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*Testimony of Rep. Anne Graham presenting*  
**LD 1356 An Act to Improve the Local Referendum Process by Increasing the Percentage of the Population Required to Submit a Local Referendum Question**  
*Before the Joint Standing Committee on State and Local Government*

Good afternoon Senator Nangle, Representative Stover and the honorable members of the State and Local Government Committee. I am Rep Anne Graham and I serve the good citizens of North Yarmouth and Gray. I come before your hard working committee to present **LD 1356 An Act to Improve the Local Referendum Process by Increasing the Percentage of the Population Required to Submit a Local Referendum Question.**

I believe in a rigorous referendum process that taps the will of the citizens of a community. I believe that the more individuals who sign a citizens' referendum, the stronger the initiative is. Endorsements by a small minority of voters to bring a question to the ballot does not serve the referendum process or the community well. I propose increasing the percentage of the previous gubernatorial election votes from 10% to 15%. Please note that I have amended the bill down from 25% to 15%.

Referendums have their place and they are most effective when they truly represent the will of the people on issues that have broad support and that have not been successfully tackled by the local town council, city council or select board. I believe this is an issue for both large and small municipalities. You will hear from others testifying after me from larger communities.

The citizens' referendum process has evolved in some communities from its early days as a grassroots tool to enhance representative democracy into a tool that is too often exploited by a vocal minority. This process fundamentally lacks critical elements of the deliberative processes of local government. It can have both intended and unintended effects on the ability of the representative, local democratic process to comprehensively develop policies and priorities.

In my community of North Yarmouth, we have had four referendums since 2015. Here is one of the referendums that deserves particular attention:

2021 Land Use Ordinance changes to section 3.3.E.1.a [Building cap and limit permits issued to one person in the Village Center and Village Residential Districts.] Special Election on 3/15/2022.

It needed 244 signatures to get on the ballot.

It cost \$6,907.79 (this amount does not include cost of building for election day or the Public Hearing, a total estimate would be \$7,500)

Approximately a minimum of 80 hours of staff time was spent on this election. 36% voter turnout | 3707 Registered Voters | 1325 Ballots Casts

This is how the ballot read:

Shall an ordinance entitled “Town of North Yarmouth Land Use Ordinance” be amended as follows: Change the North Yarmouth Land Use Ordinance, Section 3.3 Building/Land Use Permits, section E. Residential Growth Limitation (Cap), section 1, Calendar Year 2007 and beyond the following shall apply: paragraph a. – to reinstate a building permit cap to apply to all areas of the town. Replace the current language of paragraph a. a. In the Village Center District and Village Residential District, the residential growth limitation shall be lifted to allow for the issuance of an unlimited number of building permits for residential dwellings units. Replace with a. In the Village Center District and Village Residential District, combined, issuance of building permits for residential dwelling units shall not exceed 15 dwelling units per year. No single person, entity, corporation, or developer may apply for more than 6 new dwelling permits per year.

As you can see, voter turnout was very low (our typical voter turnout is often greater than 75%) and it cost our community financially and in staff labor. More importantly, how was the voter to understand a complex residential planning issue? I suggest that complex issues should be addressed by the local governing body, not by a poorly understood ballot initiative. City/town councilors and select board members are tasked with making policy decisions. That is why they are elected. Referendums should only be brought when a greater majority of the voters believe the normal democratic process has failed. Governing by referendum is not democracy.

Please support local democracy by increasing the percentage of voters on a ballot initiative petition to 15%. Vote ought to pass on LD 1356. Thank you and I would be more than happy to answer your questions.