



LEAGUE OF WOMEN VOTERS OF MAINE

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TO: The Honorable Senator John L. Tuttle, Jr.
The Honorable Representative Louis J. Luchini, Co-chairs
Members of the Joint Standing Committee on Veterans and Legal Affairs

DATE: April 22, 2013

RE: LD 1222 Resolve, To Create a Task Force on Maine's Ethics and Transparency
Laws

Good morning. My name is Ann Luther. I'm the Advocacy Chair of the League of Women Voters of Maine, a volunteer, and a resident of Trenton. The League of Women Voters of Maine submits the following testimony in support of LD 1222, which would create a legislative task force to study Maine's ethics and transparency laws and to report back to this committee with its recommendations and proposed legislation, if appropriate, for action in the second session of this Legislature.

Already this session, this committee has reported out three very significant bills on ethics and disclosure, and we applaud your important and bipartisan work in this area. But there is more that could be done.

We supported LD 69, which would have established a one-year cooling-off period during which senior executive branch officials could not work for anyone regulated by their agency during their service. It was not illegal in 2007 when Al Iuppa left his position as the Maine Superintendent of Insurance to take a position with Zurich Financial Services, a firm that issues insurance here in Maine. It was not illegal a year later when Kurt Adams left his position as chairman of the Maine Public Utilities Commission to take a position with First Wind. We are concerned that, under current law, public officials might be influenced by implicit or explicit promises of future employment from those they regulate. We are equally concerned that these examples undermine public confidence in the effective administration of our government for the general welfare.

Our supplemental testimony in LD 69 offered numerous examples of other states that have a cooling-off period during which senior executive branch officials may not work for firms that they regulated during their state-employment tenure.¹ We would hope that the Task Force proposed by LD 1222 might examine the best practices in other states and offer a recommendation to fix this problem here in Maine.

There are plenty of other opportunities. When the Center for Public Integrity published its State Integrity Investigation in March, 2012, Maine's Corruption Risk Report Card got

¹ http://www.lwvme.org/files/LD_69_Executive_Branch_Revolving_Door_2013-04-03_Addendum.pdf

an overall grade of “F,” ranking us 46th out of the 50 states.² We are at risk. Here are just a few other examples that bear examination:

- The Ethics Commission does not have jurisdiction over all branches of government, does not have an independently allocated budget for its enforcement functions, and does not have authority to independently initiate investigations without an external complaint being filed.
- There are no restrictions on or disclosure requirements for non-profit corporations set up by the governor or cabinet-level officials, which could be used to reward political supporters or evade campaign finance regulations.

There are other opportunities in the areas of redistricting and freedom of information, to name just two more.

The League of Women Voters believes that government should be responsive to the will of the people and that it should be free from undue influence, corruption, and the appearance of corruption. We hope that you will support formation of this Task Force to press forward with measures that protect Maine people from the risk of too-permissive laws in the areas of ethics and disclosure.

Ann Luther
Advocacy Chair
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² Center for Public Integrity in partnership with Global Integrity and Public Radio International.
<http://www.stateintegrity.org/maine>