

SB0039 Affiliating with a Party FAV.pdf

Uploaded by: Cecilia Plante

Position: FAV



TESTIMONY FOR SB0039
Ballot Access - Affiliating With a Party - Unaffiliated Voters

Bill Sponsor: Senator Kagan

Committee: Education, Energy, and the Environment

Organization Submitting: Maryland Legislative Coalition

Person Submitting: Cecilia Plante, co-chair

Position: FAVORABLE

I am submitting this testimony in favor of SB0039 on behalf of the Maryland Legislative Coalition. The Maryland Legislative Coalition is an association of activists - individuals and grassroots groups in every district in the state. We are unpaid citizen lobbyists, and our Coalition supports well over 30,000 members.

Our members believe that voting is the soul of our democracy, and that the State's laws should provide for the easiest possible access to voting for everyone. One frustration for many new, young voters is the deadlines for affiliating with a party in relation to being eligible to vote in a primary. Most young voters are undecided about their affiliation, and only decide to vote in a primary based on who is running, or based on a perceived need to have their vote counted in the primary. These are not decisions that are made well in advance of the primary, and those voters who are not prepared to make an affiliation early are disenfranchised.

Since the primaries in Maryland often decide the entire election, being able to vote in a primary is pretty important. This bill requires a local Board of Elections that receives a request to affiliate with a political party from a voter who has declined to affiliate with a party after the close of registration but by 5 p.m. on the day before early voting begins, to make the change.

Extending the deadline to affiliate to close-of-business the day before a primary is a common-sense policy that will ensure that participation in primaries has fewer barriers. We support this bill and recommend a **FAVORABLE** report in committee.

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Uploaded by: Charlie Cooper

Position: FAV



Get Money Out – Maryland

Baltimore County Progressive Democrats Club

Baltimore Nonviolence Center

Be the Change Bmore

Caucus of African American Leaders of Anne Arundel

Chesapeake Climate Action Network

Common Cause Maryland

Don't Shop on Tuesdays

Do the Most Good

Indivisible Central Maryland

Indivisible Howard County

Indivisible Montgomery

J Walkers Action Group

League of Women Voters of Baltimore City

Maryland Legislative Coalition

Maryland Peace Action

Maryland United for Peace and Justice

Matthew Henson Community Development Center

National Association of Social Workers - Maryland

Our Revolution Maryland

Progressive Maryland

Randallstown Branch NAACP

Represent Maryland

St. Ignatius Justice & Peace Committee

Southwest Baltimore County Democratic Club

WISE –Women Indivisible Strong Effective

February 16, 2023

**Support: SB 39 - Ballot Access - Affiliating
With a Party - Unaffiliated Voters**

Charlie Cooper, Convener

For the People – Maryland is a coalition of nonprofit advocacy and community organizations that stands for political equality. Every citizen should have equal access to the ballot as a voter or as a candidate.

District lines should be fair to every voter, regardless of race, ethnicity, or party affiliation. The corruption of big money in politics must be eliminated, and the disproportionate influence of concentrated wealth reduced.

We support Senate Bill 39 because it improves access to the ballot for unaffiliated voters. In many elections for local offices and for seats in the General Assembly, the primary counts more than the general election in determining who actually serves. Many new voters or voters who are new to Maryland may not be aware that registering unaffiliated means they cannot participate in primary elections that determine who wins office.

This bill gives those voters over a week's more time to learn about the importance of an upcoming primary election and register with a party so that they can vote. It does not allow voters already registered with a party to switch and "cherry-pick" which party's primary election they want to vote in.

The bill also mitigates an unfair situation whereby those who have not registered can declare a party affiliation all the way up to election day, but those who have registered unaffiliated are barred from primary participation before they may even be aware that the primary is occurring. The bill will also give more voters a sense of agency by participating in a truly contested primary election, rather than simply in a general election where the outcome was not really in doubt.

Please promote voter participation by giving your favorable report to Senate Bill 39.

SB 39 - Ballot Access - Affiliating with a Party -

Uploaded by: Morgan Drayton

Position: FAV

February 16, 2023

Testimony on SB 39
Ballot Access - Affiliating with a Party - Unaffiliated Voters
Energy, Education, and the Environment

Position: Favorable

Common Cause Maryland supports SB 39, which would allow unaffiliated, registered voters to change their registration to a party during early voting period.

Currently, registered unaffiliated voters who would like to register under a recognized political party to participate in Maryland's closed primary process must do so 21 days before the election. However, unregistered voters may show up in the week before the election, register, and choose a party affiliation. The disparity created by the deadline for unaffiliated voters is arbitrary, confusing, and an unnecessary burden.

This is no small issue in the Old Line State. Maryland's number of unaffiliated voters has grown at a rapid pace, doubling over the last decade and a half. Over 750,000 voters in Maryland are currently registered as unaffiliated. Most of those voters register as unaffiliated to express their disapproval of the party that they feel should represent them, but few are aware that such a registration could affect their ability to participate in Maryland's primaries.

While those hundreds of thousands of Marylanders can freely participate in the general election, they are unable to meaningfully participate in Maryland's closed-primary system. And in a state where demographic realities and partisan gerrymandering basically guarantee many races to certain political parties, that means that unaffiliated voters are shut out from the most important election of the cycle.

SB 39 would allow for more voters to have a more meaningful impact on the democratic process in a way that would not materially impact the state's current preference for closed primaries.

For the reasons above we support SB 39 and urge the committee to report favorably.

SB 39 Ballot Access - Affiliating With a Party - U

Uploaded by: Ralph Watkins

Position: FAV



TESTIMONY TO THE SENATE EDUCATION, AND ENVIRONMENT COMMITTEE

SB 39 Ballot Access – Voter Registration – Affiliating With a Party

POSITION – Support

BY: Nancy Soreng President

DATE: February 16, 2023

The League of Women Voters of the United States believes that democratic government depends upon informed and active citizen participation, and that voting is a fundamental citizen right that must be guaranteed.

SB 39 would allow unaffiliated voters (a voter who has registered to vote but declined to affiliate with a political party) to affiliate with a political party during the 21 days before an election when voter registration is closed if the local board receives the request by 5 p.m. on the day before early voting begins. The current proposed bill language says that the party affiliation would be effective for the next election. We would suggest clarifying language so it would say *beginning on the first day of early voting*.

As of December 2022, there were 840,401 unaffiliated voters in the state of Maryland. The majority of unaffiliated voters are new citizens, young voters, or first-time voters. There are many reasons why people don't register with a party. They may not be aware that Maryland is a closed primary state dramatically limiting the choices on their ballot. They may not be prepared to select a party when they show up to get a driver's license and find out they have been registered to vote. They may be excited about becoming a citizen and register at a naturalization ceremony but feel they don't know enough about the political parties to make a choice that day.

During every primary election thousands of voters vote provisionally because they had no idea, when showing up at the polling place that they could only vote in non-partisan elections. These provisional ballots cannot be counted which is a shame. Since 2017, the League has been supporting legislation allowing unaffiliated voters the opportunity to choose a party at early voting or on election day because we already have mechanisms in place to register voters on those occasions. Since passage of that common sense approach has not been achievable, we support this bill as it does at least expand the window of opportunity for more Marylanders to exercise their right to vote in primary elections.

We urge a favorable report on SB 39.

DRM_SB 39_FAV.pdf

Uploaded by: Samuela Ansah

Position: FAV

EDUCATION, ENERGY, ENVIRONMENT COMMITTEE**February 14, 2023****SB 39 – Ballot Access - Affiliating With a Party - Unaffiliated Voters****Position: SUPPORT**

Disability Rights Maryland (DRM – formerly Maryland Disability Law Center) is the Protection & Advocacy agency in Maryland, mandated to advance the civil rights of people with disabilities. DRM works to increase opportunities for Marylanders with disabilities to be part of their communities through voting by advocating for equal and equitable access to the ballot.

DRM supports SB 39 which will require a local board of elections to change a voter's registration from a decline to affiliate with a political party when voter registration is closed if the request to affiliate is received by the local board by 5 p.m. on the day before early voting begins; and providing that the change is effective for the next election. Currently, voters only have until the voter registration deadline to change any voter information, including their party affiliation. Allowing voters who originally declined to affiliate with a political party to change their party affiliation prior to the start of early voting is vital, especially for participation in the closed primary elections in Maryland. This will greatly enhance opportunities for more individuals to participate in the electoral process in Maryland. This will also benefit voters with disabilities who may have not been ready to affiliate with a political party at the time of their voter registration, particularly those residing in institutions such as state psychiatric hospitals.

During the 2022 election cycle, Disability Rights Maryland conducted voter outreach to patients residing in two state hospitals. During our outreach for the primary election, some voters declined to affiliate with a political party when registering indicating they would need more time to determine which party they would like to identify with. Without affiliating with a political party, they were unable to participate in the primary election. Additionally, their residence in an institution prevents easy access to the local boards of elections to update their voter registration and affiliate with a party once they decide about which party, they would like to affiliate with prior to the voter registration deadline.

Extending the deadline to allow voters who previously declined to affiliate with a political party to update their party affiliation will greatly increase participation in the election cycle, especially the primary election. This should increase voter turnout during primary election which have seen historically low turnout in the past compared to the general election. SB 39 helps increase access to the ballot particularly for voters with disabilities residing in the community and institutions which is vital to having their voice heard in our society.

For these reasons DRM urges a favorable report on **SB 39**.



Empowerment. Integration. Equality.

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www.DisabilityRightsMD.org

Please do not hesitate to contact me at samuelaa@disabilityrightsmd.org, or by phone at 443-356-6304

Testimony SB39_ Ballot Access Bill GEB 2_16_23 (

Uploaded by: Sen. Cheryl Kagan

Position: FAV

CHERYL C. KAGAN
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—
Vice Chair

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Joint Audit and Evaluation Committee

Joint Committee on Federal Relations

THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

SB39: Ballot Access - Affiliating With a Party - Unaffiliated Voters

Education, Energy, Environment (& Elections!) Committee

Thursday, February 16, 2023 1PM

Maryland has [834,325](#) unaffiliated voters— over 20% of the State’s total. Many do not understand our closed primary system until they arrive at the polls during Early Voting or on Primary Election Day.

When unaffiliated voters are told that they can cast a ballot ONLY for the Board of Education, they get frustrated— and sometimes quite angry. Many insist on casting a provisional ballot... which will then be rejected.

According to the MD State Board of Elections website, thousands of provisional ballots have been rejected for voting in the “wrong party primary:”

- 2022 Gubernatorial Primary: **2,546** (of 7,906 total provisional ballots rejected, 32.1%)
- 2020 Presidential Primary: **1,333*** (of 4,834 total provisional ballots rejected, 27.6%)
 - ** This was a 100% mail-in election. Voters were sent the correct ballot.*
- 2018 Gubernatorial Primary: **4,321** (of 7,729 total provisional ballots rejected, 55.9%)
- 2016 Presidential Primary: **9,292** (of 24,770 total provisional ballots rejected, 37.5%)

Current law requires unaffiliated voters to change their registration at least 21 days before the Primary Election in order to vote in a party primary. We treat previously registered voters differently than we treat new voters, who can use same-day registration in primary elections. Because voters may be inspired to vote for or against a candidate closer to Election Day, Maryland should extend the deadline for previously registered voters to affiliate with a party.

[SB39](#), a modification from my previous versions, would expand “Ballot Access” by allowing voters to affiliate by 5pm the day before Early Voting begins. This would retain our closed primary system but allow voters more time to affiliate and fully participate. Additionally, this would not overburden our local election officials.

All voters who arrive at the polls are eager to make their voices heard through the ballot box. SB39 is a step toward ensuring an inclusive democracy.

I urge a favorable report on SB39.

230215-SB039-change-voter-affiliation-day-before.p

Uploaded by: Christine Hunt

Position: UNF

Christine Hunt and Jay Crouthers
1014 Dockser Drive
Crownsville, MD 21032

February 15, 2023

Maryland General Assembly
Members of the Education, Energy and the Environment Committee
Annapolis, MD

RE: SB0039-Ballot Access-Affiliating With a party-Unaffiliated Voters

Dear Delegates,

We oppose SB 39 and respectfully request that you vote against it.

With the amount of election fraud accusations in our country, it appears that this bill is inviting more of the same.

I am in favor of voter rights, and it isn't like people don't know when an election is going to happen and can change their affiliation, etc. within the time frame already allowed. But, I feel this invites quick changes that could affect the outcome of a primary by flooding election personnel with last-minute changes to vote for candidates of a certain party, when they would not be able to do so as an affiliate voter.

Have affiliate voters comply with existing timeframes for changing their party affiliation if they choose to do so.

Please vote against this bill.

Sincerely,

Christine Hunt and Jay Crouthers

SB 39 David Naimon Senate EEE Testimony INFO 2-16

Uploaded by: David Naimon

Position: INFO

My name is David Naimon and I'd like to thank you, Chair Brian Feldman and Vice Chair Cheryl Kagan, for the opportunity to testify today. As you know, I'm the Secretary (and Democratic Leader) of the Montgomery County Board of Elections but I'm testifying today only on my own behalf as an individual. While I take no position today on the policy question of whether unaffiliated voters should be allowed to change their party affiliation after the current deadline for party affiliation changes of three weeks before Election Day, I'm testifying today to point out a few considerations that I hope you will keep in mind as you consider this legislation.

1. The legislation would require local Boards of Election to process last-minute requests to party affiliation changes *overnight* before the start of early voting. If we get 10 such requests on the last day, that should be quite doable. If we get 2,000 such requests, it would be virtually impossible. Please keep in mind that a huge number of voters submit their voter registration forms right before the deadline and/or their mail-in ballots right before the Election Day deadline. This will be particularly difficult for voters who submit their last-minute changes on paper, which will have to be scanned and entered into the system. It will be a little easier for those who make their party affiliation changes online, although even online changes typically don't get transmitted until the next day. Please consider giving us at least one more day for this task.
2. Our hard-working election staff are required to do many things in the time period just before early voting begins, making that time period particularly busy. Staff will be preparing and transporting equipment for early voting, collecting ballots from drop boxes across the county, processing the ballots when they come back to our office, sending ballots to people who requested them, and hopefully recruiting and retaining election judges for both early voting and Election Day. If, as I hope, you enact Senator Kagan's bill SB 379 to allow us to start canvassing mail-in ballots 8 days before early voting begins, our staff will be in the midst of that process and the preparations it requires. We also will be contacting mail-in voters who didn't sign the oath to allow them to cure their ballots.
3. The legislation would give unaffiliated voters roughly an additional week to change their party affiliations that it specifically won't give to Democrats or Republicans. I think that could lead to some confusion on what the deadlines are (as you know, the election process is filled with various deadlines, and this would add one more), and to strategic behavior by others. It could encourage voters in both political parties to become unaffiliated voters to have greater flexibility to influence the party primary election of their choice at the last possible moment. For example, if someone clinches one party's nomination for President during that one week in 2024, while the other party's nomination remains competitive, unaffiliated voters could flock to the other primary, while party-affiliated voters would be stuck with a foregone conclusion in their party primary (which also could significantly lower voter turnout). That incentive is eliminated by allowing affiliated voters to change affiliations on the same schedule as unaffiliated voters.
4. We send voters a sample ballot based on their party affiliation at the time of mailing. If a large number of voters change their affiliations, they will not have the appropriate sample ballot, which in turn could result in voters taking longer to vote and increasing wait times at the polls.

5. Please consider the difficulties for the election staff responsible for ordering the actual paper ballots for the primary election. It would be exceedingly difficult to guess how many ballots of each ballot style would be sufficient, given the large possibility of last-minute shifts. This could result in our printing a lot of paper ballots that we don't need, which is an environmental issue and a burden to election workers, or our printing not enough paper ballots and running out, which is a voting rights issue wherever we would run out. This could be resolved by greater use of the very popular Ballot Marking Devices (BMDs), but these devices have some weaknesses in primary elections for any race with greater than 7 candidates that require a second page. As you may know, the machines currently list the candidates on the second page without listing the office they're seeking and making it difficult to maneuver back and forth if the voter wants to change a vote on the first page to cast a vote on the first page to cast a vote on the second page. If we can get an upgrade to the BMDs to allow 14 on a page, the wider use of BMDs becomes much easier and less of an issue (although there are some voters who refuse to use the BMDs as well).

Thank you for the opportunity to present these concerns to you, and I'd be happy to respond to any questions you may have.