

Maine Voices: Editorial errs in its judgment of revisions to Clean Election system

The system will keep going without matching funds. Whether it's ever deterred 'big money' is debatable.

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By REP. ANDRE CUSHING

AUGUSTA - An April 25 editorial in the three MaineToday Media papers made several points about the Clean Election system that need to be corrected or clarified.

I don't disagree with the central premise: that legislative candidates are less likely to use public funds to run their campaigns now that "matching funds" have been eliminated. You correctly note that the U.S. Supreme Court ruled last year that matching funds violate the Constitution's free speech protections.

Matching funds are (or were) triggered when an outside group contributes to a privately financed candidate. If that candidate raises more money than their Clean Election opponent was originally allotted, the "clean" candidate receives matching money to maintain parity. Maine taxpayers have shelled out millions of dollars in matching funds as part of the \$23 million spent on Clean Election. Candidates use the cash for lawn signs, brochures, "robo-calls" and other campaign trappings.

The rest of Maine's Clean Election money is still there and will be distributed to candidates for the House (\$4,163) and the Senate (about \$21,000). Candidates who decline the free public campaign money will finance their races the traditional way -- by earning people's support, both their vote and their financial backing. That method has been a cornerstone of elections since the founding of our republic.

In March, the Legislature passed L.D. 1774, which struck matching funds from the Clean Election statute so it would comply but left the rest of the law unchanged. That was the least intrusive and most direct way to comply with the court order.

Here is where I differ from your editorial position. You state that "lawmakers did not have to make the change they picked, which was the most disruptive choice on the table." You also declare, "The legislative majority picked the worst option."

Yes, other options were suggested, such as simply increasing the amount of money given to each candidate or doling out extra cash in stages if a "clean" candidate collected additional \$5 checks.

The problem with those options, however, is that they would have been much more expensive. This needs to be considered in context. Only 13 percent of Clean Election money comes from the \$5 checks that candidates collect to qualify for public funding. The rest comes from the same pool of money that pays for public schools, public safety and health care programs.

The state currently is wrestling mightily with budget shortfalls, especially enormous cost overruns in **MaineCare**. Even after paying Maine hospitals \$250 million last year for past-due MaineCare services, the outstanding debt has shot back up to \$460 million.

Would Maine taxpayers prefer that we use scarce dollars to pay doctors, nurses and other hospital workers or to hand out even greater amounts of "welfare for politicians"?

I also take issue with the last line in your editorial, where you state that Clean Election "has been popular with voters and candidates because it limited the corrosive role of money in politics."

To start with, it's popular with candidates because it is free money, but I wonder how popular it is with voters. Since the passage of the Clean Election Act in 1996 -- to get "big money" out of Maine politics -- voters have seen a steady stream of fraud and abuse.

In 2010, for example, a Democratic legislator from Cape Elizabeth used Clean Election money to buy a MacBook Pro laptop. She then boasted online that she could keep it after the election if she reimbursed the state for 40 percent of the cost.

But that is small potatoes compared to the serious money flooding into Maine to influence our elections. Exhibit A in this category would be the majority owner of the MaineToday Media chain -- S. Donald Sussman, the hedge fund investment banker and husband of U.S. Rep. **Chellie Pingree**, D-1st District.

According to The Portland Press Herald, Sussman has poured \$3.66 million into Democratic coffers since 2002. In Maine, donations to political action committees are unlimited, and Sussman has taken full advantage of this.

Two years ago, he ponied up \$300,000 for the Maine Democratic State Committee and about \$110,000 to a PAC that supported candidates for the Maine Legislature. All told, he gave \$1.3 million to Maine Democratic causes in 2010.

Big-time Wall Street money flowing into Maine elections makes a mockery of your argument for an alternative Clean Election system. By taking the action we did, we ensured that the system supported by Maine voters remained in place. As for outside money, that has never stopped. For good or ill, no editorial is going to change that.

Rep. Andre Cushing, R-Hampden, is majority leader in the Maine House of Representatives.