

## Glenda Wiles

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**From:** Theresa Manzella <theresa@manzellaformontana.com>  
**Sent:** Wednesday, March 22, 2017 12:43 PM  
**To:** Ravalli County Commissioners Office  
**Subject:** SB305

Dear Ravalli County Commissioners - Jeff, Greg, Doug, Chris and Ray,

I received your message regarding Senate Bill 305, the all-mail ballot bill. I've received quite a bit of communication about this bill and I wanted to take a moment to explain why I don't support it, and why I believe it would be a bad change for our election process.

I would like to first address the date that Governor Bullock chose to schedule the election – Thursday, May 25. This puts the election just before Memorial Day and at a time that will interfere with graduation plans, family vacations and other weekend activities. June 6 is the first Tuesday in June and was suggested by our Secretary of State as a date that would fall within the timeline and would match up with the schedule of our normal primary elections. By holding an election the Thursday before a holiday weekend when better dates were available, the Governor is engaging in election manipulation and voter suppression.

With that being said, here are some of the concerns that I have with SB 305. First, I have serious concerns about limiting the ways in which Montanans can vote. Right now if you want to vote by mail you have the ability to do so through an absentee ballot. And if you want to go to the polls and vote, you can do that as well. Montana voters have options, but if SB 305 passes we would be limiting voter options to one.

Second, there are serious constitutional issues with the bill, specifically, the Fourteenth Amendment. Requiring an all-mail ballot would create two different groups of people: those who are able to vote the way they want to and those who cannot. Voting is a fundamental right, and as such the State must put forth a compelling state interest for burdening a fundamental right. I do not believe that saving money has ever been found to be a compelling state interest when it comes to the security and validity of our elections. Under this bill, counties will no be authorized to open satellite voting locations or satellite ballot drop-off locations. Not only does this limit the ability of citizens to participate in the election, it is also likely to run afoul of previous legal settlements with Montana's Tribes. This is the reason that this bill was sent to the Judiciary Committee, where they can take the time necessary to understand the Constitutional issues and implications.

In addition, there is the troubling reality that an all-mail ballot system would make our elections less secure. There are documented cases of "volunteers" canvassing neighborhoods in a number of Montana cities during the last election cycle and offering to mail people's ballots for them. Obviously, we all want to believe that these people were acting on kindness, but the penchant for mischief exists with such an operation and there's nothing to stop that person from simply trashing the ballots. This would be magnified under an all-mail system.

Security of our ballots is also called into question due to the fact that an all-mail system would remove redundancies and other measures in place that make a non-centralized voting system more secure. By enacting this measure, we would have one centralized collection point at a U.S. Postal Service warehouse. This is especially a concern in rural areas, where many people know from personal experience that mail does not always get delivered to the intended recipient the first time around.

Finally, this bill would break with standard election practices in the state of Montana and would increase likelihood of critical mistakes in the process. In every other election, county election administrators must file plans to conduct an election 60 days prior to the election date. This time period is well established and exists to ensure that necessary and proper preparations are made. SB 305 reduces the time period to 45 days and greatly increases the likelihood of election officials making critical mistakes or for voters to be confused and not return their ballot at all. In fact, according to a non-partisan study performed by the Pew Center on the States, when a mandatory vote-by-mail system is implemented, the estimated odds of an individual voter voting decreases by 13.2 percent.

These are the reasons that I will not be supporting SB 305. The bill will receive a fair hearing and will be vetted by the Judiciary Committee. I appreciate you reaching out and hope that you continue to do so.

Sincerely,

Rep Theresa Manzella