20 June 2017

The 128th Legislature of the State of Maine
State House
Augusta, ME

Dear Honorable Members of the 128th Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 1384, “An Act To Amend the Election Laws.”

This bill would allow municipalities to charge political parties rental and cleaning fees if the parties hold caucuses in public buildings. The bill provides no limit to the amounts municipalities would be able to charge. I firmly believe that caucuses are vital to our political process, and they should not be subject to local fees.

What this bill really proposes is a tax on the political process to be levied by municipal officials. In a landmark Supreme Court case in which it was held that a state cannot tax instruments of the federal government, Chief Justice Marshall wrote that the power to tax is the power to destroy. I think the same principle applies to this bill. Localities should not be given the authority to hinder the political process that is so central to our system of government. Public buildings should be open to the public generally, and they should definitely not be used as a way for municipalities to tax the political process.

For this reason, I return LD 1384 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,

Paul R. LePage
Governor