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**JOINT STANDING COMMITTEE ON
VETERANS AND LEGAL AFFAIRS**

**LD 580 “RESOLUTION, Proposing an Amendment to the Constitution of Maine Regarding
Early Voting”**

March 8, 2021

Senator Luchini, Representative Caiazzo and Members of the Joint Standing Committee on Veterans and Legal Affairs, I am Secretary of State Shenna Bellows and today I am providing testimony in favor of LD 580 and I support implementing Early Voting.

Early voting has been defined previously by the Department of Secretary of State as “a time period before an election during which voters have the opportunity to cast a ballot at a designated voting place within the voter’s municipality, in the same manner as on Election Day.” The Department has conducted a study of early voting and two pilot projects in 2007 and 2009. Based upon the study and the pilots, the Department of Secretary of State believes Early Voting will improve efficiency and convenience for voters and elections staff alike.

The Secretary of State has posted the three reports related to Early Voting on the Elections and Voter Information page of the Department’s website, at the following location:
<http://www.maine.gov/sos/cec/elec/voter-info/earlyvoting.html>

Even though we would like to see Early Voting implemented for all elections, it has long been believed that the Maine Constitution, in Article II, section 4, must first be amended to authorize Early Voting in candidate elections. This is based on the wording of the Constitution, which is explicit and unambiguous: “The election of Senators and Representatives shall be on the Tuesday following the first Monday of November biennially” and the election of Governor “shall be” on that same Tuesday every four years. It does not appear to leave the Legislature any room to expand the period of time during which the election may take place. A Maryland Court of Appeals decision struck down Maryland’s statute on Early Voting in part because it conflicted with a provision in Maryland’s Constitution that is similar to Maine’s. *Lamone v. Capozzi*, 912 A.2d 674 (Md. 2006).

Thank you for the opportunity to speak with you today, and I am happy to answer any questions.