



**Department of the Secretary of State
Shenna Bellows, Secretary of State**

Activities and Overview of Programs, January 2025

Office of the Secretary of State:

The Department of Secretary of State oversees three Bureaus; the Maine State Archives, the Bureau of Corporations, Elections and Commissions and the Bureau of Motor Vehicles. The Department's Division of Information Services also reports to the Secretary of State, as does the Executive Director of the Maine Permanent Commission on the Status of Women.

Actual Revenue/Expenditures FY 2024 – All Funds

<u>Revenue</u>		<u>Expenditures</u>	
General Fund	17,245,200	General Fund	8,044,639
Highway Fund	115,035,948	Highway Fund	46,525,693
Federal Fund	2,306,787	Federal Fund	2,630,190
Other	2,402,093	Other	1,283,860

Bureau of Corporations, Elections & Commissions:

The Bureau is responsible for corporations, elections, and a variety of central filing activities. The Bureau has significant contact with the public in many areas including state elections; corporate filings; Uniform Commercial Code (UCC) filings; oversight of the Administrative Procedure Act (state agency rule-making); recording of appointments to state offices, boards, and commissions; and commissioning of Notaries Public.

Activities Overview for the Division of Elections and the APA for 2024:

The purpose of the Division of Elections is to supervise and administer all State Elections for federal, state and county offices and referenda, and in that capacity advise election officials from nearly 500 municipalities, 500 candidates, citizen initiative and people's veto proponents, and the general public regarding election laws and procedures; conduct training sessions for municipal officials; prepare, proofread and distribute over 2,000 separate ballot types (in paper and audio/video formats) and other election materials; code and test memory media for vote tabulators and accessible ballot marking devices and distribute to municipalities; tabulate official election results; conduct ranked-choice voting tabulations; supervise recounts of contested races; develop and conduct a pilot audit and plan for conducting future official audits; oversee the application of the State's laws pertaining to candidate and citizen initiative petitions; and coordinate the statewide implementation of federal election laws, including the National Voter Registration Act (NVRA), the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA), the Help America Vote Act of 2002 (HAVA), and the Military and Overseas Voters Empowerment Act (MOVE). Our overall goals are facilitating the citizenry's constitutional right to vote and ensuring election integrity and security. Technology is increasingly important in the implementation of federal and state laws and

ongoing efforts to increase accessibility and participation for voters. Cybersecurity is a top priority in a fast-changing threat environment. The Division of Elections recognizes the need to evaluate and update our technology to improve efficiency and accessibility while protecting the integrity and security of our elections.

Staffing Challenges:

- The Bureau of Corporations, Elections and Commissions is overseen by the Deputy Secretary of State and the Director of Election Administration, Audits and Administrative Services. The Bureau is comprised of 3 Divisions: the Division of Corporations, UCC and Commissions; the Division of Elections Administration and the Administrative Procedure Act (APA); and the Division of Election Audits and Training.
- The Division of Elections Administration and the APA includes a Director, 2 Assistant Directors and 9 staff positions working on elections and voter registration programs, plus the single staff person who administers the APA (state rulemaking). While elections had an increase of 3 positions in the last budget cycle, which was a welcome addition, half of the staff have less than 1 year in their positions and only 3 managers or staff have more than 2 years of experience in elections.
- The Division of Election Audits and Training includes a Director and 3 staff positions.
- In 2024, about 15 Department staff and managers worked sizeable amount of overtime on elections activities such as petition certification, ballot proofreading, equipment and election media creation and testing, processing UOCAVA applications and issuing ballots, etc.
 - Others who worked overtime for Elections-related work include staff from Archives, BMV, and the Department's central office.

2023 and 2024 Elections Conducted:

- June 12, 2023 - Special Election for House District 45
- November 7, 2023 – Referendum Election (4 citizen initiatives, 4 constitutional amendments)
- March 5, 2024 – Presidential Primary Election (Democratic and Republican Parties)
- March 5, 2024 - Special Election for House District 122
- June 11, 2024 – State Primary Election (U.S. Senate, U.S. Congress, State Senate, State Representative, Judge of Probate, Register of Probate, Sheriff, and County Commissioner)
- November 5, 2024 – General and Referendum Election (U.S. President, U.S. Senate, U.S. Congress, State Senator, State Representative, Judge of Probate, Register of Probate, County Treasurer, Register of Deeds, Sheriff, County Commissioner, Aroostook County Finance Committee, Knox County Budget Committee, 1 citizen initiative, 3 bond questions, and one legislatively-proposed referendum)

Ranked-choice Voting Elections/Central Counts Conducted:

- In the 2024 General Election for U.S. Congress District 2 race; tabulation completed in 4 business days using approximately 15 staff

Types of Voting Systems Used for the November 2024 Election:

- DS-200 (Digital Scan Tabulators (ES&S)): 332 municipalities
- Hand Counted Paper Ballots: 153 municipalities
- DS850 (Digital Scan Tabulator (ES&S)): 1 unit used at ranked-choice central count

Additional Tabulators Deployed for November 2023 and 2024 Elections

- 3 former hand count municipalities transitioned to tabulators (1 in November 2023 and 2 in November 2024)

Ballot Layout, Coding and Testing for November 2023 Election

- Reviewed and assisted towns with coding request forms
- Utilizing ES&S software, created layout of paper and accessible voting ballots
- Proofread paper ballot proofs
- Coded and created election media
- Created audio files for ExpressVote
- Tested and distributed election media – every memory device is tested before providing it to a municipality
- Assisted municipal officials with testing and issue resolution
- 797,750 ballots – 3 ballot styles

Ballot Layout, Coding and Testing for March 2024 Election

- Reviewed and assisted towns with coding request forms
- Utilizing ES&S software, created layout of paper and accessible voting ballots
- Proofread paper ballot proofs
- Coded and created election media
- Created audio files for ExpressVote
- Tested and distributed election media – every memory device is tested before providing it to a municipality
- Assisted municipal officials with testing and issue resolution
- 743,080 ballots – 4 ballot styles

Ballot Layout, Coding and Testing for June 2024 Election

- Reviewed and assisted towns with coding request forms
- Utilizing ES&S software, created layout of paper and accessible voting ballots
- Proofread paper ballot proofs
- Coded and created election media
- Created audio files for ExpressVote
- Tested and distributed election media – every memory device is tested before providing it to a municipality
- Assisted municipal officials with testing and issue resolution
- 486,254 ballots – 535 ballot styles

Ballot Layout, Coding and Testing for November 2024 Election

- Reviewed and assisted towns with coding request forms – 2 staff (130 hours)
- Utilizing ES&S software, created layout of paper and accessible voting ballots – 2 staff (150 hours).
- Proofread paper ballot proofs – 6 staff (100 hours)
- Coded and created election media – 2 staff (180 hours)
- Created audio files for ExpressVote – 2 staff (32 hours)
- Tested and distributed election media – 10 staff (450 hours) – every memory device is tested before providing it to a municipality.
- Assisted municipal officials with testing and issue resolution – 2 staff (160 hours)
- 1,202 total person hours expended to ensure accurate ballots and election media for secure count
- 1,003,110 candidate ballots – 311 ballot styles plus 1,003,110 separate referenda ballots – 2 ballot styles

Recounts:

- After the 2024 State Primary Election, conducted 1 State Senate recount (Democratic, District 24); recount was completed in half a day using 8 staff
- After the 2024 General Election, conducted 9 Legislative recounts (State Senate District 8, State Representative Districts 44, 52, 58, 75, 81, 96, 98, and 141). State Senate recount took 1 day utilizing 13 staff. State Representative recounts took between half a day and a full day, utilizing an average of 15 staff each day. In total, 840 total person hours were expended over these recounts.
- After the 2024 General Election, began recount of U.S. Congress District 2 race. Recount of about a quarter of the votes cast in that race took place over three days. In total, almost 700 person hours were expended during this recount.
- Of all recounts conducted, all but one validated the unofficial results reported to the Elections Division. The one that did not appeared to be a tie in unofficial results, and the official results showed a House Representative candidate winning by a single vote.

HAVA Implementation and Ongoing Support and Maintenance:**1. Central Voter Registration System (CVR)**

- The CVR is a statewide software application and database (called *ElectionNet*) maintained by the Division of Elections, which contains the name and registration information of every registered voter. The CVR was implemented in 2007 and has been used by all municipalities since then.
- See January 15, 2025 report to the Veterans and Legal Affairs Committee on the Administration of the CVR and Automatic Voter Registration (AVR).
- In 2025, the Division of Elections plans list maintenance activities, which are expected to include:
 - Cancelling voters who have been in “inactive” status for at least two federal elections, and who have not voted since. Right now there are 182,583 inactive status voters and the process of cancelling the applicable voters will be completed in the coming weeks;
 - Sending a notice pursuant to Section 8(d)(2) of the National Voter Registration Act (NVRA) to every voter whose CVR record shows no voter participation history since 11/22, and either canceling or making voters inactive, in accordance with the NVRA; as well as
 - Several ERIC Program list maintenance activities.

2. Accessible Voting Systems and Ballots

- Pursuant to the federal HAVA act, the ExpressVote™ Universal Voting system was implemented in the spring of 2016 to replace the prior AVS system. The ExpressVote is a ballot-marking device that allows individuals with disabilities to vote with privacy and independence. Using this tabletop unit, voters can navigate through their ballot using a touchscreen, or a keypad and audio interface. The ExpressVote generates a printed ballot with the voter’s choices. The ExpressVote unit is not connected to a network and does not track or store voter choices.
- In 2020, the Division developed accessible electronic absentee ballots; this system allows voters with print disabilities to request, vote and return an absentee ballot using screen reader technology and their own computer.
- For the November 2024 General Election, 205 voters returned accessible absentee ballots that were counted along with UOCAVA ballots.

- More information can be found on the Secretary of State's web site: <https://www.maine.gov/sos/cec/elec/voter-info/accessiblevoting.html>

Military and Overseas Voter Empowerment (MOVE) Act Implementation:

- In order to facilitate voting by uniformed service voters and overseas voters (i.e., UOCAVA voters) in compliance with the MOVE Act, in 2010 the Legislature authorized the Secretary of State to centrally issue, receive and count absentee ballots for these voters. Rules were adopted to establish procedures for the central issuance and processing of absentee ballots, including processes for the examination, counting and storage of ballots in the same manner as ballots issued by municipal election officials. UOCAVA voters can request ballots using mail, fax, email and the online Absentee Ballot Request (ABR) service; and to return ballots via mail, fax, secure, encrypted upload or as a scanned attachment to an email.
- 11/23 Referendum Election, the Division issued 2,333 ballots to UOCAVA voters. 490 absentee ballots were counted centrally. (UOCAVA applications are valid for 18 months so many voters who requested a ballot for the 2022 gubernatorial election were automatically issued a ballot for this election and chose not to return it.)
- 3/24 Presidential Primary Election, the Division issued 1,854 ballots to UOCAVA voters. 516 absentee ballots were counted centrally.
- 6/24 Primary Election, the Division issued 765 absentee ballots to UOCAVA voters. 269 ballots were counted centrally.
- 11/24 General Election, the Division issued 6,843 ballots to UOCAVA voters. 6,405 ballots were counted centrally.

Intent and Content – Citizen's Guide to the Referendum Election:

- Prepared by the Office of the Secretary of the State with input from the offices of the Attorney General, State Treasurer and Fiscal and Program Review for each Referendum Election.
- Citizen's Guides were produced for the November 2023 and 2024 elections.
- Produced in booklet format and posted on the Secretary of State's web site.
- Provided copies to each municipality, public libraries and, upon request, to others.
- Citizen's Guides also include an estimate of the fiscal impact for each ballot question as well as public comments in support of or in opposition to a ballot measure.
- A person filing a public comment for inclusion in the citizen's guide must pay a \$500 fee which is deposited in a fund to be used to defray the cost of publishing the Citizen's Guide; 7 public comments were filed during this reporting period. All 7 were in 2023: 2 in favor of Question 2, 1 in favor of Question 4 and 3 against; and 1 in favor of question 8. No public comments were filed on any of the questions in 2024.

Citizen Initiative and People's Veto:

- Processed 7 citizen initiative and people's veto applications (4 were issued).
- One initiative, "An Act To Require Voter Approval of Certain Borrowing by Government-controlled Entities and Utilities and To Provide Voters More Information Regarding that Borrowing" was filed with the Secretary of State in December of 2022. After a complete review of the petitions, the Secretary of State determined that they had submitted the required number of signatures. It was transmitted to the Maine Legislature for consideration.
- A second initiative, "An Act Regarding Automotive Right to Repair" was filed with the Secretary of State in January of 2023. After a complete review of the petitions, the Secretary of State determined that they had submitted the required number of signatures. It was transmitted to the Maine Legislature for consideration.
- A third initiative, "An Act to Limit Contributions to Political Action Committees That Make Independent Expenditures" was filed with the Secretary of State in February of 2024. After a

complete review of the petitions, the Secretary of State determined that they had submitted the required number of signatures. It was transmitted to the Maine Legislature for consideration.

- The deadline to file for the November 4, 2025 ballot was January 23, 2025 at 5 p.m.; 67,682 signatures are required (10% of the total votes cast for Governor in November 2022).

2023-2024 Trainings and Instructional Materials Provided:

- Before each election, staff provides a series of detailed written updates regarding election and voter registration laws and procedures before each election to municipal clerks.
- Conducted an online training regarding testing and use of the tabulators and tallying procedures before the November 2024 election.
- Conducted 4 days of training in voter registration and election administration with the Maine Town and City Clerks' Association (MTCCA) in both 2023 and 2024.
- Conducted physical security/de-escalation trainings in partnership with the Cybersecurity and Infrastructure Security Agency (CISA) and FBI including de-escalation trainings for clerks prior to each election (2 in 2023; 3 in 2024).
- Hosted cybersecurity summit in 2023 for municipal clerks including training to counter phishing and ransomware attacks.
- Organized first-ever Maine-specific Table Top the Vote exercise in partnership with CISA to engage in emergency planning and disaster response scenario planning for municipal clerks in 2024.
- Joined nationwide Table Top the Vote exercises in 2023 and 2024 in which we invited municipal clerks and law enforcement partners to join us in the national emergency planning and disaster response exercises.
- Organized three briefings for law enforcement officials regarding election laws in 2024.
- Collaborated with Disability Rights Maine to provide two trainings to clerks in 2024 on accessibility of voting places under the Americans with Disabilities Act (ADA) and Help America Vote Act (HAVA).

Voter Registration Duties:

- NVRA (Motor Voter) – received voter registration applications and change of address cards from the Bureau of Motor Vehicles, public high schools and public assistance and disability assistance agencies, which were sorted and mailed to municipalities.
- In 2023, prepared a biennial report to the U.S. Elections Assistance Commission (EAC) called the Election Administration and Voting Survey (EAVS), which includes over 500 pieces of data for each municipality. Every state files this report, which provides one of the best ways to compare elections data between states. The highlight from the 2023 report was that Maine had the highest voter turnout rate in the country in the November 2022 election. In 2025, the same report must be filed by February 3.
- Each year prepared and provided voter registration cards and informational materials to all public high schools; provided registration application to approximately 260 high schools, colleges, and universities in 2024.
- Prior to the November 2024 General Election, provided Maine's higher education institutions with over 20,000 voter registration applications and instructions (pursuant to federal law).
- In 2024, 18,023 voters used Automatic Voter Registration to file new or updated voter registrations. (See CVR/AVR Report)
- Online Voter Registration was launched on February 1, 2024, and since then 34,943 voters have used OVR to file new or updated voter registrations. (See CVR/AVR Report)

Other Election Duties:

- Updated and published Candidate's Guide for the 2024 cycle. Updated, printed and distributed candidate petitions and consent forms for all candidates seeking federal, state and county offices. Guide, petitions and consent forms were made available online so that candidates could download and print forms as needed.
- Determined the number of ballots required for each municipality by ward and precinct; determine the specifications for printing of ballots, and work with the printer to coordinate printing and distribution of ballots.
- Prepared and provided all forms, such as tally sheets, return of votes cast, etc., which the municipalities needed to conduct and report on election results and activities.
- Processed over 500 different candidate petitions and maintained the list of current candidates through the 2024 primary and general elections.
- Tabulated election results and prepared official tabulation reports and proclamations for the Governor's signature after each election.
- Prepared certificates of election and oath forms for elected candidates (275 in November 2024).
- Prepared proclamations and accompanying paperwork on candidate withdrawals after the Primary (30 withdrawals in 2024).
- Maintained web site with information on various election processes and past elections results.

Threats to Clerks, Securing Critical Infrastructure

- Clerks did not report threats to the Office of Secretary of State pursuant to Title 21-A §675 but conversations with clerks reveal that several clerks have experienced verbal harassment rising to the level of law enforcement involvement including protection orders. Similarly, in 2023 and early 2024, the Secretary of State received numerous threats and her home was swatted, resulting in law enforcement investigation and a prosecution underway. It is possible that Title 21-A §675 as currently drafted is not adequately capturing what is happening regarding threats to critical infrastructure and election officials.
- Five schools where polling places were co-located or adjacent were swatted on Election Day, 2024. Because of excellent preparation and training with clerks, disruption to voting was minimal in one polling place, and voting was not at all interrupted in four polling places.
- 25 municipalities received 46 SAFE assessments of clerks' offices and voting places conducted by federal partners from CISA, in coordination with this Department. A Security Assessment at First Entry (SAFE) assessment, is a stand-alone assessment, featuring standard language, high level vulnerabilities, and options for consideration. These reports are designed to assess current security posture and produce a report for the recipient.

Rules (Administrative Procedure Act):

- 2,200 active rule chapters maintained – some are very large with multiple sections, such as the DHHS Chapter 101, *MaineCare Benefits Manual*, and some are very small, such as the Maine State Library's rule chapter, the text of which is a single short paragraph
- Maintain historical rule filings from beginning of APA to present (1978 to date)
- 525 (2023) and 640 (2024) rule proposals and adoptions processed
- Provide certified copies of rule filings upon request
- Produce Annual Report of Activities to the Governor and the State and Local Government Committee by January 31st each year
- Prepare Annual List of Rule-making Activity for all rules adopted by each agency in the previous calendar year – report due to Executive Director of Legislative Council by February 1st of each year