

Maine Citizens for Clean Elections

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TO: The Honorable Senator Lisa T. Marraché, Senate Chair
The Honorable Representative John L. Patrick, House Chair
The Joint Standing Committee on Legal and Veterans Affairs

DATE: Monday, February 12, 2007

RE: **LD 396** "An Act to Provide Additional Funding for the Maine Clean Election Act"

Maine Citizens for Clean Elections (MCCE) opposes LD 396.

While we are not sure what the goal of LD 396 is, we are certain that it will not deliver on the promise of its title.

Candidates who participate in the Clean Election system are allowed to participate in political action committees (PACs), and PACs often make independent expenditures on behalf of candidates. However, any expenditure made by the candidate's PAC to their own campaign would not be an independent expenditure, since independent expenditures are made without the cooperation of the candidate. Under Maine law, such an expenditure is a contribution to the candidate's campaign.

Clean Election candidates may not accept contributions, so the scenario contemplated by this legislation is entirely unlawful.

Title 21-A: ELECTIONS

Chapter 13: CAMPAIGN REPORTS AND FINANCES

Subchapter 2: REPORTS ON CAMPAIGNS FOR OFFICE

§1015. Limitations on contributions and expenditures

5. Other contributions and expenditures. Any expenditure made by any person in cooperation, consultation or concert with, or at the request or suggestion of, a candidate, a candidate's political committee or their agents is considered to be a contribution to that candidate.

The financing by any person of the dissemination, distribution or republication, in whole or in part, of any broadcast or any written or other campaign materials prepared by the candidate, the candidate's political committee or committees or their authorized agents is considered to be a contribution to that candidate.

[1989, c. 504, §§7, 31 (amd) .

Maine Citizens for Clean Elections is a nonpartisan coalition of organizations that have worked together to pass Maine's Clean Election Act and that continue to work together to support and defend its use and the integrity of its implementation. Its members include AARP, Common Cause Maine, the League of Women Voters of Maine, Maine AFL-CIO, Maine People's Alliance and Peace Action Maine.