

MAINE STATE LEGISLATURE

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New Draft of: S. P. 405, L. D. 1178

ONE HUNDRED AND FIFTH LEGISLATURE

Legislative Document

No. 1701

S. P. 561

In Senate, April 29, 1971

Reported by Majority from Committee on Election Laws and printed under
Joint Rules No. 18.

HARRY N. STARBRANCH, Secretary

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-ONE

AN ACT Relating to Voters Resigning or Removed from the Voting List.

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

Sec. 1. R. S., T. 21, § 171, sub-§ 4, repealed and replaced. Subsection 4 of section 171 of Title 21 of the Revised Statutes is repealed and the following enacted in place thereof:

4. Failure to vote. When a voter fails to vote in 2 consecutive general elections, it shall be presumed that said voter has resigned from the voting list. The registrar shall follow the procedure in section 172 for removing his name from the voting list.

Sec. 2. R. S., T. 21, § 171, sub-§ 6, additional. Section 171 of Title 21 of the Revised Statutes, as amended, is further amended by adding a new subsection 6 to read as follows:

6. Copy of checklist. The clerk shall provide the registrar with the incoming checklist or checklists for every general election when they become available. Said checklist shall not be a public record, but shall be for the confidential use of the registrar.

Sec. 3. R. S., T. 21, § 172, amended. The first paragraph of section 172 of Title 21 of the Revised Statutes, as repealed and replaced by chapter 172 of the public laws of 1967, is repealed and the following enacted in place thereof:

When the registrar believes that grounds exist to remove the name of a voter from the voting list he shall give notice of such contemplated action by ordinary mail sent to the last known mailing address of the voter. The notice

shall be accompanied by a postal card self-addressed to the registrar and in the form set forth in subsection 2. The registrar shall keep a list of the voters to whom the notice is sent, the address where mailed and the date of mailing. The list shall be kept in the registrar's record until after the next general election.

Sec. 4. R. S., T. 21, § 172, sub-§ 1, repealed and replaced. Subsection 1 of section 172 of Title 21 of the Revised Statutes, as amended by section 53 of chapter 544 of the public laws of 1967, is repealed and the following enacted in place thereof:

1. Content of notice. The notice shall contain the following message:

Dear Sir:

This is to advise you that it is believed that grounds exist to remove you from the voting list of (name of municipality) for the following reasons: (Here state reasons for removal). Your failure to reply within 60 days will be presumed to indicate your agreement with the contemplated action.

.....
(Name of registrar)

.....
(Name of Municipality)

Sec. 5. R. S., T. 21, § 172, sub-§ 3, amended. Subsection 3 of section 172 of Title 21 of the Revised Statutes is amended to read as follows:

3. Retention on list. If the registrar is satisfied from the reply that the name should be ~~replaced~~ retained on the voting list, he shall do so. If not, he shall notify the person within a reasonable time that the reason given appears to be insufficient and that his name has not been ~~replaced~~ retained on the voting list. If the notice is returned without being delivered, it shall be presumed that the person has moved from the municipality and his name may be removed from the voting list. When the registrar is satisfied that a name was removed in error, it shall be replaced.

Sec. 6. R. S., T. 21, § 1152, sub-§ 9, amended. Subsection 9 of section 1152 of Title 21 of the Revised Statutes is amended by adding at the end the following new sentence:

When all appeals have been decided, the Secretary of State shall return each incoming checklist to the clerk of the municipality.