



---

## Maine Town & City Clerks' Association

---

Local Government Center • 60 Community Drive  
Augusta, Maine 04330-9486  
1-800-452-8786 (In Maine) • 207-623-8428  
Fax 207-626-5947

Date: February 12, 2020

To: Senator Louis J. Luchini, Senate Chair  
Representative John Schneck, House Chair  
And members of the Veterans and Legal Affairs Committee

From: Kathy Montejo, Chairperson, Legislative Policy Committee  
Maine Town and City Clerks' Association  
City Clerk, City of Lewiston

Re: LD 2067 – An Act To Authorize the Automatic Continuation of Absentee  
Voter Status until the Termination of That Status

Position: OPPOSED

The Maine Town & City Clerks' Association is Opposed to LD 2067 for several reasons and we thank you for the opportunity to outline our concerns for your Committee:

- 1) Concerns with potential fraud – As we noted previously, voters who move may forget to update their address. However, town clerks will be required to automatically mail an absentee ballot to the name and address with an on-going request. We have concerns that the ballot will not go to the intended person and new residents of the property might fill out and mail the ballot back in, unaware that they would have to request their own ballot. Even though the label will have the name of the previous occupant, the new resident might just cross out that name, write in their own name and sign it. If the voter with an on-going absentee request moves or dies, and we are not notified, we will be mailing ballots to an address that is no longer applicable. We feel that without the protection of voters requesting an absentee ballot for each election and potentially alerting the clerk of a new address, there is a loss of security and checks and balances over the system. We believe there is better control and protection of the absentee ballot distribution process if voters need to request an absentee ballot for individual elections.

The bill as proposed states that municipal clerks will need to review each signature on the envelope of the returned absentee ballot. We are not handwriting experts. Signature styles will vary from the same person and there will be nuances in a signature. Some department employees may look at a signature and feel that it matches and others may look at the same signature and feel it does not match. This is a very time intensive process and adds to a process that already has numerous clerical steps.

**Representing Over 400 Municipalities**



---

## Maine Town & City Clerks' Association

---

Local Government Center • 60 Community Drive  
Augusta, Maine 04330-9486  
1-800-452-8786 (In Maine) • 207-623-8428  
Fax 207-626-5947

- 2) Local Expense - This bill would require the municipality to automatically send a state and a municipal absentee ballot to any voter who has submitted a request for status as an ongoing absentee voter. As such, we will be mailing ballots to a lot of people who may have moved to a different address since the time they requested this on-going absentee voter status. We see on a daily basis while working with the public, residents who have failed to update their driver's licenses and other forms of identification after moving. Residents tell us they forgot to do it or never got around to doing it. Many of us see our driver's license every time we open our wallets, so most likely on a daily basis. If residents forget to update a document they see on a regular basis, they most likely will forget to update their voting address with us and we will be sending their ballots to their old address. As a result, voters will then call our office out of frustration stating they did not receive their ballot and they will need to notify us of their new address so we can send out a duplicate ballot. If their new address is within the same community, we will mail them out a second ballot thereby incurring additional postage costs as well as the cost of an additional municipal ballot if applicable. If their address is outside of the community, we will be unable to mail them a duplicate ballot because they are no longer entitled to vote a ballot in their former municipality. This will also create some confusion and frustration for the voter. Also, for local elections the volume of absentee ballot requests is typically much smaller than for a Gubernatorial or Presidential. This change would mean much more expense for local elections by sending ballots out to people who have not been voting in local affairs and may not return a ballot they did not request.
- 3) State Expense – It is our understanding that this bill would have a fiscal impact because the State's Central Voter Registration System (CVR) cannot currently accommodate the associated data fields for continuing absentee status and therefore would need to be upgraded to accommodate the various features of this proposed bill.
- 4) State Pilot Program – In 2010, the State conducted a pilot program to test the idea of ongoing absentee ballot requests. Towns that participated did experience a high volume of ballots that were returned as undeliverable due to the voter moving or passing away. This was only during a one-year period of an ongoing request. LD 2067 does not have an ending timeframe so absentee ballots will be required to be mailed to the same address for many future elections unless the voter cancels this request or a ballot is returned as undeliverable. If municipalities experienced many undeliverable ballots after just a one-year trial period, the amount that could be returned over a few years for several elections would be much higher. We will note that at this completion of this pilot program, it was decided not to pursue this program any further.



---

## Maine Town & City Clerks' Association

---

Local Government Center • 60 Community Drive  
Augusta, Maine 04330-9486  
1-800-452-8786 (In Maine) • 207-623-8428  
Fax 207-626-5947

In conclusion, we offer two additional points for consideration:

- 1) Obtaining an absentee ballot currently is extremely easy and should be quite convenient for most voters. A two-minute phone call from the voter to their town office is all it takes. If voters have internet access, they can order a ballot anytime of the day or night in just a few minutes via the state's website. Voters may also go to their local town office and vote in person or take a ballot home. They can also submit an application form to have one mailed to them or have a family member or other person hand deliver a ballot directly to them at their home. These options are available to all voters – ones who are working while the polls are open, ones who are traveling and out of town, voters who are elderly or disabled and cannot get out, voters who just want the convenience of having their ballot in advance to review and study. And certainly, voters who reside in a nursing home or assisted living facility do not have to request a ballot because absentee voting is conducted in person by the municipal clerk right at their residence. Voters have three months to request an absentee ballot. We are not aware of any group of voters who are inconvenienced by ordering an absentee ballot before each election because the process is so accessible, efficient and quick. We will note that there is already the federal provision for automatic absentee ballots for voters who are in the military or reside overseas.
- 2) According to the National Conference of State Legislatures website, there are 7 states as well as the District of Columbia that currently offer permanent absentee ballot status (2 of which hold all-mail ballot elections), 10 states that offer permanent absentee ballot status for voters with permanent disabilities, and 2 of these include voters over 65 years of age. 5 states automatically send absentee voter applications which the voter has to return to get a ballot. 4 states vote all elections entirely by mail and 21 states allow that certain elections may be held entirely by mail – no voting booths, no polling place set up, etc. Therefore, many voters in these states are already doing some of their voting by absentee mailed ballot anyway, so it makes sense to offer ongoing absentee ballot status for voters in these states since they are conducting some elections in this manner anyway. As you know, Maine does not have provisions for any elections to be conducted entirely by mail.

Finally, we ask that our position opposing this bill not be misunderstood to be viewed that we are working against customer service and enhanced service delivery for our residents. While this bill is perceived to offer improved efficiencies for our residents, we simply believe that for this bill, the negatives are greater than the positives based upon the concerns we have raised.



---

## **Maine Town & City Clerks' Association**

---

Local Government Center • 60 Community Drive  
Augusta, Maine 04330-9486  
1-800-452-8786 (In Maine) • 207-623-8428  
Fax 207-626-5947

Thank you for the opportunity to share our comments today with the Committee.

The Maine Town & City Clerks' Association appreciates the opportunity to share its testimony with the Committee. Should any questions arise, please feel free to contact me at 513-3124 or by email: [kmontejo@lewistonmaine.gov](mailto:kmontejo@lewistonmaine.gov)