

MAINE STATE LEGISLATURE

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131st MAINE LEGISLATURE

FIRST REGULAR SESSION-2023

Legislative Document

No. 1070

S.P. 439

In Senate, March 9, 2023

An Act to Increase Ballot Transparency with Blockchain Technology

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

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator BRAKEY of Androscoggin.
Cosponsored by Representative: BOYER of Poland.

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

2 **Sec. 1. 21-A MRSA §1, sub-§3-B** is enacted to read:

3 **3-B. Blockchain.** "Blockchain" means an open distributed ledger that records a
4 transaction between 2 or more parties efficiently and in a verifiable and permanent manner.

5 **Sec. 2. 21-A MRSA §1, sub-§3-C** is enacted to read:

6 **3-C. Blockchain transaction.** "Blockchain transaction" means digital records linked
7 together using cryptography that is resistant to modification of the data in the records,
8 creating a blockchain.

9 **Sec. 3. 21-A MRSA §22, sub-§2,** as amended by PL 2019, c. 371, §1, is further
10 amended to read:

11 **2. Ballots.** Official ballots, whether in paper form or in an electronic or image format,
12 are not public records and may be inspected only in accordance with this Title. For
13 purposes of this subsection, "official ballot" means a ballot used by a voter to cast a vote at
14 an election. "Official ballot" includes an absentee ballot and a ballot cast on election day
15 at a voting place but does not include blockchain transactions from official ballots stored
16 on a publicly accessible blockchain.

17 **Sec. 4. 21-A MRSA §23, sub-§7-C** is enacted to read:

18 **7-C. Ballot data on publicly accessible blockchain.** The Secretary of State shall
19 maintain and make publicly accessible blockchain transactions from all official ballots cast
20 in a state election.

21 **Sec. 5. 21-A MRSA §722-B** is enacted to read:

22 **§722-B. Secretary of State to make ballot data public on blockchain**

23 After each state election, the Secretary of State shall upload blockchain transactions
24 created when each paper ballot is processed by an electronic tabulating device to a publicly
25 accessible blockchain.

26 **Sec. 6. 21-A MRSA §843, sub-§6-A** is enacted to read:

27 **6-A. Blockchain transactions.** It must be able to scan and extract vote data from the
28 ballot and create a blockchain transaction for every ballot. Each blockchain transaction
29 from a state election must be able to be uploaded and made publicly accessible on a
30 blockchain by the Secretary of State.

31 **SUMMARY**

32 This bill requires all electronic tabulating devices to be able to scan and extract vote
33 data from the official ballot and create a blockchain transaction for every ballot, which, for
34 state elections, the Secretary of State shall maintain and make publicly accessible on a
35 blockchain. The bill also defines "blockchain" as an open distributed ledger that records a
36 transaction between 2 or more parties efficiently and in a verifiable and permanent manner
37 and "blockchain transaction" as digital records linked together using cryptography that is
38 resistant to modification of the data in the records, creating a blockchain. It also establishes
39 that the blockchain transaction created from the vote data on the official ballot and available
40 on a publicly accessible blockchain is a public record.