



TO: The Honorable Joseph Baldacci
The Honorable Ann Matlack, Co-Chairs
Members of the Joint Standing Committee on State and Local Government

DATE: January 19, 2022

RE: LD 1658, An Act to Increase Campaign Finance Transparency and Accountability in
Municipal Elections

Good morning Senator Baldacci and Representative Matlack.

My name is John Brautigam. I'm a resident of Falmouth. I am here today as legal counsel for Maine Citizens for Clean Elections. I am testifying in support of LD 1658.

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.

One of the first and most basic steps in campaign transparency is requiring entities that spend money in political campaigns to disclose their finances. This initial requirement is essential for ensuring that the electorate has the information it needs to make informed decisions. But simple disclosure is not enough. Both best practices and general public expectations in the 21st century require a lot more than a stack of paper reports gathering dust in an agency office. Real transparency today means public access through an easily accessible online system.

LD 1658 aims to increase the utility of municipal campaign finance reporting by giving large municipal races the online visibility already provided in state races. This is a worthy goal that would serve voters' interest in knowing who funds local campaigns — an increasingly important topic as the cost of both local candidate and local issue campaigns has grown rapidly in Maine. With increasing size and cost comes an increasing need for more sophisticated disclosure with the capacity to provide meaningful public access. This will require sufficient resources to make at least a minimal investment in the necessary technology and software.

As drafted, the 50,000 population threshold would affect only Portland. Currently, Portland's system for public access to campaign finance reports is rudimentary. The City scans paper copies of reports and posts them online as .pdf documents. Sorting, searching, or organizing the data is not user-friendly, especially for the person on the street.

LD 1658 would shift the responsibilities related to campaign finance reporting from the City to the state Ethics Commission, which over the years has posted state campaign data in a useful, searchable public access website. Transferring Portland's reporting to the Ethics Commission's system, or a similar adjacent system, would certainly improve access to this important information.

Of course, the Ethics Commission's system would need modifications before this could occur. And we understand that integrating Portland's information into the state's system may not be easy or inexpensive. To truly meet the objective of public access to this information, it needs to be done well. Whether the cost should be borne by the city or by the state is an important question.

We understand and generally support a proposal set forth by certain municipal clerks to further expand LD 1658 to reach even more municipalities, such as Lewiston and Bangor. Eventually we could envision making a web-based system available to any interested municipality. Those responsible for procuring such services should be mindful to seek out a system that can be expanded without incurring exorbitant additional costs, or even an open-source software approach.

LD 1658 would bring Portland's campaign finance transparency into the modern era, which we applaud. This does not mean, however, that municipalities have no responsibilities when it comes to keeping voters informed, and we are pleased that Portland's charter commission is considering measures in this area. There is much that is best done at the local level. The state's superior infrastructure could be part of the solution, but the responsibility for making information available should rest with the municipalities. We agree that the bar for this disclosure should be set higher than it is today. Whether the campaign is for a ballot question or a candidate, voters have a right to "follow the money" in increasingly expensive campaigns.

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

