



LEAGUE OF WOMEN VOTERS OF MAINE

The Maine Voter

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The League of Women Voters of Maine, a nonpartisan political organization, encourages informed and active participation in government, works to increase understanding of major political policy issues, and influences public policy through education and advocacy.

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Dear League Members,

The political season is almost upon us. Election Day is November 8 (the first Tuesday after the first Monday). This is an off-year election, but, as you know, a lot of important questions appear on this year's ballot. Articles about the ballot questions are in this newsletter. Of course, I am urging you to **VOTE YES ON 1**. Our League is one of 18 groups in Protect Maine Votes, a coalition of more than 1,000 volunteers working on the campaign to protect voting rights in Maine. The question reads: "Do you want to reject the section of Chapter 399 of the Public Laws of 2011 that requires new voters to register to vote at least two business days prior to an election?" We are urging a "yes" (to reject) vote. For 38 years Maine has allowed voters to register on Election Day with no problems. Same-day registration has worked and has helped our state to become a leader in voter participation. Working families are struggling to get by. They have to balance working two, maybe even three jobs with the equally hard work of being a good parent. Same-day voter registration helps to make sure that they can vote. It also helps young people, those with limited mobility, and those who have limited access to transportation to vote. We should be encouraging voter participation at every opportunity, not making it more difficult for our citizens to register to vote.

Our League is working on an *Easy-to-Read Voters Guide* that will be available at public libraries, adult education centers and on our website. There will be a Portland supplement that will talk about Instant Runoff Voting or Ranked Choice Voting—allowing Portland Voters to "rank" the votes for Mayor in order of preference.

To make it easier for local groups to sponsor forums at the local level, we are preparing a toolkit with a checklist for candidate or issue forums. If you are interested in holding a forum in your community, please ask any Board Member for help.

On the national level, the League is working on Climate Change. League members are meeting with senators and representatives to bring them up to date on the League's positions.

Our Lobby Corps was busy during the last state legislative session, and will be busy again when the Legislature starts meeting again in January. The League gives testimony on issues about which we have reached consensus, offers information in areas we have studied but upon which we have not yet established a position, and is always ready to listen, learn and report on topics of interest to members.

This is a busy season, and the League continues to study, reach consensus, and get things done. For more information see our website at www.lwvme.org.

- Barbara McDade, President

Vote “Yes on 1” to Restore Election Day Registration in Maine

The effort to restore Election Day voter registration in Maine is in full swing. After an incredible effort by more than 1,000 volunteers to collect more than 70,000 signatures, the Protect Maine Votes campaign moves into the next phase: Winning the election in November.

On August 8, 2011, thirty (30) days after collecting the first signature, the Protect Maine Votes coalition turned in more than 70,000 signatures to be certified by the Secretary of State's office. We needed to have more than 57,277 signatures certified, to get this “People’s Veto Referendum” question on the statewide ballot in November 2011.

Thirty days later, on September 8, the Secretary of State certified 70,308 signatures as valid, and Question One – *“Do you want to reject the section of Chapter 399 of the Public Laws of 2011 that requires new voters to register to vote at least two business days prior to an election?”* – was on the ballot.

At the press conference officially launching the campaign, LWVME President Barbara McDade said it best, “For almost 40 years, Maine has allowed voters to register on Election Day with no problems. Same-day registration has worked and has helped our state to become a leader in voter participation.”

The campaign has been volunteer driven, neighbors talking to neighbors, students and retirees working side by side with a common mission: To protect the right of Maine people to vote and have their votes counted. And we will be encouraging voters across the state to vote “Yes on 1.”

Since 1973, eligible Maine voters have been able to register and vote on Election Day. Since that time, our State has enjoyed increased voter participation and trouble-free elections. This has been true in all eight (8) states with Election Day registration. In 2008, Maine had one of the highest voter participation rates in the country. Only Minnesota and Wisconsin had higher participation rates and both states enjoyed Election Day registration.

The elimination of Election Day registration creates an unnecessary barrier for eligible voters and will place a new burden on many Maine citizens who have a right to participate. During public hearings

on LD 1376, no evidence was provided that this practice had caused any problems during the 38 years it had been the law in Maine. If this new legislation is allowed to go into effect, Maine citizens who are eligible to vote will now be required to go to their local municipal or town clerk's office to register at least three days before Election Day, and then return to their polling place on Election Day to vote.

Supporters of LD 1376 say that this change would cut down on Election Day mistakes and relieve stress on municipal election officials. They also say that eliminating same-day registration would cut down on voter fraud. However, the Maine Town & City Clerks Association was not in support of eliminating same-day registration. History also shows that there have only been two reports of voter fraud since 1973, the year Same-Day Registration was instituted in Maine. LD 1376 seems to be trying to solve a problem that does not exist.

Election Day Registration may be the single most effective practice to improve voter participation. States with Election Day registration have voter participation rates that are between 5 and 15% higher than states with registration deadlines. The ability to register on Election Day is particularly important to first-time voters, younger voters, and those who are geographically mobile.

We should make it easier to vote, not more difficult. On November 8, Maine voters will have the opportunity to restore Election Day voter registration by voting “Yes on Question 1.”

For more information, see our web page at <http://www.lwvme.org/EDR.html> and the coalition website at <http://protectmainevotes.com>.

- Jill Ward, S. Portland

Ballot Questions for November 8

In addition to the people's veto (see previous article), there will be three other questions on the November 8 ballot. Questions 2 and 3 are citizen initiatives, and Question 4 is a constitutional amendment.

Question 2 reads, “Do you want to allow a slot machine facility at a harness racing track in Biddeford or another community within 25 miles of Scarborough Downs, subject to local approval,

and at a harness racing track in Washington County, with part of the profits from these facilities going to support specific state and local programs?" If passed, Question 2 would permit the construction of one slot machine facility within 25 miles of Scarborough Downs and the construction of another slot machine facility associated with an Indian-owned harness racing track in Washington County. Proponents cite the economic development possibilities for the Biddeford and Washington County areas as well as distributions to public causes. Opponents point out that one slot machine facility is not actually required to be built in Biddeford. It could be built in any community within a 25-mile radius of Scarborough Downs as long as the voters in that community approve it.

Question 3 reads, "Do you want to allow a casino with table games and slot machines in Lewiston, with part of the profits going to support specific state and local programs?" If Question 3 passes, developers in Lewiston intend to introduce slot machines and then table games to that city. Proponents cite the economic development possibilities for the Lewiston area as well as distributions to public causes.

Opponents of both Questions 2 and 3 refer to the crime, domestic violence and gambling addiction associated with slot machines and table games. They also point out that any new gambling facility may compete with Hollywood Slots in Bangor and the soon-to-be constructed Oxford Resort Casino.

Question 4 reads, "Do you favor amending the Constitution of Maine to change the years of redistricting the Maine Legislature, congressional districts and county commissioner districts after 2013 from 2023 and every 10th year thereafter to 2021 and every 10th year thereafter?" It moves congressional and county commissioner redistricting from statute to the Constitution, and it moves redistricting for all levels of government from the third year to the first year of the decade, when the US Census results are released. By moving congressional redistricting from statute to the Constitution, the amendment enshrines the requirement of a 2/3 majority in both houses of the Legislature and makes the enactment of a partisan plan highly unlikely. The proposed constitutional amendment is a reaction to a recent federal district court case. In a ruling on a lawsuit brought by two Cape Elizabeth residents in March, a three-judge panel of the court declared Maine's congressional districts to be unconstitutional and ordered the state to draw new districts in time for the 2012

election. In an unusual move, the panel announced its decision orally 15 minutes following the hearing. It took that action because next year's elections are so close.

The plaintiffs claimed that their votes were being diluted because the population of the 1st District based on the 2010 Census is 668,515 while the population of the 2nd District is 659,848. The 1st District now consists of York, Cumberland, Lincoln, Sagadahoc and Knox Counties and part of Kennebec County.

Forty-eight other states were redrawing their congressional districts this year. Maine and Montana were the only states scheduled to redraw their districts in 2013. However, Montana has only one district.

Maine's legislative and county commissioner districts were vulnerable to a similar court challenge.

- Michelle Small, Brunswick

Maine's Redistricting Plans

On August 30, Maine Reapportionment Commission Chair Michael Friedman, an Independent, cast the tie-breaking vote in favor of the Democratic congressional redistricting plan.

The Democratic plan would move Gardiner, Rome, Unity Township, Vassalboro and Vienna from the 1st to the 2nd District, and it would move Oakland and Wayne from the 2nd to the 1st. It would result in a population differential of one while affecting more than 19,000 residents in Kennebec County.

The Republican plan would move Lincoln, Oxford and Sagadahoc Counties and the rest of Kennebec County into the 2nd District while moving Androscoggin and Oxford Counties and part of Franklin County into the 1st District. It would result in a population differential of one, and it would affect more than 360,000 residents in seven counties.

Governor Paul LePage has called a Special Session of the Legislature to consider the plans on September 27. Maine statute requires that a redistricting plan be enacted by a two-thirds vote. However, Republicans have discussed changing the statute to require only a simple majority. Democrats have vowed legal action in response to such a change.

- Michelle Small, Brunswick

New Legislation to Repair Clean Elections

On June 27, 2011, in its final decision of the year, the United States Supreme Court issued its long-awaited decision in *Arizona Free Enterprise Club's Freedom Club PAC v. Bennett*. The Court held that public funding programs may not base their allocation of funding to individual candidates on the spending of opposing candidates or on the spending of others.

Maine's Clean Election program includes a triggered matching fund provision that closely resembles the provision struck down in Arizona. A legal challenge to Maine's law had been pending in U.S. District Court, and within the month, Judge George Z. Singal ruled, in *Cushing v McKee*, against Maine's triggered matching funds provisions as well.

While these rulings were disappointing, they were not unexpected given other recent Supreme Court decisions. But this is not the end of public funding! In fact, the Court specifically affirmed the basic constitutionality of publicly financed elections. Their ruling only affects those triggered matching fund schemes that use spending by opposing candidates or independent expenditures to trigger additional funding to participating candidates.

Here in Maine, the effort to repair the Court's damage to our Clean Election system is well underway. In anticipation of these decisions, the 125th Legislature put a process in place to amend the Maine Clean Election Act in time for the 2012 elections; there are attractive and viable options for replacing Maine's matching funds system in time for the forthcoming legislative elections.

The Policy Committee of Maine Citizens for Clean Elections (MCCE) has been talking with a wide range of stakeholders, and the Ethics Commission has begun its official review. MCCE testified at the Commission's recent hearings and is working closely with all the interested parties to craft a solution that is right for Maine.

The most attractive option under discussion is being referred to as the **requalifying** option. Under this option, candidates would not accept any private donations with the exception of Seed Money. Candidates would qualify for the Clean Elections program and receive initial distributions just like they have done in the past, but they would also be able to collect and submit additional Qualifying Contributions from voters in their district in order to receive limited additional distributions later in the campaign. Rather than relying on the state to decide which races receive additional funds, the candidates themselves would

weigh various factors and decide whether to pursue a higher level of funding. Spending would still be limited.

This requalifying option has great credibility because it mirrors the qualifying process that has been successful over the last 10 years. The biggest challenge under this option is setting the initial distribution amount, subsequent optional distribution amounts, and the number of Qualifying Contributions for each, at the right levels so that campaigns end up with an appropriate level of funding.

The other option under discussion is one that makes only a **single distribution** with no matching funds or supplemental funds. This option has the advantage of being very simple. However, the absence of a modulating factor means that many candidates will receive either too much or too little funding for their particular circumstances.

Furthermore, low distribution amounts tend to favor incumbents. If the distribution amounts are kept low, candidates in competitive districts may become "sitting ducks," making them more vulnerable to high-spending opponents and to outside attacks. It may make the program unattractive to candidates in competitive races or to challengers against incumbents – in short, to everyone except very confident incumbents in safe districts – the very candidates who need public funding the least.

On the other hand, if the single distribution amounts are made more generous, the program will surely be providing too much money to many candidates - not an efficient use of public funding. And in the current budget climate, generous one-time grants may require additional appropriations – not a likely scenario. Maine's system has worked well for more than ten years, providing essential resources to candidates in highly competitive campaigns while preserving limited state resources. Some 80% of Maine voters think it is important to have a Clean Election system, and - let's face it - it has never been more important to reduce the influence of wealthy interests.

In rethinking Clean Elections after *Arizona Free Enterprise Club/McComish v Bennett*, it's important to preserve the fundamental value and benefits of the system as much as possible. It's not enough to comply with the Supreme Court decision – the system must be right for Maine. Our amended system should:

- Be inclusive and fair so that all qualified Mainers can participate and so that similarly situated candidates have the same opportunities.

- Be viable for most races and provide funding that is adequate to run and win a competitive race, even against an incumbent.
- Be simple and preserve continuity with the current system so that candidates and voters alike are able to understand and participate in the process.
- Remain true to the original intent, which was and is to minimize the importance of private campaign contributions and to reduce their influence, increase transparency, strengthen ties between voters and candidates, provide opportunity for a diverse array of Mainers to run and serve without ties to special interests.
- Provide good stewardship of public money so that the cost of the system is reasonable for the state and provides real value and accountability.

- Ann Luther, Trenton

Leadership Conference for the Quad States

The Leagues of Maine, New Hampshire, Vermont, and Rhode Island will meet together this October 2011 for our Quad States Leadership Training. This year that training will be part of the League of Women Voters of the United States (LWVUS)

Membership/Leadership Development program (MLD). Training will be conducted by LWVUS staff and volunteers and will include techniques for empowering citizens to have a voice in their communities, for heightening League visibility, and for developing the skills of rising League leaders. The program is being implemented by local leagues in all 50 states with the support of a volunteer national coaching team and a cadre of state coaches. LWVUS is encouraging a small team from each local League and members from the state board to attend. Topics include "Being Political Without Being Partisan", "Best Practices—the Direct Outreach and The ASK Activity", and an "Allied and Media Outreach".

The training will be held at the Hampton Inn & Suites in Wells, ME, from 9 am on Saturday, October 15, until noon on October 16, however, LWVUS recommends that attendees arrive on the evening of Friday, October 14 for an informal session with National Board Liaison Judy Davis. As part of Maine's participation in the MLD program, LWVUS will pay for the hotel sleeping rooms, meals, and meeting space costs for three League members from each participating League (preferably including the local League president and membership chair), as well as all

members of the state board. LWVUS will also reimburse travel costs for all participants. For more information and to register, see our website at lwwme.org or email us.

- Barbara McDade, Bangor

Ranked Choice Voting in Portland

As a result of charter changes enacted by voters in the city of Portland last year, two very new things will occur this fall: Portlanders will elect a mayor for the first time in more than 75 years and they will vote for mayor using Ranked Choice Voting (RCV), also known as Instant Runoff Voting (IRV). Top that off with the fact that, at press time, 15 people are running for mayor and you have something to watch!

Just this year, the League of Women Voters of Maine completed a study of RCV/IRV and decided to approve it. Now, we will be able to see first hand how it works in Maine.

Are you a member of a group in Portland that wants to understand how RCV/IRV will work in Portland?

Members of the local League of Women Voters are available to conduct informal information meetings. With Election Day just around the corner, call Anne Schink at 799-3112 to schedule a time and place for that presentation. We'll be there!

- Anne Schink, S. Portland

A Member Profile -- Charlotte Wilbur

Charlotte was born and raised in Buffalo, New York. She attended Vassar College and following graduation took a job with the YMCA in Olean, N.Y. There she married Carl Wilbur, and they had three sons. In the early years of her marriage, Charlotte was absorbed in the Boy Scouts, the P.T.A. and teaching Sunday school. Her first exposure to the League of Women Voters occurred when she became aware of the Olean Area League, its causes and its work.

When Charlotte and her family moved to Portland, Maine, in 1973 her priorities had changed, and she sought involvement in adult activities. She joined Emily Farley's church and was soon identified by Emily as a potential contributor to the League's efforts. With Emily's encouragement, Charlotte joined the Portland League where her mentors were Carol Fritz, Marion Holzhauser and Emily. Charlotte began

as a member of the Observer Corps that monitored the meetings of the Portland City Council. Later she became Secretary of the Portland League and, in the early eighties, was Secretary of the State Board for five years.

Charlotte remembers the merger of the Cumberland, Falmouth, South Portland and Portland Leagues as a stressful period, and she contacted the Olean League for organizational guidance.

Charlotte was active in Voter Service. To expand voter registration she contacted insurance companies, nursing homes, and graduating senior high school classes, and she participated in naturalization ceremonies.

The highlight of Charlotte's activities occurred from 1976 to 1978 when she was a member of the Library Study Committee that canvassed school libraries throughout the State of Maine. To encourage schools to get rid of old books, they examined math and science texts for their dates and frequency of use.

Charlotte is dedicated to the League's values and principles. The art of achieving consensus has been one of the most important factors in other areas of her life, as when she was appointed Chair of the Governing Board of her church.

After her husband's death, Charlotte moved to Piper Shores, a retirement community. Today she continues to do League work on a regular basis. In July she gathered over sixty signatures on a petition for the People's Veto of a new law that says that voters can no longer register to vote on Election Day and then cast their ballot that same day. She also attends every naturalization ceremony held at the South Portland Field Office.

We salute Charlotte for her many years of contributions and for her loyalty to the League of Women Voters of Maine!

- Polly Ferguson, S. Portland

LWV Calls Texas Redistricting Plan Blatantly Illegal

The League of Women Voters of the United States has joined the League of Women Voters of Texas in urging Attorney General Eric Holder to reject the congressional redistricting plan submitted by the state of Texas on the grounds that it would disenfranchise minority voters and is in clear violation of the landmark Voting Rights Act.

"The Texas plan is by far the most extreme example of racial gerrymandering among all the redistricting proposals passed by lawmakers so far this year. This plan is blatantly designed to stifle the voices of minority voters in favor of locking in partisan gains," said national League president Elisabeth MacNamara. "The Department of Justice needs to unequivocally object to this plan and tell the state to start over."

"Growth in minority communities over the last decade, according to the Census, accounts for ninety percent of the population shifts that afforded our state with an unparalleled four new congressional seats this year," explained Texas League president Karen Nicholson. "Instead of recognizing this, the plan passed by the legislature and signed by Governor Perry actually affords minorities with less electoral opportunity than they currently have. This hostile back-stepping is not only manipulative; it's also prohibited under the Voting Rights Act."

"Numbers don't lie," concluded Nicholson. "Hard-working minority voters have changed the face of Texas over the past decade. Our democracy needs to reflect that." A significant number of individuals, and civil rights, civic, and community organizations including the League of Women Voters of Texas testified repeatedly that the congressional map was clearly designed to benefit lawmakers' partisan interests while egregiously shortchanging minority voters and fracturing close-knit communities of interest. The Texas League testified at hearings of both the House Redistricting Committee and the Senate Select Redistricting Committee and is available for further comment upon request. [Read the comment letter](#) here or learn more at www.lwvtexas.org.

Stay in Touch with LWVME -- Make sure you receive our timely communications about important action alerts and current issues. If you are not receiving our e-mail messages, make sure we have your current email address. Send a message to us at lwvme@gwi.net.

Join the League!

If you are not yet a member of the League, we need your help now in carrying out our mission of reform. You may become a member of the League of Women Voters of Maine and the United States by mailing us your contact information with a check for \$55 for one membership, or \$82.50 for two members at the same household. Our Mailing Address is: **League of Women Voters of Maine, PO Box 863, Augusta, ME 04332-0863**. Please provide us with the following information. Thank you very much!

Membership Application Form

Name _____

Name(s) of additional member(s) in household _____

Address _____

City _____ State _____ Zip Code _____

Phone (home) _____ Phone (work/day) _____

Cell phone (optional) _____ Email address _____

Amount enclosed \$ _____

(\$55 one member. \$82.50 two members same household.)

Please make the check out to: League of Women Voters of Maine.

Dues are not tax deductible.

Comments (e.g. interests, how you heard about the League):

League of Women Voters of Maine
P.O. Box 863
Augusta, ME 04332-0863

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Calendar for 2011

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|---|---------------------------|
| Brunswick Candidate Forum for Town Council and School Board Municipal Meeting Facility, 16 Station Ave, Brunswick | Thurs, Sep 29, 7 – 9 pm |
| LWV-DE Luncheon Meeting, Jaspers, Ellsworth | Sat, Oct 1, noon - 2pm |
| Cumberland County District 3 Commissioner Candidate Forum Municipal Meeting Facility, 16 Station Ave, Brunswick | Thurs, Oct 13, 7 pm |
| Leadership Development Conference, Wells | Sat, Oct 15 – Sun, Oct 16 |
| Topsham Candidate Forum for Board of Selectmen Topsham Town Hall, 100 Maine Street, Topsham | Wed, Oct 19, 7 – 8:30 pm |
| Bangor Candidate Forum for School Committee and City Council Council Chambers, Bangor City Hall, 73 Harlow St, Bangor. | Wed, Nov 2, 6:30 pm |
| Election Day | Tuesday, Nov 8 |