

MAINE STATE LEGISLATURE

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MAJORITY

Date: 2/27/20

(Filing No. S-409)

VETERANS AND LEGAL AFFAIRS

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STATE OF MAINE

SENATE

129TH LEGISLATURE

SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 655, L.D. 1903, Bill, "An Act To Amend the Laws Governing Activities at or near the Polls on Election Day"

Amend the bill by striking out all of section 5 and inserting the following:

Sec. 5. 21-A MRSA §683 is enacted to read:

§683. Restricted activities on election day

This section governs the activities that are prohibited or permitted at the voting place on election day.

1. Campaign-free zone. On election day, the area within the voting place and on public property within a radius of 150 feet outside the entrance to the voting place is designated as a campaign-free zone. Within the zone, a person may not influence or attempt to influence another person's decision regarding any candidate or question on the ballot in that election year.

A. Within the zone described in this subsection a person may not engage in any of the following activities relating to a party or to a candidate or question on the ballot in that election year:

(1) The instruction of a voter in the method of marking the ballot, except as provided in section 672;

(2) The display or distribution of any advertising material or operation of any advertising medium, including a sound amplification device or an audio feature on any mobile telephone or other handheld electronic device. For purposes of this subparagraph, "sound amplification device" includes, but is not limited to, sound trucks, loudspeakers and blowhorns;

(3) The display or distribution of campaign literature, posters, palm cards, buttons, badges or stickers;

(4) The solicitation or acceptance of contributions for a campaign as defined in section 1052, subsection 1 or for the purpose of qualifying a Maine Clean

COMMITTEE AMENDMENT

1 Election Act candidate pursuant to section 1125. For purposes of this
2 subparagraph, "contribution" includes a contribution as defined in section 1012,
3 subsection 2 and a contribution described in section 1052, subsection 3, whether
4 made to a political action committee or to a ballot question committee;

5 (5) The collection of signatures on nominating petitions; or

6 (6) Communication orally or in written form with voters in a manner that
7 expresses support for or opposition to a party, a candidate or a question.

8 B. Notwithstanding paragraph A, the following activities are permitted within the
9 zone described in this subsection:

10 (1) The display of advertising material on an automobile transporting a voter to
11 or from the voting place for the purpose of voting;

12 (2) The wearing of clothing, a campaign button or a hat that displays the name of
13 a candidate or an advertising or campaign message by a voter who is at the polls
14 solely for the purpose of voting, as long as the message does not expressly
15 advocate for the passage or defeat of any question or election or defeat of any
16 candidate for an office that is on the ballot for the election that day;

17 (3) Exit polling, except that a person conducting a poll may not approach or
18 communicate orally with any voter until after the voter has voted; and

19 (4) The greeting of voters by a candidate, or no more than one representative of a
20 candidate, as long as the candidate or candidate's representative does not state the
21 name of the office the candidate is seeking in that election year or wear any
22 button, name tag or apparel displaying the candidate's name or the name of the
23 office sought or otherwise express support for or opposition to a party, a
24 candidate or a question.

25 2. **Petitioning activity.** To the extent space is available within the campaign-free
26 zone described in subsection 1, the warden may assign spaces to persons or organizations
27 for activities related to the collection of signatures of registered voters only on a petition
28 to qualify a measure for the ballot at a future election. For purposes of this section,
29 "petition" means a petition for the direct initiative of legislation or a people's veto
30 referendum on a form issued by the Secretary of State pursuant to section 901 or a
31 petition to qualify a municipal referendum question for the ballot in accordance with Title
32 30-A, section 2522 or Title 30-A, section 2528, subsection 5 or a municipal charter or
33 ordinance. The warden may limit the number of persons who may occupy each assigned
34 space. Persons wishing to engage in activities at the voting place under this subsection
35 must make arrangements with the clerk before election day or with the warden on
36 election day. The clerk and the warden may not unreasonably deny requests for space to
37 conduct these activities. Persons permitted to collect signatures under this subsection
38 may not solicit a voter's signature until after the voter has completed voting.

39 3. **Free passage of voters.** A person may not interfere with the free passage of
40 voters to or from the voting place.

41 4. **Enforcement.** The warden may direct the removal from the voting place of any
42 person who does not comply with the requirements of this section.



129th MAINE LEGISLATURE

LD 1903

LR 2918(02)

An Act To Amend the Laws Governing Activities at or near the Polls on Election Day

Fiscal Note for Bill as Amended by Committee Amendment "A" (S-409)
Committee: Veterans and Legal Affairs
Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund

Fiscal Detail and Notes

Additional costs to the Department of Secretary of State associated with issuing guidelines can be absorbed within existing budgeted resources.