

MAINE STATE LEGISLATURE

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May 25, 1939

Honorable Lewis O. Barrows
Governor of Maine
State House
Augusta, Maine

Dear Governor Barrows:

You asked me this morning if in my opinion it was necessary for a registered voter to appear in person before a Board of Registration in order to enroll as a member of any political party, or to change his enrollment, having once enrolled.

This matter is covered by Section 40 of Chapter 7 of the Revised Statutes, which provides as follows: "Any person who is a legal voter may enroll himself as a member of any political party by filing with or delivering to the Board of Registration of Voters of the city, town or plantation of which he is a legal voter, a declaration in writing, signed by himself, substantially as follows:". Then after setting out the form to be used, the rest of the Section is as follows: "The foregoing declaration may be filed with the Board of Registration in person, by mail, or otherwise, and when received it shall be the duty of such Board to cause the enrollment to be made. A voter may change his enrollment at any time, but the person making such change or enrollment shall not vote in any political caucus or primary election within 6 months thereafter."

In my opinion, based upon the above section, a registered voter does not need to appear in person before the Board of Registration to change his enrollment, and if he signs a declaration in accordance with the provisions of the statute, he can transmit that to the Board or it can be taken in for him by some other person, and the Board must receive it and act upon it.

Very truly yours,

Franz U. Burkett
Attorney General

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