

MAINE VOTER REGISTRATION

These resources are current as of 12/1/18. We do our best to periodically update these resources and welcome any comments or questions regarding new developments in the law.

Please email us at advocacy@afj.org.

WHAT'S NEW IN THIS GUIDE

The following changes/additions have been made since the previous version of this guide:

- Updated requirement for proof of citizenship to obtain a Maine driver's license

This guide summarizes key aspects of state campaign finance law and regulations. It is not intended to provide legal advice or to serve as a substitute for legal advice.

In some jurisdictions, city and/or county regulations may also apply to certain political activities. Check with the appropriate local jurisdiction before undertaking any activity.

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DEADLINES FOR REGISTRATION

Is there a deadline for registering to vote in Maine?

- No. Maine permits individuals to register in person on Election Day. The deadline for registering by mail or by 3rd person is the close of business on the 21st day before Election Day. 21-A M.R.S.A § 121(4-A)
- The registrar shall accept registrations on any business day or other day that the clerk's office is open prior to the registration deadline. On the 3rd business day prior to Election Day (the deadline for in-person registration), the registrar must be available to accept registrations:
 - For at least 2 hours, in a municipality with a population of 500 or fewer;
 - For at least 4 hours, in a municipality with a population of 501-2,499; or
 - For at least 6 hours, including at least 2 hours between 5pm and 9pm, in a municipality with a population of 2,500 or more.

21-A M.R.S.A. § 122(6)

- The 20-day period before the election must be in person. 21-A M.R.S.A § 121.
- A voter can register by filling out a voter registration card. A voter can register to vote or receive a voter registration card at their town office or city hall, through any motor vehicle branch office, in most state and federal social service agencies, or at voter registration drives. Completed voter registration cards may be hand delivered or mailed to a voter's town office or city hall, or sent to the Secretary of State's Office in Augusta. 21-A M.R.S.A §§ 130,152.

Does Maine offer Election Day registration?

- Yes. Maine permits voters to register on Election Day. 21-A M.R.S.A. § 122(4).

Does Maine allow by-mail registration?

- Yes. Registration applications sent by mail or delivered by a third person must be received in the registrar's office by the close of business on the 21st day before Election Day in order for the voter's name to appear on the incoming voting list for that election. 21-A M.R.S.A. § 121(1-A).
- If a voter is a new voter in Maine and elects to mail a voter registration card, the voter must include a photocopy of their Maine driver's license, or a utility bill, bank statement, paycheck, or a government document that shows the voters name and address. See Secretary of State - [Voter Registration Guide](#).
- Upon receipt of the application by the registrar, the applicant's name and other information from the voter registration application must be entered into the central voter registration system as expeditiously as possible. 21-A M.R.S.A § 152(2).

May voter register before turning 18?

- Yes. A voter who is 17 may register and vote in a political party's primary election or municipal caucus if the voter will be at least 18 years of age as of the date of the general election. 21-A M.R.S.A § 111.

PHOTO ID REQUIREMENTS

Required for registration? If so, what kinds of ID?

- Individuals registering to vote *in person* must show proof of identity and residency. If satisfactory proof of identity and residency cannot be provided to the registrar or deputy, the person may cast a "challenged ballot." 21-A M.R.S.A. § 121(1-A)
- Proof of Identity. Any of the following forms of documentation may be offered by an applicant and considered by a registrar in verifying the identity of an applicant who is registering to vote. The registrar need not request or consider all of these forms of documentation in order to verify an applicant's identity:
 - Government-issued photo ID, including, but not limited to, a current and valid United States passport, military identification, driver's license or state identification;
 - Other government-issued ID (without a photo), including, but not limited to, a certified birth certificate or a signed social security card;
 - Other official documents, including, but not limited to, a document confirming eligibility determinations for public benefits, a utility bill, a bank statement, a government check, a paycheck or other government document that shows the name and address of the voter; or
 - Verified unique ID for new voters, including the voter's Maine driver's license number, Maine identification number or the last 4 digits of the voter's social security number that are successfully verified through the central voter registration system verification.

21-A M.R.S.A. § 112-A.

- Proof of Residency. In order to register to vote, a voter must have established and maintain a residence in the municipality where the person intends to register to vote. Residence is something that a voter must establish. While the definition includes the person's "intent to return" to a residence, it makes it clear that the residence must in fact exist, and the person must have established it as a fixed and principal home. The law does not define "fixed" or "principal" or "home". The following factors may be offered by an applicant and considered by a registrar in determining a person's residence under this section:
 - A direct sworn and notarized statement of intention by the person (pursuant to 21-A M.R.S.A § 121(1));
 - The location of any dwelling currently occupied by the person;

- o The place where any motor vehicle owned by the person is registered;
- o The residence address, not a post office box, shown on a current income tax return;
- o The residence address, not a post office box, at which the person's mail is received;
- o The residence address, not a post office box, shown on any current resident hunting or fishing licenses held by the person;
- o The residence address, not a post office box, shown on any motor vehicle operator's license held by the person;
- o The receipt of any public benefit conditioned upon residency, defined substantially as provided in this subsection;
- o Any other objective facts tending to indicate a person's place of residence.

21-A M.R.S.A §112.

Required for voting? If so, what kinds of ID?

- No. Individuals whose names appear on the voter registration list are presumed to meet all eligibility requirements and, in general, are not required to provide identification or proof of residence or otherwise demonstrate eligibility at the polls. See 21-A.M.R.S.A § 671.
- A challenged ballot must be counted the same as a regular ballot. The validity of a challenged ballot need not be determined unless it affects the results of an election. 21-A M.R.S.A § 696.

Requirement to provide proof of citizenship to register and/or vote?

- Maine does not require a voter to provide proof of citizenship other than the federally required box that is checked on the voter registration application. However, proof of citizenship will be required to obtain a Maine driver's license.
- To comply with the federal REAL ID law, effective until 7/1/19, The Secretary of State may not issue a license to an applicant unless the applicant presents to the Secretary of State valid documentary evidence of legal presence in the United States, except that the Secretary of State may exempt a person from the requirements of this subsection if that person is renewing a noncommercial driver's license and that person has continuously held a valid driver's license under this chapter since December 31, 1989 or was born before December 1, 1964. Effective 7/1/2019, The Secretary of State may not issue a license to an applicant unless the applicant presents to the Secretary of State valid documentary evidence of legal presence in the United States.. 29-A M.R.S.A. § 1301(2-A).

VOTER REGISTRATION DRIVES

Although voter registration drives do occur in Maine, currently there are no rules or statutes that address voter registration drives specifically. Groups or individuals who are interested in participating in voter registration drives are encouraged to contact the Election Division of the Secretary of State.

Does state accept National Voter Registration Act (NVRA) registration forms? Any restrictions?

- Yes, the state will accept NVRA registration forms.

May groups “cage” completed registration forms (i.e. ask voters to mail them back to the group, which will then send them to the appropriate elections registrar(s))? If so, may they copy the forms or any of the data included on them? If so, any deadlines for sending the completed forms to the state or to local officials?

- No statute, rule, or regulation currently authorizes groups to, or disallows groups from, caging completed registration forms.
- Many organizations distribute Maine voter registration applications in hard copy to individuals along with instructions on how to complete and return the forms. Organizations should use the form provided by the Secretary of State or have their own application approved by the Secretary of State prior to distribution.
- Alternatively, organizations collect the voter registration applications and copies of appropriate identification for each individual and then deliver the forms to the Secretary of State. Registration applications taken by an outside agency must be submitted to the Secretary of State within 5 days of receipt, the Secretary of State then has 7 days to transfer the applications to the appropriate registrar’s office (or 5 days if received within 30 days of an election).
- Applicants who attempt to register within 30 days of an election must be advised that the registrar might not receive the application before the deadline for mail or 3rd-person registration. 21-A M.R.S.A. § 121(1-A)
- The completed forms must be received in the registrar's office by the close of business on the 21st day before Election Day in order for the voter’s name to appear on the incoming voting list for that election. After the 21st day, a voter would need to appear in person and show proof of identification to be registered (please note the deadline for in-person voter registration, above).
- No statute or rule that prevents a group from copying the completed forms. However, all new voters are required to provide their state driver’s license number or the last four digits of their Social Security number on the form. If the forms are to be copied, the Secretary of State suggests that the numbers be “blacked out” as it can create identity theft issues and may be contrary to other identity theft laws in the state.

May a group “pre-fill” some or all of the form before sending/giving it to a would-be registrant?

- No statute, rule, or regulation precludes an organization from filling in information in the registration form before giving the form to a would-be registrant.
- The elector’s original signature is required on each voter registration form.

May voter registration drive workers assist a voter in completing their registration form?

- No statute, rule, or regulation precludes a voter registration drive worker from assisting a voter in completing their registration form.

Does state require training of voter registration workers?

- Maine does not require training of voter registration workers.

Does state require registration of voter registration drives? If so, for by-mail drives, too?

- No statute, rule, or regulation requires registration of voter registration drives. If the organizers of a drive choose to use a high volume of voter registration cards directly from the Secretary of State, they will be required to complete a short application before receiving the voter registration cards. Nothing precludes voter registration drives from using state voter registration cards received in any other fashion.

Any requirement that a group must provide information to voters about how they may contact the group to determine the status of their registration?

- No statute, rule, or regulation requires a group to provide information to voters about how the voter may contact the group to determine the status of their registration.

May a group pay voter registration drive workers? If so, is it permissible to pay on a per-voter-registered basis?

- No statute, rule, or regulation precludes a group from paying voter registration drive workers, or from paying on a per-voter-registered basis.

Note: Special Registration Deputies

- A registrar may appoint deputy registrars who are authorized to register qualified electors. 21-A M.R.S.A § 102.
- A deputy registrar serves at the will of the registrar, may perform any of the duties of office prescribed by the registrar. 21-A M.R.S.A § 102.
- Deputy registrars must be a citizen of the United States, a resident of the State and at least 18 years of age. The registrar may not hold or be a candidate for any state, local or county office, or be an officer of a municipal, county or state party committee. The registrar may not be an employee of a party or candidate. Before assuming the duties of office, the registrar must be sworn. 21-A M.R.S.A § 102.

CONTACT INFORMATION FOR STATE AND LOCAL AGENCIES

Bureau of Corporation, Elections and Commissions

Julie Flynn, Deputy Secretary of State
101 State House Station
Augusta, Maine 04333
Tel: 207-624-7736
Fax: 207-287-5874

Burton Cross Building
111 Sewall St., 4th Floor

List of Municipal Clerks
<http://www.maine.gov/sos/cec/elec/clerk.htm>

List of Municipal Registrars
<http://www.maine.gov/sos/cec/elec/reg.htm>

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FOR FURTHER ASSISTANCE

For assistance regarding these resources or for more information about federal law, please contact our attorney one-on-one counseling service:

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For assistance regarding state law in Minnesota, please contact:

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