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March 6, 2024

Senator Craig Hickman, Senate Chair
Representative Laura Supica, House Chair
Committee on Veterans & Legal Affairs
Maine State Legislature

RE: IB 5, LD 2232 (An Act to Limit Contributions to Political Action Committees That Make Independent Expenditures)

Dear Senator Hickman and Representative Supica:

I am the founder and President of EqualCitizens.US, and the Roy L. Furman Professor of Law and Leadership at Harvard Law School. I am grateful for the opportunity to testify in support of LD 2232, an initiative to limit contributions to political action committees that make independent expenditures in Maine.

It was almost exactly a decade ago — March 9, 2014 — when I was first invited to Maine by the Maine Citizens for Clean Elections to speak about the corrupting influence of money in American politics. Since then I have returned many times to continue that conversation, and work with many across this state to address a problem that affects Maine and the nation both. When I was here last summer at a dinner organized by Leadership Now, I described an initiative I had worked on in Massachusetts with FreeSpeechForPeople to allow states to limit contributions to independent political action committees — what at the federal level, we call “SuperPACs.” At that dinner, we discussed bringing the same initiative in Maine.


Immediately after that conversation, I commissioned a poll in Maine to measure the support among voters for an initiative limiting contributions to independent political action committees. (The poll is attached.) Unsurprisingly, we found overwhelming support among all Mainers — Republicans, Democrats and Independents — for the idea. 78% support or strongly support limiting contributions to independent political action committees; just 16% oppose or strongly oppose the same.

Once we determined that Mainers strongly supported the idea of the initiative, EqualCitizens.US decided to take the lead to raise the funds necessary to collect signatures to get the initiative on the ballot. We achieved that objective late last year, gathering 77,663 signatures over the course of a couple weeks. I personally had the honor on Election Day to stand for 12 hours at the polling place in Hollis, Maine, gathering signatures from voters of every persuasion. Perhaps the highlight of that day was when the local Republican official gathering signatures for President Trump signed our petition, and then directed people signing his to look at ours and support it as well.

We were honored to raise the funds necessary to give Mainers the chance to vote on this initiative. I was particularly grateful to raise funds from the very people whose power in our political system will be reduced — when this initiative passes and the Supreme Court upholds it. And I will be eager to help defend the initiative legally when it is inevitably challenged by people who believe James Madison's First Amendment gives them the right to make the representatives in our representative democracy — our Republic, as they put it — dependent upon them.

But as I have indicated, we also believe that the work to pass this initiative in Maine is work for Mainers. Though I am eager to help however I can, I strongly believe that the choice whether to pass this initiative or not, either in this legislature or on the ballot next November, is a choice that Mainers should make, with the persuasion and support of other Mainers. I am confident that Maine Citizens to End Super-PACs, chaired by Cara McCormick, will help inspire the support the initiative will need to pass in November. And when they succeed in that, I will be eager to join in the celebration of yet another democracy innovation — along with clean elections, and ranked choice voting — that Maine takes the lead on. I am confident of at least this: As goes Maine, so goes the Supreme Court, and democracy in America.

Respectfully submitted,


Lawrence Lessig

Maine Survey Results

- Q1** This November there will be an initiative on the ballot in Maine that would prohibit a foreign government-influenced entity from making, directly or indirectly, a contribution, expenditure, independent expenditure, electioneering communication or any other donation or disbursement of funds to influence the nomination or election of a candidate or the initiation or approval of a referendum. If the election were held today, would you vote Yes or No on this initiative?

Would vote Yes, to prohibit foreign government-influenced entities from making contributions to influence an election 74%

Would vote No 14%

Not sure 12%

- Q2** Would you say you strongly support, somewhat support, somewhat oppose, or strongly oppose this initiative to prohibit foreign government-influenced entities from making contributions to influence an election?

Strongly support 68%

Somewhat support 11%

Somewhat oppose 5%

Strongly oppose 7%

Not sure 9%

- Q3** Over the past decade, spending in political campaigns by independent expenditure committees — sometimes called “SuperPACs” — has skyrocketed. Billions are spent each election cycle. Under existing law, those SuperPACs can receive contributions of unlimited amounts — often in the millions. That money is then used to support or oppose political candidates. And while these committees cannot coordinate with the campaign they are supporting, candidates are aware of who is donating to the SuperPACs that support them. Do you strongly support, somewhat support, somewhat oppose, or strongly oppose establishing limits on the size of contributions to SuperPACs?

Strongly support 72%

Somewhat support 6%

Somewhat oppose 6%

Strongly oppose 10%

Not sure 6%

- Q4** Who do you believe politicians are more responsive to: large SuperPAC donors that support them, or their constituents?

Believe politicians are more responsive to large SuperPAC donors that support them 81%

Believe politicians are more responsive to their constituents 7%

Not sure 12%

- Q5** I’m going to give you a few statements, and after each one, ask you whether you strongly agree, somewhat agree, somewhat disagree, or strongly disagree with that statement. Here’s the first one: SuperPACs lead politicians to be dependent on big-money donors.

Strongly agree 72%

Somewhat agree 17%

Somewhat disagree 2%

Strongly disagree 3%

Not sure 5%

Q6 Here's the next one: SuperPACs corrupt our democracy.

Strongly agree 72%
Somewhat agree 17%
Somewhat disagree 4%
Strongly disagree 2%
Not sure 5%

Q7 Here's the last one: Special interest groups on both the right and left use big money to buy influence in our politics.

Strongly agree 84%
Somewhat agree 8%
Somewhat disagree 1%
Strongly disagree 2%
Not sure 6%

Q8 In the 2020 election for President, did you vote for Republican Donald Trump, Democrat Joe Biden, someone else, or did you not vote in the election?

Donald Trump 42%
Joe Biden 51%
Someone else / Did not vote 7%

Q9 If you are a woman, press 1. If a man, press 2. If you are gender non-binary, press 3.

Woman 52%
Man 46%
Non-binary 2%

Q10 If you are a Democrat, press 1. If a Republican, press 2. If an independent, press 3.

Democrat 38%
Republican 31%
Independent 31%

Q11 If you are white, press 1. If other, press 2.

White 96%
Other 4%

Q12 If you are 18-45 years old, press 1. If 46-65, press 2. If older than 65, press 3.

18 to 45 31%
46 to 65 40%
Older than 65 29%

Q13 What is the highest level of education you have received: high school graduate or less, some college but did not finish, 2-year college degree, 4-year college degree, or post-graduate degree?

High school graduate or less 27%
Some college but did not finish 19%
2-year college degree 13%
4-year college degree 25%
Post-graduate degree 16%

Q14 Mode

Landline 50%
Text 50%

	Base	2020 Vote		
		Donald Trump	Joe Biden	Someone else / Did not vote
Ballot Initiative Would Vote Yes / No				
Would vote Yes, to prohibit foreign government-influenced entities from making contributions to influence an election	74%	72%	79%	50%
Would vote No	14%	16%	12%	14%
Not sure	12%	12%	9%	36%

	Base	2020 Vote		
		Donald Trump	Joe Biden	Someone else / Did not vote
Initiative to Prohibit Foreign Entities From Contributing to Influence Elections Support / Oppose				
Strongly support	68%	70%	71%	38%
Somewhat support	11%	9%	13%	5%
Somewhat oppose	5%	3%	5%	18%
Strongly oppose	7%	9%	5%	5%
Not sure	9%	10%	5%	34%

	Base	2020 Vote		
		Donald Trump	Joe Biden	Someone else / Did not vote
Establishing Limits on Size of Contributions to SuperPACs Support / Oppose				
Strongly support	72%	63%	81%	56%
Somewhat support	6%	9%	4%	5%
Somewhat oppose	6%	8%	4%	6%
Strongly oppose	10%	13%	9%	1%
Not sure	6%	7%	2%	33%

	Base	2020 Vote		
		Donald Trump	Joe Biden	Someone else / Did not vote
Believe Politicians Are More Responsive to SuperPAC Donors / Constituents				
Believe politicians are more responsive to large SuperPAC donors that support them	81%	83%	82%	61%
Believe politicians are more responsive to their constituents	7%	7%	7%	10%
Not sure	12%	10%	12%	29%

	Base	2020 Vote		
		Donald Trump	Joe Biden	Someone else / Did not vote
SuperPACs Lead Politicians to be Dependent on Big-Money Donors Agree / Disagree				
Strongly agree	72%	74%	75%	42%
Somewhat agree	17%	19%	18%	2%
Somewhat disagree	2%	1%	2%	9%
Strongly disagree	3%	2%	4%	6%
Not sure	5%	5%	1%	41%

	Base	2020 Vote		
		Donald Trump	Joe Biden	Someone else / Did not vote
SuperPACs Corrupt Our Democracy Agree / Disagree				
Strongly agree	72%	74%	73%	47%
Somewhat agree	17%	16%	20%	5%
Somewhat disagree	4%	5%	2%	15%
Strongly disagree	2%	2%	1%	-
Not sure	5%	3%	3%	34%

	Base	2020 Vote		
		Donald Trump	Joe Biden	Someone else / Did not vote
Special Interest Groups on Both Sides Use Big Money to Influence Politics Agree / Disagree				
Strongly agree	84%	86%	86%	51%
Somewhat agree	8%	8%	9%	3%
Somewhat disagree	1%	0%	2%	3%
Strongly disagree	2%	2%	1%	1%
Not sure	6%	4%	2%	43%

	Base	Gender		
		Woman	Man	Non-binary
Ballot Initiative Would Vote Yes / No				
Would vote Yes, to prohibit foreign government-influenced entities from making contributions to influence an election	74%	79%	69%	74%
Would vote No	14%	14%	14%	19%
Not sure	12%	7%	17%	7%

	Base	Gender		
		Woman	Man	Non-binary
Initiative to Prohibit Foreign Entities From Contributing to Influence Elections Support / Oppose				
Strongly support	68%	72%	64%	68%
Somewhat support	11%	10%	11%	18%
Somewhat oppose	5%	6%	4%	6%
Strongly oppose	7%	6%	8%	2%
Not sure	9%	6%	13%	7%

	Base	Gender		
		Woman	Man	Non-binary
Establishing Limits on Size of Contributions to SuperPACs Support / Oppose				
Strongly support	72%	75%	68%	75%
Somewhat support	6%	7%	6%	-
Somewhat oppose	6%	5%	7%	6%
Strongly oppose	10%	9%	11%	18%
Not sure	6%	5%	9%	2%

	Base	Gender		
		Woman	Man	Non-binary
Believe Politicians Are More Responsive to SuperPAC Donors / Constituents				
Believe politicians are more responsive to large SuperPAC donors that support them	81%	81%	81%	74%
Believe politicians are more responsive to their constituents	7%	6%	8%	-
Not sure	12%	13%	11%	26%

	Base	Gender		
		Woman	Man	Non-binary
SuperPACs Lead Politicians to be Dependent on Big-Money Donors Agree / Disagree				
Strongly agree	72%	76%	69%	71%
Somewhat agree	17%	17%	18%	9%
Somewhat disagree	2%	2%	2%	6%
Strongly disagree	3%	3%	3%	12%
Not sure	5%	3%	8%	2%

	Base	Gender		
		Woman	Man	Non-binary
SuperPACs Corrupt Our Democracy Agree / Disagree				
Strongly agree	72%	72%	71%	65%
Somewhat agree	17%	22%	12%	9%
Somewhat disagree	4%	2%	7%	-
Strongly disagree	2%	1%	2%	12%
Not sure	5%	3%	8%	13%

	Base	Gender		
		Woman	Man	Non-binary
Special Interest Groups on Both Sides Use Big Money to Influence Politics Agree / Disagree				
Strongly agree	84%	88%	79%	69%
Somewhat agree	8%	7%	9%	-
Somewhat disagree	1%	1%	2%	-
Strongly disagree	2%	1%	2%	18%
Not sure	6%	3%	8%	13%

	Base	Party		
		Democrat	Republican	Independent
Ballot Initiative Would Vote Yes / No				
Would vote Yes, to prohibit foreign government-influenced entities from making contributions to influence an election	74%	75%	69%	79%
Would vote No	14%	16%	18%	6%
Not sure	12%	9%	12%	14%

	Base	Party		
		Democrat	Republican	Independent
Initiative to Prohibit Foreign Entities From Contributing to Influence Elections Support / Oppose				
Strongly support	68%	72%	63%	70%
Somewhat support	11%	12%	11%	9%
Somewhat oppose	5%	7%	6%	3%
Strongly oppose	7%	3%	11%	8%
Not sure	9%	7%	10%	11%

	Base	Party		
		Democrat	Republican	Independent
Establishing Limits on Size of Contributions to SuperPACs Support / Oppose				
Strongly support	72%	78%	67%	69%
Somewhat support	6%	5%	8%	6%
Somewhat oppose	6%	5%	7%	6%
Strongly oppose	10%	7%	11%	11%
Not sure	6%	5%	7%	8%

	Base	Party		
		Democrat	Republican	Independent
Believe Politicians Are More Responsive to SuperPAC Donors / Constituents				
Believe politicians are more responsive to large SuperPAC donors that support them	81%	79%	84%	80%
Believe politicians are more responsive to their constituents	7%	7%	6%	8%
Not sure	12%	14%	10%	12%

	Base	Party		
		Democrat	Republican	Independent
SuperPACs Lead Politicians to be Dependent on Big-Money Donors Agree / Disagree				
Strongly agree	72%	76%	70%	71%
Somewhat agree	17%	16%	19%	17%
Somewhat disagree	2%	2%	1%	3%
Strongly disagree	3%	3%	2%	4%
Not sure	5%	3%	8%	5%

	Base	Party		
		Democrat	Republican	Independent
SuperPACs Corrupt Our Democracy Agree / Disagree				
Strongly agree	72%	70%	71%	74%
Somewhat agree	17%	21%	17%	13%
Somewhat disagree	4%	2%	6%	4%
Strongly disagree	2%	1%	2%	2%
Not sure	5%	5%	4%	7%

	Base	Party		
		Democrat	Republican	Independent
Special Interest Groups on Both Sides Use Big Money to Influence Politics Agree / Disagree				
Strongly agree	84%	85%	79%	86%
Somewhat agree	8%	7%	11%	7%
Somewhat disagree	1%	2%	1%	1%
Strongly disagree	2%	1%	2%	2%
Not sure	6%	6%	7%	5%

	Base	Race	
		White	Other
Ballot Initiative Would Vote Yes / No			
Would vote Yes, to prohibit foreign government-influenced entities from making contributions to influence an election	74%	75%	68%
Would vote No	14%	14%	14%
Not sure	12%	12%	18%

	Base	Race	
		White	Other
Initiative to Prohibit Foreign Entities From Contributing to Influence Elections			
Support / Oppose			
Strongly support	68%	69%	44%
Somewhat support	11%	11%	-
Somewhat oppose	5%	5%	3%
Strongly oppose	7%	7%	7%
Not sure	9%	8%	46%

	Base	Race	
		White	Other
Establishing Limits on Size of Contributions to SuperPACs			
Support / Oppose			
Strongly support	72%	73%	35%
Somewhat support	6%	7%	-
Somewhat oppose	6%	6%	8%
Strongly oppose	10%	9%	27%
Not sure	6%	5%	30%

	Base	Race	
		White	Other
Believe Politicians Are More Responsive to SuperPAC Donors / Constituents			
Believe politicians are more responsive to large SuperPAC donors that support them	81%	81%	77%
Believe politicians are more responsive to their constituents	7%	7%	7%
Not sure	12%	12%	15%

	Base	Race	
		White	Other
SuperPACs Lead Politicians to be Dependent on Big-Money Donors Agree / Disagree			
Strongly agree	72%	73%	55%
Somewhat agree	17%	18%	-
Somewhat disagree	2%	2%	6%
Strongly disagree	3%	3%	9%
Not sure	5%	4%	31%

	Base	Race	
		White	Other
SuperPACs Corrupt Our Democracy Agree / Disagree			
Strongly agree	72%	72%	56%
Somewhat agree	17%	18%	2%
Somewhat disagree	4%	4%	-
Strongly disagree	2%	1%	9%
Not sure	5%	4%	33%

	Base	Race	
		White	Other
Special Interest Groups on Both Sides Use Big Money to Influence Politics Agree / Disagree			
Strongly agree	84%	85%	58%
Somewhat agree	8%	8%	6%
Somewhat disagree	1%	1%	-
Strongly disagree	2%	1%	5%
Not sure	6%	5%	30%

	Base	Age		
		18 to 45	46 to 65	Older than 65
Ballot Initiative Would Vote Yes / No				
Would vote Yes, to prohibit foreign government-influenced entities from making contributions to influence an election	74%	68%	80%	74%
Would vote No	14%	14%	11%	18%
Not sure	12%	18%	9%	8%

	Base	Age		
		18 to 45	46 to 65	Older than 65
Initiative to Prohibit Foreign Entities From Contributing to Influence Elections Support / Oppose				
Strongly support	68%	58%	75%	72%
Somewhat support	11%	15%	10%	6%
Somewhat oppose	5%	7%	3%	5%
Strongly oppose	7%	2%	8%	11%
Not sure	9%	18%	4%	6%

	Base	Age		
		18 to 45	46 to 65	Older than 65
Establishing Limits on Size of Contributions to SuperPACs				
Support / Oppose				
Strongly support	72%	63%	78%	72%
Somewhat support	6%	5%	7%	7%
Somewhat oppose	6%	11%	4%	4%
Strongly oppose	10%	11%	6%	14%
Not sure	6%	11%	5%	4%

	Base	Age		
		18 to 45	46 to 65	Older than 65
Believe Politicians Are More Responsive to SuperPAC Donors / Constituents				
Believe politicians are more responsive to large SuperPAC donors that support them	81%	88%	82%	72%
Believe politicians are more responsive to their constituents	7%	3%	6%	13%
Not sure	12%	9%	12%	16%



	Base	Age		
		18 to 45	46 to 65	Older than 65
SuperPACs Lead Politicians to be Dependent on Big-Money Donors Agree / Disagree				
Strongly agree	72%	66%	77%	73%
Somewhat agree	17%	23%	13%	16%
Somewhat disagree	2%	-	2%	5%
Strongly disagree	3%	1%	3%	5%
Not sure	5%	10%	4%	2%

	Base	Age		
		18 to 45	46 to 65	Older than 65
SuperPACs Corrupt Our Democracy Agree / Disagree				
Strongly agree	72%	62%	79%	72%
Somewhat agree	17%	24%	14%	15%
Somewhat disagree	4%	5%	3%	5%
Strongly disagree	2%	1%	2%	3%
Not sure	5%	8%	4%	5%



	Base	Age		
		18 to 45	46 to 65	Older than 65
Special Interest Groups on Both Sides Use Big Money to Influence Politics Agree / Disagree				
Strongly agree	84%	83%	86%	80%
Somewhat agree	8%	3%	10%	11%
Somewhat disagree	1%	-	2%	2%
Strongly disagree	2%	1%	1%	3%
Not sure	6%	13%	1%	4%

	Base	Education				
		High school graduate or less	Some college but did not finish	2-year college degree	4-year college degree	Post-graduate degree
Ballot Initiative Would Vote Yes / No						
Would vote Yes, to prohibit foreign government-influenced entities from making contributions to influence an election	74%	60%	78%	76%	85%	75%
Would vote No	14%	24%	9%	18%	4%	15%
Not sure	12%	16%	12%	7%	11%	10%

	Base	Education				
		High school graduate or less	Some college but did not finish	2-year college degree	4-year college degree	Post-graduate degree
Initiative to Prohibit Foreign Entities From Contributing to Influence Elections Support / Oppose						
Strongly support	68%	63%	69%	74%	75%	62%
Somewhat support	11%	10%	9%	8%	8%	20%
Somewhat oppose	5%	9%	6%	2%	2%	7%
Strongly oppose	7%	9%	7%	9%	5%	6%
Not sure	9%	10%	10%	7%	10%	6%

	Base	Education				
		High school graduate or less	Some college but did not finish	2-year college degree	4-year college degree	Post-graduate degree
Establishing Limits on Size of Contributions to SuperPACs Support / Oppose						
Strongly support	72%	62%	70%	56%	82%	84%
Somewhat support	6%	3%	8%	11%	7%	5%
Somewhat oppose	6%	12%	3%	14%	2%	0%
Strongly oppose	10%	10%	13%	12%	5%	10%
Not sure	6%	13%	5%	7%	4%	1%

	Base	Education				
		High school graduate or less	Some college but did not finish	2-year college degree	4-year college degree	Post-graduate degree
Believe Politicians Are More Responsive to SuperPAC Donors / Constituents						
Believe politicians are more responsive to large SuperPAC donors that support them	81%	72%	86%	78%	82%	87%
Believe politicians are more responsive to their constituents	7%	9%	6%	10%	6%	4%
Not sure	12%	19%	8%	12%	12%	8%

	Base	Education				
		High school graduate or less	Some college but did not finish	2-year college degree	4-year college degree	Post-graduate degree
SuperPACs Lead Politicians to be Dependent on Big-Money Donors Agree / Disagree						
Strongly agree	72%	66%	76%	77%	77%	68%
Somewhat agree	17%	15%	13%	15%	18%	25%
Somewhat disagree	2%	4%	0%	4%	1%	1%
Strongly disagree	3%	4%	4%	0%	1%	5%
Not sure	5%	11%	6%	4%	3%	1%

	Base	Education				
		High school graduate or less	Some college but did not finish	2-year college degree	4-year college degree	Post-graduate degree
SuperPACs Corrupt Our Democracy Agree / Disagree						
Strongly agree	72%	64%	77%	75%	69%	77%
Somewhat agree	17%	13%	15%	18%	25%	14%
Somewhat disagree	4%	6%	5%	6%	3%	2%
Strongly disagree	2%	4%	-	1%	1%	2%
Not sure	5%	14%	3%	1%	2%	5%

	Base	Education				
		High school graduate or less	Some college but did not finish	2-year college degree	4-year college degree	Post-graduate degree
Special Interest Groups on Both Sides Use Big Money to Influence Politics Agree / Disagree						
Strongly agree	84%	75%	84%	87%	89%	84%
Somewhat agree	8%	9%	9%	10%	7%	5%
Somewhat disagree	1%	1%	1%	-	0%	3%
Strongly disagree	2%	4%	1%	0%	1%	2%
Not sure	6%	11%	4%	2%	3%	7%

	Base	Mode	
		Landline	Text
Ballot Initiative Would Vote Yes / No			
Would vote Yes, to prohibit foreign government-influenced entities from making contributions to influence an election	74%	75%	74%
Would vote No	14%	17%	10%
Not sure	12%	8%	16%

	Base	Mode	
		Landline	Text
Initiative to Prohibit Foreign Entities From Contributing to Influence Elections Support / Oppose			
Strongly support	68%	77%	59%
Somewhat support	11%	8%	14%
Somewhat oppose	5%	6%	4%
Strongly oppose	7%	4%	10%
Not sure	9%	5%	13%

	Base	Mode	
		Landline	Text
Establishing Limits on Size of Contributions to SuperPACs Support / Oppose			
Strongly support	72%	73%	70%
Somewhat support	6%	7%	6%
Somewhat oppose	6%	8%	4%
Strongly oppose	10%	8%	11%
Not sure	6%	4%	9%

	Base	Mode	
		Landline	Text
Believe Politicians Are More Responsive to SuperPAC Donors / Constituents			
Believe politicians are more responsive to large SuperPAC donors that support them	81%	77%	84%
Believe politicians are more responsive to their constituents	7%	8%	6%
Not sure	12%	14%	10%

	Base	Mode	
		Landline	Text
SuperPACs Lead Politicians to be Dependent on Big-Money Donors Agree / Disagree			
Strongly agree	72%	77%	69%
Somewhat agree	17%	13%	20%
Somewhat disagree	2%	3%	1%
Strongly disagree	3%	3%	3%
Not sure	5%	3%	7%

	Base	Mode	
		Landline	Text
SuperPACs Corrupt Our Democracy Agree / Disagree			
Strongly agree	72%	72%	71%
Somewhat agree	17%	17%	17%
Somewhat disagree	4%	4%	4%
Strongly disagree	2%	2%	1%
Not sure	5%	5%	6%

	Base	Mode	
		Landline	Text
Special Interest Groups on Both Sides Use Big Money to Influence Politics Agree / Disagree			
Strongly agree	84%	84%	84%
Somewhat agree	8%	11%	5%
Somewhat disagree	1%	1%	1%
Strongly disagree	2%	2%	1%
Not sure	6%	3%	8%

Lawrence Lessig
EqualCitizens.US
LD 332

This testimony could not be printed to be distributed yesterday at the hearing. I am happy to send physical copies if that would be more convenient.