

City Clerk

1 City Hall Plaza ▪ Ellsworth, ME 04605-1942

Phone (207) 669-6604 ▪ Fax (207) 667-4908

[hgrindle@ellsworthmaine.gov](mailto:hgrindle@ellsworthmaine.gov)

[thowes@ellsworthmaine.gov](mailto:thowes@ellsworthmaine.gov)

[mmonk@ellsworthmaine.gov](mailto:mmonk@ellsworthmaine.gov)

Date: March 4, 2021

To: Senator Louis J. Luchini, Senate Chair  
Representative Chris Caiazza, House Chair  
And members of the Veterans and Legal Affairs Committee

From: Heidi-Noël Grindle, Ellsworth City Clerk

Re: LD 208 – An Act to Expand Access to Absentee Ballots

Position: Oppose

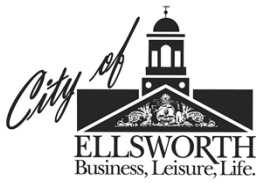
As the City Clerk for Ellsworth, I would be OPPOSED to LD 208.

My concerns are the following as they pertain to three of the individual parts of the proposed LD:

**Part 1)** Lines 10 and 11 - To delete/repeal Title 21-A, Section 753-B, subsection 2 D of the current law. This change would eliminate the three day deadline for any voter to request an absentee ballot and allow voters to request absentee ballots up until 7:59pm on election night.

For the City of Ellsworth eliminating the three day deadline for any voter to request an absentee ballot would make it difficult to maintain a high level of success when running an election for our residents. I only have 3 staff members including myself, the Friday prior to Election Day is spent setting up two wards within City Hall, putting up signage to make it very clear what voters can expect on Election Day, and ensuring all the state laws as well as any unusual circumstances can be addressed. Setting up the polling places requires two of my staff members to be out of the City Clerk's Department most of the day. This would leave one person to keep issuing absentee ballots to residents. Although, we clearly understand anyone meeting the special circumstances as defined by law can still receive an absentee ballot on Friday, through and including Tuesday, this would only be a very small (3 or 4 ballots) amount of ballots that would need to be issued on Friday. With this deadline in force, the majority of absentee ballots will have already been issued and very few voters after that point truly find themselves in unforeseen situations that prohibit them from getting to the polls on Election Day.

During busy election cycles, as we saw at the 2020 Presidential Election, Friday was spent entirely on receiving ballots back and logging them into CVR so that registered voters could track their ballots which provided them a sense of confidence in the process. As the absentee voting process becomes more popular, the Thursday deadline will be even more important to ensuring the integrity and confidence in the Election process. Friday is one of the last business days to ensure all the new



City Clerk

1 City Hall Plaza ▪ Ellsworth, ME 04605-1942

Phone (207) 669-6604 ▪ Fax (207) 667-4908

[hgrindle@ellsworthmaine.gov](mailto:hgrindle@ellsworthmaine.gov)

[thowes@ellsworthmaine.gov](mailto:thowes@ellsworthmaine.gov)

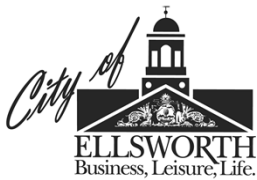
[mmonk@ellsworthmaine.gov](mailto:mmonk@ellsworthmaine.gov)

registrations are entered correctly, address changes have been completed, there are usually a lot of absentee ballots returned either by mail or hand delivered, and this is a very important time to not be rushing and thus accidentally miss a voter who may not have completed the return envelope properly. This oversight will result in an extra trip back to the Clerk's Department to cure the ballots. Having Friday to focus on processing absentee ballots will help to ensure accurate results are reported in a timely manner following the election. The other nice advantage of having the absentee deadline remain on Thursday is municipalities can hold extended hours on Thursday evening for registering to vote, voter registration changes, or casting absentee ballots; these extended hours are helpful to voters. If this were to fall on a Friday evening, many voters will not take advantage of this because they have already transferred to the weekend activities. This extended period provides an opportunity for voters to take care of last minute election tasks as close to Election Day as possible. Monday, in most municipalities; however, especially in Ellsworth, is spent setting up the two off site voting wards. This requires two staff members, the maintenance department, and public works department. As these are off site locations used only once or twice a year, there is a possibility we will run into unforeseen circumstances that must be addressed on the spot. We often have to rearrange those locations and put away furniture before we can start setting up the election. These locations require a lot more signage as they are not designed necessarily for elections. The deadline of Thursday for issuing absentee ballots except in rare cases involving special circumstances is vitally important for Clerk's to feel they have the time to invest in properly setting up the polling places, ensuring the proper signage has been installed, and assuring the polling place is as efficient as possible for the voters. The one staff member remaining in the office has the responsibility of running all the reports necessary for Tuesday. In closing, maintaining the 3 day deadline ensures Clerks can still meet the unexpected situations when voters require an absentee ballot, allows the necessary time to input absentee ballots as they arrive back into the office so that the voters can be confident their ballot have been returned by checking the tracking system, and allows the time to ensure the accuracy of the election process.

**Part 2)** Lines 14 - 17 - Would allow a third party runner to return a voter's absentee ballot by 8pm on election night rather than within 2 business days of the date the Clerk issued the ballot to them.

I am very opposed to this amendment for the following three reasons:

- 1) If a 3<sup>rd</sup> party runner decided to wait this long to return ballots, it may not allow for the opportunity to cure any defects that might be present on the returned absentee ballot envelopes. Even at this point, I would do everything in my power to right this ballot so that the voter's choices can be counted; however, this would add extra stress to the Clerk's Departments at the last minute.
- 2) This amendment does not seem very transparent to me, voters are checking the tracking system to verify their ballot has been received and approved by the Clerk's Department. If



City Clerk

1 City Hall Plaza ▪ Ellsworth, ME 04605-1942

Phone (207) 669-6604 ▪ Fax (207) 667-4908

[hgrindle@ellsworthmaine.gov](mailto:hgrindle@ellsworthmaine.gov)

[thowes@ellsworthmaine.gov](mailto:thowes@ellsworthmaine.gov)

[mmonk@ellsworthmaine.gov](mailto:mmonk@ellsworthmaine.gov)

ballots are being held by the 3<sup>rd</sup> person runner for that long the ballot will not be updated within the tracking system. This will cause extra stress on the voters. A lot of time will be spent by Clerk's fielding calls from voters trying to verify their ballots have been received because they do not see them on the tracking system. This would take time away from important tasks due to the time it takes to explain how that process works and that the ballots have actually not been received back and therefore that is why the system has not been updated.

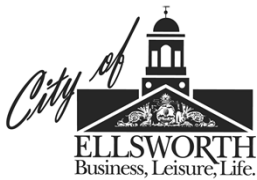
- 3) I believe this amendment will lower voter confidence in the entire election process. Not returning the ballots within a short period of time will open the window for ballots to be lost, spoiled from spilled materials while in the 3<sup>rd</sup> party's possession, or there is a chance the ballots will not be returned by the election deadline because they are simply forgotten about.

In conclusion, I do not feel it is unreasonable for a 3<sup>rd</sup> person runner to return the ballots to the Clerk's Department within a day or two from taking possession of them. This is an important responsibility and a very meaningful tool for a voter who is not capable of receiving a ballot in one of the other available measures. I believe voters have an expectation that this process will be handled in a very quick and reliable fashion.

**Part 3)** Lines 22 and 23 - Would allow any voter to vote by absentee ballot in the presence of the Clerk at any time up until 8pm on Election Day at any election. This change being to allow in-person absentee voting on Election Day.

This amendment is most concerning as it relates to the transparency of the process and appears to undermine the whole reason for Election Day.

- 1) Allowing absentee voting in the Clerk's presence on Election Day does not pass the straight-face test on completing the special circumstance application. If a voter can appear in person to complete the special circumstance application and vote a ballot in the Clerk's presence than they certainly can vote at their polling location. In the event there is no longer a special circumstance request form, this process is in direct conflict with the idea a person would vote an absentee ballot because they will be absent from their polling place on Election Day. They are clearly not absent from the municipality on Election Day if they are in the Clerk's presence.
- 2) If voters request and vote an absentee ballot in the Clerk's presence than it is impossible at that point to verify whether they have just voted at their voting place prior to arriving at the Clerk's Department. Ellsworth has 4 voting wards, which would make it impossible for the Clerk to know instantly if that voter had just voted. Although, only one vote would ultimately count at the conclusion of the Election because the Warden would reject the absentee ballot upon seeing the voter is checked off the incoming list. This would cause the incoming clerk to



## City Clerk

1 City Hall Plaza ▪ Ellsworth, ME 04605-1942

Phone (207) 669-6604 ▪ Fax (207) 667-4908

[hgrindle@ellsworthmaine.gov](mailto:hgrindle@ellsworthmaine.gov)

[thowes@ellsworthmaine.gov](mailto:thowes@ellsworthmaine.gov)

[mmonk@ellsworthmaine.gov](mailto:mmonk@ellsworthmaine.gov)

question whether the person had actually already voted in person or whether they made an error checking them off. It could also give the voter the impression two votes were cast and they will share that information on different media sources which in turn will cast an unfounded negative light on the election process. Adequate checks and balances currently do not exist to protect the process if in-person absentee voting is allowed as a normal course of business on Election Day.

- 3) This amendment adds a hardship to Clerks because Tuesday should be spent ensuring voters have a great experience while voting. If our attention is diverted by long lines of absentee voters who are capable of voting at their polling places rather than in the Clerk's Department we cannot monitor the petitioners, candidates, or assist with new voter registrations.
- 4) This amendment would also make it nearly impossible to calculate how many additional staff members would be needed in the Clerk's Department to issue absentee ballots, process those ballots, and prepare them to be delivered to the different polling locations in addition to the 4 Wards. This would be an additional cost to the municipality, essentially setup a 5<sup>th</sup> polling location.

I sincerely thank you for reading my testimony. It is truly an honor to serve the residents of Ellsworth with their voting needs. The Ellsworth City Clerk's Department prides themselves on making the voter feel as confident in the process as possible, making the process convenient for the voter, creating a transparent environment to the public, and reporting accurate results in a timely manner. This pride in the system is only possible because deadlines are in place to ensure tasks are completed with careful attention to detail.

Should any questions arise, please feel free to contact my office at (207) 667-2563 x 129 or by email: [hgrindle@ellsworthmaine.gov](mailto:hgrindle@ellsworthmaine.gov)