

STATE OF MAINE
SUPREME JUDICIAL COURT
SITTING AS THE LAW COURT

LAW COURT DOCKET NO. CUM-25-284

ALEX TITCOMB, et al.,

Petitioners-Appellants

v.

SHENNA BELLOWS, in her official capacity as the Maine Secretary of State,

Respondent-Appellee

and


VICTORIA KORNFELD, et al.,

Intervenors

Appeal from the Superior Court, Cumberland

APPENDIX

Benjamin E. Hartwell
Maine Bar No. 006619
STEVE SMITH TRIAL LAWYERS
191 Water Street
Augusta, ME 04330
(207) 622-3711


Patrick Strawbridge, Bar No. 10024
Brandon Haase (pending *pro hac vice*)
CONSOVOY MCCARTHY PLLC
Ten Post Office Square
8th Floor South, PMB #706
Boston, MA 02109
(617) 227-0548


Counsel for Petitioners-Appellants

APPENDIX

Table of Contents

Superior Court Docket Record	03
Superior Court Decision.....	07
Petition for Review of Final Agency Action	14
Secretary of State’s Final Question Decision Letter	28
Application for Citizen Initiative	35
Letter from Melissa Packard, Director of Elections, to Alex Titcomb, Petitioner, with revised draft of proposed initiative, dated March 6, 2024.....	39
Email from Titcomb to Packard attaching new version of the proposed initiative, dated March 21, 2024.....	44
Letter from Packard to Titcomb enclosing revised draft of new version of initiative, dated April 5, 2024.....	53
Final language of “An Act to Require an Individual to Present Photographic Identification for the Purpose of Voting”	55
Applicant’s acceptance of the revised legislation, dated April 8, 2024.....	66
Petition Form, issued May 16, 2024	68
Secretary of State’s Determination of Validity, dated February 19, 2025.....	74
Press Release announcing proposed ballot question and comment period, dated March 12, 2025.....	76
Further Agency Record excerpts of comment submissions	78

Date filed: 05/15/2025

CUMBERLAND
COUNTY

Justice John O'Neil

Docket No. AP-25-0015

Action: 80C Appeal

Alex Titcomb, Heather Sirocki,
Kevin Murphy, George Colby,
Randall Greenwood

Vs.

Shenna Bellows
Victoria Kornfield (Intervenor)
Lisa Buck (Intervenor)
DSCC (Intervenor)
DCCC (Intervenor)
The Democratic Governors Assoc.
(Intervenor)

Plaintiff's Attorney

Patrick Strawbridge (No.10024)
Consovoy McCarthy, PLLC
10 Post Office Square
8th Floor South
PMB#706
Boston, MA 02109
617-240-8157

Benjamin E. Hartwell (No.006619) (Lead Attorney)
Steve Smith Trial Lawyers
191 Water St
Augusta, ME 04330
207-622-3711

Brendan Haase, Esq. (Visiting Attorney)

Defendant's Attorney

Jonathan Bolton AG
6 State House Station
Augusta, ME 04330

James Monteleone, Esq. (Intervenors)
Bernstein Shur Sawyer & Nelson
PO Box 9729
Portland, ME 04104-5021

Aria Branch, Esq.
Christopher Dodge, Esq
Omeed Alerasoo, Esq
(Visiting Attorney - Intervenors)

Date of Entry

2025

May 14

Received 05/12/2025

Petitioners Motion for Admission of Brandon Haase

As Visiting Counsel Pro Hac Vice with Proposed Order filed.

Petition for Review of Final Agency Action filed

Filing Fee Paid

May 15 Received 05/13/2025
Consented to Motion to Expedite Filing of Administrative Record
Briefing Schedule with Proposed Order
Acceptance of Service by Attorney General's Office

May 15 On 5/15/25.
Sent to Justice O'Neil for Motion for Admission and Motion to
Expedite review.

May 19 Received 5/16/25.
Entry of appearance of Jonathan Bolton AG obo Shenna Bellows filed.
" " Agency record filed.

May 22 Received 5/20/25.
Motion to Intervene on behalf of Victoria Kornfield, Lisa Buck, DSCC,
DCCC, and The Democratic Governors Association filed.
" " Proposed Intervenor-Defendants' Motion for Admission Pro Hac Vice
with proposed order filed.

May 23 On 5/23/25
File returned.

" " Received 5/23/25.
Order on Petitioners' Motion for Admission of Brandon Haase as
Visiting Counsel Pro Hac Vice filed (Justice O'Neil 5/23/25)
After consideration of the motion by Petitioners Alex Titcom, Heather
Murphy, George Colby and Randall Greenwood for Admission of
Brandon Haase as Visiting Counsel Pro Hac Vice, it is hereby
granted.
Copies to counsel/parties 5/23/25

" " Received 5/23/25.
Order on Consented-to Motion to Expedite Filing of Administrative
Record and Briefing Schedule filed. (Justice O'Neil 5/23/25)
It is Ordered that the above-captioned action will proceed according to the
Following expedited schedule:
1. Respondent will file the administrative record by 5/16/25.
2. Petitioners will file their brief by 5/23/25.
3. Respondent will file her brief by 6/3/25.
4. Petitioners will file their reply by 6/9/25.

May 23 Received 5/23/25 cont'd
The Clerk shall incorporate this Order into the docket pursuant to
Maine Rules of Civil Procedure 79(a).
Copies to counsel/parties 5/23/25.

" " Received 5/23/25
Petitioners' Brief Requesting Reversal of the Secretary of State's
Decision filed.

June 3 Received 6/3/25.
Response Brief of Intervenor-Defendants Victoria Kornfield, Lisa Buck,
DSCC, DCCC and The Democratic Governors Association filed.

" " Secretary of State's Rule 80C Brief filed.

June 10 Received 6/9/25.
Petitioners' Reply Brief filed.

" " On 6/10/25.
Sent to Justice O'Neil for review.

June 13 On 6/13/25.
File returned.

" " Received 6/13/25.
Order on Proposed Intervenor-Defendants' Motion for Admission of
Counsel Pro Hac Vice filed. (Justice O'Neil signed 6/13/25)
The motion is granted. It is further ordered that Aria C. Branch, Christopher D.
Dodge and Omeed Alerasoo be admitted pro hac vice in the above-captioned
matter, and that this Order constitutes their entries of appearance on behalf of
Proposed Intervenor-Defendants Victoria Kornfield, Lisa Buck, DSCC, DCCC
And the Democratic Governors Association. The Clerk shall incorporate tis
Order by reference pursuant to M.R.Civ.P. 79(a).
Copies to counsel via email and hard copy 6/13/25.

" " Received 6/13/25.
Order on Motion to Intervene on Behalf of Victoria Kornfield, Lisa Buck,
DSCC, DCCC and the Democratic Governors Association filed.
(Justice O'Neil signed 6/13/25)
The Motion is hereby granted. It is further ordered that Intervenor's proposed

June 13 Received 6/13/25 continued.
Responsive pleading shall be deemed filed and noted on the docket pursuant to M.R.Civ.P. 79(a).
Copies to counsel via email and hard copy 6/13/25.

" " Received 6/13/25
Decision filed. (Justice O'Neil signed 6/13/25)
Petitioners' Appeal is DENIED. The Secretary's decision regarding the final wording of the ballot question is AFFIRMED.
Copies to counsel via email and hard copy 6/13/25.

June 18 Received 6/16/25.
Copies of Order on Consented-to Motion to Expedited Filing of Administrative Record and Order on Petitioners' Motion for Admission of Brandon Haase As Visiting Counsel Pro Hac Vice dated 5/23/25 mailed Patrick Strawbridge, Esq returned undeliverable; remailed 6/18/25.

June 18 Received 6/18/25.
Petitioners' Notice of Appeal to the Law Court.
Filing fee paid.

" " On 6/18/25.
Copies of Notice of Appeal, appeals cover sheet and Superior Court docket entries emailed to the Law Court.

" " Copies of Notice of Appeal mailed counsel of record.

" " Received 6/18/25.
Notice of Docketing in the Law Court filed.
Record due in Law Court by 7/18/25.

" " On 6/18/25.
Entire original file including Administrative Record (separate binder), cover sheet And Superior Court docket entries hand delivered to Law Court. "LAW"

" " On 6/18/25.
Copies of Superior Court docket entries mailed counsel of record.

STATE OF MAINE
CUMBERLAND, ss.

SUPERIOR COURT
CIVIL ACTION
Docket No. AP-25-15 ✓

ALEX TITCOMB, et al.,

Petitioners,

v.

SHENNA BELLOWS, in her official
capacity as Secretary of State for the
State of Maine,

Respondent,

and

VICTORIA KORNFIELD, LISA BUCK,
DSCC, DCCC, and the DEMOCRATIC
GOVERNORS ASSOCIATION,

Intervenor-Defendants.

DECISION

The matter before the court is Petitioners Alex Titcomb, Heather Sirocki, Kevin Murphy, George Colby, and Randall Adam Greenwood's ("Petitioners") appeal of Respondent Secretary of State Shenna Bellows's (the "Secretary") decision regarding the final wording of the ballot question on the citizen initiative titled "An Act to Require an Individual to Present Photographic Identification for the Purpose of Voting" (the "Initiative"). *See* 21-A M.R.S. § 905(2); M.R. Civ. P. 80C. Intervenor-Defendants Victoria Kornfield, Lisa Buck, DSCC, DCCC and the Democratic Governors Association (the "Intervenors") submitted a brief in support of the Secretary's decision. The court has considered the parties' well-written briefs and the administrative record. For the following reasons, the court denies Petitioners' appeal and affirms the Secretary's decision.

BACKGROUND

On February 13, 2024, Petitioners submitted an application to place the Initiative on the

ballot to the Secretary.¹ (R. 008-011). The Secretary issued the petition for the Initiative on May 16, 2024, after a revision process involving the Secretary, the Officer of the Revisor of Statutes, and Petitioners. (R. 001-038, 039-046.)

The final version of the Initiative proposes changes to twenty-seven provisions of Maine's elections laws. (R. 002; 042-045.) The parties to this appeal identified the most significant proposed changes in the Initiative as follows: (1) in-person voter photo identification requirements; (2) absentee photo identification requirements; (3) eliminating ongoing absentee voter status; (4) prohibiting requests for absentee ballots by third parties or by phone; (5) imposing new restrictions on secured absentee ballot drop boxes; (6) reducing the absentee voting period by two days; (7) banning prepaid postage on absentee ballot return envelopes; (8) amending the circumstances governing when a third-party may help a voter fill out a ballot or deliver the ballot on behalf of the voter; (9) require the Secretary to provide free non-driver identification; and (10) authorize third-party challenges to absentee ballots based on mismatched signatures. (Pet'rs' Br. 5-6; Resp't's Br. 5-7, 11; Intervenor's Br. 2-5; R. 001-007, 042-045.)

On January 6, 2025, Petitioners submitted the petition to the Secretary for validation. (R. 047.) On February 19, 2025, the Secretary determined that the petition contained the required number of valid signatures to appear on the November 2025 ballot. (R. 047-048.)

On March 12, 2025, the Secretary announced a draft ballot question for public comment. (R. 049.) Members of the public submitted 318 comments, some in favor of the proposed wording and some seeking revisions. (R. 001, R. 051-388.) Petitioners did not submit any comments objecting to the drafted question. (Resp't's Br. 10; R. 051-388.)

¹ The initial draft legislation included three proposals related to in-person voter identification requirements. (R. 009-011.) The draft legislation did not include proposed changes to absentee balloting. (R. 009-011, 017.)

On May 5, 2025, the Secretary issued a decision letter that included the final wording of the ballot question, as follows:

Do you want to change Maine election laws to eliminate two days of absentee voting, prohibit requests for absentee ballots by phone or family members, end ongoing absentee voter status for seniors and people with disabilities, ban prepaid postage on absentee ballot return envelopes, limit the number of drop boxes, require voters to show certain photo ID before voting, and make other changes to our elections?

(R. 001-002.) The Secretary’s decision letter explained that the final draft describes “some of the more significant changes proposed by the [Initiative] while also making clear that the question’s description was not exhaustive.” (R. 003.) On May 12, 2025, Petitioners filed this appeal challenging the final wording of the ballot question.

LEGAL STANDARD

The Maine Constitution grants the Maine people the right to legislate by direct initiative. Me. Const. art IV, pt. 3, § 18. The Secretary is charged with drafting the ballot question for an initiative. Me. Const. art. IV, pt. 3, § 20.

Review by the Superior Court of decisions of the Secretary of State regarding the wording of ballot questions is governed by 21-A M.R.S. § 905(2), which provides, in pertinent part:

In reviewing the decision of the Secretary of State, the court shall determine whether the description of the subject matter is understandable to a reasonable voter reading the question for the first time and will not mislead a reasonable voter who understands the proposed legislation into voting contrary to that voter’s wishes.

Section 905(2) requires the Superior Court to “independently determine whether the ballot question is understandable and not misleading” based on the record, without deference to the Secretary’s decision. *Olson v. Sec’y of State*, 1997 ME 30, ¶ 4, 689 A.2d 605.

The issue to be reviewed is not whether the description of the subject matter is “understandable to a voter who is reading both the question and the legislation for the first time.” *Id.* ¶ 11. Rather, the issue is whether voters who understand the initiative, but “who may be reading

the question for the first time in the voting booth, will understand the subject matter and the choice presented.” *Id.* “[T]he question need not provide complete, comprehensive information about the legislation or its effect.” *Jortner v. Sec’y of State*, 2023 ME 25, ¶ 13, 293 A.3d 405.

DISCUSSION

I. Preservation of Objections

The threshold issue raised by the Secretary is whether Petitioners failed to preserve, and thus waived, their objections to the Secretary’s formulation of the question by failing to participate in the public comment period. (Resp’t’s Br. 1, 12-16); *see Antler’s Inn & Rest., LLC v. Dep’t of Pub. Safety*, 2012 ME 143, ¶ 9, 60 A.3d 1248 (explaining arguments not raised before an administrative agency may not be raised for the first time on appeal); *see also New Eng. Whitewater Ctr., Inc. v. Dep’t of Inland Fisheries & Wildlife*, 550 A.2d 56, 59-60 (Me. 1988) (noting that the preservation rule in the administrative context “is premised on the broader doctrine of exhaustion of administrative remedies”). Petitioners argue that (1) the doctrine of exhaustion does not apply in the context of notice and comment proceedings, (2) the appeal involves a pure legal issue exempt from exhaustion rules, (3) the Secretary’s bias excuses application of the waiver requirement, and (4) the Secretary considered the issues raised by this appeal. (Pet’rs’ Reply Br. 3-9.)

The court declines to rule on this issue because regardless of whether Petitioners preserved their objections, the court concludes that the question as formulated by the Secretary is understandable and not misleading, as discussed below.

II. Sufficiency of the Ballot Question

Petitioners argue that the ballot question is not understandable to the average voter, is misleading, and is not a clear, concise, or a direct description of the Initiative’s subject matter.

(Pet'rs' Br. 12-22.)

A. Understandable

Petitioners first argue that the question is not understandable to the average voter because the question uses technical language likely to confuse the voter when reading the question for the first time. (Pet'rs' Br. 15-16.) Petitioners contend that the term “ongoing absentee voter status” in the ballot question is not understandable because it is a term of art and it is not defined or mentioned in the Initiative. (Pet'rs' Br. 15.)

Although the term “ongoing absentee voter status” is not defined in the Initiative itself, this term appears in a statute that the Initiative specifically cites to and seeks to repeal. (R. 033); *see* 21-A M.R.S. § 753(A)(8) (permitting Maine voters to request “ongoing absentee voter status”). The term “ongoing absentee voter status,” as used in § 753(A)(8), means that a voter will “automatically receive an absentee ballot for each ensuing [election] and need not submit a separate request for each election.” That a voter would be required to consult external sources referenced in an initiative, such as other statutes and statutory definitions, to understand a term used in a ballot question does not render the question “not understandable.” *See Olson*, 1997 ME 30, ¶ 11, 689 A.2d 605 (“[T]he term ‘Class A crime’ is readily understood by reference to external sources because it is defined by statute and would undoubtedly be discussed in the context of political debate on the initiative.”). “Ongoing absentee voter status” is not, by contrast, a term with multiple meanings and no single definition or usage in any Maine statute. *See Jortner*, 2023 ME 25, ¶ 27, 293 A.3d 405. Accordingly, the court concludes that the term “ongoing absentee voter status” does not render the question not understandable.

Next, Petitioners argue that the final clause of the ballot question which asks voters whether they want to “make other changes to our elections” is vague. (Pet'rs' Br. 16-17.) No ballot question could practically identify every one of the twenty-seven changes to Maine’s election laws proposed

by the Initiative, nor is the Secretary required to formulate a question that does so. *See Jortner*, 2023 ME 25, ¶ 13, 293 A.3d 405. Reasonable voters who understand the Initiative would understand that this language indicates that the ballot question reflects a non-exhaustive list of changes to Maine’s election laws proposed by the Initiative. *See Olson*, 1997 ME 30, ¶ 11, 689 A.2d 605.

Finally, Petitioners argue that the use of “certain” in the phrase “certain photo ID” is vague. (Pet’rs’ Br. 17.) The Initiative proposes excluding the use of common forms of government issued identification—such as tribal identification and student identification—when registering to vote. (R. 006, 042); *see* 21-A M.R.S. § 112-A(1). The use of the term “certain” accurately and concisely reflects the Initiative’s proposal. Once again, the ballot question need not precisely convey every detail of the Initiative. *See Jortner*, 2023 ME 25, ¶ 13, 293 A.3d 405. A reasonable voter who understands the Initiative would understand that “certain” refers to the forms of identification that the Initiative proposes excluding. *Olson*, 1997 ME 30, ¶ 11, 689 A.2d 605.

The court concludes that the ballot question uses understandable language to describe the proposed changes to Maine election laws.

B. Not Misleading

Finally, Petitioners argue that the phrase “end ongoing absentee voter status for seniors and people with disabilities” is misleading because the language does not account for a law that will become effective December 31, 2025, P.L. 2023 ch. 404. (Pet’rs’ Br. 12-14; Resp’t’s Br. 19). Under Maine law in effect as of the November 2025 election, only voters over the age of 65 and voters who self-identify as having a disability have ongoing absentee voter status. 21-A M.R.S. § 753-A(8). Effective December 31, 2025, P.L. 2023, ch. 404 will expand ongoing absentee voter status to all Maine voters. The Secretary argues that the ballot question accurately describes who will

lose their status under the laws in effect as of the November 2025 election if the Initiative is approved. (Resp't's Br. 19); *see* 21-A M.R.S. § 753-A(8).

The *Olson* Court held that a question is misleading for purposes of § 905(2) review if “the question will mislead reasonable voters, who understand the proposed legislation, into voting contrary to their wishes.” 1997 ME 30, ¶ 7, 689 A.2d 605. Language that creates a misleading impression about the proposed legislation does not necessarily render the ballot question “misleading.” *Id.* ¶¶ 7, 9.

When Mainers go to the polls in November 2025, the only individuals with “ongoing absentee voter status” will be seniors and people with disabilities. 21-A M.R.S. § 753-A(8). If the Initiative is approved, seniors and people with disabilities will have their status eliminated. The phrase “end ongoing absentee voter status for seniors and people with disabilities” is in fact an accurate representation of the content and effect of the Initiative. (R. 002, 043.) The ballot question therefore does not create a risk that voters will be led to vote contrary to their true intentions. *See Olson*, 1997 ME 30, ¶ 7, 689 A.2d 605.

CONCLUSION

For the reasons above, the Court concludes that the ballot question meets the standard of 21-A M.R.S. § 905(2).

The entry is

Petitioners' Appeal is DENIED. The Secretary's decision regarding the final wording of the ballot question is AFFIRMED.

Date:

6/13/25


John O'Neil, Jr.
Justice, Superior Court

Entered on the Docket: 6/13/2025

STATE OF MAINE
CUMBERLAND, ss

SUPERIOR COURT
DOCKET NO. PORSC-AP-2025-015

ALEX TITCOMB, HEATHER SIROCKI,
KEVIN MURPHY, GEORGE COLBY, AND
RANDALL ADAM GREENWOOD,
Petitioners,

v.

SHENNA BELLOWS, in her official capacity as
the Maine Secretary of State,
Defendant

**PETITION FOR REVIEW OF
FINAL AGENCY ACTION**

Pursuant to 21-A M.R.S. §§905 & 905-A, 5 M.R.S. §11001, and M.R. Civ. P. 80C, Alex Titcomb, Heather Sirocki, Kevin Murphy, George Colby, and Randall Adam Greenwood petition this Court for review of Secretary of State Shenna Bellows' decision to approve a ballot question that purports to describe the citizen initiative entitled "An Act to Require an Individual to Present Photographic Identification for the Purpose of Voting" (the "Act"). *See* L.D. 1149 (132nd Legis. 2025). The Secretary's question is misleading, complicated, and confusing, and therefore violates Maine law for several reasons. Among them:

- The question misrepresents provisions that would apply to all voters as targeting "seniors and people with disabilities";
- The question is not "simple, clear, concise, and direct"—it is the longest in Maine history, burying the Act's primary objective (*i.e.*, the purpose described in the Act's title, to require proof of identification at the time people cast their ballot) after a long string of clauses describing comparatively minor changes;
- The question is deliberately confusing, employing vague terminology ("certain photo ID";

“make other changes”) and technical language (“ongoing absentee voter status”) likely to be misunderstood by the average voter.

Secretary Bellows’ decision to craft such a misleading question is troubling, if not surprising. She has come out publicly as a strong opponent of the Act, describing it as putting absentee ballot access at “extreme risk” and as “a wolf in sheep’s clothing.” These statements accord with her longstanding and well-documented opposition to similar measures. In 2021, she testified to a committee of the Maine Legislature that voter ID laws—which have been adopted in a large majority of states—are “rooted in White supremacy” and “the new means of voter suppression.” *Hearing on L.D. 253, L.D. 447, and L.D. 1083 before the Jt. Standing Comm. On Veterans and Legal Affairs*, 130th Legis. 1 (2021) (testimony of Shenna Bellows, Secretary of State). Two years later, she testified in opposition to a similar bill by arguing that “[f]orcing people to carry a specific type of photo identification to vote would result in ... potential discrimination” and would “increase ... complications and consequences to our elections and turn eligible voters away.” *Hearing on L.D. 34 before the Jt. Standing Comm. On Veterans and Legal Affairs*, 131st Legis. 1 (2023) (testimony of Shenna Bellows, Secretary of State).

But the Secretary’s personal misgivings about the Act do not empower her to misrepresent it to the public. Rather, the law requires her to put aside personal biases and draft a concise question that is “understandable to a reasonable voter reading the question for the first time and will not mislead a reasonable voter who understands the proposed legislation into voting contrary to that voter’s wishes.” 21-A M.R.S. §905(2). This is a demanding standard, leaving no room for judicial deference to the Secretary’s discretion. *See Olson v. Sec’y of State*, 1997 ME 30, ¶ 4, 689 A.2d 605 (Me. 1997) (rejecting a “deferential standard of review” with respect to ballot question challenges). Rather, this Court must “independently” determine whether the Secretary’s chosen wording conforms with the law. A proper review of the law and facts in this case will establish it does not. **Petitioners note that 21-A M.R.S. §905(2) requires that the “court shall issue its written decision containing its**

findings of fact and stating the reasons for its decision within 40 days of the date of the decision of the Secretary of State”—which is June 16, 2025.¹

PARTIES

1. Petitioner Alex Titcomb is a registered Maine voter who resides in Sagadahoc County, Maine. Petitioner strongly supports the implementation of voter identification requirements and the other election security measures included in the Act. Petitioner signed the petition at issue in this case.

2. Petitioner Heather Sirocki is a registered Maine voter who resides in Cumberland County. Petitioner strongly supports the implementation of voter identification requirements and the other election security measures included in the Act. She is also a former member of the Maine Legislature and an ongoing voter. Petitioner signed the petition at issue in this case.

3. Petitioner Kevin Murphy is a registered Maine voter who resides in Androscoggin County, Maine. Petitioner strongly supports the implementation of voter identification requirements and the other election security measures included in the Act. Mr. Murphy is a disabled voter who signed the petition in this case.

4. Petitioner George Colby is a registered Maine voter who resides in Cumberland County, Maine. Petitioner strongly supports the implementation of voter identification requirements and the other election security measures included in the Act. He is also a senior who has a long history of voting via absentee ballot and signed the petition at issue in this case.

5. Petitioner Randall Adam Greenwood is a registered Maine voter who resides in Androscoggin County, Maine. Petitioner strongly supports the implementation of voter identification requirements and the other election security measures included in the Act. Mr. Greenwood is also a

¹ June 14, 2025—the date 40 days from May 5, 2025—is a Saturday, making Monday, June 16, 2025 the actual deadline. *See* Civ. R. 4(a); *see also* 1 M.R.S. §71 (“The statutory time period for the performance or occurrence of any act ... is governed by and computed under Rule 6(a) of the Maine Rules of Civil Procedure.”).

member of the Maine House of Representatives whose term expires in 2026. Mr. Greenwood intends to run for office in future Maine elections.

6. Petitioners have been aggrieved by the Secretary's misleading ballot question. Each Petitioner is specifically authorized to appeal as an "aggrieved voter" under 21-AM.R.S. §905-A. Mr. Titcomb also has standing under 21-AM.R.S. §905(2) as a voter named in the application for the Act and a valid petition signer. Mr. Murphy, Ms. Sirocki, and Mr. Colby are aggrieved because they support the initiative but find the question misleading. Mr. Greenwood has also been aggrieved because he intends to run in a future Maine election and would be adversely affected by the kinds of voter fraud the Act seeks to prevent.

7. Moreover, all Petitioners have been involved in bringing the Act to the ballot and support the election security measures included in the measure. They have and will continue to be injured by the Secretary's misleading question, which will substantially impede voters' ability to understand the Act and mislead those who would otherwise support the bill into voting against it.

8. Respondent Shenna Bellows, in her official capacity as Secretary of State for the State of Maine, is the constitutional officer charged with administering Title 21-A, Chapter 11, which governs direct petitions for initiated legislation, and is responsible for proposing and approving ballot questions for initiatives presented to Maine voters.

JURISDICTION AND VENUE

9. The Court has subject matter jurisdiction over this petition for review pursuant to 4 M.R.S. §103(3)(A), 5 M.R.S. §11001(1), and 21-AM.R.S. §905(2).

10. The Court may exercise personal jurisdiction over the Secretary because this action seeks review of actions taken by the Secretary, in her official capacity as an officer of the State of Maine under the Maine Constitution.

11. Venue is proper in Cumberland County pursuant to 5 M.R.S. §11002(1)A) because one or more of the Petitioners resides in Cumberland County.

FACTUAL AND LEGAL BACKGROUND

A. The Petition

12. A large number of Maine residents support requiring voters to present identification when casting their ballots. Many of those residents worked together to exercise their right under the Maine Constitution to get a direct initiative titled “An Act to Require an Individual to Present Photographic Identification for the Purpose of Voting” (the “Act”) on the November 2025 ballot. *See* Me. Constitution Art. VI, Part III, Sec. 18. A complete and accurate copy of the initiative is attached as Exhibit A.

13. The signature gathering process proved successful. On January 6, 2025, Mr. Titcomb and the Act’s proponents filed more than 170,000 signatures with the Secretary of State—nearly three times the required amount.

14. The same day, the Secretary was quoted in a media interview describing the Act as a “wolf in sheep’s clothing” that was “somewhat shocking in the changes it seeks to make to absentee voting.”

15. After taking the entirety of her 30-day period to review the petition, she issued a decision on February 19, 2025, acknowledging that the petition was valid and that the “total number of signatures submitted ... far exceeded the quantity of signatures required.”

B. Submission to the Legislature

16. The Act was submitted to the Maine Legislature for consideration on March 14, 2025. *See* Me. Constitution Art. VI, Part III, Sec. 18(2). It was introduced on March 20, 2025 as L.D. 1149 and later referred to the Committee on Veterans and Legal Affairs. L.D. 1149 (132nd Legis. 2025).

17. The Legislature adjourned without enacting the bill on March 21, 2025, triggering submission of the question to the public on the November 2025 ballot. See Me. Const. Art. IV, Pt. 3, §18.

C. The Proposed Ballot Question

18. On March 12, 2024, Secretary Bellows issued the following proposed ballot question for the Act:

“Do you want to change Maine election laws to require voters to show ID before voting, end ongoing absentee voting for seniors and people with disabilities, ban prepaid postage on absentee ballot return envelopes, prohibit requests for absentee ballots by phone or family members, eliminate two days of absentee voting, and make other changes to our elections?”

19. Members of the public were invited to weigh in for a 30-day comment process.

20. Public comment closed on April 11, 2025.

21. On May 2, 2025, Secretary Bellows appeared before the Committee on Veterans and Legal Affairs to testify in opposition to the Act, stating that “it would cause a huge budget deficit [for the state]” and “should it pass, we [the Secretary of State] would likely bring forward a bill to correct [it].” *An Act to Require an Individual to Present Photographic Identification for the Purpose of Voting: Hearing on L.D. 1149 before the Comm. On Veterans’ and Legal Affairs*, 132nd Legis. (2025) (testimony of Shenna Bellows, Secretary of State). She further testified that the bill would “potentially lead[] to some harmful disproportionate impact on people who’ve either forgotten their ID or they’re not drivers and potentially longer lines and inconvenience for everyone.” *Id.*

D. The Secretary’s Decision

22. On May 5, 2025, the Secretary released the final wording in a decision letter, which reads as follows:

“Do you want to change Maine election laws to eliminate two days of absentee voting, prohibit requests for absentee ballots by phone or family members, end ongoing absentee voter status for seniors and people with disabilities, ban prepaid postage on absentee ballot return

envelopes, limit the number of drop boxes, require voters to show certain photo ID before voting, and make other changes to our elections?”

23. Upon review, it is evident that the Secretary’s approved question does not comply with the constitutional and statutory requirements governing ballot questions.

24. To begin, the Secretary’s question misrepresents the Act as targeting “ongoing absentee voting for seniors and people with disabilities.” In reality, the Act—which would go into effect on January 1, 2026—would repeal a provision that, as amended by the Maine Legislature in 2023, allows *any* voter to make a one-time request to automatically receive absentee ballots for every subsequent election starting December 31, 2025. *See* L.D. 1690 (131st Legis. 2023). The Secretary is well aware of this, since she testified in favor of that bill in 2023 before the Committee on Veterans and Legal Affairs. *An Act Regarding Ongoing Absentee Voting and Tracking of Absentee Ballots: Hearing on L.D. 1690 Before the Jt. Standing Comm. On Veterans and Legal Affairs*, 131st Legis. 1 (2023) (testimony of Shenna Bellows, Secretary of State) (describing her as “[t]estifying in favor.”). But she conveniently ignored it in her question, opting to use the first line of the description to paint the Act as an attack on the vulnerable. This is a transparent attempt to “mislead a reasonable, informed voter” who otherwise understands and supports the Act “into voting contrary to the voter’s intent.” *Jortner v. Sec’y of State*, 2023 ME 25, ¶ 12, 293 A.3d 405, 407 (Me. 2023). The Secretary’s job is even-handed, concise *description*—not partisan rhetoric. *See* 21-A M.R.S. §905(2) (“[T]he court shall determine whether the description of the subject matter ... will not mislead a reasonable voter....”).

25. The Secretary’s question also fails the baseline constitutional requirements to “present the question ... concisely and intelligibly.” *See* Me. Const. Part III, Sec. 20. The question as drafted is the longest ever approved in Maine, containing seven separate clauses and 66 total words. *See* Maine State Legis., *Legislative History Collection: Citizen Initiated Legislation, 1911-Present*, maine.gov (captured May 7, 2025), <https://perma.cc/T42F-6ME2> (hereinafter “Citizen Initiated Legislation”). Far from “describ[ing] the subject matter ... as simply as is possible,” the Secretary’s wording buries the primary

objective of the bill (voter ID requirements) near the end of a run-on sentence that first describes comparatively minor changes. This defeats the purpose of the statute, which directs the Secretary to simply “ask a *clear* question about whether the voter wishes to approve proposed legislation of which the voter is presumed to be already aware.” *Jortner*, 293 A.3d at 410 (emphasis added).

26. A brief survey of previous ballot questions demonstrates how far the Secretary has strayed from the norm. *See generally* Citizen Initiated Legislation, *supra*. In 2016, the Secretary’s office described a complex, 30-page bill legalizing marijuana, establishing retail licensing, and constructing a new compliance regime as follows:

Do you want to allow the possession and use of marijuana under state law by persons who are at least 21 years of age, and allow the cultivation, manufacture, distribution, testing, and sale of marijuana and marijuana products subject to state regulation, taxation and local ordinance?

See L.D. 1701 (127th Legis. 2016). *See* Citizen Initiated Legislation, *supra*. Likewise, in 2009, a 27-page initiative seeking veto a complex school district consolidation bill merited just 19 words. *See* L.D. 977 (124th Legis. 2009); *see also* Citizen Initiated Legislation, *supra* (“Do you want to repeal the 2007 law on school district consolidation and restore the laws previously in effect?”). These initiatives were three times longer than the Act at issue here. *Compare* L.D. 1149 (132nd Legis. 2025) *with* L.D. 1701 (127th Legis. 2016) *and* L.D. 977 (124th Legis. 2009). But their prompts were *significantly* shorter. And more importantly, they captured the main idea behind the legislation. *See* Citizen Initiated Legislation, *supra*. Here, by contrast, the Secretary’s question buries the main point of the Act under a series of less significant provisions, all strung together in no apparent order.

27. Redundant and unnecessary phrases also disqualify the question in its current form. The question begins by asking “Do you want to change Maine election laws” and ends with “make other changes to our elections,” which add nothing to the overall description and further lengthen an already record-breaking prompt. The phrase “eliminate two days of absentee voting” is likewise unnecessary, since it represents a *de minimis* change to the overall voting process given that the Act

provides that voters can request absentee ballots *eleven months* before election day in most cases. *See* §16.

28. The Secretary's question is also not understandable because it employs technical language the average voter won't understand when reading the question for the first time. *See Jortner*, 293 A.3d at 415. Specifically, the question says the Act would end "ongoing absentee voter status." That is "not a common term," nor is it defined (or mentioned) anywhere in the Act—rather, it is a term of art requiring knowledge of many other aspects of Maine's election laws. *Id.* The question thus impermissibly "assumes ... that the informed voter is familiar not only with the proposed legislation but with an assortment of other statutes." *Id.*; *see also id.* at 415 ("It is not reasonable to assume that a voter would have researched statutes or other sources to determine the meaning of a term that the voter has not seen in the proposed legislation before proceeding to vote in an election). Without this background, the most straightforward reading suggests that the Act would *eliminate* absentee voting altogether—which is plainly misleading.

29. The question also fails first prong of 21 M.R.S. §905, which requires the Secretary to "describe[] the subject matter of the ... direct initiative as simply as is possible." *Jortner*, 293 A.3d at 411. Rather, the Secretary buried the lede, obscuring the initiative's primary aims by stressing everything *other than* the voter identification requirements. To wit, 6 of the question's 7 clauses have nothing to do with voter ID requirements. This contrasts sharply with the Act itself, as a clear majority (15 of 27) of its substantive sections either explicitly reference photographic identification (12) or relate to analogous signature and address matching requirements (3). By contrast, a minority of the Act's sections (12 of 27) relate to other subjects.²

² Procedures surrounding ballot drop boxes (5), rules governing when a non-family member delivers or assists someone in filling out a ballot (3), and procedures governing aspects of the absentee voting process (4).

30. The Secretary's question is also miles removed from the Act's title, legislative summary, and internal structure, all of which place the voter ID requirements front and center. *See generally* L.D. 1149 (132nd Legis. 2025); *see id.* at 10 ("This initiated bill requires the presentation of photographic identification for in-person and absentee voting."). It also conflicts with her *own* prior wording of the ballot question and her own summary of the Act in the final decision letter, both of which begin where voters would expect: with the Act's voter ID provisions. *See supra*, ¶16; Decision Letter at 2-3 ("Among other things, the Act would: (1) require people voting in-person in Maine elections to show one of several forms of government-issued identification"). In short, "[a] reasonable voter who compared the language of the Ballot Question to the language of the Legislation might be unsure whether the Ballot Question is referring to [the initiative]." *Jortner v. Secretary of State*, Order at 6, No. AP-2023-007 (Me. Super. Ct. February 9, 2023).

31. The Secretary's tries to justify her backwards description of the Act by claiming that its "changes to absentee voting procedures are more extensive and wide-ranging than its changes to in-person voting procedures." *See* Decision Letter at 5. Not so. Maine has long allowed for absentee voting and has frequently (and recently) made sweeping changes to absentee voting procedures. *See, e.g.*, L.D. 1690 (131st Legis. 2023) (allowing indefinite automatic delivery of absentee ballots to any applicant). It has never implemented a voter ID requirement. This is the material, substantive change encapsulated by the Act, and should obviously be the focal point of the ballot question. And even if the Secretary were right about the primacy of the absentee ballot provisions (she is not), there is no justification for referencing the voter ID requirements *last*.

32. Relatedly, the Secretary's question arbitrarily privileges comparatively minor tweaks to the absentee ballot process over major substantive innovations. The Secretary devotes two entire clauses to "prohibit[ing]" requests for absentee ballots by phone or family members" and "ban[ning] prepaid postage on absentee ballot return envelopes," but ignores the Act's sweeping guarantee to

provide government identification to all Maine residents free of charge. The Secretary provides no justification for her decision to highlight such minutiae while obscuring major alterations to Maine law. These details lengthen the question, confuse the voter, and distract from the main point of the Act, and should be removed.

33. The question's final "catch-all" clause ("make other changes to our elections") is also problematic. "The ballot question drafting process ... is designed to ensure that voters, who may be reading the question for the first time in the voting booth, will understand the subject matter and the choice presented." *Jortner*, 293 A.3d at 410. Simply referencing nonspecific "other changes" does neither, failing the baseline requirement of "*describ[ing]* the subject matter of the ... direct initiative." *Id.* at 409 (emphasis added). For this reason, it's not surprising that no prior secretary has included a similar clause in a ballot measure. *See generally* Citizen Initiated Legislation, *supra*. The term "certain photo ID" fails for the same reason: it's nonspecific, vague, and invites more questions than it answers.

34. The ballot question process has one simple instruction to the Secretary: "ask a clear question about whether the voter wishes to approve proposed legislation of which the voter is presumed to be already aware." *Jortner*, 293 A.3d at 410. It is not an invitation for partisan officials to meddle with citizen initiatives through artful wording. The Secretary transgressed that boundary here, and the question should vacated and remanded for revisions accordingly.

COUNT I
REVERSAL OF THE SECRETARY OF STATE'S
DECISION PURSUANT TO 21-A M.R.S. §§905 & 905-A,
5 M.R.S. §§11001 *et seq.*, AND M.R. CIV. P. 80C

35. Petitioners repeat and reallege Paragraphs 1 through 31 above as if fully set forth herein.

36. Pursuant to the Administrative Procedures Act, the Court has the authority to reverse or modify the decision of an agency when it determines that the agency's "decision[]" is "[i]n violation of constitutional or statutory provisions." 5 M.R.S. §11007(4)(C). This includes the authority to vacate

a legally deficient ballot question and remand for revision according to the court's instructions. *See Jortner*, 293 A.3d at 417 (affirming the judgment vacating a ballot question and remanding to the Secretary of State "to revise the ballot question consistent with the analysis in this opinion").

37. The Secretary's decision violates Article IV, Part III, Section 20 of the Maine Constitution, which required the Secretary to present the Ballot Question "concisely and intelligibly." Me. Const. Art. IV, Part III, Sec. 20.

38. The Secretary's decision violates 21-A M.R.S. §906(6)(B), which required the Secretary to write a question "in a clear, concise, and direct manner that described the subject matter of the ... direct initiative as simply as possible." 21 M.R.S. §906(6).

39. The Secretary's decision violates 21-A M.R.S. §905(2), which required the Secretary to write a question "understandable to a reasonable voter reading the question for the first time" that "will not mislead a reasonable voter who understands the proposed legislation into voting contrary to that voter's wishes." 21-A M.R.S. §905(2).

40. The Secretary's decision impedes voters' ability to "understand the subject matter and choice presented" by the ballot question. *See Jortner*, 293 A.3d at 410; *see also Olson*, 689 A.2d 605.

41. The Secretary's decision was made in violation of constitutional and statutory provisions, in excess of her statutory authority, upon an unlawful procedure, unsupported by substantial evidence on the whole record, and in a manner that was arbitrary, capricious, and characterized by an abuse of discretion.

42. Accordingly, the Court should exercise its authority under 5 M.R.S. §11007(4)(C) to vacate and remand the question to be revised in keeping with constitutional and statutory mandates.

WHEREFORE Petitioners ask that this Court:

- a. Vacate the Secretary's approved ballot question as not understandable and misleading in violation of Me. Const. Part III, Sec. 20 and 21-A M.R.S. §905(2);

b. Remand to the Secretary of State to revise the ballot question consistent with the following:

i. Remove the following phrases:

1. "eliminate two days of absentee voting";
2. "prohibit requests for absentee ballots by phone or family members";
3. "end ongoing absentee voter status for seniors and people with disabilities";
4. "ban prepaid postage on absentee ballot return envelopes";
5. "change Maine elections laws";
6. "and make other changes to our elections";
7. "require voters to show certain photo ID before voting"; and
8. "certain" before photo ID; and

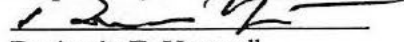
ii. Reorder the question to include the following phrase at the beginning:

1. "require voters to show photo ID before voting in-person or by absentee ballot, ...";³ and

c. grant such other relief as the Court deems just and proper.

Dated: May 12, 2025

Respectfully submitted,



Benjamin E. Hartwell

Maine Bar No. 006619

STEVE SMITH TRIAL LAWYERS

191 Water Street

Augusta, ME 04330

(207) 622-3711

[REDACTED]

³ With these modifications, the question would read: "Do you want to require voters to show photo ID before voting in-person or by absentee ballot and limit the number of drop boxes?"

Patrick Strawbridge
Maine Bar No. 10024
Brandon Haase (*pro hac vice forthcoming*)
CONSOVOY MCCARTHY PLLC
Ten Post Office Square
8th Floor South PMB #706
Boston, MA 02109
(617) 227-0548

[REDACTED] n
[REDACTED] n

Counsel for Petitioners



SHENNA BELLOWES
SECRETARY OF STATE

STATE OF MAINE
DEPARTMENT
OF THE
SECRETARY OF STATE

May 5, 2025

Alex Titcomb
PO Box 31
Richmond, ME 04357

Re: Final Ballot Question for “An Act to Require an
Individual to Present Photographic Identification for
the Purpose of Voting”

Dear Mr. Titcomb:

I am writing to notify you of my determination of the final wording of the ballot question for your initiated legislation, “An Act to Require an Individual to Present Photographic Identification for the Purpose of Voting” (the “Act”). I am required to issue the final ballot question for a direct initiative within 15 business days of the close of the public comment period on the proposed question. 21-A M.R.S.A. § 905-A. Public comment closed on April 11, 2025.

On February 19, 2025, I certified that the initiators of the Act had obtained sufficient valid signatures on their petition to submit it to the Legislature. Thereafter, on March 12, 2025, I released a proposed ballot question for the initiative: “Do you want to change Maine election laws to require voters to show ID before voting, end ongoing absentee voting for seniors and people with disabilities, ban prepaid postage on absentee ballot return envelopes, prohibit requests for absentee ballots by phone or family members, eliminate two days of absentee voting, and make other changes to our elections?” Members of the public had 30 days to submit comments on the proposed wording. During that period, this Office received 318 comments. The comment period closed on April 11, 2025.

I have reviewed and considered all public comments submitted during the comment period. Based on my consideration of those comments, I have determined that the final wording of the ballot question will be as follows:

**“Do you want to change Maine election laws to
eliminate two days of absentee voting, prohibit
requests for absentee ballots by phone or family**

members, end ongoing absentee voter status for seniors and people with disabilities, ban prepaid postage on absentee ballot return envelopes, limit the number of drop boxes, require voters to show certain photo ID before voting, and make other changes to our elections?”

My reasoning follows.

The Maine Constitution requires ballot questions to be presented “concisely and intelligibly.” Me. Const. art. IV, pt. 3, § 20. Similarly, state law requires that a ballot question be written “in a clear, concise and direct manner that describes the subject matter of the . . . direct initiative as simply as is possible.” 21-A M.R.S. § 906(6). The Maine Supreme Judicial Court has explained that the question should allow voters “to understand the subject matter and the choice presented.” *Olson v. Sec’y of State*, 1997 ME 30, ¶ 11, 689 A.2d 605. However, the wording of the question may also “assum[e] that the voters have discharged their civic duty to educate themselves about the initiative.” *Id.*

The Act’s 28 sections propose to change 27 provisions of Maine’s election laws. (The final section sets an effective date for the Act.) Among other things, the Act would: (1) require people voting in-person in Maine elections to show one of several forms of government-issued photo identification; (2) require elections officials to challenge the ballot of any voter unable to show the proper ID; (3) bar such challenged ballots from being counted unless the voter presents photo identification to the registrar within 4 days of the election; (4) limit municipalities to using a single drop box for absentee ballots; (5) require the clerk to ensure that the two-person team servicing the drop box is bipartisan, (6) substantially rewrite the provision governing the process for requesting an absentee ballot to eliminate the ability of a family member to request a ballot and to require voters to provide additional information on the application; (7) eliminate the right to request an absentee ballot by telephone; (8) eliminate the last two days of the no-excuse absentee voting period; (9) eliminate the right of individuals who are over 65 or disabled to request ongoing absentee voter status, where they are automatically sent an absentee ballot before each election; (10) require absentee voters to fill out an “identification envelope” to be provided with the absentee ballot, which must include a driver’s license or nondriver identification card number or a photocopy of the voter’s photographic identification, the voter’s date of birth, the type and date of the election in which they are voting, and other information; (11) prohibit public offices, officials, and employees from prepaying return postage for an absentee ballot; (10) prohibit election officials from preprinting any responses required by the newly required identification envelope; (12) eliminate the ability of family members to return a voter’s absentee ballot by mail; (13) prohibit

municipalities from allowing absentee ballots to be returned to more than one municipal office; and (14) repeal the procedures governing voting when a ballot is delivered or returned by a 3rd person.

The multifaceted nature of this Act makes formulation of a “concise” ballot question challenging. On the one hand, a full description of all of the Act’s proposed changes, while perhaps informative to some voters, would be overwhelming to others and would be at least in tension with my duty to make the question concise. On the other hand, a focus on only one or two aspects of the Act would disserve voters by failing to reflect that the Act proposes many disparate changes to the voting process in Maine. Therefore, in the draft question I struck a middle ground: describing some of the more significant changes proposed by the Act while also making clear that the question’s description was not exhaustive.

The public comments on the draft question were wide-ranging, but can largely be grouped into these general categories:

- Requesting that the question describe every provision of the Act, or certain specific additional provisions of the Act (e.g., drop-box provisions, 3rd-person provisions);
- Expressing general policy views about the wisdom of the Act without proposing any changes to the wording of the question;
- Supporting the draft question as written;
- Requesting that the question list the provisions it describes in a different order;
- Requesting that the question include more details about the photo identification requirement;
- Requesting clarification of the phrase “ongoing absentee voting”;
- Requesting that the question describe various predicted impacts of the Act or perceived motives of the initiators.

Only a handful of commenters suggested shorter versions of the question. No commenters argued that the question should focus solely on the voter ID requirement.

I address these categories below:

Including Additional Provisions of the Act in the Question

By far the most common critique of the draft question was that it did not describe all of the Act's provisions. A number of those comments specifically criticized the question's use of the catch-all phrase "and make other changes to our elections" to encompass those changes not specifically described.

While I understand the concerns of these commenters, my legal duty is to write a question that is "concise," "intelligible," and describes the Act's subject matter "as simply as possible." As my non-exhaustive description of the Act on page 2 makes clear, a full listing of all of the Act's provisions on the ballot would be at least in tension with those requirements. Such a long ballot question would also be unprecedented in the history of Maine citizens' initiatives. It would pose readability challenges for some (if not all) voters and might also require unorthodox and costly changes to the standard ballot layout.

Nor is a complete description of every provision required by law. The Law Court has stated that a ballot question "need not provide complete, comprehensive information about the legislation or its effect." *Jortner v. Sec'y of State*, 2023 ME 25, ¶ 13, 293 A.3d 405. Rather, it may be "assumed that voters have discharged their civic duty to educate themselves about the initiative." *Id.*

The final question specifically describes six changes to the voting process proposed by the Act, including changes to both absentee and in-person voting procedures. It also indicates that the Act also would make other changes to elections. I have concluded that providing voters with such an illustrative list while expressly indicating that it is non-exhaustive is the best way to communicate the general subject matters and wide scope of the Act in a concise and intelligible manner.

Finally, while I do not agree that the question should include a complete list of the Act's provisions, I was persuaded by the various comments asking specifically that the ballot question include the Act's prohibition on multiple drop boxes in a municipality. This would be a significant change for voters who live in municipalities with multiple drop boxes and it would limit future options for the remaining municipalities. In addition, limiting drop boxes is sufficiently distinct from the Act's other proposals to warrant a specific reference in the question. The final question therefore adds a description of the Act's prohibition on multiple drop boxes.

Commenters also mentioned various other provisions of the Act that they felt should be described in the question. While these provisions are also

important, they are less distinct in subject matter than the drop-box restriction. Given the length of the question, I determined that readability considerations outweighed the informational benefits of including these additional provisions in the question.

Policy Arguments about the Substance of Act

Many commenters expressed views on the merits of the Act. I considered these comments only to the extent that they also expressed views on the wording of the ballot question.

Order of the Question

Several commenters opined that the various clauses in the question should be reordered so that the changes to absentee voting procedures are listed before the requirement that voters show photo identification. The legal authorities governing ballot questions are silent on the order in which the provisions of a multi-provision initiative should be stated. And there is no particular reason to follow the sequence that appears in the Act, since that sequence is based on the order in which the provisions amended by the Act happen to appear in the Maine Revised Statutes. I therefore conclude that, subject to the general requirements that the question be intelligible and non-misleading, I have discretion to determine the order in which provisions of the Act should appear in the question.

After considering the public comments on this topic, I agree with the commenters that the final question should be reordered. Because the Act's changes to absentee voting procedures are more extensive and wide-ranging than its changes to in-person voting procedures, those provisions should be listed earlier in the question. The final question reflects this reordering.

Photo identification requirement

Several commenters suggested changes to how the question described the Act's photo identification requirements. A few commenters suggested that the question should explicate the differing proof-of-identity requirements for in-person and absentee voting. Other commenters suggested that the question should provide more detail as to which forms of identification would be accepted under the Act.

I do not agree with the comments suggesting greater explication of the differences in the Act between how absentee voters and in-person voters would verify their identities. The question accurately reflects the Act's identity-

verification process for in-person voting. While it is true that the process for absentee voting is slightly different—requiring the voter to send in a photocopy of their identification or provide their driver's license or nondriver identification card number—that process is encompassed by the question's catch-all “make other changes to our elections” phrase. Describing the nuances of the identity-verification process for absentee voting would require a significantly longer question. In my view, the informational benefits of such a description is outweighed by the harm to the overall readability of the question.

I do agree with those commentators who, in various ways, suggested that the question should be more specific about the types of identification that are permitted under the Act. Although listing the specific forms of identification that the Act does (or does not) permit would unacceptably complicate the wording of the question, I have changed “ID” to “certain photo ID” in the final question to make clear to voters that the Act includes a specific list of acceptable photographic identification documents.

“Ongoing Absentee Voting”

A few commenters suggested changes to the phrase “ongoing absentee voting” to clarify its meaning. I am persuaded that this phrase could confuse some voters. While the meaning of this phrase will be apparent to anyone who is familiar with Maine's program for allowing seniors and people with disabilities to apply for a status where they will receive an absentee ballot automatically without requesting one, some voters may not be aware of this program. These voters could be confused by the phrasing, particularly since the exact phrase “ongoing absentee voting” does not appear in Title 21-A. To remove any ambiguity in the question, I have changed “ongoing absentee voting” to “ongoing absentee voter status,” which mirrors the statutory language in the provision that would be repealed by the Act.

Predicted Impacts of the Act or Perceived Motives of the Initiators.

Several commenters suggested that the question should describe predicted impacts of the Act or perceived motives of the initiatives. For example, commenters suggested that the question should include the predicted costs of implementing the Act, should state that the Act would suppress voting, or should state that the Act is intended to target specific demographics. While the Law Court has suggested that it can be appropriate to describe the “effect” of proposed legislation in the ballot question, *see Jortner*, 2023 ME 25, 13, 293 A.3d 405, the specific proposals made by these commenters are more akin to

policy arguments, and are therefore more appropriately addressed in the public debate over the Act.

Other Comments

While the vast majority of comments either fell into one of the categories above or agreed with the draft question as written, there were a small handful of comments that could not be categorized. I reviewed each of these comments and concluded that none warranted any further changes to the question.

Conclusion

In short, I conclude that the final question stated above satisfies my mandate to write the ballot question “in a clear, concise and direct manner that describes the subject matter of the . . . direct initiative as simply as is possible.” 21-A M.R.S.A. § 906(6).

A voter named in the application for this direct initiative as well as any other aggrieved voter may appeal this final decision to Superior Court within 10 days of the date of this decision, pursuant to 21-A M.R.S. § 905(2).

Sincerely,



Shenna Bellows
Secretary of State

STATE OF MAINE
APPLICATION FOR CITIZEN INITIATIVE

APPLICANT INFORMATION: (List the contact person for the initiative proponents.)

Name of Applicant: Alex Titcomb
Mailing Address: [REDACTED]
Municipality of Residence: [REDACTED]
Home Phone: [REDACTED] Work Phone: [REDACTED] e-mail: [REDACTED] FAX: [REDACTED]

I hereby invoke the citizen initiative procedure provided for by the Constitution of Maine, Article IV, Part Third and governed by Title 21-A M.R.S.A. Chapter 11. Attached is a draft of the legislation for consideration under these provisions.

Alexander L Titcomb
Signature of Applicant

Subscribed and sworn before me on

2/8/2024
(Date)

Audrey L. Murphy
Notary Public, State of Maine
My Commission Expires March 7, 2029

Audrey L. Murphy
(Signature of Notary Public or Agent of the Secretary of State)

Audrey L. Murphy
(Print Name of Notary Public or Agent of the Secretary of State)

DESIGNATED VOTER INFORMATION: (List five voters, other than the applicant, to receive notices of proceedings.) Please list voter's name, as it appears on the voting list, the mailing address, telephone number, (if published), the municipality of legal residence (where registered to vote), and voter's signature.

1. Aaron Dudley
[REDACTED]
Municipality of Residence: Marshfield
Signature: [REDACTED]

2. John K. Libby
[REDACTED]
Municipality of Residence: Auburn
Signature: [REDACTED]

3. Laurel D. Libby
[REDACTED]
Municipality of Residence: Auburn
Signature: [REDACTED]

4. Svetlana R Hall
[REDACTED]
Municipality of Residence: Wales
Signature: [REDACTED]

5. ALLEN GEORGE SARYNAS
[REDACTED]
Municipality of Residence: TOPSHAM
Signature: [REDACTED]

RECEIVED

FEB 13 2024

OFFICE OF SECRETARY OF STATE
AUGUSTA, MAINE

**An Act to Require a Person to Present Photo Identification
for the Purpose of Voting**

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

Sec. 1. 21-A MRSA §671, sub-§1, as amended by PL 2019, c. 371, §20, is further amended to read:

1. **Name announced.** A voter who wishes to vote must present photo identification and state the voter's name and residence address to an election clerk, who shall announce the name in a loud, clear voice. If the voter's stated residence address is different from the residence address listed on the incoming voting list, the voter must be directed to complete an updated voter registration application before voting.

A. For purposes of Sec. 1. 21-A MRSA §671, "photo identification" means one of the following documents that includes the individual's name and photograph and is not expired:

(1) A Maine driver's license, Maine state identification card, or Maine interim identification form issued by the Secretary of State under Title 29-A, chapter 11.

(2) A United States passport or passport card;

(3) A United States military identification card, Maine national guard identification card, or United States department of veterans affairs identification card.

B. For purposes of Sec. 1. 21-A MRSA §671, "driver's license" means a license or permit issued by the Secretary of State under Title 29-A, chapter 11 that authorizes an individual to drive. "Driver's license" includes a driver's license, commercial driver's license, probationary license, restricted license, motorcycle operator's license, or temporary instruction permit identification card.

C. For purposes of Sec. 1. 21-A MRSA §671, "state identification card" means a card issued by the Secretary of State under Title 29-A, chapter 11, subchapter 4.

D. For purposes of Sec. 1. 21-A MRSA §671, "interim identification form" means the document issued by the Secretary of State to an applicant for a driver's license or state identification card that contains all of the information otherwise found on the license or card and that an applicant may use as a form of identification until the physical license or card arrives in the mail.

Sec. 2. 21-A MRSA §671, sub-§9 is enacted to read:

9. Challenged Ballots for Voters without Photo Identification.

A. If a voter does not have or is unable to provide photo identification to the precinct election officials, the voter's right to vote shall be challenged under Title

21-A, chapter 9, subchapter 2, article 3, and the voter may cast a ballot pursuant to Title 21-A, chapter 9, subchapter 2, article 3.

B. For a challenged ballot to be eligible to be counted when it is cast by an individual who does not have photo identification because the individual has a religious objection to being photographed, the individual shall complete an affidavit of religious objection. The election officials shall attach the affidavit to the individual's challenged ballot envelope. If the individual does not complete the affidavit at the time of casting the challenged ballot, the individual may appear at the office of the board of elections within four days after the day of the election and complete the affidavit.

(1) The Secretary of State shall prescribe the form of the affidavit of religious objection, which shall be substantially as follows:

"Affidavit of Religious Objection

I, _____ (first and last name of elector), declare under penalty of election falsification that I do not have photo identification because I have a sincere religious objection to being photographed.

The last four digits of my Social Security number are: _____

(Signature of individual)

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY."

(2) Upon receiving a completed affidavit of religious objection, the board of elections shall transmit the information in the affidavit to the Secretary of State. The Secretary of State shall consult the database of the bureau of motor vehicles to determine whether the Secretary of State issued a currently unexpired photo identification to the elector and shall notify the board of the result.

(3) An affidavit of religious objection is not valid if either the last four digits of the elector's social security number as provided on the affidavit are different from the last four digits of the elector's social security number in the statewide voter registration database, or if the Secretary of State has issued a currently unexpired photo identification to the elector.

C. For a challenged ballot to be eligible to be counted when it is cast by any other individual who does not have or is unable to provide photo identification to the election officials, the individual who cast that ballot, within four days after the day of the election, shall appear at the office of the board of elections and provide photo identification.

D. For a challenged ballot cast by an individual who has been successfully challenged under Title 21-A, chapter 9, subchapter 2, article 3 be eligible to be counted, the individual who cast that ballot, within four days after the day of that election, shall provide to the board of elections any identification or other documentation required to be provided by the applicable challenge questions asked of that individual under Title 21-A, chapter 9, subchapter 2, article 3.

Sec. 3. 21-A MRSA §671, sub-§10 is enacted to read:

10. Provision of Free Identification Cards for Photo Identification

A. Notwithstanding any other provisions in Sec. 1. 21-A MRSA §671, the Secretary of State may not impose a fee for the issuance of a Maine state identification card when an individual does not have a valid Maine driver's license and will be at least 18 by the next general, municipal, or special election. The Secretary of State shall establish procedures through rulemaking for the issuance of Maine state identification cards pursuant to this subsection. Rules adopted pursuant to this subsection are major substantive rules under Title 5, chapter 375, subchapter 2-A.

Sec. 4. Effective date. This Act takes effect January 1, 2026.

SUMMARY

This bill requires the presentment of photo identification for in-person voting. Acceptable forms of photo identification include an unexpired Maine driver's license, a state identification card, an interim identification form issued by the Secretary of State, a United States passport or passport card, a United States military identification card, a Maine national guard identification card, and a United States department of veterans affairs identification card. The bill directs the Secretary of State to provide free state identification cards for photo identification. The bill allows voters without photo identification to complete a challenged ballot, and within four days after the day of the election, appear at the office of the board of elections and provide photo identification. The bill also allows an exception for voters with religious objections to being photographed.



Shenna Bellows
Secretary of State

Department of the Secretary of State
Bureau of Corporations, Elections and Commissions

Julie L. Flynn
Deputy Secretary of State

March 6, 2024

Alex Titcomb
PO Box 31
Richmond, ME 04357
VIA EMAIL [REDACTED]

Dear Mr. Titcomb:

In accordance with Title 21-A, section 901, I am providing the draft legislation prepared with the assistance of the Office of the Revisor of Statutes for the citizen initiative filed in our office on February 13, 2024. The initiated bill printed on the petition will be entitled "An Act to Require an Individual to Present Photographic Identification for the Purpose of Voting". The Revisor's Office has reviewed the proposed legislation to determine that it conforms with the drafting conventions used in the Maine Revised Statutes.

Please note the following items with respect to the redraft of the initiative legislation:

1. In the Maine Revised Statutes, Title 21-A, section 671, allocation of the definitions has been changed to subsection 11;
2. References to "state identification card" have been changed to "nondriver identification card";
3. In section 671, subsection 11, paragraph A, the terms "probationary license" and "temporary instruction permit identification card" were removed, as they do not currently exist in the statutes, and the term "learner's permit" has been added;
4. In section 671, subsection 9, paragraph A, the phrase "an election official shall challenge" was added;
5. In section 671, subsection 9, paragraphs B and C, the phrase "office of the board of elections" has been changed to "registrar";
6. In section 671, subsection 9, paragraph B, subparagraph (1), the crime of election falsification, which is not found in the statutes, has been replaced with the Class D crime of unsworn falsification;
7. In section 671, subsection 9, paragraph B, the word "elector" has been changed to "individual" to be consistent with the rest of the subsection;
8. In section 671, subsection 9, paragraph D has been removed as it is duplicative of paragraphs A to C regarding challenges on the basis of the failure to present

101 State House Station, Augusta, Maine 04333-0101
www.Maine.gov/sos/cec; tel. 207-624-7736

photographic identification and other cases are covered by the provisions of section 696, subsection 1; and

9. In section 673, subsection 1, paragraph A, the failure to present photographic identification as a basis upon which to challenge a voter has been added.

Please review the draft legislation and advise me in writing as to your acceptance, or of any changes you wish to make. Once this office receives written, signed consent to the final language of the proposed law, the Office of Fiscal and Program Review must prepare an estimate of the fiscal impact of the legislation within 15 business days. The fiscal statement will be printed as part of the petition form that will be provided for circulation. You may reach me by telephone at 624-7650, by fax at 287-5428 or by email at [REDACTED].

Please note that in approving the form of this petition, the Secretary of State's Office is expressing no view as to the validity of the proposed initiative.

This letter is to also advise you, pursuant to Title 21-A M.R.S. § 906(6)(A), that the proper suggested format for an initiative question is a separate question for each issue, and that, in determining whether there is more than one issue, each requiring a separate question, considerations include whether, (1) a voter would reasonably have different opinions on the different issues; (2) having more than one question would help voters to better understand the subject matter; and (3) the questions are severable and can be enacted or rejected separately without negating the intent of the petitioners. In this case, the Secretary's view is that your initiative does not present "more than one issue, each requiring a separate question."

I have also provided a blank Petition Organization Registration Application. Title 21-A, Maine Law on Elections, § 903-C, sub-§1 requires a petition organization to register with the Secretary of State prior to organizing, supervising or managing the circulation of petitions for a direct initiative or a people's veto referendum. This registration application must include a list of all individuals hired by the petition organization for the purpose of circulating petitions or organizing, supervising or managing the circulation process. Petition organization means a business entity that receives compensation for organizing, supervising or managing the circulation of petitions for a direct initiative or a people's veto referendum. If you intend to hire or create a petition organization for this petition, you must complete this form and file it with our office at the time we meet with you to issue the petition.

Sincerely,



Melissa K. Packard
Director of Elections

Enclosures

Cc: Aaron Dudley, John K. Libby, Laurel D. Libby, Svetlana R. Hall, Allen George Sarvinas

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

Sec. 1. 21-A MRSA §671, sub-§1, as amended by PL 2019, c. 371, §20, is further amended to read:

1. Name announced. A voter who wishes to vote must present photographic identification and state the voter's name and residence address to an election clerk, who shall announce the name in a loud, clear voice. If the voter's stated residence address is different from the residence address listed on the incoming voting list, the voter must be directed to complete an updated voter registration application before voting.

Sec. 2. 21-A MRSA §671, sub-§9 is enacted to read:

9. Challenged ballots for voters without photographic identification. The following provisions govern voters who do not present photographic identification pursuant to subsection 1.

A. If a voter does not have or is unable to present photographic identification to an election clerk, an election official shall challenge the voter's right to vote under section 673 and the voter may cast a ballot pursuant to section 673.

B. Notwithstanding section 673, for a challenged ballot to be eligible to be counted when it is cast by an individual who does not have photographic identification because the individual has a religious objection to being photographed, the individual must complete an affidavit of religious objection. An election official shall attach the affidavit to the individual's challenged ballot envelope. If the individual does not complete the affidavit at the time of casting the challenged ballot, the individual may appear before the registrar within 4 days after the date of the election and complete the affidavit.

(1) The Secretary of State shall prescribe the form of the affidavit of religious objection, which must be substantially as follows:

"Affidavit of Religious Objection

I, (first and last name of individual),
declare under penalty of unsworn falsification that I do not have photographic
identification because I have a sincere religious objection to being photographed.

The last 4 digits of my Social Security number are:.....

.....

(Signature of individual)

WHOEVER COMMITS UNSWORN FALSIFICATION COMMITS A CLASS D
CRIME."

(2) Upon receiving a completed affidavit of religious objection, the registrar shall transmit the information in the affidavit to the Secretary of State. The Secretary of State shall consult the database of the Department of the Secretary of State, Bureau of Motor Vehicles to determine whether the Secretary of State issued a currently unexpired photographic identification to the individual and shall notify the registrar of the result.

(3) An affidavit of religious objection is not valid if the last 4 digits of the individual's social security number as provided on the affidavit are different from the last 4 digits of the individual's social security number in the statewide voter registration database or if the Secretary of State has issued a currently unexpired photographic identification to the individual.

C. Notwithstanding section 673 and except as provided under paragraph B, for a challenged ballot to be eligible to be counted when it is cast by an individual who does not have or is unable to present photographic identification to the election clerk, the individual who cast that ballot, within 4 days after the date of the election, must appear before the registrar and present photographic identification.

Sec. 3. 21-A MRSA §671, sub-§10 is enacted to read:

10. Provision of free nondriver identification cards for photographic identification. Notwithstanding Title 29-A, section 1410, the Secretary of State may not impose a fee for the issuance of a nondriver identification card when an individual does not have a valid Maine driver's license and will be at least 18 years of age by the next general, municipal or special election. The Secretary of State shall establish procedures through rulemaking for the issuance of nondriver identification cards pursuant to this subsection. Rules adopted pursuant to this subsection are major substantive rules under Title 5, chapter 375, subchapter 2-A.

Sec. 4. 21-A MRSA §671, sub-§11 is enacted to read:

11. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Driver's license" means a license or permit issued by the Secretary of State under Title 29-A, chapter 11 that authorizes an individual to operate a motor vehicle. "Driver's license" includes a driver's license, commercial driver's license, restricted license, motorcycle operator's license or learner's permit.

B. "Interim identification form" means a document issued by the Secretary of State to an applicant for a driver's license or nondriver identification card that contains all of the information otherwise found on the license or card and that an applicant may use as a form of identification until the physical license or card arrives in the mail.

C. "Nondriver identification card" means a card issued by the Secretary of State under Title 29-A, section 1410.

D. "Photographic identification" means one of the following documents that includes the individual's name and photograph and is not expired:

(1) A Maine driver's license, Maine nondriver identification card or Maine interim identification form;

(2) A United States passport or United States passport card; or

(3) A United States military identification card, Maine National Guard identification card or United States Department of Veterans Affairs identification card.

Sec. 5. 21-A MRSA §673, sub-§1, ¶A, as corrected by RR 2011, c. 2, §21, is amended by amending subparagraph (1) to read:

(11) Committed any other specified violation of this Title; or

Sec. 6. 21-A MRSA §673, sub-§1, ¶A, as corrected by RR 2011, c. 2, §21, is amended by amending subparagraph (12) to read:

(12) Voted using the wrong ballot for the appropriate electoral district or political party, if applicable; or

Sec. 7. 21-A MRSA §673, sub-§1, ¶A, as corrected by RR 2011, c. 2, §21 is amended by enacting a new subparagraph (13) to read:

(13) Did not present photographic identification, as defined in section 671.

Sec. 8. Effective date. This Act takes effect January 1, 2026.

SUMMARY

This initiated bill requires the presentation of photographic identification for in-person voting. Acceptable forms of photographic identification include an unexpired Maine driver's license, nondriver identification card, interim identification form issued by the Secretary of State, United States passport or United States passport card, United States military identification card, Maine National Guard identification card and United States Department of Veterans Affairs identification card. The bill directs the Secretary of State to provide free nondriver identification cards for photographic identification. The bill allows voters without photographic identification to complete a challenged ballot and within 4 days after the date of the election appear before the registrar of voters and present photographic identification. The bill also provides an exception for voters with religious objections to being photographed.

Packard, Melissa

From: Alex Titcomb <[REDACTED]>
Sent: Thursday, March 21, 2024 9:39 AM
To: Packard, Melissa
Cc: [REDACTED]; Flynn, Julie
Subject: Re: Photo ID for Voting Initiative
Attachments: VOTER ID Draft 2.docx

EXTERNAL: This email originated from outside of the State of Maine Mail System. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Morning Melissa,

Please see the attached 2nd draft for the Voter ID petition. Apologies it took a little time in getting it back to you - I hadn't taken a deep dive into the Maine statutes before regarding absentee balloting so wanted to make sure we provided you the best draft possible.

Can you please respond that you have received the 2nd draft so that we are on the same page as to the continuing timeline.

Additionally, I had given you a call the other week asking about deadlines for ballot placement. I still haven't heard back from you. Can you please provide me the election dates that this petition may end up on? I am also interested to know when the deadlines are if we wanted it on X election day.. will this be June 2025, November 2025, or will it be on a 2026 election day?

Thanks for your work!
Alex Titcomb

On Wed, Mar 6, 2024 at 3:52 PM Packard, Melissa <[REDACTED]> wrote:

Please find attached a cover letter and a redraft of the legislation for the initiative filed in this office on February 13, 2024. Instructions for next steps to proceed are provided in the letter.

I have also attached the redrafted legislation in Word format. If you intend to make additional changes to the legislation provided today, please make changes to the Word document with Track changes, so that we can more easily ask the Revisor's office to review your edits.

When you provide final approval to the legislation, we need the approval in writing with a signature, but you can submit the approval as an attachment to an email.

Please contact me if you have additional questions.

Melissa K. Packard

Director of Election Admin., Audits and Admin. Services

(207) 624-7650

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

Sec. 1. 21-A MRSA §671, sub-§1, as amended by PL 2019, c. 371, §20, is further amended to read:

1. Name announced. A voter who wishes to vote must present photographic identification and state the voter's name and residence address to an election clerk, who shall announce the name in a loud, clear voice. If the voter's stated residence address is different from the residence address listed on the incoming voting list, the voter must be directed to complete an updated voter registration application before voting.

Sec. 9. 21-A MRSA §671, sub-§9 is enacted to read:

9. Challenged ballots for voters without photographic identification. The following provisions govern voters who do not present photographic identification pursuant to subsection 1.

A. If a voter does not have or is unable to present photographic identification to an election clerk, an election official shall challenge the voter's right to vote under section 673 and the voter may cast a ballot pursuant to section 673.

B. Notwithstanding section 673, for a challenged ballot to be eligible to be counted when it is cast by an individual who does not have photographic identification because the individual has a religious objection to being photographed, the individual must complete an affidavit of religious objection. An election official shall attach the affidavit to the individual's challenged ballot envelope. If the individual does not complete the affidavit at the time of casting the challenged ballot, the individual may appear before the registrar within 4 days after the date of the election and complete the affidavit.

(1) The Secretary of State shall prescribe the form of the affidavit of religious objection, which must be substantially as follows:

"Affidavit of Religious Objection

I, (first and last name of individual),
declare under penalty of unsworn falsification that I do not have photographic
identification because I have a sincere religious objection to being photographed.

The last 4 digits of my Social Security number are:.....

.....

(Signature of individual)

WHOEVER COMMITS UNSWORN FALSIFICATION COMMITS A CLASS D
CRIME."

(2) Upon receiving a completed affidavit of religious objection, the registrar shall transmit the information in the affidavit to the Secretary of State. The Secretary of State shall consult the database of the Department of the Secretary of State, Bureau of Motor Vehicles to determine whether the Secretary of State issued a currently unexpired photographic identification to the individual and shall notify the registrar of the result.

(3) An affidavit of religious objection is not valid if the last 4 digits of the individual's social security number as provided on the affidavit are different from the last 4 digits of the individual's social security number in the statewide voter registration database or if the Secretary of State has issued a currently unexpired photographic identification to the individual.

C. Notwithstanding section 673 and except as provided under paragraph B, for a challenged ballot to be eligible to be counted when it is cast by an individual who does not have or is unable to present photographic identification to the election clerk, the individual who cast that ballot, within 4 days after the date of the election, must appear before the registrar and present photographic identification.

Sec. 10. 21-A MRSA §671, sub-§10 is enacted to read:

10. Provision of free nondriver identification cards for photographic identification. Notwithstanding Title 29-A, section 1410, the Secretary of State may not impose a fee for the issuance of a nondriver identification card when an individual does not have a valid Maine driver's license and will be at least 18 years of age by the next general, municipal or special election. The Secretary of State shall establish procedures through rulemaking for the issuance of nondriver identification cards pursuant to this subsection. Rules adopted pursuant to this subsection are major substantive rules under Title 5, chapter 375, subchapter 2-A.

Sec. 11. 21-A MRSA §671, sub-§11 is enacted to read:

11. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Driver's license" means a license or permit issued by the Secretary of State under Title 29-A, chapter 11 that authorizes an individual to operate a motor vehicle. "Driver's license" includes a driver's license, commercial driver's license, restricted license, motorcycle operator's license or learner's permit.

B. "Interim identification form" means a document issued by the Secretary of State to an applicant for a driver's license or nondriver identification card that contains all of the information otherwise found on the license or card and that an applicant may use as a form of identification until the physical license or card arrives in the mail.

C. "Nondriver identification card" means a card issued by the Secretary of State under Title 29-A, section 1410.

D. "Photographic identification" means one of the following documents that includes the individual's name and photograph and is not expired:

(1) A Maine driver's license, Maine nondriver identification card or Maine interim identification form;

(2) A United States passport or United States passport card; or

(3) A United States military identification card, Maine National Guard identification card or United States Department of Veterans Affairs identification card.

Sec. 1. 21-A MRSA §673, sub-§1, ¶A, as corrected by RR 2011, c. 2, §21, is amended by amending subparagraphs (11)-(14) to read:

- (11) Committed any other specified violation of this Title; or
- (12) Voted using the wrong ballot for the appropriate electoral district or political party, if applicable;
- (13) Submitted an absentee ballot with a signature that does not correspond with the person's registration signature; or
- (14) Submitted an absentee ballot without the proper identification required under Title 21-A, section 782.

Sec. 6. 21-A MRSA §673, sub-§1, ¶A, as corrected by RR 2011, c. 2, §21, is amended by amending subparagraph (12) to read:

- (12) Voted using the wrong ballot for the appropriate electoral district or political party, if applicable; or

Sec. 7. 21-A MRSA §673, sub-§1, ¶A, as corrected by RR 2011, c. 2, §21 is amended by enacting a new subparagraph (13) to read:

- (13) Did not present photographic identification, as defined in section 671.

Sec. 8. Effective date. This Act takes effect January 1, 2026.

Sec. 3. 21-A MRSA §753-A, sub-§3 is further amended to read:

3. Request for absentee ballot. Except as otherwise provided in Title 21-A, chapter 3, subchapters 2-3 and in Title 21-A, section 780, any qualified elector desiring to vote absent voter's ballots at an election shall deliver a written application for those ballots, either in person or by mail, to the registrar of elections of the municipality in which the elector's voting residence is located.

A. Except as otherwise permitted under Title 21-A, section 780, the application shall be on a form prescribed by the Secretary of State and shall contain all of the following:

- (1) The elector's name;
- (2) The elector's signature;
- (3) The address at which the elector is registered to vote;
- (4) The elector's date of birth;
- (5) One of the following:
 - (a) The elector's Maine driver's license or nondriver identification card number;
 - (b) A copy of the elector's photo identification.
- (6) A statement identifying the election for which absent voter's ballots are requested;
- (7) A statement that the person requesting the ballots is a qualified elector;
- (8) If the request is for primary election ballots, the elector's party affiliation;
- (9) If the elector desires ballots to be mailed to the elector, the address to which those ballots shall be mailed.

B. If the voter needs assistance, pursuant to section 5 of this section and Title 21-A, section 672, then in addition to the information required in paragraph A, the following information must be provided in order for the application or written request to be accepted by the clerk:

- (1) The printed name and signature of the person who helped the voter; and
- (2) A statement that the aide helped the voter by either reading or signing the application, or both.

C. If the voter wishes to have the ballot delivered or returned by a 3rd person, then in addition to the information required in paragraph A, the following information must be provided for the application or written request to be accepted by the clerk:

- (1) The name of the 3rd person whom the voter has designated. A 3rd person may only be designated in an application or written request that is signed by the voter.

D. If the elector is certified by the Secretary of State as a program participant in the Address Confidentiality Program, as described in Title 5, section 90-B and Title 21-A, section 753-C, the elector may provide the elector's program participant identification number instead of the address at which the elector is registered to vote.

E. An application to receive absent voter's ballots shall be delivered to the office of the registrar not earlier than the first day of January of the year of the elections for which the absent voter's ballots are requested or not earlier than ninety days before the day of the election at which the ballots are to be voted, whichever is earlier, and not later than the close of business on the seventh day before the day of the election at which the ballots are to be voted.

F. Rules adopted pursuant to this subsection are major substantive rules under Title 5, chapter 375, subchapter 2-A.

Sec. 4. 21-A MRSA §753-A, sub-§4 is repealed.

Sec. 6. 21-A MRSA §753-A, sub-§6 is further amended to read:

6. Application by electronic means. A municipal clerk shall accept absentee ballot applications by the electronic means authorized by the Secretary of State. The Secretary of State shall design or approve the form of the absentee ballot application to be submitted by electronic means, and the form shall require all of the information required under subsection 3 of this section. A voter may make an application for the voter's own ballot by electronic means using the form designed or approved by the Secretary of State. The voter may not designate an immediate family member or a 3rd person to deliver the ballot on the voter's behalf. An electronic application must be accepted by the clerk if it contains all of the information required under subsection 3. The clerk shall verify that it is the voter who is requesting the ballot by confirming the voter's residence address, date of birth, and identification information provided under subsection 3, ¶A(5), with the information in the voter's record. The clerk shall print the electronically submitted application and write "electronic request" on the application.

Sec. 8. 21-A MRSA §753-A, sub-§8 is repealed.

Sec. 1. 21-A MRSA §753-B, sub-§1 is further amended to read:

1. Issuance of absentee ballots. If a registrar of elections receives an application for absent voter's ballots that does not contain all of the required information or is not submitted on an appropriate form, the registrar promptly shall notify the applicant of the additional information required to be provided by the applicant to complete that application, direct the applicant to use an appropriate form, or both, as applicable.

A. Upon receipt by the registrar of elections of an application for absent voter's ballots that contains all of the required information and is submitted on an appropriate form, as provided by Title 21-A, section 753-A, the registrar, if the registrar finds that the applicant is a qualified elector, shall deliver to the applicant in person or mail directly to the applicant by special delivery mail, air mail, or regular mail, proper absent voter's ballots. The registrar shall deliver or mail with the ballots an unsealed identification envelope upon the face of which shall be printed a form substantially as follows:

"Identification Envelope Statement of Voter

I, _____ (Name of voter), declare under penalty of election falsification that the within ballot or ballots contained no voting marks of any kind when I received them, and I caused the ballot or ballots to be marked, enclosed in the identification envelope, and sealed in that envelope.

My voting residence in Maine is

(Street and Number, if any, or Rural Route and Number)

of _____ (City, Village, or Township),
Maine.

If I have a confidential voter registration record, I am providing my program participant identification number instead of my residence address:

The primary election ballots, if any, within this envelope are primary election ballots of the _____ Party.

Ballots contained within this envelope are to be voted at the _____
(general, special, or primary) election to be held on the _____
day of _____, _____.

My date of birth is _____ (Month and Day), _____ (Year).

(Voter must provide one of the following:)

My Maine driver's license or nondriver identification card number is _____
(Driver's license or nondriver identification card number).

In lieu of providing a driver's license or nondriver identification card number, I am enclosing a copy of my photo identification in the return envelope in which this identification envelope will be mailed.

I hereby declare, under penalty of election falsification, that the statements above are true, as I verily believe.

(Signature of Voter)

WHOEVER COMMITS UNSWORN FALSIFICATION COMMITS A CLASS D CRIME."

B. The registrar shall mail with the ballots and the unsealed identification envelope an unsealed return envelope upon the face of which shall be printed the post-office address of the registrar. In the upper left corner on the face of the return envelope, several blank lines shall be printed upon which the voter may write the voter's name and return address. The return envelope shall be of such size that the identification envelope can be placed within it for returning the identification envelope to the registrar.

No public office, and no public official or employee who is acting in an official capacity, shall prepay the return postage for any absent voter's ballots.

Except as otherwise provided in this subsection and in Title 21-A, section 672, an election official shall not fill out any portion of an identification envelope statement of voter or an absent voter's ballot on behalf of an elector. A registrar of elections may preprint only an elector's name and address on an identification envelope statement of voter before mailing absent voter's ballots to the elector, except that if the elector is certified by the Secretary of State as a program participant in the Address Confidentiality Program pursuant to Title 5, section 90-B, the registrar of elections shall not preprint the elector's address on the identification envelope statement of voter.

Rules adopted pursuant to this subsection are major substantive rules under Title 5, chapter 375, subchapter 2-A.

Sec. 1-2. 21-A MRSA §754-A, sub-§§1-2 are further amended to read:

Except as provided in section 753-B, subsection 8 and section 753-C, the method of voting by absentee ballot is as follows.

1.A. Ballot delivered to voter. When an elector receives an absent voter's ballot pursuant to the elector's application or request, the elector shall, before placing any marks on the ballot, note whether there are any voting marks on it. If there are any voting marks, the ballot shall be returned immediately to the registrar of elections; otherwise, the elector shall cause the ballot to be marked, folded in a manner that the stub on it and the indorsements and facsimile signatures of the members of the registrar of elections on the back of it are visible, and placed and sealed within the identification envelope received from the registrar of elections for that purpose. Then, the elector shall cause the statement of voter on the outside of the identification envelope to be completed and signed, under penalty of election falsification. The elector shall provide one of the following:

(1) The elector's Maine driver's license or nondriver identification card number on the statement of voter on the identification envelope;

(2) A copy of the elector's photo identification in the return envelope with the identification envelope.

B. The elector shall mail the identification envelope to the registrar in the return envelope, or the elector may personally deliver it to the registrar, or an immediate family member may deliver it to the registrar. The return envelope shall be returned by no other person, in no other manner, and to no other location, except as otherwise provided in subsection 3.

C. If the registrar maintains multiple offices in the municipality, the registrar may designate any of its offices for the return of absent voter's ballots under this subsection, provided that the registrar shall designate only one office to which absent voter's ballots shall be returned under this section. The registrar of elections may place not more than one secure receptacle outside the registrar, on the property on which the office of the registrar is located, for the purpose of receiving absent voter's ballots under this Section. Only a bipartisan team of election officials may open a secure receptacle or handle its contents.

2. Timely delivery of absentee ballots. Except as otherwise provided in Section 2.B, all envelopes containing marked absent voter's ballots shall be delivered to the registrar not later than the close of the polls on the day of an election. As provided in Title 21-A, section 755, an absentee ballot must be delivered to the municipal clerk at any time before the polls are closed in order for the absentee ballot to be valid.

A. Rules adopted pursuant to this subsection are major substantive rules under Title 5, chapter 375, subchapter 2-A.

Sec. 2. 21-A MRSA §759, sub-§2 is further amended to read:

2. **Accepted if correct.** If the warden finds that the affidavit and the aide and witness certification, if required, are properly completed, that the clerk has verified that the signature on the envelope matches the signature on the application or that the voter confirmed that the voter personally signed the return envelope pursuant to Title 21-A, section 756-A, subsection 2 when applicable, that the voter is registered and enrolled when necessary, and that it contains the voter's Maine driver's license or nondriver identification card number or a copy of the voter's photo identification, then the warden shall then examine the incoming voting list to determine whether the voter voted in person at the election. The warden shall then announce the name of each absentee voter who has not voted at the election and remove each ballot from its envelope without destroying the envelope or unfolding the ballot. After having an election clerk from a political party different from that of the warden mark the letters "AV" beside the name of each absentee voter on the incoming voting lists and place a check mark or horizontal line in red ink on the list beside the voter's name, the warden shall accept the ballot.

SUMMARY

This initiated bill requires the presentation of photographic identification for in-person and absentee voting. Acceptable forms of photographic identification include an unexpired Maine driver's license, nondriver identification card, interim identification form issued by the Secretary of State, United States passport or United States passport card, United States military identification card, Maine National Guard identification card and United States Department of Veterans Affairs identification card. The bill directs the Secretary of State to provide free nondriver identification cards for photographic identification. The bill allows voters without photographic identification to complete a challenged ballot and within 4 days after the date of the election appear before the registrar of voters and present photographic identification. The bill also provides an exception for voters with religious objections to being photographed.



Department of the Secretary of State
Bureau of Corporations, Elections and Commissions

Shenna Bellows
Secretary of State

Julie L. Flynn
Deputy Secretary of State

4/5/2024
~~September 6, 2023~~

Alex Titcomb
PO Box 31
Richmond, ME 04357
VIA EMAIL [REDACTED]

Dear Mr. Titcomb:

In accordance with Title 21-A, section 901, I am providing the draft legislation prepared with the assistance of the Office of the Revisor of Statutes. Your application for the citizen initiative entitled "An Act to Require an Individual to Present Photographic Identification for the Purpose of Voting" was filed in our office on February 13, 2024, and we provided a first draft of the legislation on March 6, 2024. On March 21, 2024, you submitted changes via email, which we provided to the Revisor's Office for review. A new draft incorporating your changes is enclosed.

Please note the following items with respect to the redraft of the initiative legislation:

1. The revised draft corrects cross-references.
2. The numbering of subparagraphs in the Maine Revised Statutes, Title 21-A, section 673, subsection 1, paragraph A has been corrected.
3. Changes to the laws governing secured drop boxes have been made in Title 21-A, section 752-B.
4. Title 21-A, section 753-A, subsection 3 and section 753-B, subsection 1 have been repealed and replaced.
5. Title 21-A, section 754-A, subsection 1 has been repealed and subsection 1-A has been enacted. Title 21-A, section 754-A, subsection 2 has been repealed and subsection 2-A has been enacted.
6. The term "elector" has been changed to "voter", which is defined for Title 21-A in section 1, subsection 47.
7. In Title 21-A, section 753-A, subsection 3, paragraph D and section 753-B, subsection 1, paragraph A, references to the identification number for a voter in the Address Confidentiality Program have been changed to the voter's program participant designated address because such an identification number is not included in the provisions of the Maine Revised Statutes governing the Address Confidentiality Program.

101 State House Station, Augusta, Maine 04333-0101
www.Maine.gov/sos/cec; tel. 207-624-7736

Please review the draft legislation and advise me in writing as to your acceptance, or of any additional changes you wish to make. Once this office receives written, signed consent to the final language of the proposed law, the Office of Fiscal and Program Review must prepare an estimate of the fiscal impact of the legislation within 15 business days. The fiscal statement will be printed as part of the petition form that will be provided for circulation. You may reach me by telephone at 624-7650, by fax at 287-5428 or by email at [REDACTED].

Please note that in approving the form of this petition, the Secretary of State's Office is expressing no view as to the validity of the proposed initiative.

This letter is to also advise you, pursuant to Title 21-A M.R.S. § 906(6)(A), that the proper suggested format for an initiative question is a separate question for each issue, and that, in determining whether there is more than one issue, each requiring a separate question, considerations include whether, (1) a voter would reasonably have different opinions on the different issues; (2) having more than one question would help voters to better understand the subject matter; and (3) the questions are severable and can be enacted or rejected separately without negating the intent of the petitioners. In this case, the Secretary's view is that your initiative does not present "more than one issue, each requiring a separate question."

Sincerely,

A handwritten signature in black ink, appearing to read "Melissa K. Packard", with a stylized, flowing script.

Melissa K. Packard
Director of Elections

Enclosures

Cc: Aaron Dudley, John K. Libby, Laurel D. Libby, Svetlana R. Hall, Allen George Sarvinas

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

Sec. 1. 21-A MRSA §671, sub-§1, as amended by PL 2019, c. 371, §20, is further amended to read:

1. **Name announced.** A voter who wishes to vote must present photographic identification and state the voter's name and residence address to an election clerk, who shall announce the name in a loud, clear voice. If the voter's stated residence address is different from the residence address listed on the incoming voting list, the voter must be directed to complete an updated voter registration application before voting.

Sec. 2. 21-A MRSA §671, sub-§9 is enacted to read:

9. **Challenged ballots for voters without photographic identification.** The following provisions govern voters who do not present photographic identification pursuant to subsection 1.

A. If a voter does not have or is unable to present photographic identification to an election clerk, an election official shall challenge the voter's right to vote under section 673 and the voter may cast a ballot pursuant to section 673.

B. Notwithstanding section 673, for a challenged ballot to be eligible to be counted when it is cast by an individual who does not have photographic identification because the individual has a religious objection to being photographed, the individual must complete an affidavit of religious objection. An election official shall attach the affidavit to the individual's challenged ballot envelope. If the individual does not complete the affidavit at the time of casting the challenged ballot, the individual may appear before the registrar within 4 days after the date of the election and complete the affidavit.

(1) The Secretary of State shall prescribe the form of the affidavit of religious objection, which must be substantially as follows:

"Affidavit of Religious Objection

I, (first and last name of individual),
declare under penalty of unsworn falsification that I do not have photographic
identification because I have a sincere religious objection to being photographed.

The last 4 digits of my Social Security number are:.....

.....

(Signature of individual)

WHOEVER COMMITS UNSWORN FALSIFICATION COMMITS A CLASS D
CRIME."

(2) Upon receiving a completed affidavit of religious objection, the registrar shall transmit the information in the affidavit to the Secretary of State. The Secretary of State shall consult the database of the Department of the Secretary of State, Bureau of Motor Vehicles to determine whether the Secretary of State issued a currently unexpired photographic identification to the individual and shall notify the registrar of the result.

(3) An affidavit of religious objection is not valid if the last 4 digits of the individual's social security number as provided on the affidavit are different from the last 4 digits of the individual's social security number in the statewide voter registration database or if the Secretary of State has issued a currently unexpired photographic identification to the individual.

C. Notwithstanding section 673 and except as provided under paragraph B, for a challenged ballot to be eligible to be counted when it is cast by an individual who does not have or is unable to present photographic identification to the election clerk, the individual who cast that ballot, within 4 days after the date of the election, must appear before the registrar and present photographic identification.

Sec. 3. 21-A MRSA §671, sub-§10 is enacted to read:

10. Provision of free nondriver identification cards for photographic identification. Notwithstanding Title 29-A, section 1410, the Secretary of State may not impose a fee for the issuance of a nondriver identification card when an individual does not have a valid Maine driver's license and will be at least 18 years of age by the next general, municipal or special election. The Secretary of State shall establish procedures through rulemaking for the issuance of nondriver identification cards pursuant to this subsection. Rules adopted pursuant to this subsection are major substantive rules under Title 5, chapter 375, subchapter 2-A.

Sec. 4. 21-A MRSA §671, sub-§11 is enacted to read:

11. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Driver's license" means a license or permit issued by the Secretary of State under Title 29-A, chapter 11 that authorizes an individual to operate a motor vehicle. "Driver's license" includes a driver's license, commercial driver's license, restricted license, motorcycle operator's license or learner's permit.

B. "Interim identification form" means a document issued by the Secretary of State to an applicant for a driver's license or nondriver identification card that contains all of the information otherwise found on the license or card and that an applicant may use as a form of identification until the physical license or card arrives in the mail.

C. "Nondriver identification card" means a card issued by the Secretary of State under Title 29-A, section 1410.

D. "Photographic identification" means one of the following documents that includes the individual's name and photograph and is not expired:

(1) A Maine driver's license, Maine nondriver identification card or Maine interim identification form;

(2) A United States passport or United States passport card; or

(3) A United States military identification card, Maine National Guard identification card or United States Department of Veterans Affairs identification card.

Sec. 5. 21-A MRSA §673, sub-§1, ¶A, as corrected by RR 2011, c. 2, §21, is amended by amending subparagraph (8) to read:

(8) Communicated with someone as prohibited by section 754-A, ~~subsection 1, paragraph B or~~ subsection 3, paragraph B or D;

Sec. 6. 21-A MRSA §673, sub-§1, ¶A, as corrected by RR 2011, c. 2, §21, is amended by amending subparagraph (11) to read:

(11) Committed any other specified violation of this Title; ~~or~~

Sec. 7. 21-A MRSA §673, sub-§1, ¶A, as corrected by RR 2011, c. 2, §21, is amended by amending subparagraph (12) to read:

(12) Voted using the wrong ballot for the appropriate electoral district or political party, if applicable;

Sec. 8. 21-A MRSA §673, sub-§1, ¶A as corrected by RR 2011, c. 2, §21, is amended by enacting a new subparagraph (13) to read:

(13) Did not present photographic identification, as defined in section 671, subsection 11, paragraph D;

Sec. 9. 21-A MRSA §673, sub-§1, ¶A as corrected by RR 2011, c. 2, §21, is amended by enacting a new subparagraph (14) to read:

(14) Submitted an absentee ballot with a signature that does not correspond with the person's registration signature; or

Sec. 10. 21-A MRSA §673, sub-§1, ¶A as corrected by RR 2011, c. 2, §21, is amended by enacting a new subparagraph (15) to read:

(15) Submitted an absentee ballot without the identification required under section 754-A, subsection 1-A.

Sec. 11. 21-A MRSA §752-B, sub-§2, as enacted by PL 2021, c. 273, §12, is amended to read:

2. Secured drop boxes authorized. A municipality may obtain and install a secured drop box that meets the requirements of this section. The secured drop box may be used by voters ~~who are authorized~~ to return absentee ballots in a secured drop box pursuant to section 754-A, ~~subsection 1-A, paragraph D C.~~

Sec. 12. 21-A MRSA §752-B, sub-§3, as enacted by PL 2021, c. 273, §12, is amended to read:

3. Location and number of secured drop boxes. The secured drop box must be located outside the ~~municipal office building or the building where in-person absentee voting takes place before an election of the registrar, on the property on which the office of the registrar is located.~~ If the secured drop box is positioned within or against an outside wall of the municipal office building, it must be bolted or otherwise securely fastened to the wall or to the deck or landing to prevent its removal by an unauthorized person. Otherwise, the secured drop box must be securely affixed to a post that is sunk into the ground, affixed to a post that is set into a concrete pad or bolted or otherwise securely affixed to a platform or other structure in a manner that prevents removal of the drop box by an unauthorized person.

A municipality may ~~seek approval from the Secretary of State to obtain and install an additional secured drop box or boxes at other locations within the municipality by~~

~~certifying to the Secretary of State at least 90 days before the election that the additional secured drop box or boxes meet all of the requirements of this section, other than the requirement that the secured drop box be located outside of the municipal office building or the building where in-person absentee voting takes place before an election have only one secured drop box.~~

Sec. 13. 21-A MRSA §752-B, sub-§7, as enacted by PL 2021, c. 273, §12, is amended to read:

7. Use and access during absentee voting period. The secured drop box must be used only for the return of absentee ballots and not for the deposit of other municipal office filings during the absentee voting period. During the absentee voting period, only the ~~municipal clerk or designees~~ bipartisan team of election officials under subsection 8 may possess the key to the secured drop box or have access to the contents of the secured collection box. If items other than returned absentee ballots are deposited in the secured drop box during the absentee voting period, the ~~municipal clerk or designees~~ bipartisan team of election officials shall deliver those items to the appropriate municipal official.

Sec. 14. 21-A MRSA §752-B, sub-§8, as enacted by PL 2021, c. 273, §12, is amended to read:

8. Periodic retrieval of ballots. During the absentee voting period, ~~the municipal clerk or a team of 2 people designated by the clerk~~ a bipartisan team of election officials shall periodically remove absentee ballots from each secured drop box and deliver the absentee ballots to the clerk's office to be stored in a secure manner. At a minimum, absentee ballots must be removed from each secured drop box by the ~~clerk or team of 2 designees~~ bipartisan team of election officials:

- A. At least once on each day that the clerk's office is open during the absentee voting period;
- B. At all additional times necessary to ensure that additional absentee ballots deposited in the secured drop box fit within the secured collection box and are not accessible to unauthorized persons; and
- C. At 8 p.m. on election day.

The identity of the persons who remove the absentee ballots from each secured drop box and the date and time that the absentee ballots are removed must be recorded on a form designed by the Secretary of State and initialed or signed by the ~~clerk or team of 2 designees~~ bipartisan team of election officials who removed the absentee ballots.

Sec. 15. 21-A MRSA §752-B, sub-§9, as enacted by PL 2021, c. 273, §12, is amended to read:

9. Locking of secured drop boxes when polls close. The ~~municipal clerk or team of 2 designees~~ bipartisan team of election officials under subsection 8 shall lock the secured drop box at 8 p.m. on election day to prevent the deposit of additional absentee ballots in the secured drop box.

Sec. 16. 21-A MRSA §753-A, sub-§3, as amended by PL 2021, c. 273, §13, is repealed and the following enacted in its place:

3. Request for absentee ballot. Except as otherwise provided in chapter 3, subchapters 2 and 3 and in section 780, a voter desiring an absentee ballot for an election shall deliver a written application for that ballot, either in person or by mail, to the registrar of the municipality in which the voter's voting residence is located.

A. Except as otherwise permitted under section 780, the application must be on a form prescribed by the Secretary of State and must contain all of the following:

- (1) The voter's name;
- (2) The voter's signature;
- (3) The address at which the voter is registered to vote;
- (4) The voter's date of birth;
- (5) One of the following:
 - (a) The voter's Maine driver's license or nondriver identification card number;
or
 - (b) A copy of the voter's photographic identification as defined in section 671, subsection 11, paragraph D;
- (6) A statement identifying the election for which an absentee ballot is requested;
- (7) A statement that the person requesting the absentee ballot is a voter;
- (8) If the request is for an absentee ballot for a primary election, the voter's party affiliation; and
- (9) If the voter desires an absentee ballot to be mailed to the voter, the address to which that absentee ballot must be mailed.

B. If the voter needs assistance pursuant to subsection 5, the following information, in addition to the information required in paragraph A, must be provided in order for the application or written request to be accepted by the clerk:

- (1) The printed name and signature of the person who helped the voter; and
- (2) A statement that the aide helped the voter by either reading or signing the application, or both.

C. If the voter wishes to have the ballot delivered or returned by a 3rd person, the following information, in addition to the information required in paragraph A, must be provided in order for the application or written request to be accepted by the clerk:

- (1) The name of the 3rd person whom the voter has designated. A 3rd person may only be designated in an application or written request that is signed by the voter.

D. Notwithstanding paragraph A, if a voter is certified by the Secretary of State as a program participant in the Address Confidentiality Program, as described in Title 5, section 90-B and Title 21-A, section 753-C, that voter may provide the voter's program participant designated address instead of the address at which the voter is registered to vote.

E. An application to receive an absentee ballot must be delivered to the registrar not earlier than the first day of January of the year of the election for which the absentee ballot is requested or not earlier than 90 days before the day of the election at which

the absentee ballot is to be cast, whichever is earlier, and not later than the close of business on the 7th day before the day of the election at which the absentee ballot is to be cast.

F. The Secretary of State shall adopt rules to implement this subsection. Rules adopted pursuant to this paragraph are major substantive rules under Title 5, chapter 375, subchapter 2-A.

Sec. 17. 21-A MRSA §753-A, sub-§4, as amended by PL 2003, c. 447, §29, is repealed.

Sec. 18. 21-A MRSA §753-A, sub-§6, as amended by PL 2021, c. 273, §14, is further amended to read:

6. Application by electronic means. A municipal clerk shall accept absentee ballot applications by the electronic means authorized by the Secretary of State. The Secretary of State shall design or approve the form of the absentee ballot application to be submitted by electronic means, and the form must require all of the information required under subsection 3.

A voter may make an application for the voter's own ballot by electronic means using the form designed or approved by the Secretary of State. The voter may not designate an immediate family member or a 3rd person to deliver the ballot on the voter's behalf. An electronic application must be accepted by the clerk if it contains ~~the voter's name, the voter's date of birth, the voter's residence address or other address sufficient to identify the voter and, if applicable, a different address to which the applicant requests the ballot be sent or delivered~~ all of the information required under subsection 3. The clerk shall verify that it is the voter who is requesting the ballot by confirming the voter's residence address ~~and, date of birth and identification information provided under subsection 3, paragraph A, subparagraph (5)~~ with the information in the voter's record. The clerk shall print the electronically submitted application and write "electronic request" on the application.

Sec. 19. 21-A MRSA §753-A, sub-§8, as amended by PL 2023, c. 304, Pt. A, §24 and affected by §§37 and 39 and amended by c. 404, §1 and affected by §2, is repealed.

Sec. 20. 21-A MRSA §753-B, sub-§1, as amended by PL 2021, c. 398, Pt. UUUU, §5 and affected by PL 2023, c. 304, Pt. A, §37, is repealed and the following enacted in its place:

1. Issuance of absentee ballots. If a clerk receives an application for an absentee ballot that does not contain all of the required information or is not submitted on an appropriate form, the clerk promptly shall notify the applicant of the additional information required to be provided by the applicant to complete that application, direct the applicant to use an appropriate form, or both, as applicable.

A. Upon receipt by the clerk of an application for an absentee ballot that contains all of the required information and is submitted on an appropriate form, as provided by section 753-A, the clerk, if the clerk finds that the applicant is a voter, shall deliver to the applicant in person or mail directly to the applicant by special delivery mail, air mail or regular mail, an absentee ballot. The clerk shall deliver or mail with the absentee ballot an unsealed identification envelope upon the face of which must be printed a form substantially as follows:

"Identification Envelope Statement of Voter

I, (Name of voter), declare under penalty of unsworn falsification that the within ballot or ballots contained no voting marks of any kind when I received them, and I caused the ballot or ballots to be marked, enclosed in the identification envelope, and sealed in that envelope.

My voting residence in Maine is

.....

(Street and Number, if any, or Rural Route and Number)

of (City, Town, or Township), Maine.

If I have a confidential voter registration record, I am providing my program participant designated address instead of my residence address:

.....

The primary election ballots, if any, within this envelope are primary election ballots of the Party.

Ballots contained within this envelope are to be voted at the (general, special, or primary) election to be held on the day of

My date of birth is (Month and Day), (Year).

(Voter must provide one of the following:)

My Maine driver's license or nondriver identification card number is (Driver's license or nondriver identification card number).

..... In lieu of providing a driver's license or nondriver identification card number, I am enclosing a copy of my photographic identification in the return envelope in which this identification envelope will be mailed.

I hereby declare, under penalty of unsworn falsification, that the statements above are true, as I verily believe.

.....

(Signature of Voter)

WHOEVER COMMITS UNSWORN FALSIFICATION COMMITS A CLASS D CRIME."

B. The clerk shall mail with the absentee ballot and the unsealed identification envelope an unsealed return envelope upon the face of which must be printed the address of the clerk. In the upper left corner on the face of the return envelope, several blank lines must be printed upon which the voter may write the voter's name and return address. The return envelope must be of such size that the identification envelope can be placed within it for returning the identification envelope to the clerk.

A public office, or public official or employee who is acting in an official capacity, may not prepay the return postage for an absentee ballot.

Except as otherwise provided in this subsection and in section 672, an election official may not fill out any portion of an identification envelope statement of a voter or an

absentee ballot on behalf of a voter. A clerk may preprint only a voter's name and address on an identification envelope statement of a voter before mailing an absentee ballot to a voter, except that if the voter is certified by the Secretary of State as a program participant in the Address Confidentiality Program pursuant to Title 5, section 90-B, the clerk may not preprint the voter's address on the identification envelope statement of the voter.

The Secretary of State may adopt rules to implement this subsection. Rules adopted pursuant to this subsection are major substantive rules under Title 5, chapter 375, subchapter 2-A.

Sec. 21. 21-A MRSA §754-A, sub-§1, as amended by PL 2019, c. 371, §36, is repealed.

Sec. 22. 21-A MRSA §754-A, sub-§1-A is enacted to read:

1-A. Ballot delivered to voter. The following provisions govern the receipt and return of an absentee ballot.

A. When a voter receives an absentee ballot pursuant to the voter's application or request, the voter shall, before placing any marks on the ballot, note whether there are any voting marks on it. If there are any voting marks, the ballot must be returned immediately to the clerk; otherwise, the voter shall cause the ballot to be marked, folded in a manner that the stub on it and the indorsement and facsimile signature of the registrar on the back of it are visible, and placed and sealed within the identification envelope received from the clerk for that purpose. Then, the voter shall cause the statement of the voter on the outside of the identification envelope to be completed and signed, under penalty of unsworn falsification, as provided in Title 17-A, section 453. The voter shall provide one of the following:

(1) The voter's Maine driver's license or nondriver identification card number on the statement of the voter on the identification envelope; or

(2) A copy of the voter's photographic identification as defined in section 671, subsection 11, paragraph D in the return envelope with the identification envelope.

B. The voter may mail the identification envelope to the clerk in the return envelope, the voter may personally deliver it to the clerk or an immediate family member may personally deliver it to the clerk. The return envelope must be returned by no other person, in no other manner, and to no other location, except as otherwise provided in subsection 3, paragraph F.

C. If the clerk maintains multiple offices in the municipality, the clerk may designate any of its offices for the return of absentee ballots under this subsection, as long as the clerk designates only one office to which absentee ballots must be returned under this section. The clerk may place not more than one secured drop box outside the office of the clerk, on the property on which the office of the clerk is located, for the purpose of receiving absentee ballots under this section. For purposes of this paragraph, "secured drop box" has the same meaning as in section 752-B, subsection 1, paragraph B.

Sec. 23. 21-A MRSA §754-A, sub-§2, as amended by PL 1999, c. 645, §7, is repealed.

Sec. 24. 21-A MRSA §754-A, sub-§2-A is enacted to read:

2-A. Timely delivery of absentee ballots. All envelopes containing marked absentee ballots must be delivered to the clerk not later than the close of the polls on the day of an election. As provided in section 755, an absentee ballot must be delivered to the clerk at any time before the polls are closed in order for the absentee ballot to be valid.

A. The Secretary of State may adopt rules to implement this subsection. Rules adopted pursuant to this subsection are major substantive rules under Title 5, chapter 375, subchapter 2-A.

Sec. 25. 21-A MRSA §754-A, sub-§3, as amended by PL 1999, c. 645, §7, is further amended to read:

3. Assistance in reading or marking ballot. A voter who is unable to read or mark the ballot because of the voter's physical disability, illiteracy or religious faith must vote according to the procedures in this subsection instead of the procedures in subsection ~~1~~ 1-A ~~or 2.~~

A. A voter who needs assistance may request another person, other than the voter's employer or agent of that employer or officer or agent of the voter's union, to assist the voter in reading or marking the ballot.

B. The voter or the aide must mark the ballot in the presence of one of the following witnesses: Notary public, clerk of a municipality, clerk of courts or another individual.

C. The voter or the aide, before marking the ballot, must show it to the witness who must examine it to be certain it is unmarked.

D. While the voter or the aide is marking the ballot, there may be no communication between the voter and any individual, other than the aide who must mark the ballot as the voter indicates, as to the person or question for which the voter is to vote.

E. The voter or the aide must mark the ballot according to section 691 or 692 so that it is impossible for anyone else present to see how the voter voted, then seal the ballot in its return envelope. The voter, or the aide at the voter's request, shall complete and sign the affidavit in the presence of the witness, who shall sign the witness certification. The aide must complete and sign the certification for aides on the outside of the envelope.

F. The voter or the aide must then complete the address on the envelope and mail or deliver it personally or by the 3rd person who was designated in the application to the clerk of the municipality of which the voter is a resident. The voter must send a completed voter registration or absentee ballot application, if necessary, in a separate envelope.

Sec. 26. 21-A MRSA §756-A, sub-§4, as enacted by PL 2021, c. 273, §23, is amended to read:

4. Aide or witness certification incomplete. If an aide-executed affidavit or aide or witness certification on a return envelope that is required under section 754-A, ~~subsection 1, paragraph C, subsection 2, paragraph C~~ or subsection 3, paragraph E is unsigned, incomplete or improperly completed, the following procedures apply.

A. The voter may contact the voter's aide or witness and request that the aide or witness cure the defect by appearing in person at the clerk's office and properly completing the affidavit or witness certification. If the aide or witness corrects the affidavit or witness

certification as provided in this paragraph before the deadline for returning absentee ballots under section 755, the clerk shall accept the absentee ballot without challenge.

B. The voter may cure the defect by telephone by self-identifying by name, date of birth and residence address, confirming that the voter requested an absentee ballot and explaining whether a 3rd person other than the voter's immediate family member delivered or returned the absentee ballot or whether the voter received the assistance of an aide as described in section 754-A, subsection 3 in reading, marking or placing the ballot in the return envelope. If the voter provides the information required by this paragraph, by telephone, before the deadline for returning absentee ballots under section 755, the clerk shall accept the ballot but challenge it pursuant to section 673, subsection 1.

C. If the voter does not cure the defect under the procedures in paragraph A or B before the deadline for returning absentee ballots under section 755, the clerk shall reject the ballot in accordance with section 759, subsection 3.

Sec. 27. 21-A MRSA §759, sub-§2, as amended by PL 2021, c. 273, §24, is further amended to read:

2. Accepted if correct. If the warden finds that the affidavit and the aide and witness certification, if required, are properly completed, that the clerk has verified that the signature on the envelope matches the signature on the application or that the voter confirmed that the voter personally signed the return envelope pursuant to section 756-A, subsection 2 when applicable, that the voter is registered and enrolled when necessary and that it contains the voter's Maine driver's license or nondriver identification card number or a copy of the voter's photographic identification, the warden shall then examine the incoming voting list to determine whether the voter voted in person at the election. The warden shall then announce the name of each absentee voter who has not voted at the election and remove each ballot from its envelope without destroying the envelope or unfolding the ballot. After having an election clerk from a political party different from that of the warden mark the letters "AV" beside the name of each absentee voter on the incoming voting lists and place a check mark or horizontal line in red ink on the list beside the voter's name, the warden shall accept the ballot.

Sec. 28. Effective date. This Act takes effect January 1, 2026.

SUMMARY

This initiated bill requires the presentation of photographic identification for in-person and absentee voting. Acceptable forms of photographic identification include an unexpired Maine driver's license, nondriver identification card, interim identification form issued by the Secretary of State, United States passport or United States passport card, United States military identification card, Maine National Guard identification card and United States Department of Veterans Affairs identification card. The bill directs the Secretary of State to provide free nondriver identification cards for photographic identification. The bill allows voters without photographic identification to complete a challenged ballot and within 4 days after the date of the election appear before the registrar of voters and present photographic identification. The bill also provides an exception for voters with religious objections to being photographed. The bill removes provisions of law that allow voters to make telephone applications for absentee ballots and that allow voters to automatically

receive absentee ballots for each election without submitting a separate request for each election. It also provides that a municipality may have only one secured drop box for the return of absentee ballots.

Melissa K. Parkard, Director of Elections
101 State House Station
Augusta, Maine 04333-0101

Dear Melissa Parkard,

April 8th, 2024

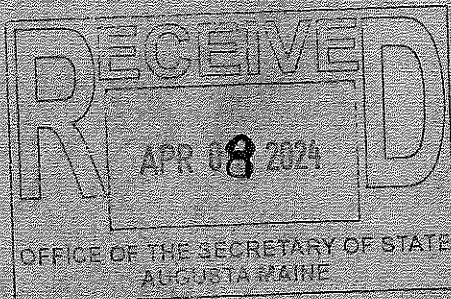
Along with the five applicants of the citizens' initiative entitled "An Act to Require an Individual to Present Photographic Identification for the Purpose of Voting" I accept the legislation draft that you supplied on April 5th, 2024 at 3:18pm and seek to proceed with the petition process.

Thank you for your service to our great State of Maine!

For Maine,

Alex Titcomb 4/8/24

Alex Titcomb



April 8, 2024
MKP

Packard, Melissa

From: Alex Titcomb <[REDACTED]>
Sent: Monday, April 8, 2024 9:09 AM
To: Packard, Melissa
Subject: Re: Voter ID Initiative

EXTERNAL: This email originated from outside of the State of Maine Mail System. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Melissa,

Please find the attached acceptance letter of the petition! We look forward to moving forward!

An Act to Require an Individual to Present
Photographic Identification for the Purpose of Voting

Printed Name of Circulator

Unique Identifying Number

Date of Issuance: May 16, 2024

Filing Deadline for the November 2025 Ballot: January 23, 2025

18 month petition expiration date: November 16, 2025

Freedom of Citizen Information: Before a registered voter signs any initiative petition, signature gatherers must offer the voter the opportunity to read the proposed initiative summary and fiscal impact statement prepared by the Secretary of State.

- Every voter must sign the petition in the Circulator's presence.
- Registered voters physically unable to sign, who have filed an alternative signature statement per 21-A MRS §153-A, may direct another Maine registered voter to sign the petition in their presence. The authorized individual must sign their name, the assisted voter's name, attest to signing on the voter's behalf, and complete all information on both lines (for the voter and the assistant).
- For more information, please contact the Division of Elections at (207) 624-7650.

Summary of Proposed Initiative

This initiated bill requires the presentation of photographic identification for in-person and absentee voting. Acceptable forms of photographic identification include an unexpired Maine driver's license, nondriver identification card, interim identification form issued by the Secretary of State, United States passport or United States passport card, United States military identification card, Maine National Guard identification card and United States Department of Veterans Affairs identification card. The bill directs the Secretary of State to provide free nondriver identification cards for photographic identification. The bill allows voters without photographic identification to complete a challenged ballot and within 4 days after the date of the election appear before the registrar of voters and present photographic identification. The bill also provides an exception for voters with religious objections to being photographed. The bill removes provisions of law that allow voters to make telephone applications for absentee ballots and that allow voters to automatically receive absentee ballots for each election without submitting a separate request for each election. It also provides that a municipality may have only one secured drop box for the return of absentee ballots.

Estimate of Fiscal Impact

This citizen initiative requires the presentation of photographic identification for in-person and absentee voting and specifies the various forms of photographic identification that are acceptable. The requirement that the Secretary of State provide free nondriver photographic identification cards will eliminate Highway fund revenue by an estimated \$29,149 annually from the nondriver ID cards currently being sold for \$5 each. The Secretary of State has indicated that the increased demand for free cards will require a General Fund appropriation of \$635,000 and a Highway Fund allocation of \$676,332 in fiscal year 2025-26 for a total of \$1,311,332 to implement a voter photographic identification process. Costs include \$600,000 for a TV and media campaign to inform the public, \$206,096 for the production of cards, \$35,000 for envelopes and shipping, \$217,415 for technology, \$61,829 for postage and \$46,378 for office furniture, utilities and miscellaneous office costs. Two customer service representatives are estimated to cost \$144,614 annually. The ongoing costs after the first year are projected to be \$156,112 annually.

Registrar use only	Voter's Signature	Voter's Printed Name	Date Signed	Actual Street Address (Not PO Box)	Municipality (Where Registered)
1.					
2.					
3.					
4.					
5.					
6.					
7.					
8.					
9.					
10.					
11.					
12.					
13.					
14.					
15.					
16.					
17.					
18.					
19.					
20.					
21.					
22.					
23.					
24.					
25.					

Appendix 068

R 041

Please see pages 2 to 5 for legislation, page 5 for instructions and page 6 for additional signature lines and Circulator's Oath

To the Legislature of the State of Maine:

In accordance with Section 18 of Article IV, Part Third of the Constitution of the State of Maine, the electors of the State of Maine, qualified to vote for Governor, residing in said State, whose names have been certified on this petition, hereby respectfully propose to the Legislature for its consideration the following entitled legislation: "An Act to Require an Individual to Present Photographic Identification for the Purpose of Voting".

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

Sec. 1. 21-A MRSA §671, sub-§1, as amended by PL 2019, c. 371, §20, is further amended to read:

1. Name announced. A voter who wishes to vote must present photographic identification and state the voter's name and residence address to an election clerk, who shall announce the name in a loud, clear voice. If the voter's stated residence address is different from the residence address listed on the incoming voting list, the voter must be directed to complete an updated voter registration application before voting.

Sec. 2. 21-A MRSA §671, sub-§9 is enacted to read:

9. Challenged ballots for voters without photographic identification. The following provisions govern voters who do not present photographic identification pursuant to subsection 1.

A. If a voter does not have or is unable to present photographic identification to an election clerk, an election official shall challenge the voter's right to vote under section 673 and the voter may cast a ballot pursuant to section 673.

B. Notwithstanding section 673, for a challenged ballot to be eligible to be counted when it is cast by an individual who does not have photographic identification because the individual has a religious objection to being photographed, the individual must complete an affidavit of religious objection. An election official shall attach the affidavit to the individual's challenged ballot envelope. If the individual does not complete the affidavit at the time of casting the challenged ballot, the individual may appear before the registrar within 4 days after the date of the election and complete the affidavit.

(1) The Secretary of State shall prescribe the form of the affidavit of religious objection, which must be substantially as follows:

"Affidavit of Religious Objection

I, (first and last name of individual), declare under penalty of unsworn falsification that I do not have photographic identification because I have a sincere religious objection to being photographed.

The last 4 digits of my Social Security number are:.....

(Signature of individual)

WHOEVER COMMITS UNSWORN FALSIFICATION COMMITS A CLASS D CRIME."

(2) Upon receiving a completed affidavit of religious objection, the registrar shall transmit the information in the affidavit to the Secretary of State. The Secretary of State shall consult the database of the Department of the Secretary of State, Bureau of Motor Vehicles to determine whether the Secretary of State issued a currently unexpired photographic identification to the individual and shall notify the registrar of the result.

(3) An affidavit of religious objection is not valid if the last 4 digits of the individual's social security number as provided on the affidavit are different from the last 4 digits of the individual's social security number in the statewide voter registration database or if the Secretary of State has issued a currently unexpired photographic identification to the individual.

C. Notwithstanding section 673 and except as provided under paragraph B, for a challenged ballot to be eligible to be counted when it is cast by an individual who does not have or is unable to present photographic identification to the election clerk, the individual who cast that ballot, within 4 days after the date of the election, must appear before the registrar and present photographic identification.

Sec. 3. 21-A MRSA §671, sub-§10 is enacted to read:

10. Provision of free nondriver identification cards for photographic identification. Notwithstanding Title 29-A, section 1410, the Secretary of State may not impose a fee for the issuance of a nondriver identification card when an individual does not have a valid Maine driver's license and will be at least 18 years of age by the next general, municipal or special election. The Secretary of State shall establish procedures through rulemaking for the issuance of nondriver identification cards pursuant to this subsection. Rules adopted pursuant to this subsection are major substantive rules under Title 5, chapter 375, subchapter 2-A.

Sec. 4. 21-A MRSA §671, sub-§11 is enacted to read:

11. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Driver's license" means a license or permit issued by the Secretary of State under Title 29-A, chapter 11 that authorizes an individual to operate a motor vehicle. "Driver's license" includes a driver's license, commercial driver's license, restricted license, motorcycle operator's license or learner's permit.

B. "Interim identification form" means a document issued by the Secretary of State to an applicant for a driver's license or nondriver identification card that contains all of the information otherwise found on the license or card and that an applicant may use as a form of identification until the physical license or card arrives in the mail.

C. "Nondriver identification card" means a card issued by the Secretary of State under Title 29-A, section 1410.

D. "Photographic identification" means one of the following documents that includes the individual's name and photograph and is not expired:

(1) A Maine driver's license, Maine nondriver identification card or Maine interim identification form;

(2) A United States passport or United States passport card; or

(3) A United States military identification card, Maine National Guard identification card or United States Department of Veterans Affairs identification card.

Sec. 5. 21-A MRSA §673, sub-§1, ¶A, as corrected by RR 2011, c. 2, §21, is amended by amending subparagraph (8) to read:

(8) Communicated with someone as prohibited by section 754-A, subsection 1, paragraph B or subsection 3, paragraph B or D;

Sec. 6. 21-A MRSA §673, sub-§1, ¶A, as corrected by RR 2011, c. 2, §21, is amended by amending subparagraph (11) to read:

(11) Committed any other specified violation of this Title; or

Sec. 7. 21-A MRSA §673, sub-§1, ¶A, as corrected by RR 2011, c. 2, §21, is amended by amending subparagraph (12) to read:

(12) Voted using the wrong ballot for the appropriate electoral district or political party, if applicable;

Sec. 8. 21-A MRSA §673, sub-§1, ¶A as corrected by RR 2011, c. 2, §21, is amended by enacting a new subparagraph (13) to read:

(13) Did not present photographic identification, as defined in section 671, subsection 11, paragraph D;

Sec. 9. 21-A MRSA §673, sub-§1, ¶A as corrected by RR 2011, c. 2, §21, is amended by enacting a new subparagraph (14) to read:

(14) Submitted an absentee ballot with a signature that does not correspond with the person's registration signature; or

Sec. 10. 21-A MRSA §673, sub-§1, ¶A as corrected by RR 2011, c. 2, §21, is amended by enacting a new subparagraph (15) to read:

(15) Submitted an absentee ballot without the identification required under section 754-A, subsection 1-A.

Sec. 11. 21-A MRSA §752-B, sub-§2, as enacted by PL 2021, c. 273, §12, is amended to read:

2. Secured drop boxes authorized. A municipality may obtain and install a secured drop box that meets the requirements of this section. The secured drop box may be used by voters ~~who are authorized~~ to return absentee ballots in a secured drop box pursuant to section 754-A, subsection ~~1-A~~, paragraph ~~D~~ C.

Sec. 12. 21-A MRSA §752-B, sub-§3, as enacted by PL 2021, c. 273, §12, is amended to read:

3. Location and number of secured drop boxes. The secured drop box must be located outside the ~~municipal office building or the building where in-person absentee voting takes place before an election of the registrar, on the property on which the office of the registrar is located.~~ If the secured drop box is positioned within or

against an outside wall of the municipal office building, it must be bolted or otherwise securely fastened to the wall or to the deck or landing to prevent its removal by an unauthorized person. Otherwise, the secured drop box must be securely affixed to a post that is sunk into the ground, affixed to a post that is set into a concrete pad or bolted or otherwise securely affixed to a platform or other structure in a manner that prevents removal of the drop box by an unauthorized person.

~~A municipality may seek approval from the Secretary of State to obtain and install an additional secured drop box or boxes at other locations within the municipality by certifying to the Secretary of State at least 90 days before the election that the additional secured drop box or boxes meet all of the requirements of this section, other than the requirement that the secured drop box be located outside of the municipal office building or the building where in person absentee voting takes place before an election have only one secured drop box.~~

Sec. 13. 21-A MRSA §752-B, sub-§7, as enacted by PL 2021, c. 273, §12, is amended to read:

7. Use and access during absentee voting period. The secured drop box must be used only for the return of absentee ballots and not for the deposit of other municipal office filings during the absentee voting period. During the absentee voting period, only the ~~municipal clerk or designees~~ bipartisan team of election officials under subsection 8 may possess the key to the secured drop box or have access to the contents of the secured collection box. If items other than returned absentee ballots are deposited in the secured drop box during the absentee voting period, the ~~municipal clerk or designees~~ bipartisan team of election officials shall deliver those items to the appropriate municipal official.

Sec. 14. 21-A MRSA §752-B, sub-§8, as enacted by PL 2021, c. 273, §12, is amended to read:

8. Periodic retrieval of ballots. During the absentee voting period, ~~the municipal clerk or a team of 2 people designated by the clerk~~ a bipartisan team of election officials shall periodically remove absentee ballots from each secured drop box and deliver the absentee ballots to the clerk's office to be stored in a secure manner. At a minimum, absentee ballots must be removed from each secured drop box by the ~~clerk or team of 2 designees~~ bipartisan team of election officials:

- A. At least once on each day that the clerk's office is open during the absentee voting period;
- B. At all additional times necessary to ensure that additional absentee ballots deposited in the secured drop box fit within the secured collection box and are not accessible to unauthorized persons; and
- C. At 8 p.m. on election day.

The identity of the persons who remove the absentee ballots from each secured drop box and the date and time that the absentee ballots are removed must be recorded on a form designed by the Secretary of State and initialed or signed by the ~~clerk or team of 2 designees~~ bipartisan team of election officials who removed the absentee ballots.

Sec. 15. 21-A MRSA §752-B, sub-§9, as enacted by PL 2021, c. 273, §12, is amended to read:

9. Locking of secured drop boxes when polls close. The ~~municipal clerk or team of 2 designees~~ bipartisan team of election officials under subsection 8 shall lock the secured drop box at 8 p.m. on election day to prevent the deposit of additional absentee ballots in the secured drop box.

Sec. 16. 21-A MRSA §753-A, sub-§3, as amended by PL 2021, c. 273, §13, is repealed and the following enacted in its place:

3. Request for absentee ballot. Except as otherwise provided in chapter 3, subchapters 2 and 3 and in section 780, a voter desiring an absentee ballot for an election shall deliver a written application for that ballot, either in person or by mail, to the registrar of the municipality in which the voter's voting residence is located.

A. Except as otherwise permitted under section 780, the application must be on a form prescribed by the Secretary of State and must contain all of the following:

- (1) The voter's name;

(2) The voter's signature;

(3) The address at which the voter is registered to vote;

(4) The voter's date of birth;

(5) One of the following:

(a) The voter's Maine driver's license or nondriver identification card number; or

(b) A copy of the voter's photographic identification as defined in section 671, subsection 11, paragraph D;

(6) A statement identifying the election for which an absentee ballot is requested;

(7) A statement that the person requesting the absentee ballot is a voter;

(8) If the request is for an absentee ballot for a primary election, the voter's party affiliation; and

(9) If the voter desires an absentee ballot to be mailed to the voter, the address to which that absentee ballot must be mailed.

B. If the voter needs assistance pursuant to subsection 5, the following information, in addition to the information required in paragraph A, must be provided in order for the application or written request to be accepted by the clerk:

(1) The printed name and signature of the person who helped the voter; and

(2) A statement that the aide helped the voter by either reading or signing the application, or both.

C. If the voter wishes to have the ballot delivered or returned by a 3rd person, the following information, in addition to the information required in paragraph A, must be provided in order for the application or written request to be accepted by the clerk:

(1) The name of the 3rd person whom the voter has designated. A 3rd person may only be designated in an application or written request that is signed by the voter.

D. Notwithstanding paragraph A, if a voter is certified by the Secretary of State as a program participant in the Address Confidentiality Program, as described in Title 5, section 90-B and Title 21-A, section 753-C, that voter may provide the voter's program participant designated address instead of the address at which the voter is registered to vote.

E. An application to receive an absentee ballot must be delivered to the registrar not earlier than the first day of January of the year of the election for which the absentee ballot is requested or not earlier than 90 days before the day of the election at which the absentee ballot is to be cast, whichever is earlier, and not later than the close of business on the 7th day before the day of the election at which the absentee ballot is to be cast.

F. The Secretary of State shall adopt rules to implement this subsection. Rules adopted pursuant to this paragraph are major substantive rules under Title 5, chapter 375, subchapter 2-A.

Sec. 17. 21-A MRSA §753-A, sub-§4, as amended by PL 2003, c. 447, §29, is repealed.

Sec. 18. 21-A MRSA §753-A, sub-§6, as amended by PL 2021, c. 273, §14, is further amended to read:

6. Application by electronic means. A municipal clerk shall accept absentee ballot applications by the electronic means authorized by the Secretary of State. The Secretary of State shall design or approve the form of the absentee ballot application to be submitted by electronic means, and the form must require all of the information required under subsection 3.

A voter may make an application for the voter's own ballot by electronic means using the form designed or approved by the Secretary of State. The voter may not designate an immediate family member or a 3rd person to deliver the ballot on the voter's behalf. An electronic application must be accepted by the clerk if it contains the voter's name, the voter's date of birth, the voter's residence address or other address sufficient to identify the voter and, if applicable, a different address to which the applicant requests the ballot be sent or delivered all of the information required under subsection 3. The clerk shall verify that it is the voter who is requesting the ballot by confirming the voter's residence address and date of birth and identification information provided under

subsection 3, paragraph A, subparagraph (5) with the information in the voter's record. The clerk shall print the electronically submitted application and write "electronic request" on the application.

Sec. 19. 21-A MRSA §753-A, sub-§8, as amended by PL 2023, c. 304, Pt. A, §24 and affected by §§37 and 39 and amended by c. 404, §1 and affected by §2, is repealed.

Sec. 20. 21-A MRSA §753-B, sub-§1, as amended by PL 2021, c. 398, Pt. UUUU, §5 and affected by PL 2023, c. 304, Pt. A, §37, is repealed and the following enacted in its place:

1. Issuance of absentee ballots. If a clerk receives an application for an absentee ballot that does not contain all of the required information or is not submitted on an appropriate form, the clerk promptly shall notify the applicant of the additional information required to be provided by the applicant to complete that application, direct the applicant to use an appropriate form, or both, as applicable.

A. Upon receipt by the clerk of an application for an absentee ballot that contains all of the required information and is submitted on an appropriate form, as provided by section 753-A, the clerk, if the clerk finds that the applicant is a voter, shall deliver to the applicant in person or mail directly to the applicant by special delivery mail, air mail or regular mail, an absentee ballot. The clerk shall deliver or mail with the absentee ballot an unsealed identification envelope upon the face of which must be printed a form substantially as follows:

"Identification Envelope Statement of Voter

I, (Name of voter), declare under penalty of unsworn falsification that the within ballot or ballots contained no voting marks of any kind when I received them, and I caused the ballot or ballots to be marked, enclosed in the identification envelope, and sealed in that envelope.

My voting residence in Maine is

.....
(Street and Number, if any, or Rural Route and Number)
of (City, Town, or
Township), Maine.

If I have a confidential voter registration record, I am providing my program participant designated address instead of my residence address:

.....
The primary election ballots, if any, within this envelope are primary election ballots of the Party.
Ballots contained within this envelope are to be voted at the (general, special, or primary) election to be held on the day of
.....

My date of birth is (Month and Day),
..... (Year).

(Voter must provide one of the following:)

My Maine driver's license or nondriver identification card number is (Driver's license or
nondriver identification card number).

..... In lieu of providing a driver's license or
nondriver identification card number, I am enclosing a
copy of my photographic identification in the return
envelope in which this identification envelope will be
mailed.

I hereby declare, under penalty of unsworn falsification,
that the statements above are true, as I verily believe.

.....

(Signature of Voter)

WHOEVER COMMITS UNSWORN FALSIFICATION
COMMITS A CLASS D CRIME."

B. The clerk shall mail with the absentee ballot and the unsealed identification envelope an unsealed return envelope upon the face of which must be printed the address of the clerk. In the upper left corner on the face of the return envelope, several blank lines must be printed upon which the voter may write the voter's name and return address. The return envelope must be of such size that the identification envelope can be placed within it for returning the identification envelope to the clerk.

A public office, or public official or employee who is acting in an official capacity, may not prepay the return postage for an absentee ballot.

Except as otherwise provided in this subsection and in section 672, an election official may not fill out any portion of an identification envelope statement of a voter or an absentee ballot on behalf of a voter. A clerk may preprint only a voter's name and address on an identification envelope statement of a voter before mailing an absentee ballot to a voter, except that if the voter is certified by the Secretary of State as a program participant in the Address Confidentiality Program pursuant to Title 5, section 90-B, the clerk may not preprint the voter's address on the identification envelope statement of the voter.

The Secretary of State may adopt rules to implement this subsection. Rules adopted pursuant to this subsection are major substantive rules under Title 5, chapter 375, subchapter 2-A.

Sec. 21. 21-A MRSA §754-A, sub-§1, as amended by PL 2019, c. 371, §36, is repealed.

Sec. 22. 21-A MRSA §754-A, sub-§1-A is enacted to read:

1-A. Ballot delivered to voter. The following provisions govern the receipt and return of an absentee ballot.

A. When a voter receives an absentee ballot pursuant to the voter's application or request, the voter shall, before placing any marks on the ballot, note whether there are any voting marks on it. If there are any voting marks, the ballot must be returned immediately to the clerk; otherwise, the voter shall cause the ballot to be marked, folded in a manner that the stub on it and the indorsement and facsimile signature of the registrar on the back of it are visible, and placed and sealed within the identification envelope received from the clerk for that purpose. Then, the voter shall cause the statement of the voter on the outside of the identification envelope to be completed and signed, under penalty of unsworn falsification, as provided in Title 17-A, section 453. The voter shall provide one of the following:

- (1) The voter's Maine driver's license or nondriver identification card number on the statement of the voter on the identification envelope; or
- (2) A copy of the voter's photographic identification as defined in section 671, subsection 11, paragraph D in the return envelope with the identification envelope.

B. The voter may mail the identification envelope to the clerk in the return envelope, the voter may personally deliver it to the clerk or an immediate family member may personally deliver it to the clerk. The return envelope must be returned by no other person, in no other manner, and to no other location, except as otherwise provided in subsection 3, paragraph F.

C. If the clerk maintains multiple offices in the municipality, the clerk may designate any of its offices for the return of absentee ballots under this subsection, as long as the clerk designates only one office to which absentee ballots must be returned under this section. The clerk may place not more than one secured drop box outside the office of the clerk, on the property on which the office of the clerk is located, for the purpose of receiving absentee ballots under this section. For purposes of this paragraph, "secured drop box" has the same meaning as in section 752-B, subsection 1, paragraph B.

Sec. 23. 21-A MRSA §754-A, sub-§2, as amended by PL 1999, c. 645, §7, is repealed.

Sec. 24. 21-A MRSA §754-A, sub-§2-A is enacted to read:

2-A. Timely delivery of absentee ballots. All envelopes containing marked absentee ballots must be delivered to the clerk not later than the close of the polls on the day of an election. As provided in section 755, an absentee ballot must be delivered to the clerk at any time before the polls are closed in order for the absentee ballot to be valid.

A. The Secretary of State may adopt rules to implement this subsection. Rules adopted pursuant to this subsection are major substantive rules under Title 5, chapter 375, subchapter 2-A.

Sec. 25. 21-A MRSA §754-A, sub-§3, as amended by PL 1999, c. 645, §7, is further amended to read:

3. Assistance in reading or marking ballot. A voter who is unable to read or mark the ballot because of the voter's physical

disability, illiteracy or religious faith must vote according to the procedures in this subsection instead of the procedures in subsection ~~1-A or 2.~~

- A. A voter who needs assistance may request another person, other than the voter's employer or agent of that employer or officer or agent of the voter's union, to assist the voter in reading or marking the ballot.
- B. The voter or the aide must mark the ballot in the presence of one of the following witnesses: Notary public, clerk of a municipality, clerk of courts or another individual.
- C. The voter or the aide, before marking the ballot, must show it to the witness who must examine it to be certain it is unmarked.
- D. While the voter or the aide is marking the ballot, there may be no communication between the voter and any individual, other than the aide who must mark the ballot as the voter indicates, as to the person or question for which the voter is to vote.
- E. The voter or the aide must mark the ballot according to section 691 or 692 so that it is impossible for anyone else present to see how the voter voted, then seal the ballot in its return envelope. The voter, or the aide at the voter's request, shall complete and sign the affidavit in the presence of the witness, who shall sign the witness certification. The aide must complete and sign the certification for aides on the outside of the envelope.
- F. The voter or the aide must then complete the address on the envelope and mail or deliver it personally or by the 3rd person who was designated in the application to the clerk of the municipality of which the voter is a resident. The voter must send a completed voter registration or absentee ballot application, if necessary, in a separate envelope.

Sec. 26. 21-A MRSA §756-A, sub-§4, as enacted by PL 2021, c. 273, §23, is amended to read:

4. Aide or witness certification incomplete. If an aide-executed affidavit or aide or witness certification on a return envelope that is required under section 754-A, ~~subsection 1, paragraph C, subsection 2, paragraph C or~~ subsection 3, paragraph E is unsigned, incomplete or improperly completed, the following procedures apply.

- A. The voter may contact the voter's aide or witness and request that the aide or witness cure the defect by appearing in person at the clerk's office and properly completing the affidavit or witness

certification. If the aide or witness corrects the affidavit or witness certification as provided in this paragraph before the deadline for returning absentee ballots under section 755, the clerk shall accept the absentee ballot without challenge.

B. The voter may cure the defect by telephone by self-identifying by name, date of birth and residence address, confirming that the voter requested an absentee ballot and explaining whether a 3rd person other than the voter's immediate family member delivered or returned the absentee ballot or whether the voter received the assistance of an aide as described in section 754-A, subsection 3 in reading, marking or placing the ballot in the return envelope. If the voter provides the information required by this paragraph, by telephone, before the deadline for returning absentee ballots under section 755, the clerk shall accept the ballot but challenge it pursuant to section 673, subsection 1.

C. If the voter does not cure the defect under the procedures in paragraph A or B before the deadline for returning absentee ballots under section 755, the clerk shall reject the ballot in accordance with section 759, subsection 3.

Sec. 27. 21-A MRSA §759, sub-§2, as amended by PL 2021, c. 273, §24, is further amended to read:

2. Accepted if correct. If the warden finds that the affidavit and the aide and witness certification, if required, are properly completed, that the clerk has verified that the signature on the envelope matches the signature on the application or that the voter confirmed that the voter personally signed the return envelope pursuant to section 756-A, subsection 2 when applicable, that the voter is registered and enrolled when necessary and that it contains the voter's Maine driver's license or nondriver identification card number or a copy of the voter's photographic identification, the warden shall then examine the incoming voting list to determine whether the voter voted in person at the election. The warden shall then announce the name of each absentee voter who has not voted at the election and remove each ballot from its envelope without destroying the envelope or unfolding the ballot. After having an election clerk from a political party different from that of the warden mark the letters "AV" beside the name of each absentee voter on the incoming voting lists and place a check mark or horizontal line in red ink on the list beside the voter's name, the warden shall accept the ballot.

Sec. 28. Effective date. This Act takes effect January 1, 2026.

Instructions for Circulation		Certification Code for Valid Signatures
<u>Petitioner – must:</u>	<u>Petition Circulator – must:</u>	✓ Individual signing petition is a registered voter
• Be a Maine registered voter	• Complete a Circulator Affidavit by taking the oath printed on the Affidavit before a Notary Public or other person authorized by law to administer oaths or affirmations	The most common reasons for rejection of signatures or petitions (with applicable codes) are as follows:
• Sign name as it appears on the voting list		
• Sign only once	• Complete the Circulator’s Oath on each petition form circulated by taking the Oath before a Notary Public prior to submission of petitions to Registrar	<u>Of Individual Signatures</u> DUP Individual previously signed the petition (duplicate name) NR Individual is not a registered voter DATE Individual signed after the date of Circulator’s verification ANO Individual’s signature made by another person SIG Individual did not sign the Petition (printed name only) Note: use only when voter’s printed name cannot be matched to printing on the voter registration application
• <u>NOT</u> sign another’s name		
• Print name; date of signing; street address and municipality of residence (unless printed by Circulator)	• <u>NOT</u> collect signatures after taking the Circulator’s Oath	<u>Of Entire Petitions</u> CERT Registrar’s certification is not completed or is not signed ALT Information written on the petition has been altered in a material way OATH Circulator’s verification is not completed or is not signed OATH Circulator did not take the oath before a valid Notary Public OATH Notary did not complete or sign the notarization OWN Notary is an immediate family member of the Circulator FORM Petition is not in the form approved by the Secretary of State (e.g. pages missing, damaged or out of order, etc.)
<u>Registrar – must:</u>	<u>WARNING: Making a false statement by the Circulator, signing a petition with the name of another, or signing a name more than once on these petitions is a Class E crime.</u>	
• Date and time stamp petition indicating when it is received		
• Complete the “Registrar Use Only” space using the codes described in the box to the right		
• Complete and sign the certification by indicating which names on the petition appear on that municipality’s voting list		

Unique Identifying Number

- Every voter must sign the petition in the Circulator's presence.
- Registered voters physically unable to sign, who have filed an alternative signature statement per 21-A MRS §153-A, may direct another Maine registered voter to sign the petition in their presence. The authorized individual must sign their name, the assisted voter's name, attest to signing on the voter's behalf, and complete all information on both lines (for the voter and the assistant).
- For more information, please contact the Division of Elections at (207) 624-7650.

Registrar use only	Voter's Signature	Voter's Printed Name	Date Signed	Actual Street Address (Not PO Box)	Municipality (Where Registered)
26.					
27.					
28.					
29.					
30.					
31.					
32.					
33.					
34.					
35.					
36.					
37.					
38.					
39.					
40.					
41.					
42.					
43.					
44.					
45.					
46.					
47.					
48.					
49.					
50.					

Circulator's Oath I hereby make oath that I am the Circulator of this petition; that I personally witnessed all of the signatures to this petition; and, to the best of my knowledge and belief, each signature is that of the person whose name it purports to be. If any voter was unable to sign due to a physical disability, I hereby verify, that the voter authorized another voter to sign at the voter's direction and in the voter's presence.	Petition Log For Secretary of State Use Only												
Signature of Circulator _____ Printed Name _____	Petition #: _____ Valid: _____ Invalid: _____												
Signature of Notary _____ Printed Name _____	<table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 33%; text-align: center; padding: 5px;"><u># Invalid</u></th> <th style="width: 33%; text-align: center; padding: 5px;"><u>Reason</u></th> <th style="width: 33%; text-align: center; padding: 5px;"><u>Signature Lines</u></th> </tr> </thead> <tbody> <tr> <td style="height: 30px; border-bottom: 1px solid black;"></td> <td style="border-bottom: 1px solid black;"></td> <td style="border-bottom: 1px solid black;"></td> </tr> <tr> <td style="height: 30px; border-bottom: 1px solid black;"></td> <td style="border-bottom: 1px solid black;"></td> <td style="border-bottom: 1px solid black;"></td> </tr> <tr> <td style="height: 30px; border-bottom: 1px solid black;"></td> <td style="border-bottom: 1px solid black;"></td> <td style="border-bottom: 1px solid black;"></td> </tr> </tbody> </table>	<u># Invalid</u>	<u>Reason</u>	<u>Signature Lines</u>									
<u># Invalid</u>	<u>Reason</u>	<u>Signature Lines</u>											
Subscribed to and sworn before me on this date: _____ (Date must be completed by Notary)													
Date my Notary Commission expires: _____													
Registrar's Certification													
Municipality _____	Total Valid _____ Total Invalid _____												
I hereby certify that the names of all the petitioners listed as valid appear on the voting list as qualified to vote for Governor.													
<div style="border: 2px solid black; padding: 5px; min-height: 100px;"> Date & Time Petition Received: </div>	Signature of Registrar: _____ Date petition certified: _____												

STATE OF MAINE
OFFICE OF THE SECRETARY OF STATE

Determination of the Validity of a Petition for Initiated Legislation Entitled:

“An Act to Require an Individual to Present Photographic Identification for the Purpose of Voting”.

1. On January 6, 2025, 4,410 petition forms were submitted to the Secretary of State pursuant to the Constitution of Maine, Article IV, Part Third, Section 18 on behalf of the above-entitled initiated legislation.
2. The estimated total number of signatures submitted according to the petition receipt (171,562) far exceeded the quantity of signatures required (67,682) to determine the validity of the petition. The Secretary of State reviewed and certified the first 2,430 of the 4,410 petition forms submitted as the initial stage of the certification process.
3. Following a review of the first 2,430 petition forms I find the following signatures to be invalid for the following reasons:
 - A. 5,422 signatures are invalid because they are duplicates of signatures already counted. (DUP)
 - B. 989 signatures are invalid because they were not certified by the registrar as belonging to a registered voter in that municipality. (REG)
 - C. 368 signatures are invalid because they were dated after the date that the circulator’s oath was completed in the presence of the notary or the voter’s signature was not dated and it could not be determined that the voter signed the petition before the circulator took the oath. (DATE)
 - D. 201 signatures are invalid because the circulator’s oath was not complete or not administered properly. (OATH)
 - E. 137 signatures are invalid because the voter’s signature was crossed out on the petition form. (WD)
 - F. 64 signatures are invalid because the voter failed to provide a signature. (SIG)
 - G. 58 signatures are invalid because of material alterations to the petition form. (ALT)
 - H. 46 signatures are invalid because the registered voter’s signature was made by another. (ANO)
4. For the reasons set forth above, on the first 2,430 petition forms filed with the Secretary of State, I find that 86,904 signatures are valid, and 7,285 signatures are invalid, a validity rate of 92.3%. The number of signatures required to determine the petition to be valid is 67,682. Because the number of valid signatures exceeds the required number by 19,222 signatures, I find the petition to be valid.

5. Due to the large buffer of 19,222 extra valid signatures certified above the required number of 67,682, full review of the remaining 1,980 petition forms was not necessary. There are potentially an additional 76,309 valid signatures on the 1,980 remaining petition forms.

Dated: February 19, 2025



A handwritten signature in blue ink that reads "Shenna Bellows". The signature is written in a cursive style and is positioned above a horizontal line.

Shenna Bellows
Secretary of State

[Home](#) → Public Comment Period Now Open On Wording of Ballot Question

Public comment period now open on wording of ballot question

3/12/2025

AUGUSTA — Secretary of State Shenna Bellows is now accepting public comment on the wording of a citizen initiative question that will appear on the Nov. 4, 2025 General Election ballot, unless enacted by the Legislature as written.

The department’s Bureau of Corporations, Elections and Commissions certified [An Act to Require an Individual to Present Identification for the Purpose of Voting](#) in February. The ballot question, as drafted, reads:

“Do you want to change Maine election laws to require voters to show ID before voting, end ongoing absentee voting for seniors and people with disabilities, ban prepaid postage on absentee ballot return envelopes, prohibit requests for absentee ballots by phone or family members, eliminate two days of absentee voting, and make other changes to our elections?”

[State law](#) requires Secretary Bellows to present each proposed legislation “in a clear, concise and direct manner that describes the subject matter... as simply as possible.” She will be accepting public comments regarding the question’s form and content for a 30-day period, beginning today, Wednesday, March 12 until 5 p.m. on Friday, April 11. All comments will be reviewed and considered before the ballot question is finalized.

Comments will be accepted via the online submission form, email, mail or in person:

- Use the comment submission form at: <https://www.maine.gov/sos/form/act-to-require-an-individual-to-present-identification-for-the-purpose-of-voting>.
- Email [\[redacted\]](#) using subject line “Public Comment –Election Laws”
- Mail comments to the Secretary of State, Attn: Public Comment, 148 State House Station, Augusta, ME 04333-0148
- Drop off written comments to the Office of the Secretary of State at the Nash School Building, 103 Sewall St., 2nd floor, Augusta, Maine.

The full text of the proposed legislation is available on the [Citizen Initiatives webpage](#), along with proponent information.

###

Credits	Information	Government links	Connect with Us
<div>Copyright © 2024</div> <div>All rights reserved</div>	SoS Home	Maine.gov	Facebook
	Job Opportunities	Maine Constitution	Twitter
	Vendors	State Legislature	YouTube
	Pardons/Executive Clemency	Maine Laws	
	Site Policies	Maine Courts	
		Ethics Commission	

Accessibility of Information

If content on this website is not accessible and you would like to request the information in a different format, please contact 207-626-8400.

[Language Access](#)

[Google Translate Disclaimer](#)

Name: David Stensland

Email:



Town: Kittery Point

Comment: 1) I think "Limit one dropbox per municipality" should be included.2) Absentee ballots removed by "a bipartisan team of elected officials", how is that going to work. Does that mean 1 democrat and 1 republican? What about independents or individuals with other or no party affiliation? Does it mean 2 people each with any non-similar party affiliation? How will that be confirmed, enforced, and regulated? Will each municipality be voting for these 2 people in elections? What if one person changes their mind about what party they belong to? If this is what we are voting on, to make into law, it needs to be included in the question text somehow.3) "eliminate 2 days of absentee voting" should specify such as "eliminate 2 days of absentee voting from (x) days to (y) days" whatever those numbers are, I don't see that spelled out in the language.4) "and make other changes to our elections", wow that could be anything, I think all the changes need to be spelled out in the question. If it's too much to publish for the election ballots then the bill is too long and should be restricted to cover fewer things that can be easily stated in a question. "other changes" is way too vague when you're talking about keeping elections fair and safe.thank you.

Name: Robert E Abbey

Email:



Town: Gardiner

Comment: “Do you want to change Maine election laws to require voters to show ID before voting, XXXXXXXX, ban prepaid postage on absentee ballot return envelopes, prohibit requests for absentee ballots by phone or family members. XXXXXXXX and XXXXXXXX” My suggestions, a clear, concise requirement. All of the modifications put in place in recent decades have made voting sloppy and subject to challenges. An 'election day' was and remains a solid concept.

Name: Mary Devlin

Email:



Town: Damariscotta

Comment: Please ensure this language that fully describes the full scope of this initiative to suppress voter participation stays on the ballot. My older friends should be able to easily request and return absentee ballots, my poorer neighbors who work multiple jobs should be able to drop off their ballot at times that are convenient to them, and all recognized forms of ID should be allowed. Maine has some of the safest election laws in place now and there is no need to make them more restrictive!Thank you. Mary Devlin

Name: James Swan

Email: [REDACTED]

Town: Waldoboro

Comment: To the Members of the Maine State Legislature, I am writing to express my firm opposition to the “Voter ID for Maine” initiative, which I view as a blatant voter suppression referendum and an attack on absentee voting. This legislation seeks to repeal popular, long-standing laws supported by the people of Maine and would impose unnecessary barriers to voting. I urge that the finalized ballot question accurately reflect the full scope of this legislation so that voters understand the true impact on their rights. For over 15 years, I have stood against efforts to restrict voting access in Maine. I support full voter participation by all eligible American citizens and vehemently oppose any initiatives that create new obstacles to the constitutional right to vote. This proposed legislation would make Maine one of the most restrictive states in the nation concerning voter ID laws, and its consequences would be far-reaching and harmful. Key provisions of this legislation include:

- Requiring photo ID to vote and to vote absentee while excluding currently accepted IDs, such as student and tribal IDs.
- Eliminating ongoing absentee voting, which allows voters to automatically receive absentee ballots for each election cycle.
- Severely limiting the use and number of absentee ballot drop boxes, making it impractical for some towns to offer them.
- Prohibiting voters from requesting an absentee ballot over the phone.
- Preventing authorized third parties from delivering absentee ballots, a service vital to many elderly and disabled Mainers.

The harmful impacts of this legislation are clear:

- These restrictions would disproportionately affect senior and rural voters, leading to significant disenfranchisement.
- Taxpayers would bear the financial burden of implementing a new system.
- There is no evidence that voter ID laws prevent voter fraud. Maine already has robust safeguards against fraud, cyberattacks, and other election threats.
- This proposal is imported from an out-of-state playbook, such as Ohio’s recent voter suppression law, which is ill-suited to Maine’s unique electoral landscape. Maine is a national leader in voter turnout due to our secure elections, same-day voter registration, no-excuse absentee ballots, and the absence of photo ID requirements. This is a legacy we should protect and celebrate, not dismantle. Many elderly friends and neighbors will be directly disenfranchised or face additional barriers to voting if this legislation is passed. I cannot remain silent in the face of such an attack on our democracy. I urge the Legislature and the people of Maine to reject this voter suppression effort and uphold our proud tradition of inclusive and accessible elections.

Sincerely, Jim Swan Waldoboro, Maine 04572

Name: Sharon Peralta

Email: [REDACTED]

Town: Springvale

Comment: I am writing in opposition to "An Act to Require an Individual to Present Photographic Identification for the Purpose of Voting". This is a blatant tactic to suppress voting rights--specifically of the poorest and most disenfranchised. I used absentee ballots during the pandemic and when life situations prevent me from getting to the polls. My elderly parents have mobility issues and their polling place is difficult to access, so absentee ballots have allowed them to vote for several years. We all participate in EVERY vote. Not being able to make it to the polls to present our ID before casting a vote would DEPRIVE US OF OUR RIGHT TO VOTE. What about the elderly who have surrendered their licenses, have no easy means of transport, so getting anywhere to get a valid photo ID and to the polls is a severe hardship--my aunt is in that situation. THEY WOULD BE DEPRIVED OF THEIR RIGHT TO VOTE. Our indigenous neighbors may only have a tribal ID. Again, these people are likely to find it extremely difficult if not impossible to get an "approved" form of photo ID. What about our students who may not have a drivers license and only a student ID. Again, many of our college students in this situation would be of limited means and have difficulty in obtaining an "approved" form of photo ID. Other poor in rural areas would find the same difficulties. THIS WOULD BE VOTER SUPPRESSION. Requiring proof of identity to request an absentee ballot for EVERY election rather than allow people to repeat enrollment for an absentee ballot will again place undue hardship on the elderly, rural and poor. Not allowing someone to order an absentee ballot over the phone or allow an authorized third party to deliver the ballot will do the same. THIS WOULD BE VOTER SUPPRESSION. Having sufficient accessible secure drop boxes for ballots is essential. The postal service has become highly unreliable, so to ensure that our ballots are counted, I and my parents drive them to a local drop box conveniently located outside our town halls. In the case of the Sanford drop box, it is easily accessible, well placed so that tampering with it would not be easy, there's a camera on it and town employees empty it at least daily if not more. Limiting locations would make it more difficult for citizens to cast their votes as well as town offices to collect and process the ballots. It could potentially increase the risk of tampering. THIS WOULD BE VOTER SUPPRESSION. In Sanford, the town does a marvelous job of running the elections. I have heard through a very close friend who works the polls of how our city clerk, Susan Cote, addressed a potentially fraudulent situation. She caught it and dealt with it. Period. In my dealings with Susan, I have always been impressed with her professionalism. I'm sure others in this state are just as professional and competent. Any time I have voted in person, I have been very impressed with the operation and never once doubted the integrity of the process. Again, from my friend and a couple of others who have worked the polls, I know that each person undergoes training and that there are checks and balances to ensure integrity and assure that every person who wants to cast a vote is able to do so with the confidence that their vote will be counted. This proposed legislation is looking for demons where none exist and throwing up hurdles to citizens having a say in how their lives are run by government. THIS WOULD BE VOTER SUPPRESSION. It is my understanding that implementation of this legislation would have a hefty price tag--that MY tax dollars would have to pay for. I do NOT want my tax dollars used to suppress voting rights. Furthermore, requiring photo ID to vote has NOT been shown to reduce voting fraud. Fake IDs are pretty easy to come by

Name: Hannah Cyrus

Email: [REDACTED]

Town: Blue Hill

Comment: I am writing as a citizen to ask that the full scope of the impact of this voter suppression law be included in the wording of the question. As it is, it sounds bad enough, and I would hope that my fellow citizens would recognize how badly it would disenfranchise all of us, especially older homebound folks and those in rural places. Beyond what is stated in the question here, this doesn't mention that the ID requirement would exclude currently accepted IDs like student IDs and tribal IDs, and limits the use of absentee drop boxes, and prohibit authorized third parties from delivering absentee ballots. Please make sure all of these dire consequences to our enfranchisement are clear in the wording of this question so that Mainers can vote it down and preserve our nation-leading voter participation numbers. Thank you.

Name: Bruce Brandt

Email:

[REDACTED]

Town: Brunswick

Comment: I think that the above text describing the proposed Act is okay, though I am not sure of is meant by "ongoing" in the phrase, "...end ongoing absentee voting for seniors and people with disabilities,..." Is "end ongoing" the same as "stop allowing"? I recommend working more on the phrase to make it as clear as possible. In general, I am concerned that the text makes clear that passage of the Act will make voting more difficult for all Maine voters. I am 83 years old and greatly appreciate the ability to vote absentee or at the City Hall in advance of election day. I have served as a poll watcher for two elections and saw how many voters in an overwhelmingly Republican town took advantage of their ability to correct their registration or register for the first time in that town. This Act would prohibit that. The authors of the Act claim that they want to make voting more secure, but voting in Maine is already very secure.

Name: James R. Bilancia

Email: [REDACTED]

Town: Brewer

Comment: Dear Dept. of the Secretary of State, I want to first say that this referendum proposal is, in effect, a voter suppression referendum that would repeal several current very popular voting provisions, would make it harder for Mainers to vote, and therefore would drive down voter turnout in Maine where we pride ourselves on one of the highest voter turnouts in the nation. It is a proposal in search of a problem. We already have a very secure voting system, and it has been proven time and again that any kind of widespread voter fraud simply does not exist. It would adversely affect me and my family as it would make it harder to vote by absentee ballot, and it would especially make voting much harder for my very elderly parents. The language of the referendum must be very comprehensive and reflect everything, or nearly everything, that this proposal would actually do. If passed the referendum would: * Require photo ID to vote in person AND for absentee voting. * Exclude a number of currently accepted IDs (like student and tribal IDs). * Repeal ongoing absentee voting where elderly voters can sign up to have an absentee ballot mailed to them automatically for each election cycle. * Limit the use and number of absentee ballot dropboxes to the point where some towns may find it impractical to offer them. * Make it impossible for voters to request an absentee ballot over the phone. * Prevent an authorized third party from delivering an absentee ballot, a service that many elderly and disabled Mainers rely on. Please ensure that the language of the referendum that appears on the ballot very fully shows all these things that this proposal would do if passed so that voters completely understand what it actually proposes to do. That way the people will be able to make a well-informed decision. Thank You, James Bilancia, Brewer, ME

Name: Jessica Eller

Email: [REDACTED]

Town: Portland

Comment: This is a voter suppression referendum and an attack on absentee voting that repeals popular laws supported by Maine people. This would suppress voters and reduce voter turnout. And there are proper safeguards already in place so there is no need for such laws. I believe the finalized ballot question must represent the full scope of legislation. I have volunteered to assist folks who are home bound access their right to vote by delivering absentee ballots. Absentee ballots have been a crucial part of providing access, especially for rural and elderly citizens. Many of them would only be able to request through phone calls, as they do not have access to internet in their homes. And many students, like my son, do not have photo IDs other than school IDs, which I understand would not be accepted. Some students are waiting longer to get drivers licenses and most do not have passports. It also unfairly targets tribal members who only have tribal photo ids. This would add another burden to both those groups which are essential to have participate in Maine's elections. Our small, rural, working-class state has one of the highest voter turnout rates in the country and that's something I have been really proud of. I often am just as interested in our voter turnout stats as in the election results. It is something I have been able to brag about to my family and friends from other states. We need to keep strong voting rights for Maine.

Name: gabrielle wellman

Email:



Town: BlueHill, ME

Comment: Dear Secretary ofState,I view this proposed legislation as pure and simple voter suppression. It purports to do away with absentee voting and repeals popular laws that are supported by Maine people. I think that the actual finalized ballot question must represent the full scope of legislation. People need to see exactly what they are voting on!I think this is needlessly making more barriers to voting and makes it more difficult for our older or infirm neighbors and traveling citizens to participate in “Democracy!”. This is a preposterous voter suppression referendum. We, as Americans, should be ashamed to even consider it!sincerely,gabrielle wellman

Name: Liza DeWitt

Email:



Town: Sebec

Comment: I view this as a voter suppression law. It is crucial that wording remains that enumerates the many changes proposed by this ballot question. This is not a simple voter ID law.

Name: Donna Holshouser Stinson

Email:



Town: Cape Elizabeth

Comment: This is clearly a mean-spirited voter suppression referendum and an attack on absentee voting that repeals popular laws supported by Maine people. The finalized ballot question must represent the full scope of legislation and not whitewash the negative consequences to many legitimate voters like myself. I am a senior and make use of the continuing absentee ballot provisions of existing law.

Name: Penelope Andrews

Email:



Town: Hermon

Comment: Regarding: Public Comment, Election Laws1) I see this as a voter suppression referendum and an attack on absentee voting that repeals popular laws supported by Maine people. 2) I believe the finalized ballot question must represent the full scope of legislation. 3) These restrictions can and will harm every type of voter, with senior and rural voters experiencing the worst of the disenfranchisement. 4) This will be costly. Taxpayers will be on the hook to pay for a new system. 5) All of the evidence suggests that voter IDs don't prevent voter fraud. Maine has safeguards in place to prevent fraud, cyber attacks, and other kinds of foul play that would attempt to subvert our elections. 5) This proposal is being imported to Maine from an out-of-state playbook (see the latest Ohio voter suppression law) that just fit Maine. 6) Maine has strong voting rights. We are a leader in the nation. Our small, rural, working-class state has one of the highest voter turnout rates in the country. That's something to be proud of. We rank this high because of our secure elections, same-day voter registration, no-excuse absentee ballots, and no photo ID laws required to vote.

Name: Suzanne Rudalevige

Email:



Town: CAPE ELIZABETH

Comment: This referendum question is about voter suppression. Wording like " and make other changes" need to be spelled out so that the voter is aware of every change and every limitation on access to voting that would be made by its successful passage.

Name: Amy Fried

Email:



Town: Bangor

Comment: My comment focuses on the requirement to provide ID for absentee ballots in particular. This should be included in the language. Thus I recommend that, AFTER "show ID before voting," the following is added: "in-person and include a photo of their ID with absentee ballots." This more clearly describes the ID requirements for in-person and absentee ballots, as far as I understand the ballot measure. Thank you for your consideration. Overall the ballot language is good.

Name: Martha Janick

Email:



Town: Hollis

Comment: The "Voter ID for Maine" campaign is an attack on the right to vote and is a voter suppression tactic disguised as improving our election safety. I support the wording proposed by the Secretary of State and believe it encompasses the breadth of the bill in clear language. This bill could prevent my elderly parents from voting as they use absentee ballots. They live on one of Maine's unbridged island communities and resources to get them to the polls and make copies of their ID are not as available as places on the mainland. This places an unnecessary burden on the voter. Thank you

Name: Max Dietshe

Email:



Town: Trenton

Comment: Add: "and to restrict the number of ballot drop-off boxes to one per municipality, regardless of size population" Make it explicit that tribal and student IDs would not be accepted.

Name: Ellen Brown

Email:



Town: Portland

Comment: This act would lead to voter suppression and undo popular voting policies. If this were to pass, I am greatly concerned that this act would increase the barriers to voting particularly for the elderly and rural populations, both of which are major populations in Maine. Because of these high stakes, it is important that the final ballot question fully communicate the entire scope of the legislation. For me personally as a healthcare worker with irregular hours, sometimes it is impractical and would effect patient care for me to go to the polls in-person on election day. Making absentee ballot voting as accessible as possible is key for representing all Mainers not just those who have the time and resources to vote in-person on election day. Thank you for your consideration.

Name: Lucy Britt

Email:



Town: Lewiston

Comment: The phrase "other changes to our elections" needs to be specified: what "other changes to our elections" would this act, if passed, enact? Voters need to know exactly what they are saying yes or no to. Please change the wording of this ballot question so that EVERY change to Maine elections is transparent to voters. Thank you.

Name: Melanie Hodgdon

Email:



Town: Bristol, ME 04539, USA

Comment: This initiative is a thinly-veiled attempt at voter suppression. It most strongly affects seniors and rural residents. I am both. I am writing to strongly oppose passage of any law designed to suppress voting rights, access, and convenience. As a rural senior voter, I am dismayed to think that my ability to vote could be compromised, limited, or even curtailed by this unnecessary law. I have relied on absentee voting for the past several years; I view any action to limit this ability to make my voice heard as unconstitutional and an infringement of my personal rights. I strongly urge the Secretary of State, when composing the language for the "Voter ID for Maine" initiative, to list in clear and simple language ALL of the specific limitations this law would impose.

Name: Sheila Millay

Email:



Town: Bowdoin

Comment: Let me first state that I see this as a voter suppression referendum and as a Mainer I have always been proud of how our state has handled elections and feel that this referendum reflects quite badly on us as a state. The ballot question presented is written fairly concisely and clearly and it is important that the final ballot question covers the full scope of the proposed legislation. The current wording doesn't indicate what sort of ID would be deemed acceptable. Our small, rural, working-class state has one of the highest voter turnout rates in the country. That's something to be proud of. We rank this high because of our secure elections, same-day voter registration, no-excuse absentee ballots, and no photo ID laws required to vote.

Name: Patricia A Riley

Email: [REDACTED]

Town: Ellsworth

Comment: I am writing to submit my testimony that the language for the "Voter ID for Maine" initiative clearly states the changes that it intends to make to Maine voter laws. I believe this initiative is an attempt at voter suppression by limiting types of IDs accepted to register to vote, require an ID to vote and to vote absentee. It makes it impossible for voters to request an absentee ballot by phone and prevents authorized third parties from delivering absentee ballots. These are services that many elderly and disabled Mainers rely on. It is so restrictive and attempts to fix problems that don't exist. My husband and I are in our 80s and 70s, respectively, and we have used many of the options of voting over the years, including absentee voting and third party delivering of absentee ballots. I have been married, divorced and remarried over the years and have had to get multiple IDs changed to reflect the changes to my name. I strongly encourage the Secretary of State to write the question to be placed on the ballot clearly outlining the changes this referendum intends to inflict on the People of Maine. Thank you.

Name: Sarah Shepro

Email: [REDACTED]

Town: Portland

Comment: I feel that the wording of this question is clear and fair, though I believe it should include the full scope of the legislation, such as the limitations that would be imposed on the use of and number of absentee ballot drop boxes and the removal of the option to use an authorized third party to deliver an absentee ballot. Though I find the wording of this question fair, it's my opinion that this is a voter suppression referendum, which will be financially costly as well as costly to citizens' right to vote. As a former college student, I know the importance of being able to vote absentee. Making it harder to vote absentee will restrict the voices of not just our students, but seniors, people with disabilities, and working people who can't make time to vote.

Name: Ben LaRochelle

Email: [REDACTED]

Town: Hampden

Comment: This referendum is a thinly veiled attempt at voter suppression and an attack on absentee voting that seeks to repeal popular laws supported by Maine people. The finalized ballot question needs to include the full scope of the legislation otherwise it would completely deceive voters of its true intentions. This referendum includes the following items: * It would require photo ID to vote and to vote absentee, and it would exclude a number of currently accepted IDs (like student and tribal IDs). * It will repeal ongoing absentee voting, where a voter can sign up to have an absentee ballot mailed to them automatically for each election cycle. * It limits the use and number of absentee ballot dropboxes to the point where some towns may find it impractical to offer them. * It makes it impossible for voters to request an absentee ballot over the phone. * It prevents an authorized third party from delivering an absentee ballot, a service that many elderly and disabled Mainers rely on. Voter fraud is extremely rare and even the right-wing Heritage Foundation only cites 2 cases in Maine, both in 2010 and none since then. This referendum is not attempting to fix a real issue, it's trying to make it harder to vote for a large number of Maine voters. It is completely undemocratic and the ballot language should not obscure any part of what it intends to do. Thank you,

Name: Angela

Email: [REDACTED]

Town: Hampden

Comment: I see this referendum as an attack on absentee voting and an act of voter suppression that repeals popular laws supported by Maine people. I believe the finalized ballot question absolutely must represent the full scope of legislation. It must have clear, honest, and transparent language so that everyone understands exactly what is at stake. I myself use the option of receiving an absentee ballot, and some of my family who has physically not been able to vote in person, and those who have needed the option of an absentee ballot as well. I also have a friend who works six days a week and are financially strapped who the prepaid postage on the the absentee ballot has made voting possible for them. And the fact that this would require photo ID to vote and to vote absentee - would exclude a number of currently accepted IDs (like student and tribal IDs) and prevent family or an authorized third party from delivering an absentee ballot, a service that I have done many times for an elderly friend who was a disabled Mainer. These restrictions can and will harm every type of voter, seniors and rural voters experiencing the worst of the disenfranchisement. As a Maine voter, I am disgusted it is even on the table. Maine has strong voting rights. We are a leader in the nation. Our small, rural, working-class state has one of the highest voter turnout rates in the country. That's something to be proud of. We rank this high because of our secure elections, same-day voter registration, no-excuse absentee ballots, and no photo ID laws required to vote.

Name: Beth Piper

Email:



Town: NEW GLOUCESTER

Comment: I see this as a voter suppression referendum and an attack on absentee voting that repeals popular laws supported by Maine people. I believe the finalized ballot question must represent the full scope of legislation. If this were to become law, I would be greatly affected as will my parents who have limited mobility and a weakened immune system. I find it difficult to be in large crowds, hard to hear what anyone is saying and my anxiety would probably keep me from going to the polls to vote. My parents and I count on absentee voting. This would greatly hinder our ability to be independent and our right to vote.

Name: Yvonne Jonk

Email:



Town: Gorham

Comment: I DO NOT support this referendum. This is a voter suppression referendum and an attack on absentee voting that repeals popular laws supported by Maine people. This law will pose barriers to voting and will lower voter turnout. The final ballot question MUST make the following clear: It would require photo ID to vote and to vote absentee, and it would exclude a number of currently accepted IDs (like student and tribal IDs). The referendum will repeal ongoing absentee voting, where a voter can sign up to have an absentee ballot mailed to them automatically for each election cycle. It will limit the use and number of absentee ballot dropboxes and may make it impractical for some towns to offer them. If passed, voters will NOT be able to request an absentee ballot over the phone. It prevents an authorized third party from delivering an absentee ballot, a service that many elderly and disabled Mainers rely on.

Name: Carolyn Justice

Email:



Town: NEW GLOUCESTER

Comment: I believe this referendum is intended to suppress voter participation, prevent absentee voting, and repeal laws strongly supported by Maine people. I am active in working to make New Gloucester an age-friendly community, and I know from my daily connections with older residents that this will impede their ability to participate in elections. The finalized ballot question must list the full scope of the legislation so voters understand the impact: photo ID required, repeal of ongoing absentee voting including the option to have an absentee ballot mailed automatically for each election cycle, limiting of ballot dropboxes, prohibiting phone request for absentee ballot, preventing authorized 3rd party from delivering an absentee ballot. This will harm especially our rural and older residents.

Name: Hilary Ware

Email: [REDACTED]

Town: Norway

Comment: This proposed referendum wording reflects a new and higher level of voter suppression for Maine voters. Cumbersome new regulations discourage voters of any age and ability. I know elderly neighbors here in North Norway who would not vote if they could not use absentee voting ballots currently provided by the state. Two suggestions in wording of this act, to make the intent of the act clear: 1. Include the word photographic for type of ID, if that is part of the referendum. Since all citizens have already proven they are citizens and are who they say they are in their initial registration to vote, this is burdensome and superfluous. Not everyone has a photo ID as well. 2. Please list exactly what "other changes" would be made to our elections. This vague addition to the referendum wording invites untoward results that Maine citizens might not like or vote for. Thank you, Secretary Bellows, for your attention to this matter.

Name: Sarah Clark

Email:



Town: Bangor

Comment: The ballot question proposed herein is akin to voter suppression. The finalized ballot language must represent the full scope of legislation, including what types of IDs could be excluded, what services could be lost, what costs it could incur, and who could be on the hook to pay those costs. Additionally, it's important that voters are aware that the state already takes measures to protect the integrity of our elections and prevent voter fraud, without requiring individuals to show ID before voting.

Name: Eric J Boothroyd

Email:



Town: Dover Foxcroft

Comment: Dear Secretary of State Bellows,I see this referendum as a means of voter suppression, and I believe the finalized ballot wording must represent the full scope of the legislation. To that end, I think the language proposed is pretty clear and concise but I would suggest that the limitation on the number of drop boxes per municipality be mentioned specifically as well. The summary of the legislative document made the final point to call out "that a municipality may have only one secured drop box for the return of absentee ballots". Although this may not be a big deal for small towns, the city voters need to be aware of this.Thank you,Eric Boothroyd Dover-Foxcroft

Name: Caitlyn Davison

Email:



Town: New Gloucester

Comment: I am writing to express my belief that the finalized ballot question represent the full scope of legislation--for one thing "make other changes to our elections" is very broad and vague. It is unclear if this would end absentee voting for all or if it is targeting seniors and people with disabilities, but either way I see this as a voter suppression referendum and an attack on absentee voting that repeals popular laws supported by Maine people. I don't understand how it could be lawful to ban requests by phone but allow requests online--what about people who don't have internet access? I personally vote absentee whenever I can, partly because I am a mom with two young kids and often find it difficult to vote on time. Voting absentee gives me the added benefit of time to review information at home and be sure I'm making the proper choice--plus, I get to involve my kids so they understand the importance and value of voting. Voter ID laws have not shown an affect on voter fraud and these laws suppress voters and reduce voter turnout.

Name: Nancy Parsons-Kanter

Email:



Town: West Boothbay Harbor

Comment: I have been so proud to be a Mainer in the last 4 years after years of just visiting! Voter laws have been central to my pride since I moved from a state with increasingly restrictive ones (FL). Eliminating ongoing absentee voting will present a very significant impediment for our growing population of seniors and people with disabilities. Banning prepaid postage will also disenfranchise people in the demographic. Eliminating 2 days of absentee voting is also likely to disenfranchise a large portion of voters. Finally, I am VERY CONCERNED about the last item in the Act explanation: there is no way that I would ever approve of a blanket statement such as "make other changes to our elections". This item MUST be more specific before being presented to voters.

Name: Bonnie Sand

Email:



Town: ROUND POND

Comment: Hello Secretary of State, I am concerned about the "Voter ID R" that is on the ballot for November 2025. I see this as a voter suppression bill and an attack of the absentee voting that Mainers support. Specifically, the language used in this bill suggests "other changes" to our voting is not clear. What other changes? My neighbors here in Round Pond don't all have cars or drive. Many do not have internet. They rely on absentee voting to participate in elections, one of the rights we hope to keep in this country. I hope that you will take a look at the language of this referendum and see that it is not clear enough to vote on and remove it from the ballot. If that isn't possible, the language needs to be more specific.

Name: Stephanie Mindykowski

Email:

[REDACTED]

Town: Rockland

Comment: In terms of "make other changes", there are some aspects of the bill that should also be mentioned that would be very important in the ballot language, especially the drop-off boxes for absentee ballots, in regards to limiting the number in each municipality and requiring a bipartisan group to be present each time it's emptied. While I'm not expecting, or desiring, the entire bill to be printed on the ballot, issues of great importance, like the boxes, should be mentioned. Thank you.

Name: Zach Cowan

Email:



Town: Bath

Comment: I write concerning your draft ballot question regarding “An Act to Require an Individual to Present Photographic Identification for the Purpose of Voting”. As a former city attorney (Berkeley, CA) I have drafted numerous ballot questions and impartial summaries for all manner of measures. I have reviewed the initiative in question, compared it to the relevant MRSA provisions as they exist now, and believe that your draft ballot question is well drafted. It is accurate and more than fair in summarizing the gist of the proposed amendments. I have to confess, I would have been tempted to editorialize a bit if I were writing a ballot question for this measure. You have properly resisted that temptation.

Name: Betsy Williams

Email:



Town: Brunswick

Comment: I'd like to thank the Secretary of State for including so many of the elements of the bill (LD 1149) on the ballot, in language that is clear and accessible to voters. If any changes were to be made, I would like to see all the changes proposed in the bill listed on the ballot, so voters are not concerned about "other changes to our elections" included in the bill but not named on the ballot.

Name: Amy Fried

Email:



Town: Bangor

Comment: I suggest the following:

After "show ID before voting," it would be good to add "in-person, and submit ID when voting absentee,"

This addition clarifies that id would be required for both in-person and for absentee ballots. Otherwise voters will not be aware of this requirement.

Moreover, many people do not have a printer or easy photocopy access and may lack technical skills to take a photo with a phone or other digital device and then print it. Thus providing a photo id with submission of an absentee ballot would be an additional burden to voters and so it is important for voters to know this information.

Name: Al Cleveland

Email: [REDACTED]

Town: Portland

Comment: Secretary Bellows,

This comment is submitted on behalf of the League of Women Voters of Maine. The League of Women Voters of Maine is a nonpartisan political organization that has been working for over 100 years to encourage informed and active participation in government, to increase understanding of major public policy issues, and to influence public policy through education and advocacy. We never support or oppose any political party or candidate.

We appreciate the question is drafted in a clear, concise, and accessible manner for voters to understand the scope of the legislation they will vote on this November.

However, we believe this question should first begin with what laws are being repealed through this bill. After the laws that would be repealed are listed first (end ongoing absentee voting, ban prepaid postage, prohibit requests for absentee ballots by phone or family members, eliminate two days of absentee voting), then it would be appropriate to name the law that would be added (require voters to show ID).

In addition, we believe the phrase “make other changes to our elections” is too vague and the additional changes this legislation would mandate should be listed out for voters. This includes: the elimination/reduction of ballot drop boxes to “only one secured drop box”, the requirement to show ID to vote absentee, and the changed requirement of a “bipartisan team of election officials” to oversee absentee ballot drop-offs.

Thank you for your consideration.

From: [Maura Melley](#)
To: [SOS, Public Comment](#)
Subject: Proposed Referendum on Voting Restrictions
Date: Friday, March 14, 2025 10:28:29 AM

EXTERNAL: This email originated from outside of the State of Maine Mail System. Do not click links or open attachments unless you recognize the sender and know the content is safe.

As a long time registers voter in Maine, and former Secretary of the State in Connecticut, I respectfully submit the following brief comments on the proposed language for the referendum. Knowing that many people often only read the first phrase of a legal question, the voter sees only "show ID before voting". That sounds like the crux of the proposal, not too unreasonable and prompt a quick yes. The limitations on absentee voting is a graver proposal and is designed to restrict voting by working people, elderly, single moms and people with physical disabilities. Those changes should be highlighted first and more prominently. in addition, the ID requirement should state government issued photo IDs only--since it excludes the elderly who no longer have a drivers license and students IDs.

The absentee ballot proposals are radical and extensive. They should get top billing.

Thank you for your consideration.

Maura Melley
36 Frederick Road
South Portland

Do you want to change Maine election laws to require voters to show ID before voting, end ongoing absentee voting for seniors and people with disabilities, ban prepaid postage on absentee ballot return envelopes, prohibit requests for absentee ballots by phone or family members, eliminate two days of absentee voting, and make other changes to our elections?

From: [REDACTED]
To: [SOS, Public Comment](#)
Cc: [REDACTED]
Subject: Public Comment -Election Laws
Date: Friday, April 4, 2025 9:45:32 AM
Attachments: [Voter ID \(Suppression\) Comparison.pdf](#)

EXTERNAL: This email originated from outside of the State of Maine Mail System. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I am writing to comment on the proposed wording suggested by the SOS for the voter id (suppression) referendum for this fall. I find the wording woefully inadequate and extremely misleading. The attached document details the differences I found between the current laws, the summary wording on the voter petition, the detail behind the petition summary, and the proposed wording by the SOS. The suggested wording makes no mention of the following (just to mention a few):

- One drop box per municipality
- The changes to the request for an absentee ballot
- Third parties can no longer request an absentee ballot on behalf of a voter

How to you propose to make the public aware of the disastrous detail of the changes proposed so that voters can make an actual informed decision.

Gail C. Eaton

50 Granite Hill Dr.

Topsham, ME 04086

Cell 207-841-4201



April 20, 2025

Secretary of State Shenna Bellows
Deputy Secretary of State Julie Flynn

We represent Mainers for Modern Elections, a coalition that is committed to ensuring that our right to vote safely transcends politics and partisanship. We advocate for safe, secure, modern elections. Our coalition is committed to securing equitable access to the ballot for every eligible Maine voter.

Many Mainers have busy lives and simply do not have the opportunity or time to research every question on their ballot. That's why Maine law requires ballot questions to be clear and concise so the average Maine voter can easily understand what they're being asked to weigh in on.

More than that, Maine voters *deserve* to know what they're voting on when considering a referendum question. They deserve to know how a ballot question will impact their lives and the lives of people in their communities.

Upholding the spirit of this requirement is all the more vital with a referendum that will make multiple major changes to Maine law and voting procedures, as is the case with "An Act to Require an Individual to Present Photographic Identification for the Purpose of Voting."

We believe that the ballot question drafted by your office meets these clarity requirements. The ballot question wording clearly identifies all major portions of the proposed law change in a way that's easy for everyday people to understand.

We support this draft wording, and hope to see it maintained.

Sincerely,

Mainers for Modern Elections

Beth Allen, [REDACTED]