

TYLER ROWE
Bangor

Statement of Tyler Rowe, Secretary, Libertarian Party of Maine:

Good morning. My name is Tyler Rowe, and I am Secretary of the Libertarian Party of Maine. Thank you for the opportunity to speak today in regard to LD 1061, and thank you for your interest in protecting the right of minor parties to participate in Maine's electoral process.

LD 1061 improves Maine's unnecessarily restrictive ballot access laws by lowering the number of voters that a new party must enroll to become ballot qualified under Section 303. This is an improvement, but there are many other provisions of Maine law that make it practically impossible for citizens to form a new political party and qualify it for the ballot. To be effective, this bill must address those provisions as well.

First, the January 2 deadline for a new party to enroll the 5,000 members required by Section 303 is far too early. It forces a new party to build its voter support exclusively in the year before an election, when voters are less engaged and less interested in politics.

Second, after enrolling the 5,000 voters initially required under Section 303, a new party is required under Section 301(1)(E) to enroll another 5,000 voters and ensure that all 10,000 voters turn out to vote in the next election after the one in which it first qualifies, and every election thereafter. If it fails to do so, it is disqualified pursuant to Section 304 and all of its members are unenrolled pursuant to Section 306.

It is extraordinarily difficult for a new party to comply with the enrollment and voter turnout requirements imposed by Section 301(1)(E). Enrollment drives are difficult and expensive to complete. It is much harder to convince a voter to enroll in a new party than to sign a nomination petition -- even if the voter supports your platform. In the Libertarian Party of Maine's case, our 2016 enrollment drive succeeded only because a federal court extended the deadline for complying with Section 303 by more than seven months, until July.

Third, it is practically impossible for a new party that becomes ballot-qualified pursuant to Section 303 to place its candidates on Maine's general election ballot, because the party is required to nominate by primary election under Section 331, but the primary election ballot access requirements imposed by Section 335 are so high that candidates cannot comply with them. As a result, the party's candidates are excluded from the primary, and thus the general, elections. That is what happened to the Libertarian Party of Maine: for the two election cycles when we were ballot-qualified, in 2016 and 2018, all of our candidates, with a single exception, were excluded from the ballot.

The exclusion of a new party's candidates from the ballot makes complying with the 10,000-voter turnout requirement under Section 301(1)(E) all but impossible. A party's members have little incentive to turn out to vote in an election from which the party's candidates are excluded.

The combination of all of these provisions practically guarantee that a new party will not survive longer than two election cycles in Maine. That was true of the Libertarian Party of Maine: following the 2018 general election, the party was disqualified under Section 304 and all 6,240 of our members were unenrolled under Section 306. This left us with no choice but to start the whole process over again, with nothing to show for our efforts to enroll members and grow the party.

Again, I appreciate the effort that LD 1061 makes to improve ballot access in Maine, but to be effective it needs to do more. It must address the barriers imposed by the January 2 deadline under Section 303, the 10,000 member enrollment and voter turnout requirement under Section 301(1)(E), the mandatory primary under Section 331 and primary signature requirements under Section 335, and the disqualification provision of Section 304 and the unenrollment provision of Section 306.

Thank you again for the opportunity to speak today.