



**Joint Standing Committee on State and Local Government
Testimony of Maine Transgender Network, OUT Maine, GLBTQ Advocates and
Defenders (GLAD) and EqualityMaine**

In Opposition to:

LD 1102: "An Act to Authorize a Recall Election for a School Board Member"

LD 1181: "An Act to Allow for the Recall of an Elected Municipal Official for Any Reason"

Neither for Nor Against:

LD 1443: "An Act to Establish a Recall Process for Public School Board Members"

Senator Nangle, Representative Stover, and laudable members of the Committee on State and Local Government: My name is Quinn Gormley, I use she/her pronouns, and I serve as Executive Director of the Maine Transgender Network. I am here today representing MaineTransNet and OUT Maine, GLAD, and EqualityMaine to testify in opposition to LD 1102 and LD 1181, and Neither for nor Against LD 1443.

Maine has a long tradition of emphasizing local control of our schools, and among the highest election participation rates in the United States.¹ Mainers care about their government, and we take our civic responsibilities seriously. Allowing for recall elections of municipal officials for any reason runs counter to the health of our democracy. Our elections represent the will of our voters for the direction and shape of local and state policy. Elected officials at any level should not be subject to recall because they are working to implement the will of those voters. Recall elections, in this way, represent a chaotic work around our democratic process.

As organizations representing LGBTQ+ Mainers, we are especially concerned about the use of recall elections to target minority school board members. Of the three openly transgender people elected to office so far in Maine, all were elected to school boards, and none were able to complete their terms. All have faced attempts at recall elections, or call for their resignation following attempts to implement policies to ensure the safety and education of all students or COVID-19 related policies.^{2 3} Additionally, two out gay school board members, who were both

¹ <https://www.lwvme.org/sod>

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<https://www.newscentermaine.com/article/news/education/paris-voters-recall-two-school-board-members-who-supported-gender-identity-policy-education-maine-lgbtq/97-ef303f43-b79b-4ed1-944f-4ba9c925ff93>

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<https://americanart.si.edu/exhibitions/invitational-2023/online/geo-neptune#:~:text=They%20used%20this%20position%20to,resigning%20in%20protest%20in%202022.>

serving in the same district, recently faced attempts to remove them from their elected seats, one through a very contentious recall effort⁴, which included a ruling from a County Superior Court Judge, and the other because he became homeless during his tenure and was suddenly dropped from the voting roles.⁵ While both survived the ugly attempts to remove them from their seats, they both decided not to run for additional terms.

These recall attempts were initiated in response to disagreements over policy. Such disagreements are fair, but we already have systems for dealing with them: public comment and regular elections. To allow policy disagreement as grounds for recall invites chaos into our already burdened local government and public education systems. It would be destabilizing to our local governments, including crucial institutions like public schools, whenever a group of voters - whatever their political persuasion or policy interests - can seek a recall to do an end run around a policy issue supported or opposed by a particular official. As such, we must oppose LDs 1102 and 1181.

That said, we feel that local school systems deserve a standardized system for the conduct of recall elections, and though we oppose the use of recall elections over policy disagreements, we allow that there may be other conduct by school board members that would justify the need for a recall system. We believe that LD 1443 is a step in the right direction for the creation of such a system. However, we are concerned that the section defining the grounds for recall is vague and may allow for misuse. We believe there may be other legal issues related to the validity of vacancies resulting from successful recall elections and we urge the committee to carefully investigate these issues with experts before supporting the bill.

Thank you for your time and consideration,

Quinn Gormley
Executive Director
MaineTransNet

On Behalf of:
MaineTransNet
OUT Maine
GLAD
EqualityMaine

⁴ <https://www.pressherald.com/2022/03/28/rsu-21-recall-vote-will-be-held-tuesday-in-kennebunk/>

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<https://www.seacoastonline.com/story/news/2022/03/24/rsu-21-school-boards-braxton-jr-back-kennebunk-port-me-voter-roll/7152202001/>