

# Sun Journal

## Supreme Court tips the scales for wealthy politicians

By Editorial Board  
Jun 29, 2011

It takes money to have a voice in elections.

With its ruling on Arizona's Clean Election public campaign finance system Monday, the U.S. Supreme Court guaranteed that the person with access to the most money will always have the loudest voice.

Voting 5-4, the court sided with plaintiff — a PAC for Arizona Free Enterprise Club — that argued Arizona's matching-fund provision violated the First Amendment.

Maine's law, adopted 15 years ago and in effect in 2000, served as a model for other states, including Arizona, and it contains a nearly identical matching-fund provision. That provision is designed to give candidates with less money a chance to run a competitive political campaign.

The court ruled that wealthy contributors might become reluctant to donate to campaigns if they knew their money could be matched by public funds.

There is no hard evidence that this has happened. In fact, outside PAC money poured into Maine from outside in the last election cycle, despite Maine's Clean Elections Act.

Matching funds only accounted for about 24 percent of total payments in Maine legislative races during the 2010 election, according to the Maine Ethics Commission, which administers the law.

Under Maine law, candidates can opt to fund their campaigns with either public or private money.

If they choose the public option, they receive a set amount of money to run their campaign. If their privately funded opponent raises and spends more money, Clean Election candidates receive matching funds to level the playing field.

It was the idea of leveling that offended the high court.

Maine's law gives the little guy an equal turn on the soapbox with as big a megaphone.

To the court, it was less about protecting the little guy's right to be heard than preserving the big guy's ability to dominate the conversation.

That's unfortunate.

Anticipating the ruling, Maine lawmakers — 80 percent of whom have used Clean Election funding — have set up a study commission to determine how Maine will accommodate the new law.

The ruling does not strike down public financing of elections, although that may be the next item on the court's agenda. After all, isn't public funding just another form of leveling?

The ruling does mean that a chief provision of Maine's Clean Elections Act — calibrating funding to ensure roughly equal access to free speech — will disappear.

We hope the public's right to hear from everyone in an election doesn't disappear with it.

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*The opinions expressed in this column reflect the views of the ownership and editorial board.*