

Testimony of Kaitlin LaCasse
before the Joint Standing Committee on Veterans & Legal Affairs
May 3, 2023

LD 1610/IB 1, “An Act to Prohibit Campaign Spending by Foreign Governments and Promote an Anticorruption Amendment to the United States Constitution”

LD 764, “An Act to Ensure That Effective Dates of First Regular Session Direct Initiatives of Legislation Will Occur After the November 2023 Election”

Good Afternoon Senator Hickman, Representative Supica, and esteemed members of the Joint Standing Committee on Veterans & Legal Affairs:

My name is Kaitlin LaCasse and I am with Protect Maine Elections, the campaign formed by Maine voters to support LD 1610/IB 1, “An Act to Prohibit Campaign Spending by Foreign Governments and Promote an Anticorruption Amendment to the United States Constitution.” Thank you for the opportunity to testify in support of this bill and in support of LD 764.

I encourage you to support LD 764 with the amendment proposed by Senator Bennett.

Sponsored by the voters of Maine, LD 1610 will prohibit foreign governments from spending in Maine referendum campaigns – something most voters are shocked to learn is currently allowed. While foreign governments are not permitted to contribute to candidate campaigns, the Federal Elections Commission recently ruled that it has no jurisdiction over state referendum campaigns, creating a dangerous loophole that allows foreign government spending in referendum campaigns unless explicitly prohibited by state law.

The bill also affirms Maine’s support for an anti-corruption amendment to the U.S. Constitution and charges the Maine Ethics Commission with reporting on the progress made by our delegation in Congress to advance this amendment.

Last year, over 400 volunteers helped to collect the signatures of over 80,000 Mainers. The Secretary of State subsequently certified the petitions and now the Legislature has the opportunity to pass the bill outright or send it to the November 2023 ballot.

On behalf of the voters of Maine who initiated this bill, I am respectfully asking that you pass LD 1610 outright.

In June, I sat for hours in the gym of the local middle school, collecting signatures as my neighbors cast their votes for local offices and a Republican primary. I cannot overstate how eager the Maine voters are to see this legislation pass. People of all political persuasions were rushing over to sign the petition. This experience was repeated all around the state, at fairs and festivals, transfer stations and farmers markets, and on street corners from Kittery to Fort Kent.

And, the data reinforces our anecdotal evidence. Depending on the poll, somewhere between 82% and 89% of Maine voters support LD 1610 – and the numbers are virtually identical across political parties and geographic regions. There are few issues, if any, where there is such a consensus among Maine voters.

In fact, the only opponents seem to be the very foreign entities that are seeking to preserve their power. They are already trying to sow confusion.

We have heard from these foreign entities that this bill could hurt our relationship with our friendly neighbor to the north. However, given that Canada doesn't permit this kind of foreign spending in their own referendum elections, I doubt they will be offended.

We have heard from these foreign entities that this bill may be unconstitutional. However, to quote the legal memo from American Promise that I've attached to this testimony: "*...the long tradition and strong government interest... in prohibiting foreigners from influencing American self-government makes any constitutional attack on the Maine law legally unsound and weak.*"

These foreign entities are trying to sow confusion with their easily-refuted arguments because they can't reconcile their position with this simple truth: Maine voters have the right – the responsibility – to protect our elections from the foreign governments who seek to disrupt our democracy.

Maine voters support LD 1610. Please stand with us. Please, vote "ought to pass" when considering LD 1610.

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**Testimony of Chris Cayer
before the Joint Standing Committee on Veterans & Legal Affairs**

LD 1610/IB 1, "An Act to Prohibit Campaign Spending by Foreign Governments and Promote an Anticorruption Amendment to the United States Constitution"

Good Afternoon Senator Hickman, Representative Supica, and esteemed members of the Joint Standing Committee on Veterans & Legal Affairs.

My name is Christopher Cayer and I'm a resident of Eustis where I was born and raised. I am also the Field Director with Protect Maine Elections, an organization formed by Mainers to address the issue of foreign government spending in our elections.

Thank you for the opportunity to testify today in support of LD 1610/IB 1, "An Act to Prohibit Campaign Spending by Foreign Governments and Promote an Anticorruption Amendment to the United States Constitution."

In short, LD 1610 is a common sense solution to a loophole in Maine's campaign finance laws. The bill aims to prohibit foreign governments and their owned entities from spending money in Maine referendum campaigns. The bill also affirms Maine's support for an anti-corruption amendment to the U.S. Constitution. 22 states have passed similar resolutions calling for an end to the dominance of big money in our elections.

I'm here today because I'm deeply concerned about the influence of money in our elections. Candidates and referendums are no longer elected based on their merit. The campaigns with the most money almost always win. In the 2022 midterm election in the United States, 93% of House candidates and 82% of Senate candidates who raised more money won their election.

I've lived in Maine my entire life and over the past few years, I've watched as political spending in our state has skyrocketed. Every election cycle people are bombarded with nonstop negative political ads that offer little in terms of substance and instead aim to create fear and division. During the 2022 midterm election, a record breaking \$127 million was spent here in Maine – mostly in the form of negative attack ads from dark money special interest groups.

The amount of money being spent is only part of the problem. This political spending might be tolerable if the money was coming from Maine voters. However, the vast majority of this money is from out-of-state. A record shattering \$200 million was spent in Maine's 2020 senate race and 93% of that money came from outside of Maine.

The largest donations in the 2020 senate race came from "dark money" groups that are not required by law to disclose their donors. These groups can accept unlimited amounts of money from any source including foreign governments. In Maine, foreign governments can also spend unlimited amounts of money directly and *openly* on state referendum campaigns — and it's completely legal.

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Currently, we have no law prohibiting foreign governments from spending money in Maine referendum campaigns. We *do* prohibit foreign governments from spending money in federal, state, and local candidate campaigns but no law currently exists to protect state referendum campaigns. The Federal Elections Commission ruled in 2021 that it has no jurisdiction over state referendums, exposing a dangerous loophole that allows foreign government spending in referendum campaigns unless explicitly prohibited by state law.

LD 1610 would make Maine one of a growing number of states and municipalities to ban foreign government spending in state referendums – including Idaho, California, Colorado, Maryland, Nevada, North Dakota, South Dakota, and Washington.

The people of Maine are ready for this reform. Last year, I had the pleasure of working beside 400 Maine citizens on this referendum campaign. Volunteers from every corner of Maine and every political affiliation worked together to collect 80,000 signatures from Maine voters. In my nine years working in Maine politics, I've never seen an issue bring together such a wide range of supporters. This campaign has given me hope that our political differences can be bridged and that people can come together to make meaningful change in their communities.

In the thousands of conversations that I had last year with Maine voters, very few people expressed any form of opposition to the bill. The most common response was disbelief that we didn't already have a law prohibiting foreign government political spending. You now have an opportunity to rectify the situation and address an issue that Maine voters are concerned about. I am respectfully asking that you pass LD 1610 outright.

Please stand with your fellow Mainers and vote "ought to pass" when considering LD 1610.

Thank you for your time and consideration.

Chris Cayer
Eustis, Maine

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