

MAINE STATE LEGISLATURE

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132nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2025

Legislative Document

No. 313

H.P. 213

House of Representatives, February 3, 2025

**An Act to Improve Voter Confidence in Electronic Ballot Counting
by Requiring Ballots to Contain Unique Identifiers**

Received by the Clerk of the House on January 30, 2025. Referred to the Committee on Veterans and Legal Affairs pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative FOSTER of Dexter.
Cosponsored by Senator HAGGAN of Penobscot and
Representatives: BABIN of Fort Fairfield, FLYNN of Albion, GUERRETTE of Caribou,
MCINTYRE of Lowell, PAUL of Winterport.

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

2 **Sec. 1. 21-A MRSA §601, sub-§2, ¶K** is enacted to read:

3 K. Each ballot must include a unique identifier.

4 **Sec. 2. 21-A MRSA §603, sub-§1, ¶A**, as amended by PL 2007, c. 455, §20, is
5 further amended to read:

6 A. The words "SAMPLE BALLOT" in bold type, the title and date of the election, and
7 the name of the voting district must be printed at the top of the ballot. The facsimile
8 of the state seal may not be printed on it. A unique identifier may not be printed on it.
9 It must be printed flat. Otherwise, it must be printed substantially the same as a regular
10 ballot.

11 **Sec. 3. 21-A MRSA §607, sub-§3**, as enacted by PL 1985, c. 161, §6, is amended
12 to read:

13 **3. Municipality may provide.** A municipality may provide ballot boxes at its own
14 expense. Each box may contain a mechanical device for counting and endorsing the ballots
15 deposited in it but it may not be equipped to record any distinguishing mark or number on
16 a ballot, except for the unique identifier printed on each ballot. Each box must meet the
17 requirements of this section. Once approved by the Secretary of State, each box becomes
18 an official ballot box.

19 **Sec. 4. 21-A MRSA §809-B** is enacted to read:

20 **§809-B. Voting device to record votes by unique identifier**

21 **1. Record votes by unique identifier.** A voting device used in the conduct of state
22 elections must be able to record the unique identifier assigned to each ballot and any votes
23 cast for any person, or on any question, on that ballot. It must record this information in a
24 way that prevents any association between the identity of the voter and the ballot.

25 **2. Public list.** As soon as practicable after an election return is prepared under section
26 711, the clerk shall make public on the municipality's publicly accessible website a list of
27 votes for each ballot cast using a voting device in that municipality, organized by unique
28 identifier. This subsection does not apply to paper ballots counted using other methods.
29 Nothing in this section authorizes public disclosure of an official ballot, which is not a
30 public record pursuant to section 22.

31 SUMMARY

32 This bill requires each ballot prepared by the Secretary of State to contain a unique
33 identifier, except for sample ballots. Voting devices used in the conduct of state elections
34 must be able to record the unique identifier assigned to each ballot and any votes cast for
35 any person, or any question, on that ballot. The clerk of a municipality is required to post
36 on the municipality's publicly accessible website, as soon as practicable after the election
37 return is prepared, a list of votes cast, organized by unique identifier. This provision does
38 not apply to paper ballots counted using other methods.