

# MAINE STATE LEGISLATURE

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ONE HUNDRED AND FIFTH LEGISLATURE

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**Legislative Document**

**No. 1178**

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S. P. 405

In Senate, March 4, 1971

Referred to Committee on Election Laws. Sent down for concurrence and ordered printed.

HARRY N. STARBRANCH, Secretary

Presented by Senator Shute of Franklin.

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-ONE

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**AN ACT Relating to Voters Resigning or Removed from the Voting List.**

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Be it enacted by the People of the State of Maine, as follows:

**Sec. 1. R. S., T. 21, § 171, sub-§ 2, amended.** Subsection 2 of section 171 of Title 21 of the Revised Statutes is amended to read as follows:

2. **List current.** He shall keep the list current at all times by adding the names of new voters and by removing the names of those who have died, moved from the municipality more than 3 months previously with an apparent intention of abandoning their residence therein, **resigned from the voting list** or become disqualified to vote. **Where a voter fails to vote in two consecutive gubernatorial elections, it shall be presumed that said voter has resigned from the voting list.**

**Sec. 2. R. S., T. 21, § 171, sub-§ 4, amended.** The last sentence of subsection 4 of section 171 of Title 21 of the Revised Statutes is repealed and the following enacted in place thereof:

**Where a voter fails to appear pursuant to the registrar's request, the registrar may remove his name from the voting list in accordance with section 172.**

**Sec. 3. R. S., T. 21, § 171, sub-§ 6, additional.** Section 171 of Title 21 of the Revised Statutes, as amended by section 1 of chapter 109 of the public laws of 1969, is further amended by adding a new subsection 6 to read as follows:

6. **Copy of checklist.** The clerk shall provide the registrar with a copy of the incoming checklist for every gubernatorial election. Said copy shall not be a public record, but shall be for the confidential use of the registrar.

**Sec. 4. R. S., T. 21, § 172, repealed and replaced.** Section 172 of Title 21 of the Revised Statutes, as amended, is repealed and the following enacted in place thereof:

**§ 172. Removal from voting list**

Where the registrar believes that grounds exist for removal from the voting list, the registrar may remove the voter's name from the voting list 60 days after notice. Notice shall be by mail sent to the last known mailing address of the voter. Said notice shall contain a statement of the probable grounds for removal and a statement that the voter's name may be removed after 60 days. The registrar shall keep a list of the voters to whom the notice is sent. The list shall contain the date and the address. Registrar shall further notify by mail any person whose name is, in fact, removed from the voting list. Where a name has been removed from the voting list in error, the name may be replaced under section 831, subsection 1, and at any other reasonable time.

**Sec. 5. R. S., T. 21, § 173, sub-§ 3, additional.** Section 173 of Title 21 of the Revised Statutes is amended by adding a new subsection 3 to read as follows:

**3. Voting pending appeal.** The interested or aggrieved person may vote pending appeal. The warden shall challenge said person under section 863.

#### STATEMENT OF FACT

The purpose of this bill is to permit voters to resign from the voting list, establishing a presumption of resignation, providing for notice to the voter prior to removal and permitting any person whose name has been removed from the voting list to vote pending appeal.