



LEAGUE OF WOMEN VOTERS OF MAINE

PO Box 863
Augusta, ME 04332-0863

(207) 622-0256
lwvme@gwi.net

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: March 27, 2013

RE: LD 859 An Act To Increase Ethics and Transparency in Government Service

My name is Ann Luther. I'm a resident of Trenton. I work as a volunteer for the League of Women Voters of Maine and chair its Advocacy Committee. The League of Women Voters of Maine submits the following testimony in neither for nor against LD 859.

The League of Women Voters believes that responsible 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.

In some ways, LD 859 goes too far; in some ways, not far enough. We applaud efforts to close the revolving door that would allow high-ranking executive branch employees to turn from government service to lobbying and vice versa. We feel that the 5-year post-service cooling-off period may be a little excessive.

But we are concerned that, under current law, public officials in the conduct of their government service might be influenced by implicit or explicit promises of future employment from those they regulate.

Problems may also arise when former public officials exploit the connections and relationships that they developed during public service to influence government action, legislative or regulatory, for their new private employers.

These concerns might apply to lobbying firms and lobbyist employers, but they might also apply to other regulated entities. This bill does not go far enough – it applies the post-service cooling off period only to lobbying. Employment by other regulated entities should also be covered, as was proposed in LD 69 heard earlier this session. Other states around the country have similar provisions, Connecticut for example. We should follow suit.

Furthermore, last year's "State Integrity Investigation"¹ and the "Report on Ethics Laws for Executive Branch Employees"² highlighted another problem:

Maine is one of 11 states which do not have an independent agency that regulates the professional ethics of the executive branch of government.

Prohibitions like those proposed in LD 859 require an enforcement mechanism. We urge you to consider additional measures that provide enforcement jurisdiction for the Ethics Commission over the professional ethics of executive branch employees and that close the revolving door for both legislators and executive branch employees, as proposed in bills heard earlier this session.

Without these tools, government may become more responsive to special interests and less responsive to the best interests of all the people of Maine. Without these tools, it could certainly make it appear so. Strengthening our ethics, disclosure, and enforcement regime for both legislative and executive branch employees would help sustain public confidence in the effective administration of our government for the general welfare.

Current law provides that former executive branch employees may not intervene for anyone other than the state in matters that were under their purview during their state tenure. That's as it should be. We support additional measures for financial disclosure, employment conflicts of interest, ethics enforcement.

Ann Luther
Advocacy Chair
League of Women Voters of Maine

¹ <http://www.stateintegrity.org/>

² http://www.maine.gov/ethics/pdf/publications/executive_ethics.pdf