



Testimony in Opposition to LD 951:

“An Act to Require Disclosure of Campaign Funding Sources”

Senator Hickman, Representative Supica, and distinguished members of the Committee on Veterans and Legal Affairs, my name is Harris Van Pate, and I serve as policy analyst for Maine Policy Institute. Maine Policy is a free market think tank, a nonpartisan, non-profit organization that advocates for individual liberty and economic freedom in Maine. Thank you for the opportunity to provide testimony today in strong opposition to LD 951.

Introduction

LD 951 proposes a series of mandates that would infringe upon fundamental speech and privacy rights, imposing excessive burdens on contributors to political campaigns. While transparency in government is a worthy goal, the provisions of this bill represent a clear overreach, violating the principles enshrined in the First Amendment and established by Supreme Court precedent. Furthermore, it risks exposing private citizens to harassment and intimidation merely for supporting causes they believe in, setting a dangerous precedent for donor privacy in Maine.

Constitutional and Legal Concerns

The right to anonymous political speech and association has long been recognized by the courts. The U.S. Supreme Court has reaffirmed in cases such as *NAACP v. Alabama* (1958) and *Citizens United v. FEC* (2010) that compelled disclosure of donor information can have a chilling effect on free speech and political participation. In the case of *NAACP v. Alabama*, the Supreme Court ruled that political organizations could not be forced to release membership lists due to violations of the rights to speech and association that could occur due to intimidation.¹ In *Citizens United v. FEC* the Supreme Court ruled that restricting organizations from involving themselves in politics through entirely independent expenditures was a violation of the members and donors’ constitutional rights.²

Political tensions have been growing in recent years throughout the United States, and there has been much concern this legislative cycle about the risk of politics-related doxxing. Forcing political organizations to disclose donor lists to the public could result in similar doxxing risks, which is exactly what justified the Supreme Court in 1958 to protect the list of NAACP members: doxxing and political intimidation. LD 951 forces political committees to disclose certain contributors and obtain written consent for

¹ <https://www.oyez.org/cases/1957/91>

² <https://www.oyez.org/cases/2008/08-205>



campaign spending, an unnecessary and unconstitutional intrusion into private political speech.

These are not Supreme Court cases embroiled in recent partisan controversies; they are established federal law. These rulings are meant to protect not only our most central constitutional rights but also political organizations, many of which exist to further advocate for civil liberties and political equality.

Privacy and Safety Concerns

Maine residents should not have to fear retaliation or public scrutiny simply for contributing to political causes. The forced disclosure of donor information exposes individuals to potential harassment, as seen in other states where similar laws led to doxxing campaigns and threats against donors. Requiring disclosure of "top funders" only amplifies these risks, as it targets specific individuals and organizations for undue scrutiny.

Not so long ago, a man went to a Planned Parenthood clinic in Colorado Springs and went on a shooting rampage.³ He killed three and injured nine and was directly motivated by the political differences he had with Planned Parenthood on the issue of abortion. If a law were in place in Colorado requiring public disclosure of every donor to the Planned Parenthood Action Fund, the organization's PAC, every single donor to that organization would have been put at risk of death that day. With rising political tension in our country and the risk of violent backlash, a bill like this is not just unreasonable but also dangerous.

Chilling Effect on Civic Engagement

LD 951 would discourage civic engagement by creating excessive bureaucratic hurdles for political committees and donors alike. Requiring written consent for how contributions are used imposes an unnecessary burden on donors and political organizations, complicating grassroots efforts and discouraging participation. Additionally, small organizations that lack the resources to comply with these mandates could be disproportionately harmed, while well-funded entities could more easily navigate the new requirements, further entrenching the influence of established political players.

³ <https://unitedforprivacy.com/learn-more/>



Alternative Approaches to Transparency

While Maine should aim for accountability in campaign finance, it must do so in a way that protects constitutional rights and personal privacy. Instead of forcing invasive disclosure requirements, Maine should focus on strengthening voluntary campaign finance reporting mechanisms that already provide oversight without jeopardizing the rights of donors. Transparency in government spending and election administration should remain a priority rather than an overreach into private citizens' political associations. If the people of Maine wish to support an organization that does not ask their permission prior to every political expenditure, who are we to force them to politically associate in our preferred way?

Conclusion

LD 951 is an unnecessary and unconstitutional encroachment on free speech and privacy rights. Rather than fostering transparency, it will deter civic participation, expose citizens to harassment, and create an uneven playing field in political discourse. For these reasons, we urge the Committee to reject this bill and protect the fundamental rights of Maine citizens. Thank you for your time and consideration.