



# LEAGUE OF WOMEN VOTERS OF MAINE

PO Box 863  
Augusta, ME 04332-0863

(207) 622-0256  
lwvme@gwi.net

TO: The Honorable Senator Scott Cyrway  
The Honorable Representative Louis Luchini, Co-chairs  
The Joint Standing Committee on Veterans and Legal Affairs

DATE: March 2, 2015

RE: LD 413 An Act To Expand Access to Absentee Ballots

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Good morning. My name is Ann Luther. I'm the Advocacy Chair of the League of Women Voters of Maine, a volunteer, and a resident of Trenton. The League of Women Voters of Maine submits the following testimony neither for nor against LD 413, or more accurately both for and against.

The League of Women Voters believes that voting is a fundamental right of citizenship, and we have been working for more than ninety-five years to defend and protect that right. But we also support measures that provide for the smooth conduct of elections, improve the professional administration of the election process, and insure that our elections in Maine are free from operational errors.

So we are of two minds about LD 413. On the one hand, our founding principles call out for us to support measures that increase voter access. On the other hand, we understand that the high volume of absentee voting is one of the biggest issues facing our local election officials in managing the smooth operation of our elections.

Over the years, Maine has tried a number of different approaches to alleviate the pressure on municipal officials that high-volume absentee ballots have caused.

- Allowing absentee ballots to be cast (fed through optical scanning machines) up to 24 hours before the polls open on Election Day. This is currently the law, and we do not oppose it. Previously, all absentee ballots had to be cast on Election Day. In some municipalities, this proved physically impossible without dedicating significant staff and a quantity of optical scanning machines to this purpose.
- Suspending in-person absentee voting three business days before Election Day. This was in force for just one or two elections prior to 2010, and it was not a bad compromise. It still allowed voters to get a no-excuse absentee ballot right up to Election Day, but it reduced the amount of time and effort that election officials needed to spend with each voter witnessing the balloting process.

- Suspending no-excuse absentee voting three days before Election Day. This is currently the law.
- True early voting. True early voting, where the voter completes a ballot and puts it directly into the ballot box or scanning machine on the day they vote early is not allowed by the Maine State Constitution. Maine has conducted early voting pilot programs in a handful of jurisdictions across the State that were very well received by voters. Early voting was shown to provide an important convenience and ease of access to voters, while at the same time alleviating some of the demands on municipal election officials as they contend with processing increasing numbers of absentee ballots.

LD 413 includes the following provisions:

- Reinstates access to no-excuse absentee ballots on Friday and Monday before Election Day. Currently, absentee ballots are not available after the Thursday before Election Day without a signed affidavit attesting to a valid excuse. We believe this has caused some confusion with election officials and voters, and there seems to be some evidence that it has reduced the number of voters utilizing absentee ballots. Still, we believe that election officials need the time on Monday before Election Day to prepare the polls and process absentee ballots. We would support reinstating access to no-excuse absentee ballots on the Friday before Election Day, but suspending it for Monday.
- Allows voters to vote by absentee ballot in the presence of the clerk until 8:00 pm on Election Day. Similar to our testimony above, we support reinstating this capability on the Friday before Election Day, but we understand the need to suspend it for Monday. We are uncertain about the need for in-person absentee voting on Election Day. Presumably, if the voter is in the presence of the clerk, he or she could vote an actual ballot at the polls.
- Removes the deadlines for return of absentee ballots by third-parties. We don't see the need for this and confess to a degree of unease about the large-scale deployment of third-party absentee ballots without constraint.

**Ultimately, we believe that early voting is the best solution to address these competing challenges, especially if it can be made available for a weekend before Election Day.** In the meantime, we support reinstating access to no-excuse and in-person absentee ballots for the Friday before Election Day. To provide some relief to election officials, we reluctantly oppose reinstating in-person and no-excuse absentee voting on the Monday before Election Day. We oppose loosening restrictions on third-party absentee ballots.

Thank you for your consideration.