



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 11, 2009

RE: LD 219, "An Act To Require Maine Clean Election Act Candidates To Use Maine Vendors," Senator Diamond, sponsor

Maine Citizens for Clean Elections (MCCE) testifies neither for nor against LD 219.

MCCE agrees that it is "best practice" for Maine candidates to spend campaign dollars here in Maine. Over the years numerous candidates and campaign-watchers have told us that one of the reasons they like the Clean Election system is that it puts public dollars directly into the Maine economy very quickly and effectively. While we believe that Clean Election funds have largely been spent in the state since it went into effect in 2000, we understand that there was significant out-of-state spending in the 2008 cycle that has caused some unease.

We have several concerns about placing this preference for using Maine vendors into law. First, it does not serve any core purpose of campaign finance laws, and second, it invites a host of questions about unintended consequences and perhaps even constitutionality. For example, we wonder what it would take to effectively implement the law; what are the costs involved; and how would the phrase "whenever feasible" be defined? Would the law unfairly discriminate against out of state vendors of campaign-related goods and services?

We believe it is necessary to have a better understanding of how the bill would work, how it would be enforced and what resources would be involved. We urge the committee to thoroughly probe the potential effects of this proposal and to seek a legal opinion of its constitutionality.

Alison Smith
MCCE Co-chair
207-879-7440

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