

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)



122nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2005

Legislative Document

No. 100

H.P. 76

House of Representatives, January 11, 2005

Resolve, Requiring the Secretary of State To Develop Voting Systems Standards

(EMERGENCY)

Submitted by the Secretary of State pursuant to Joint Rule 204.

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

Millicent M. MacFarland

MILLICENT M. MacFARLAND

Clerk

Presented by Representative PATRICK of Rumford.
Cosponsored by Senator GAGNON of Kennebec and
Representatives: BROWN of South Berwick, FISHER of Brewer, HOTHAM of Dixfield,
MOORE of Standish, OTT of York, VALENTINO of Saco, Senators: MARTIN of Aroostook,
PERRY of Penobscot.

2 **Emergency preamble.** Whereas, acts and resolves of the
Legislature do not become effective until 90 days after
adjournment unless enacted as emergencies; and

4
6 **Whereas,** federal law requires that the State implement
certain voting systems standards no later than January 1, 2006;
and

8
10 **Whereas,** in order to adopt those standards, it is vital that
a stakeholders group begin its work immediately so that a
legislative proposal may be crafted and acted upon before the
12 adjournment of the First Regular Session of the 122nd
Legislature; and

14
16 **Whereas,** in the judgment of the Legislature, these facts
create an emergency within the meaning of the Constitution of
Maine and require the following legislation as immediately
18 necessary for the preservation of the public peace, health and
safety; now, therefore, be it

20
22 **Sec. 1. Voting systems standards. Resolved:** That, pursuant to
the federal Help America Vote Act of 2002, Public Law 107-252,
Section 301, the State shall adopt and implement by January 1,
24 2006 voting systems standards that apply uniformly and in a
nondiscriminatory manner and that define what constitutes a vote
26 and what must be counted as a vote for each category of voting
system used in the State; and be it further

28
30 **Sec. 2. Secretary of State to convene stakeholders group. Resolved:**
That the Secretary of State shall convene a group of stakeholders
to review the relevant case law and the law in other states
32 regarding the standards required under section 1 and to develop
proposed legislation to accomplish the implementation of the
standards; and be it further

34
36 **Sec. 3. Submission to joint standing committee. Resolved:** That
the Secretary of State shall submit a report of the stakeholders'
38 review, including proposed legislation, to the Joint Standing
Committee on Legal and Veterans Affairs by March 11, 2005 and the
committee may submit a bill based on the report to the First
40 Regular Session of the 122nd Legislature.

42
44 **Emergency clause.** In view of the emergency cited in the
preamble, this resolve takes effect when approved.

46
48
SUMMARY

50 This resolve directs the Secretary of State to convene a
stakeholders group to develop for the State certain voting
systems standards required by the federal Help America Vote Act
52 of 2002, Public Law 107-252, Section 301.