



**Testimony to the
Legal & Veterans Affairs Committee,
Maine State Legislature
on LD 659**

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Chairwoman Farnham, Chairman Beaulieu, Ranking Member Carey, members of the Committee, thank you for having me here to testify today on LD 659, a bill to repeal Maine's "clean elections" program. I'm Sean Parnell, president of the Center for Competitive Politics, a nonprofit, nonpartisan organization that works to promote and protect the First Amendment political rights of speech, assembly, and petition.

The Center has conducted original research and analysis on the issue of government financed political campaigns, and reviewed independent academic and government studies as well. The overwhelming majority of research on this topic generally finds that these programs provide negligible benefits to the public, and have failed to achieve promised results.

I would like to briefly summarize a few key findings of this research.

While government-financed political campaigns are often touted as a way to reduce the influence of organized interest groups, there is little reason to believe this is the case. Research by the Center on New Jersey's 2007 pilot project found that approximately half of all \$10 qualifying contributions collected by candidates came from the members of a handful of major interest groups, such as unions, the National Rifle Association, pro-life and pro-choice groups, and the Sierra Club.¹

In Arizona, the practice of interest groups soliciting the necessary qualifying contributions on behalf of favored candidates is so common and widespread that a news report noted "...special interest groups routinely collect the necessary number of \$5 contributions to help candidates qualify for public funding."²

And here in Maine unsuccessful gubernatorial candidate John Richardson, a former Speaker of the House, enlisted unions endorsing his campaign to supply manpower for his effort to qualify for funding.³ This was reported in the media with little fanfare, again suggesting that this practice is common and unremarkable.

Another failure of "clean elections" programs is that they do not in any noticeable way change the way elected officials make decisions on which legislation and programs to support or oppose. According to supporters of "clean elections" programs, replacing private contributions with government funds eliminates the allegedly corrupting influence of campaign contributions.

¹ Sean Parnell, Laura Renz, Sarah Falkenstein, *Special Interests, Partisan Pouts, and the Usual Suspects: A Study of Donors to New Jersey's "Clean Elections" Candidates in 2007*, p. 4, Center for Competitive Politics, February 2009

² Christian Palmer, "Clean Elections Institute loses national money stream, seeks donations," *Arizona Capitol Times*, December 29, 2008

³ Sasha Issenberg, "Maine blazes a trail in funding," *Boston Globe*, March 29, 2009. Available at: http://www.boston.com/news/local/maine/articles/2010/03/29/maine_blazes_path_in_funding/?page=1

But there is very little evidence that campaign contributions hold any influence with elected officials. For example, a group of academics at MIT examined 40 peer-reviewed studies on this topic and determined that “the large majority of studies find no significant effects of hard money contributions on public policy.”⁴ An earlier study had found that “legislators votes depend almost entirely on their own beliefs and the preferences of their voters and their party” and concluded “contributions have no detectable effects on legislative behavior.”⁵

Two studies of legislative voting patterns in “clean elections” states confirms that changing the source of campaign funds for legislators does not change voting patterns. A review of votes cast in the Arizona state legislature concluded that legislators who participated in the “clean elections” program “voted no differently from legislators who accepted private contributions.”⁶

And the preliminary results of my own research into voting patterns in Connecticut found that their program has not changed the frequency with which state legislators voted in favor of the positions of organized interest groups.⁷ In many cases, the number of times that legislators voted in favor of the interest groups’ studied actually rose.⁸

Among other significant shortcomings of the “clean elections” program are:

- The number of women and people from non-traditional backgrounds elected to the legislature has not increased as a result of “clean elections”⁹
- Taxpayers have not realized any savings as a result of “clean elections” programs¹⁰
- The number of candidates running for election has not appreciably increased since Maine’s “clean elections” program began¹¹
- Public confidence in state government has not increased as a result of the “clean elections” program¹²

⁴ Stephen Ansolobehere, James Snyder Jr., and Michiko Ueda, *Did Firms Profit from Soft Money?*, 3 Election Law Journal 193 (2004)

⁵ Stephen Ansolobehere, John de Figueiredo, James Snyder Jr., *Why Is There So Little Money in U.S. Politics*, 17 Journal of Economic Perspectives 105 (2003)

⁶ Robert Franciosi, “Is Cleanliness Political Goodliness?” p. 2, The Goldwater Institute, November 2001. Available at: <http://www.goldwaterinstitute.org/article/899>

⁷ Sean Parnell, “Meet the New Legislature, Same as the Old Legislature,” p. 9, March 2, 2010, Center for Competitive Politics. Available at: <http://www.campaignfreedom.org/research/detail/meet-the-new-legislature-same-as-the-old-legislature>

⁸ *Ibid.*

⁹ Laura Renz, Issue Analysis #2, *Legislator Occupations: Change or Status Quo after Clean Elections*, April 2008, Center for Competitive Politics, and Laura Renz, Issue Analysis #3 *Do “Clean Elections” Laws Increase Women in State Legislatures*, August 2008, Center for Competitive Politics

¹⁰ Sean Parnell, Issue Analysis #4, *Do Taxpayer-Funded Campaigns Actually Save Taxpayer Dollars?*, September 2008, Center for Competitive Politics

¹¹ *Experience of Two States That Offered Full Public Funding for Political Candidates*, p. 41, General Accounting Office, May 2010. Available at: <http://www.gao.gov/new.items/d10390.pdf>

¹² *Ibid* at p. 75

In order to overcome the fact that research and analysis of Maine's "clean elections" program generally shows negligible benefits, advocates often resort to anecdotal stories claiming that were it not for this program, some particularly important or popular bill would not have passed because legislators, beholden to their campaign contributors, would have prevented the bill from advancing.

One example of this is the testimony of Hannah Pingree, former Speaker of the Maine House of Representatives, to a Congressional committee in July 2009 considering tax financing of Congressional campaigns. In her testimony, Speaker Pingree claimed that a bill regulating chemicals was able to pass with bipartisan support because the state's "clean elections" program meant legislators could ignore a "fierce lobbying effort" by the chemical and consumer products industries.¹³

But a closer look at this bill, LD-2048, tells a much different tale.¹⁴ In 2008, when the bill was voted on, six of 35 Maine State Senators had been elected relying on private contributions, three Republicans and three Democrats. All six voted for LD-2048, which passed unanimously.

In the House, 23 state legislators ran their campaigns on private contributions, 18 Republicans and five Democrats. All five Democrats voted for LD-2048, as did 14 of 18 Republicans who had not participated in the "clean elections" program. LD-2048 passed with 129 votes for and nine votes against, with five of the nine 'no' votes coming from Republicans who had participated in the "clean elections" program.

So, of the 29 Senators and Representatives supposedly inclined to favor donor interests over the public interest, 25 voted the way Speaker Pingree presumably feels is the "right," non-corrupt way. Plus, the bill was signed into law by Governor John Baldacci, who also rejected "clean elections" funding for both of his gubernatorial campaigns.

Clearly, whatever impulses and motivations were behind decisions to vote 'yes' or 'no' on LD-2048, the role of campaign contributions and whether or not a legislator had been elected as a "clean" candidate played little if any role.

Since "clean elections" first went into effect in the 2000 election cycle, the state of Maine has funneled over \$23 million into the campaigns of candidates for the state legislature and

¹³ Testimony of Speaker Hannah Pingree to the Committee on House Administration of the U.S. House of Representatives, July 30, 2009, on H.R. 1826, the 'Fair Elections Now Act.' Available at: http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=111_house_hearings&docid=f:52711.wais

¹⁴ Voting and candidates funding information found online at the web sites of the Maine State Legislature and the Maine Commission on Governmental Ethics and Campaign Practices

Governor's office.¹⁵ After six election cycles, it is time to ask if Maine has gotten its money's worth.

At best, "clean elections" may have spurred a relatively small number of candidates to run for office who might otherwise have chosen not to run, provided a few largely uncompetitive challengers in districts that overwhelmingly favor one party or the other, and freed up fairly modest amounts of time for candidates to engage in other campaign activities, or go golfing for that matter.

More realistically, "clean elections" has squandered tens of millions of taxpayer dollars while failing to deliver anything in the way of dramatic or even noticeable "reforms" that might benefit Maine's citizens and help elected officials to pursue public policies that benefit the public. LD 659 represents an opportunity to put an end to this failed program, and direct these funds to Maine's more pressing needs.

Thank you again for allowing me to testify, and I look forward to answering any questions and continuing to work with you on this matter.

¹⁵ 2000 – 2008 data from "Maine Clean Election Act: Overview of Participation Rates and Payments 2000 – 2008," Maine Commission on Governmental Ethics and Election Practices, January 14, 2009, available at: http://www.maine.gov/ethics/pdf/publications/2008_mcea_overview.pdf. 2010 data from: Rebekah Metzler, "Cuts Likely Sought for Campaign Funding," Portland Press-Herald, November 21, 2010, available at: http://www.pressherald.com/news/cuts-likely-sought-for-campaign-funding_2010-11-21.html