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March 8, 2021

***Representative Steve Moriarty Introducing
LD 580, “RESOLUTION, Proposing an Amendment to the Constitution of Maine
Regarding Early Voting”
Before the Joint Standing Committee on Veterans and Legal Affairs***

Senator Luchini, Representative Caiazzo, and distinguished members of the Veterans and Legal Affairs Committee, I am Rep. Steve Moriarty of House District 45, representing Cumberland and part of Gray. I am pleased to submit for your consideration **LD 580, “Resolution, Proposing an Amendment to the Constitution of Maine Regarding Early Voting.”**

Article II, section 4 of the Constitution provides that Election Day “shall be on the first Tuesday following the first Monday of November biennially.” We are all familiar with the process for absentee voting, but it is important to distinguish that procedure from early voting. When a person votes absentee, the ballot is delivered to a clerk, or mailed to a clerk, or deposited in a drop box to be counted on Election Day. By contrast, early voting allows a voter to complete a ballot in advance of Election Day and to personally place the ballot in the voting machine without surrendering the ballot to any other person. The ballot is counted when so placed by the voter. In this manner, the voter casts a ballot earlier than on Election Day but in the same manner as he or she would otherwise have done on Election Day itself.

Because the Constitution references a single Election Day, it is necessary to amend the Constitution to permit the option of voting early as described. The proposed amendment provides that early voting can only take place “during a prescribed period immediately preceding an election.”

Briefly, the advantages of early voting are: (1) for voters who wish to vote in advance of Election Day, it provides an easy alternative; (2) for voters who have concerns about ballot security with the absentee process, the concerns are eliminated because the voter casts the ballot personally with no involvement on the part of any other person; (3) it promotes greater voter participation by offering another easy and workable option to standing in line on Election Day.

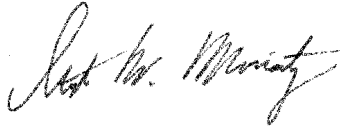
Early voting was implemented in certain areas of Maine as a pilot project in the late 2000s with great success and strong public approval. Thus, we have utilized this option in the recent past with extremely positive results.

I am agreeable to amending the bill in at least two respects. First, “a prescribed period immediately preceding an election” could be defined in the Constitution itself, and I would suggest a period not to exceed 14 days prior to Election Day. As a fallback, I would suggest a period of 10 days. Secondly, it is my intent that the choice to offer early voting should be made at the municipal level, and should not be a state mandate. I think this is implicit in the phrase “municipalities may conduct,” but if clarification is

needed I would agree to language expressly stating in words to the effect that the decision to offer early voting is to be made at the sole discretion of the municipality.

I ask the Committee to vote favorably on LD 580, and of course I am happy to answer any questions. Thank you for your consideration.

Respectfully,

A handwritten signature in black ink, appearing to read "Rep. W. Moriarty". The signature is written in a cursive, flowing style.

Rep. Stephen W. Moriarty
House District # 45