

LWVME PAC Study Committee Releases NEW Briefing Paper

The League of Women Voters of Maine has undertaken a study of "Money in Politics: Candidate PACs in Maine" aimed at helping our members and the people of our State understand the role of political action committees in financing state candidate elections. League members and leaders are exploring the workings of candidate PACs and the underlying values and principles regarding campaign finance regulation and reform. Our goal is to understand how candidate PACs are funded, how they influence candidate elections for state office, and what changes, if any, should be proposed to limit the influence of private money on elected officials.

Here is a synopsis of the third of six briefing papers, "*Brief History of Campaign Finance Reform in the United States*," was released in December.

A Brief History of Campaign Finance Reform - A Summary

In the United States, we have a long legal history of efforts to balance the importance of the individual vote against the power of concentrated wealth to disproportionately influence elections. Reforms strive to balance the constitutional protections of individual rights and free speech against the corrupting influence of big money in politics. In the beginning of our republic, campaign finance was not a controversial issue. People running for office did not campaign in the modern sense, expenses were relatively modest, and candidates paid expenses largely out of their own pocket. But as the nation grew and the franchise expanded (religious, property ownership, and tax requirements were all eliminated in the early- to mid-nineteen century), the political system opened up to people who might not have the personal resources to run for office. Party politics became more important, and eventually corporate interests became the principal source of campaign funding.

Corporations have been barred from contributing directly to federal candidates since 1907 after Teddy Roosevelt was accused of accepting corrupting donations from corporate interests. A ban on union giving followed during the Franklin Roosevelt administration. Political action committees emerged immediately thereafter as a means of channeling union member contributions.

The first dollar limits on contributions to federal candidates were enacted as part of the 1974 Federal Election Campaign Act (FECA), passed after reported abuses in the 1972 presidential election. The Supreme Court made a landmark decision in 1976 in *Buckley v Valeo*, which challenged FECA. The decision has played a commanding role in shaping campaign finance law and later reform efforts. The court declared that both contribution and expenditure limits restricted certain First Amendment Rights to free speech and assembly, but that reasonable contribution limits could be justified by the equally important need of the government to protect the integrity of the electoral system from real or apparent corruption arising from donations to candidates. The Court determined that the same reasoning was not applicable to spending limits, and it found no inherent corruption from large expenditures of money by candidates or outside groups. The right to spend money is a free speech right.

Numerous creative methods of raising and spending money for politics have evolved in the intervening years. New laws have been enacted, and various court decisions have affirmed or nullified those laws, Laws have evolved to limit the dollar amounts of contributions and to require full disclosure of financial transactions. The history of campaign finance reform reflects an ongoing effort to craft laws and rules that limit the opportunities for wealthy donors and corporate interests to exercise disproportionate influence on the political process while protecting important rights of all citizens.

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You can read the full text of the three completed papers, including "Brief History of Campaign Finance Reform in the United States," at the League's web site at www.lwvme.org/pac_study.html. To request a paper copy of this paper or any of the completed papers, e-mail the League at lwvme@gwi.net or call the League's office at 622-0256.

It was initially hoped that this important study could be conducted within a compressed, nine-month time frame, but that has proved overly ambitious. The PAC Study Committee now anticipates that briefing papers will be completed later this spring, with consensus questions available to members over the summer. We hope for final consensus by the Autumn of 2009.

On behalf of the LWVME PAC Study Committee, we hope you will find these papers useful and informative. By the end of the study, we hope League members will be able to answer the questions central to our study. Do large contributions to PACs exert undue influence on Maine politics? If so, should the dollar amount of such contributions be limited by law? Is this particularly a problem when large donations come from organizations and individuals outside the state of Maine? Should PAC regulation in Maine be changed in other ways? These important questions must be answered to insure that Maine government serves the interests of Maine people.

-Ann Luther, Co-President of LWVME