



Testimony in Support of LD 1193:

“An Act to Require the Legislature to Elect Constitutional Officers and the State Auditor in Convention with an Open Ballot System”

Senator Baldacci, Representative Salisbury, and the distinguished members of the Committee on State and Local Government, 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 testify in support of LD 1193, “An Act to Require the Legislature to Elect Constitutional Officers and the State Auditor in Convention with an Open Ballot System.”

LD 1193 represents a common-sense and urgently needed reform to increase transparency and accountability in how Maine selects its constitutional officers. Under this bill, elections of the Secretary of State, Treasurer, Attorney General, and State Auditor would be conducted by open ballot in joint convention, with votes cast by individual legislators recorded and made available to the public.

Why LD 1193 Is Necessary

Maine’s method of appointing constitutional officers is already among the most opaque and unaccountable in the nation. We remain the only state where the Legislature appoints the Attorney General via secret legislative ballot.¹ Likewise, appointments to the Treasurer, Secretary of State, and State Auditor occur through a joint ballot vote—conducted behind closed doors, with no record of how individual legislators voted.^{2 3 4}

This lack of transparency fosters an environment where political loyalty and backroom deals can take precedence over merit, qualifications, or public trust. The people of Maine deserve to know how their elected representatives vote on matters as significant as choosing top state officials.

Public Accountability and Restoring Trust

Government derives its legitimacy from the consent of the governed. Yet, when votes are hidden from public view, Mainers are left without the information they need to evaluate the performance of their elected legislators. By opening the ballot and recording votes,

¹ [https://ballotpedia.org/Attorney_General_\(state_executive_office\)](https://ballotpedia.org/Attorney_General_(state_executive_office))

² [https://ballotpedia.org/Secretary_of_State_\(state_executive_office\)](https://ballotpedia.org/Secretary_of_State_(state_executive_office))

³ [https://ballotpedia.org/Auditor_\(state_executive_office\)](https://ballotpedia.org/Auditor_(state_executive_office))

⁴ [https://ballotpedia.org/Treasurer_\(state_executive_office\)](https://ballotpedia.org/Treasurer_(state_executive_office))



LD 1193 empowers citizens to hold lawmakers accountable and ensures that appointments to constitutional offices are made in the full light of day.

The principle is simple: public servants should not make private decisions that affect the entire state. Transparency is not a burden; it is a prerequisite for integrity and accountability.

The Status Quo: A System Ripe for Abuse

The current appointment process has led to multiple high-profile controversies, which reform would likely fix. In one case, an unqualified former lawmaker was appointed State Auditor despite failing to meet credentialing requirements, leaving the office vacant for months.⁵ In another, the Attorney General faced serious ethical scrutiny, yet was shielded from public accountability due to the lack of a transparent selection process.⁶

Most recently, the Secretary of State drew national criticism by attempting to remove a presidential candidate from Maine's election ballot, an action later deemed unconstitutional by our nation's highest court.⁷ These incidents erode public trust and highlight the need for a more accountable and open process.

LD 1193: A Step in the Right Direction

While Maine Policy Institute continues to support broader reforms—such as amending the Constitution to allow for direct popular election of constitutional officers—LD 1193 is an important incremental improvement. It recognizes that even if the Legislature retains its appointment power, it must do so transparently and in a manner that respects the public's right to know.

This bill does not change who votes—it merely ensures the process is open and the votes are known. That should be the bare minimum in a functioning republic.

Conclusion

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<https://www.goingconcern.com/maines-utterly-unqualified-state-auditor-just-stepped-down-because-he-couldnt-pass-the-certified-internal-auditor-exam/>

⁶ <https://apnews.com/article/maine-attorney-general-relationship-staffer-e24eae74f7b928294fe68383c7017090>

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<https://wgme.com/news/local/maine-supreme-court-dismisses-secretary-state-shenna-bellows-appeal-former-president-donald-trump-ballot-case>



LD 1193 enhances transparency, bolsters public accountability, and helps restore trust to Maine's democratic institutions. It aligns with fundamental standards of good governance and reflects the principle that government should work for the people, not behind closed doors.

For these reasons, we strongly urge this committee to vote "Ought to Pass" on LD 1193. Thank you for your time and consideration.