

March 27th, 2023

Senator Craig Hickman, Senate Chair
Representative Laura Supica, House Chair
Joint Standing Committee on Veterans and Legal Affairs
100 State House Station
Augusta, Maine 04333

RE: MSCC Testimony in SUPPORT of L.D. 1109: RESOLUTION, Proposing an Amendment to the Constitution of Maine to Create Consistent Election Dates for Citizen-initiated Referenda in Even-numbered Election Years

Senator Hickman, Representative Supica, and members of the Committee on Veterans and Legal Affairs:

My name is Ben Lucas, I live in Portland, and I represent the Maine State Chamber of Commerce, a statewide business organization consisting of a network of more than 5,000 small and large employers across Maine. The Maine State Chamber of Commerce is submitting testimony in strong support of L.D. 1109, and we appreciate the sponsor, Representative Dick Bradstreet for bringing this legislation forward.

First, I want to start by saying that the Chamber recognizes the difficulties of passing a constitutional amendment and we also recognize the difficulties and sensitivities that come with making changes to the citizen initiative process. We understand the vital importance that the citizen initiative process plays in democracy and our legislative process, and we support it. However, as we have seen this process evolve and be more commonly used in recent years, we believe there are some commonsense things that could be done to improve the process, such as what L.D. 1109 proposes to do.

L.D. 1109 proposes to create a consistent election date for citizen-initiated referenda and ensure that they happen every November of an even numbered election year. We feel this is a simple solution to help protect the citizen-initiated process and allow the highest number of Mainers to have their voice heard. This committee in previous legislatures has heard many proposals that have been put forward addressing some concerns with the process. We have seen legislation introduced seeking to increase the number of signatures needed to qualify for the ballot, we have seen legislation seeking to require a certain percentage of signatures be collected in Maine's Congressional Districts and Senate Districts, just to name a few. I want to be clear, the change proposed in L.D. 1109 does nothing to try and alter how questions qualify for the ballot, we are not trying to repeal the process or get rid of it – it is just making a change that once they do qualify for the ballot, we have a consistent election date of every November of an even numbered election year.

We feel this is a simple change but a critical one. From the Chambers perspective, over recent years we have seen citizen-initiated ballot questions that will have significant economic impacts on our state unfortunately end up on the ballot in November of an odd-numbered election year, when there is not as high of a voter turnout. That is of concern for us because if this process is going to be utilized more frequently as we have seen, we should be doing everything in our power to make sure that it is done so in a way that most Mainers will have their voice heard. For example, if you look at November of 2021 – we had a question on the ballot that had gone through rigorous review from the legislature and different state agencies, and it was on the ballot in an off numbered election year. This upcoming November of 2023, we have four or five different ballot questions which will impact our economy, and unfortunately voter turnout will be lower. We have some of the highest voter turnout in the country – we should be incredibly proud of that. In our opinion, the outcome of questions of significance should be determined when we are going to have 700,000 or 800,000 Mainers showing up to vote – not just 300,000 or 400,000. Passing L.D. 1109 will not have an effect this upcoming November, and we obviously cannot do anything about previous questions enacted, but we are thinking about the future.

In closing, we feel L.D. 1109 will help create a consistent framework for these questions which will allow our state to be more open to investment, economic growth, and job creation. We have confidence in the legislature, the various state agencies – and they provide a clear and consistent regulatory environment for our business community, and we feel that elections should be held to that same standard. We encourage the committee to vote, “ought to pass” on L.D. 1109. Thank you, I am happy to answer any questions and I will be available for the work session to bring back additional information if needed.

Sincerely,
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