



July 30, 2021

Jonathan Wayne
Executive Director
Commission on Governmental Ethics and Election Practices
135 State House Station
Augusta, ME 04333-0135

Jonathan.Wayne@maine.gov

RE: Proposed Policy on Remote Participation

Dear Director Wayne:

We appreciate the opportunity to provide brief comments on the Proposed Policy on Remote Participation. This is an issue of significant importance to MCCE, candidates, political staff and volunteers, and the general public.

We support the provisions of paragraph 2. Affording individual Commissioners the opportunity to participate remotely under certain circumstances, and allowing for full Commission meetings to be held remotely under certain circumstances. We appreciate that the Commission will accommodate members of the public who wish to attend remotely under either circumstance. There may be times when members of the public face barriers similar to those enumerated in paragraph 2 for Commissioners. We suggest that the Commission might therefore take the additional step and always allow the public to attend remotely as a matter of routine practice, unless that approach would trigger unreasonable expense or logistical burdens. This would be helpful to many in the public and would increase public understanding and appreciation of the Commission's work.

We also recommend creating a durable video record such as a YouTube link for every meeting, where possible without undue expense.

We read paragraph 5. in conjunction with paragraph 2. to mean that public access to a physical meeting location may not be offered if there is an emergency or emergent issue and the Commission determines that in-person attendance of Commissioners or the public is not

practicable, in which case the Commission will provide an opportunity for members of the public to attend remotely. Our interpretation of this policy is that any time one or more Commission members is meeting in the physical meeting location, the public is also able to attend at that physical location. To eliminate any chance of ambiguity, the Commission may wish to consider rephrasing paragraph 5. as follows:

5. Accessibility to the Public

It is the policy of the Commission to make its meetings accessible to all members of the public. In addition to remote attendance as permitted under paragraph 2, members of the public may appear at the Commission's office (or such other location designated in the public notice) to attend any Commission meeting. When an emergency or urgent issue requires the Commission to meet remotely and the Commission Chair determines that allowing in-person attendance is not practicable, remote attendance will be afforded to the public.

We support all the other provisions in this draft policy and appreciate the staff's work on this.

Thank you for considering our comments. We look forward to continuing to work with you and the Commission.

Sincerely yours,

A handwritten signature in black ink that reads "John Brautigam". The signature is written in a cursive, flowing style.

John Brautigam, Esq.
MCCE Legal Counsel

Cc: Martha.Currier@maine.gov, Jonathan.Bolton@maine.gov