



Testimony before the Joint Standing Committee on Veterans and Legal Affairs

LD 1726 – An Act to Amend the Laws Governing Elections

January 3, 2018

Senator Mason, Representative Luchini, and members of the Joint Standing Committee on Veterans and Legal Affairs:

Maine Citizens for Clean Elections is pleased to provide this testimony on LD 1726 – An Act to Amend the Laws Governing Elections.

My name is Alison Smith. I am a longtime board member of Maine Citizens for Clean Elections.

Maine Citizens for Clean Elections has been the leading campaign finance organization in Maine for over twenty years, and one of the nation's most respected state-based organizations advocating for democratic elections. We are proud of our national reputation, but we are all Mainers, and our mission has always been with and for the people of this state.

We strongly support the ability of the Secretary of State to have all the tools and resources it needs for the smooth conduct of elections, including clear statutory language. MCCE supports almost everything in LD 1726.

However, we are very concerned about Section 13 of the bill. This provision would end Maine's decades-old practice of gathering signatures at polling places. This is a dramatic change in the citizen initiative process, and we have not seen any justification for this other than to make it harder for the people to exercise their constitutional rights.

The polling place is a sacred public forum in Maine. We would support any legitimate effort to prevent confusion and protect voters from harassment. But the same principle means that we also respect and protect the people who are there to collect signatures – another important right guaranteed by our constitution.

We are concerned of the effect Section 13 would have on our democratic traditions. Section 13 would deter signature gathering by everyday citizens, volunteers, and civic organizations or businesses in Maine. We don't know of any records kept on this specific question, but we estimate that more than half of the signature-gathering activity for citizen initiatives in Maine over the last 30 years would have been a Class E crime if Section 13 had been in effect.



One of our greatest concerns with Section 13 is that making it a crime to collect signatures at the polls would only expand the use of paid signature collectors. Unfortunately, this could increase the influence of outside money in Maine politics, and reduce the power of ordinary citizens. Initiatives would become expensive, out of the reach of groups of ordinary citizens, and only a tool used by well-financed interests. We saw the casino campaign last year with its heavy reliance on money from out of state. We think this is the wrong direction for our democracy. We need more respectful, civil conversations in our communities, and our tradition of signature gathering at the polls is one of the last bastions of that kind of democratic activity.

Under current law clerks and wardens already have all the authority they need to keep the polling place orderly and maintain smooth operations on Election Day. Many provisions of Section 13 – such as the prohibition on attempting to influence another person’s vote – are not needed because they are already set forth in the existing statute. See 21-A MRS §683.

Section 13 would only make it harder for ordinary Mainers to have their concerns heard. We ask you to amend LD 1726 to delete this provision. The bill would then have our full support.

Thank you for the opportunity to testify. I would be happy to answer any questions or provide additional information for the work session.