

MAINE STATE LEGISLATURE

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STATE OF MAINE
DEPARTMENT OF THE ATTORNEY GENERAL
AUGUSTA

August 25, 1934

Hon. Robinson C. Tobey
Secretary of State
Augusta, Maine

Dear Sir:

I have your inquiry with reference to the "Qualification of Voters". Section 2 of Chapter 6 of the Revised Statutes provides, in effect, that every citizen, not being prevented by physical disability from so doing, is able to read the constitution of the state in the English language, and to write his name, and who is twenty-one years of age or upwards and shall have his residence established in this state for a period of three months next preceding any national, state, city, or town election shall have the right to vote at every such election in the city, town, or plantation where his residence is so established; and such right to vote at national and state elections in such city, town or plantation shall continue for a period of three months after his removal therefrom, if he continues to reside in this state during said period; provided, that his name has been properly entered upon the voting list of such city, town, or plantation.

A person's voting residence is determined by "bodily presence in a place coupled with an intention to make such place a home". The intention must be, not to make a home temporarily, but to make a real and permanent home as he might have elsewhere.

In other words, a person's residence "is the habitation fixed in any place without any present intention of removing therefrom".

A person can have but one voting residence at a time. It follows that his existing residence continues until he acquires another one, vice versa, by acquiring a new residence he relinquishes his former one.

Hon. Robinson C. Tobey

August 23, 1934

If a person leaves his home in one town and goes to another town to work, or for any other temporary purpose with no intention of remaining permanently, he does not change his residence. If he goes to another town intending to remain permanently he becomes a resident in such town, and by three months residence he gains a right to vote in such town.

During said three months he retains his right to vote in national and state elections in the town he left.

A person making a change of residence, as aforesaid, in order to have his name entered on the voting list must be registered by the municipal officers in towns, and cities of less than three thousand inhabitants, and by the Board of Registration in cities having three thousand or more inhabitants.

Very truly yours,

SANFORD L. FOGG
Deputy Attorney General

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DEPARTMENT OF THE ATTORNEY GENERAL
STATE OF MAINE

