Department of the Secretary of State

Bureau of Corporations, Elections and Commissions

Shenna Bellows
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The Honorable Craig Hickman, Senate Chair
Joint Standing Committee on Veterans and Legal Affairs
100 State House Station
Augusta, ME 04333-0100

The Honorable Laura Supica**,** House Chair
Joint Standing Committee on Veterans and Legal Affairs
100 State House Station
Augusta, ME 04333-0100

Dear Senator Hickman, Representative Supica and Members of the Committee,

Maine election law, Title 21-A section 195, requires the Secretary of State to report annually "on the administration of the central voter registration system and the automatic voter registration system". The law permits that the report "may include suggested legislation necessary to administer the central voter registration system and the automatic voter registration system". The following is the required report covering calendar year 2022.

Appendix A of this report provides a description of the Central Voter Registration (CVR) system and its benefits, as well as information and statistics on voter registration and a summary of CVR management and maintenance activities and statistics for 2022. This data provides valuable insight into a major tool of election administration – indeed the backbone – of Maine's voter registration, absentee voting and election results tracking and reporting system.

The CVR is a statewide system for maintaining voter registration and election information by state and local election officials. Implemented in 2007, in compliance with the Help America Vote Act of 2002 and state law, Maine's customized CVR is a highly secure uniform registration software application and database that allows for local control of data input, while providing central oversight and management of data accuracy. It is worthwhile to take note that the application and database have had an extremely low incidence of system downtime.

Data in the CVR is never static. The database is being accessed and updated on a daily basis by state and local election administrators in response to information received from voters and reliable data maintenance sources such as death records and notices of cancellation from election administrators in other jurisdictions.

However, as with any tool, the CVR must be maintained and used by humans. Accordingly, the effectiveness of the CVR is dependent upon the diligence of users to accurately enter, maintain and report on the voter registration data it contains, as well as the voters themselves to provide complete and accurate information on the voter registration application or change forms. As such, any deficiencies in the voter registration data are attributable to human clerical omissions and errors.

To help improve and maintain data integrity, the Elections Division personnel monitor CVR data; plan and execute periodic, system-wide, non-discriminatory data maintenance activities as required by the National Voter Registration Act (NVRA); and provide guidance and training to a constantly changing set of local election officials in 500 municipalities. As further described in Appendix A, the Secretary of State has become a member of the Electronic Registration Information Center, Inc. (ERIC). The ERIC program provides for the periodic sharing of voter information between the ERIC member states to enable list maintenance activities, and the 2022 ERIC-related data maintenance activities are detailed in Appendix A.

Although municipal and state users access CVR via the internet, no users have direct access to the application or database servers. All user access is strictly controlled via complex passwords and defined user roles and permissions. Users connect to the web server, which is accessible via a web link. The web server connects to the application server, which is located in the Secretary of State's Data Center and is protected by the state's firewall system. Only the application server can access the database via a private network with the database server. The database server also is located in the Secretary of State's Data Center.

Technology modernization is a vital consideration when it comes to protecting the integrity and security of voter registration information. It has been almost sixteen years since the CVR's implementation and the Department has taken steps towards replacing the existing system with a new, more modern software application and database. As a result of a Request for Proposals (RFP) issued in October of 2021, a vendor was selected and a contract fully executed on April 15, 2022. Since that time, staff from the Elections Division and the Information Services Division have been diligently working to develop the requirements for the new system and test functionality as it is developed. We are anticipating implementation of the first phase of this project later this year.

A new component of this report, required as of January 1, 2023, is to address the administration of the new Automatic Voter Registration (AVR) system. Appendix A of this report provides the background on the implementation of the AVR system, which "went live" at the Bureau of Motor Vehicles (BMV) on June 21, 2022. The appendix also includes an overview of how the AVR process works at the BMV and how the electronic records are securely transferred to the CVR and made available to municipal officials to efficiently review and process. Finally, Appendix A provides the statistics required by law to be collected, including the number of new registrations and changes (broken down by type of change) resulting from the AVR transactions. It is significant to note that during its 6 months of operation in 2022, the AVR records comprised 12% of all the voter registration applications processed in 2022. We believe that usage of the AVR process will continue to grow as more people become aware that it is available and realize the ease with which they can update their voter registration at the same time that they conduct a transaction at the BMV.

I look forward to working with you as you consider this report, and as our Department continues to uphold the integrity and security of Maine elections through faithful and diligent maintenance of a

secure CVR system. Please feel free to contact me at 626-8400 if I can provide you with any additional materials, answer any questions, or assist you in any way.

Sincerely,

Shenna Bellows
Secretary of State

APPENDIX A

Description of the Central Voter Registration (CVR) System

The CVR is a statewide system for maintaining voter registration and election information by State and local election officials, which was implemented in 2007 in compliance with the Help America Vote Act of 2002 and state law. The CVR consists of a highly modified, proprietary software application (called *ElectioNet)*, developed and supported by a vendor, CIVIX (formerly PCC Technology, Inc.); and an Oracle database that is maintained by the Department of the Secretary of State in the Department's secure data center. The application is accessed by municipal clerks and registrars, as well as State elections staff, over the internet. Updates and changes are made in real time and are immediately visible to authorized staff, as well as available for reports pursuant to the law. However, CVR is not available to municipal election officials on Election Day except for inquiries, updating absentee information, and printing reports. New voter records or changes to existing voter records must not be done on Election Day. They must be done within 15 business days following the election. This is to ensure that a data entry error would not incorrectly remove a voter's record from the municipality of registration on Election Day.

Clerks and registrars in over 500 municipalities are primarily responsible for individual voter record maintenance, including: adding new voter records, updating records with address changes, party changes, or other changes; and entering voter participation history (i.e., the voters who voted at an election). The CVR is the electronic software application and database that enables these municipal clerks and registrars to maintain voter registration records and to administer key election management activities, such as issuing and tracking absentee ballots and printing the incoming voting lists for Election Day.

State election officials conduct system-wide data maintenance efforts and batch updates as allowed by law. Consequently, the success and accuracy of the CVR relies not only on the Department's performance of its system maintenance duties, but also on the accurate and timely use of the system by municipal clerks and registrars.

Benefits of the CVR

The Department and municipal election officials are able to realize the benefits of an integrated software application and database for maintaining voter registration data. Municipal election officials have a functional voter registration system that requires no local licensing or maintenance fees, and that facilitates voter registration and election activities.

The CVR allows clerks and registrars to share information through the use of electronic notices, so that when a voter registers in a new municipality, the voter's old record may be updated by the election official in the new municipality, and automatically removed from the municipality of prior registration, saving the election officials both time and mailing costs.

The CVR also allows the Department to more efficiently complete activities that were once left to municipalities to perform. These activities include biennial mandatory federal reporting of voter registration statistics and Election Day voting information; and the conduct of voter list maintenance functions required by the National Voter Registration Act of 1993 (NVRA). The Department routinely works with municipalities to identify and remove records of deceased voters, voters who have moved, and duplicate voter records.

Voter Registration Statistics and Activities

As of January 1, 2023, Maine has 933,064 active status voters and 212,622 inactive status voters. Statewide. Active status registered voters comprise 83% of Maine's Voting Age Population (VAP) of 1,120,338. The Voting Age Population figure is derived from the U.S. Census Bureau's July 1, 2021 population estimates.

In 2022, municipal election clerks and registrars across the State processed a total of 122,422 voter registration applications (which represents about 13% of the current Active voter registration records); resulting in 43,746 new voter registration records and 78,676 changes to existing voter registration records (including 43,097 moves to new municipalities and 35,579 changes of other information).

The CVR also was used to process almost 253,000 absentee ballot requests for the November 8, 2022 General Election, including over 2,500 ballot requests processed by the Elections Division for the Uniformed Service and Overseas Voters (UOCAVA). UOCAVA voters were able to request ballots using mail, fax, email and the online Absentee Ballot Request (ABR) service; and to return their ballots via mail, fax, or as a scanned image attached to an email.

Routine Data Maintenance Statistics for 2022

State or municipal election officials performed individual and statewide, routine, periodic voter list maintenance activities that resulted in records of voters being designated as cancelled for the following reasons:
o   15,085 – voters deceased
o   1,792 – duplicate records
o   N/A   – voters inactive for 2 federal general elections *
o   11,974 – voters moved from the municipality of registration
o   6 – registrar hearing determined voters ineligible
o   347 – voter requested removal from list
    29,204 – Total records cancelled due to required voter list maintenance activities

* **Note:** The process of cancelling voters who have been inactive for 2 federal general elections will be completed this Spring, after the municipalities have completed entering their Voter Participation History for the November 8, 2022 General Election.

Summary of Routine Data Maintenance Statistics from June 2007 to the Present

The following is a summary of the routine data maintenance statistics from June 2007 to the end of 2022, reflecting the total number of voter records cancelled from the database to date:
o   172,927 – voters deceased
o   47,660 – duplicate records
o   112,623 – voters inactive for 2 federal general elections
o   281,333 – voters moved from the municipality of registration
o   1,284 – registrar hearing determined voters ineligible
o   6,562 – voter requested removal from list
    622,389 – Total records cancelled due to required voter list maintenance activities

The ERIC Program and Other Statewide Data Maintenance Activities in 2022

In 2021, the 130th Legislature (in the Public Laws of 2021, Chapter 398, Parts UUUU-1 and UUUU-6) directed the Secretary of State, by January 1, 2023, to enter into a membership agreement with the Electronic Registration Information Center, Inc. (ERIC), to provide for periodic sharing of information to aid in statewide voter data maintenance. The Legislature appropriated funds to pay the ERIC membership initiation fee, as well as the annual maintenance fees for FY21-22 and FY22-23. The Secretary of State applied for membership to ERIC in August of 2021 and was accepted and fully onboarded into the program in January of 2022.

In the Spring of 2022, in compliance with the ERIC membership agreement, the Department obtained a report of matches to the federal SSA Death Records and was able to cancel about 450 records of Maine voters who were deceased. These numbers are included in the Routine Data Maintenance Statistics cited on page 2 of this Appendix. In the Fall of 2022, as required by the ERIC membership agreement, the Department completed its first mailing to Maine citizens identified as eligible to vote but not registered to vote (i.e., the EBU Report). We mailed postcard notices to about 223,000 persons identified on the EBU Report, with information about how to register to vote. In the future, the EBU Report will identify new people who are eligible but unregistered – we will not have to contact the same person more than once.

In addition to these initial ERIC program obligations, the Department undertook a significant statewide list maintenance project during the Summer of 2022, which was completed more than 90 days before the November 8, 2022 general election. This system-wide effort was designed to comply with the National Voter Registration Act (NVRA) list maintenance requirements. The Department identified approximately 248,000 voters who had not voted during the period of the previous two federal general elections (i.e., 11/2018 through 11/2020) and mailed each voter an NVRA prescribed notice to confirm whether these voters had moved from their place of registration. These notices were in the form of a 2-part postcard, with an informational notice and a detachable, postage-prepaid reply card, which the voter could use to respond to the Department as to their current residence. As a result of this mailing, the Department was able to cancel the records of about 1,000 deceased voters and 2,500 voters who had moved outside of Maine. (These numbers already are included in the Routine Data Maintenance statistics for 2022.) We also were able to designate about 221,500 voter records as Inactive. If these voters do not vote during the period of November 8, 2022 through November 5, 2024, then their records will be cancelled.

Ongoing Obligations, Improvements and Enhancements

Help Desk

In addition to its election specific CVR activity, the Department has ongoing responsibilities to maintain the system and provide support to its municipal partners. The Department maintains and staffs a toll-free Help Desk line to assist municipal clerks and registrars and offers annual refresher training. In 2022, CVR staff logged 1,110 non-security related calls to the Help Desk. Of these calls, 639 calls (58%) related to voter registration, enrollment and absentee voting functions. There were another 157 calls (14%) related to scanning and reporting functions and maintaining municipal data (i.e., maintaining Street Libraries and Elections and managing CVR user accounts) and 314 calls (28%) related to requests for CVR data and processing Voter Participation History (VPH). Additionally, CVR staff and management handled 706 calls related to CVR security, most related to password assistance.

Administration of the Automatic Voter Registration (AVR) System

Background

In 2019, the 129th Legislature (in the Public Laws of 2019, Chapter 409, directed the Secretary of State, by January 1, 2022, to create and implement an Automatic Voter Registration system (AVR) at the Bureau of Motor Vehicles (BMV). In 2021, the 130th Legislature amended the law to extend the deadline for implementation to June 1, 2022. The system was developed and tested by the deadline, but because June 1, 2022 fell during the closed period for voter registration that started 21 days prior to the June 14, 2022 State Primary Election, the system was activated at the BMV on June 21, 2022 (one week after the Primary Election).

The BMV offers AVR to each eligible, in-person applicant who applies for, renews or updates a driver's license or nondriver identification card in-person at the BMV and to each in-person applicant for other services who has a valid driver's license or nondriver identification card and also is eligible to vote. An applicant is eligible to vote if they provide or previously have provided proof of voter eligibility (i.e., age, citizenship and residency) to the BMV.

Overview of the AVR Process at the BMV

The applicant completes the BMV transaction, providing or updating the information needed for the BMV transaction, including proof of age, citizenship and residency (if not already provided). Before the BMV agent concludes the transaction, if the applicant is eligible, the applicant will be sent a message on the pin pad at the BMV service window and asked if they want to continue with AVR. If the applicant chooses not to continue, the applicant is directed to complete the BMV transaction and no AVR pending voter record is created. If the applicant chooses to continue to AVR, the pin pad will display, on successive screens, the information that is in the BMV record so that the applicant can confirm the accuracy of the information. This includes the applicant's name and date of birth, the physical (residence) address, and the mailing address of the applicant.

Next, the applicant will be presented with screens to collect the additional information needed to complete the voter registration transaction, including:
- Whether the applicant has previously been registered to vote, and to provide the location of previous registration, if applicable;
- Whether the applicant wishes to make an enrollment choice (with an option to either choose a party or to choose unenrolled);
- Whether the applicant recently has had a change of name, and to provide the previous name, if applicable;
- Whether the applicant wishes to provide a telephone number (which is optional information that will only be used for election administration); and
- Requests the applicant to sign their name on the pin pad and click the submit button to save the AVR pending voter record.

At the end of each day, all AVR pending voter records submitted that day are put into a batch and saved in a shared file that is accessible to the CVR application.

Overview of the Process in the CVR System

The CVR has a nightly procedure that goes out to the shared file and picks up the batched AVR pending voter records from that day's BMV transactions and inserts the records into a holding table in the CVR

database. The CVR then runs a search process to compare the municipality name from each AVR record and match it to the list of valid municipality names in CVR. If the name is matched, the AVR record is moved into that municipality's Reminder Screen (dashboard) for processing by the municipality. If the municipality does not match, the AVR record is routed to the State Queue (i.e., the Elections Division) for resolution. The mismatch may occur because the voter is from an unorganized township, or because the town name is misspelled, or because the applicant used the name of a Village within the municipality rather than the municipality name (e.g., Springvale instead of Sanford). The Elections Division will correct the errors in the record and route it back to the municipality's queue for processing. A separate process creates a PDF image of a voter registration application that is pre-filled with the voter information for each AVR record in the municipality's batch, so that there is a copy of each voter registration card image to print and place in the voter registration card file.

AVR Statistics for 2022 (Covering Transactions between June 21, 2022 and December 31, 2022)

There were 14,988 completed AVR transactions at BMV that created pending voter records and transmitted them to CVR. These registration numbers already are included in the Voter Registration Statistics and Activities section on page 2 of this Appendix and comprise 12% of the total voter registration transactions for the year, even though the AVR service was only available for the second half of the year. There were 43,876 BMV applicants who opted out of continuing to the AVR transaction. However, this is not surprising considering the high percentage of Maine's eligible population who already are registered to vote at their place of current residence. Moreover, a large number of BMV transactions do not involve a change of name or address, thus, there would be no need for these applicants to update their voter registration through AVR. There also were 5,951 AVR transactions where the applicant cancelled during the transaction. Our current AVR hardware at BMV does not allow us to capture the reason why the transaction was cancelled or at what point in the transaction it was cancelled or even whether the transaction was re-started and resulted in a completed AVR. A common reason a transaction may be cancelled is that the BMV data presented to the applicant might have an error. In this case, the BMV agent must cancel out of the AVR screens, correct the data in the BMV database, then route the applicant back to the AVR transaction. Certainly, in these instances, we want the applicant's name, date of birth, residence and mailing address information to be accurate both in the BMV database as well as in any subsequent AVR transaction.

Of the 14,988 completed AVR registration applications, 8,488 resulted in new voter registration records, while 4,713 represented changes to existing voter registration records (including 2,459 moves to new municipalities and 2,254 changes of other information); and 252 records designated as "no change" or "duplicate application". Of the 2,254 applications with "other changes" - many applications had more than one type of change - the types of changes breakdown as follows: 1,331 name changes; 634 address changes within the municipality; 346 changes to the status of the record; 773 party changes and 314 changes not otherwise classified. Additionally, there were 1,535 AVR records in the municipal queues (not yet processed as of December 31), but which already have been or will be processed in 2022.