

MAINE STATE LEGISLATURE

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1

L.D. 576

2

(Filing No. S-52)

3

STATE OF MAINE

4

SENATE

5

112TH LEGISLATURE

6

FIRST REGULAR SESSION

7

COMMITTEE AMENDMENT "A " to S.P. 205, L.D. 576,
8 Bill, "AN ACT to Recodify the Election Laws."

9

10 Amend the bill in section 6, in that part design-
11 nated "§1." by inserting after subsection 19 the fol-
lowing:

12

13 '20. Immediate family. "Immediate family" means
a person's spouse, parent, child, sister or brother.'

14

15 Further amend the bill in section 6, in that part
16 designated "§1." by renumbering the subsections to
read consecutively.

17

18 Further amend the bill in section 6, in that part
19 designated "§104." in subsection 1, paragraph A, in
20 the first line (page 15, line 28 in L.D.) by striking
out the underlined word "shall"

21

22 Further amend the bill in section 6, in that part
23 designated "§112." by inserting after subsection 4,
the following:

24

25 '5. Spouse may have separate residence. A mar-
26 ried person may be considered to have a residence
27 separate from that of his spouse for the purposes of
28 voting or holding office. For those purposes, resi-
dence is determined as if the person were single.

29

30 6. Voting in another state. A person loses his
31 residence in this State if he votes in another
32 state's election, either in person or by absentee
33 ballot. That person is not eligible to vote in this
State until he again qualifies under section 111.'

34

35 Further amend the bill in section 6, in that part
designated "§112." in subsection 5, in the 6th line

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1 (page 17, line 11 in L.D.) by striking out the under-
2 lined word "mental"

3 Further amend the bill in section 6, in that part
4 designated "§112." by renumbering the subsections to
5 read consecutively.

6 Further amend the bill in section 6, in that part
7 designated "§123." in subsection 2, paragraph A, in
8 the 2nd line (page 20, line 23 in L.D.) by inserting
9 after the underlined word "registrar" the underlined
10 word 'shall'

11 Further amend the bill in section 6, in that part
12 designated "§124." in subsection 2, paragraph B, in
13 the first and 2nd lines (page 23, lines 13 and 14 in
14 L.D.) by striking out the following: "2,500 or more"
15 and inserting in its place the following: 'more than
16 2,500'

17 Further amend the bill in section 6, by striking
18 out all of that part designated "§128." (page 24,
19 lines 23 to 36 in L.D.) and inserting in its place
20 the following:

21 '§128. Registrar to check records

22 Before the close of the period for accepting the
23 registrations of voters to be placed on the voting
24 list prior to any election, the registrar shall up-
25 date the voting list as follows:

26 1. Registrar shall review records. The regis-
27 trar shall review the records of marriage, death,
28 change of name and change of address in the office of
29 the clerk or the assessor; and shall correct the
30 voting list accordingly; or

31 2. Clerk provides list. The clerk may provide
32 the registrar with a list, certified by the clerk to
33 be true, of the marriages, deaths and changes which
34 took place during the 2 years preceding the close of

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1 the period for accepting the registrations of voters
2 to be placed on the voting list. The registrar shall
3 use this list to update the voting list accordingly.'

4 Further amend the bill in section 6, in that part
5 designated "§129." in subsection 3, in the last 2
6 lines (page 25, lines 27 and 28 in L.D.) by striking
7 out the underlined words "this section" and inserting
8 in their place the following: 'section 128'

9 Further amend the bill in section 6, in that part
10 designated "§152." in subsection 1, paragraph I, in
11 the first and 2nd lines (page 29, lines 18 and 19 in
12 L.D.) by striking out the underlined words "correct
13 and" and inserting in their place the underlined word
14 and punctuation 'correct,'

15 Further amend the bill in section 6, in that part
16 designated "§156." in the first paragraph, in the
17 first line (page 32, line 12 in L.D.) by striking out
18 the underlined words "accordance with" and inserting
19 in their place the underlined words 'addition to'

20 Further amend the bill in section 6, in that part
21 designated "§157." in the first paragraph, in the
22 last line (page 33, line 5 in L.D.) by striking out
23 the underlined words "according to" and inserting in
24 their place the underlined word 'under'

25 Further amend the bill in section 6, by striking
26 out all of that part designated "§163." (page 36,
27 lines 15 to 38 in L.D.) and inserting in its place
28 the following:

29 '§163. Appeal

30 If any person is aggrieved by the decision of the
31 registrar of voters to remove a name from the voting
32 list or to refuse to place it on the voting list, he
33 may appeal in writing to the municipal officers of a
34 municipality by filing a complaint. The municipal
35 officers shall immediately fix a time and place for a

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1 prompt hearing. After hearing, the municipal offi-
2 cers may affirm, modify or reverse the decision of
3 the registrar of voters. The aggrieved person may
4 appeal the decision of the municipal officers to the
5 District Court in accordance with the Rules of Civil
6 Procedure.'

7 Further amend the bill in section 6, in that part
8 designated "§166." in the first paragraph, in the 2nd
9 and 3rd lines (page 37, lines 23 and 24 in L.D.) by
10 striking out the underlined words "an office of the
11 State Government or of the Federal Government" and
12 inserting in their place the underlined words 'a
13 state or federal office'

14 Further amend the bill in section 6, in that part
15 designated "§303." in subsection 3, in the 6th line
16 (page 42, line 15 in L.D.) by striking out the under-
17 lined word "shall" and inserting in its place the un-
18 derlined word 'must'

19 Further amend the bill in section 6, in that part
20 designated "§313." in subsection 2, in the 2nd line
21 (page 45, line 22 in L.D.) by striking out the under-
22 lined word "printed" and inserting in its place the
23 underlined word and punctuation 'printed,'

24 Further amend the bill in section 6, in that part
25 designated "§331." in subsection 3, paragraph A, in
26 the 5th line (page 48, line 16 in L.D.) by striking
27 out the underlined word "commissions" and inserting
28 in its place the underlined word 'commission'

29 Further amend the bill in section 6, in that part
30 designated "§335." in subsection 1, in the 3rd line
31 (page 49, line 18 in L.D.) by striking out the under-
32 lined word "electorial" and inserting in its place
33 the underlined word 'electoral'

34 Further amend the bill in section 6, in that part
35 designated "§335." in subsection 2, in the 2nd line
36 (page 49, line 27 in L.D.) by striking out the under-

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1 lined word "electorial" and inserting in its place
2 the underlined word 'electoral'

3 Further amend the bill in section 6, in that part
4 designated "§337." in subsection 2, paragraph D, in
5 the last 4 lines (page 52, lines 37 to 40 in L.D.) by
6 striking out the following: "unless an extension
7 is required due to the length of the trail, in which
8 case the decision shall issue as soon as possible"

9 Further amend the bill in section 6, in that part
10 designated "§351. in subsection 3, in the 2nd line
11 (page 54, line 7 in L.D.) by inserting after the un-
12 derlined word "county" the underlined word 'charter'

13 Further amend the bill in section 6, in that part
14 designated "§363." in subsection 2, paragraph A, in
15 the first line (page 60, line 25 in L.D.) by striking
16 out the underlined word "a" and inserting in its
17 place the underlined word 'an'

18 Further amend the bill in section 6, in that part
19 designated "§365." in subsection 2, in the 3rd line
20 (page 61, line 27 in L.D.) by striking out the under-
21 lined word "makes" and inserting in its place the un-
22 derlined word 'make'

23 Further amend the bill in section 6, in that part
24 designated "§504." in subsection 3, in the 2nd line
25 (page 69, line 31 in L.D.) by striking out the under-
26 lined words and punctuation "his spouse, parent,
27 child, sister or brother" and inserting in their
28 place the underlined words 'member of his immediate
29 family'

30 Further amend the bill in section 6, in that part
31 designated "§601." in subsection 2, paragraph A, in
32 the 3rd line (page 70, line 17 in L.D.) by striking
33 out the following: "()" and inserting in its place
34 the following: '(✓)'

35 Further amend the bill in section 6, in that part

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1 designated "§601." in subsection 2, paragraph F, in
2 the last line (page 71, line 15 in L.D.) by striking
3 out the following: "()" and inserting in its place
4 the following: '(✓)'

5 Further amend the bill in section 6, in that part
6 designated "§602." in subsection 2, paragraph C, in
7 the 3rd line (page 72, line 39 in L.D.) by striking
8 out the following: "()" and inserting in its place
9 the following: '(✓)'

10 Further amend the bill in section 6, in that part
11 designated "§602." in subsection 2, paragraph C, in
12 the last line (page 73, line 5 in L.D.) by striking
13 out the underlined word "NAME" and inserting in its
14 place the underlined word 'NAMES'

15 Further amend the bill in section 6, in that part
16 designated "§623." in the 10th line (page 80, line 22
17 in L.D.) by striking out the underlined word "which"
18 and inserting in its place the following: 'on (date
19 of posting) which'

20 Further amend the bill in section 6, in that part
21 designated "§691." in the first paragraph, 2nd line
22 (page 97, line 8 in L.D.) by striking out the follow-
23 ing: "()" and inserting in its place the following:
24 '(✓)'

25 Further amend the bill in section 6, in that part
26 designated "§692." in the first paragraph, 2nd line
27 (page 97, line 25 in L.D.) by striking out the fol-
28 lowing: "()" and inserting in its place the follow-
29 ing: '(✓)'

30 Further amend the bill in section 6, in that part
31 designated "§698." in subsection 1, paragraph A, in
32 the 7th line (page 101, line 34 in L.D.) by striking
33 out the underlined words "this section" and inserting
34 in their place the following: 'the Maine Revised
35 Statutes, Title 21-A, section 698'

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1 Further amend the bill in section 6, in that part
2 designated "\$737." in subsection 7, in the 2nd line
3 (page 110, line 5 in L.D.) by striking out the under-
4 lined words "there was a mistake" and inserting in
5 their place the underlined words 'a mistake was'

6 Further amend the bill in section 6, in that part
7 designated "\$746." in subsection 1, in the 2nd line
8 (page 114, line 28 in L.D.) by striking out the un-
9 derlined word "to" and inserting in its place the un-
10 derlined word 'in'

11 Further amend the bill in section 6, in that part
12 designated "\$753." in subsection 3, in the 16th line
13 (page 118, line 11 in L.D.) by striking out the un-
14 derlined word "as" and inserting in its place the un-
15 derlined word 'an'

16 Further amend the bill in section 6, in that part
17 designated "\$753." in subsection 3, paragraph B, sub-
18 paragraph (1), in the first line (page 118, line 28
19 in L.D.) by striking out the underlined words "If
20 the" and inserting in their place the underlined word
21 'The'

22 Further amend the bill in section 6, in that part
23 designated "\$753." in subsection 3, paragraph B, sub-
24 paragraph (2), in the first line (page 118, line 32
25 in L.D.) by striking out the underlined words "If an"
26 and inserting in their place the underlined word 'An'

27 Further amend the bill in section 6, in that part
28 designated "\$756." in subsection 4, in the last 2
29 lines (page 122, lines 32 and 33 in L.D.) by striking
30 out the underlined words and punctuation ". This copy
31 is" and inserting in their place the underlined word
32 'as'

33 Further amend the bill in section 6, in that part
34 designated "\$759." in subsection 4, in the 3rd line
35 (page 124, line 23 in L.D.) by striking out the un-
36 derlined word "envelopes" and inserting in its place

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1 the underlined word 'envelope'

2 Further amend the bill in section 6, in that part
3 designated "§791." in subsection 1, paragraph A, in
4 the 2nd line (page 129, line 10 in L.D.) by inserting
5 after the underlined word "present" the underlined
6 words 'in the municipality and able to vote'

7 Further amend the bill in section 6, in that part
8 designated "§1002." in the 7th line (page 154, line 6
9 in L.D.) by striking out the underlined words "Senate
10 and" and inserting in their place the underlined word
11 and punctuation 'Senate,'

12 Further amend the bill in section 6, in that part
13 designated "§1016." in subsection 3, paragraph B, by
14 striking out all of the last 2 sentences (page 163,
15 lines 18 to 23 in L.D.) and inserting in their place
16 the following: 'If the contributor is the candidate
17 or a member of the candidate's immediate family, the
18 account must also state the relationship. For pur-
19 poses of this paragraph, "filing period" is as pro-
20 vided in section 1017, subsection 3, paragraph A;'

21 Further amend the bill in section 6, in that part
22 designated "§1019." in the first paragraph, in the
23 first and 2nd lines (page 168, lines 30 and 31 in
24 L.D.) by striking out the underlined words "or a can-
25 didate's authorized political committee" and insert-
26 ing in their place the underlined words and punctua-
27 tion ', a candidate's authorized political committee
28 or a party committee'

29 Further amend the bill in section 6, in that part
30 designated "§1019." in subsection 3, by striking out
31 all of the first sentence (page 169, lines 27 to 31
32 in L.D.) and inserting in its place the following:
33 'Reports required by this section must be on forms
34 prescribed by the commission and prepared by the Sec-
35 retary of State and, in the case of quarterly re-
36 ports, sent by the commission to the person at least
37 7 days before the filing date for the report.'

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1 Further amend the bill in section 6, in that part
2 designated "§1052." in subsection 3, paragraph C, in
3 the 5th line (page 180, line 1 in L.D.) by striking
4 out the underlined word "campaign"

5 Further amend the bill in section 6, in that part
6 designated "§1057." in subsection 3, in the 6th line
7 (page 185, line 20 in L.D.) by striking out the un-
8 derlined words and figure "are less than \$51" and in-
9 serting in their place the underlined words and fig-
10 ure 'do not exceed \$50'

11 Further amend the bill in section 6, in that part
12 designated "§1060." in subsection 6, by striking out
13 all of the last sentence (page 189, lines 34 to 36 in
14 L.D.) and inserting in its place the following: "'The
15 information already reported as required by section
16 1053, subsection 7, should not be duplicated.'"

17 STATEMENT OF FACT

18 This amendment corrects several typographic and
19 structural mistakes. It also makes the appeal proce-
20 dure for persons aggrieved by acts of the registrar
21 consistent with other administrative appeal proce-
22 dures. The person aggrieved must first file a com-
23 plaint with the municipal officers, with recourse to
24 the courts.

25 3042041085

Reported by Senator Trafton for the Committee on Legal Affairs

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