

LD 1051 An Act To Promote Civic Engagement and Voter Participation for Young People by Lowering the Voting Age for Municipal Elections to 16 Years of Age (Morales)

To: Members, Joint Standing Committee on State and Local Government
 From: Lynne Caswell, Esq., Legislative Analyst
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file*

<http://legislature.maine.gov/ctl/SLG/04-12-2021?panel=0&time=0&sortdir=0&sortby=2>

SUMMARY

This bill lowers the voting age for municipal elections to 16 years of age.

TESTIMONY¹

Sponsor: Representative Morales

- Age group is politically and community oriented
- Creates a voting habit

Proponents: Olivia Walker; Willa Morales; SOS by Joann Bautista, Deputy Director

- Democracy is stronger when it represents everyone
- Creates a voting habit
- Overwhelming support for lowering voting age
- Grass roots organizing
- “trickle up” phenomenon – youth voting tied to increased voting of older members of household
- Difficulty providing proof of age/residency/ not an unsurmountable barrier – similar to other groups

Opponents: MMA by Rebecca Graham

- Concern that constitutional provision prevents this bill;
- Law would need to be specific that municipal elections are not governed by state law or constitution age restriction

NFNA: League of Women Voters’ of Maine by John Brautigam; Maine Town & City Clerks Association by Kathy Montejo

- Responsibility on clerks to separate ballots by local verses state/federal
- Will take away municipalities home rule authority regrading municipal elections;
- Conflicting data on whether this age group is “politically mature”
- May affect legal status in criminal context

Written only: Andre Beausoleil, Sanford; Barbara Britten, Shapleigh; Bonnie Baillargeon, Buxton; Brittany Molda, North Berwick; Christopher Molda, North Berwick; Danny Emerson, South Berwick; Deborah Milite, Freeport; Donna Piccininni, Standish; Francis Walker Jr, Bath; Glee Ross, Freeport; Holly Littlefield, Winterport; John Mills, Holden; Joseph Massimino, Raymond; Kelly Morley, Dixfield; Marc Morley, Dixfield; Mark Chasse, Auburn; Matthew Bernstein, Portland; Maura Pillsbury, Freeport; Michael Parker, Strong; Michelle Peacock, Freeport; Mitch Rouda, Freeport; Nancy Coshow, Bridgton; Patricia Frechette, Standish; Pete Haring, Washington; Peter Anzuini, freeport; Rhonda Reed, Winslow; Richard Smith, Beals; Robert Rosati, Livermore

¹ The section is not intended to reflect all comments and may include unintentionally errors.

Falls; Samuel Minervino , Portland; Shallie Hurd, Waterboro; Tamre Steinhauer, South Berwick; Tessa Burpee, Brewer; Victoris Gavel; Wayne Gray, Orrington; Wendy Lee MacDowell, Palermo

INFORMATION / TECHNICAL MATTERS

1. SURVEY OF CLERKS AND MUNICIPAL OFFICERS

Kathy Montego, Maine City & Clerks Association reached out to the membership via their statewide listserv. She did not hear back from anyone who was asking for this change in statute.

2. MAINE’S CONSTITUTION AND STATUTES—QUALIFICATIONS OF ELECTORS / HOME RULE

Maine Constitution, Art II, §1. Qualifications of electors;

“Every citizen of the United States of the age of 18 years and upwards, excepting persons under guardianship for reasons of mental illness, having his or her residence established in this State, shall be an elector for Governor, Senators and Representatives, in the city, town or plantation where his or her residence has been established, if he or she continues to reside in this State; and the elections shall be by written ballot.” (emphasis added)

Maine Constitution, Art. VIII, Part Second. Municipal Home rule;

“The inhabitants of any municipality shall have the power to alter and amend their charters on all matters, not prohibited by Constitution or general law, which are local and municipal in character. The Legislature shall prescribe the procedure by which the municipality may so act.”

Title 30-A , §3001. Ordinance power.

Any municipality, by the adoption, amendment or repeal of ordinances or bylaws, may exercise any power or function which the Legislature has power to confer upon it, which is not denied either expressly or by clear implication, and exercise any power or function granted to the municipality by the Constitution of Maine, general law or charter.

1. Liberal construction. This section, being necessary for the welfare of the municipalities and their inhabitants, shall be liberally construed to effect its purposes.

2. Presumption of authority. There is a rebuttable presumption that any ordinance enacted under this section is a valid exercise of a municipality's home rule authority.

FISCAL IMPACT - Preliminary (OFPR)

None provided as of this date.