

March 2011

PO Box 142  
Brunswick, ME 04011

# The Brunswick Voter



## Items of Interest

- What's Happening at Home?
- League Endorses Instant Runoff Voting
- Obama Changes Course on DOMA

## Spring Appeal!

The League of Women Voters of Maine and its affiliated Education Fund will be holding their spring fundraising appeal soon. Please give as generously as you are able. Dollars raised help pay for the annual Easy to Read Voters Guide and new and ongoing studies. Please mail contributions to: LWVME or LWVME Ed. Fund, PO Box 863, Augusta, ME 04332.



## LD 203 and 199 Pose Barriers to Voting

Augusta, ME - On February 16, the League of Women Voters of Maine testified before the Legislature's Veterans and Legal Affairs Committee in opposition to two bills that would inevitably decrease voter turnout.

The first bill, LD 203, would require voters to register by the Tuesday prior to Election Day. The second bill, LD 199, would require voters to show photo ID every time they vote.

Since 1973, Maine voters have enjoyed the right to register in person up to and including Election Day. In 1972, the year before adoption of Election Day registration, Maine ranked

21st among the states in voter turnout. By 2000, Maine ranked 3rd, behind only Minnesota and Wisconsin, which also have Election Day registration.

Moving the deadline for registration back seven days would discourage voters. First, people are less likely to make one trip to town hall to register and another trip to the polls to vote.

Second, the deadline would not permit eligible voters who become interested in an election in its final days to vote. Finally, people who have moved or changed their names recently or who have

been accidentally purged from the voting rolls would be disenfranchised.

The stated purpose for eliminating Election Day registration is to assist municipal clerks. However the demands on their time would simply shift from registering voters to handling challenged ballots.

Now, if a voter's name does not appear on the voting rolls, an election official refers him or her to the town clerk to register. Without Election Day Registration, an election official would have to fill out all of

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## Gaming Referenda on November Ballot

Augusta, ME - On February 4, Secretary of State Charlie Summers announced that enough valid signatures had been submitted to place a bill, "An Act Regarding Establishing a Slot Machine Facility," before Maine's Legislature.

A total of 59,095 of the 74,388 signatures submitted were determined to be valid. Under Maine law, 57,277 signatures are required to place a citizens' initiative before the Leg-

islature. That is 10 percent of the number of votes cast in the 2010 governor's race.

If the Legislature passes the bill, the City of Lewiston would be permitted to construct a slot machine facility. If not, the question would be placed on the November 8 ballot.

On February 18, the Secretary of State announced that enough valid signatures had been submitted to place a bill, "An Act to Amend the Laws

Governing the Deadline and Conditions for Municipal Approval of a Second Racino and to Allow a Tribal Racino in Washington County," before Maine's Legislature. The second racino refers to one in Biddeford.

A total of 75,672 of the 87,655 signatures submitted were determined to be valid.

The Legislature can pass the bill or place the question on the November 8 ballot.



## What's Happening at Home?

Brunswick, ME - On February 9, the Legislature's Committee on State and Local Government conducted a hearing on a bill, LD 69, to resolve a boundary dispute involving clam flats along Route 123 claimed by the Towns of **Brunswick** and **Harpswell**. The dispute was previously settled in favor of Brunswick in 1998.

The hearing was followed by a February 16 workshop, at which the Committee tabled the bill and requested that the two towns reach a compromise. Two years ago, the Committee voted 10 to 3 not to endorse a similar bill.

**Freeport** Town Manager Dale Olmstead has announced his intention to retire in 2012, when he will turn 62.

On March 12, **Harpswell** voters chose Alison Hawkes over Richard Daniel by a margin of 463 to 418 to be a Selectman. They also chose Jane Meisenbach, 484 votes, and Kay Ogrodnik, 306 votes, over Sheryl Johnson, 286 votes, and Debora Levensailor, 174 votes, to serve on the **SAD 75** Board of Directors.

Town Clerk Rosalind Knight certified the necessary 295 signatures on a petition seeking to place an article before voters.

The petition asks, "Do you favor filing a petition for withdrawal with the board of directors of SAD 75 and with the commissioner of education, authorizing the withdrawal committee to expend \$55,000 and authorizing the selectper-

sons to issue notes in the name of the town of Harpswell or otherwise pledge the credit of the town of Harpswell in an amount not to exceed \$55,000 for this purpose?"

A vote on the article is scheduled to take place on Tuesday, June 14, when the SAD 75 budget will also be on the ballot.

**Topsham** held a special town meeting on February 16. The voters approved a zoning change that would permit medical marijuana dispensaries to be located in the Mixed Use Commercial and Business Park district near the Topsham Fair Mall and on the northwest corner of the intersection of I-295 and Route 196.

## League Endorses Instant Runoff Voting



Augusta, ME - Following several years of study and discussion, the League of Women Voters of Maine State Board announced that League members in Maine concur with the League of Women Voters of Minnesota in favor of Instant Runoff Voting, sometimes known as Ranked Choice Voting. Based on that position, the League endorses the election of candidates in single seat elections by a majority vote, if achieved through Instant Runoff Voting.

Individual members of the League began studying the issue in 2008. Members of area Leagues met in Portland, Brunswick and Ellsworth in February and March of this year to discuss the position previously adopted by the League of Women Voters of Minnesota.

Based on the recommendations of the three local Leagues as well as members at large, the state League issued its final position on March 7.

In addition to Maine and Minnesota, other state Leagues around the country that have endorsed IRV include Arizona, California, North Carolina, Vermont and Washington.

The final position reads as follows:

The League of Women Voters of Maine supports election systems for elected offices in single seat elections that require the winner to receive a majority of the votes, as long

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## Obama Changes Course on DOMA

Washington, DC - Calling the law unconstitutional, President Barack Obama has directed the Justice Department to stop defending the Defense of Marriage Act (DOMA) - the 1996 statute that prohibits federal recognition of same-sex marriages - in court.

According to Attorney General Eric Holder, "The president and I have concluded that classifications based on sexual orientation" should be subject to strict scrutiny - a legal test intended to block unfair discrimination. Under that test, DOMA is unconstitutional.

What is at issue are the rights of gay and lesbian couples in

the eight states that now permit same-sex marriage. Without DOMA, the federal government would be required to treat them like all other married couples.

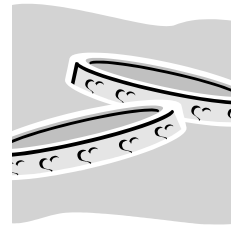
Those rights include federal tax breaks, social security survivor benefits and spousal benefits for military personnel and veterans.

The Administration's change in position came as a result of two cases pending in the federal appeals court in New York. In one of those cases, the survivor of a same-sex couple who were married in Toronto was forced to pay an estate tax that she would not

have been obligated to pay if her spouse had been a man.

To prevail, the Justice Department would have to prove that gays and lesbians have not been historically stigmatized and that they can change their sexual orientation. Otherwise, gays and lesbians are entitled to the greater degree of protection afforded to people on the basis of other immutable characteristics like race and gender.

The president says that he has not changed his beliefs about same-sex marriage and that he prefers civil unions. He claims that his position on this issue is "evolving."



## Raising Hurdles to Voting

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the paperwork and permit the voter to cast a challenged ballot.

If the challenged ballot affected the result of the election, the envelope containing the ballot would have to be submitted to the Supreme Judicial Court and its validity would have to be determined. A stack of challenged ballots could leave a race undecided on Election Day.

The problem with a photo ID requirement is that not everyone has one. Most people use their driver's licenses as photo ID. However, a large segment of the population does not have a license.

Studies indicate that 11 percent of the general population does not have a photo ID meeting the requirements of similar laws in other states. In the case of the elderly, 18 percent of the population does not have a photo ID.

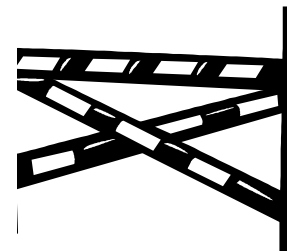
One stated purpose of requiring photo ID is to prevent fraud. However, fraud is extremely rare. In Maine, only two cases of voter fraud have been prosecuted by the Attorney General in more than 30 years.

If LD 203 and LD 199 pass, there would be substantial costs involved. First, there would be the cost of revising voting systems. Procedures would need to be modified,

and poll workers would need to be retrained.

Second, the Secretary of State would have to conduct a public education campaign. Because Election Day registration has been the norm for 38 years and photo ID has never been required to vote, the education campaign would need to be far-reaching.

Finally, pursuant to a Supreme Court ruling, the Secretary of State would need to provide a free photo ID to every person who could not afford one. Since 2007, Indiana has spent over \$12.2 million to implement its photo ID law, and this amount only covered the cost of voter education and free IDs.





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*The League of Women Voters is where  
hands-on work to safeguard democracy  
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## League Testifies About IRV

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as the majority is achieved by Instant Runoff Voting/Ranked Choice Voting, rather than a second, separate runoff election.

In general, League members believe that the winner of single seat elections should be determined by a majority vote, and they support a system of Instant Runoff Voting (or Ranked Choice Voting) for determining the majority winner.

However, League members did not agree that the majority winner should be determined by a traditional runoff election

between the top two candidates in the first-round election. While there was strong support among members for majority-winner elections, that support diminished if the winner had to be determined by a traditional runoff election.

Some of the factors that were important included: increased opportunity for strategic voting during the original election, expense to the state and municipalities in conducting the runoff election, extending the campaign season, driving up the cost of campaign financing, loss of civility during the runoff election, and the significant reduction in voter en-

gagement and turnout in traditional runoff elections.

With this position, the League of Women Voters of Maine supports the right of local governments to choose Instant Runoff Voting for their local elections regardless of what system is used at the state level.

On March 9, the League testified Neither For Nor Against LD 607, a bill that would require the governor to be elected by majority vote through a separate runoff election. The League expressed its support for a majority vote achieved through Instant Runoff Voting.

