



## TOWN OF KENNEBUNKPORT, MAINE

– INCORPORATED 1653 –

Date: March 5, 2021

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

From: Jamie Mitchell, Town Clerk  
Tracey O’Roak, former Town Clerk

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

Position: Oppose

We are opposed to LD208 for many reasons. The Town Clerk’s Office in Kennebunkport has a staff of three. The office not only covers the duties and responsibilities of the Town Clerk, but also receives all money for the town including but not limited to real and estate and personal property taxes, pier dues, fuel payments and sewer payments. We also sell hunting & fishing licenses; register boats, ATVs, and snowmobiles; register vehicles; issue beach stickers and shellfish licenses. There are too many other duties to list everything.

Having the three-day deadline to receive absentee ballot requests will make it nearly impossible to perform our day-to-day duties and prepare for the upcoming election while also issuing absentee ballots during those last few days. Once the office closes on the Thursday night before an election, the remaining time until the polls open is spent finalizing election set-up and preparing the required documents and forms for Tuesday morning. In addition, we are still busy registering people to vote on Friday and Monday.

State law allows any voter to request an absentee ballot in person, by phone, internet application or even by having someone else to pick up the ballot for them. They have three (3) months before an election to request a ballot. There is also currently a provision that if a voter has a circumstance such as a physical disability, incapacity or illness causing them to be unable to leave their home; are in currently in a treatment facility; have an unexpected absence from town during the time the polls are open; and for such situations as family emergency, work obligation or are an island resident and cannot get to their polls, they are able to request and obtain an absentee ballot at any time and the deadline does not apply.

6 Elm Street, P.O. Box 566, Kennebunkport, Maine 04046  
Tel: (207) 967-4243 Fax: (207) 967-8470

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In Kennebunkport, we advertise when absentee ballots are available on our website, Facebook page, through email blasts, in our semi-annual newsletter (that gets mailed to every household), and with signs at town hall and the post office. Any time someone registers to vote, we explain the absentee voting process and let them know how and when they can request an absentee ballot. For any given election, we have 40-50% of votes cast by absentee ballot. Those who do not vote by absentee ballot prefer to vote at the polls.

As mentioned above, we need the two days of Friday and Monday to do final preparations for election day, including but not limited to: running the incoming voter lists, processing and data entry of new voter registration cards, getting last minute supplies ready, finalizing election workers schedule, recording all of the absentee ballots that are being returned, setting up the polling places with our Public Works Department, answering procedural questions from candidates, political groups and the media, responding to numerous citizen phone calls about hours and location of the polling place, and for high-turnout elections, processing absentee ballots during this time, rather than on Election Day.

The three-day deadline has been in place for several years and we feel that most voters are aware of the cutoff date for requesting an absentee ballot. We have not had any opposition from voters to the law as it is now written.

The second part of this bill would take away the two-day requirement for a third-party carrier to return an absentee ballot. We cannot see any benefit to this change. Receiving the ballot back within two-days reducing the chance that the ballot will be lost by the third-party. There is also a question of security if the third-party has up to 30-days to hold the ballot before returning it (absentee ballots can be issued 30 days before an election). How can a voter feel secure with a system that allows their ballot to be in someone else's possession until 8 pm on election night? This creates questions of ballot security and ballot integrity.

Part three would allow in-person absentee voting on election day. Again, this challenges the integrity of the election process. The voter's name is printed on the incoming voting list at the polls. What would stop someone from voting in the clerk's presence at town hall and then going to the polls and voting again? Also, by allowing voters to vote an in-person absentee ballot in the presence of the Clerk, presumably at the town office, it would basically be like having a second polling place which requires extra staff and supplies.

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Another issue for small towns, like Kennebunkport, is that the Town Clerk is at the polling site from about 5:30 am until well after the polls close on election day. What would be the benefit of having voters complete the absentee voting process at the polling location on election day? It requires more steps and paperwork when the voter could easily and more quickly vote in the traditional manner.

For all the reasons mentioned, we are strongly opposed to LD 208.

Thank you for considering our testimonial.