



TO: The Honorable Senator Nichi Farnham, Senate Chair  
The Honorable Representative Michael Beaulieu, House Chair  
Joint Standing Committee on Veterans and Legal Affairs

DATE: March 28, 2011

RE: LD 1054 An Act To Revise the Maine Clean Election Act Regarding Legislative Leadership  
Positions *Sponsored by Representative Linda Valentino*

---

**Maine Citizens for Clean Elections offers testimony neither for nor against LD 1054.**

MCCE believes that strong campaign finance laws should work to reduce the influence of big money in government, eliminate corruption and the appearance of corruption, increase public access to information, and allow candidates to compete more equitably for public office. We hold that sound reform creates trust, encourages participation in our electoral system, and enhances the accountability of elected officials to their constituents.

Maine has been largely successful in getting the big money out of the campaigns of candidates for state office for two reasons: 1) An option for full public funding and 2) reasonable contribution limits for privately funded candidates. We understand the concerns that are raised when candidates participating in the Clean Election public funding system also establish and participate in fundraising for political action committees (PACs). Although there are only a relatively few candidates in each cycle who choose to have a PAC, in too many instances PAC funds are raised from exactly the same special interest groups that our public funding system was designed to avoid.

At the same time, we also have concerns about privately funded candidates who may raise additional funds from their campaign contributors – without limit – into their PAC, potentially making a mockery of existing contribution limits.

**Member Organizations**

AARP Maine, Common Cause Maine, EqualityMaine, 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 State Employees Association/SEIU Local 1989, Maine Women's Lobby, NAACP-Portland, Sierra Club Maine Chapter

---

Although we understand and share the sponsor's concerns, we don't see the benefit to Maine people of making this single change alone. Simply barring Maine Clean Election Act candidates from raising money for so-call leadership PACs would still allow them to engage in the perfectly legal activity of raising money for their caucus PACs, and they would continue to raise money from the same donors as they would have solicited for their own PAC. That's not much of a change.

If these candidates were also barred from caucus PAC fundraising, they would simply opt out of the Clean Election system and raise private money for their own campaign and for their PACs. Under today's laws, a privately funded candidate who has a PAC may raise money without limit from any source. This bears repeating: no limits. That's because a maxed-out campaign donor is free to make additional donations without limit to the candidate's PAC.

So, just as surely as there is a problem on the Clean Election side, there is an equally big problem on the private side. This problem exists today, and it will be an even bigger problem tomorrow if all the aspiring candidates for leadership choose private fundraising.

A better approach is to look at the PAC system as a whole, and not simply at one class of candidates' participation in it. The fundamental problem is that Maine has no contribution limits to PACs. If the legislature makes only one change to our PAC laws, it should be to adopt reasonable limits. That would be consistent with the laws of a majority of states, including every other New England state. Representative Carey has sponsored LD 814 this session to do just that. We look forward to a constructive dialogue about how to best bring Maine's PAC laws in line with our generally excellent campaign finance statutes.

The best reforms will lessen the influence of big money in Maine races, preserve the disclosure that PACs provide, and protect the First Amendment rights of speech and association that are the bedrock of our political system. We look forward to working with the Committee to advance these goals.

Thank you.

Alison Smith, Co-president