



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

DATE: February 8th, 2021

RE: LD 148 An Act To Establish Ongoing Absentee Voting

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Good morning Senator Luchini and Representative Caiazzo, members of the committee.

My name is Nadine Bangerter. I am a resident of Rockland, Maine. I am here today as a volunteer on behalf of the League of Women Voters of Maine. I am testifying in support of LD 148 An Act to Establish Ongoing Absentee Voting.

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.

We applaud efforts such as these to make the ballot more accessible and create efficiencies for town clerks. Ongoing absentee ballots particularly serve Maine voters who face competing priorities and additional obstacles, including voters with limited means, bilingual households, voters with disabilities, and voters, often elderly citizens, who live alone. Ongoing absentee status offers voters a system in which ballots are automatically delivered to requesting voters before every election. Participants don't need to fill out an application every time; in fact, they don't even need to know that an election is coming up.

It's already easy to vote in Maine. Enacting LD 148 would add yet another choice and convenience for voters. But it's important to consider its overall impact on Maine's absentee voting system.

Ongoing absentee status was tried in Maine during a pilot study conducted ten years ago. In his final report to the legislature, then-Secretary of State Charles Summers recommended against extending the pilot program. Though elections during 2020 gave Maine much more experience with absentee ballots due to the COVID-19 pandemic, Mr Summers' report laid out pros and cons that are still relevant today.

In the pilot program, voters found the process convenient and clerks appreciated having more time to prepare absentee ballots. However, Mr. Summers and his office did not recommend extending the pilot for three (3) specific reasons; inefficiencies and extra costs due to the need for automated processes not

currently available, diversion from less costly voting methods, and notable increases, after only one year, in returned undeliverable ballots because voters had moved or died.<sup>1</sup>

Undelivered absentee ballots, especially those not returned to the Post Office, are a security issue as well as a waste of time and money for municipalities. If Maine adopts ongoing absentee status as proposed in LD 148, it will be essential that the Secretary of State's office use every available tool to maintain clean, accurate voter rolls. Implementation of Automatic Voter Registration (AVR), already underway, will help with this. Enactment of Online Voter Registration (OVR) would provide more efficient, accurate data entry and convenient access to voters to update their information. In addition, the League recommends that Maine join ERIC, the interstate voter registration data sharing system, as part of its implementation of LD 148.

The League strongly supports a provision in LD 148 requiring that clerks attempt to contact a voter within 24 hours if there's a problem with the signature or affidavit on the return envelope for an absentee ballot. This mandatory notification should help reduce the number of rejected ballots, which can disenfranchise voters if they're not eventually able to correct the problem or vote in person. States with increased reliance on mail delivered ballots are also making extensive investments in signature matching, including automated signature evaluation, advanced training for human intervention, and escalation protocols for unmatched signatures.

There is a national trend, especially in the Western states, toward automatic ballot delivery. Five (5) western states now offer Universal Vote by Mail, in which every registered voter automatically receives a ballot. Due to the COVID-19 pandemic, many states in 2020 increased reliance on absentee ballots to ensure safety for election officials and voters. Complicating the issue of so-called "vote by mail" is that most voters who receive a ballot in the mail don't return it in the mail, but instead drop it off in person or use a secure drop box.

While we can't predict whether adopting this bill would significantly change how we vote in Maine, we should be prepared to see at least some increase in the use of absentee ballots. Our election system is already burdened by the sheer number of absentee ballots, which are time-consuming to process and validate. In the 2016 Presidential election 18.6% of votes cast were absentee ballots and 18.8% voted by absentee ballot in the 2018 Midterm election. Absentee ballots totalled about 142,000 and 121,000 respectively<sup>2</sup>. The November 2020 Presidential election, based on the absentee data file posted by the Secretary of State, experienced a significant increase in absentee ballots cast from 18.8% to 44.7% of votes cast due to COVID safety concerns for voters and election officials. As we move to make it easier for Mainers to vote by mail, we must guard against any reduction in access to in-person voting, which is

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<sup>1</sup> 2011 Report on Ongoing Absentee Voting, Charles E. Summers, Jr., Secretary of State. February 15 2011. Attached to testimony by Julie L. Flynn, Deputy Secretary of State, on LD 753, February 25, 2019. Accessed January 25th, 2021 at <http://www.mainelegislature.org/legis/bills/getTestimonyDoc.asp?id=94563>

<sup>2</sup> Testimony by Julie L. Flynn, Deputy Secretary of State with absentee ballot data, on LD 753, February 25, 2019. Accessed January 25th, 2021 at <http://www.mainelegislature.org/legis/bills/getTestimonyDoc.asp?id=94563>

an essential part of our elections infrastructure for many voters. A robust, secure, accessible election system makes both in-person and absentee voting convenient.

For years, the League has been advocating for a sensible solution that would ease some of the burden for election officials: true early voting. Early in-person votes, cast in the presence of the clerk, totaled 14.3% in the 2016 Presidential election, 10.2% in the 2018 Midterm election, and 17.4% in the 2020 Presidential election. In Maine, the same ballots used for absentee ballots are also used for early in-person voting. Though these ballots are not mailed nor require an application, the ballots still need to be signed, sealed, and secured for later processing like absentee ballots. True early voting would allow voters to cast their ballots before Election Day in the same manner as on Election Day. While offering more convenience for voters, this change would also eliminate multiple steps for election officials.

The League of Women Voters supports making absentee ballots more convenient, safer, and easier for both voters and election officials. Currently, evolutionary technological steps are underway for AVR implementation in January 2022 and future opportunities for OVR will come before the Legislature later this session. Sequencing this reform to follow the necessary upgrades to our voter rolls may involve moving the implementation date back.

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