



TO: The Honorable Louis Luchini
The Honorable Chris Caiazzo, Co-Chairs
Members of the Joint Standing Committee on Veterans and Legal Affairs

DATE: March 22, 2021

RE: LD 664, An Act to Strengthen the Integrity of the Maine Clean Election Program

Good morning Senator Luchini and Representative Caiazzo.

My name is Alison Smith. I'm a resident of Portland. I am here today as a volunteer on behalf of Maine Citizens for Clean Elections. I am testifying Neither For Nor Against LD 664.

For over 25 years MCCE has advocated for Maine's Clean Election Act public funding system. We were there at the start to advocate for its enactment in 1996, during the early years when participation was ramping up, when budget challenges and court decisions threatened to weaken the program, and up to today where it is well-established and continues to enjoy broad support among the candidates and the general public.

We could not agree more that the integrity of the Clean Election program is essential and very necessary for its long-term success. We have supported many tweaks to the law and the rules over the years in order to make the system better. If we believed that LD 664 was aimed squarely at a problem that required a legislative solution, we would be the first to support it.

In this case, we do not see the problem that the bill attempts to solve. The Ethics Commission staff does scrutinize qualifying contributions, and if something is off, they dig deeper. There is nothing stopping them from referring cases to the Attorney General as they see fit, and we believe they are in the best position to determine when this action is necessary.

Current law neither holds the Commission back from full enforcement, nor does it force drastic action when such a response is inappropriate or unnecessary. That seems right. In our view, it works.

Finally, we are skeptical that blunt instruments like the mandatory referrals proposed in LD 664 are the best approach to achieving excellent enforcement of this or any law. We think it is far more important to make sure that the Commission has the tools, the transparency, and the capacity to pursue every instance of noncompliance with seriousness and vigor. We are confident that if they have what they need to do their jobs, they will continue to refer cases appropriately to the Attorney General.

Thank you for the opportunity to testify. I would be happy to answer any questions from the Committee.