



**TO:** The Honorable Senator Nancy B. Sullivan, Senate Chair  
The Honorable Representative Pamela Jabar Trinward, House Chair  
The Joint Standing Committee on Legal and Veterans Affairs

**DATE:** February 4, 2009

**RE:** LD 105, "An Act To Increase the Allowable Contributions to Traditionally Funded Campaigns"

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**Maine Citizens for Clean Elections (MCCE) strongly opposes LD 105.**

This bill increases the contribution limits to privately funded candidates, doubling it for State House and Senate candidates, and quadrupling it for gubernatorial candidates.

Contribution limits are in place so that Maine citizens can be confident that campaign contributors cannot exercise undue influence over any state elected official. The limits that are in place were subjected to a robust legal challenge that concluded a little more than eight years ago, and they were found to be fully constitutional.

In its decision, the U.S. District Court of Appeals determined that "Maine's contribution limits of \$250 do not unconstitutionally infringe upon candidates' and donors' free association rights because they are supported by a sufficiently important governmental interest to which the ceilings are closely tailored."

The Court also found sufficient evidence that Mainers are concerned about political corruption and that limits do play a role in combating this corruption or the perception of corruption saying, "a survey of Maine residents showed that over 70% of respondents believed that large campaign contributions were a major source of political corruption, that large donors received special treatment from legislators, that the new contribution limits would renew currently lagging faith in the integrity of the process among the electorate, and that the new limits would help decrease the potential for undue influence."

The group that would most benefit from an increase in contribution limits is political action committees (PACs). PACs account for 38% of the \$250 contributions to candidates in the 2008 cycle. Individuals accounted for 30% and commercial interests for 29%. Prior to the 1996 reforms, PACs and corporations could give five times the amount that individuals were allowed to give (\$5,000 per election for PACs and corporations; \$1,000 for individuals). Today, PACs and corporations combined make up two thirds of the top givers, which should be no surprise. Raising the limits now will once again widen the giving gap between ordinary citizens and concentrated wealth. The lower limits that Maine citizens put in place through the citizen-initiated referendum have effectively worked to rein in the ability of moneyed interests to wield undue influence in candidate races.

**Member Organizations**

AARP Maine, Common Cause Maine, League of Women Voters of Maine, League of Young Voters, Maine AFL-CIO, Maine Council of Churches, Maine People's Alliance/Maine People's Resource Center, Maine Women's Lobby, NAACP-Portland, Natural Resources Council of Maine, Peace Action Maine

We see no rationale for these dramatic increases in contribution limits. We would be concerned if we saw evidence that privately funded candidates are unable to raise adequate resources to run vigorous campaigns, but that is not the case. Those candidates who choose the private funding route are able to raise funds appropriate to their particular race. In the 2008 election, five House candidates raised more than \$10,000 (high of \$22,890), and three Senate candidates raised more than \$22,000 (high of \$31,172). In 2006, one House candidate raised \$38,000 and the governor raised more than \$1.2 million under the current limits.

Now is not the time to turn back the clock on this important citizen-initiated reform. We believe the limits are right and that they serve the public very well. We urge a vote of "ought not to pass."

Alison Smith, Co-chair  
207.879.7440