



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

DATE: April 21, 2021

RE: LD 1164, An Act To Expand the Application Period for Absentee Ballot Requests and Allow Early Processing of Absentee Ballots

Good morning Senator Luchini and Representative Caiazzo, and members of the Joint Standing Committee on Veterans and Legal Affairs.

My name is Will Hayward. I am here today as the Advocacy Program Coordinator for the League of Women Voters of Maine. The League of Women Voters of Maine is a nonpartisan political organization that has been working for over 100 years to encourage informed and active participation in government, to increase understanding of major public policy issues, and to influence public policy through education and advocacy. We never support or oppose any political party or candidate.

I am testifying Neither For Nor Against on LD 1164, An Act To Expand the Application Period for Absentee Ballot Requests and Allow Early Processing of Absentee Ballots. This bill would eliminate what is commonly referred to as the “closed period”— the period during which voters are no longer permitted to request a no-excuse absentee ballot. The effects of this bill on the closed period are the same as LD 208, An Act to Expand Access to Absentee Ballots, which this committee has already heard, and so our testimony today is similar.

Much like LD 208, the League appreciates the spirit of voter access to the ballot that this bill embodies. The League of Women Voters believes that voting is a fundamental right of citizenship, and we have been working for more than one hundred years to defend and protect that right. We also believe that the right to vote is enhanced by measures that provide for the smooth conduct of elections, improve the professional administration of the election process, and ensure that our elections in Maine are free from operational errors.

LD 1164 would reinstate access to no-excuse absentee ballots on the Friday and Monday before Election Day, and on Election Day itself. Currently, absentee ballots are not available after the Thursday before Election Day without a signed affidavit attesting to a valid excuse. We believe over the years this has caused some confusion with election officials and voters. 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 and giving towns the option to offer weekend in-person absentee voting, but suspending it for Monday and

Tuesday. A forthcoming bill sponsored by Representative McCreight and supported by the League takes this approach.

It is worth noting that both of these approaches were tried in last year's elections. For the July primary, the closed period was eliminated altogether under FY 19/20 Executive Order 39. For the November general election, the beginning of the closed period was moved to 5:00 PM on the Friday prior to the election under FY 20/21 Executive Order 8. Despite the lower volume of overall ballots in the July primary, it was readily apparent that the full elimination of the closed period was more burdensome for clerks. Instead of being able to use Monday to prepare for Election Day, clerks had to contend with a large rush of last minute in-person absentee voting. And on Election Day, some voters who utilized in-person absentee voting at the town office primarily did so to avoid the lines at the polling place, creating a situation where some clerks were unable to help oversee polling place activities. It was evident that this was unsustainable for the rush of a record-breaking general election, and for the November election the League supported the move to provide in-person absentee voting on Friday but not on Monday.

We believe expanding in-person absentee voting to include this Friday and allowing municipalities to choose to offer final weekend voting is an appropriate solution. Expanding in-person absentee voting in this final week is important as it expands voter options precisely at the point when the largest portion of eligible voters are preparing to vote. In-person absentee voting on Friday could also play a significant role in reducing Election Day lines. Additionally, this year for the first time several municipalities offered some form of in-person voting on weekends; giving towns the option to do this during the final weekend if they so choose would further expand voter access and help reduce Election Day lines.

While the full provisions of LD 1164 would create election administration hurdles that make the League unable to fully support this bill, we would like to reiterate that we support the sentiments behind its introduction, and hope this committee will consider how to carry out its principle of supporting voter access while at the same time supporting the administration of our elections.

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