “tiered” option, which would allow candidates to qualify for additional funds, without matching funds dollar for dollar, as Maine's law previously allowed.

Under current law, for example, candidates for Maine's House of Representatives have to collect 60 qualifying contributions of \$5 to receive clean election funding. Under the new proposal, House candidates could get two additional allocations if they collect another 60 qualifying contributions.

So if a House candidate were to collect 90 qualifying contributions, they would be eligible for their initial disbursement and an additional disbursement. Candidates who collect 120 qualifying contributions would be eligible for two additional disbursements.

This, Smith said, does not violate the Supreme Court's ruling because the “requalifying/tiered” option does not constitute “matching funds.” Previously, once privately funded candidates reported their campaign contributions, dollar-for-dollar matching funds would automatically kick in for Maine clean election candidates.

The issue now is that if legislators do nothing, Maine will still have a clean election system, but candidates will only be able to get one disbursement of campaign funding at an amount set by statute, with no opportunity for further funding.

Since 2012 is an election year, it is important that the Legislature make a decision before candidates declare whether they will run and how they plan to fund their campaigns. And the only viable way to continue an equitable clean election system will include the new “requalifying/tiered” option.

The clean election system in Maine has allowed many residents to run for office who could not have done so otherwise. The funds support legislative candidates who can't afford to bankroll their own campaigns, and do not want to kowtow to special interests for their seats.

Clean election funding has allowed for more diversity in our Statehouse and more opportunities for working people to serve in the Legislature.

We hope Maine's legacy of clean election candidates will continue, and that legislators will give this new system a chance to preserve the right to serve for all those in Maine who feel inclined to serve the people.