



Testimony in Support of LD 389:

“Resolve, to Increase Transparency and Evaluate Emergency Response Through a COVID-19 Review Commission”

Senator Ingwersen, Representative Meyer, and the distinguished members of the Committee on Health and Human Services, my name is Harris Van Pate, and I serve as policy analyst for Maine Policy Institute. Maine Policy is a free market think tank, a nonpartisan, non-profit organization that advocates for individual liberty and economic freedom in Maine. Thank you for the opportunity to provide testimony supporting LD 389, "Resolve, to Increase Transparency and Evaluate Emergency Response Through a COVID-19 Review Commission."

The COVID-19 pandemic brought unprecedented challenges to Maine, as it did to the rest of the nation and the world. The government’s response—through executive orders, emergency proclamations, health mandates, and economic policies—had far-reaching effects on individuals, businesses, and communities. While some policies may have been necessary at the time, we must conduct a thorough, independent review of the state's response to ensure accountability, improve future emergency preparedness, and safeguard the constitutional rights of Maine citizens.

LD 389 would establish the COVID-19 Review Commission, a critical step toward increasing transparency in government decision-making. This commission would examine key aspects of the state’s response, including:

- The executive orders issued under the declared COVID-19 emergency;
- Government contracts related to the execution of emergency policies;
- The data collected by the Department of Health and Human Services and the Maine CDC, particularly regarding suicide attempts, drug-related hospitalizations, and deaths;
- The Maine CDC’s response, including testing and contact tracing;
- The policies implemented by various state agencies, including the Department of Health and Human Services, the Department of Education, the Department of Defense, Veterans and Emergency Management, and the Department of Economic and Community Development.

Maine Policy Institute firmly believes in limited government, individual liberty, and economic freedom. Throughout the COVID-19 emergency, these principles were often compromised. Small businesses were forced to close while large corporations remained open. Families were subjected to extended school closures, leading to severe learning disruptions and loss. Public health data was often inaccessible or inconsistent, preventing the public from making fully informed decisions about their health and



safety. The sweeping powers of the executive branch went largely unchecked, creating a dangerous precedent for future emergencies.¹

Maine is not alone in undertaking such a review. Other states, such as Michigan², Pennsylvania, and Kentucky, have had significant pushback against emergency powers usage during COVID-19. By establishing a COVID-19 Review Commission, Maine would be taking an essential step toward ensuring our state is better prepared for future public health crises while reinforcing the importance of governmental accountability.

LD 389 is not about assigning blame but learning from our past and improving our future response. The commission's findings and recommendations will guide the Maine Legislature in crafting balanced emergency response policies that protect public health without unnecessarily infringing on personal freedoms and economic stability.

For these reasons, I strongly urge the committee to support LD 389. Ensuring transparency and accountability in government decision-making is a fundamental responsibility, and this legislation provides the framework to fulfill that duty. Thank you for your time and consideration.

¹ <https://mainepolicy.org/emergency-powers-2023-edition/>

² <https://www.cnn.com/2020/10/02/politics/michigan-supreme-court-whitmer-covid-emergency/index.html>