



TO: The Honorable Louis Luchini  
The Honorable John Schneck, Co-Chairs  
Members of the Joint Standing Committee on Veterans and Legal Affairs

DATE: March 11, 2019

RE: LD 186 RESOLUTION, Proposing an Amendment to the Constitution of Maine To Specify the Qualifications of Electors

My name is Penelope Hamblin. I'm a resident of South Portland. I'm a volunteer representing the League of Women Voters of Maine. The League of Women Voters is a consensus-based membership organization. At this time, we have no position on the merits of allowing non-citizens to vote in local elections. Therefore, I am testifying neither for nor against LD 186.

Extending limited voting rights to non-citizens is a "hot button" issue. Feelings on both sides are passionate. They spring from deeply-held beliefs about the nature of our democracy.

On August 13, 2018, the Portland City Council considered a charter amendment that would have allowed non-citizens to vote in municipal elections. The Council did not move forward with putting the amendment to the voters in a referendum.

As testimony before the Council revealed, this is not a simple issue. Those who believe non-citizen voting to be a radical new concept might not be aware of the long history of non-citizen voting in the U.S. Up until 1926, non-citizen residents of as many as 40 states and territories at various times had some right to vote in some elections. After the American Revolution, the practice was seen as consistent with fundamental principle, "No taxation without representation." And following the Civil War, some states and territories extended the vote as an enticement to immigrants, who were needed in the labor force. However, all these laws were eventually repealed during a period of anti-immigration backlash.<sup>1</sup>

Meanwhile, some of those who support extending the vote to non-citizens are concerned that careless implementation of this policy could potentially harm immigrants, for example, by creating confusion about when they could and could not legally vote.

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<sup>1</sup> Hayduk, Ron; *Democracy for All: Restoring Immigrant Voting Rights in the United States*. Routledge, 2006. pp. 15-16.

The League recognizes the belief, strongly held by many Americans, that voting and citizenship are inextricable. Our volunteers can be found registering new citizens to vote at almost every naturalization ceremony in the state – since 2016, we have registered more than 1000 new Mainers. For many of them, voting for the first time is a milestone to be celebrated.

The League welcomes this debate about the meaning of citizenship and democracy. The question before this committee today is: who gets to decide? LD 186 would preempt home rule and prohibit voting by non-citizens in local elections anywhere in Maine. How will you balance the longstanding principle of local autonomy against the merits of this particular issue?

The League looks forward to a thoughtful, civil, and respectful debate over LD 186. We will be following the outcome of this legislation with keen interest.

Thank you for the opportunity to testify.

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[1] Hayduk, Ron; “Immigration, Race, and Community Revitalization.” Aspen Institute Roundtable on Community Change.