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Thank you to the Chairs of the Transportation Committee and to Senator Guerin for sponsoring this LD. Opponents of this bill will tell you that the Constitutional right to free speech will allow a successful challenge to this legislation. In separate written testimony I have outlined the extensive case law that says that "government speech" is not protected under the Constitution and it has been found that license plates are not a public forum but rather government speech as long as government does not take sides on issues (like, for example, ProChoice vs. ProLife) suggested by words on registration plates.

The elimination of Maine statutes that limited what could be put on a vanity plate was done based upon a recommendation by then Secretary of State Dunlop who interpreted a legal case as "politics" and then conversing with the Attorney General's office and others (verbally only) who expressed an untested opinion that courts would overturn such limits. Subsequent cases demonstrate that state's may limit vanity plate words and, in fact, as my research of every other state and the District of Columbia shows, Maine stands alone allowing words that are problematic - such as the word lists Maine maintained for many years.

These words reflect negatively upon our state's reputation potentially leading to loss of tourism and business. Doug Jones, Ellsworth Maine