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Date: (Filing No. S-)

VETERANS AND LEGAL AFFAIRS

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**STATE OF MAINE
SENATE
131ST LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 153, L.D. 332, “An Act to Amend the State’s Election Laws”

Amend the bill by striking out the title and substituting the following:

'An Act to Provide Funds Necessary for the Production and Delivery of Election Materials by the Secretary of State and to Reconvene the Working Group to Study Polling Places at Schools'

Amend the bill by striking out everything after the enacting clause and inserting the following:

'Sec. 1. 21-A MRSA §611 is enacted to read:

§611. Production and Delivery of Election Materials Fund

1. Fund established. The Production and Delivery of Election Materials Fund, a nonlapsing, interest-bearing account within the Department of the Secretary of State, referred to in this section as "the fund," is established for the purpose of receiving funds from the State to support the costs associated with the production and delivery of election materials as required under this Title, including, but not limited to, ballots, absentee ballot envelopes, voter registration applications, forms, instructions and other election supplies. The use of funds from the fund is in addition to any funds received by the Department of the Secretary of State from the State for this purpose.

2. Funding. Notwithstanding any provision of law to the contrary, on or before September 30, 2024, and every September 30th thereafter, the State Controller shall transfer \$266,000 from the unappropriated surplus of the General Fund to the Department of Secretary of State, Bureau of Corporations, Elections and Commissions program, Production and Delivery of Election Materials Fund, Other Special Revenue Funds account to support the costs associated with the production and delivery of election materials pursuant to subsection 1, except that, beginning December 1, 2024, the transfer amount must be adjusted every 2 years based on the Consumer Price Index as reported by the United States Department of Labor, Bureau of Labor Statistics and rounded to the nearest amount divisible by \$100.

COMMITTEE AMENDMENT

1 **3. Carry forward; transfer of funds.** Notwithstanding any provision of law to the
2 contrary, the State Controller shall carry forward any remaining balances in the Department
3 of Secretary of State, Bureau of Corporations, Elections and Commissions program,
4 General Fund account at the end of fiscal year 2024-25 and each fiscal year thereafter into
5 the following fiscal year and shall transfer those balances each fiscal year to the Department
6 of Secretary of State, Bureau of Corporations, Elections and Commissions program,
7 Production and Delivery of Election Materials Fund, Other Special Revenue Funds
8 account.

9 **Sec. 2. Working group to study polling places at schools reconvened.** The
10 Department of the Secretary of State shall convene a working group, referred to in this
11 section as "the working group," to study the use of school buildings as polling places, to
12 consider options to protect the security of school students and staff and election staff and
13 voters and to consider polling place accessibility. The department shall provide the
14 necessary staffing services to the working group.

15 1. The working group consists of 9 members as follows:

16 A. The Secretary of State or the secretary's designee;

17 B. The deputy secretary of state of the Bureau of Corporations, Elections and
18 Commissions within the Department of the Secretary of State or the deputy secretary's
19 designee;

20 C. The Commissioner of Education or the commissioner's designee;

21 D. A representative of the Maine School Boards Association, appointed by the
22 Secretary of State;

23 E. A representative of the Maine School Superintendents Association, appointed by
24 the Secretary of State;

25 F. A representative of the Maine Town and City Clerks' Association, appointed by the
26 Secretary of State;

27 G. A representative of the Maine Municipal Association, appointed by the Secretary
28 of State;

29 H. A representative of an organization dedicated to advancing the legal rights of
30 individuals with disabilities, appointed by the Secretary of State; and

31 I. A representative of an organization dedicated to the protection of voters who are
32 from historically underrepresented or marginalized communities, appointed by the
33 Secretary of State.

34 2. To the extent possible, membership in the working group must be the same as the
35 working group convened under Resolve 2023, chapter 73. Members of the working group
36 are not compensated for their participation in the working group.

37 3. The working group shall:

38 A. Identify the number of school buildings in the State that are designated as polling
39 places;

40 B. Examine and identify practices in other states around the use of school buildings as
41 polling places;

1 C. Evaluate the criteria necessary to protect the security of school students and staff
2 and election staff and voters when school buildings are used as polling places;

3 D. Identify possible changes to practices around the use of school buildings as polling
4 places to protect voter accessibility and to safeguard the security of school students and
5 staff and election staff and voters when a school building is used as a polling place;
6 and

7 E. Make recommendations based on the findings of the working group.

8 4. No later than December 15, 2024, the Department of the Secretary of State shall
9 submit a report that includes the findings and recommendations of the working group,
10 including suggested legislation, to the joint standing committee of the Legislature having
11 jurisdiction over veterans and legal affairs. The committee may report out legislation based
12 on the report to the 132nd Legislature in 2025.

13 **Sec. 3. Appropriations and allocations.** The following appropriations and
14 allocations are made.

15 **SECRETARY OF STATE, DEPARTMENT OF**

16 **Production and Delivery of Election Materials Fund N485**

17 Initiative: Creates the Production and Delivery of Election Materials Fund with an annual
18 transfer of \$266,000 from the unappropriated surplus of the General Fund.

19	OTHER SPECIAL REVENUE FUNDS	2023-24	2024-25
20	All Other	\$0	\$266,000
21			
22	OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$266,000

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24 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section
25 number to read consecutively.

26 **SUMMARY**

27 This amendment replaces the bill, which is a concept draft, and establishes the
28 Production and Delivery of Election Materials Fund as a nonlapsing, interest-bearing Other
29 Special Revenue Funds account within the Department of the Secretary of State for the
30 purpose of receiving funds from the State to support the costs associated with the
31 production and delivery of election materials. The use of funds from the fund is in addition
32 to any other funds received by the department from the State for that purpose.

33 It also provides for an ongoing transfer to the Production and Delivery of Election
34 Materials Fund from the unappropriated surplus of the General Fund. In 2024 the transfer
35 is \$266,000, and the amount must be adjusted for the cost of living every 2 years.
36 Additionally, it provides for any remaining balances in the Department of Secretary of
37 State, Bureau of Corporations, Elections and Commissions program, General Fund account
38 at the end of each fiscal year to be transferred to the Production and Delivery of Election
39 Materials Fund.

1 The bill also reconvenes a working group to study polling places at schools in order to
2 protect the security of school students and staff and election staff and voters and to consider
3 polling place accessibility.

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FISCAL NOTE REQUIRED
(See attached)