



## Clean Elections Act is under siege

By Douglas Rooks

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Like most major political institutions this year, the Clean Elections Act is coming in for legislative scrutiny.

At least a dozen bills have been filed to kill, modify, reform or replace the state's public financing act, which was passed by referendum in 1996 by a 70,000-vote margin. It has become the nation's most admired and solidly established system in the decade since it took effect in 2000. Eight bills were heard on Monday, and more are in the pipeline.

It's easy to understand the attention Maine's law is getting, both within and outside the state. It was the model, for instance, for a similar law in Arizona, which — unlike Maine — was plagued by scandals resulting in three governors being jailed, and one of the nation's leading investigative reporters being shot to death.

The Arizona system, as one might expect, has not gone as smoothly, and it has been attacked both within the state and in the court system; a major challenge was also heard Monday before the U.S. Supreme Court.

Although such laws are fiercely opposed by lobbyists and most incumbents, the Maine example has spawned successful efforts elsewhere, including Connecticut and North Carolina.

Here, legislative candidates were at first skeptical, but more and more have used the voluntary system, which limits campaign budgets in exchange for receiving public funding. Some 81 percent of all candidates used Clean Elections funding by 2008. So it's unlikely the Legal and Veterans Affairs Committee will endorse LD 659, sponsored by first-term Rep. Aaron Libby, R-Waterboro, which would repeal the law altogether.

There may be more support for a bill heard earlier, LD 120, sponsored by Rep. Tyler Clark, R-Easton. It would eliminate public financing for governor's races while leaving it intact for legislative races.

Financing gubernatorial candidates does indeed raise the cost of the system, since far more money is traditionally spent there, with public funding for the governor's race nearly equaling the total for all legislative races.

There are other reasons critics take aim there. So far, no governor has been elected using public funding — John Baldacci twice demurred, and so did Paul LePage. In Arizona, though, Janet Napolitano was elected governor with public financing before becoming U.S. secretary of Homeland Security.

And there was a scandal last year involving former House Speaker John Richardson, who withdrew from the Democratic gubernatorial primary race after four campaign volunteers were found to have violated strict rules governing their efforts to gain individual \$5 donations and petition signatures to help Richardson gain public funding.

Yet those apparent deficiencies actually provide strong support for keeping governor's races publicly funded. The sheer amounts of money involved raise the possibility of undue influence by special interests — the very reason the law has been so popular with voters.

The LePage administration has been embarrassed, perhaps, by disclosures that lobbyists for the chemical industry wrote some of its major proposals. But the problem extends to both parties. In their day, cigarette companies and the liquor industry could always get a hearing with Democratic legislative leaders, in part because of their generous campaign donations.

The Richardson case actually shows the strength of the state's ethics commission that now oversees elections. Had similar abuses taken place in a private campaign, with much less transparency, they probably never would have come to light.

On most issues this year, legislators have unenviable choices — defending a dubious status quo, or enacting simplistic reforms that may actually make things worse.

In this case, they have a good alternative that would strengthen the Clean Elections system and increase public confidence.

Rep. Linda Valentino, D-Saco, a fourth-term veteran, proposes to eliminate “leadership PACs” — the political action committees by which legislative leaders support privately financed candidates even though, in most cases, they rely on public financing for their own elections.

This kind of institutionalized hypocrisy cannot stand scrutiny, but these PACs are not going away unless the state bans them. Doing so will not eliminate the influence of money on politics — no one really thinks that's possible — but it would more clearly separate our elected leaders from the monied interests that still have more influence on what happens in Augusta than all but the most well-organized citizens groups.

Valentino has a reputation for courage. As a member of Appropriations, she and then-House chairman Jeremy Fischer were the two Democrats who thwarted a plan that would have increased pension benefits for certain state employees without adequate funding. Had the bill, supported by the Baldacci administration, become law, it would have worsened the unfunded liability problem we've since heard so much about.

Let's hope Valentino's colleagues have equal amounts of courage, and ban leadership PACs while upholding Maine's model election law.

*Douglas Rooks* can be reached at [drooks@tds.net](mailto:drooks@tds.net)