



MAINE CAMPAIGN FINANCE DISCLOSURE LAWS CONTINUE TO BE UPHeld IN COURT; NOM'S PETITION FOR REHEARING DENIED

September 7, 2011

Immediate Release

Contact: Maine Citizens for Clean Elections, 207-831-6223

(Portland, ME) - The National Organization for Marriage's (NOM) effort to overturn Maine's disclosure laws was dealt another blow on Tuesday when the 1st Circuit Court of Appeals denied NOM's request for a rehearing (see attached Order).

"Maine's campaign finance disclosure laws serve a strong public interest, and the courts have repeatedly upheld them. Sooner or later, NOM will have to take 'No' for an answer," said Alison Smith, President of Maine Citizens for Clean Elections (MCCE). MCCE is a Friend of the Court in the NOM case.

The long-running lawsuit is not over yet. Yesterday's ruling was on the challenge to disclosure laws that apply in candidate races. NOM may appeal the decision to the United States Supreme Court. Another part of the lawsuit -- the challenge to Maine's ballot question committee statutes -- was overturned in Federal District Court in February and appealed to the 1st Circuit, which will hear oral argument on September 14th.

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United States Court of Appeals For the First Circuit

No. 10-2000 & 10-2049

NATIONAL ORGANIZATION FOR MARRIAGE

Plaintiff-Appellant/Cross -Appellee

AMERICAN PRINCIPLES IN ACTION

Plaintiff

v.

WALTER F. MCKEE, in his official capacity as member of the Commission on Governmental Ethics and Election Practices; ANDRE G. DUCHETTE, in his official capacity as member of the Commission on Governmental Ethics and Election Practices; MICHAEL P. FRIEDMAN, in his official capacity as member of the Commission on Governmental Ethics and Election Practices; FRANCIS C. MARSANO, in his official capacity as member of the Commission on Governmental Ethics and Election Practices; EDWARD M. YOUNGBLOOD, in his official capacity as member of the Commission on Governmental Ethics and Election Practices; MARK LAWRENCE, in his official capacity as District Attorney of the State of Maine; STEPHANIE ANDERSON, in her official capacity as District Attorney of the State of Maine; NORMAN CROTEAU, in his official capacity as District Attorney of the State of Maine; EVERT FOWLE, in his official capacity as District Attorney of the State of Maine; R. CHRISTOPHER ALMY, in his official capacity as District Attorney of the State of Maine; GEOFFREY RUSHLAU, in his official capacity as District Attorney of the State of Maine; MICHAEL E. POVICH, in his official capacity as District Attorney of the State of Maine; NEAL T. ADAMS, in his official capacity as District Attorney of the State of Maine; JANET T. MILLS, in her official capacity as Attorney General of the State of Maine

Defendants-Appellees/Cross-Appellants

MATTHEW DUNLAP, in his official capacity as Secretary of State of the State of Maine

Defendant

Before

Lynch, Chief Judge
Torruella, Boudin, Lipez, Howard and Thompson
Circuit Judges.

ORDER

Entered: September 6, 2011

The petition for rehearing having been denied by the panel of judges who decided the case, and the petition for rehearing en banc having been submitted to the active judges of this court and a majority of the judges not having voted that the case be heard en banc, it is ordered that the petition for rehearing and the petition for rehearing en banc be denied.

By the Court:

/s/ Margaret Carter, Clerk.

cc:

James Bopp, Jr.
Randy Elf
Jeffrey Gallant
Josiah Neeley
Joseph Adrian Vanderhulst
Stephen C. Whiting
Phyllis Gardiner
Thomas A. Knowlton
Patrick A. Parson