



To: Interested parties

From: Arn Pearson, Common Cause  
Nick Nyhart, Public Campaign

Date: June 4, 2010

Re: **Evaluation of latest GAO report on impact of Clean Elections in Arizona and Maine**

We write to call your attention to important deficiencies in this report (<http://www.gao.gov/new.items/d10390.pdf>) and its mostly inconclusive findings concerning the effectiveness of Clean Elections laws in Arizona and Maine.

While we appreciate GAO's research in this challenging area, we believe GAO mistakenly limited the reform goals it chose to measure and employed constrained statistical methods. As a result, crucial reform goals were ignored, and some positive data buried in the report was given short shrift.

We submit that there is ample evidence that Clean Elections programs in Arizona and Maine – and, as of 2008, Connecticut – have fundamentally altered the relationship between large campaign contributors and elected officials. Most candidates in these states no longer take large special interest contributions, freeing them to spend more time with voters. The spending gap between incumbents and challengers has been reduced dramatically and voters have more, and more diverse, candidates from which to choose. While not a silver bullet for all that ails our democracy, Clean Elections laws have made a significant and positive difference in the political culture in both Arizona and Maine.

This week's report is GAO's second on the Clean Elections laws. In 2003, the GAO attempted to measure the effectiveness of Clean Elections laws in Maine in achieving five goals: 1) increasing electoral competition; 2) increasing voter choice; 3) curbing campaign costs; 4) reducing interest group influence; and 5) increasing voter participation. The study found that after only two election cycles under the programs, it was too soon to tell if the goals were being met.

The new report, prepared at the request of Senators Dick Durbin and Susan Collins, evaluated the impact of Clean Elections over five election cycles on the same set of goals. The study concluded that only one measure – the winner's margin of victory – saw a statistically significant change over that period, and that the change cannot be attributed uniquely to Clean Elections.

In rebuttal, we urge you to consider the following:

**1. Clean Elections has severed the direct link between special interest campaign donations and elected officials in Arizona and Maine, the number-one goal of the reform.** Thanks to Clean Elections, most legislators in both states are elected without any donations of

more than \$100, and without taking any PAC, corporate or union money. More than 80% of Maine's legislators ran under the public finance system in 2008, and special interest contributions to Maine candidates have declined by 77% since the Clean Elections Act took effect. In Arizona, more than 60% of those holding offices covered by the public financing law used the program, taking no money from special interests.

**2. Participation in the programs has reduced real and apparent conflicts of interest and freed candidates to spend more time with voters and focusing on issues.** The GAO's own, limited survey of participating candidates found large majorities in both states that said that Clean Elections helped them feel less beholden to special interests or lobbyists, spend more time discussing issues, and be more accountable to the public. Those results echo much more extensive surveys conducted by the Maine Ethics Commission after each election. Nine out of ten candidates in the 2008 survey said they used Clean Elections because they support its goals of serving free from obligation to others, focusing on voters and issues, and leveling the playing field.

**3. Clean Elections has put more, and more diverse, candidates on the ballot.** The number of uncontested legislative races in Maine dropped from an average of 36 in the decade preceding Clean Elections to just five in 2004 and four in 2006. Arizona also saw a significant drop in the number of uncontested races. (The GAO report acknowledges those positive trends, but discounts them because the four control states GAO chose experienced similar trends.) The Maine Ethics Commission's 2008 survey found that 74% of first-time candidates said that the program's availability was "very important" to their decision to run for public office. Data from Arizona, Maine, and Connecticut also suggest a positive impact on the number of women and minority candidates, and participation rates have been high among those demographic groups. Diversity among candidates, especially ethnic minorities, has more than doubled in Arizona, while in Maine the number of women candidates and legislators has increased by 18%. The number of women elected to Arizona offices covered by public financing jumped from 25 in 2002 to 34 in 2006, and the number of racial minority candidates running for Arizona offices covered by public financing went from 13 in 2000 to 37 in 2006. The GAO found no increase in "voter choice" because it looked only at the average number of candidates across hundreds of races, a blunt tool that obscures these significant gains.

**4. Clean Elections has resulted in more competition and a more level playing field.** The GAO report found a decrease in the margin of victory for winners since Clean Elections laws took effect in Arizona and Maine. More significantly, the spending gap between incumbents and challengers has decreased dramatically. The numbers are in the GAO report, but GAO does not discuss them. In Maine, House incumbents enjoyed a greater than 30% financial advantage in the two elections preceding Clean Elections. In 2006, after Clean Elections, incumbents outspent challengers by an average of only 2%; in 2008, challengers actually outspent incumbents. Similarly, the incumbent spending advantage in Senate races dropped from over 60% to 10% and 24% in the same years. Although we don't have pre-Clean Elections data for Arizona, the spending gaps for the past two elections are comparable. Challengers outspent incumbents on average for Arizona House races in the last two elections, and Senate incumbents outspent challengers by just 6% in 2006 and 3% in 2008. In contrast to the GAO's conclusions, the National Institute for Money in State Politics ranks Maine and Arizona first and second, respectively, in its competitiveness index.

**5. Clean Elections has applied a brake to the growth of candidate spending.** The GAO report concluded that Clean Elections laws in Arizona and Maine have failed to impact spending on campaigns. But the GAO did not consider long-term spending trends prior to the laws' enactment. While we don't have data from the 1990s for Arizona, the Maine Ethics Commission concluded that candidate spending in Maine is substantially less than it would have been without Clean Elections. Independent expenditures have increased in both states, but the nation as a whole has experienced the same phenomenon, (for some reason, the GAO does not look at control states for this measure) and statutory changes in Maine both increased enforcement of reporting laws and greatly expanded the definition of independent expenditures for purposes of calculating matching funds. Finally, it is not surprising to see some continued growth in spending under Clean Elections, given that the programs provide grants and matching funds to boost the treasuries of previously underfunded candidates.

**6. Voters like Clean Elections and want candidates to use the system.** The GAO's very limited survey of voters produced mixed results on whether people thought Clean Elections had increased or decreased special-interest influence or confidence in government. However, commissions and advocates in both states have done more thorough research, all of which bolsters our conviction that the programs are positively impacting state politics. A 2007 survey of Arizona voters found that 81% believe the Clean Elections program is important for the state and 70% view it favorably. Similarly, a 2009 poll in Maine found that 74% of voters wanted gubernatorial candidates to use Clean Elections, 55% would be more likely to support a candidate who did, and 54% opposed cutting the program's funding despite the state's fiscal crisis.

Voters across the political spectrum support public financing when coupled with low limits on donations. Polls conducted over the last decade show consistent support – approaching 70 percent -- for policies that couple public financing with conditions like spending limits or a \$100 cap on contributions. A national, bipartisan survey conducted in February 2009 found 67% support for a Clean Elections-style proposal. That support cut across party and regional lines, with 69% of Democrats, 64% of Republicans and 66% of other voters in favor of the proposal. The same survey found that voters prefer elected officials who support public financing over those who voted against it. Half of those surveyed said they would feel more favorable about a member of Congress who voted for this type of proposal, while only 8% said it would make them feel less favorable. See Lake Research Partners and the Tarrance Group (February 2009), [www.commoncause.org/FairElectionsPoll](http://www.commoncause.org/FairElectionsPoll).

**Sources:**

Maine Commission on Governmental Ethics and Election Practices; 2007 Study Report. [http://www.maine.gov/ethics/pdf/publications/2007\\_study\\_report.pdf](http://www.maine.gov/ethics/pdf/publications/2007_study_report.pdf)

Arizona Citizens Clean Elections Commission; Statewide Voter Survey prepared by Behavior Research Center, Phoenix, Az., Jan 2008.

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