



OFFICE OF THE CITY CLERK

CITY OF BANGOR

LISA J. GOODWIN
CITY CLERK

**Testimony of Lisa Goodwin, Bangor City Clerk, Before the
Veterans and Legal Affairs Committee
Opposing LD 208 – An Act to Expand Access to Absentee Ballots
March 8, 2021**

**Senator Luchini, Representative Caiazzo and Honorable Members of the Joint Standing Committee on
Veterans and Legal Affairs**

I am Lisa Goodwin, City Clerk for the City of Bangor. I have served in municipal government for 30 years and have worked in both a small community and a larger city, each having its own unique challenges during an election cycle. I am here to speak in opposition to LD 208 and to stress the necessity for keeping the 3-business day cut off for absentee voting. My opposition to LD 208 is simply to safeguard the integrity of the election process.

Absentee Voting in Presence of Clerk

I support the testimony provided by the Maine Town & City Clerks Association and would like to add my own perspective on how this will impact the election process. I would ask you to consider how absentee voting has changed the election process over the years. Laws have changed to make it easier and easier to vote absentee simply as a convenience. The availability of absentee voting for every voter has resulted in a tremendous increase in absentee voting throughout the state. In the November 2021 election 80% of Bangor's voters cast an absentee ballot. The increase in popularity of absentee voting has also increased the work associated with ballot processing and reporting and has put a strain on available resources. In 2011 the Legislature recognized a cut off for requesting an absentee ballot was necessary. Municipal Clerks are the experts in administering elections and we know what needs to be done to prepare for an election and how much time it takes for that preparation. The time afforded to municipal clerks under current law is crucial to process ballots, enter voter registration data, hire replacement workers, answer inquiries, set up for the election, and get lists ready along with other last minute details. Taking even one hour away from that time can be detrimental to the process and our ability to fulfill our responsibilities and ensure the integrity of the election process. Clerks work long hours every single day of this "closed period" to get the work done. Simply put, we need every minute of that time.

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Concerning to me is the potential for errors in an already high pressure and tense election process--nobody wants to make an error. The opportunity for error increases quickly as workers tire. Tired and rushed workers will and do make mistakes. When those errors occur, the integrity of the process is called into question. I, like every other municipal clerk I have met, take my responsibilities very seriously and the last thing I want to happen is for an error to be made. Voters expect 100% accuracy. Eliminating the short period of time municipal clerks have to prepare for Election Day, without conducting “no reason/no excuse” absentee balloting, will increase the probability of mistakes being made.

Voters are already accustomed to the deadline for requesting an absentee ballot. I have found in my 30 year career that the overwhelming majority of voters will make sure they request their ballot by the deadline. Municipal Clerks have done a very good job notifying voters of the cutoff and they continue to do so at every election. The following chart illustrates how voters behave when given a deadline and how that deadline affects the workload in the clerk’s office. The March election followed existing state law. July had no cutoff and allowed for absentee voting up to the close of the polls. November had a cutoff of the Friday prior to the election. As you can see, voters consistently meet the deadlines. July illustrates what happens to the work load without a deadline. For a general election those numbers would be substantially higher. October 30, 2020, shows what happened with just one day added to the cutoff. Friday was consumed with absentee voting leaving no time to do the election preparations usually scheduled for that day.

March Presidential Primary 3/3/20 Thursday Cutoff			July Primary 7/14/20 No Cutoff			Presidential Election 11/3/20 Friday Cutoff		
Absentee Ballots Requested	Absentee Ballots Returned		Absentee Ballots Requested	Absentee Ballots Returned		Absentee Ballots Requested	Absentee Ballots Returned	
Dec-19	8	0	Mar-20	14	0	Aug-21	4187	0
Jan-20	79	0	Apr-20	352	0	Sep-21	3365	0
Feb-20	1251	1016	May-20	996	0	10/01/20-10/29/20	6325	11970
3/2/2020	5	162	Jun-20	2296	1676	10/30/2020	548	713
Election Day	2	83	7/1/20-7/10/20	886	1912	11/2/2020	3	311
TOTAL	1345	1261	7/13/2020	83	543	Election Day	1	194
			TOTAL	4664	4568	TOTAL	14429	13188
<i>% of Absentee Balloting Activity on Election Day</i>								
March	0.15%	6.6%	July	0.79%	9.6%	November	0.01%	1%

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Perhaps the most troubling part of LD 208 is the change allowing “no reason/no excuse” absentee balloting in the presence of the clerk up to 8:00 pm on Election Day. If a voter can come to the clerk’s office on Election Day, certainly they can go to the polling place instead. Currently, there is no requirement in the law for the clerk’s office to be open until 8:00 PM and this bill doesn’t clearly indicate that the clerk’s office would be required to extend hours. Bangor, like other communities, simply does not have the staff to accommodate this change and it would require hiring more people at an additional cost to the city. Currently on Election Day my office staff focuses on assisting those voters in need of a “special circumstance” absentee ballot due to an emergency, unexpected situation or a disability that prevents them from going to the polls as well as processing in absentee ballots received back on Election Day. I want to ensure they continue to have the time they need to process those “special circumstance” ballots. I have grave concerns with extending “no reason/no excuse” absentee voting to include Election Day. It will create chaos for clerks who should be focusing on Election Day activities. To add the stress of “no reason/no excuse” absentee balloting on Election Day when voters can simply go to the polls creates a great burden on clerks and again increases the probability for errors that will weaken the integrity of Maine’s election process. I spend Election Day at the polls. We have many poll watchers, attorneys, campaign workers and candidates that are present at the polls. Much of my time is spent answering their questions and assisting with concerns that may arise. My focus, as well as every other municipal clerk, must be on Election Day activities and my staff must focus on processing returned ballots so that they can be cast that day.

The July 2020 election day strained our resources and resulted in absentee ballots not being checked off the incoming voting list until after the polls closed. With the volume received that day, it took well over an hour after the polls closed to get the ballots checked off the list, opened, and inserted into the tabulators before any tallying could begin. For an election that size we should have been done with results posted by 10:00 pm. Due to absentee voting on Election Day, it was past midnight before tallying was completed. We could not sustain this work at a November general election and be confident that errors would not occur or that results would be available that night. The system in place now works. Voters have three months to request a ballot and they have proven that they understand the cutoff and can plan their personal calendars to meet that deadline. Clerks also plan their work and know how critical the cutoff is to accomplish everything that needs to occur prior to Election Day.

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Return of Ballot by 3rd Person

The change to Section 753-B, sub-section 3 would eliminate the requirement for a 3rd party to return an absentee ballot within 2 business days. This change creates a greater opportunity for a ballot to inadvertently not be returned by the 3rd party and the integrity of that ballot is greatly compromised. The time that a 3rd party can have control over a voter's ballot should be minimal. Returning the ballot in a timely manner also allows more time to cure any defect on the envelope prior to Election Day. I have never received a complaint about the 2-day requirement and I am not clear on the need for this change.

The citizens of Maine, as well as all of you, rely on us to conduct elections that are accurate and safeguard the integrity of the election process. Our goal is not to disenfranchise the voters but to manage an overwhelming task in a manner that the voters can trust and rely upon. I join the other Maine clerks in asking that you not support LD208 and continue to provide us with the tools we need under law to conduct the type of elections that you are accustomed to and expect.

Thank you for the opportunity to present this testimony.

Respectfully Submitted,



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