



STATE OF MAINE  
COMMISSION ON GOVERNMENTAL ETHICS  
AND ELECTION PRACTICES  
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AUGUSTA, MAINE  
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**Testimony of Jonathan Wayne, Executive Director of the  
Commission on Governmental Ethics and Election Practices  
before the Joint Standing Committee on Appropriations and Financial Affairs  
and the Joint Standing Committee on Veterans and Legal Affairs  
March 2, 2021**

Senator Breen, Representative Pierce, Senator Luchini, and Representative Caiazzo, distinguished members of both committees: my name is Jonathan Wayne, and I am the Executive Director of the Maine Ethics Commission. The proposal for the Commission is on pages **A-195** to **A-196** of the budget proposal.

**Baseline Budget, and Scope of Agency Responsibilities**

The baseline budget (top of A-196) allows the Ethics Commission to continue our current operations. The Commission is a small, independent agency with six permanent employees. Our responsibilities are listed on page 3 of this testimony under each of the three accounts within our budget.

General Fund. Roughly half of our staff time is spent on activities that should be paid from the General Fund.

- Our office oversees compliance with the State's campaign finance laws. To do that, we provide assistance and advice to 500 candidates, 130 political action committees and ballot question committees, and dozens of party committees.
- We assist Legislators and executive branch officials with filing the annual statement of sources of income.
- We advise Legislators and others on legislative ethics and occasionally receive complaints.

Maine Clean Election Act Program. Since 2000, the Commission has administered the Maine Clean Election Act program. This is the largest part of our budget in terms of spending, but it constitutes only around 40% of our staff responsibilities.

Lobbyist Disclosure. Every year, lobbyists register and file monthly reports with our office on behalf of more than 300 clients. In the next two years, we will be engaging in a competitive bidding process to improve our e-filing system to make it easier for the public and policy-makers to access the data and for lobbyists to file their reports.

### **Initiative (middle of A-196)**

The only initiative in the budget bill relating to our agency is an authorization to spend money from the Maine Clean Election Fund to pay a project position during the 2022 election year. This will allow us to increase our services to candidates during an election year, without increasing our permanent headcount.

### **Long-Term Budget Problem**

I also would like to draw your attention to a long-term issue that is not addressed in the biennial budget bill. Because of the size of our General Fund appropriation (\$180,704), our office has been charging personnel and administrative costs to the Maine Clean Election Fund that *should* be paid from the General Fund. This limits our operations in two ways:

- Over time, this will reduce the amount of money that is available to pay Maine Clean Election Act candidates.
- We lack the General Fund money to make improvements to our e-filing system to make it as user-friendly as possible for candidates, PACs, and others.

In 2020, an initiative to address this issue had been included in the Governor's supplemental budget for FY 2021 (129<sup>th</sup> Leg.), but due to the need to address the COVID-19 pandemic, it was ultimately removed. At the appropriate time, we would like to propose rebalancing a larger portion of our personnel and administrative costs to the General Fund. Thank you for your consideration.

# Overview of Ethics Commission Responsibilities

## General Fund

### Regulating how state political campaigns are financed

- receiving and reviewing financial reports from candidates, political parties, PACs and others
- maintaining a public access website to disclose campaign financial activity
- enforcing limits on political contributions
- providing compliance advice
- conducting enforcement proceedings

### Disclosure of sources of officials' personal income

- receiving statements of the sources of personal income from constitutional officers, executive branch officials, legislators, and candidates
- developing and maintaining a website for easy access by the public

### Legislative ethics

- advising Legislators on ethics questions, such as conflicts of interest and travel
- administering complaint process

## **Maine Clean Election Fund (other special revenue account)**

### Administration of Maine Clean Election Act program

- verifying candidates' qualification for public campaign funds
- administering \$3 - \$6 million in grants every election year
- reviewing candidate compliance and auditing candidates
- conducting enforcement proceedings

## **Lobbyist Registration Fee Account (other special revenue account)**

### Lobbyist disclosure

- administering registration and monthly reporting by lobbyists
- providing guidance on reporting
- verifying lobbyist compliance with reporting obligations