



William R. Tuell

431 Hadley Lake Road
East Machias, ME 04630
Residence: (207) 271-8521
Will.Tuell@legislature.maine.gov

HOUSE OF REPRESENTATIVES

2 STATE HOUSE STATION

AUGUSTA, MAINE 04333-0002

(207) 287-1440

TTY: (207) 287-4469

March 19, 2021

Testimony

In Support of

LD 638, An Act to Ensure the Timely and Transparent Delivery of Unofficial Election Results in Maine

Senator Luchini, Representative Caiazzo, Distinguished Members of the Veterans and Legal Affairs Committee:

My name is Will Tuell. I represent the communities of Cutler, East Machias, Eastport, Lubec, Machias, Machiasport, Roque Bluffs, Whiting and Trescott Township. I am here today to present **LD 638, An Act to Ensure the Timely and Transparent Delivery of Unofficial Election Results in Maine.**

I want to begin by apologizing for the confusing title and opaque language of this bill. At its core, the bill is really simple. Or maybe I should say my intent for submitting it is quite simple.

This bill directs the Secretary of State to develop a web portal for the timely delivery of unofficial federal, state, and county election results.

All of us here today have spent election night by the phone waiting for our towns to report election nights. I have a good relationship with the nine municipalities in my district and have always been able to get the clerks to call me once their votes have been counted.

That's great, but not every candidate knows that they can reach out to their towns for the results, and not every town remembers to get back to every candidate on their list in a timely way, especially if they have ten or more candidates to contact, and it's been a long hard day at the polls. In fact, this past election, I distinctly remember a colleague of ours stating they never knew they won their race until the following day because they had not been contacted by their clerks, and media tallies were all over the place.

That brings me to my second point. Hundreds of thousands of Mainers across the state are interested in the outcomes of these legislative races, county commissioner's races, sheriff's races, and so forth. What you see on the Bangor Daily News website differs from the Portland

Press Herald site, or the WABI TV website, or even worse, other, less reputable sources that may be floating around social media. The truth is, anyone can throw any numbers out there, which only undermines the credibility of the election as a whole.

I have no problem with the media reporting election results. Nor do I believe our clerks are willfully giving out bad information to the public, or intentionally excluding candidates from receiving those results.

The problem I have is that we rely too heavily on a patchwork of third parties for accurate, timely election results. We put too much of a burden on Maine towns to contact candidates when we could simply develop a portal for them to upload their results to, and have those results texted, emailed to candidates directly, or the candidates could watch the results as they come in on the Secretary of State website.

Other states do that. The media picks tallies directly from the “official” elections bureau in their particular state, or from county or local websites.

I am not suggesting we require every town to post the election results on their website. I am suggesting that each of Maine’s 490 municipalities could electronically submit their results directly to SOS on the night of the election and have that data delivered in real time – recognizing that it is not complete or final. The media could, in turn, publish those results instead of relying on a patchwork of sources for their own information.

A system like this could better serve our clerks. Instead of making dozens of phone calls, they could upload their results in one place at one time, quickly. The public and candidates would have a clearer picture of these races, and the state would join the 21st century in elections reporting.

I have no idea how much something like this would cost, but I do believe it benefits all of us as citizens, people who are engaged in the political and legislative process and even journalism to have one authoritative source for elections results, and I believe it’s something we ought to consider investing in before the 2022 elections. If that is not feasible, certainly we ought to be able to get there before 2024.

If this bill is not achievable, or the language is not to your liking, I would encourage the committee to study ways we can more effectively transmit election results, because the issue is only going to become more pressing as technology advances.

I have heard the Secretary of State speak in favor of utilizing technology to improve our elections in the past, and to my way of thinking something like this would be a perfect opportunity to do just that.

Thank you for the opportunity to present today, and for your thoughtful consideration of this legislation. I am happy to answer any questions you may have.