



Testimony before the Joint Standing Committee on Veterans and Legal Affairs

LD 1174 – An Act To Clarify the Use of Public Money for Bulk Mailing in the Election Process

April 10, 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 1174 – An Act To Clarify the Use of Public Money for Bulk Mailing in the Election Process.

My name is Bob Howe of Howe Cahill. I am here today on behalf 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.

We testify neither for nor against LD 1174, but we do have some concerns about the bill.

LD 1174 focuses on Clean Election candidates' reporting of their use of bulk mailing for campaign communications. The bill would require candidates to send the Ethics Commission a copy of a certain form the United States Postal Service uses for bulk mailing. The objective of LD 1174 may be similar to that of LD 716, which had a public hearing on March 17th.

We are not aware of any significant need for this bill, and it adds to the administrative burden of the Ethics Commission and Clean Election candidates. At a time when some legislators seem interested in reducing administrative burdens – for example by eliminating the 24-hour reporting requirements – it seems odd to consider adding new burdens without justification.

If candidates have misused bulk mail, it would be far better to address those situations directly under existing law. If there is no evidence that candidates have misused bulk mail, then this new regulation seems unnecessary.

LD 1174, like a handful of other bills, exempts privately funded candidates. If these postal forms are important enough to justify the added burdens, then why exempt a large group of candidates? We will continue to oppose the inequitable treatment of Clean Elections candidates, including any unreasonable new burdens from which private candidates are exempted.

If the Committee desires to move ahead with the concept of increased accountability on bulk mail, we suggest that the Ethics Commission simply remind candidates to keep their paperwork records for three years, as already required. In addition, the Commission's auditors who already review candidate finance records could be directed to review postal forms to ensure consistency with the expenditures reported for mailings.

These steps would provide increased assurance of accountability while avoiding the burden of candidates sending hundreds or thousands of postal forms to the Ethics Commission.

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