THE LEAGUE OF WOMEN VOTERS
of Montgomery County, MD, Inc.

**Testimony to the Montgomery County Council
on the Recommendations of the Right-To-Vote Task Force
September 23, 2014**

Good evening. I'm Linna Barnes, president, speaking for the League of Women Voters of Montgomery County. First, we congratulate you on your decision to appoint a task force on the Right to Vote, and we thank you for this opportunity to comment on its recommendations.

Basis for commenting. As you know, our testimony is always based on positions to which our members have agreed after study and discussion -- either locally, statewide, or, in some cases, across the country.

> Please note these points regarding the comments that follow: (1) In general, we are strongly supportive of efforts to inform eligible residents of their right to vote, and to make it easier to register, to become informed about candidate and issues, and to vote. (2) For the Task Force recommendations that are supported by our positions, we also have comments about how those recommendations could be implemented. (3) There are other recommendations -- some very interesting -- on which we do not have positions and so we are not commenting on them.

The League of Women Voters of Montgomery County supports the following recommendations:

Voter registration – online and same day. We support the Task Force's recommendations to improve online voter registration (1-4) and to provide for same-day voter registration (5). We urge you to encourage (a) the State Board of Elections to implement those that they can and (b) our state delegation to develop or support legislation to enable the others -- including the constitutional amendment to authorize same-day voter registration.

Voter registration – more options. We support recommendations 8 and 9 for automatic registration options and the suggestions for voter registration during service encounters at County offices -- with options for both paper and online forms. We urge you and the County Executive to implement this service expansion locally by enabling more county agencies to offer voter registration (either with a HAVA [Help Americans Vote Act]-like link or by offering a paper registration form) and to look into linking county online forms (like property tax) to the State Board of Elections registration system.

Ballot design and language. We strongly support both "Friendlier Ballot Design" (Recommendation 10) and "Clearer Language for Referendums" (Recommendations 11-13) in concept -- although we cannot speak to most of the specific suggestions included in Recommendation 10.

Lines and long-distance voting. We support Recommendation 14 "Understanding Long Lines" and encourage you to ask the County Board of Elections to review its policies and practices in comparison to the best practices discussed in the cited reports [while recognizing that the County has its own best practices with website tracking of line lengths at the early voting centers and the use of Future Voter students to assist those waiting to vote]. We also support improved information for U.S. Military and Overseas Voters (Recommendation 15).

Voter outreach. We strongly support continued outreach (beyond the information in the sample ballot) to make more voters aware of the three ways to vote in Montgomery County (Recommendation 17), and we believe such outreach could hold significant promise for increasing voter turnout. We note that Early Voting has already

shown increasing numbers, but we are concerned that many eligible voters who might find it easier to vote on a weekend still do not realize that they can do so.

Apps. As long-time supporters of efforts to inform voters and to encourage young citizens to vote, we see real value to developing "apps" for mobile devices, as recommended in recommendations 18-21. We compliment the Board of Elections on beginning this process and urge you to support their ongoing efforts.

Ranked choice voting. We strongly support recommendations 33, for the adoption of Ranked Choice/Instant Runoff Voting for county elections, and 35, to encourage the state to purchase voting equipment that can tabulate ranked-choice ballots without requiring exports to spreadsheet software. We regret that we currently have no position on which to base support of the same approach for state elections.

State-level redistricting. We are already strong advocates for a fair redistricting process on the state level (Recommendation 36) conducted by a neutral redistricting commission (Recommendation 37) with meaningful opportunity for public input and comment (Recommendation 39), and we would be very happy to have the County Council's support. We support the recommendation that elected officials be ineligible to serve on a redistricting commission (37.2b). However, unlike the Task Force, we support the State Legislature's having final approval of the state redistricting plan.

County-level redistricting. At the County level (recommendations 40 and 41), we also support the concept of a fair and open redistricting process conducted by a neutral commission. In view of the large number of registered voters without party affiliation, we suggest that the Council might consider some representation on the commission for non-affiliated voters. Nonetheless, we found the recent County redistricting process and resulting districts to be much closer to the ideal than those designed at the State level.

Initiatives and referenda. On Initiative and Referendum, we support the recommendation (42c) that "a process should be established to ensure that ballot questions are written so that they can be understood by the average voter," and, again, the County has done a good job with its current Charter amendment.

On the "Minor" or "Non-Principal" Party Ballot Access recommendations, we support #45 and urge you to request the County Board of Elections to provide information explaining the signature-gathering requirements for non-principal parties and independent candidates.

We also support #47 and your requests to the State Board of Election to return to "reasonable certainty" petition signature standards instead of the "strict, to-the-letter" standards in place since March 2009.

Debates and media. We strongly support the concept of equal debate and media access for all candidates. As a means to that end, we support recommendations 49 and 50 for free and equal media access at the local and state level, and, in a related vein, also support local funding that facilitates the preparation/distribution of all candidates' positions to registered voters -- in lieu of direct matching grants to candidates.

Financial resources. We are glad that the Task Force recognized that increased financial resources may be needed by the Board of Elections to carry out the additional work involved in the Task Force's recommendations, and we join them in urging you to provide that funding.

THE LEAGUE OF WOMEN VOTERS
of Montgomery County, MD, Inc.

The League of Women Voters of Montgomery County has concerns about some of the Task Force Recommendations:

<u>Automatic registration options.</u> We have reservations about automatic registration options. While we strongly support making registration easier, we note in regard to recommendation 6 and 7 that many permanent residents who are not citizens, as well as undocumented residents, might appear on these lists. Unfortunately, they may receive and respond to these mailings, inadvertently committing a felony. Alternatively, to weed out those not eligible to register from these lists prior to mailings might be difficult or costly.

<u>Sufficient information.</u> Although we support improved information for U.S. Military and Overseas Voters as covered in Recommendation 15, we question whether municipal election dates and contact information as proposed in Recommendation 16 would be sufficient to enable them to be informed voters in municipal elections.

<u>Choice.</u> In regard to the "Get Out the Vote" recommendations (22-24), we have long been committed to protecting the right of every citizen to vote, and encouraging them to fully utilize that right, but we suggest that inherent in that right to vote is the right not to vote and to have that decision remain a private one.

We urge you to consider whether the publicity proposed goes beyond encouragement and approaches pressure or harassment. Additionally, for recommendation 22, lists of the absentee and early voters currently are available from the SBE after Early Voting closes and prior to Election Day for a nominal fee, as are the lists of all registered voters used by many campaigns throughout the election cycle.

<u>Closed primaries.</u> In the past, we have supported closed primaries, but our members have recognized that they do leave the large number of unaffiliated voters in the County without a voice in what are often the decisive elections.

Retaining closed primaries but urging the parties to open them to unaffiliated voters (Recommendation 31) seems a worthwhile approach to consider.

The recommendation (32) that "in the event of an uncontested General Election, the Primary Election must be open to all who are entitled to vote in the General Election" seems moot to us so long as the deadline to register to run as a general election petition candidate or a nominee from a non-principal political party occurs several weeks after the Primary Election.

<u>Thoughts on voting access.</u> On the Voting Access for Noncitizens with a Permanent Resident Visa (recommendations 52 and 53), we have no specific position, but we question the wisdom of weakening the bond between citizenship and voting rights, and we have some concern that frustration might be the major response to allowing people to vote in all elections except the ones they care most about. Similarly, on Voting Rights for Residents Who Are 16 or 17 Years of Age, we anticipate that that frustration may be the major response to allowing them to vote in some elections, but not the ones they are most aware of.

*****

We appreciate this opportunity to comment on the Task Force's recommendations, and we look forward to working with you on their implementation.