



TO: The Honorable Craig Hickman
The Honorable Laura Supica, Co-Chairs
Members of the Joint Standing Committee on Veterans and Legal Affairs

DATE: February 10, 2025

RE: LD 313 - An Act to Improve Voter Confidence in Electronic Ballot Counting
by Requiring Ballots to Contain Unique Identifiers

Good morning Senator Hickman, Representative Supica, and members of the Joint Standing Committee on Veterans and Legal Affairs.

My name is Al Cleveland. I am here today as the Advocacy Director of the League of Women Voters of Maine. The League of Women Voters believes that elections should be secure, accurate, recountable, accessible, and transparent. While we appreciate the sentiment behind LD 313, we are concerned about the possibility for compromised ballot confidentiality and the very real risk that this approach could further degrade voter confidence, rather than improving it. For that reason, we oppose LD 313.

What are we to do when a voter claims that the published record of their vote does not match their intended vote? Such a claim might indicate a problem with the vote counting equipment, but it might instead result from voter error when completing the ballot. LD 313 does not propose a mechanism to resolve such claims, but we might imagine a process to retrieve and inspect the paper ballot. What are we to do if the voter then insists that the paper ballot does not match their intended vote, and must have been forged or replaced?

And what are we to do if a large number of voters coordinate such a claim, in an active effort to sow uncertainty?

The use of pre-printed unique ballot identifiers also poses an unnecessary risk to voter privacy. While the bill specifies that the voting device is to "record this information in a way that prevents any association between the identity of the voter and the ballot," what is to stop an employer from requiring each employee to supply their unique identifier as a condition of ongoing employment? What is to stop an unscrupulous candidate or 3rd-party supporter from buying votes and requesting the unique identifier in return for payment?

While numerous recounts have demonstrated that our vote counting equipment has been accurate and reliable, we recognize that individual voters will continue to wonder if the black box of an electronic vote counting machine has properly counted their vote in this election. But pre-printed unique identifiers are not the right solution. Instead, we recommend supporting and tracking the progress of the Division of Audits and Training in the Office of the Secretary of State. In response to legislation passed in the 130th Legislature, they are working to develop a robust and transparent post-election audit to demonstrate – to all of us – that our collective votes have identified the correct winner and to correct the outcome if necessary.