



TO: The Honorable Cathy Breen  
The Honorable Teresa Pierce, Co-Chairs  
Members of the Joint Standing Committee on Appropriations and Financial Affairs

The Honorable Craig Hickman  
The Honorable Chris Caiazzo, Co-Chairs  
Members of the Joint Standing Committee on Veterans and Legal Affairs

DATE: March 7, 2022

RE: L.D. 1995, supplemental budget bill – Commission on Ethics and Election Practices

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Senator Breen, Representative Pierce, Senator Hickman, Representative Caiazzo and members of the committees:

My name is Robert Howe. I'm a resident of Brunswick. I am testifying on behalf of Maine Citizens for Clean Elections with respect to the portion of LD 1995 concerning the Maine Commission on Governmental Ethics and Election Practices.

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 candidates and the general public.

Over the years we have observed the long-standing practice of relying on the Maine Clean Elections Fund to subsidize operations of the Commission on Governmental Ethics and Election Practices that are unrelated to the Clean Elections program. MCCE urges that you include in the supplemental budget bill a remedy for this practice.

The Maine Clean Election Fund was established to finance the campaigns of candidates participating in the Maine Clean Election Act program and to pay administrative and enforcement costs of the Commission related to the program (see 21-A MRSA, §1124 sub§1). Under the current cost allocation practice, the Maine Clean Election Fund is subsidizing the general operations of the Commission, including administering all campaign finance laws and

the lobbyist disclosure law, conducting ethics seminars, and investigating campaign finance and ethics violations. This is contrary to the purpose for which the Fund was established.

The proposed reallocation is approximately \$279,000 and corrects this misallocation. It would charge the General Fund and the Commission's Other Special Revenue Funds for an appropriate portion of the agency's overhead costs, such as technology, communications, services from the Department of Administrative and Financial Services, and office rent.

This situation has developed over a period of several years due to a combination of insufficient General Fund appropriations to the Commission and the diversion of 'surplus' funds from the Maine Clean Election Fund to the General Fund, only some of which have been returned to the Clean Election Fund.

We ask that you end the practice of using the Clean Election Fund to subsidize other responsibilities of the Commission on Governmental Ethics and Election Practices. These important and valid functions, performed in the public interest, deserve to be funded on their own merit.

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