

Testimony of Nate Cloutier

Before the Joint Standing Committee on State and Local Government
April 25, 2023

In Support of LD 1356, “An Act to Improve the Local Referendum Process by Increasing the Percentage of the Population Required to Submit a Local Referendum Question”

Senator Nangle, Representative Stover, and distinguished members of the Committee on State and Local Government: My name is Nate Cloutier, and I am here today on behalf of HospitalityMaine representing more than 1,200 restaurant and lodging operators of all sizes across the state. HospitalityMaine supports LD 1356, “An Act to Improve the Local Referendum Process by Increasing the Percentage of the Population Required to Submit a Local Referendum Question.”

Increasing the percentage of the population required to submit a local referendum question would have several benefits to the state’s democratic process. The Sponsor’s amendment proposes to change the current threshold of 10% to 15% of the number of voters in a municipality in the last gubernatorial election.

There is arguably little difficulty in getting questions on the municipal ballot, and we need look no further than Portland’s November 2022 general election to support that claim. Portland had 13 questions in total, 5 of which were voter-initiated ballot referendum campaigns on issues ranging from housing, short-term rentals, minimum wage, and cruise ships. What do these issues have in common? They were organized and drafted by a single group as part of a single campaign. It’s the prerogative of any person or group (in-state and out) to gather signatures to get an issue on the ballot, however the current requirements have too easily allowed lone groups to push their agendas which include potentially substantial changes to policy.

I am picking on Portland a bit, but it is important to remember that as an economic epicenter, our largest city is a service center to the Greater Portland area, which includes about 40% of all Mainers. In comparison, about 5% of Mainers live in Portland. Increasing the percentage is not meant to be a barrier or an impediment to the democratic process—quite the opposite. It would:

- Reduce the potential for abuse by the referendum process: With a higher percentage threshold, it would be more difficult for special interest groups to push through their own agendas, which is particularly critical if that agenda is not widely supported by residents.
- Encourage more thoughtful and deliberate policymaking: Initiatives that require more support from the ballot are more likely to be well-crafted and thoroughly researched. For example, a political group in Portland gathered signatures last year to have a question on the ballot that limited cruise ships visiting Portland. This evidently received no input from the public because the people this initiative was supposed to benefit, actually opposed it. The ballots had already been printed and

the question could not be retracted, so the organizers ultimately broadcasted opposition to their own initiative. Thankfully, that question failed, however it underscores the importance of a well-researched and reasoned question.

Referendums are intended to be a tool for the public to invoke when there is inaction in the state Legislature, and they should be less reserved for pursuing political agendas of a vocal minority. National pundits often say Maine is a cheap date because of our referenda process. There are many potential changes the Committee may consider, though raising the threshold for the number of signatures required to get on the municipal ballot is one way to increase the integrity of our democratic process, making it more accountable, focused, and engaging for citizens.

Thank you, and I would be happy to answer any questions.