

REPORT #14

Clean Election
Participation
Rates and
Outcomes:

2016 Legislative Elections



The Money in Politics Project is a program of Maine Citizens for Clean Elections, a nonpartisan nonprofit organization working to ensure that Maine's campaign finance laws, elections, and government serve the public interest, both in principle and in practice. We engage Maine people from across the political spectrum, using research, education, and outreach to further fairness, inclusion, and opportunity in our politics.

MCCE is a 501(c)(3) organization.

www.MaineCleanElections.org

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MONEY IN POLITICS PROJECT

REPORT #14

Clean Election Participation Rates and Outcomes

2016 Legislative Elections

Overview

Just over a year ago, Maine voters approved significant changes to the Maine Clean Election Act by a ten percent margin. The most significant change establishes a new supplemental funding system to replace matching funds, which were invalidated by a court order in 2011.

This first-in-the nation supplemental funding approach was devised in Maine -- by Mainers -- who remain deeply committed to the Clean Elections law. The revised program was put to the test in the 2016 legislative election cycle, and the results of that election are now

available, enabling **Maine Citizens for Clean Elections**to provide quantitative
analysis of the revised law.

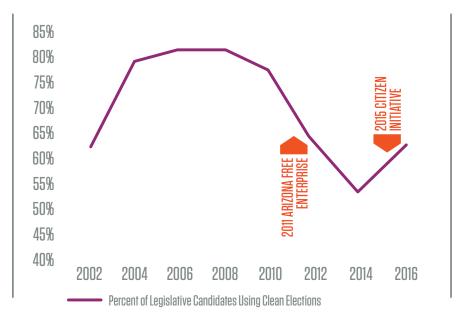
For this report, MCCE collected and analyzed publicly available data including information about which candidates participated in the Clean Elections public funding option, how they fared in the November 2016 election, success rates of Clean Elections candidates against privately funded candidates, and participation and success rates by gender.

We are pleased to report that the changes enacted by the 2015 citizens' initiative passed the tests of the 2016 election with flying colors.

Most significantly, the data shows that the program revisions enacted in 2015 succeeded in reversing the downward trend in candidate participation, with a ten percent increase from the 2014 cycle in the number of candidates choosing and qualifying for public funding.

This report is part of MCCE's ongoing effort to analyze the Clean Elections program and educate the public about significant campaign finance issues in Maine. MCCE plans to report separately on the candidates' subjective experience with the updated program, trends in fundraising in the 2016 cycle, the role of independent expenditures,

The Trend Toward Declining Clean Elections Participation Was Reversed in 2016



and the use of public funding in highly competitive races.

Highlights

MCCE has analyzed a wide range of information to shed light on the 186 legislative races in the 2016 election cycle. Highlights include the following:

- The number of Clean Election candidates in the general election increased from 199 in 2014 to 227 in 2016. The high water mark was 314 in 2006.
- 119 out of 186 incoming legislators 64% -- used Clean Elections.
- 67 out of 186 incoming legislators – 36% -- used private funding.

- 52 percent of all candidates using Clean Elections won their races, while 51% of all candidates using private funding prevailed in the general election.
- Only 48 Senate candidates used Clean Elections—the lowest total since 2002.
- 93 incoming House members used Clean Elections – an increase of ten from last session.
- The number of Republican candidates using Clean Elections jumped by 68% since 2014 -- from 47 to 79. Republican House candidates using Clean Elections nearly doubled - from 32 to 60.
- 77 incoming Democrats used Clean Elections – the highest since 2008.
- 1 Five House races and two Senate races had three candidates in the general election

- Democratic candidate participation in Clean Elections has been 77% or higher for seven straight election cycles.
- The number of incoming Democratic House members elected using Clean Elections remains unchanged at 63.
- 67% percent of women elected to the 128th Legislature used Clean Elections, while 63% of incoming male legislators used Clean Elections.



ABOUT THIS SERIES

The Money in Politics Project is a series of fourteen reports about the role and effect of money on Maine politics. The reports combine a review of publicly available campaign finance data with on-the-ground analysis of how money influences Maine's elections, government, and public policy. Maine Citizens for Clean Elections launched this project because money in politics is an issue of vital concern to the people of Maine—one that goes to the heart of our democratic system.

Clean Election Participation Rates and Outcomes

2016 Legislative Elections

MCEA Data: Overview

The following tables provide data about rates of participation in the Clean Election programfrom 2002 through 2016. They also include detail on House and Senate candidates, rates of participation by political party, and the success rates of Clean Election candidates in these groupings over the years.

FIGURE 14-2
Candidate participation increased by nearly 15% — from 199 to 227 — for an overall participation rate of 63%. 51% of candidates who used private funding won their election contests—the highest rate in over a decade.

MCEA Participation: Summary Data	'02	'04	'06	'08	10	12	'14	16
Total # of Candidates for House and Senate in General Election	369	391	389	374	385	385	376	359
# of Candidates Using Clean Elections	230	308	314	303	295	242	199	227
% of Candidates Using Clean Elections	62%	79%	81%	81%	77%	63%	53%	63%
# of Winning Candidates Using Clean Elections	111	145	156	158	148	131	107	119
% of Winning Candidates Using Clean Elections	60%	78%	84%	85%	80%	70%	58%	64%
% of Candidates Using Clean Elections Who Won	48%	47%	50%	52%	50%	54%	54%	52%
# of Candidates Using Private Funding	139	83	75	71	90	143	177	132
# of Winning Candidates Using Private Funding	75	41	30	28	38	55	79	67
% of Candidates Using Private Funding Who Won	54%	49%	40%	39%	42%	38%	45%	51%

FIGURE 14-3 Senate participation slipped slightly — from 50 candidates to 48 candidates. 93 of the 151 incoming members of the House of Representatives were elected using Clean Elections.

MCEA Participation: House and Senate	'02	'0 4 *	'06	'08	10	12	'14	16
Total # of Senate Candidates in the General Election	71	73	77	77	72	74	76	71
# of Senate Candidates Using Clean Elections	51	58	66	59	62	55	50	48
% of Senate Candidates Using Clean Elections	72%	79%	86%	77%	86%	74%	66%	68%
# of Winning Senate Candidates Using Clean Elections	27	29	29	28	30	5	24	26
% of Winning Senate Candidates Using Clean Elections	77%	83%	83%	80%	86%	14%	69%	74%
Total # of House Candidates in the General Election	298	318	312	297	313	311	300	288
# of House Candidates Using Clean Elections	179	250	248	244	233	187	149	179
% of House Candidates Using Clean Elections	60%	79%	79%	82%	74%	60%	50%	62%
# of Winning House Candidates Using Clean Elections	84	116	127	130	118	128	83	93
% of Winning House Candidates Using Clean Elections	56%	77%	84%	86%	78%	85%	55%	62%

FIGURE 14-4 Overall Republican participation increased strongly from the historical low of 2014 from 47 candidates in 2014 to 79 candidates in 2016. And 77 of the 94 Democratic legislators were elected using Clean Elections.

MCEA Participation: By Party	'02	'04	'06	'08	'10	12	14	16
Total # of Republican Candidates	168	182	180	167	181	182	175	168
# of Winning Republican Candidates	84	90	77	69	98	73	89	90
# of Republican Candidates Using Clean Elections	91	130	131	119	132	84	47	79
% of Republican Candidates Using Clean Elections	54%	71%	72%	71%	73%	46%	27%	47%
# of Winning Republican Candidates Using Clean Elections	35	60	58	51	71	35	29	40
% of Republican Candidates Using Clean Elections Who Won	38%	46%	44%	43%	53%	42%	62%	51%
% of Winning Republican Candidates Using Clean Elections	42%	67%	75%	74%	72%	48%	33%	44%
Total # of Democratic Candidates	173	180	185	186	178	176	172	177
# of Winning Democratic Candidates	98	94	107	116	86	88	93	94
# of Democratic Candidates Using Clean Elections	122	155	171	169	156	146	133	141
% of Democratic Candidates Using Clean Elections	71%	86%	92%	91%	88%	83%	77%	80%
# of Winning Democratic Candidates Using Clean Elections	72	83	99	106	75	68	76	77
% of Democratic Candidates Using Clean Elections Who Won	60%	54%	58%	63%	48%	47%	57%	55%
% of Winning Democratic Candidates Using Clean Elections	73%	88%	93%	91%	87%	77%	82%	82%
Total # of Green Party Candidates	11	20	11	9	12	7	13	1





MCEA Participation: By Party	'02	'04	'06	'08	'10	12	14	16
# of Green Party Candidates Using Clean Elections	8	16	7	7	4	4	11	0
% of Green Party Candidates Using Clean Elections	73%	80%	64%	78%	33%	57%	85%	0%
# of Winning Green Party Candidates Using Clean Elections	1	1	0	0	0	0	0	0
Total # of Unenrolled Candidates	n/a	9	13	12	14	20	16	13
# of Unenrolled Candidates Using Clean Elections	n/a	7	5	8	3	8	8	7
% of Unenrolled Candidates Using Clean Elections	n/a	77%	38%	67%	21%	40%	50%	54%
# of Winning Unenrolled Candidates Using Clean Elections	n/a	1	2	1	2	17	2	2

FIGURE 14-5
Republican House candidate participation nearly doubled, from 32 to 60. But it still remains short of the high of 109 candidates (2012).

Further Breakdown by Party: Republicans	'02	'04	'06	'08	10	12	14	'16
Total # of Republican Senate Candidates	35	34	35	36	35	34	34	33
# of Republican Senate Candidates Using Clean Elections	25	27	30	27	33	23	15	19
% of Republican Senate Candidates Using Clean Elections	71%	79%	86%	75%	94%	68%	44%	58%
# of Winning Republican Senate Candidates	17	17	17	15	20	15	21	18
# of Winning Republican Senate Candidates Using Clean Elections	13	14	14	12	18	12	11	12
% of Winning Republican Senate Candidates Using Clean Elections	77%	82%	82%	80%	90%	80%	52%	67%
Total # of Republican House Candidates	133	148	145	131	146	131	141	135
# of Republican House Candidates Using Clean Elections	66	103	101	92	99	109	32	60
% of Republican House Candidates Using Clean Elections	50%	70%	69%	70%	68%	83%	23%	44%
# of Winning Republican House Candidates	67	73	60	54	78	54	68	72
# of Winning Republican House Candidates Using Clean Elections	22	46	41	39	53	50	18	28
% of Winning Republican House Candidates Using Clean Elections	33%	63%	68%	72%	68%	93%	26%	39%

Democratic participation has been consistently high over the last seven election cycles, ranging between 77% and 93%.

Further Breakdown by Party: Democrats	'02	'04	'06	'08	10	12	'14	'16
Total # of Democratic Senate Candidates	31	34	35	36	33	33	35	34
# of Democratic Senate Candidates Using Clean Elections	24	28	32	29	27	18	28	26
% of Democratic Senate Candidates Using Clean Elections	78%	82%	91%	81%	82%	55%	80%	76%
# of Winning Democratic Senate Candidates	18	18	18	20	14	9	14	17
# of Winning Democratic Senate Candidates Using Clean Elections	14	15	15	16	11	5	13	14
% of Winning Democratic Senate Candidates Using Clean Elections	78%	83%	83%	80%	79%	56%	93%	82%
Total # of Democratic House Candidates	142	146	150	150	145	137	137	143
# of Democratic House Candidates Using Clean Elections	98	127	139	140	129	105	105	115
% of Democratic House Candidates Using Clean Elections	69%	87%	93%	93%	89%	77%	77%	80%
# of Winning Democratic House Candidates	80	76	89	96	72	79	79	77
# of Winning Democratic House Candidates Using Clean Elections	58	68	84	90	64	63	63	63
% of Winning Democratic House Candidates Using Clean Elections	73%	89%	94%	94%	89%	80%	80%	82%

MCEA Data: Privately Funded Candidates v. Clean Elections Candidates

The following tables analyze races where one or more Clean Election candidates ran against one or more privately funded candidates. The results suggest that there may not be a measurable advantage to either approach. No doubt, many others factors contribute to the outcome in any race.

FIGURE 14-7
Overview: Privately Funded Candidates v. Clean Elections
Candidates: 2016 Senate and House.

Privately Funded Candidates v. Clean Elections Candidates: 2016 Senate and House	Senate	House
Number of Privately Funded Candidate v. Clean Election Candidate Races	15	67
Number of Privately Funded Candidates Defeating Clean Election Opponents	5	35
Percent of Privately Funded Candidates Defeating Clean Election Opponents	33%	52%
Number of Clean Election Candidates Defeating Privately Funded Opponents	10	32
Percent of Clean Election Candidates Defeating Privately Funded Opponents	67%	48%





FIGURE 14-8
29 incumbents using Clean Elections defeated privately funded challengers, equaling the record in that category.

Candidates Using Clean Elections v. Privately Funded Candidates: Summary Data	'04	'06	'08	10	12	'14	'16
# of Races with Privately Funded Candidates v. Publicly Funded Candidates	54	65	57	61	90	101	82
# of Candidates in Races With Privately Funded Candidates v. Publicly Funded Candidates	120	144	121	138	194	206	168
# of Publicly Funded Candidates in Races With Privately Funded Candidates v. Publicly Funded Candidates	65	75	64	71	99	104	84
# of Publicly Funded Candidates Who Defeated Privately Funded Opponents	28	38	37	34	59	57	42
# of Privately Funded Candidates Who Defeated Publicly Funded Candidates	26	27	20	27	31	44	40
# of Open Seat Races With Privately Funded Candidates v. Publicly Funded Candidates	17	19	11	16	37	70	14
# of Publicly Funded Candidates in Open Seats Races Who Defeated Privately Funded Opponents	8	11	9	9	23	17	11
# of Races with Incumbents With Privately Funded Candidates v. Publicly Funded Candidates	38	47	46	45	57	68	32
# of Races with Incumbents Where MCEA Funded Incumbent Defeated Privately Funded Opponent	17	23	28	23	29	17	29
# of Races with Incumbents Where MCEA Funded Challenger Defeated Privately Funded Incumbent	3	4	2	2	7	3	3

FIGURE 14-9
8 Senate incumbents using Clean Elections won re-election against privately funded opposition.

Candidates Using Clean Elections v. Privately Funded Candidates: Senate	'04	'06	'08	10	12	14	16
# of Senate Races with Privately Funded Candidates v. Publicly Funded Candidates	9	10	12	6	12	19	15
# of Candidates in Senate Races With Privately Funded Candidates v. Publicly Funded Candidates	22	24	27	13	26	40	31
# of Publicly Funded Candidates in Senate Races With Privately Funded Candidates v. Publicly Funded Candidates	13	13	15	8	14	22	15
# of Senate Publicly Funded Candidates Who Defeated Privately Funded Opponents	6	4	7	3	10	12	10
% of Senate Races with Privately Funded Candidates v. Publicly Funded Candidates Won by Publicly Funded Candidates	67%	40%	58%	50%	83%	63%	67%
# of Privately Funded Senate Candidates Who Defeated Publicly Funded Candidates	3	6	5	3	2	7	5
% of Senate Races with Privately Funded Candidates v. Publicly Funded Candidates Won by Privately Funded Candidate	33%	60%	42%	50%	17%	37%	33%
# of Open Seat Senate Races with Privately Funded Candidates v. Publicly Funded Candidates	6	1	3	0	6	12	3
# of Open Seat Senate Races with Privately Funded Candidates v. Publicly Funded Candidates won by Publicly Funded Candidates	3	0	2	0	5	5	1
# of Senate Races with Incumbents with Privately Funded Candidates v. Publicly Funded Candidates	3	9	9	6	6	13	13
# of Senate Races with Incumbents with Privately Funded Candidates v. Publicly Funded Candidates Won by Incumbent Publicly Funded Candidates	2	4	5	1	5	7	8
# of Senate Races with Incumbents with Privately Funded Candidates v. Publicly Funded Candidates Won by Challenger Publicly Funded Candidates	1	0	0	2	0	0	1

FIGURE 14-10 Although the number of privately funded House candidates declined from 2014, they won 52% of their matchups against Clean Election candidates.

Candidates Using Clean Elections v. Privately Funded Candidates: House	'04	'06	'08	"10	12	14	16
# of House Races with Privately Funded Candidates v. Publicly Funded Candidates	45	55	45	55	78	82	67
# of Candidates in House Races With Privately Funded Candidates v. Publicly Funded Candidates	98	121	94	126	168	166	137
# of Publicly Funded Candidates in House Races With Privately Funded Candidates v. Publicly Funded Candidates	52	62	49	63	85	82	69
# of House Publicly Funded Candidates Who Defeated Privately Funded Opponents	22	34	30	31	49	37	32
% of House Races with Privately Funded Candidates v. Publicly Funded Candidates Won by Publicly Funded Candidates	49%	62%	67%	56%	63%	45%	48%
# of Privately Funded House Candidates Who Defeated Publicly Funded Candidates	23	21	15	24	29	37	35
% of House Races with Privately Funded Candidates v. Publicly Funded Candidates Won by Privately Funded Candidate	51%	38%	33%	44%	37%	45%	52%
# of Open Seat House Races with Privately Funded Candidates v. Publicly Funded Candidates	11	18	8	16	31	58	25
# of Open Seat House Races with Privately Funded Candidates v. Publicly Funded Candidates won by Publicly Funded Candidates	5	11	7	9	18	12	10
# of House Races with Incumbents with Privately Funded Candidates v. Publicly Funded Candidates	35	37	37	39	51	55	52
# of House Races with Incumbents with Privately Funded Candidates v. Publicly Funded Candidates Won by Incumbent Publicly Funded Candidates	15	19	21	22	24	30	21
# of House Races with Incumbents with Privately Funded Candidates v. Publicly Funded Candidates Won by Challenger Publicly Funded Candidates	2	4	2	0	7	3	2



Incumbents, Challengers, and Open Seats

The following tables compare the participation rates and election outcomes of incumbents, challengers, and open seat candidates using Clean Elections.

FIGURE 14-11 The number of incumbents seeking reelection — 147 — was higher than in any recent election. 85% won reelection.

Incumbents	'02	'04	'06	'08	'10	'12	'14	16
Total # of Incumbent Candidates	122	126	140	135	139	121	126	147
# of Incumbent Candidates Using Clean Elections	62	96	115	108	112	77	82	93
% of Incumbent Candidates Using Clean Elections	51%	76%	82%	80%	81%	64%	65%	63%
# of Incumbents who Won Election	107	108	127	125	119	104	98	125
% of Incumbents who Won Election	88%	86%	91%	93%	86%	86%	78%	85%
# of Clean Elections Incumbents Who Won Election	57	82	106	100	94	66	66	82
% of Clean Elections Incumbents Who Won Election	92%	85%	92%	93%	84%	86%	80%	88%
# of Incumbent Senate Candidates	27	22	28	27	25	22	25	26
# of Incumbent Senate Candidates Using Clean Elections	21	19	23	21	19	20	19	18
% of Incumbent Senate Candidates Using Clean Elections	78%	86%	82%	78%	76%	91%	76%	69%
# of Senate Incumbents Who Won Election		16	27	25	21	18	20	24
# of Senate Clean Elections Incumbents Who Won Election		15	22	19	16	16	14	16
# of Incumbent House Candidates	95	104	112	108	114	99	101	121
# of Incumbent House Candidates Using Clean Elections	41	77	92	87	93	57	63	75
% of Incumbent House Candidates Using Clean Elections	43%	74%	82%	81%	82%	58%	62%	62%
# of House Incumbents Who Won Election		92	100	100	98	86	84	109
# of House Clean Elections Incumbents Who Won Election		67	84	81	78	50	52	66

FIGURE 14-12 The percentage of House challenges using Clean Elections -64% — was the same as the overall participation rate for all legislative candidates.

Challengers	'02	'04	'06	'08	'10	12	14	16
Total # of Challengers	125	133	152	134	143	122	122	137
# of Challengers Using Clean Elections	83	105	122	102	99	74	52	86
% of Challengers Using Clean Elections	66%	79%	80%	76%	69%	61%	43%	63%
# of Challengers Who Won Election	23	15	13	10	20	18	20	18
% Challengers Who Won Election	18%	11%	9%	7%	14%	15%	16%	13%
# of Challengers Using Clean Elections Who Won Election	14	13	12	10	14	16	9	11
% of Challengers Using Clean Elections Who Won Election	17%	12%	10%	10%	14%	22%	17%	13%
# of Challengers in Senate	24	22	35	33	26	24	30	27
# of Challengers In Senate Using Clean Elections	17	18	29	24	22	16	19	16
% of Challengers In Senate Using Clean Elections	71%	82%	83%	73%	85%	67%	63%	59%
# of Challengers in House	101	111	117	101	117	122	92	110
# of Challengers In House Using Clean Elections	66	87	93	78	77	74	33	70
% of Challengers In House Using Clean Elections	65%	78%	79%	77%	66%	61%	36%	64%

FIGURE 14-13 52% of open seat candidates who used Clean Elections won their races, whereas only 30% of open seat candidates who used private funding won theirs.

Open Seats	'02	'04	'06	'08	10	'12	14	'16
Total # of Open Seats	56	62	46	51	47	65	60	39
Total # of Open Seat Candidates	122	132	97	105	103	135	128	75
# of Open Seat Candidates Using Clean Elections	85	107	76	93	84	91	65	48
% of Open Seat Candidates Using Clean Elections	70%	81%	78%	89%	82%	67%	51%	64%
# of Open Seat Candidates Using Clean Elections Who Won Election	40	50	38	48	40	49	32	25
% of Open Seat Candidates Using Clean Elections Who Won Election	47%	47%	50%	52%	48%	54%	49%	52%
# of Open Seat Candidates Using Private Funding	37	25	21	12	19	44	63	27
# of Open Seat Candidates Using Private Funding Who Won Election	16	13	8	3	7	15	30	8
% of Open Seat Candidates Using Private Funding Who Won Election	43%	52%	38%	25%	37%	34%	48%	30%
% of Open Seats Won By Candidates Using Clean Elections	71%	81%	83%	94%	85%	75%	53%	64%
# of Open Seat Candidates in Senate	20	29	14	17	21	27	21	18
# of Open Seat Candidates in Senate Using Clean Elections	13	21	13	14	21	19	12	14
% of Open Seat Candidates in Senate Using Clean Elections	65%	72%	93%	82%	100%	70%	57%	78%
# of Open Seat Candidates in House	102	103	83	88	82	91	107	57
# of Open Seat Candidates in House Using Clean Elections	72	86	63	79	63	72	53	34
% of Open Seat Candidates in House Using Clean Elections	70%	83%	76%	90%	77%	79%	50%	60%



Clean Elections Funding and Candidate Gender

The following table shows legislative candidate participation by gender. Female candidates were somewhat more likely to use Clean Elections. 67% of women and 63% of men who won their elections used Clean Elections.

FIGURE 14-14
Women and Men / Clean Elections Funding.

Open Seats	'02	'04	'06	'08	10	12	14	16
Total # of Women Legislative Candidates	98	101	120	113	111	105	111	110
# of Women Legislative Candidates Using Clean Elections	68	87	100	99	89	77	73	76
% of All Candidates Who Are Women	27%	26%	31%	30%	29%	27%	29%	31%
% of Women Candidates Using Clean Elections	70%	86%	83%	88%	80%	73%	66%	69%
# of Winning Women Candidates	50	45	57	55	52	54	54	63
% of Women Candidates Who Won Election	51%	45%	48%	49%	47%	51%	49%	57%
# of Women Candidates Using Clean	36	38	49	49	42	44	37	42
% of Women Using Clean Elections Who Won Election	53%	44%	49%	49%	47%	57%	51%	55%
% of all Women Elected Using Clean Elections	72%	84%	86%	89%	81%	81%	69%	67%
Total # of Men Legislative Candidates	271	290	269	261	274	280	265	249
# of Men Legislative Candidates Using Clean Elections	162	221	214	204	206	165	126	151
% of All Candidates Who Are Men	74%	74%	69%	70%	71%	73%	69%	69%
% of Men Candidates Using Clean Elections	60%	76%	79%	78%	75%	59%	48%	61%
# of Winning Men Candidates	136	141	129	131	134	132	132	123
% of Men Candidates Who Won Election	50%	49%	48%	50%	49%	47%	50%	49%
# of Men Candidates Using Clean Elections Who Won Election	61	107	107	109	106	87	70	77
% of Men Using Clean Elections Who Won Election	38%	48%	50%	53%	51%	53%	56%	51%
% of all Men Elected Using Clean Elections	55%	76%	83%	83%	79%	66%	53%	63%

Conclusion

The Maine Clean Election Act is entering a new, more robust period. The decline in participation triggered by the loss of matching funds in 2011 has ended, and significantly more candidates are qualifying for the reinvigorated program.

But participation rates have not yet reached their previous high point, especially among Republicans running for the House of Representatives.

MCCE will continue to analyze 2016 campaign finance reports, candidate survey information, and reports of other expenditures in our ongoing effort to educate the public on the vital role of the Clean Elections law and other issues critical to our democracy.

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