



LEAGUE OF WOMEN VOTERS OF MAINE

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

DATE: April 1, 2015

RE: An Act To Permit Maine Residents To Register To Vote Online

My name is Ann Luther. I am a resident of Trenton. I am here today as a volunteer member of the League's Advocacy Committee to testify *Neither-for-nor-Against* LD 770, An Act To Permit Maine Residents To Register To Vote Online.

The League of Women Voters supports the modernization of voter administration methods. We applaud Rep. Diane Russell's efforts in raising the issue of online voter registration because, while we cannot wholeheartedly endorse this bill, it offers the chance to discuss ways that online registration can improve the administration of elections and voter access.

While Maine enjoys a relatively high rate of voter registration, in large part due to the long-standing availability of same-day registration, the League encourages the development of online voter registration programs to modernize the registration process and make it more efficient. It can reduce costs for state and local budgets, increase voter registration, and reduce errors that come when officials re-enter information from handwritten forms. At least twenty other states have begun to upgrade their voter registration systems to meet the needs of our modern, mobile society. We support any endeavor that improves access for voters, but we also want to ensure that any new programs are designed to be available to all eligible Maine citizens.

While we encourage upgrading Maine's voter registration system, we are not supportive of using DMV records for this purpose because it can put some voters at a disadvantage. The cost of an I.D. may not seem prohibitive for many of us. But, for anyone who must first obtain a birth certificate, find a ride or spend some of their limited income, the obstacles may be too high for even a \$5 State of Maine I.D. The elderly, poor, and disabled are likely to be disproportionately affected by this requirement. 11% of Americans do not have these state I.D.'s. We want to be sure that any upgrades to our voter registration system are available to all Mainers. Unfortunately, restricting online voter registration to those who have a driver's license or state I.D. raises concerns about a discriminatory effect.

The League has consistently opposed picture I.D.'s for voter registration, and LD 770's requirement for a driver's license or state I.D. seems to make such a requirement an unintended consequence of this bill.

There are solutions. Rather than relying on DMV identification, we suggest making use of the advances made in online commerce and law to accommodate the Internet Age. We can now "sign" contracts and credit card invoices online. Nearly every state, including Maine, now recognizes the *Uniform Electronic Transaction Act* giving people a way to legally "sign" online transactions.ⁱ Indeed, states that now provide for online voter registration use electronic means for the applicant to give legal effect to the statements of eligibility under the penalty of perjury required under state and federal law. And in fact, LD 770 requires that "An applicant must submit an affidavit attesting that all information provided in the electronic voter application is true."

If the intent of using DMV records is to have a "wet" or official signature on file for voter administration purposes, those signatures can be collected at the polls when a registrant votes. *The Help American Vote Act* (HAVA) already has safeguards to check the identity of individuals who register to vote by mail and those safeguards can easily be applied to those who register online or by "electronic mail."ⁱⁱ

Establishing an electronic voter registration system would also allow for the creation of online portals for registered voters to update their information. Along with this, we support permanent and portable statewide voter registration whereby an individual's registration remains active when they move within the State of Maine. Our same-day registration law already provides many of these advantages. HAVA requires states to maintain voter rolls on a single statewide computerized voter registration list and for that list to serve as the official list for federal elections in the state. Combining this statewide list with online portals where registered voters can update their information would reduce confusion and paperwork at the polls.

We believe that online voter registration is something that the State of Maine should pursue, but that there are technologies and procedures that would allow us to make this a process that would better meet the needs of all Maine voters. The League of Women Voters of Maine enters this testimony as *Neither-for-nor-Against* LD 770.

Thank you.

ⁱ <http://uniformlaws.org/Act.aspx?title=Electronic%20Transactions%20Act> (accessed March 17, 2015).

ⁱⁱ "In the case of an individual who votes by mail, submits with the ballot - a copy of a current utility bill, bank statement, government check, paycheck, or other government document that shows the name and address of the voter." Page 47 of <http://www.gpo.gov/fdsys/pkg/STATUTE-116/pdf/STATUTE-116-Pg1666.pdf> (accessed March 17, 2015).