



131st MAINE LEGISLATURE

FIRST REGULAR SESSION-2023

Legislative Document

No. 1344

H.P. 858

House of Representatives, March 28, 2023

**An Act to Improve the State's Election Laws by Amending the Laws
Relating to Automatic Voter Registration**

Reference to the Committee on Veterans and Legal Affairs suggested and ordered printed.

Robert B. Hunt
ROBERT B. HUNT
Clerk

Presented by Representative SUPICA of Bangor.
Cosponsored by Senator BRENNER of Cumberland and
Representatives: BOYER of Poland, COPELAND of Saco, DHALAC of South Portland,
EATON of Deer Isle, MATLACK of St. George, ZEIGLER of Montville.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 21-A MRSA §1, sub-§21**, as amended by PL 2011, c. 342, §4, is further
3 amended to read:

4 **21. Incoming voting list.** "Incoming voting list" means the ~~printed~~ list of all of the
5 voters in a municipality that is used by election officials at a voting place to record which
6 voters have been issued a ballot at an election. The list must include the following
7 information for each voter and may not include any other information: name; year of birth;
8 residence address; enrollment status; electoral district; voter status, active or inactive; voter
9 record number; designations regarding challenged ballots, absentee ballots or whether a
10 voter needs to show identification before voting; and any special designations indicating
11 uniformed service voters, overseas voters or township voters. The portion of the incoming
12 voting list relating to Address Confidentiality Program participants must be kept under seal
13 and excluded from public inspection. The residence address for any voter whose address
14 has been made confidential pursuant to section 22, subsection 3, paragraph B may not be
15 ~~printed~~ displayed on the incoming voting list, and the words "address is confidential" must
16 be ~~printed~~ displayed on the list instead.

17 **Sec. 2. 21-A MRSA §121-A**, as amended by PL 2021, c. 439, §3 and affected by
18 §15, is further amended to read:

19 **§121-A. Deadline for registration**

20 The deadline for receipt of voter registration applications submitted by mail or by a 3rd
21 person is the close of business on the 21st day before election day. The deadline for receipt
22 of voter registration applications submitted online is midnight on the 21st day before
23 election day. The deadline for receipt of voter registration applications transmitted by the
24 Department of the Secretary of State, Bureau of Motor Vehicles pursuant to section 232 or
25 by a source agency other than the Bureau of Motor Vehicles pursuant to section 233 is
26 midnight on the 7th day before election day. The deadline for in-person registration is the
27 close of the polls on election day.

28 **Sec. 3. 21-A MRSA §721**, as amended by PL 2015, c. 447, §25, is further amended
29 to read:

30 **§721. Reports of registration and enrollment**

31 Within 15 business days after any statewide election, the registrar shall update all
32 information in the central voter registration system for all voters in the municipality to
33 reflect any voter registration activity after the incoming voting list was ~~printed~~ prepared for
34 that election and up until the close of the polls on election day. The registrar shall also
35 enter any designations of challenged ballots in the applicable voter records in the central
36 voter registration system. The registrar shall notify the Secretary of State as soon as these
37 tasks are complete.

38 After the registrar has completed the update of the central voter registration system, as
39 required by this section, and no later than 45 business days after the election, unless a
40 recount has been requested pursuant to section 737-A, the clerk shall update the central
41 voter registration system by entering voter participation history for that election. The clerk
42 shall notify the Secretary of State as soon as this task is completed.

1 In a municipality in which a recount has been requested pursuant to section 737-A, the
2 clerk shall update the central voter registration system by entering voter participation
3 history for that election within 20 business days after receiving the incoming voting list
4 that has been returned by the Secretary of State after the recount. The clerk shall notify the
5 Secretary of State as soon as this task is completed.

6 **Sec. 4. 21-A MRSA §721**, as amended by PL 2021, c. 750, §10 and affected by
7 §14, is further amended to read:

8 **§721. Reports of registration and enrollment**

9 Within 15 business days after any statewide election, the registrar shall update all
10 information in the central voter registration system for all voters in the municipality to
11 reflect any voter registration activity after the incoming voting list was ~~printed~~ prepared for
12 that election and up until the close of the polls on election day. The registrar shall also
13 enter any designations of challenged ballots in the applicable voter records in the central
14 voter registration system. The registrar shall notify the Secretary of State as soon as these
15 tasks are complete.

16 After the registrar has completed the update of the central voter registration system, as
17 required by this section, and no later than 45 business days after the election, unless a
18 recount has been requested pursuant to section 737-A, the clerk shall update the central
19 voter registration system by entering voter participation history for that election and, if the
20 election was a primary election, by identifying which party's ballot, if any, was issued to
21 each participating unenrolled voter. The clerk shall notify the Secretary of State as soon as
22 this task is completed.

23 In a municipality in which a recount has been requested pursuant to section 737-A, the
24 clerk shall update the central voter registration system by entering voter participation
25 history for that election and, if the election was a primary election, by identifying which
26 party's ballot, if any, was issued to each participating unenrolled voter within 20 business
27 days after receiving the incoming voting list that has been returned by the Secretary of State
28 after the recount. The clerk shall notify the Secretary of State as soon as this task is
29 completed.

30 **Sec. 5. Effective date.** This Act takes effect November 1, 2023 except that that
31 section that amends the Maine Revised Statutes, Title 21-A, section 721 as amended by
32 Public Law 2021, chapter 750 takes effect January 1, 2024.

33 **SUMMARY**

34 This bill amends the definition of "incoming voting list" in the laws governing elections
35 to remove the requirement that the list be a printed list. The bill also provides that the
36 deadline for receipt of voter registration applications transmitted by the Department of the
37 Secretary of State, Bureau of Motor Vehicles or by a source agency other than the Bureau
38 of Motor Vehicles under the automatic voter registration law is midnight on the 7th day
39 before election day. Except for the section of the bill that amends the law regarding reports
40 of registration and enrollment that was amended by Public Law 2021, chapter 750, which
41 has an effective date of January 1, 2024, the bill establishes an effective date of November
42 1, 2023 for consistency with the effective date of Public Law 2021, chapter 439, which
43 amended the law establishing deadlines for receipt of voter registration applications.