



TO: The Honorable Tim Nangle  
The Honorable Holly Stover, Co-Chairs  
Members of the Joint Standing Committee on State and Local Government

DATE: April 21, 2023

RE: LD 1239 - An Act to Make General Election Day a State Holiday and to Allow Certain Employees an Opportunity to Vote

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Good morning Senator Nangle, Representative Stover, and members of the Joint Standing Committee on State and Local Government.

My name is Allyson Gardner. I'm a resident of Fryeburg. I am here today as the Director of Maine Students Vote on behalf of the League of Women Voters of Maine.

The League of Women Voters has been working for more than 100 years to strengthen voter turnout and remove barriers to voting for all citizens. The League testifies in support of LD 1239.

First, I'd like to clarify that we are in support of the "Election Day opportunity to vote" section of this bill. We are neither For Nor Against the first section of LD 1239, which would make the general Election Day a state holiday, because the League does not have a policy position on that issue. While it is a worthy idea in principle, we have some reservations. For example, closing down state offices and services on Election Day might actually make it harder for some citizens to vote.

Enacting a time-off-to-vote law is a better way to support voters in the workforce. Maine is a leader in voter turnout and in protecting voter rights, but this is one area where we lag behind. Thirty states plus the district of Columbia have laws requiring employers to provide time off to vote. Of those 30 states, 24 require that the leave be paid.<sup>1</sup> LD 1239 would add Maine to ranks of states that provide this small but important benefit to working citizens.

When put into practice, this law would mean that employees could arrange to come to work a little late or leave a little early in order to vote in a general election. While the bill specifies that employees may take up to three hours of paid leave to vote, in most cases a full three hours of leave would not be allowed. For example, an employee scheduled to work from 9 to 5 would have three hours after work to vote before the polls close at 8 and would not be entitled to the benefit. An employee scheduled to work

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<sup>1</sup> Guerin, Lisa. "Taking time off to vote . NOLO,  
<https://www.nolo.com/legal-encyclopedia/taking-time-off-voting-jury-29708.html>

from 8-6, however, could report to work at 10 -- assuming that the polls open at 7 in the employee's town -- or leave work at 5, at the discretion of the employer. The bill does not require employees to give notice of their intent to take advantage of this benefit. The committee may want to consider adding that amendment.

Passing LD 1239 would remove a barrier to voting for hourly wage workers who do not have the flexibility to come and go from their workplace during working hours. Many of our community college students and high school seniors are hourly wage workers and would benefit from this change. From students to individuals who work multi-jobs, this bill provides the opportunity to increase access to voting to a significant part of the populations with the lowest voter turnout.

Employees with long commutes would also benefit. In the best-case scenario, voting can take just a few minutes -- if you're already registered, if lines are short, if the polling place is easy to find. But we know from our own observations that it can take hours to vote when lines are long. While it could be argued that absentee voting is an option for those who have to work on Election Day, some voters simply do not want to vote absentee. We should do everything we can to support voters who are motivated to cast their ballots on Election Day.

This bill asks something of employers, but it is a reasonable ask. In most cases, the amount of leave time would be only an hour or two. The employer decides when to schedule the time off. In return, employers can take satisfaction in knowing that they are helping their employees to participate in the democratic process. In fact, many large corporations advertise and promote their support for employees' rights to vote on Election Day.

Maine should join thirty other states in requiring time off to vote for working citizens. We ask that you vote Ought to Pass on LD 1239.

Thank you for the opportunity to testify. I would be happy to answer any questions from the Committee.