



**TO:** The Honorable Senator Bill Diamond, Senate Chair  
The Honorable Representative Emily Cain, House Chair  
The Joint Standing Committee on Appropriations and Financial Affairs

**DATE:** March 3, 2009

**RE:** Maine Clean Election Act

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Thank you for the opportunity to speak today. I am Alison Smith, co-chair of Maine Citizens for Clean Elections, a nonpartisan coalition of groups and individuals that has worked on campaign finance reform here in Maine since the early 1990's. I am here today to make a strong case for continued full funding for the Maine Clean Election Act (MCEA).

The MCEA was initiated by citizens and approved by voters in 1996. The referendum, which asked, "Do you want Maine to adopt new campaign finance laws and give public funding to candidates for state office who agree to spending limits?" won 56% of the vote, majorities among women and men, Republicans, Democrats and Unenrolled voters and in 15 of 16 counties. Since then it has been supported by tens of thousands of Mainers each year at tax time through the Clean Election check-off on the state income tax form. It is also strongly supported by candidates for office. In the last election cycle 81% of all candidates used Clean Elections and 85% of the 124<sup>th</sup> Legislature are products of the system. The Clean Election system has opened the door to legislative service to many who would not otherwise have run, and that includes quite a few who have gone on to serve in leadership positions in both chambers and in both parties.

More than a decade after its passage, the Clean Election system is strongly supported by the public. Tens of thousands of Mainers make qualifying contributions in each cycle so that candidates they support can receive public funding. A spring 2008 poll affirms the popularity of system among voters. In this poll, more than 80% of respondents said they wanted gubernatorial candidates to use the Clean Election system, and more than 60% said they would be more likely to vote for a Clean Election candidate for governor.

Clean Elections, which was a bold experiment with an uncertain future just a few years ago is now a valuable and integral part of Maine's election system and its political culture. The program is a proven success and because of that success is a model for reformers around the nation.

Since its inception, the MCEA has benefited from a thorough review after each election cycle. Successive legislatures have made mostly good changes to strengthen the law. That is one reason why the program is successful. Another is that it has been adequately funded in each cycle in spite of the fact that the legislature has dipped into the Fund for other state programs.

When citizens put together the law, much attention was paid to the funding mechanism. The idea was to create an adequate Fund that would not demand that the state go looking for tremendous sums in any given budget year. What voters approved was an incremental funding scheme that included seven streams of revenue all directed into the Maine Clean Election Fund.

**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

The top three are the \$2 million annual allotment, the Qualifying Contributions collected by candidates and revenue from the tax check-off.

*The Maine Clean Election Fund is established to finance the election campaigns of certified Maine Clean Election Act candidates running for Governor, State Senator and State Representative and to pay administrative and enforcement costs of the commission related to this Act. The fund is a special, dedicated, nonlapsing fund and any interest generated by the fund is credited to the fund.*

Over the years successive legislatures and governors have used Maine Clean Election Fund dollars for other state programs. Funds were partially restored in time for the 2006 and 2008 cycles, but the current budget proposal fails to restore the remaining funds and may be inadequate for the 2010 cycle.

Funds borrowed and not yet restored: \$4.425 million

Funds cut from 2009 allotment: \$1.3 million

Funds in budget proposal: \$2 million

These numbers show that the current budget proposal leaves the Fund \$3.725 million (not including interest) short of the amount voters set aside for the program when they passed the law in 1996. Had the statutory funding mechanism been honored, the Fund would be in great shape for 2010.

We fully understand that this committee and the legislature will face some tough choices given the current budget cycle. We hope that honoring the will of Maine voters will be a priority and that you will ensure that all gubernatorial and legislative candidates are able to participate in a viable, adequately funded Clean Election program.

Although Arizona beat us to the punch when voters there elected Janet Napolitano as the first Clean Election governor, it is very important that funds be available to gubernatorial candidates here. The office of Governor is the single most important and powerful elected office in the state, and is the only statewide race for state office that we have. If there is one race where it is important to cut the connection between private money and public office, this is it. Potential gubernatorial candidates are thinking now about how to fund their 2010 campaigns, and one thing they will be looking for is some certainty that if they choose Clean Elections, the money will be there.

To sum up, we would like to remind the Committee that the 123<sup>rd</sup> Legislature made some important changes to the law after the 2006 election cycle, including making it harder for gubernatorial candidates to qualify. Now the post-election review in the Legal and Veterans Affairs Committee has begun, with consideration of many bills on the subject. We will work hard to ensure that all the changes that are made by the 124<sup>th</sup> Legislature serve to make a good program better.

Along with this testimony, we submit several opinion pieces and letters that illustrate the value that a wide variety of Maine people put on the Clean Election system. We thank you very much for your consideration.

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