



TO: The Honorable Louis Luchini  
The Honorable John Schneck, Co-Chairs  
Members of the Joint Standing Committee on Veterans and Legal Affairs

DATE: January 8, 2020

RE: LD 1871 – An Act To Modify the Financial Disclosure Requirements for a  
Governor-elect

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Good afternoon Senator Luchini and Representative Schneck. My name is John Brautigam. I'm a resident of Falmouth. I am here today on behalf of Maine Citizens for Clean Elections testifying in favor of LD 1871 – An Act To Modify the Financial Disclosure Requirements for a Governor-elect.

MCCE was among the leaders of the 2015 citizen initiative that implemented Maine's first requirements for transparency of the fundraising activities of gubernatorial inauguration and transition efforts.

Our long history of working on Maine campaign finance issues convinced us that this new measure was needed in order to fill a gap in the regulatory system. When drafting this provision back in 2014 we concluded that the period of time between Election Day and the new governor's swearing-in presents a window of opportunity for some interests to curry favor with the new chief executive. Before this measure was enacted, interests that opposed the new governor when they were a candidate could have been tempted to use this opportunity to "make amends" by contributing to the transition, thus using their funds to open the door to better access and influence, and doing so without transparency.

Considering that there is no limit on the amount that a single contributor could give to a transition or inauguration, and that previously there was no way for the public or policymakers to assess this phenomenon, we felt that a solution was overdue. Accordingly, we wrote and championed the system that is now contained in title 21-A, section 1051.

As with any new regimen, the application of section 1051 following the 2018 election resulted in some challenges for both the Mills inauguration/transition effort and the Ethics Commission. Most significantly, it soon became clear that the time frames in section 1051 needed to be

reviewed. During the course of a long administrative proceeding, the Commission also identified other adjustments that could be implemented consistent with the spirit of the citizen-initiated law. Those provisions are now before you in LD 1871.

One relatively minor suggestion for the bill: The last sentence of paragraph B(3) requires continued bimonthly reporting until the committee disposes of all surplus funds. We suggest considering additional language providing that bimonthly reports must continue until all debts or loans are discharged, as well.

We appreciate the work of Jonathan Wayne and the Ethics Commission staff to bring forth these changes, and we urge your unanimous support for the bill.

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