



Department of the Secretary of State

Bureau of Corporations, Elections and Commissions

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JOINT STANDING COMMITTEE ON VETERANS AND LEGAL AFFAIRS

Testimony of Shenna Bellows, Secretary of State
Department of the Secretary of State

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Testifying neither for nor against

L.D. 158 “An Act to Direct the Secretary of State to Establish a Date Each Year for Voting by Absentee Ballot”

Senator Hickman, Representative Supica and Members of the Joint Standing Committee on Veterans and Legal Affairs, my name is Shenna Bellows, I live in Manchester, and I am the Secretary of State and chief elections officer in Maine. I am speaking today neither for nor against L.D. 158.

Currently, Maine statute requires at least 30 days of absentee voting, with in-person absentee voting being available when the municipal office is open. In each municipality, absentee voting begins when the municipality has received and completed the intake of the ballots for that election. That generally happens in the week or so leading up to that 30-day deadline, with variation occurring because of the logistical impossibility of each municipality receiving and intaking those ballots at exactly the same time. Some of the reasons for this is the large volume of ballots which must be shipped from the printer to the municipalities, the varying shipping times from the printer to the different parts of the state and the varying days and hours which municipal offices are open. For these reasons, ballots are shipped on a rolling basis in the days leading up to that 30-day deadline. In November we even had some ballots delivered by law enforcement officers in the Department’s Enforcement Services Division due to changes to package delivery schedules to more rural areas of the state. None of this is new: The Elections Division has always distributed ballots on a rolling basis due to the logistics of massive printing and distribution requirements of the process. It has worked well for a long time for Mainers, facilitating efficient, secure and fair elections.

We are not opposed to the idea of a standardized day to begin voting in theory. However, the bill as written does not accomplish that. If the goal is to have every town in the state begin voting on the same day, there are cleaner ways to accomplish that without inadvertently triggering unintended consequences. For example, one could strike and replace the proposed bill language with text that made more surgical adjustments to Title 21-A §753-B to accomplish the stated objectives.

1. Issuance of absentee ballots. After the official ballots become available, but no more than 30 days before Election Day, upon Upon receipt of an application or written request for an absentee ballot that is accepted pursuant to section 753-A, ~~and after the official ballots become~~

available; the clerk shall immediately issue an absentee ballot and return envelope by mail or in person to the applicant or to the immediate family member or to a 3rd person designated in a written application or request made by the voter, except as provided in subsection 2. Upon receipt of the official ballots, but no more than 30 days before Election Day, the clerk shall immediately issue an absentee ballot and return envelope by mail to any voter who has qualified for ongoing absentee voter status under section 753-A, subsection 7. The clerk shall type or write in ink the name and the residence address of the voter in the designated section of the return envelope. The clerk may not make any mark visible on the outside of the return envelope for use in a general election that indicates the political party of the voter to whom an absentee ballot is issued.

Such a change would preserve the 30-day absentee voting period and provide for a start date of absentee voting that would facilitate ease of communication with voters, providing consistency from year to year without placing an additional mandate from the Secretary of State each year to define the terms of the absentee voting period, which could lead to potential abuse or politicization of the process.

That being said, we also would like to point out that because absentee voting is administered at the municipal level, there is a great variation in the workload for clerks in different municipalities. Larger municipalities have much larger workloads because there are so many more absentee voters (and voters in general) in those municipalities. Often the larger municipalities, especially the mid-sized ones, do not have proportionately larger staffs. The current system allows clerks to manage workloads appropriately to ensure that every eligible voter has the opportunity to cast their ballot in a timely way, and has worked well for decades. There may be complaints from voters in larger municipalities as clerks in those jurisdictions experience backlogs due to the increasing turnout of voters statewide without adequate resources. Increasing delays in mail processing and delivery may further generate voter complaints if you narrow the potential window for mailing out absentee ballots.

Your collective decision depends on your perspective. If you think every voter should start on the same day, then we recommend that you amend the bill as we propose. If you think municipalities should be able to begin as soon as they get their ballots to manage their workloads, then you should reject this bill. One compromise might be to specify that in-person absentee voting must begin 30 days prior to Election Day, but that clerks may process applications and mail out ballots as soon as they receive them. This concludes my testimony. Thank you and I would be happy to answer any questions that the committee may have.