

# MAINE STATE LEGISLATURE

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CHAPTER 3  
REGISTRATION OF VOTERS

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SUBCHAPTER I

REGISTRAR OF VOTERS; BOARD OF REGISTRATION

Sec.

- 41. Registrar.
- 42. Deputy registrar.
- 43. Board of registration in certain cities.

§ 41. Registrar

The municipal officers of each municipality shall appoint in writing a qualified person as registrar of voters within 10 days after the regular election of municipal officials.

**1. Qualifications.** The registrar must be a citizen of the United States, a resident of the municipality and at least 21 years of age. He may not hold or be a candidate for any state or county office, or hold membership on any political committee. If the registrar is to be absent from the municipality for a period exceeding 15 consecutive days, he shall appoint a deputy registrar who must be physically present in the municipality. If the registrar fails to appoint such deputy and is absent from the municipality for more than 15 consecutive days, the clerk shall serve as registrar pro tem.

1963, c. 78, § 3.

**2. Term of office.** He shall serve for one year and until his successor is appointed and sworn.

**3. Oath required.** Before assuming the duties of office, he must be sworn and the fact of his oath recorded as provided in Title 30, section 2060, subsection 9.

**4. Secretary of State notified.** The municipal officers shall advise the Secretary of State the name of the registrar, within 10 days after he is appointed and sworn.

**5. Compensation.** The municipal officers shall determine the compensation of the registrar.

**6. Office hours.** The municipal officers shall establish reasonable office hours for the registrar consistent with the requirements of the municipality.

**7. Office space, expenses and clerical help.** Each municipality shall provide a suitable place in which the registrar may perform his duties, and shall pay reasonable expenses for necessary office supplies purchased and clerical help engaged by the registrar.

**8. Vacancy.** When there is a vacancy in the office of registrar, the municipal officers shall appoint a qualified person to fill the vacancy for the remainder of the term.

1961, c. 360, § 1; 1963, c. 78, § 3.

## § 42. Deputy registrar

The registrar may appoint not more than 2 deputies.

**1. Qualification and compensation.** Section 41, subsections 1, 3 and 5 apply to a deputy registrar.

**2. Term of office.** He shall serve at the will of the registrar.

**3. Duties.** He may perform any of the duties of office prescribed by the registrar.

1961, c. 360, § 1.

## § 43. Board of registration in certain cities

In a city which has a population of 5,000 or over, a board of registration consisting of 3 members must be appointed as follows: One member nominated by the city committees of each of the 2 major parties and appointed by the municipal officers, and the 3rd member appointed by the Governor with the advice and consent of the Council.

**1. Term of office.** Each member appointed by the municipal officers shall serve for 3 years and until his successor is appointed and sworn. The member appointed by the Governor shall serve for 4 years and until his successor is appointed and sworn.

**2. Chairman of the board.** The member appointed by the Governor is chairman of the board.

**3. Vacancy.** When there is a vacancy on the board, the municipal officers shall appoint a qualified person nominated by the city committee of the party of the former incumbent to fill the vacancy for the remainder of the term.

**A. Exception.** When there is a vacancy in the office of chairman of the board, the Governor, with the advice and consent of the Council, shall appoint a qualified person to fill the vacancy for the remainder of the term.

1961, c. 408, § 1.

**4. Application to board of registration.** Except as otherwise provided in this section, the provisions of law pertaining to the registrar apply equally to a board of registration.

**A. Exceptions.** Section 42 does not apply to a board of registration. The chairman of the board may designate himself or another member of the board to accept the application of a disabled person for registration under section 72.

1961, c. 360, § 1; c. 408, § 1.

## SUBCHAPTER II

### REGISTRATION AND ENROLLMENT

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ARTICLE 1. PROVISIONS COMMON TO REGISTRATION  
AND ENROLLMENT

§ 71. Acceptance of applications by clerk

In a city which has a board of registration, the clerk shall accept applications for registration and enrollment when the board is not in session.

**1. Applicant must qualify before clerk.** The clerk shall require an applicant for registration to qualify as provided in section 102. If the applicant qualifies, the clerk shall write "OK" and his initials on the application and file it with the board. If the applicant fails to qualify or if his qualifications are in doubt, the clerk shall refuse to accept his application and direct him to appear before the board.

**2. Final action by board.** In any case, final action for acceptance of a registration or enrollment must be taken by the board. If the board rejects an application accepted by the clerk, it shall notify the applicant forthwith by first class mail of the rejection and the reason for it.

1961, c. 360, § 1.

§ 72. Registration and enrollment of disabled person

A person who is physically unable to appear before the registrar and who lives within 20 miles of the office of the registrar may be registered as a voter and enrolled in a party as follows:

**1. Request and statement.** The applicant must make a written request to the registrar, accompanied by a written statement from his attending physician certifying to his physical inability to appear.

**2. Procedure.** On receipt of the request and statement the registrar shall visit the applicant and follow the procedure outlined in sections 101 to 132.

**A. Travel expense.** The registrar is entitled to 10¢ per mile for travel expense which shall be paid by the municipality.

1961, c. 360, § 1.



## ARTICLE 2. REGISTRATION

**§ 101. Exclusive power of registrar**

The registrar has the exclusive power to determine whether a person who applies for registration as a voter meets the qualifications prescribed by this Title, subject to section 173.

**1. Oath may be required.** In making this determination, the registrar may require any person who testifies before him concerning his qualifications or those of another to swear to the truth of his statements.

**2. Political party not a qualification.** The registrar shall not inquire as to the political party of the applicant in determining his voting qualifications.

1961, c. 360, § 1.

**§ 102. Procedure**

A person may register as a voter by appearing before the registrar, proving that he is qualified as provided in section 241, subsections 1 to 4, and filing an application provided by the registrar containing the information required by section 201.

**1. Proof of naturalized citizenship.** If the applicant is a naturalized citizen, he must observe the following procedure:

**A. Certificate of naturalization.** He must produce his certificate of naturalization or a certified copy of the court record of his naturalization from the court by which he was naturalized, for inspection by the registrar.

**B. Identity under oath.** He must swear that he is the person to whom the certificate or copy refers.

**C. Derived citizenship.** If his citizenship is derived through another person, he shall produce satisfactory evidence of that fact.

**D. Registrar to decide.** If satisfied that he was legally naturalized, the registrar shall record the date of inspection on the certificate or copy which need not be produced again for inspection. If not satisfied that he was legally naturalized, the registrar shall so advise the applicant in writing and request further proof.

**2. Placement on voting list.** The registrar shall place the name of the applicant on the voting list as soon as he has quali-

fied. He shall register a woman by her first name, middle name or initial, and married surname.

**3. Failure to qualify.** If an applicant fails to qualify, the registrar shall advise him in writing the reason for it, on request.

**4. Notice of new registration.** When an applicant states in his application that he last voted in another municipality in this State, the registrar shall send a notice of his new registration forthwith to the registrar of that municipality. The registrar who receives the notice shall remove the name from the voting list if he is satisfied as to the identity of the person, and he need not send the notice required by section 172.

1961, c. 360, § 1.

### ARTICLE 3. ENROLLMENT

#### § 131. Mention of enrollment

As soon as a person has registered, the registrar shall ask him whether he wishes to enroll. If his answer is in the affirmative, the registrar shall provide him with an enrollment application.

**1. Influence prohibited.** The registrar shall not attempt to influence an applicant in his choice of a party, and he shall not allow anyone else to do so.

1961, c. 360, § 1.

#### § 132. Procedure

A voter may enroll in a party by filing an application with the registrar personally, by mail or otherwise, at any time, except that a voter who enrolls on election day must do so personally.

**1. Content of application.** The application must contain the following information: Name of applicant, street address, voting district, name of party in which enrollment is requested, date and signature of applicant.

**2. Party designation on voting list.** On receipt of the application, the registrar shall place the party designation of the applicant beside his name on the voting list and file the application.

1961, c. 360, § 1.

**§ 133. Permitted at any election**

A voter who is not enrolled in a municipality may enroll at any election by filing personally the application required by section 132 with the incoming election clerk, after which he may vote. If the applicant votes by absentee ballot because of physical incapacity, he may file the application with his absentee ballot.

**1. Application delivered to registrar.** The election clerk who receives the completed application shall initial it and deliver it to the registrar, after the polls are closed.

**2. Party designation on voting list.** On receipt of the application, the registrar shall place the party designation of the applicant beside his name on the voting list and file the application.

**3. Applications furnished by registrar.** The registrar shall furnish a reasonable number of enrollment applications to the warden at each voting place. If there are not enough applications at the voting place, the applicant may write the information required by section 132 on a blank piece of paper.

1961, c. 360, § 1.

**§ 134. Change of enrollment**

A voter may change his enrollment by filing an application with the registrar personally, by mail or otherwise.

**1. Content of application.** The application must be dated and signed by the applicant. It must contain the following information: Name of applicant, street address, voting district, name of party in which enrolled, and name of party in which enrollment is requested.

**2. Party designation removed from voting list.** On receipt of the application, the registrar shall remove the party designation beside the name of the applicant on the voting list. At the expiration of 6 months from the date of the application, the registrar shall enroll the applicant in the party requested.

**3. Restrictions during change of enrollment.** A voter may not vote at a caucus or primary election within 6 months after filing an application to change his enrollment, except as provided in subsection 4.

**4. Change of residence.** When a voter changes his residence from one municipality to another and establishes a new

voting residence there, he may enroll in any party and vote at a caucus, convention or primary election, regardless of his previous enrollment.

1961, c. 360, § 1.

**§ 135. Withdrawal of enrollment**

A voter may withdraw his enrollment by filing a written request with the registrar.

**1. Limitation.** A voter may not file a request to withdraw his enrollment for 6 months after the date on which he enrolled.

1961, c. 360, § 1.