



Testimony before the Joint Standing Committee on Appropriations and Financial Affairs

LD 1606 – An Act to Provide Funding to the Maine Budget Stabilization Fund

March 7, 2016

Senator Hamper, Representative Rotundo, and members of the Joint Standing Committee on Appropriations and Financial Affairs:

Thank you for the opportunity to comment on LD 1606 – An Act to Provide Funding to the Maine Budget Stabilization Fund.

My name is Ann Luther. I'm a resident of Trenton and a volunteer testifying on behalf of Maine Citizens for Clean Elections Action as a member of its board.

As I will explain in more detail, we are testifying against LD 1606 because the surplus funds included in this bill include \$1.7 million that was taken from the Clean Election Fund in 2015. The \$1.7 million owed to the Clean Elections program should not be considered part of any budget surplus. It is a debt to the program, and it must be repaid. We oppose using the surplus for any other purpose until the funds taken from this program are replaced.

Just last week I was here to testify on LD 1579. At that time I reminded this Committee of the value of the Clean Election law for preserving government of, by and for the people. I also asked you to ensure that the will of the voters is respected in any legislation you enact related to that program.

At that hearing you heard from Iris Levitis, from Lewiston, who said how important it is that lawmakers avoid the appearance of conflict of interest. You heard from Gina Coppens of Belgrade, who supports public funding for candidates because it encourages ordinary people to run for office. And you heard from Brian Coffin of Monmouth, who wants his daughter to grow up knowing she could sit where you are now. Their voices are a small sample of the thousands of Maine people who worked to strengthen our Clean Election law and the many thousands of Maine voters who voted yes on Question One.

They voted for Clean Elections because they want their voice to matter as much as the voice of a wealthy donor. Failure to fully fund Clean Elections would be to confirm the worst suspicions of too many Maine voters – that their voices, and their votes, can be ignored in Augusta.

Over the years, \$9.8 million has been cut from the Clean Election Fund, with only \$3.1 million of that amount ever returned. A net amount of over \$6.0 million is owed to the fund. We believe it would be proper for the legislature to restore that full amount. But we realize that you on this committee are being asked to balance many competing interests, and we are realistic. So that is not our request today. We only ask that you replace the \$1.7 million removed during the current budget biennium.

You may ask why the Clean Election Fund needs this amount of funding given the citizen initiative that was just enacted. The answer is simple. The 2015 raid occurred *after* the citizen initiative was already on its way to the ballot. The drafters of the citizen initiative trusted that legislature to provide the

MCCE Action is a 501(c)4 nonpartisan organization that works in the public interest to advocate for, increase public support for, defend and improve the Maine Clean Election Act and related campaign finance law.

statutory and required funding in 2015, pursuant to the will of the voters who enacted the law as it then stood. Perhaps it was unwise to trust the legislative process, but it would be manifestly unfair to attribute the missing funds to any decision by the voters, volunteers, or advocates. These are the people that thoughtfully designed and enacted a sustainable Clean Election law which puts voters, not campaign donors, in the driver's seat of our democracy.

While there are many worthy ways to use scarce state funding, we doubt that any of the others seeking a portion of the surplus can stake a stronger claim than ours. First, this is not a request to fund a new program or to increase funding for an existing program. It is only a request to return what was taken and to hold the legislature to its promise to replace the funds when needed. Second, the Clean Election law can boast a strong voter mandate from just a few months ago. Without disparaging the other programs that could benefit from the current surplus, there can be no denying the public support for full funding of Clean Elections. These two factors set us apart from the other requests likely to come before you.

At the hearing and work session on LD 1579 many from the public and from this Committee said that their top priority is to respect the will of the voters. We strongly agree with that view, which was articulated by opponents and supporters alike. The program approved by the voters should be implemented without change.

But you have to be consistent. Respecting the will of the voters means replacing the funding that the voters approved when they initially established the Clean Election program. No more than that. But also, no less than that.

That is all we seek here today. Please amend this bill to replace the \$1.7 million removed from the Clean Election Fund in 2015 before transferring the balance of the surplus to the Budget Stabilization Fund or using it for other purposes.

The Clean Election system brings great benefits to Maine at a very modest cost. Citizen ownership of our democracy is a good value and well worth the price.

Thank you for the opportunity to testify, and I am happy to take questions.