

May 9, 2023

Members of the Joint Standing Committee of State and Local Government

Re: Additional information regarding 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 members of the State and Local Government Committee. My name is Lincoln Merrill, Jr. I am the former Chair of the North Yarmouth Board of Selectmen, and I am currently a member of the North Yarmouth Budget Committee. I was unable to attend the hearing on this bill, but I have now read the testimony. I feel it is important to correct some information that has been used by the sponsor of the bill, Representative Anne Graham, to justify the change.

I want to disclose that I circulated petitions for the March 2022 referendum that Rep. Graham refers to in her testimony. Rep. Graham was opposed to that citizens petition and spoke against it. However, the residents passed the petition question by a wide margin.

The testimony of Rep. Graham states that the number of registered voters in the Town of North Yarmouth is over 3,700. That is in fact the number that the North Yarmouth Town Office reports. However, *Census Reporter* estimates the population of North Yarmouth to be 4,037 with 22% of the residents under the age of 18. Residents under 18 can't be voters. Using this estimate, if every person aged 18 and over were a registered voter, 3,148 is the maximum number of eligible voters in North Yarmouth. The difference between 3,148 and 3,700 voters is largely due to former residents who are still on the voter rolls. I agree that the lower number is more accurate.

When a better estimate of the number of eligible voters in North Yarmouth is used, the voter turnout in March 2022 of 1,325 residents was not 36% as Rep. Graham stated but was approximately 42%. I want to reinforce that at this election the citizens referendum question was the *only item* on the ballot and the only issue to bring voters to the polls.

How does this 42% turnout compare to the turnout in North Yarmouth on the June 14, 2022, election held three months later? The June ballot contained contests for the Republican and Democrat primaries, the MSAD #51 school budget approval, and many municipal and school district board positions. Only 1319 voters turned out for this robust ballot, and this was *lower* than the 1,325 who voted in the single-issue referendum vote in March.

I would like to suggest that this citizens petition is not a "vocal minority" who exploits the process but a citizens referendum effort with widespread support so that turnout exceeds that of a regular municipal election.

The selection of the timeline for acceptance of citizen petitions and the subsequent voting is set forth in the Maine State Revised Statutes. The process to review petitions and set the date for a vote was decided by the North Yarmouth Select Board in accordance with State Statutes. The cost to conduct such a vote is not significant when compared to the overwhelming voter turnout and the success of the effort.

It is important to note that if the municipal officials will not bring to the voters an issue of concern to the residents, the only mechanism to get that onto a ballot is through a citizen petition. Making it harder to collect signatures in a rural Maine community where the circulators must go household to household is a strenuous task. Thus, it is more likely that the will of the residents could be suppressed by the difficulty in placing an issue before the voters.

Please don't make that harder by increasing the percentage that is required for petitions.

Sincerely,

Lincoln J. Merrill, Jr.
1572 North Road
North Yarmouth, Maine 04097
207-837-1380

Lincoln Merrill
North Yarmouth
LD 1356

Additional Information on LD 1356