



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

DATE: Wednesday, May 5th, 2021

RE: An Act to Reform Payments to Legislators by Political Action Committees

Good morning Senator Luchini and Representative Caiazzo.

My name is John Brautigam. I'm a resident of Falmouth. I am here today on behalf of Maine Citizens for Clean Elections. I am testifying in support of LD 1621.

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.

Senator Maxmin's bill takes existing PAC laws and fine-tunes them to increase transparency, reduce opportunities for corruption and self-dealing, and increase accountability.

Since 2017, Maine law has regulated payments by PACs that are wholly or partially under the control or influence of a legislator. Existing law does not specifically describe them as "leadership PACs" but the law certainly applies to all the PACs identified by the Commission in their data as "leadership PACs." Existing law also encompasses other PACs that may not be typically considered leadership PACs but where one or more legislators is deeply involved. This provision of current law prohibits such a PAC from making payments to the legislator or a business owned by the legislator, except to compensate for travel, purchases made for the PAC, or expenses incurred in the proper performance of the duties of the legislator (not defined). Personal financial enrichment of the legislator is not allowed. And under current law, funds of such a PAC may not be commingled with the legislator's other funds – either business or personal.

Sen. Maxmin's bill would extend these prohibitions.

- The prohibition on receipt of payment would be extended to also apply to any immediate family member of the legislator or any business owned by an immediate family member.
- It would also be more specific about allowable travel costs. They would include fuel, but not repairs or maintenance or "accessories that are not necessary for the proper performance of the

vehicle.” One small improvement might be to reference the state mileage reimbursement rate in this section.

- Sen. Maxmin’s bill would ban double-dipping – obtaining reimbursement from the PAC for expenses for which the legislator is simultaneously being reimbursed by the legislature or any other source. This may already be illegal based on other laws.
- Sen. Maxmin’s bill extends the ban on payment for “personal financial enrichment” of the legislator to also include enrichment of an immediate family member.
- Finally, the bill would extend the ban on commingling such PAC’s funds with those of the legislator/their business – to also apply to the funds of any person or business.

The bill also creates penalties for violation and authorizes the Commission to make rules.

LD 1621 is squarely in the public interest, and we encourage you to vote “Ought to Pass.”

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