



Testimony before the Joint Standing Committee on Veterans and Legal Affairs

LD 961 – An Act To Improve the Cost-efficiency of Funds Disbursed
under the Maine Clean Election Act

March 27, 2017

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

Thank you for the opportunity to testify on LD 961 – An Act To Improve the Cost-efficiency of Funds Disbursed under the Maine Clean Election Act.

My name is Andrew Bossie. I am the Executive Director of Maine Citizens for Clean Elections.

Maine Citizens for Clean Elections has been the leading campaign finance organization in Maine for over twenty years, and one of the nation’s most respected state-based organizations advocating for democratically funded elections. We are proud of our national reputation, but we are all Mainers, and our mission has always been with and for the people of this state.

This bill relates to the use of political party nonprofit postage meters by Clean Election candidates. We assume that the bill is intended not only to allow the use of meters and related equipment for generating postage, but to take advantage of the discounted postage rate that is made possible through those meters.

Although we appreciate the sponsor for trying to secure discounts for Maine candidates, we believe this bill raises concerns about compliance with federal law and regulations. The use of the USPS nonprofit mailing discount is entirely a matter of federal law. Federal regulations governing the use of political party nonprofit mailing privileges apparently do not allow¹ candidate mailings to be sent out under the political party’s nonprofit mailing permit under

¹ “The following are examples of political mailings that would not qualify for mailing at the Nonprofit USPS Marketing Mail prices:

- a) A mailing containing material identified as having been paid for by the campaign committee or treasurer of an individual candidate.
- b) A mailing containing circulars, flyers, brochures, or other printed matter prepared or printed by a political candidate or his or her campaign organization.
- c) A mailing on which the postage is paid for by a political candidate or his or her campaign organization.
- d) A mailing made on behalf of a candidate in return for a contribution to the qualifying political committee.”

most circumstances.² If a federal rule prohibits candidates from using the nonprofit discount, nothing in Maine law can overcome the federal rule and give them the discount.

We would not want any candidate or political party to inadvertently run afoul of federal rules because they were following the language in LD 961.

For this reason we suggest that the Committee thoroughly review federal regulations before proceeding with LD 961.

We would be pleased to work with the sponsor on any other ideas for securing efficiencies for Maine candidates who are using either the Maine Clean Election law or private funding.

Thank you very much. We will be present for the work session.

Domestic Mail Manual of the U.S. Postal Service, Section 1.6.10 (Political Mailings),
<http://pe.usps.gov/cpim/ftp/pubs/Pub417/pub417.pdf>

² While there are some exceptions, the rules are quite complicated. See:
<http://pe.usps.com/text/dmm300/703.htm>