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SECRETARY OF STATE

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SECRETARY OF STATE

January 2, 2020

Honorable Louis J. Luchini  
Senate Chair, Joint Standing Committee on Veterans and Legal Affairs  
100 State House Station  
Augusta, ME 04333-0100

Honorable John C. Schneck  
House Chair, Joint Standing Committee on Veterans and Legal Affairs  
100 State House Station  
Augusta, ME 04333-0100

Dear Senator Luchini, Representative Schneck and Members of the Committee,

This is the report on the progress made toward implementing automatic voter registration (hereafter called AVR) and the estimated time required to complete all activities necessary for implementation as required by section 7 of the Public Laws of 2019, chapter 409. Additionally, this report includes “recommended legislation for the proper implementation of the automatic voter registration system, including recommended adjustments to the implementation date” as specified in the Public Law.

One requirement of the AVR law took effect on January 1, 2020, and already has been implemented by the Division of Elections. This provision, found in section 4 of the law, lowers the age of conditional registration (sometimes called pre-registration) from age 17 to age 16. To implement this new law, the Division of Elections created a new version of the Maine Voter Registration Application (rev. 1/20), and distributed instructions and a supply of the new application form to all municipalities in mid-December, for use after January 1<sup>st</sup>. The revised application is posted on the Secretary of State’s elections web page and is available for individuals and campaigns to obtain from the Division of Elections for use in voter registration drives. The CVR application software is being updated to accept and maintain these voter registration records in a similar manner to how it handles the pre-registration records for 17-year-olds.

The majority of the AVR law takes effect on January 1, 2022, except for a new annual reporting requirement that takes effect the following year. As currently enacted, the law requires implementation of AVR at the Bureau of Motor Vehicles for applicants conducting new and renewal driver’s license, nondriver identification card or Real ID transactions who have provided proof of U.S. citizenship, and who do not “opt out” of having the data from these transactions used to automatically register the applicant to vote or update their existing voter registration records.

To plan and carryout AVR implementation, I have convened an internal Steering Committee, made up of the Chief Deputy Secretary of State; the Deputy Secretaries from the Bureau of Motor Vehicles (BMV), the Bureau of Corporations, Elections and Commissions (CEC) and the Information Services Office (IS); and subject matter experts representing all three areas.

It is important to emphasize that AVR is not a standalone “system” of voter registration. Rather, AVR should be considered as an enhancement to the current “system” of voter registration, which includes federal and state laws, rules and procedures; the municipal files of paper voter registration applications completed by registrants; and the electronic software application and database (known as the central voter registration system or CVR) that is used by Maine’s municipalities and the State Elections Division to maintain voter registration records. The process for conducting “Motor Voter” registration at the BMV using an entirely paper process will be enhanced, and eventually replaced by the AVR electronic transmission process.

The Steering Committee has identified a high-level work plan or set of activities necessary for implementation. These include, but are not limited to, the following tasks:

- Identify the data fields and data formats collected via the applicable BMV transactions and those needed to complete a voter registration transaction; document both data sets and the differences between the two;
- Synchronize data formats and conduct data cleanup between the BMV and CVR databases;
- Identify/document the current work processes/workflows for the BMV transactions where AVR is required, as well as other transactions where AVR could be implemented;
- Analyze identified work flows for process improvements to include how the qualified applicants will be offered to opt out of AVR, and if the applicant does not opt out, how the voter registration portion of the transaction will be completed;
- Identify programming changes that will need to be made to the BMV “Point of Sale” transaction software to complete the collection of voter registration data and creation of the pending voter registration record;
- Program the identified application changes to the BMV software using the Secretary of State IS Office resources and additional contracted resources as necessary;
- Identify changes that will be needed to the proprietary CVR software application to obtain the AVR data and present the records to the applicable municipalities for processing and acceptance;
- Program the identified CVR application changes using the existing CVR software vendor, PCC Technology, Inc.;
- Conduct user testing and/or pilot of the system enhancements prior to full implementation; and
- Create and disseminate voter outreach materials and provide training to BMV officials and municipal voter registration officials.

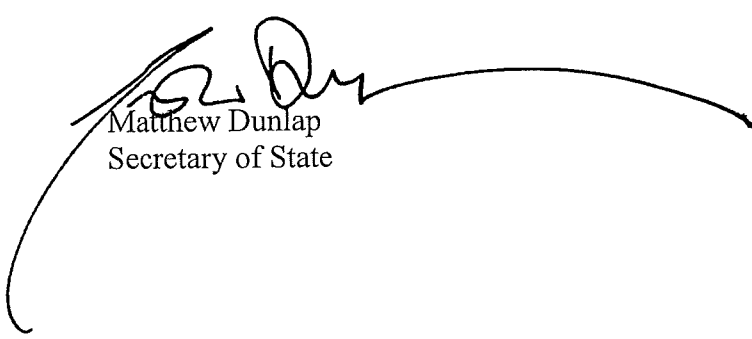
Work has already begun on the identification of data requirements and work flow processes and the analysis of programming needs in order to fully determine the human and material resources and potential costs for the project. The exact project timelines cannot be determined at this time. Steering Committee members are juggling the demands of their regular work loads and projects along with work on this new project. Although we do not recommend an earlier project implementation date at this time, we would request that the Legislature change the unallocated language in Section 9 of the AVR law to state that the sections of the Act relating to AVR will take effect “on or before” January 1, 2022, to allow us to schedule an earlier implementation if the work is completed before that date. By January of 2021, we should know whether we are on track to implement before January 1, 2022, or whether more time is needed to complete the project.

We also recommend this Committee consider reporting out legislation to make these additional changes to the AVR law:

- In Title 21-A section 232(1), allow applicants for BMV transactions other than a driver’s license or nondriver identification card to be included in AVR, so long as the applicant already has a driver’s license or nondriver identification card for which the applicant has proven eligibility. This would eliminate the need to develop a bifurcated process for registering voters at BMV using the AVR process and a non-AVR “Motor Voter” process.
- Also, in section 232(1), change the language requiring the BMV to “scan” the documentation of proof of eligibility, to language requiring the bureau to “record” the documentation in the pending voter registration record. This is what has been done for all existing driver’s license/nondriver identification records to date. Only applicants for the Real ID credential have their documentation scanned because that is a requirement of the federal Real ID Act.

I look forward to working with you as you consider this report, and as our Department continues to work towards implementation of AVR, maintaining the CVR and oversight of the conduct of elections, maintaining the work of the BMV, administering other federal laws and initiatives and fulfilling its ongoing obligations. As always, you may contact me at 626-8400 if I can provide you with any additional materials, answer any questions, or assist you in any way.

Sincerely,



Matthew Dunlap  
Secretary of State