



*Senator Chloe Maxmin  
Agriculture, Conservation and  
Forestry Committee, Member  
Marine Resources Committee, Member  
3 State House Station  
Augusta, ME 04333-0003  
Cell (207) 200-6224  
Chloe.Maxmin@legislature.maine.gov*

April 12, 2021

*Testimony of Sen. Chloe Maxmin supporting  
**LD 231, An Act To Establish Open Primaries**  
Before the Joint Standing Committee on Veterans and Legal Affairs*

Senator Luchini, Representative Caiazzo, and honorable members of the Veterans and Legal Affairs Committee:

My name is Chloe Maxmin. I represent Senate District 13, which includes all of Lincoln County except for Dresden, plus Washington and Windsor—a total of twenty-seven towns. Thank you for the opportunity to speak in support of LD 231, An Act to Establish Open Primaries.

This bill would allow unenrolled voters to vote in a party Primary of their choice without having to join a party. They could only vote in one Primary. It does not allow Democrats to vote in Republican Primaries or vice versa. For this reason, this is more accurately described as a semi-open primary model.

I introduced this bill for two reasons: first, I promised my constituents. My district is almost an even 1/3 Democrat, 1/3 Republican, and 1/3 Unenrolled. Countless unenrolled voters on the campaign trail lamented how they could not vote in a party Primary. Their taxes pay for these elections, but they can't participate. They will vote on the Primary winner in the November General Election, but they have no say on who that candidate will be. This is how I fight for their voices.

The second reason is a little bit more conceptual, but it motivates me nonetheless. I've knocked on around 20,000 doors in the past three years, including over 13,000 just last year. I've talked with a lot of Mainers. The number one issue that I hear is a deep frustration with our political system that leaves our constituents feeling unheard, unrepresented, and excluded. We all work hard in this building, but there is still much work to restore faith in our democracy. Semi-open primaries are one of the major ways that we can do this in Maine.

I know that semi-open primaries are not at top of mind for the most exciting bill of the session. But I truly see this as one of the simplest and most profound ways that we can build a more inclusive democracy in Maine at a time when people are desperate for more voice in government. This was a key recommendation in Democracy Maine's 2021 report titled "State of Maine Democracy." They write: As of November 2020, 31.9% of active Maine voters had an "unenrolled" party status. This significant portion of Maine voters is unable to participate in Maine's primary elections.

Here are some more reasons why semi-open primaries are needed in Maine. Automatic voter registration is about to come online. Oregon is another state that recently switched to AVR. From 2016 when AVR was enacted to December 2019, 80% of Oregon voters registered via AVR were

registered as unenrolled voters. Nationwide, 49% of Veterans, and 50% of Millennials are unenrolled or independent voters. All this is to say—there currently are and will be thousands of Unenrolled voters who are left out of the Primary process because they choose to stay unaffiliated. This is unacceptable for democracy and a state that strives to be representative.

A key point here is the importance of Primaries in our political landscape. In so many districts, Primaries are the only election that matters. In Maine, 65-70% of Maine legislative races are determined in Primary. Independent voters are completely excluded from these huge decisions across the state.

You might wonder what would happen if Independents voted in Primaries. I really like Primaries. I think that they are vital for the political process—to discuss the issues and candidates thoughtfully and thoroughly. I say that as someone who has been through a Primary. Including Unenrolled voters in this conversation will make those dialogues more robust, more inclusive, and more representative of our districts. I also see this as a way to remedy the extreme divisiveness in our democracy. Primaries will become less about who best represents a Party ideology and more about who represents the district.

Let me address a few arguments that I have heard against semi-open primaries. One of the big ones is: someone should just register if they want to vote in a Primary. Voting in a Primary is the earned privilege of having a “D” or an “R” next to your name. To this, I say: why do we have to be so exclusive with this privilege? Why wouldn’t we welcome eager and interested voters into our Party? In fact, I predict that including Unenrolled voters in a primaries could increase voter turnout in November for the candidate that they chose. Also, Independents are Independent for a reason. Why would we ask people to forsake that identity?

Another argument is that semi-open primaries could be used to maliciously skew an outcome—urging conservative Independents to sway a vote against a certain Democrat or progressive Independents to influence a Republican Primary. But this can happen in Maine already—and has under our closed Primary system. Voters can switch Parties 15 days before the election, or show up on Primary day to enroll and sway a vote. Semi-open primaries would not change this landscape. Let’s not let fear drive our decisions on this one.

There have also been some valid concerns brought to me by the Democratic Party around ballot tracking and delegate counts. I have introduced amendments to solve these problems. My amendments do three things:

- 1) Requires an election clerk to track which Party’s ballot is given to an unenrolled voters.
- 2) Provides that an unenrolled voter who participates in the party’s primary election must be considered a member of the party for purposes of selecting and allocating delegates.
- 3) Pushes the effective date of the bill until January 1, 2024.

In the past week, this bill has been endorsed by Congressman Jared Golden, Portland Press Herald, Ellsworth American, and Mount Desert Islander. There are dozens of Mainers in support. We’ve asked a few key voices to speak to you today, but most of the amazing supportive testimony is written to respect your time and focus.

Thank you very much for your time. I am happy to answer any questions.

Sincerely,  
Chloe Maxmin