



TO: The Honorable Craig Hickman
The Honorable Laura Supica, Co-Chairs
Members of the Joint Standing Committee on Veterans and Legal Affairs

DATE: March 6, 2024

RE: LD 2232 - An Act to Limit Contributions to Political Action Committees That Make Independent Expenditures

Good morning Senator Hickman and Representative Supica.

My name is Will Hayward. I am here today as the Advocacy Program Director on behalf of Maine Citizens for Clean Elections (MCCE). I am testifying Neither For Nor Against LD 2232.

Maine Citizens for Clean Elections has been the leading campaign finance organization in Maine for almost thirty 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. No one in Maine has lamented the disastrous 2010 Supreme Court decision in *Citizens United v FEC* more strenuously or consistently than MCCE. The Appellate Court decision in *SpeechNow v FEC* followed soon after, and no one has worked harder over all these years to find a way to rein in contributions to PACs, including independent expenditure PACs (aka Super PACs) than MCCE. Even now, we fervently long for reform, even as the U.S. Supreme Court has left precious few grounds for hope.

Today in our country, we have more concentrated wealth and income than at any time since the beginning of the last century. There is nothing more antithetical to the rights of citizens in a democratic republic than concentrated wealth and power. The size of this gap now threatens confidence in capitalism itself.¹

Research at the federal level shows that legislators and policymakers are vastly more attentive to the interests of the affluent than they are to those of everyone else.² Affluent donors get what they want. The rest of us get what we want when, and only when, we want what they want. American democracy is

¹ Christopher Zara, "Davos Dialogs," Fast Company, January 11, 2024, <https://www.fastcompany.com/91008803/future-capitalism-survey-2024-threat-steakholders-income-inequality> [March 3, 2024]

² Martin Gilens, "Inequality and Democratic Responsiveness," Russell Sage Foundation, <http://www.russellsage.org/research/inequality-and-democratic-responsiveness> [March 17 2013]

failing to serve the needs of the vast majority of its citizens. And our people know it.³ That's why so many of them signed the petition to put this question on the ballot. That's why this measure is sure to pass when put to voters in November.

The most extreme individual example of this recently in Maine – no one else comes close – is Tom Klingenstein, who from 2021 to 2022 single-handedly underwrote over \$2.5 million in independent expenditures from the Maine Families First PAC. Yes, that's right. He personally donated almost \$3 million to support Maine candidates. It's too much. That's just one example.

And so, we wholeheartedly support the aspirations of this bill and believe the U.S. Constitution could and should be interpreted to sustain a functioning democracy, including allowing states and Congress to regulate money in politics.

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

³ Katherine J. Cramer and Jonathan D. Cohen, "Many Americans Believe the Economy Is Rigged," New York Times, February 21, 2024, https://www.nytimes.com/2024/02/21/opinion/economy-research-greed-profit.html?unlocked_article_code=1.Z00.7COE.zDq03bGvwKYC&smid=url-share [March 3, 2024]