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October 25, 2012

TO: The Honorable John Atwood, Chair  
Members of the Commission to Study the Conduct of Elections in Maine

FROM: Ann Luther, League of Women Voters of Maine

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Thank you for the opportunity to speak this evening. My name is Ann Luther, and I am member of the state board of the League of Women Voters of Maine. I know that you have heard from some of my League colleagues at your previous hearings. We have been pleased to participate and to have an opportunity to share our perspective on voting issues here in Maine and across the country.

“The League of Women Voters believes that every citizen should be protected in the right to vote.” That’s a quote from League Principles. As this round of public hearings draws to a close, I would like to add my voice to the preponderance of testimony you have heard to date asking you to endorse or recommend policies that increase voter turnout and encourage citizens to participate in elections. Voting is a right, not a privilege; and as a matter of public policy, we should do all that we can to encourage every eligible citizen to vote. Because of our belief in this right, we

- endorse Election-Day registration;
- oppose a photo ID requirement to vote;
- support measures to encourage student voting; and
- applaud Maine’s exemplary challenged ballot law.

But here’s another quote from League Principles:

The League of Women Voters believes that efficient and economical government requires competent personnel, the clear assignment of responsibility, adequate financing, and coordination among the different agencies and levels of government.

Because of our desire to see government run well, 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. I would like to focus my remarks today on this aspect of election practices here in Maine and offer some suggestions for recommendations that you might consider to improve election practice in this regard.

As it relates to voting, we have some special challenges here in Maine. Because we run elections by municipality, rather than by county as they do in many other states, Maine has a large number of voting jurisdictions relative to the size of our voting population. This presents special challenges in terms of uniform practice and the professional administration of elections.

The Office of the Secretary of State does an outstanding job of training and supporting municipalities in the conduct of elections. But it is up to municipalities to set a high standard of professionalism and to provide sufficient resources to adequately support a smooth election function. In the face of uneven practice around the county and reports of lines many hours long at polling places in other states, some advocates have begun calling for federal standards in this regard.

By and large, our local election officials here in Maine do a good job. But it is important for local election officials to know the law, to have adequate staff in the run-up to and on Election Day, and to provide sufficient functioning equipment to handle the volume if we have high voter turnout. It is not acceptable for municipalities to under-resource the election function. If the conditions for voting become time-consuming or unpleasant for those who do turn out to vote, or if voters receive inaccurate or misleading information, lower turnout will be the result. It is worth considering whether we need more robust statewide standards here in Maine.

While we do have mandatory training for election officials, many of the election problems that have come to our attention at the League over the years were the result of well-intentioned officials who misunderstood the law. It might also be worth considering a recommendation for a larger investment in training municipal officials.

Another area that might be considered is for a systematic upgrade is our voting equipment. We heard testimony from an election official at the Portland hearing about the fragile state of our outdated optical scanning equipment. We urge you to consider recommending the use of any HAVA funds that we have left for the purchase of new or replacement voting equipment. We cannot afford to have an Election Day meltdown if our equipment fails.

We know 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. In some municipalities, absentee ballots constitute up to 60% of all ballots cast, and because these require special handling by election officials, they are extremely labor intensive.

Over the years, Maine has tried a number of different approaches to alleviating the pressure on municipal officials that this trend has 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, 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. 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 early/absentee ballots. Of the other measures that have been tried over the years to reduce the pressure of early/absentee voting, the only one that is truly damaging to voter participation is the one that we've got now.
- 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. Early Voting was shown to provide 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.

For election officials, especially in larger municipalities, it is a trade-off: encouraging early/absentee voting alleviates congestion at the polls and reduces the need for many more resources on Election Day, but it requires a few more resources to be deployed in advance. For the League, we believe that instituting a municipal option for true early voting is the best long-term solution. We urge you to recommend it. We also urge you to recommend repealing the current law that suspends no-excuse absentee voting three days before Election Day.

So, to summarize, here are a few recommendations to consider:

- More training for municipal election officials, particularly for those outside the major service center communities.
- Using HAVA money, if there is any remaining, to purchase new or upgraded optical scanning equipment.
- Repealing the ban on absentee voting three days before Election Day.
- Replacing it with a municipal option for true early voting.

Thank you for the opportunity to offer these reflections tonight. And thank you for your public service on this Commission.