



TO: The Honorable Tim Nangle
The Honorable Holly Stover, Co-Chairs
Members of the Joint Standing Committee on State and Local Government

DATE: April 21, 2023

RE: LD 1336 – An Act to Increase Transparency in Municipal Ballot Referenda Expenditures

Good morning Senator Nangle and Representative Stover.

My name is Will Hayward. I'm a resident of Portland. I am here today as the Advocacy Program Coordinator on behalf of Maine Citizens for Clean Elections. I am testifying in support of LD 1336, An Act to Increase Transparency in Municipal Ballot Referenda Expenditures.

Maine Citizens for Clean Elections has been the leading campaign finance organization in Maine for over twenty years and one of the nation's most respected state-based organizations advocating for democratically funded elections. We are proud of our national reputation. But we are all Mainers, and our nonpartisan mission has always been with and for the people of this state.

We support LD 1336 because it addresses a significant loophole in Maine campaign finance law: currently, no disclosure of any type is required for campaign spending in nearly all municipalities under 15,000.¹ In recent years, news reports have indicated that there is significant spending on ballot question campaigns in smaller municipalities, particularly around issues such as municipal broadband.² The amounts and funders of these campaigns typically remain undisclosed, since there is no law to compel their disclosure. This deprives voters in these municipalities of crucial information they need to make important decisions; if a flood of spending on mailers, phone calls, and texts is coming in on one side or another of an issue, voters have the right to know who is behind it.

LD 1336 takes an important and measured first step towards fixing this problem. It sets the threshold for spending that needs to be reported relatively high, at \$5,000, to eliminate the reporting burden for truly small-scale, local campaigns. Additionally, it only covers ballot questions campaigns. While candidate campaigns are worthy of consideration for additional disclosure, ballot question campaigns are where

¹ MCCE is aware of three municipalities under 15,000 people that have opted into the disclosure requirements for larger municipalities: Bar Harbor, Standish, and Union.

² "Charter-funded group campaigns against Maine municipal broadband, riling residents and 'partners'" Maine Public, 2022.

<https://www.mainepublic.org/business-and-economy/2022-07-07/charter-funded-group-campaigns-against-maine-municipal-broadband-riling-residents-and-partners>

the current concern arises – of large undisclosed sources of outside spending, and these campaigns represent the most important first step. And finally, as addressed in the amendment shared with this committee, this legislation would put campaign finance reporting in these smaller municipalities with the Ethics Commission. This would allow information to be disclosed in a trusted and tested system and avoid requiring small municipalities to develop campaign finance reporting infrastructure on their own.

We believe this bill represents an important first step to address the most major undisclosed spending taking place in Maine politics. We hope this committee will address this important issue, and vote Ought to Pass on LD 1336.

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