



Testimony before the Joint Standing Committee on Veterans and Legal Affairs

LD 1688 – An Act to Amend the Laws Governing  
the Funding of Maine Clean Election Act Candidates

March 31, 2016

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

Thank you for the opportunity to testify on LD 1688 – An Act to Amend the Laws Governing the Funding of Maine Clean Election Act Candidates.

My name is Andrew Bossie, and I am testifying on behalf of Maine Citizens for Clean Elections (MCCE) Action. We oppose LD 1688.

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.

We are testifying against LD 1688 because it is an unjustified attack on the Clean Elections program that voters just endorsed. We ask that you stand with the people of Maine and reject this bill.

The success of the Clean Election program is based on the fact that it creates a careful balance between advantages and disadvantages. There is public money available, but the candidate has to work hard to qualify for it. Participating candidates are free from the need for constant fundraising, but they have to agree to limit their spending. There are benefits to participating, but also risks and challenges. It is a responsible, thoughtful package.

Any bill that tips this balance one way or another is not just a tweak, but an attack on Clean Elections. And that is the problem with LD 1688. It adds an unnecessary restriction that has never been part of the package.

And there is no justification for this restriction. In 20 years of working on Clean Elections, no one in my organization had even heard of the concept in this bill before. We are now into our ninth election cycle using Clean Elections, including the seed money provisions. We are not aware of a single complaint or concern about who can contribute seed money under the current program. LD 1688 is a solution in search of a problem.

The purpose of seed money is to allow candidates to raise a modest amount of start-up funding from people closest to them. It allows participating candidates to organize their campaign and collect qualifying contributions, so that they can complete the process of applying for certification. A quick scan of seed

money contributions indicates that most of it comes in small donations from the candidate's family and friends.

Under current law, seed money is far more restricted than the private money raised by privately funded candidates. First, no contributor can give more than \$100. Second, there is a very low cap on the total amount of seed money that can be raised. Third, PACs, political parties, and corporations cannot give seed money. Fourth, seed money cannot be raised after April 20 and cannot be used after a candidate is certified. Fifth, any unspent seed money is forfeited at the time the candidate qualifies for public funds.

In addition to those restrictions, all the reporting requirements and other conditions that apply to private contributions also apply to seed money.

LD 1688 was printed and referred to committee at the 11<sup>th</sup> hour this session. We don't even know what issue this bill is supposed to address with seed money. But whatever the issue, aren't those strict conditions enough to address them?

In order pass this bill, the Committee would have to answer a lot of questions:

- What is the emergency requiring a rush job, on the eve of adjournment, to pass a bill that has never seen the light of day before yesterday affecting a program that has worked well for over fifteen years and that voters just strengthened by a double digit margin less than 6 months ago?
- Did the sponsor provide any information showing any problem with seed money? Does the Committee have any data on the amount of money that is given from outside the district? Is it a lot? A little?
- If the proponents of this bill object to campaign money from outside the district, why do they only object in the case of publicly funded candidates? A gubernatorial candidate using private financing could accept a \$3,000 contribution from a New Jersey pharmaceutical company that sells opiates in Maine. But the opponent can't accept \$10 from a friend in New Hampshire just because he or she is trying to qualify for Clean Elections?
- Has any member of the public ever complained about the source of seed money?

Let's be frank. This is not a bill to improve Clean Elections. It is an attack on Clean Elections orchestrated by a handful of people who couldn't persuade voters in November to accept their point of view. And now they don't want to accept the outcome of the election.

Legislation approved by citizen initiative has long been afforded great respect by the legislature. That tradition should be honored here by this Committee.

There are real issues for this legislature to address at this late date. LD 1688 is a distraction. This is not the time to rush through pointless legislation containing ill-conceived solutions to imaginary problems.

We ask you to vote ought not to pass.