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## **Our View: Minor changes won't fix Clean Elections ailment**

A court ruling has made major changes to the law, so the response should also be major.

Maine's ethics commission faces a tough choice when it considers two proposed changes to the state's public financing law to repair damage caused by a recent Supreme Court decision. The choice won't be easy because neither option would come close to doing the job.

By outlawing matching funds for publicly financed candidates when they are outspent by privately funded rivals, the court has shut down the Clean Elections Act's major mechanism to level the playing field, putting a publicly financed candidate in serious risk of being outspent.

In response, the ethics commission is considering two minor adjustments that wouldn't fundamentally change the situation or save the Clean Elections concept. Given the serious impact of the court's decision, a more thorough look at the law is needed.

The Commission on Governmental Ethics and Election Practices is considering two options put forward by commission staff. The first -- and least objectionable -- would let the law go forward without matching funds, and give qualified candidates a flat fee when they run for office. Under this plan, House candidates would get \$6,216 and Senate candidates would get \$28,617 no matter how much an opponent spent.

The problem, as Alison Smith, co-president of Maine Citizens for Clean Elections points out, is that publicly funded candidates would become "sitting ducks" because opponents would know how much those candidates could spend. Smith prefers the second option, which would allow "Clean" candidates to raise private contributions in the amount of \$5 when they are outspent.

This would still be a major disadvantage for the publicly financed candidate and would be a strong disincentive for anyone who was serious about winning to use the system. Much has changed in the way campaigns are financed since voters created the Clean Elections system in 1996, and Maine's election officials will have to do much more than a minor fix to account for that.

Public financing has been popular, both with candidates and voters. But if it is going to survive, it should be brought up to date. If that can't be done, the whole program may be lost.