



Department of the Secretary of State

Bureau of Corporations, Elections and Commissions

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JOINT STANDING COMMITTEE ON VETERANS AND LEGAL AFFAIRS

Testimony of Shenna Bellows, Secretary of State
Department of the Secretary of State

February 3, 2025

Testifying In Opposition to

L.D. 175, "RESOLUTION, Proposing an Amendment to the Constitution of Maine to Ensure That Only Citizens of the United States May Participate in Elections"

Senator Hickman, Representative Supica and Members of the Joint Standing Committee on Veterans and Legal Affairs, my name is Shenna Bellows, I reside in Manchester, and I am the Secretary of State and chief elections officer in Maine. I am speaking today in opposition to L.D. 175.

I oppose L.D. 175 because non-citizen voting is already prohibited under the Maine Constitution and by federal and state law. L.D. 175 has been introduced based on a lie that non-citizen voting is a problem in our elections that needs resolving. For these reasons this type of proposal has been voted down by the Legislature before, and I would encourage you all to vote against it again.

Article II of the Maine Constitution outlines the qualifications of electors, specifying that only citizens are eligible to vote in elections for Governor, Senators and Representatives. This is reiterated in the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, which was signed into law by then-President Bill Clinton. And in Maine law, Title 30-A, (which governs local elections) section 2501 provides that the qualifications for voting in a municipal election conducted under that Title are governed solely by Title 21-A, section 111. Title 21-A, section 111 requires that the person voting must be a citizen of the United States. Non-citizens are already clearly barred from voting in Maine elections.

The lie of noncitizen voting – either as something that is allowed and as something that is prevalent – has persisted for many years now. But it is just that: a lie. According to Sean Morales-Doyle of the Brennan Center for Justice this fall, "It amounts to a vanishingly rare phenomenon that is not going to impact the outcome of our elections in any real way, and where the people who actually are violating the law are held accountable. Both domestic and foreign folks are spreading these lies in order to undermine faith in American elections -- some of them with the hope of overturning the result if they're not happy about it."

Although thankfully we did not see the same efforts to overturn the results of the 2024 election as we did with the 2020 election, we should not pass a constitutional amendment based on a lie to placate those who would spread it or lay that groundwork.

Returning members of this committee from two legislatures ago may recall testimony provided by Mufalo Chitam of the Maine Immigrants' Rights Coalition. In her testimony, Ms. Chitam urged the committee not to pass a bill that capitalizes on anti-immigrant fervor. I echo that sentiment today and urge you to oppose this bill again this year.

Finally, and this will also be familiar information for returning members of this committee or anyone who voted in the 2023 Referendum Election, I would note that L.D. 175 proposes language to be kept in the Maine Constitution disenfranchising of those persons under guardianship by reason of mental illness which has been found to violate both the Due Process Clause and the Equal Protection Clause of the Fourteenth Amendment of the U.S. Constitution. The U.S. District Court also found that in implementing this voting restriction, [the State] violated Title II of the Americans with Disabilities Act and Section 504 of the Rehabilitation Act. As such, that section of the Maine Constitution may not be enforced, and should not be reiterated in a new constitutional amendment.

For these reasons, we oppose L.D. 175. Thank you and I would be happy to answer any questions that the committee may have.