



Testimony before the Joint Standing Committee on Veterans and Legal Affairs

LD 1666 – Resolve, Regarding Legislative Review of Portions of Chapter 3:
Maine Clean Election Act and Related Provisions, a Late-filed Major Substantive Rule of the
Commission on Governmental Ethics and Election Practices (Emergency)

March 23, 2016

Senator Cyrway, Representative Luchini, and members of the Joint Standing Committee on Veterans and Legal Affairs:

Thank you for the opportunity to comment on LD 1666, Resolve, Regarding Legislative Review of Portions of Chapter 3: Maine Clean Election Act and Related Provisions, a Late-filed Major Substantive Rule of the Commission on Governmental Ethics and Election Practices.

My name is Bob Howe, and I am testifying on behalf of Maine Citizens for Clean Elections (MCCE) Action.

As you know, MCCE wrote and sponsored the legislation enacted by voter initiative in November, known as Question 1 or the Clean Elections Initiative. We were gratified that voters adopted the measure by a double-digit margin – approximately the same approval level achieved in 1996 when the Maine Clean Election Act was originally passed by the voters.

We are here today to testify in support of LD 1666. This bill approving the Ethics Commission's major substantive rules should not be controversial. The Commission unanimously adopted these rules after a careful and thorough rulemaking process in which MCCE fully participated. There were only two comments received by the Commission during the rulemaking process, and no one testified in opposition to the rules.

The rules consist of technical changes and clarifications, amendments that simply conform to current practice of the Ethics Commission, and changes that are necessary to bring the existing rules into line with current law as enacted in Question 1.

For example, the rules facilitate the use of the Commission's on-line reporting and information collection system in a way that ensures the integrity of the qualifying contributions submitted by candidates. They also clarify the responsibility of candidates to oversee their campaign volunteers and staff who are collecting qualifying contributions. And they spell out the circumstances under which candidates may use paid staff and volunteers to collect qualifying contributions.

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.

The Commission created a new section in its regulations to implement the supplemental funding program enacted into law as part of Question 1. The rules also ensure transparency in the Clean Election program by requiring publicly funded candidates to use a check, debit or credit card when making a purchase exceeding \$50 thereby creating a paper record for auditing and verification.

Over the years, hundreds of candidates have done a very good job of complying with the Clean Election system. On those few occasions when someone has broken the rules, the Ethics Commission has immediately addressed the problem. The creation of the supplemental funding system further heightens the importance of integrity and transparency in the collection of qualifying contributions. The rule changes before the committee today will further strengthen the system to continue the current record of accountability and transparency.

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